General Assembly **Substitute Bill No. 1059**

January Session, 2011 *____SB01059PH_JUD033011___*

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 Governor shall consolidate and merge within the Department of Administrative Services the personnel, payroll and business office functions of certain state agencies selected for such consolidation by the Governor. The Department of Administrative Services shall provide such functions for the selected agencies in accordance with section 60 of public act 05-251. Not later than December 31, 2011, the Governor shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to government administration concerning which agencies were selected by the Governor pursuant to this section and the status of such consolidation.

(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 the Department of Administrative Services, in order to consolidate

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

26 Sec. 2. Subsection (a) of section 1-83 of the general statutes is
27 repealed and the following is substituted in lieu thereof (*Effective July*
28 *1, 2011*):

29 (a) (1) All state-wide elected officers, members of the General
30 Assembly, department heads and their deputies, members of the
31 Gaming Policy Board, **[**the executive director of the Division of Special
32 Revenue within the Department of Revenue Services,**]** members or
33 directors of each quasi-public agency, members of the Investment
34 Advisory Council, state marshals and such members of the Executive
35 Department and such employees of quasi-public agencies as the
36 Governor shall require, shall file, under penalty of false statement, a
37 statement of financial interests for the preceding calendar year with the
38 Office of State Ethics on or before the May first next in any year in
39 which they hold such a position. Any such individual who leaves his
40 or her office or position shall file a statement of financial interests
41 covering that portion of the year during which such individual held
42 his or her office or position. The Office of State Ethics shall notify such
43 individuals of the requirements of this subsection not later than thirty
44 days after their departure from such office or position. Such
45 individuals shall file such statement within sixty days after receipt of
46 the notification.

47 (2) Each state agency, department, board and commission shall
48 develop and implement, in cooperation with the Office of State Ethics,
49 an ethics statement as it relates to the mission of the agency,
50 department, board or commission. The executive head of each such
51 agency, department, board or commission shall be directly responsible
52 for the development and enforcement of such ethics statement and

53 shall file a copy of such ethics statement with the Department of
54 Administrative Services and the Office of State Ethics.

55 Sec. 3. Subsection (d) of section 1-84 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective July*
57 *1, 2011*):

58 (d) No public official or state employee or employee of such public
59 official or state employee shall agree to accept, or be a member or
60 employee of a partnership, association, professional corporation or
61 sole proprietorship which partnership, association, professional
62 corporation or sole proprietorship agrees to accept any employment,
63 fee or other thing of value, or portion thereof, for appearing, agreeing
64 to appear, or taking any other action on behalf of another person
65 before the Department of Banking, the Claims Commissioner, the
66 Office of Health Care Access division within the Department of Public
67 Health, the Insurance Department, the office within the Department of
68 Consumer Protection that carries out the duties and responsibilities of
69 sections 30-2 to 30-68m, inclusive, the Department of Motor Vehicles,
70 the State Insurance and Risk Management Board, the Department of
71 Environmental Protection, the Department of Public Utility Control,
72 the Connecticut Siting Council, **[**the Division of Special Revenue
73 within the Department of Revenue Services,**]** the Gaming Policy Board
74 within the Division of Special Revenue or the Connecticut Real Estate
75 Commission; provided this shall not prohibit any such person from
76 making inquiry for information on behalf of another before any of said
77 commissions or commissioners if no fee or reward is given or
78 promised in consequence thereof. For the purpose of this subsection,
79 partnerships, associations, professional corporations or sole
80 proprietorships refer only to such partnerships, associations,
81 professional corporations or sole proprietorships which have been
82 formed to carry on the business or profession directly relating to the
83 employment, appearing, agreeing to appear or taking of action
84 provided for in this subsection. Nothing in this subsection shall
85 prohibit any employment, appearing, agreeing to appear or taking

86 action before any municipal board, commission or council. Nothing in
87 this subsection shall be construed as applying (1) to the actions of any
88 teaching or research professional employee of a public institution of
89 higher education if such actions are not in violation of any other
90 provision of this chapter, (2) to the actions of any other professional
91 employee of a public institution of higher education if such actions are
92 not compensated and are not in violation of any other provision of this
93 chapter, (3) to any member of a board or commission who receives no
94 compensation other than per diem payments or reimbursement for
95 actual or necessary expenses, or both, incurred in the performance of
96 the member's duties, or (4) to any member or director of a quasi-public
97 agency. Notwithstanding the provisions of this subsection to the
98 contrary, a legislator, an officer of the General Assembly or part-time
99 legislative employee may be or become a member or employee of a
100 firm, partnership, association or professional corporation which
101 represents clients for compensation before agencies listed in this
102 subsection, provided the legislator, officer of the General Assembly or
103 part-time legislative employee shall take no part in any matter
104 involving the agency listed in this subsection and shall not receive
105 compensation from any such matter. Receipt of a previously
106 established salary, not based on the current or anticipated business of
107 the firm, partnership, association or professional corporation involving
108 the agencies listed in this subsection, shall be permitted.

109 Sec. 4. Section 12-3b of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective July 1, 2011*):

111 (a) There is created an Abatement Review Committee which shall
112 consist of the State Comptroller or an employee of the office of the
113 State Comptroller designated by said Comptroller, the Secretary of the
114 Office of Policy and Management or an employee of the Office of
115 Policy and Management **[**designed**]** <u>designated</u> by said secretary<u>, the</u>
116 <u>Commissioner of Consumer Protection or an employee of the</u>
117 <u>Department of Consumer Protection designated by said commissioner</u>
118 and the Commissioner of Revenue Services or an employee of the

119 Department of Revenue Services designated by said commissioner.
120 Said committee shall meet monthly or as often as necessary to approve
121 any abatement, in whole or in part, of tax, including any penalty or
122 interest payable in connection therewith, which the Commissioner of
123 Revenue Services or the **[**executive director of the Division of Special
124 Revenue**]** Commissioner of Consumer Protection is authorized to abate
125 pursuant to any provision of the general statutes. A majority vote of
126 the committee shall be required for approval of such abatement.

127 (b) An itemized statement of all abatements approved under this
128 section shall be available to the public for inspection by any person.

129 (c) The Abatement Review Committee, established pursuant to
130 subsection (a) of this section, may adopt regulations, in accordance
131 with chapter 54, establishing guidelines for the abatement of any tax.

132 Sec. 5. Section 12-557b of the general statutes is repealed and the
133 following is substituted in lieu thereof (*Effective July 1, 2011*):

134 As used in this chapter, and in sections 12-579, 12-580, and in
135 chapter 226b, unless the context otherwise requires:

136 (a) "Board" means the Gaming Policy Board established under
137 section 12-557d, as amended by this act;

138 **[**(b) "Executive director" means the executive director of the Division
139 of Special Revenue within the Department of Revenue Services**]**

140 (b) "Commissioner" means the Commissioner of Consumer
141 Protection;

142 **[**(c) "Division" means the Division of Special Revenue within the
143 Department of Revenue Services**]**

144 (c) "Department" means the Department of Consumer Protection;

145 (d) "Business organization" means a partnership, incorporated or
146 unincorporated association, firm, corporation, trust or other form of

business or legal entity, other than a financial institution regulated by a state or federal agency which is not exercising control over an association licensee; and

(e) "Control" means the power to exercise authority over or direct the management and policies of a person or business organization.

Sec. 6. Section 12-557c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

[(a) There shall be a Division of Special Revenue within the Department of Revenue Services for administrative purposes only. The Division of Special Revenue shall, in cooperation**]**

(a) The Department of Consumer Protection, in consultation with the Gaming Policy Board, shall implement and administer the provisions of sections 7-169 to 7-172, inclusive, as amended by this act, and sections 7-185a to 7-186, inclusive, as amended by this act, this chapter and chapters 226b and 229a. **[**under the supervision of an executive director.**]**

[(b) The Division of Special Revenue shall be under the direction and control of an executive director who shall be responsible for the operation of his division. The executive director shall be appointed by the Governor, with the approval of the General Assembly, and shall be qualified and experienced in the functions performed by the Division of Special Revenue. The executive director may appoint a deputy and an executive assistant for the efficient conduct of the business of the division. The deputy executive director shall, in the absence or disqualification of the executive director or on his death, exercise the powers and duties of the executive director until he resumes his duties or the vacancy is filled. The deputy executive director and the executive assistant shall serve at the pleasure of the executive director. The executive director and the deputy executive director shall not participate actively in political management and campaigns. Such activity includes holding office in a political party, political

178 organization or political club, campaigning for a candidate in a
179 partisan election by making speeches, writing on behalf of a candidate,
180 soliciting votes in support of or in opposition to a candidate and
181 making contributions of time and money to political parties.**]**

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

186 Sec. 7. Section 12-557d of the general statutes is repealed and the
187 following is substituted in lieu thereof (*Effective July 1, 2011*):

188 (a) There shall be a Gaming Policy Board within the **[**Division of
189 Special Revenue**]** Department of Consumer Protection. Said board
190 shall consist of five members appointed by the Governor with the
191 advice and consent of both houses of the General Assembly. Not more
192 than three members of said board in office at any one time shall be
193 members of the same political party. **[**On or before July 1, 1979, the
194 Governor shall nominate three members who shall serve until July 1,
195 1981, and two members who shall serve until July 1, 1983. The General
196 Assembly shall confirm or reject such nominations in the manner
197 prescribed by section 4-7 before adjournment sine die of the 1979
198 regular session, except that if the nominations cannot be acted on by
199 both houses of the General Assembly during said regular session, the
200 General Assembly shall confirm or reject the nominations at a special
201 session which shall be called, notwithstanding sections 2-6 and 2-7,
202 immediately following adjournment sine die of the 1979 session
203 reconvened in accordance with article third of the amendments to the
204 Constitution of Connecticut, except that if no session is held pursuant
205 to said article, the General Assembly shall meet in special session,
206 notwithstanding sections 2-6 and 2-7, not later than August 1, 1979, to
207 confirm or reject such nominations. Any special session called
208 pursuant to this section shall be held for the sole purpose of
209 confirming or rejecting the initial nominations made by the Governor
210 to the board. Thereafter members**]** Members shall serve for a term of

211 four years and the procedure prescribed by section 4-7 shall apply to
212 such appointments, except that the Governor shall submit such
213 nominations on or before May first, and both houses shall confirm or
214 reject the nominations before adjournment sine die. Members shall
215 receive fifty dollars per day for each day they are engaged in the
216 business of the board and shall be reimbursed for necessary expenses
217 incurred in the performance of their duties. The [executive director]
218 commissioner shall serve on the board ex officio without voting rights.

219 (b) To insure the highest standard of legalized gambling regulation
220 at least four of the board members shall have training or experience in
221 at least one of the following fields: Corporate finance, economics, law,
222 accounting, law enforcement, computer science or the pari-mutuel
223 industry. At least two of these fields shall be represented on the board
224 at any one time.

225 (c) No board member shall accept any form of employment by a
226 business organization regulated under this chapter for a period of two
227 years following the termination of his service as a board member.

228 (d) No board member shall engage in any oral ex parte
229 communications with any representative, agent, officer or employee of
230 any business organization regulated under this chapter concerning any
231 matter pending or impending before the board.

232 (e) The members of the board shall not participate actively in
233 political management and campaigns. Such activity includes holding
234 office in a political party, political organization or political club,
235 campaigning for a candidate in a partisan election by making speeches,
236 writing on behalf of a candidate, soliciting votes in support of or in
237 opposition to a candidate and making contributions of time and
238 money to political parties.

239 (f) The [Division of Special Revenue] Department of Consumer
240 Protection shall provide staff support for the board.

241 Sec. 8. Section 12-557e of the general statutes is repealed and the

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

243 The Gaming Policy Board shall work in cooperation with the
244 **[**Division of Special Revenue**]** Department of Consumer Protection to
245 implement and administer the provisions of this chapter **[**,**]** and
246 chapters 226b and 229a and sections 7-169 to 7-172, inclusive, as
247 amended by this act, and sections 7-185a to 7-186, inclusive, as
248 amended by this act. In carrying out its duties the board shall be
249 responsible for: (1) Approving, suspending or revoking licenses issued
250 under subsection (a) of section 12-574; (2) approving contracts for
251 facilities, goods, components or services necessary to carry out the
252 provisions of section 12-572; (3) setting racing and jai alai meeting
253 dates, except that the board may delegate to **[**the executive director**]**
254 designated staff the authority for setting make-up performance dates
255 within the period of a meeting set by the board; (4) imposing fines on
256 licensees under subsection (j) of section 12-574; (5) approving the types
257 of pari-mutuel betting to be permitted; (6) advising the **[**executive
258 director**]** commissioner concerning the conduct of off-track betting
259 facilities; (7) assisting the **[**executive director**]** commissioner in
260 developing regulations to carry out the provisions of this chapter,
261 chapters 226b and 229a and sections 7-169 to 7-172, inclusive, as
262 amended by this act, and sections 7-185a to 7-186, inclusive, as
263 amended by this act, and approving such regulations prior to their
264 adoption; (8) hearing all appeals taken under subsection (k) of section
265 7-169, as amended by this act, **[**subsection (h) of section 7-169h,
266 subsection (c) of section 7-181,**]** subsection (j) of section 12-574 and
267 section 12-815a, as amended by this act; and (9) advising the Governor
268 on state-wide plans and goals for legalized gambling.

269 Sec. 9. Section 12-562 of the general statutes is repealed and the
270 following is substituted in lieu thereof (*Effective July 1, 2011*):

271 (a) Except as provided in subsection (b) of this section, the
272 **[**executive director**]** commissioner shall have power to enforce the
273 provisions of this chapter and chapter 226b, and with the advice and
274 consent of the board, shall adopt all necessary regulations for that

275 purpose and for carrying out, enforcing and preventing violation of
276 any of the provisions of this chapter, for the inspection of licensed
277 premises or enterprises, for insuring proper, safe and orderly conduct
278 of licensed premises or enterprises and for protecting the public
279 against fraud or overcharge. The **[**executive director**]** commissioner
280 shall have power generally to do whatever is reasonably necessary for
281 the carrying out of the intent of this chapter; and may call upon other
282 administrative departments of the state government and of municipal
283 governments for such information and assistance as he or she deems
284 necessary to the performance of his or her duties.

285 (b) The special policemen in the **[**Division of Special Revenue**]**
286 Department of Consumer Protection and the legalized gambling
287 investigative unit in the Division of State Police within the Department
288 of Public Safety shall be responsible for the criminal enforcement of the
289 provisions of sections 7-169 to 7-172, inclusive, as amended by this act,
290 and sections 7-185a to 7-186, inclusive, as amended by this act, this
291 chapter and chapters 226b and 229a. They shall have the powers and
292 duties specified in section 29-7c, as amended by this act.

293 Sec. 10. Section 12-563a of the general statutes is repealed and the
294 following is substituted in lieu thereof (*Effective July 1, 2011*):

295 The **[**executive director of the Division of Special Revenue**]**
296 Department of Consumer Protection shall, within available resources,
297 prepare and distribute informational materials designed to inform the
298 public of the programs available for the prevention, treatment and
299 rehabilitation of compulsive gamblers in this state. The **[**executive
300 director**]** commissioner shall require any person or business
301 organization which is licensed to sell lottery tickets, operate an off-
302 track betting system or conduct wagering on racing events or jai alai
303 games, to display such informational materials at each licensed
304 premise.

305 Sec. 11. Section 12-564a of the general statutes is repealed and the
306 following is substituted in lieu thereof (*Effective July 1, 2011*):

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

319 Sec. 12. Section 12-568a of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective July 1, 2011*):

321 The **[**Division of Special Revenue**]** Department of Consumer
322 Protection shall adopt regulations, in accordance with chapter 54, for
323 the purpose of assuring the integrity of the state lottery, concerning the
324 regulation of the state lottery under the operation and management of
325 the Connecticut Lottery Corporation. Such regulations shall include:
326 (1) The licensing of employees of the Connecticut Lottery Corporation
327 and any person or business organization awarded the primary contract
328 by said corporation to provide facilities, components, goods or services
329 which are necessary for the operation of the activities authorized by
330 chapter 229a; (2) the approval of procedures of the corporation; (3) the
331 time period for complying with the regulations governing said
332 approval of procedures; (4) offerings of lottery games; (5) minimum
333 prize payouts and payments; (6) regulation of lottery sales agents
334 including qualifications for licensure and license suspension and
335 revocation; (7) assurance of the integrity of the state lottery including
336 the computer gaming system, computer internal control and system
337 testing; and (8) limitations on advertising and marketing content to
338 assure public information as to the odds of winning the lottery and the
339 prohibition of sales of tickets to minors.

340 Sec. 13. Section 12-571 of the general statutes is repealed and the
341 following is substituted in lieu thereof (*Effective July 1, 2011*):

342 (a) The **[**executive director of the Division of Special Revenue**]**
343 Commissioner of Consumer Protection shall enter into negotiations
344 with a person or business organization for the award of a contract of
345 sale of the off-track betting system including, but not limited to, the
346 assets and liabilities of the system and the right to operate the system.
347 Such contract of sale shall authorize the purchaser of the system to
348 establish and conduct a system of off-track betting on races held within
349 or without the state pursuant to the provisions of this chapter. All
350 proceeds derived from such sale shall be deposited as provided in
351 section 39 of public act 93-332. Until the effective date of transfer of
352 ownership of the off-track betting system, the **[**executive director**]**
353 commissioner shall establish and conduct systems of off-track betting
354 on races held within or without the state pursuant to the provisions of
355 this chapter. It is hereby declared that off-track betting on races
356 conducted under the administration or regulatory authority of the
357 **[**division**]** department in the manner and subject to the conditions of
358 this chapter shall be lawful notwithstanding the provisions of any
359 other law, general, special or municipal, including any law prohibiting
360 or restricting lotteries, bookmaking or any other kind of gambling, it
361 being the purpose of this chapter to derive from such betting, as
362 authorized by this chapter, a reasonable revenue for the support of
363 state government and to prevent and curb unlawful bookmaking and
364 illegal betting on races.

365 (b) Until the effective date of transfer of ownership of the off-track
366 betting system, the **[**executive director**]** commissioner, with the advice
367 and consent of the board, shall adopt rules and regulations, consistent
368 with this chapter, establishing and governing the permitted method or
369 methods of operation of the system of off-track betting.

370 Sec. 14. Section 12-571a of the general statutes is repealed and the
371 following is substituted in lieu thereof (*Effective July 1, 2011*):

372 (a) The **[**Division of Special Revenue**]** Department of Consumer
373 Protection and the Gaming Policy Board shall not operate or authorize
374 the operation of more than eighteen off-track betting branch facilities,
375 except that the **[**division**]** department and the board may operate or
376 authorize the operation of any off-track betting facility approved prior
377 to December 31, 1986, by the legislative body of a municipality in
378 accordance with subsection (a) of section 12-572. Any facility approved
379 prior to December 31, 1986, shall be included within the eighteen
380 branch facilities authorized by this subsection.

381 (b) The eighteen off-track betting branch facilities authorized by
382 subsection (a) of this section may include fifteen facilities which have
383 screens for the simulcasting of off-track betting race programs or jai
384 alai games and other amenities including, but not limited to,
385 restaurants and concessions, provided, on and after June 21, 2010, the
386 fifteen facilities which have simulcasting shall be located in the town
387 and city of New Haven, the town of Windsor Locks, the town of East
388 Haven, the town and city of Norwalk, the town and city of Hartford,
389 the town and city of New Britain, the town and city of Bristol, the town
390 and city of Torrington, the town and city of Waterbury, the town and
391 city of Milford, the town and city of New London, the town of
392 Manchester, the town of Windham, the town of Putnam and in the
393 town and city of Bridgeport. The location of each such facility and the
394 addition of simulcasting capability to any existing off-track betting
395 facility that did not previously have such capability (1) shall be
396 approved by the **[**executive director**]** commissioner with the consent of
397 the Gaming Policy Board, and (2) shall be subject to the prior approval
398 of the legislative body of the town in which such facility is located or is
399 proposed to be located. The **[**division**]** department shall report
400 annually to the joint standing committee of the General Assembly
401 having cognizance of matters relating to legalized gambling on the
402 status of the establishment or improvement of the off-track betting
403 branch facility pursuant to this subsection.

404 Sec. 15. Section 12-574 of the general statutes is repealed and the

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

406 (a) No person or business organization may conduct a meeting at
407 which racing or the exhibition of jai alai is permitted for any stake,
408 purse or reward or operate the off-track betting system unless such
409 person or business organization is licensed as an association licensee
410 by the board. Any such licensee authorized to conduct a meeting or
411 operate the off-track betting system shall indemnify and save harmless
412 the state of Connecticut against any and all actions, claims, and
413 demands of whatever kind or nature which the state may sustain or
414 incur by reason or in consequence of issuing such license.

415 (b) No business organization, other than a shareholder in a publicly
416 traded corporation, may exercise control in or over an association
417 licensee unless such business organization is licensed as an affiliate
418 licensee by the board as provided in subdivision (1) of subsection (h) of
419 this section.

420 (c) No person or business organization may operate any concession
421 at any meeting at which racing or the exhibition of jai alai is permitted
422 or any concession which is allied to an off-track betting facility unless
423 such person or business organization is licensed as a concessionaire
424 licensee by the **[**executive director**]** commissioner.

425 (d) No person or business organization awarded the primary
426 contract by an association licensee to provide facilities, components,
427 goods or services which are necessary for the operation of the activities
428 authorized by the provisions of section 12-572 may do so unless such
429 person or business organization is licensed as a vendor licensee by the
430 **[**executive director**]** commissioner.

431 (e) No person or business organization may provide totalizator
432 equipment and services to any association licensee for the operation of
433 a pari-mutuel system unless such person or business organization is
434 licensed as a totalizator licensee by the **[**executive director**]**
435 commissioner.

436 (f) No business organization, other than a shareholder in a publicly
437 traded corporation, may exercise control in or over a concessionaire,
438 vendor or totalizator licensee unless such business organization is
439 licensed as an affiliate licensee by the [executive director]
440 commissioner.

441 (g) No person may participate in this state in any activity permitted
442 under this chapter as an employee of an association, concessionaire,
443 vendor, totalizator or affiliate licensee unless such person is licensed as
444 an occupational licensee by the [executive director] commissioner.
445 Whether located in or out of this state no officer, director, partner,
446 trustee or owner of a business organization which obtains a license in
447 accordance with this section may continue in such capacity unless such
448 officer, director, partner, trustee or owner is licensed as an
449 occupational licensee by the [executive director] commissioner. An
450 occupational license shall also be obtained by any shareholder, key
451 executive, agent or other person connected with any association,
452 concessionaire, vendor, totalizator or affiliate licensee, who in the
453 judgment of the [executive director] commissioner will exercise control
454 in or over any such licensee. Such person shall apply for a license not
455 later than thirty days after the [executive director] commissioner
456 requests him or her, in writing, to do so. The [executive director]
457 commissioner shall complete his or her investigation of an applicant
458 for an occupational license and notify such applicant of his or her
459 decision to approve or deny the application within one year after its
460 receipt. Such period may be extended by the board upon a showing of
461 good cause by the [executive director] commissioner, after giving the
462 applicant a reasonable opportunity for a hearing before the board.

463 (h) (1) The board shall issue affiliate of association licenses to
464 qualified business organizations. (2) The [executive director]
465 commissioner shall issue affiliate of concessionaire licenses to qualified
466 business organizations.

467 (i) In determining whether to grant a license the board or the
468 [executive director] commissioner may require the applicant to submit

469 information as to: Financial standing and credit; moral character;
470 criminal record, if any; previous employment; corporate, partnership
471 or association affiliations; ownership of personal assets; and such other
472 information as it or he or she deems pertinent to the issuance of such
473 license. The [executive director] commissioner may reject for good
474 cause an application for a license, and he or she, the deputy [executive
475 director] commissioner, the executive assistant, any unit head or any
476 assistant unit head authorized by the [executive director]
477 commissioner may suspend or revoke for good cause any license
478 issued by him or her after a hearing held in accordance with chapter
479 54. In addition, if any affiliate licensee licensed by the [executive
480 director] commissioner fails to comply with the provisions of this
481 chapter the [executive director] commissioner, after a hearing held in
482 accordance with chapter 54, may revoke or suspend the license of any
483 one or more of the following related licensees: Concessionaire, vendor
484 or totalizator, and may fine any one or more of said licensees in an
485 amount not to exceed two thousand five hundred dollars. Any licensee
486 whose license is suspended or revoked, or any applicant aggrieved by
487 the action of the [executive director] commissioner concerning an
488 application for a license may appeal not later than fifteen days after
489 such decision to the board in accordance with subsection (j) of this
490 section.

491 (j) The [executive director] commissioner, with the advice and
492 consent of the board shall adopt regulations governing the operation
493 of the off-track betting system and facilities, tracks, stables, kennels
494 and frontons, including the regulation of betting in connection
495 therewith, to insure the integrity and security of the conduct of
496 meetings and the broadcast of racing events held pursuant to this
497 chapter. Such regulations shall include provision for the imposition of
498 fines and suspension of licenses for violations thereof. Prior to the
499 adoption of any regulations concerning the treatment of animals at any
500 dog race track, the [executive director] commissioner shall notify the
501 National Greyhound Association of the contents of such regulations
502 and of its right to request a hearing pursuant to chapter 54. The board

503 shall have the authority to impose a fine of up to seventy-five
504 thousand dollars for any violation of such regulations by a licensee
505 authorized to conduct a meeting or operate the off-track betting system
506 under this section and a fine of up to five thousand dollars for any
507 violation of such regulations by any other licensee. The [executive
508 director] commissioner shall have the authority to impose a fine of up
509 to two thousand five hundred dollars for any such violation by any
510 licensee licensed by him or her and the stewards or judges of a meeting
511 acting in accordance with such regulations shall have the authority to
512 impose a fine of up to five hundred dollars for any such violation by
513 such licensee, and the players' manager of a jai alai exhibition acting in
514 accordance with such regulations shall have the authority to
515 recommend to the judges that a fine should be considered for a player
516 who may have violated such regulations. The board may delegate to
517 the stewards and judges of a meeting the power to suspend the license
518 of any occupational licensee employed in this state by an association
519 licensee for a period not to exceed sixty days for any violation of such
520 regulations. If any license is suspended, such stewards and judges of a
521 meeting shall state the reasons therefor in writing. All fines imposed
522 pursuant to this section shall be paid over to the General Fund upon
523 receipt by the [division] department. Any person or business
524 organization fined or suspended by an authority other than the board
525 or any licensee or applicant for a license aggrieved by a decision of the
526 [executive director] commissioner under subsection (i) shall have a
527 right of appeal to the board for a hearing. All hearings, other than
528 appellate hearings before the board, shall be conducted pursuant to
529 chapter 54. Any person or business organization aggrieved by a
530 decision of the board shall have a right of appeal pursuant to section 4-
531 183.

532 (k) The [executive director] commissioner shall have the power to
533 require that the books and records of any licensee, other than an
534 occupational licensee, shall be maintained in any manner which he or
535 she may deem best, and that any financial or other statements based on
536 such books and records shall be prepared in accordance with generally

537 accepted accounting principles in such form as he or she shall
538 prescribe. The [executive director] commissioner or his or her designee
539 shall also be authorized to visit, to investigate and to place expert
540 accountants and such other persons as he or she may deem necessary,
541 in the offices, tracks, frontons, off-track betting facilities or places of
542 business of any such licensee, for the purpose of satisfying himself or
543 herself that the [division's] department's regulations are strictly
544 complied with.

545 (l) The [executive director] commissioner may at any time for good
546 cause require the removal of any employee or official employed by any
547 licensee hereunder.

548 (m) The board shall have the right to reject any application for a
549 license for good cause and the action of the board as to the license and
550 the meeting dates assigned shall be final, provided any person or
551 business organization aggrieved by the action of the board concerning
552 an application for a license may appeal such decision in accordance
553 with section 4-183. The board shall, as far as practicable, avoid conflicts
554 in the dates assigned for racing or the exhibition of the game of jai alai
555 in the state. Any license granted under the provisions of this chapter is
556 a revocable privilege and no licensee shall be deemed to have acquired
557 any vested rights based on the issuance of such license. Any such
558 license shall be subject to the regulations set forth by the [executive
559 director] commissioner with the advice and consent of the board. Any
560 license issued by the board shall be subject to suspension or revocation
561 for good cause, after giving the licensee a reasonable opportunity for a
562 hearing before the board, at which he or she shall have the right to be
563 represented by counsel. In addition, if any affiliate licensee licensed by
564 the board fails to comply with the provisions of this chapter the board,
565 after a hearing held in accordance with chapter 54, may revoke or
566 suspend the license of the related association licensee and may fine the
567 related association licensee in an amount not to exceed seventy-five
568 thousand dollars or both. If any license is suspended or revoked the
569 board shall state the reasons for such suspension or revocation and

570 cause an entry of such reasons to be made on the record books of the
571 board. Any licensee aggrieved by the action of the board may appeal
572 therefrom in accordance with section 4-183.

573 (n) The appropriate licensing authority may, on its own motion or
574 upon application, exempt any person or business organization from
575 the licensing requirements of this chapter or some or all of the
576 disclosure requirements of chapter 226b, provided the applicant does
577 not exercise control in or over an integral part of any activity which is
578 authorized under this chapter. The burden of proving that an
579 exemption should be granted rests solely with the applicant. The
580 licensing authority making the determination may limit or condition
581 the terms of an exemption and such determination shall be final.

582 (o) Any person aiding or abetting in the operation of an off-track
583 betting system or the conduct of any meeting within this state at which
584 racing or the exhibition of the game of jai alai shall be permitted for
585 any stake, purse or reward, except in accordance with a license duly
586 issued and unsuspended or unrevoked by the board or the **[**executive
587 director**]** commissioner, shall be guilty of a class A misdemeanor.

588 (p) The majority of the membership of the board of directors of any
589 corporation licensed to operate the off-track betting system or to hold
590 or conduct any meeting within the state of Connecticut at which racing
591 or the exhibition of the game of jai alai shall be permitted for any stake,
592 purse or reward, shall be residents of the state of Connecticut.

593 (q) Any license granted under this section other than a license
594 issued by the board shall be effective for not more than one year from
595 the date of issuance. Initial application for and renewal of any license
596 shall be in such form and manner as the **[**executive director**]**
597 commissioner shall, by regulation adopted with the advice and
598 consent of the board, prescribe.

599 (r) Any person or business organization issued a license to conduct
600 dog racing shall establish a pet adoption program for the proper

601 housing and care of retired greyhounds and shall provide financial
602 support for such program and any facility operated to implement such
603 program.

604 (s) Any person or business organization issued a license to conduct
605 dog racing pursuant to subsection (c) of section 12-574c, as amended
606 by this act, shall employ persons who, at the time of employment, are
607 recipients of assistance under the state-administered general assistance
608 program, state supplement program, medical assistance program,
609 temporary family assistance program or supplemental nutrition
610 assistance program to fill not less than twenty per cent of the positions
611 created by the conversion of a jai alai fronton to a dog race track if such
612 persons have been trained for such employment by public or publicly
613 funded agencies in coordination with such licensee.

614 (t) Any person or business organization issued a license to conduct
615 dog racing pursuant to subsection (c) of section 12-574c, as amended
616 by this act, shall provide an on-site day care facility for use by
617 employees of the dog race track. Such licensee shall employ persons
618 who, at the time of employment, are recipients of aid under chapter
619 302 or 308 to fill not less than fifty per cent of the positions at such day
620 care facility if such persons have been trained for such employment by
621 public or publicly-funded agencies in coordination with such licensee.

622 (u) Notwithstanding any other provisions of this chapter to the
623 contrary, any person or business organization issued a license to
624 conduct dog racing may operate on a year-round basis and may
625 conduct such number of performances as it may elect, provided the
626 total number of such performances does not exceed five hundred and
627 eighty performances in any calendar year.

628 Sec. 16. Section 12-574c of the general statutes is repealed and the
629 following is substituted in lieu thereof (*Effective July 1, 2011*):

630 (a) The **[**Division of Special Revenue**]** Department of Consumer
631 Protection or the Gaming Policy Board shall not issue a license

632 authorizing any person, firm, corporation or association to conduct
633 horse racing, dog racing or jai alai events.

634 (b) Notwithstanding the provisions of subsection (a) of this section,
635 the [division] department or the board may renew any license issued
636 prior to May 23, 1979, or issue such a license to a currently operating
637 facility.

638 (c) (1) Notwithstanding the provisions of subsection (a) of this
639 section, the [division] department or the board may, on or after July 5,
640 1991, issue one additional license authorizing a person or business
641 organization to conduct dog racing to a person or business
642 organization holding a license to conduct jai alai events or to the
643 successor of such business organization upon the surrender of the
644 license to conduct jai alai events. (2) No license issued pursuant to this
645 subsection shall provide for the operation of any dog race track prior
646 to October 1, 1992, unless the licensee agrees to fully reimburse the
647 state for all costs associated with the licensing and operation of such
648 track prior to June 30, 1992.

649 (d) No licensee shall move any horse race track, dog race track or jai
650 alai fronton to any municipality other than the municipality in which
651 such facility was located on July 5, 1991.

652 Sec. 17. Section 12-574d of the general statutes is repealed and the
653 following is substituted in lieu thereof (*Effective July 1, 2011*):

654 (a) The [executive director of the Division of Special Revenue]
655 Commissioner of Consumer Protection may order the random
656 collection and testing of urine specimens from racing dogs following a
657 race or at any time during a meet conducted by any licensee
658 authorized to conduct dog racing events under the pari-mutuel
659 system. If the [executive director] commissioner determines from such
660 random testing that the integrity of dog racing events may be
661 compromised, the [executive director] commissioner may order the
662 conduct of more frequent testing at one or more dog race tracks for

663 such period of time as the [executive director] commissioner deems
664 necessary or advisable. The [executive director] commissioner shall
665 determine the laboratory responsible for the conduct of such testing
666 and the amount of the fee for such test which shall be based upon the
667 actual cost of such test and which shall be payable on a basis
668 determined by the [executive director] commissioner. Each such
669 licensee shall pay such fee directly to such laboratory with respect to
670 racing dogs at its dog race track.

671 (b) The [executive director] commissioner shall adopt regulations, in
672 accordance with the provisions of chapter 54, to implement the
673 provisions of subsection (a) of this section. The [executive director]
674 commissioner may implement policies and procedures necessary to
675 carry out the provisions of subsection (a) of this section while in the
676 process of adopting regulations, provided the [executive director]
677 commissioner prints notice of intent to adopt the regulations in the
678 Connecticut Law Journal within twenty days after implementation.
679 Such policies and procedures shall be valid until the time final
680 regulations are effective.

681 Sec. 18. Section 12-575 of the general statutes is repealed and the
682 following is substituted in lieu thereof (*Effective July 1, 2011*):

683 (a) The board may permit at racing events, exhibitions of the game
684 of jai alai licensed under the provisions of this chapter or at off-track
685 betting facilities, betting under a pari-mutuel system, so called,
686 including standard pari-mutuel, daily double, exacta, quinella, trifecta,
687 superfecta, twin trifecta, pick four and pick six betting, and such other
688 forms of multiple betting as the board may determine.

689 (b) The pari-mutuel system, so called, shall not be used or permitted
690 at any location other than the race track at which the racing event is
691 licensed to be conducted or the fronton at which the game of jai alai is
692 licensed to be played or at an off-track betting facility operated by the
693 [division] department or by a licensee authorized to operate the off-
694 track betting system. A computerized electronic totalizator system,

695 approved by the [executive director] commissioner, shall be used to
696 conduct pari-mutuel wagering at each racing or jai alai event. A
697 computerized electronic totalizator system approved by the [executive
698 director] commissioner and, where authorized by subsection (b) of
699 section 12-571a, as amended by this act, and approved by the
700 [executive director] commissioner, a simulcast system shall be used to
701 conduct pari-mutuel wagering and simulcasting of off-track betting
702 race programs at off-track betting facilities. The [executive director]
703 commissioner may require any licensee to submit information
704 concerning the daily operation of such totalizator or simulcast system
705 which he or she deems necessary for the effective administration of
706 this chapter, including records of all wagering transactions, in such
707 form and manner as he or she shall prescribe.

708 (c) (1) Except as provided in subdivision (2) of this subsection, each
709 licensee conducting horse racing events under the pari-mutuel system
710 shall distribute all sums deposited in any pari-mutuel program to the
711 holders of winning tickets therein, less seventeen per cent of the total
712 deposits plus the breakage to the dime of the amount so retained; each
713 licensee conducting jai alai events shall distribute all sums deposited in
714 any pari-mutuel program to the holders of winning tickets therein, less
715 a maximum of eighteen per cent of the deposits in the win, place or
716 show pools and less a maximum of twenty-three per cent of the
717 deposits in all other pools plus the breakage to the dime of the amount
718 so retained; each licensee conducting dog racing events shall distribute
719 all sums deposited in any pari-mutuel program to the holders of
720 winning tickets therein, less a maximum of nineteen per cent of the
721 deposits in the win, place or show pools and less a maximum of
722 twenty-seven per cent of the deposits in all other pools plus the
723 breakage to the dime of the amount so retained, or, shall distribute all
724 sums deposited in all of its pari-mutuel programs conducted on any
725 day to the holders of winning tickets therein less twenty per cent of the
726 total deposits plus the breakage to the dime of the amount so retained,
727 provided on and after July 1, 1992, each licensee conducting dog racing
728 events on July 5, 1991, shall allocate four per cent of all sums deposited

729 in any pari-mutuel program to purses, one-quarter of one per cent to
730 capital expenditures for alterations, additions, replacement changes,
731 improvements or major repairs to or upon the property owned or
732 leased by any such licensee and used for such racing events, and one-
733 quarter of one per cent to promotional marketing, to reduce the costs
734 of admission, programs, parking and concessions and to offer
735 entertainment and giveaways. Each licensee conducting dog racing
736 events shall, on an annual basis, submit to the **[**division**]** department
737 certified financial statements verifying the use of such allocations for
738 purses, capital improvements and promotional marketing. (2) Each
739 licensee conducting racing or jai alai events may carry over all or a
740 portion of the sums deposited in any pari-mutuel program, less the
741 amount retained as herein provided, in the twin trifecta, pick four or
742 pick six pari-mutuel pool to another pool, including a pool in a
743 succeeding performance.

744 (d) Each licensee conducting horse racing events under the pari-
745 mutuel system shall pay to the state, and there is hereby imposed: (1)
746 A tax on the total money wagered in the pari-mutuel pool on each and
747 every day the licensee conducts racing events, pursuant to the
748 following schedule:

T1	Total Wagered	Tax
T2	0 to $100,001	3.25% on the entire pool
T3	$100,001 to $200,001	3.75% on the entire pool
T4	$200,001 to $300,001	4.25% on the entire pool
T5	$300,001 to $400,001	4.75% on the entire pool
T6	$400,001 to $500,001	5.25% on the entire pool
T7	$500,001 to $600,001	5.75% on the entire pool
T8	$600,001 to $700,001	6.25% on the entire pool
T9	$700,001 to $800,001	6.75% on the entire pool
T10	$800,001 to $900,001	7.25% on the entire pool
T11	$900,001 to $1,000,001	7.75% on the entire pool

T12	$1,000,001 and over	8.75% on the entire pool

749 and (2) a tax equal to one-half of the breakage to the dime resulting
750 from such wagering. The [executive director] commissioner, with the
751 advice and consent of the board, shall by regulation designate the
752 percentage of the difference between the seventeen per cent specified
753 in subsection (c), and the tax specified in this subsection which shall be
754 allocated as prize or purse money for the horses racing at each facility.

755 (e) Each licensee conducting dog racing events under the pari-
756 mutuel system shall pay to the state, and there is hereby imposed: (1)
757 (A) A tax at the rate of two per cent on the total money wagered in the
758 pari-mutuel pool on each and every day the licensee conducts racing
759 events or (B) on or after July 1, 1993, in the case of any licensee licensed
760 prior to July 5, 1991, (i) a tax at the rate of two per cent on any amount
761 up to and including fifty million dollars of the total money wagered in
762 the pari-mutuel pool in any state fiscal year during which a licensee
763 licensed prior to July 5, 1991, conducts racing events, (ii) a tax at the
764 rate of three per cent on any amount in excess of fifty million dollars
765 and up to and including eighty million dollars of the total money
766 wagered in the pari-mutuel pool in any state fiscal year during which a
767 licensee licensed prior to July 5, 1991, conducts racing events, and (iii)
768 a tax at the rate of four per cent on any amount in excess of eighty
769 million dollars of the total money wagered in the pari-mutuel pool in
770 any state fiscal year during which a licensee licensed prior to July 5,
771 1991, conducts racing events, and (2) a tax equal to one-half of the
772 breakage to the dime resulting from such wagering.

773 (f) Each licensee operating a fronton at which the game of jai alai is
774 licensed to be played under the pari-mutuel system shall pay to the
775 state and there is hereby imposed: (1) (A) A tax at the rate of two per
776 cent on any amount up to and including fifty million dollars of the
777 total money wagered on such games, (B) a tax at the rate of three per
778 cent of any amount in excess of fifty million dollars and up to and
779 including eighty million dollars of the total money wagered on such

780 games, and (C) a tax at the rate of four per cent on any amount in
781 excess of eighty million dollars of the total money wagered on such
782 games, and (2) a tax equal to one-half of the breakage to the dime
783 resulting from such wagering.

784 (g) The licensee authorized to operate the system of off-track betting
785 under the pari-mutuel system shall pay to the state and there is hereby
786 imposed: (1) A tax at the rate of three and one-half per cent on the total
787 money wagered in the pari-mutuel pool on each and every day the
788 licensee broadcasts racing events, and (2) a tax equal to one-half of the
789 breakage to the dime resulting from such wagering.

790 (h) The **[**executive director**]** commissioner shall assess and collect
791 the taxes imposed by this chapter under such regulations as, with the
792 advice and consent of the board, he or she may prescribe. All taxes
793 hereby imposed shall be due and payable by the close of the next
794 banking day after each day's racing or jai alai exhibition. If any such
795 tax is not paid when due, the **[**executive director**]** commissioner shall
796 impose a delinquency assessment upon the licensee in the amount of
797 ten per cent of such tax or ten dollars, whichever amount is greater,
798 plus interest at the rate of one and one-half per cent of the unpaid
799 principal of such tax for each month or fraction of a month from the
800 date such tax is due to the date of payment. Subject to the provisions of
801 section 12-3a, the **[**executive director**]** commissioner may waive all or
802 part of the penalties provided under this subsection when it is proven
803 to his or her satisfaction that the failure to pay such tax within the time
804 required was due to reasonable cause and was not intentional or due
805 to neglect. Failure to pay any such delinquent tax upon demand may
806 be considered by the **[**executive director**]** commissioner as cause for
807 revocation of license.

808 (i) The **[**executive director**]** commissioner shall devise a system of
809 accounting and shall supervise betting at such track, fronton or off-
810 track betting facility in such manner that the rights of the state are
811 protected and shall collect all fees and licenses under such regulations
812 as, with the advice and consent of the board, he or she shall prescribe.

813 (j) The amount of unclaimed moneys, as determined by the
814 [executive director] commissioner, held by any licensee other than by
815 licensees authorized to operate a jai alai fronton, dog race track or the
816 off-track betting system on account of outstanding and uncashed
817 winning tickets, shall be due and payable to the [executive director]
818 commissioner, for deposit in the General Fund of the state, at the
819 expiration of one year after the close of the meeting during which such
820 tickets were issued. If any such unclaimed moneys are not paid when
821 due, the [executive director] commissioner shall impose a delinquency
822 assessment upon the licensee in the amount of ten per cent of such
823 moneys or ten dollars, whichever amount is greater, plus interest at the
824 rate of one and one-half per cent of the unpaid principal of such
825 moneys for each month or fraction of a month from the date such
826 moneys are due to the date of payment. Subject to the provisions of
827 section 12-3a, the [executive director] commissioner may waive all or
828 part of the penalties provided under this subsection when it is proven
829 to his or her satisfaction that the failure to pay such moneys to the state
830 within the time required was due to reasonable cause and was not
831 intentional or due to neglect.

832 (k) The [executive director] commissioner may authorize deputies
833 and the Commissioner of Revenue Services or his or her agents are
834 authorized to enter upon the premises at any racing event, jai alai
835 exhibition or off-track betting race event for the purpose of inspecting
836 books and records, supervising and examining cashiers, ticket sellers,
837 pool sellers and other persons handling money at said event and such
838 other supervision as may be necessary for the maintenance of order at
839 such event.

840 (l) The [executive director] commissioner shall, on or before the
841 tenth day of each month, prepare and file with the Treasurer a full and
842 complete statement of the [division's] department's receipts from all
843 sources and shall turn over to the Treasurer all moneys in the
844 [division's] department's possession.

845 (m) (1) The [executive director] commissioner shall pay each

846 municipality in which a horse race track is located, one-quarter of one
847 per cent of the total money wagered on horse racing events at such
848 race track, except the [executive director] commissioner shall pay each
849 such municipality having a population in excess of fifty thousand one
850 per cent of the total money wagered at such horse racing events in
851 such municipality. The [executive director] commissioner shall pay
852 each municipality in which a jai alai fronton or dog race track is
853 located one-half of one per cent of the total money wagered on jai alai
854 games or dog racing events at such fronton or dog race track, except
855 the [executive director] commissioner shall pay each such municipality
856 having a population in excess of fifty thousand one per cent of the total
857 money wagered on jai alai games or dog racing events at such fronton
858 or dog race track located in such municipality. The [executive director]
859 commissioner shall pay each municipality in which an off-track betting
860 facility is located one and three-fifths per cent of the total money
861 wagered in such facility less amounts paid as refunds or for
862 cancellations. The [executive director] commissioner shall pay to both
863 the city of New Haven and the town of Windsor Locks an additional
864 one-half of one per cent of the total money wagered less any amount
865 paid as a refund or a cancellation in any facility equipped with screens
866 for simulcasting after October 1, 1997, located within a fifteen mile
867 radius of facilities in New Haven and Windsor Locks. Payment shall
868 be made not less than four times a year and not more than twelve
869 times a year as determined by the [executive director] commissioner,
870 and shall be made from the tax imposed pursuant to subsection (d) of
871 this section for horse racing, subsection (e) of this section for dog
872 racing, subsection (f) of this section for jai alai games and subsection
873 (g) of this section for off-track betting. (2) If, for any calendar year after
874 the surrender of a license to conduct jai alai events by any person or
875 business organization pursuant to subsection (c) of section 12-574c, as
876 amended by this act, and prior to the opening of any dog race track by
877 such person or business organization, any other person or business
878 organization licensed to conduct jai alai events is authorized to
879 conduct a number of performances greater than the number
880 authorized for such licensee in the previous calendar year, the

881 [executive director] commissioner shall pay the municipality in which
882 the jai alai fronton for which such license was surrendered was
883 located, rather than the municipality in which the jai alai fronton
884 conducting the increased performances is located, one-half of one per
885 cent of the total money wagered on jai alai games for such increased
886 performances at the fronton which conducted the additional
887 performances, except the [executive director] commissioner shall pay
888 each such municipality having a population in excess of fifty thousand
889 one per cent of the total money wagered on jai alai games for such
890 increased performances at such fronton. (3) During any state fiscal year
891 ending on or after June 30, 1993, the [executive director] commissioner
892 shall pay each municipality in which a dog race track was operating
893 prior to July 5, 1991, one per cent of the total money wagered on dog
894 racing events at such dog race track. (4) During the state fiscal year
895 ending June 30, 2001, each municipality in which a dog race track was
896 operating prior to July 5, 1991, shall pay the Northeast Connecticut
897 Economic Alliance, Inc. two-tenths of one per cent of the total money
898 wagered on dog racing events at any dog race track operating prior to
899 July 5, 1991. (5) In the event a licensee incurs a loss from the operation
900 of a pari-mutuel facility, as determined by the [executive director]
901 commissioner, the legislative body of the city or town in which such
902 facility is located may direct the [executive director] commissioner to
903 credit or rebate all or a part of the revenue otherwise due to the
904 municipality back to the facility. In no case shall such credit and such
905 reimbursement exceed the amount of the licensee's loss, and in no
906 fiscal year shall these provisions affect the total fees paid to the state by
907 the authorized operator of the off-track betting system on its off-track
908 betting activities.

909 Sec. 19. Section 12-586f of the general statutes is repealed and the
910 following is substituted in lieu thereof (*Effective July 1, 2011*):

911 (a) For the purposes of this section, "tribe" means the Mashantucket
912 Pequot Tribe and "compact" means the Tribal-State Compact between
913 the tribe and the state of Connecticut, as incorporated and amended in

914 the Final Mashantucket Pequot Gaming Procedures prescribed by the
915 Secretary of the United States Department of the Interior pursuant to
916 Section 2710(d)(7)(B)(vii) of Title 25 of the United States Code and
917 published in 56 Federal Register 24996 (May 31, 1991).

918 (b) The expenses of administering the provisions of the compact
919 shall be financed as provided **[**herein**]** in this section. Assessments for
920 regulatory costs incurred by any state agency which are subject to
921 reimbursement by the tribe in accordance with the provisions of the
922 compact shall be made by the Commissioner of Revenue Services in
923 accordance with the provisions of the compact, including provisions
924 respecting adjustment of excess assessments. Any underassessment for
925 a prior fiscal year may be included in a subsequent assessment but
926 shall be specified as such. Payments made by the tribe in accordance
927 with the provisions of the compact shall be deposited in the General
928 Fund and shall be credited to the appropriation for the state agency
929 incurring such costs.

930 (c) Assessments for law enforcement costs incurred by any state
931 agency which are subject to reimbursement by the tribe in accordance
932 with the provisions of the compact shall be made by the Commissioner
933 of Public Safety in accordance with the provisions of the compact,
934 including provisions respecting adjustment of excess assessments. Any
935 underassessment for a prior fiscal year may be included in a
936 subsequent assessment but shall be specified as such. Payments made
937 by the tribe in accordance with the provisions of the compact shall be
938 deposited in the General Fund and shall be credited to the
939 appropriation for the state agency incurring such costs.

940 (d) If the tribe is aggrieved due to any assessment levied pursuant to
941 such compact and this section or by any failure to adjust an excess
942 assessment in accordance with the provisions of the compact and this
943 section, it may, within one month from the time provided for the
944 payment of such assessment, appeal therefrom in accordance with the
945 terms of the compact, to the superior court for the judicial district of
946 Hartford, which appeal shall be accompanied by a citation to the

947 **[**executive director of the Division of Special Revenue**]** Commissioner
948 of Consumer Protection to appear before said court. Such citation shall
949 be signed by the same authority, and such appeal shall be returnable at
950 the same time and served and returned in the same manner as is
951 required in case of a summons in a civil action. Proceedings in such
952 matter shall be conducted in the same manner as provided for in
953 section 38a-52.

954 (e) The **[**executive director**]** commissioner shall require each
955 applicant for a casino gaming employee license, casino gaming service
956 license or casino gaming equipment license to submit to state and
957 national criminal history records checks before such license is issued.
958 The criminal history records checks required pursuant to this
959 subsection shall be conducted in accordance with section 29-17a.

960 Sec. 20. Section 12-586g of the general statutes is repealed and the
961 following is substituted in lieu thereof (*Effective July 1, 2011*):

962 (a) For the purposes of this section, "tribe" means the Mohegan Tribe
963 of Indians of Connecticut and "compact" means the Tribal-State
964 Compact between the tribe and the state of Connecticut, dated May 17,
965 1994.

966 (b) The expenses of administering the provisions of the compact
967 shall be financed as provided **[**herein**]** in this section. Assessments for
968 regulatory costs incurred by any state agency which are subject to
969 reimbursement by the tribe in accordance with the provisions of the
970 compact shall be made by the Commissioner of Revenue Services in
971 accordance with the provisions of the compact, including provisions
972 respecting adjustment of excess assessments. Any underassessment for
973 a prior fiscal year may be included in a subsequent assessment but
974 shall be specified as such. Payments made by the tribe in accordance
975 with the provisions of the compact shall be deposited in the General
976 Fund and shall be credited to the appropriation for the state agency
977 incurring such costs.

978 (c) Assessments for law enforcement costs incurred by any state
979 agency which are subject to reimbursement by the tribe in accordance
980 with the provisions of the compact shall be made by the Commissioner
981 of Public Safety in accordance with the provisions of the compact,
982 including provisions respecting adjustment of excess assessments. Any
983 underassessment for a prior fiscal year may be included in a
984 subsequent assessment but shall be specified as such. Payments made
985 by the tribe in accordance with the provisions of the compact shall be
986 deposited in the General Fund and shall be credited to the
987 appropriation for the state agency incurring such costs.

988 (d) If the tribe is aggrieved due to any assessment levied pursuant to
989 such compact and this section or by any failure to adjust an excess
990 assessment in accordance with the provisions of the compact and this
991 section, it may, within one month from the time provided for the
992 payment of such assessment, appeal therefrom in accordance with the
993 terms of the compact, to the superior court for the judicial district of
994 New Britain, which appeal shall be accompanied by a citation to the
995 **[**executive director of the Division of Special Revenue**]** Commissioner
996 of Consumer Protection to appear before said court. Such citation shall
997 be signed by the same authority, and such appeal shall be returnable at
998 the same time and served and returned in the same manner as is
999 required in case of a summons in a civil action. Proceedings in such
1000 matter shall be conducted in the same manner as provided for in
1001 section 38a-52.

1002 (e) The **[**executive director**]** commissioner shall require each
1003 applicant for a casino gaming employee license, casino gaming service
1004 license or casino gaming equipment license to submit to state and
1005 national criminal history records checks before such license is issued.
1006 The criminal history records checks required pursuant to this
1007 subsection shall be conducted in accordance with section 29-17a.

1008 Sec. 21. Section 12-801 of the general statutes is repealed and the
1009 following is substituted in lieu thereof (*Effective July 1, 2011*):

1010 As used in sections 12-563a, as amended by this act, and 12-800 to
1011 12-818, inclusive, as amended by this act, the following terms shall
1012 have the following meanings unless the context clearly indicates
1013 another meaning:

1014 (1) "Board" or "board of directors" means the board of directors of
1015 the corporation;

1016 (2) "Corporation" means the Connecticut Lottery Corporation as
1017 created under section 12-802, as amended by this act;

1018 (3) "Lottery" means (A) the Connecticut state lottery conducted prior
1019 to the transfer authorized under section 12-808, as amended by this act,
1020 by the [Division of Special Revenue] Department of Consumer
1021 Protection, (B) after such transfer, the Connecticut state lottery
1022 conducted by the corporation pursuant to sections 12-563a, as
1023 amended by this act, and 12-800 to 12-818, inclusive, as amended by
1024 this act, and (C) the state lottery referred to in subsection (a) of section
1025 53-278g, as amended by this act;

1026 (4) "Lottery fund" means a fund or funds established by, and under
1027 the management and control of, the corporation, into which all lottery
1028 revenues of the corporation are deposited, from which all payments
1029 and expenses of the corporation are paid and from which transfers to
1030 the General Fund are made pursuant to section 12-812;

1031 (5) "Operating revenue" means total revenue received from lottery
1032 sales less all cancelled sales and amounts paid as prizes but before
1033 payment or provision for payment of any other expenses.

1034 Sec. 22. Section 12-802 of the general statutes is repealed and the
1035 following is substituted in lieu thereof (*Effective July 1, 2011*):

1036 (a) There is created a body politic and corporate, constituting a
1037 public instrumentality and political subdivision of the state created for
1038 the performance of an essential governmental revenue-raising
1039 function, which shall be named the Connecticut Lottery Corporation,

1040 and which may exercise the functions, powers and duties set forth in
1041 sections 12-563a, as amended by this act, and 12-800 to 12-818,
1042 inclusive, as amended by this act, to implement the purposes set forth
1043 in said sections, which are public purposes for which public funds may
1044 be expended. The Connecticut Lottery Corporation shall not be
1045 construed to be a department, institution or agency of the state with
1046 respect to budgeting, procurement or personnel requirements, except
1047 as provided in sections 1-120, as amended by this act, 1-121, 1-125, as
1048 amended by this act, 12-557e, as amended by this act, 12-563, 12-563a,
1049 as amended by this act, 12-564, 12-566, 12-567, 12-568a, as amended by
1050 this act, and 12-569, subsection (d) of section 12-574, as amended by
1051 this act, and sections 12-800 to 12-818, inclusive, as amended by this
1052 act.

1053 (b) The corporation shall be governed by a board of thirteen
1054 directors. The Governor, with the advice and consent of the General
1055 Assembly, shall appoint four directors who shall have skill, knowledge
1056 and experience in the fields of management, finance or operations in
1057 the private sector. Three directors shall be the State Treasurer, the
1058 Secretary of the Office of Policy and Management and the [executive
1059 director of the Division of Special Revenue] Commissioner of
1060 Consumer Protection, all of whom shall serve ex officio and shall have
1061 all of the powers and privileges of a member of the board of directors.
1062 Each ex-officio director may designate his or her deputy or any
1063 member of his or her staff to represent him or her at meetings of the
1064 corporation with full power to act and vote on his or her behalf. The
1065 [executive director of the Division of Special Revenue] Commissioner
1066 of Consumer Protection shall cease to be a director one year from June
1067 4, 1996, or earlier at the discretion of the Governor. The Governor, with
1068 the advice and consent of the General Assembly, shall fill the vacancy
1069 created by the removal or departure of the [executive director of the
1070 Division of Special Revenue] Commissioner of Consumer Protection
1071 with a person who shall have skill, knowledge and experience in the
1072 fields of management, finance or operations in the private sector. The
1073 Governor shall thereafter have the power to appoint a total of five

1074 members to the board. The procedures of section 4-7 shall apply to the
1075 confirmation of the Governor's appointments by both houses of the
1076 General Assembly. Six directors shall be appointed as follows: One by
1077 the president pro tempore of the Senate, one by the majority leader of
1078 the Senate, one by the minority leader of the Senate, one by the speaker
1079 of the House of Representatives, one by the majority leader of the
1080 House of Representatives and one by the minority leader of the House
1081 of Representatives. Each director appointed by the Governor shall
1082 serve at the pleasure of the Governor but no longer than the term of
1083 office of the Governor or until the director's successor is appointed and
1084 qualified, whichever term is longer. Each director appointed by a
1085 member of the General Assembly shall serve in accordance with the
1086 provisions of section 4-1a. The Governor shall fill any vacancy for the
1087 unexpired term of a member appointed by the Governor. The
1088 appropriate legislative appointing authority shall fill any vacancy for
1089 the unexpired term of a member appointed by such authority. Any
1090 director, other than the **[**executive director of the Division of Special
1091 Revenue**]** Commissioner of Consumer Protection, shall be eligible for
1092 reappointment. Any director may be removed by order of the Superior
1093 Court upon application of the Attorney General for misfeasance,
1094 malfeasance or wilful neglect of duty. Such actions shall be tried to the
1095 court without a jury and shall be privileged in assignment for hearing.
1096 If the court, after hearing, finds there is clear and convincing evidence
1097 of such misfeasance, malfeasance or wilful neglect of duty it shall
1098 order the removal of such director. Any director so removed shall not
1099 be reappointed to the board. Each appointing authority shall make his
1100 initial appointment to the board no later than six months following
1101 June 4, 1996.

1102 (c) The chairperson of the board shall be appointed by the Governor
1103 from among the members of the board. The directors shall annually
1104 elect one of their number as vice chairperson. The board may elect
1105 such other officers of the board as it deems proper. Directors shall
1106 receive no compensation for the performance of their duties under
1107 sections 12-563a, as amended by this act, and 12-800 to 12-818,

1108 inclusive, as amended by this act, but shall be reimbursed for
1109 necessary expenses incurred in the performance of their duties.

1110 (d) Meetings of the corporation shall be held at such times as shall
1111 be specified in the bylaws adopted by the corporation and at such
1112 other time or times as the chairperson deems necessary. The
1113 corporation shall, within the first ninety days of the transfer to the
1114 corporation of the lottery, pursuant to section 12-808, as amended by
1115 this act, and on a fiscal quarterly basis thereafter, report on its
1116 operations for the preceding fiscal quarter to the Governor and the
1117 joint standing committees of the General Assembly having cognizance
1118 of matters relating to finance, revenue and bonding, and public safety.
1119 The report shall include a summary of the activities of the corporation,
1120 a statement of operations and, if necessary, recommendations for
1121 legislation to promote the purposes of the corporation. The accounts of
1122 the corporation shall be subject to audit by the state Auditors of Public
1123 Accounts. The corporation shall have independent certified public
1124 accountants audit its books and accounts at least once each fiscal year.
1125 The books, records and financial statements of the corporation shall be
1126 prepared in accordance with generally accepted accounting principles.

1127 (e) **[**(1)**]** Connecticut Lottery Corporation shall be a successor
1128 employer to the state and shall recognize existing bargaining units and
1129 collective bargaining agreements existing at the time of transfer of the
1130 lottery to the corporation. The employees of the corporation shall be
1131 considered state employees under the provisions of sections 5-270 to 5-
1132 280, inclusive. The corporation shall not be required to comply with
1133 personnel policies and procedures of the Department of
1134 Administrative Services and the Office of Policy and Management
1135 with regard to approval for the creation of new positions, the number
1136 of such positions, the decision to fill such positions or the time for
1137 filling such positions. The corporation, not the executive branch, shall
1138 have the power to determine whether an individual is qualified to fill a
1139 vacancy at the corporation. Nonmanagerial employees of the
1140 corporation shall be members of the classified service. Managerial

1141 employees shall be exempt from the classified service. The corporation
1142 shall have the ability to determine the qualifications and set the terms
1143 and conditions of employment of managerial employees including the
1144 establishment of incentive plans.

1145 **[**(2) Existing lottery employees of the Division of Special Revenue in
1146 collective bargaining units shall be offered the opportunity to transfer
1147 with their position to the corporation. If the corporation elects to
1148 employ a smaller number of persons in such positions at the
1149 corporation than exist in the lottery at the Division of Special Revenue,
1150 the opportunity to transfer to the corporation shall be offered on the
1151 basis of seniority. Employees who are offered the opportunity to
1152 transfer to the corporation may decline to do so. Any person who is
1153 covered by a collective bargaining agreement as an employee of the
1154 Division of Special Revenue who accepts employment with the
1155 corporation shall transfer with his position and shall remain in the
1156 same bargaining unit of which he was a member as an employee of the
1157 Division of Special Revenue.

1158 (3) No employee who is covered by a collective bargaining
1159 agreement as an employee of the Division of Special Revenue shall be
1160 laid off as a result of the creation of the corporation. Each employee of
1161 the Division of Special Revenue who is not employed by the
1162 corporation and by virtue of sections 12-563a and 12-800 to 12-818,
1163 inclusive, <u>as amended by this act,</u> is no longer employed by the
1164 Division of Special Revenue shall be assigned with his position to
1165 another state agency. Such opportunities shall be offered in the order
1166 of seniority. Seniority shall be defined in the same way as cases of
1167 transfer under the appropriate collective bargaining agreements. Such
1168 assignments shall be made only with the approval of the Office of
1169 Policy and Management and shall be reported at the end of the fiscal
1170 year to the Finance Advisory Committee. Employees may choose to be
1171 laid off in lieu of accepting any such assignment. In such case, they
1172 shall be entitled to all collective bargaining rights under their
1173 respective collective bargaining agreements including the State

1174 Employees Bargaining Agent Coalition (SEBAC). Sections 1-120, 1-121,
1175 1-125, 12-557e, 12-563, 12-563a, 12-564, 12-566, 12-567, 12-568a and 12-
1176 569, subsection (d) of section 12-574 and sections 12-800 to 12-818,
1177 inclusive, shall in no way affect the collective bargaining rights of
1178 employees of the Division of Special Revenue.

1179 (f) (1) In addition to the sales positions transferred to the
1180 corporation under subdivision (2) of subsection (e) of this section, the**]**

1181 (f) The corporation may create one or more new classifications of
1182 entrepreneurial sales employees as determined by the board of
1183 directors. Such classifications shall not be deemed comparable to other
1184 classifications in state service.

1185 **[**(2) For the period commencing on June 4, 1996, until the expiration
1186 of the collective bargaining agreement in effect for transferred sales
1187 employees or the date of approval by the legislature of any interim
1188 agreement, whichever is earlier, the corporation may hire employees
1189 into a new entrepreneurial sales classification without regard to any
1190 collective bargaining agreement then in effect and may set the initial
1191 terms and conditions of employment for all employees in a new
1192 entrepreneurial sales classification.

1193 (3) Six months after the hiring of the first employee in any such new
1194 entrepreneurial sales classification, the collective bargaining agent of
1195 the transferred sales employees and the executive branch on behalf of
1196 the corporation shall engage in midterm bargaining for such
1197 classification at the request of either party. The scope of such midterm
1198 bargaining shall include all terms of employment, except that
1199 provisions relating to compensation shall not be subject to arbitration,
1200 provided that the average annualized compensation for such
1201 entrepreneurial sales classification shall not be less than the average
1202 annualized compensation for transferred sales employees.

1203 (4) Upon the expiration of the collective bargaining agreement
1204 covering transferred sales employees, all terms and conditions of

1205 employment in a new entrepreneurial sales classification shall be
1206 subject to collective bargaining as part of the negotiation of a common
1207 successor agreement.**]**

1208 (g) The executive branch **[**shall be authorized and empowered to**]**
1209 may negotiate on behalf of the corporation for employees of the
1210 corporation covered by collective bargaining and represent the
1211 corporation in all other collective bargaining matters. The corporation
1212 shall be entitled to have a representative present at all such bargaining.

1213 (h) In any interest arbitration regarding employees of the
1214 corporation, the arbitrator shall take into account as a factor, in
1215 addition to those factors specified in section 5-276a, the purposes of
1216 sections 1-120, as amended by this act, 1-121, 1-125, as amended by this
1217 act, 12-557e, as amended by this act, 12-563, 12-563a, as amended by
1218 this act, 12-564, 12-566, 12-567, 12-568a, as amended by this act, and 12-
1219 569, subsection (d) of section 12-574, as amended by this act, and
1220 sections 12-800 to 12-818, inclusive, as amended by this act, the
1221 entrepreneurial mission of the corporation and the necessity to provide
1222 flexibility and innovation to facilitate the success of the Connecticut
1223 Lottery Corporation in the marketplace. In any arbitration regarding
1224 any classification of entrepreneurial sales employees, the arbitrator
1225 shall include a term awarding incentive compensation for such
1226 employees for the purpose of motivating employees to maximize
1227 lottery sales.

1228 (i) The officers and all other employees of the corporation shall be
1229 state employees for the purposes of group welfare benefits and
1230 retirement, including, but not limited to, those provided under chapter
1231 66 and sections 5-257 and 5-259, as amended by this act. The
1232 corporation shall reimburse the appropriate state agencies for all costs
1233 incurred by such designation.

1234 Sec. 23. Section 12-802a of the general statutes is repealed and the
1235 following is substituted in lieu thereof (*Effective July 1, 2011*):

1236 No person shall be employed by the Connecticut Lottery
1237 Corporation until such person has obtained an occupational license
1238 issued by the **[**executive director of the Division of Special Revenue**]**
1239 Commissioner of Consumer Protection in accordance with regulations
1240 adopted under section 12-568a, as amended by this act.

1241 Sec. 24. Section 12-806 of the general statutes is repealed and the
1242 following is substituted in lieu thereof (*Effective July 1, 2011*):

1243 (a) The purposes of the corporation shall be to: (1) Operate and
1244 manage the lottery in an entrepreneurial and business-like manner free
1245 from the budgetary and other constraints that affect state agencies; (2)
1246 provide continuing and increased revenue to the people of the state
1247 through the lottery by being responsive to market forces and acting
1248 generally as a corporation engaged in entrepreneurial pursuits; and (3)
1249 ensure that the lottery continues to be operated with integrity and for
1250 the public good.

1251 (b) The corporation shall have the following powers:

1252 (1) To receive as transferee from the state of Connecticut all of the
1253 tangible and intangible assets constituting the lottery including the
1254 exclusive right to operate the lottery as the exclusive lottery of the state
1255 and, subject to subsection (b) of section 12-808, as amended by this act,
1256 to assume and discharge all of the agreements, covenants and
1257 obligations of the **[**Division of Special Revenue**]** Department of
1258 Consumer Protection entered into which constitute a part of the
1259 operation and management of the lottery;

1260 (2) To operate and manage the lottery consistent with the provisions
1261 of sections 1-120, as amended by this act, 1-121, 1-125, as amended by
1262 this act, 12-557e, as amended by this act, 12-563, 12-563a, as amended
1263 by this act, 12-564, 12-566, 12-567, 12-568a, as amended by this act, and
1264 12-569, subsection (d) of section 12-574, as amended by this act, and
1265 sections 12-800 to 12-818, inclusive, as amended by this act, and as
1266 specifically provided in section 12-812;

1267 (3) To have perpetual succession as a body corporate and to adopt
1268 bylaws, policies and procedures for the operation of its affairs and
1269 conduct of its businesses;

1270 (4) To introduce new lottery games, modify existing lottery games,
1271 utilize existing and new technologies, determine distribution channels
1272 for the sale of lottery tickets and, to the extent specifically authorized
1273 by regulations adopted by the **[**Division of Special Revenue**]**
1274 Department of Consumer Protection pursuant to chapter 54, introduce
1275 instant ticket vending machines, kiosks and automated wagering
1276 systems or machines, with all such rights being subject to regulatory
1277 oversight by the **[**Division of Special Revenue**]** Department of
1278 Consumer Protection, except that the corporation shall not offer any
1279 interactive on-line lottery games, including on-line video lottery games
1280 for promotional purposes;

1281 (5) To establish an annual budget of revenues and expenditures,
1282 along with reasonable reserves for working capital, capital
1283 expenditures, debt retirement and other anticipated expenditures, in a
1284 manner and at levels considered by the board of directors as
1285 appropriate and prudent;

1286 (6) To adopt such administrative and operating procedures which
1287 the board of directors deems appropriate;

1288 (7) To enter into agreements with one or more states or territories of
1289 the United States for the promotion and operation of joint lottery
1290 games and to continue to participate in any joint lottery game in which
1291 the corporation participates on July 1, 2003, regardless of whether any
1292 government-authorized lottery operated outside of the United States
1293 participates in such game;

1294 (8) Subject to the provisions of section 12-815, as amended by this
1295 act, to enter into agreements with vendors with respect to the
1296 operation and management of the lottery, including operation of
1297 lottery terminals, management services, printing of lottery tickets,

1298 management expertise, marketing expertise, advertising or such other
1299 goods or services as the board of directors deems necessary and
1300 appropriate;

1301 (9) To purchase or lease operating equipment, including, but not
1302 limited to, computer gaming and automated wagering systems and to
1303 employ agents or employees to operate such systems;

1304 (10) To retain unclaimed prize funds as additional revenue for the
1305 state, or to use unclaimed prize funds to increase sales, or to return to
1306 participants unclaimed prize funds in a manner designed to increase
1307 sales;

1308 (11) To establish prize reserve accounts as the board of directors
1309 deems appropriate;

1310 (12) To pay lottery prizes as awarded under section 12-812, to
1311 purchase annuities to fund such prizes, and to assure that all annuities
1312 from which payments to winners of lottery prizes are made are
1313 invested in instruments issued by agencies of the United States
1314 government and backed by the full faith and credit of the United
1315 States, or are issued by insurance companies licensed to do business in
1316 the state, provided the issuer has been determined by the **[**Division of
1317 Special Revenue**]** Department of Consumer Protection to be financially
1318 stable and meets the minimum investment rating as determined by the
1319 **[**division**]** department;

1320 (13) To pay the Office of Policy and Management to reimburse the
1321 **[**Division of Special Revenue**]** Department of Consumer Protection for
1322 the reasonable and necessary costs arising from the **[**division's**]**
1323 department's regulatory oversight of the corporation, in accordance
1324 with the assessment made pursuant to section 12-806b, as amended by
1325 this act, including costs arising directly or indirectly from the licensing
1326 of lottery agents, performance of state police background
1327 investigations, and the implementation of subsection (b) of section 12-
1328 562, as amended by this act, sections 12-563a, as amended by this act,

1329 12-568a, as amended by this act, 12-569, 12-570, 12-570a and 12-800 to
1330 12-818, inclusive, as amended by this act;

1331 (14) In the event that the operation or management of the
1332 corporation becomes subject to the federal gaming occupation tax, to
1333 pay such tax on behalf of lottery sales agents and to assist agents
1334 subject thereto;

1335 (15) To determine the commissions payable to lottery sales agents,
1336 provided any agent's commission shall not average less than four per
1337 cent of such agent's lottery sales;

1338 (16) To invest in, acquire, lease, purchase, own, manage, hold and
1339 dispose of real property and lease, convey or deal in or enter into
1340 agreements with respect to such property on any terms necessary or
1341 incidental to carrying out the purposes of sections 12-563a, as amended
1342 by this act, and 12-800 to 12-818, inclusive, as amended by this act,
1343 provided such transactions shall not be subject to approval, review or
1344 regulation pursuant to title 4b or any other statute by any state agency,
1345 except that real property transactions shall be subject to review by the
1346 State Properties Review Board;

1347 (17) To borrow money for the purpose of obtaining working capital;

1348 (18) To hold patents, copyrights, trademarks, marketing rights,
1349 licenses or any other evidence of protection or exclusivity issued under
1350 the laws of the United States or any state;

1351 (19) To employ such assistants, agents and other employees as may
1352 be necessary or desirable to carry out its purposes in accordance with
1353 sections 12-563a, as amended by this act, and 12-800 to 12-818,
1354 inclusive, as amended by this act, to fix their compensation and,
1355 subject to the provisions of subsections (e) and (f) of section 12-802, as
1356 amended by this act, establish all necessary and appropriate personnel
1357 practices and policies; to engage consultants, accountants, attorneys
1358 and financial and other independent professionals as may be necessary
1359 or desirable to assist the corporation in performing its purposes in

1360 accordance with sections 12-563a, as amended by this act, and 12-800
1361 to 12-818, inclusive, as amended by this act;

1362 (20) To make and enter into all contracts and agreements necessary
1363 or incidental to the performance of its duties and the execution of its
1364 powers under sections 12-563a, as amended by this act, and 12-800 to
1365 12-818, inclusive, as amended by this act;

1366 (21) In its own name, to sue and be sued, plead and be impleaded,
1367 adopt a seal and alter the same at pleasure;

1368 (22) Subject to the approval of the board and to the requirement to
1369 remit excess lottery funds to the General Fund as set forth in section
1370 12-812, to invest any funds not needed for immediate use or
1371 disbursement, including any funds held in approved reserve accounts,
1372 in investments permitted by sections 3-20 and 3-27a for the proceeds of
1373 state bonds;

1374 (23) To procure insurance against any loss in connection with its
1375 property and other assets in such amounts and from such insurers as it
1376 deems desirable;

1377 (24) To the extent permitted under any contract with other persons
1378 to which the corporation is a party, to consent to any termination,
1379 modification, forgiveness or other change of any term of any
1380 contractual right, payment, royalty, contract or agreement of any kind;

1381 (25) To acquire, lease, purchase, own, manage, hold and dispose of
1382 personal property, and lease, convey or deal in or enter into
1383 agreements with respect to such property on any terms necessary or
1384 incidental to the carrying out of these purposes;

1385 (26) To account for and audit funds of the corporation;

1386 (27) To pay or provide for payment from operating revenues all
1387 expenses, costs and obligations incurred by the corporation in the
1388 exercise of the powers of the corporation under sections 12-563a, as

1389 amended by this act, and 12-800 to 12-818, inclusive, as amended by
1390 this act; and

1391 (28) To exercise any powers necessary to carry out the purposes of
1392 sections 12-563a, as amended by this act, and 12-800 to 12-818,
1393 inclusive, as amended by this act.

1394 Sec. 25. Section 12-806a of the general statutes is repealed and the
1395 following is substituted in lieu thereof (*Effective July 1, 2011*):

1396 As used in this section, "procedure" shall have the same meaning as
1397 "procedure", as defined in subdivision (2) of section 1-120. The
1398 **[**Division of Special Revenue**]** Department of Consumer Protection
1399 shall, for the purposes of sections 12-557e, as amended by this act, and
1400 12-568a, as amended by this act, subsection (d) of section 12-574, as
1401 amended by this act, and sections 12-802a, as amended by this act, 12-
1402 815a, as amended by this act, and this section, regulate the activities of
1403 the Connecticut Lottery Corporation to assure the integrity of the state
1404 lottery. In addition to the requirements of the provisions of chapter 12
1405 and notwithstanding the provisions of section 12-806, as amended by
1406 this act, the Connecticut Lottery Corporation shall, prior to
1407 implementing any procedure designed to assure the integrity of the
1408 state lottery, obtain the written approval of the **[**executive director of
1409 the Division of Special Revenue**]** Commissioner of Consumer
1410 Protection in accordance with regulations adopted under section 12-
1411 568a, as amended by this act.

1412 Sec. 26. Section 12-806b of the general statutes is repealed and the
1413 following is substituted in lieu thereof (*Effective July 1, 2011*):

1414 (a) Commencing July 1, 2010, and annually thereafter, the Office of
1415 Policy and Management shall assess the Connecticut Lottery
1416 Corporation in an amount sufficient to compensate the **[**Division of
1417 Special Revenue**]** Department of Consumer Protection for the
1418 reasonable and necessary costs incurred by the **[**division**]** department
1419 for the regulatory activities specified in subdivision (13) of subsection

1420 (b) of section 12-806, as amended by this act, for the preceding fiscal
1421 year ending June thirtieth.

1422 (b) On or before [August] May first of each year, the Office of Policy
1423 and Management shall submit the total of the assessment made in
1424 accordance with subsection (a) of this section, together with a
1425 proposed assessment for the succeeding fiscal year based on the
1426 preceding fiscal year cost, to the Connecticut Lottery Corporation. The
1427 assessment for the preceding fiscal year shall be determined not later
1428 than [September] June fifteenth of each year, after receiving any
1429 objections to the proposed assessments and making such changes or
1430 adjustments as the Secretary of the Office of Policy and Management
1431 determines to be warranted. The corporation shall pay the total
1432 assessment in quarterly payments to the Office of Policy and
1433 Management, with the first payment commencing on [October] July
1434 first of each year, and with the remaining payments to be made on
1435 [January] October first, [April] January first, and [July] April first
1436 annually. The office shall deposit any such payment in the lottery
1437 assessment account established under subsection (c) of this section.

1438 (c) There is established an account to be known as the "lottery
1439 assessment account" which shall be a separate, nonlapsing account
1440 within the General Fund. The account shall contain any moneys
1441 required by law to be deposited in the account. Moneys in the account
1442 shall be expended by the [Division of Special Revenue] Department of
1443 Consumer Protection.

1444 Sec. 27. Section 12-807 of the general statutes is repealed and the
1445 following is substituted in lieu thereof (*Effective July 1, 2011*):

1446 (a) The corporation shall:

1447 (1) Comply with all laws, rules and regulations of the United States
1448 and the state of Connecticut;

1449 (2) Comply with regulations, adopted by the [Division of Special
1450 Revenue] Department of Consumer Protection in accordance with

1451 chapter 54;

1452 (b) The corporation shall not:

1453 (1) Sell, transfer, assign, deliver, license, grant or otherwise alienate
1454 any portion or aspect of the lottery or lottery operations, but may sell
1455 real or personal property, provided any revenue from such sale shall
1456 be remitted to the state;

1457 (2) Take any action with respect to the introduction or modification
1458 of lottery games which would cause a violation of any compact or any
1459 memorandum of understanding or agreement from time to time in
1460 force between the state and the Mashantucket Pequot Tribal Nation or
1461 the Mohegan Tribe of Montville, Connecticut, or any future compact or
1462 agreement with a federally recognized tribe.

1463 Sec. 28. Section 12-808 of the general statutes is repealed and the
1464 following is substituted in lieu thereof (*Effective July 1, 2011*):

1465 (a) As soon as practicable after July 1, 1996, and the organization of
1466 the corporation, the corporation shall enter into such agreements as the
1467 board shall authorize in order to effect the transfer, assignment and
1468 delivery to the corporation from the state of all the tangible and
1469 intangible assets constituting the lottery, including the exclusive right
1470 to operate the lottery, and, subject to subsection (b) of this section, to
1471 effect the assignment to and assumption by the corporation of all
1472 agreements, covenants and obligations of the **[**Division of Special
1473 Revenue**]** Department of Consumer Protection and other agencies of
1474 the state relating to the operation and management of the lottery. Such
1475 agreements may contain such other provisions as the board deems
1476 necessary or appropriate for the continued operation of the lottery by
1477 the corporation pursuant to sections 12-563a, as amended by this act,
1478 and 12-800 to 12-818, inclusive, as amended by this act.

1479 (b) The state shall transfer to the corporation ownership of all
1480 annuities it purchased for payment of lottery prizes and shall not be
1481 liable for any lottery awards. In addition, the state shall not be liable

1482 for any obligations of the lottery arising prior to the date of transfer as
1483 described in subsection (a) of this section, including those arising in the
1484 ordinary course of business under existing contracts specifically
1485 assumed by the corporation. The **[**Division of Special Revenue**]**
1486 Department of Consumer Protection shall assign to the corporation
1487 any annuity for payment of any lottery award arising on or before the
1488 date of such transfer. Unless otherwise agreed to in writing with the
1489 **[**division**]** department, the corporation shall be solely responsible for
1490 the payment of all lottery prizes and the purchase of all annuities to
1491 provide revenue for such payment.

1492 (c) The corporation shall request and obtain all approvals, consents
1493 and rulings of and from all state and federal governmental agencies
1494 necessary or in order to effect the transactions contemplated by this
1495 section.

1496 Sec. 29. Section 12-813 of the general statutes is repealed and the
1497 following is substituted in lieu thereof (*Effective July 1, 2011*):

1498 (a) The corporation may sell lottery tickets at any location in the
1499 state determined by the president which, in the opinion of the
1500 president, will best enhance lottery revenues, except that no license
1501 shall be issued by the **[**Division of Special Revenue**]** Department of
1502 Consumer Protection to any person to engage in business exclusively
1503 as a lottery sales agent. Subject to the provisions of subdivision (15) of
1504 subsection (b) of section 12-806, as amended by this act, the president
1505 may authorize compensation to such agents in such manner and
1506 amounts and subject to such limitations as he may determine if he
1507 finds such compensation is necessary to assure adequate availability of
1508 lottery tickets, provided, if such agent is a lessee of state property and
1509 his rental fee is based upon the gross receipts of his business
1510 conducted thereon, all receipts from the sale of such lottery tickets
1511 shall be excluded from such gross receipts for rental purposes. The
1512 president may suspend for cause any licensed agent, subject to a final
1513 determination through a hearing provided by the **[**Division of Special
1514 Revenue**]** Department of Consumer Protection.

1515 (b) All moneys received by lottery sales agents from the sale of
1516 lottery tickets constitute property of the corporation while in such
1517 agent's possession and shall be held in trust for the corporation by
1518 such agents. The president shall require lottery sales agents to deposit,
1519 in a special or suspense account in the name of the corporation to the
1520 credit of the corporation, which the president shall establish, in
1521 institutions which are legal for the deposit of state funds under section
1522 4-33, all moneys received by such agents from the sale of lottery
1523 tickets, less the amount of compensation authorized under subsection
1524 (a) of this section and less the amounts paid out as prizes and, if
1525 requested by the president, to conform with the corporation their
1526 recorded receipts and transactions in the sale of lottery tickets, in such
1527 form and with such information as the president may require. Lottery
1528 sales agents shall not commingle lottery sales funds with other funds.

1529 (c) The president may impose surety bonding requirements on
1530 lottery sales agents.

1531 (d) No ticket shall be sold at a price greater than that fixed by the
1532 president, subject to the direction of the board and no sale shall be
1533 made other than by a licensed lottery sales agent or his designated
1534 employee, or by such other lawful means. No person shall sell a lottery
1535 ticket to a minor and no minor shall purchase a lottery ticket. Any
1536 person who violates the provisions of this subsection shall be guilty of
1537 a class A misdemeanor. A minor may receive a lottery ticket as a gift.

1538 Sec. 30. Section 12-815 of the general statutes is repealed and the
1539 following is substituted in lieu thereof (*Effective July 1, 2011*):

1540 (a) The corporation shall establish and adopt specific policies, rules
1541 and procedures on purchasing and contracting. Such policies, rules
1542 and procedures or amendments thereto shall be approved by a two-
1543 thirds vote of the entire board. Notwithstanding any other provision of
1544 law to the contrary, the corporation may enter into management,
1545 consulting and other agreements for the provision of goods, services
1546 and professional advisors necessary or useful in connection with the

1547 operation and management of the lottery (1) pursuant to a process of
1548 open or competitive bidding, provided (A) the corporation shall first
1549 determine the format, content and scope of any agreement for any
1550 procurement of goods or services, the conditions under which bidding
1551 will take place and the schedule and stipulations for contract award,
1552 and (B) the corporation may select the contractor deemed to have
1553 submitted the most favorable bid, considering price and other factors,
1554 when, in the judgment of the corporation, such award is in the best
1555 interests of the corporation, or (2) if the corporation, in its discretion,
1556 determines that, due to the nature of the agreement to be contracted
1557 for or procured, open or public bidding is either impracticable or not in
1558 the best interests of the corporation, by negotiation with such
1559 prospective providers as the corporation may determine. The terms
1560 and conditions of agreements and the fees or other compensation to be
1561 paid to such persons shall be determined by the corporation. The
1562 agreements entered into by the corporation in accordance with the
1563 provisions of this section shall not be subject to the approval of any
1564 state department, office or agency, except as provided in regulations
1565 adopted by the **[**Division of Special Revenue**]** Department of
1566 Consumer Protection. Nothing in this section shall be deemed to
1567 restrict the discretion of the corporation to utilize its own staff and
1568 workforce for the performance of any of its assigned responsibilities
1569 and functions whenever, in the discretion of the corporation, it
1570 becomes necessary, convenient or desirable to do so. Copies of all
1571 agreements of the corporation shall be maintained by the corporation
1572 at its offices as public records, subject to said exemption.

1573 (b) The corporation shall not be subject to rules, regulations or
1574 restrictions on purchasing or procurement or the disposition of assets
1575 generally applicable to Connecticut state agencies, including those
1576 contained in titles 4a and 4b and the corresponding rules and
1577 regulations. The board shall adopt rules and procedures on
1578 purchasing, procurement and the disposition of assets applicable to the
1579 corporation. The adoption of such rules or procedures shall not be
1580 subject to chapter 54. Any such rules or procedures shall be a public

1581 record as defined in section 1-200.

1582 Sec. 31. Section 12-815a of the general statutes is repealed and the
1583 following is substituted in lieu thereof (*Effective July 1, 2011*):

1584 (a) The **[**executive director of the Division of Special Revenue**]**
1585 Commissioner of Consumer Protection shall issue vendor, affiliate and
1586 occupational licenses in accordance with the provisions of this section.

1587 (b) No person or business organization awarded a primary contract
1588 by the Connecticut Lottery Corporation to provide facilities,
1589 components, goods or services that are necessary for and directly
1590 related to the secure operation of the activities of said corporation shall
1591 do so unless such person or business organization is issued a vendor
1592 license by the **[**executive director of the Division of Special Revenue**]**
1593 Commissioner of Consumer Protection. For the purposes of this
1594 subsection, "primary contract" means a contract to provide facilities,
1595 components, goods or services to said corporation by a person or
1596 business organization (1) that provides any lottery game or any online
1597 wagering system related facilities, components, goods or services and
1598 that receives or, in the exercise of reasonable business judgment, can be
1599 expected to receive more than seventy-five thousand dollars or
1600 twenty-five per cent of its gross annual sales from said corporation, or
1601 (2) that has access to the facilities of said corporation and provides
1602 services in such facilities without supervision by said corporation.
1603 Each applicant for a vendor license shall pay a nonrefundable
1604 application fee of two hundred fifty dollars.

1605 (c) No person or business organization, other than a shareholder in
1606 a publicly traded corporation, may be a subcontractor for the provision
1607 of facilities, components, goods or services that are necessary for and
1608 directly related to the secure operation of the activities of the
1609 Connecticut Lottery Corporation, or may exercise control in or over a
1610 vendor licensee unless such person or business organization is licensed
1611 as an affiliate licensee by the **[**executive director**]** commissioner. Each
1612 applicant for an affiliate license shall pay a nonrefundable application

1613 fee of two hundred fifty dollars.

1614 (d) (1) Each employee of a vendor or affiliate licensee who has
1615 access to the facilities of the Connecticut Lottery Corporation and
1616 provides services in such facilities without supervision by said
1617 corporation or performs duties directly related to the activities of said
1618 corporation shall obtain an occupational license.

1619 (2) Each officer, director, partner, trustee or owner of a business
1620 organization licensed as a vendor or affiliate licensee and any
1621 shareholder, executive, agent or other person connected with any
1622 vendor or affiliate licensee who, in the judgment of the **[**executive
1623 director**]** commissioner, will exercise control in or over any such
1624 licensee shall obtain an occupational license.

1625 (3) Each employee of the Connecticut Lottery Corporation shall
1626 obtain an occupational license.

1627 (e) The **[**executive director**]** commissioner shall issue occupational
1628 licenses in the following classes: (1) Class I for persons specified in
1629 subdivision (1) of subsection (d) of this section; (2) Class II for persons
1630 specified in subdivision (2) of subsection (d) of this section; (3) Class III
1631 for persons specified in subdivision (3) of subsection (d) of this section
1632 who, in the judgment of the **[**executive director**]** commissioner, will not
1633 exercise authority over or direct the management and policies of the
1634 Connecticut Lottery Corporation; and (4) Class IV for persons specified
1635 in subdivision (3) of subsection (d) of this section who, in the judgment
1636 of the **[**executive director**]** commissioner, will exercise authority over
1637 or direct the management and policies of the Connecticut Lottery
1638 Corporation. Each applicant for a Class I or III occupational license
1639 shall pay a nonrefundable application fee of twenty dollars. Each
1640 applicant for a Class II or IV occupational license shall pay a
1641 nonrefundable application fee of one hundred dollars. The
1642 nonrefundable application fee shall accompany the application for
1643 each such occupational license.

1644 (f) In determining whether to grant a vendor, affiliate or
1645 occupational license to any such person or business organization, the
1646 [executive director] commissioner may require an applicant to provide
1647 information as to such applicant's: (1) Financial standing and credit; (2)
1648 moral character; (3) criminal record, if any; (4) previous employment;
1649 (5) corporate, partnership or association affiliations; (6) ownership of
1650 personal assets; and (7) such other information as the [executive
1651 director] commissioner deems pertinent to the issuance of such license,
1652 provided the submission of such other information will assure the
1653 integrity of the state lottery. The [executive director] commissioner
1654 shall require each applicant for a vendor, affiliate or occupational
1655 license to submit to state and national criminal history records checks
1656 and may require each such applicant to submit to an international
1657 criminal history records check before such license is issued. The state
1658 and national criminal history records checks required pursuant to this
1659 subsection shall be conducted in accordance with section 29-17a. The
1660 [executive director] commissioner shall issue a vendor, affiliate or
1661 occupational license, as the case may be, to each applicant who
1662 satisfies the requirements of this subsection and who is deemed
1663 qualified by the [executive director] commissioner. The [executive
1664 director] commissioner may reject for good cause an application for a
1665 vendor, affiliate or occupational license.

1666 (g) Each vendor, affiliate or Class I or II occupational license shall be
1667 effective for not more than one year from the date of issuance. Each
1668 Class III or IV occupational license shall remain in effect throughout
1669 the term of employment of any such employee holding such a license.
1670 The [executive director] commissioner may require each employee
1671 issued a Class IV occupational license to submit information as to such
1672 employee's financial standing and credit annually. Initial application
1673 for and renewal of any such license shall be in such form and manner
1674 as the [executive director] commissioner shall prescribe.

1675 (h) (1) The [executive director] commissioner may suspend or
1676 revoke for good cause a vendor, affiliate or occupational license after a

1677 hearing held before the [executive director] commissioner in
1678 accordance with chapter 54. The [executive director] commissioner
1679 may order summary suspension of any such license in accordance with
1680 subsection (c) of section 4-182.

1681 (2) Any such applicant aggrieved by the action of the [executive
1682 director] commissioner concerning an application for a license, or any
1683 person or business organization whose license is suspended or
1684 revoked, may appeal to the Gaming Policy Board not later than fifteen
1685 days after such decision. Any person or business organization
1686 aggrieved by a decision of the board may appeal pursuant to section 4-
1687 183.

1688 (3) The [executive director] commissioner may impose a civil
1689 penalty on any licensee for a violation of any provision of this chapter
1690 or any regulation adopted under section 12-568a, as amended by this
1691 act, in an amount not to exceed two thousand five hundred dollars
1692 after a hearing held in accordance with chapter 54.

1693 (i) The [executive director] commissioner may require that the books
1694 and records of any vendor or affiliate licensee be maintained in any
1695 manner which the [executive director] commissioner may deem best,
1696 and that any financial or other statements based on such books and
1697 records be prepared in accordance with generally accepted accounting
1698 principles in such form as the [executive director] commissioner shall
1699 prescribe. The [executive director] commissioner or a designee may
1700 visit, investigate and place expert accountants and such other persons
1701 as deemed necessary in the offices or places of business of any such
1702 licensee for the purpose of satisfying himself or herself that such
1703 licensee is in compliance with the regulations of the [division]
1704 departments.

1705 (j) For the purposes of this section, (1) "business organization"
1706 means a partnership, incorporated or unincorporated association, firm,
1707 corporation, trust or other form of business or legal entity; (2) "control"
1708 means the power to exercise authority over or direct the management

1709 and policies of a licensee; and (3) "person" means any individual.

1710 (k) The **[**executive director of the Division of Special Revenue**]**
1711 Commissioner of Consumer Protection may adopt such regulations, in
1712 accordance with chapter 54, as are necessary to implement the
1713 provisions of this section.

1714 Sec. 32. Section 17a-713 of the general statutes is repealed and the
1715 following is substituted in lieu thereof (*Effective July 1, 2011*):

1716 (a) The Department of Mental Health and Addiction Services shall
1717 establish a program for the treatment and rehabilitation of compulsive
1718 gamblers in the state. The program shall provide prevention, treatment
1719 and rehabilitation services for chronic gamblers. The department may
1720 enter into agreements with subregional planning and action councils
1721 and nonprofit organizations to assist in providing these services,
1722 provided not less than twenty-five per cent of the amount received
1723 pursuant to section 12-818 annually shall be set aside for contracts with
1724 subregional planning and action councils established pursuant to
1725 section 17a-671 and nonprofit organizations and not less than five per
1726 cent of the amount received pursuant to section 12-818 annually shall
1727 be set aside for a contract with the Connecticut Council on Problem
1728 Gambling. The department may impose a reasonable fee, on a sliding
1729 scale, on those participants who can afford to pay for any such
1730 services. The department shall implement such program when the
1731 account established under subsection (b) of this section is sufficient to
1732 meet initial operating expenses. As used in this section "chronic
1733 gambler" means a person who is chronically and progressively
1734 preoccupied with gambling and the urge to gamble, and with
1735 gambling behavior that compromises, disrupts or damages personal,
1736 family or vocational pursuits.

1737 (b) The program established by subsection (a) of this section shall be
1738 funded by imposition of: (1) A fee of one hundred thirty-five dollars on
1739 each association license, for each performance of jai alai or dog racing
1740 conducted under the provisions of chapter 226, provided no such

1741 licensee shall contribute more than forty-five thousand dollars in any
1742 one year; (2) a fee of twenty-five dollars for each teletheater
1743 performance on each operator of a teletheater facility; and (3) the
1744 amount received from the Connecticut Lottery Corporation pursuant
1745 to section 12-818. The **[**executive director of the Division of Special
1746 Revenue within the Department of Revenue Services**]** Commissioner of
1747 Consumer Protection shall collect the fee from each association
1748 licensee or such operator on a monthly basis. The receipts shall be
1749 deposited in the General Fund and credited to a separate, nonlapsing
1750 chronic gamblers treatment and rehabilitation account which shall be
1751 established by the Comptroller. All moneys in the account are deemed
1752 to be appropriated and shall be expended for the purposes established
1753 in subsection (a) of this section.

1754 (c) The **[**department**]** Department of Mental Health and Addiction
1755 Services shall adopt regulations in accordance with the provisions of
1756 chapter 54 to carry out the purposes of this section.

1757 Sec. 33. Section 22-410 of the general statutes is repealed and the
1758 following is substituted in lieu thereof (*Effective July 1, 2011*):

1759 The Department of Agriculture and the **[**Division of Special
1760 Revenue**]** Department of Consumer Protection, within the limitations
1761 of funds available, may offer cash awards to the breeders of
1762 Connecticut-bred horses which officially finish in first place in horse
1763 races conducted in this state where pari-mutuel betting is permitted
1764 and to those which finish first, second or third in horse races where
1765 pari-mutuel betting is permitted and the total purse is twenty
1766 thousand dollars or more, and to owners at the time of service of the
1767 stallions which sired such horses. Such awards shall be paid from the
1768 Connecticut Breeders' Fund to be administered by the department and
1769 the **[**division**]** department. Said fund shall consist of revenues derived
1770 from pari-mutuel betting in such races in the state, both on and off-
1771 track, consisting of twenty-five per cent of the tax derived from the
1772 breakage of the state's share of the tax derived from such races,
1773 pursuant to subdivision (2) of subsection (d) of section 12-575, as

1774 amended by this act, with a limit set for the fund not to exceed fifty
1775 thousand dollars in any fiscal year.

1776 Sec. 34. Section 22-412 of the general statutes is repealed and the
1777 following is substituted in lieu thereof (*Effective July 1, 2011*):

1778 The Department of Agriculture and the **[**Division of Special
1779 Revenue**]** Department of Consumer Protection shall use part of said
1780 fund for programs to promote the equine industry in the state of
1781 Connecticut, such as equine activities, facilities and research. The
1782 Department of Agriculture and the **[**Division of Special Revenue**]**
1783 Department of Consumer Protection may **[**promulgate**]** adopt
1784 regulations, in accordance with the provisions of chapter 54, to carry
1785 out the purposes of this section and sections 22-410, as amended by
1786 this act, and 22-411.

1787 Sec. 35. Section 29-7c of the general statutes is repealed and the
1788 following is substituted in lieu thereof (*Effective July 1, 2011*):

1789 There is established a unit in the Division of State Police within the
1790 Department of Public Safety to be known as the legalized gambling
1791 investigative unit. The unit, in conjunction with the special policemen
1792 in the **[**Division of Special Revenue**]** Department of Consumer
1793 Protection, shall be responsible for (1) the criminal enforcement of the
1794 provisions of sections 7-169 to 7-172, inclusive, as amended by this act,
1795 and sections 7-185a to 7-186, inclusive, and chapters 226, 226b and
1796 229a, and (2) the investigation, detection of and assistance in the
1797 prosecution of any criminal matter or alleged violation of criminal law
1798 with respect to legalized gambling, provided the legalized gambling
1799 investigative unit shall be the primary criminal enforcement agency.
1800 Nothing in this section shall limit the powers granted to persons
1801 appointed to act as special policemen in accordance with the
1802 provisions of section 29-18c, as amended by this act.

1803 Sec. 36. Section 29-18c of the general statutes is repealed and the
1804 following is substituted in lieu thereof (*Effective July 1, 2011*):

1805 The Commissioner of Public Safety may appoint not more than four
1806 persons employed as investigators in the security unit of the **[**Division
1807 of Special Revenue**]** Department of Consumer Protection, upon the
1808 nomination of the **[**executive director of the Division of Special
1809 Revenue**]** Commissioner of Consumer Protection, to act as special
1810 policemen in said unit. Such appointees shall serve at the pleasure of
1811 the Commissioner of Public Safety. During such tenure, they shall have
1812 all the powers conferred on state policemen while investigating or
1813 making arrests for any offense arising from the operation of any off-
1814 track betting system or the conduct of any lottery game. Such special
1815 policemen shall be certified under the provisions of sections 7-294a to
1816 7-294e, inclusive.

1817 Sec. 37. Section 30-20 of the general statutes is repealed and the
1818 following is substituted in lieu thereof (*Effective July 1, 2011*):

1819 (a) A package store permit shall allow the retail sale of alcoholic
1820 liquor not to be consumed on the premises, such sales to be made only
1821 in sealed bottles or other containers. The holder of a package store
1822 permit may, in accordance with regulations adopted by the
1823 Department of Consumer Protection pursuant to the provisions of
1824 chapter 54, offer free samples of alcoholic liquor for tasting on the
1825 premises, conduct demonstrations and conduct tastings or
1826 demonstrations provided by a permittee or backer of a package store
1827 for a nominal charge to charitable nonprofit organizations. Any
1828 offering, tasting or demonstration held on permit premises shall be
1829 conducted only during the hours a package store is permitted to sell
1830 alcoholic liquor under section 30-91. No store operating under a
1831 package store permit shall sell any commodity other than alcoholic
1832 liquor except that, notwithstanding any other provision of law, such
1833 store may sell (1) cigarettes, (2) publications, (3) bar utensils, which
1834 shall include, but need not be limited to, corkscrews, beverage
1835 strainers, stirrers or other similar items used to consume or related to
1836 the consumption of alcoholic liquor, (4) gift packages of alcoholic
1837 liquor shipped into the state by a manufacturer or out-of-state shipper,

1838 which may include a nonalcoholic item in the gift package that may be
1839 any item, except food or tobacco products, provided the dollar value of
1840 the nonalcoholic items does not exceed the dollar value of the alcoholic
1841 items of the package, (5) nonalcoholic beverages, (6) concentrates used
1842 in the preparation of mixed alcoholic beverages, (7) beer and wine-
1843 making kits and products related to beer and wine-making kits, (8) ice
1844 in any form, (9) articles of clothing imprinted with advertising related
1845 to the alcoholic liquor industry, (10) gift baskets or other containers of
1846 alcoholic liquor, (11) multiple packages of alcoholic liquors, as defined
1847 in subdivision (3) of section 30-1, provided in all such cases the
1848 minimum retail selling price for such alcoholic liquor shall apply, and
1849 (12) lottery tickets authorized by the **[**Division of Special Revenue**]**
1850 Department of Consumer Protection, if licensed as an agent to sell such
1851 tickets by said **[**division**]** department. A package store permit shall also
1852 allow the taking and transmitting of orders for delivery of such
1853 merchandise in other states. Notwithstanding any other provision of
1854 law, a package store permit shall allow the participation in any lottery
1855 ticket promotion or giveaway sponsored by the **[**Division of Special
1856 Revenue**]** Department of Consumer Protection. The annual fee for a
1857 package store permit shall be five hundred dollars plus the sum
1858 required by section 30-66.

1859 (b) A grocery store beer permit may be granted to any grocery store
1860 and shall allow the retail sale of beer in standard size containers not to
1861 be consumed on the premises. A holder of a grocery store beer permit
1862 shall post in a prominent location adjacent to the beer display, the
1863 retail price for each brand of beer and said retail price shall include all
1864 applicable federal and state taxes including the applicable state sales
1865 taxes. The annual fee for a grocery store beer permit shall be one
1866 hundred sixty dollars plus the sum required by section 30-66.

1867 (c) "Grocery store" means any store commonly known as a
1868 supermarket, food store, grocery store or delicatessen, primarily
1869 engaged in the retail sale of all sorts of canned goods and dry goods
1870 such as tea, coffee, spices, sugar and flour, either packaged or in bulk,

1871 with or without fresh fruits and vegetables, and with or without fresh,
1872 smoked and prepared meats, fish and poultry, except that no store
1873 primarily engaged in the retail sale of seafood, fruits and vegetables,
1874 candy, nuts and confectioneries, dairy products, bakery products or
1875 eggs and poultry shall be included in the definition of "grocery store".

1876 Sec. 38. Section 30-39 of the general statutes is repealed and the
1877 following is substituted in lieu thereof (*Effective July 1, 2011*):

1878 (a) For the purposes of this section, the "filing date" of an application
1879 means the date upon which the department, after approving the
1880 application for processing, mails or otherwise delivers to the applicant
1881 a placard containing such date.

1882 (b) (1) Any person desiring a liquor permit or a renewal of such a
1883 permit shall make a sworn application therefor to the Department of
1884 Consumer Protection upon forms to be furnished by the department,
1885 showing the name and address of the applicant and of the applicant's
1886 backer, if any, the location of the club or place of business which is to
1887 be operated under such permit and a financial statement setting forth
1888 all elements and details of any business transactions connected with
1889 the application. Such application shall include a detailed description of
1890 the type of live entertainment that is to be provided. A club or place of
1891 business shall be exempt from providing such detailed description if
1892 the club or place of business (A) was issued a liquor permit prior to
1893 October 1, 1993, and (B) has not altered the type of entertainment
1894 provided. The application shall also indicate any crimes of which the
1895 applicant or the applicant's backer may have been convicted.
1896 Applicants shall submit documents sufficient to establish that state and
1897 local building, fire and zoning requirements and local ordinances
1898 concerning hours and days of sale will be met, except that local
1899 building and zoning requirements and local ordinances concerning
1900 hours and days of sale shall not apply to any class of airport permit.
1901 The State Fire Marshal or the marshal's certified designee shall be
1902 responsible for approving compliance with the State Fire Code at
1903 Bradley International Airport. Any person desiring a permit provided

1904 for in section 30-33b shall file a copy of such person's license from the
1905 [Division of Special Revenue] Department of Consumer Protection or
1906 the Gaming Policy Board with such application. The department may,
1907 at its discretion, conduct an investigation to determine whether a
1908 permit shall be issued to an applicant.

1909 (2) The applicant shall pay to the department a nonrefundable
1910 application fee, which fee shall be in addition to the fees prescribed in
1911 this chapter for the permit sought. An application fee shall not be
1912 charged for an application to renew a permit. The application fee shall
1913 be in the amount of ten dollars for the filing of each application for a
1914 permit by a charitable organization, including a nonprofit public
1915 television corporation, a nonprofit golf tournament permit, a
1916 temporary permit or a special club permit; and for all other permits in
1917 the amount of one hundred dollars for the filing of an initial
1918 application. Any permit issued shall be valid only for the purposes and
1919 activities described in the application.

1920 (3) The applicant, immediately after filing an application, shall give
1921 notice thereof, with the name and residence of the permittee, the type
1922 of permit applied for and the location of the place of business for
1923 which such permit is to be issued and the type of live entertainment to
1924 be provided, all in a form prescribed by the department, by publishing
1925 the same in a newspaper having a circulation in the town in which the
1926 place of business to be operated under such permit is to be located, at
1927 least once a week for two successive weeks, the first publication to be
1928 not more than seven days after the filing date of the application and
1929 the last publication not more than fourteen days after the filing date of
1930 the application. The applicant shall affix, and maintain in a legible
1931 condition upon the outer door of the building wherein such place of
1932 business is to be located and clearly visible from the public highway,
1933 the placard provided by the department, not later than the day
1934 following the receipt of the placard by the applicant. If such outer door
1935 of such premises is so far from the public highway that such placard is
1936 not clearly visible as provided, the department shall direct a suitable

1937 method to notify the public of such application. When an application is
1938 filed for any type of permit for a building that has not been
1939 constructed, such applicant shall erect and maintain in a legible
1940 condition a sign not less than six feet by four feet upon the site where
1941 such place of business is to be located, instead of such placard upon
1942 the outer door of the building. The sign shall set forth the type of
1943 permit applied for and the name of the proposed permittee, shall be
1944 clearly visible from the public highway and shall be so erected not
1945 later than the day following the receipt of the placard. Such applicant
1946 shall make a return to the department, under oath, of compliance with
1947 the foregoing requirements, in such form as the department may
1948 determine, but the department may require any additional proof of
1949 such compliance. Upon receipt of evidence of such compliance, the
1950 department may hold a hearing as to the suitability of the proposed
1951 location. The provisions of this subdivision shall not apply to
1952 applications for airline permits, charitable organization permits,
1953 temporary permits, special club permits, concession permits, military
1954 permits, railroad permits, boat permits, warehouse permits, brokers'
1955 permits, out-of-state shippers' permits for alcoholic liquor and out-of-
1956 state shippers' permits for beer, coliseum permits, coliseum concession
1957 permits, special sporting facility restaurant permits, special sporting
1958 facility employee recreational permits, special sporting facility guest
1959 permits, special sporting facility concession permits, special sporting
1960 facility bar permits, nonprofit golf tournament permits, nonprofit
1961 public television permits and renewals. The provisions of this
1962 subdivision regarding publication and placard display shall also be
1963 required of any applicant who seeks to amend the type of
1964 entertainment upon filing of a renewal application.

1965 (4) In any case in which a permit has been issued to a partnership, if
1966 one or more of the partners dies or retires, the remaining partner or
1967 partners need not file a new application for the unexpired portion of
1968 the current permit, and no additional fee for such unexpired portion
1969 shall be required. Notice of any such change shall be given to the
1970 department and the permit shall be endorsed to show correct

1971 ownership. When any partnership changes by reason of the addition of
1972 one or more persons, a new application with new fees shall be
1973 required.

1974 (c) Any ten persons who are at least eighteen years of age, and are
1975 residents of the town within which the business for which the permit
1976 or renewal thereof has been applied for, is intended to be operated, or,
1977 in the case of a manufacturer's or a wholesaler's permit, any ten
1978 persons who are at least eighteen years of age and are residents of the
1979 state, may file with the department, within three weeks from the last
1980 date of publication of notice made pursuant to subdivision (3) of
1981 subsection (b) of this section for an initial permit, and in the case of
1982 renewal of an existing permit, at least twenty-one days before the
1983 renewal date of such permit, a remonstrance containing any objection
1984 to the suitability of such applicant or proposed place of business. Upon
1985 the filing of such remonstrance, the department, upon written
1986 application, shall hold a hearing and shall give such notice as it deems
1987 reasonable of the time and place at least five days before such hearing
1988 is had. The remonstrants shall designate one or more agents for
1989 service, who shall serve as the recipient or recipients of all notices
1990 issued by the department. At any time prior to the issuance of a
1991 decision by the department, a remonstrance may be withdrawn by the
1992 remonstrants or by such agent or agents acting on behalf of such
1993 remonstrants and the department may cancel the hearing or withdraw
1994 the case. The decision of the department on such application shall be
1995 final with respect to the remonstrance.

1996 (d) No new permit shall be issued until the foregoing provisions of
1997 subsections (a) and (b) of this section have been complied with. Six
1998 months' or seasonal permits may be renewed, provided the renewal
1999 application and fee shall be filed at least twenty-one days before the
2000 reopening of the business, there is no change in the permittee,
2001 ownership or type of permit, and the permittee or backer did not
2002 receive a rebate of the permit fee with respect to the permit issued for
2003 the previous year.

2004 (e) The department may renew a permit that has expired if the
2005 applicant pays to the department a nonrefundable late fee pursuant to
2006 subsection (c) of section 21a-4, which fee shall be in addition to the fees
2007 prescribed in this chapter for the permit applied for. The provisions of
2008 this subsection shall not apply to one-day permits, to any permit which
2009 is the subject of administrative or court proceedings, or where
2010 otherwise provided by law.

2011 Sec. 39. Section 30-59a of the general statutes is repealed and the
2012 following is substituted in lieu thereof (*Effective July 1, 2011*):

2013 The Department of Consumer Protection may **[**, upon notice from
2014 the Division of Special Revenue of the name and address of any person
2015 who**]** suspend any permit issued under this chapter if the permittee
2016 has had a license suspended or revoked by the Gaming Policy Board or
2017 the **[**executive director of the Division of Special Revenue, suspend the
2018 permit of such person**]** department until such license has been restored
2019 to such person. **[**The Department of Consumer Protection shall notify
2020 the Division of Special Revenue of the name and address of any
2021 permittee or backer whose permit has been suspended or revoked.**]**

2022 Sec. 40. Section 31-51y of the general statutes is repealed and the
2023 following is substituted in lieu thereof (*Effective July 1, 2011*):

2024 (a) Nothing in sections 31-51t to 31-51aa, inclusive, shall prevent an
2025 employer from conducting medical screenings, with the express
2026 written consent of the employees, to monitor exposure to toxic or other
2027 unhealthy substances in the workplace or in the performance of their
2028 job responsibilities. Any such screenings or tests shall be limited to the
2029 specific substances expressly identified in the employee consent form.

2030 (b) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict an
2031 employer's ability to prohibit the use of intoxicating substances during
2032 work hours or restrict an employer's ability to discipline an employee
2033 for being under the influence of intoxicating substances during work
2034 hours.

2035 (c) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict or
2036 prevent a urinalysis drug test program conducted under the
2037 supervision of the **[**Division of Special Revenue within the Department
2038 of Revenue Services**]** Department of Consumer Protection relative to
2039 jai alai players, jai alai court judges, jockeys, harness drivers or
2040 stewards participating in activities upon which pari-mutuel wagering
2041 is authorized under chapter 226.

2042 Sec. 41. Section 53-278g of the general statutes is repealed and the
2043 following is substituted in lieu thereof (*Effective July 1, 2011*):

2044 (a) Nothing in sections 53-278a to 53-278g, inclusive, as amended by
2045 this act, shall be construed to prohibit the publication of an
2046 advertisement of, or the operation of, or participation in, a state lottery,
2047 pari-mutuel betting at race tracks licensed by the state, off-track betting
2048 conducted by the state or a licensee authorized to operate the off-track
2049 betting system or a promotional drawing for a prize or prizes,
2050 conducted for advertising purposes by any person, firm or corporation
2051 other than a retail grocer or retail grocery chain, wherein members of
2052 the general public may participate without making any purchase or
2053 otherwise paying or risking credit, money, or any other tangible thing
2054 of value.

2055 (b) The Mashantucket Pequot tribe and the Mohegan Tribe of
2056 Indians of Connecticut, or their agents, may use and possess at any
2057 location within the state, solely for the purpose of training individuals
2058 in skills required for employment by the tribe or testing a gambling
2059 device, any gambling device which the tribes are authorized to utilize
2060 on their reservations pursuant to the federal Indian Gaming
2061 Regulatory Act; provided no money or other thing of value shall be
2062 paid to any person as a result of the operation of such gambling device
2063 in the course of such training or testing at locations outside of the
2064 reservation of the tribe. Any person receiving such training or testing
2065 such device may use any such device in the course of such training or
2066 testing. Whenever either of said tribes intends to use and possess at
2067 any location within the state any such gambling device for the purpose

2068 of testing such device, the tribe shall give prior notice of such testing to
2069 the **[**Division of Special Revenue**]** Department of Consumer Protection.

2070 Sec. 42. Section 53-278a of the general statutes is repealed and the
2071 following is substituted in lieu thereof (*Effective July 1, 2011*):

2072 As used in sections 53-278a to 53-278g, inclusive, as amended by
2073 this act:

2074 (1) "Gain" means the direct realization of winnings; "profit" means
2075 any other realized or unrealized benefit, direct or indirect, including
2076 without limitation benefits from proprietorship, management or
2077 unequal advantage in a series of transactions;

2078 (2) "Gambling" means risking any money, credit, deposit or other
2079 thing of value for gain contingent in whole or in part upon lot, chance
2080 or the operation of a gambling device, including the playing of a casino
2081 gambling game such as blackjack, poker, craps, roulette or a slot
2082 machine, but does not include: Legal contests of skill, speed, strength
2083 or endurance in which awards are made only to entrants or the owners
2084 of entries; legal business transactions which are valid under the law of
2085 contracts; activity legal under the provisions of sections 7-169 to 7-192,
2086 inclusive, as amended by this act, and sections 7-185a to 7-186,
2087 inclusive, as amended by this act; any lottery or contest conducted by
2088 or under the authority of any state of the United States,
2089 Commonwealth of Puerto Rico or any possession or territory of the
2090 United States; and other acts or transactions expressly authorized by
2091 law on or after October 1, 1973;

2092 (3) "Professional gambling" means accepting or offering to accept,
2093 for profit, money, credits, deposits or other things of value risked in
2094 gambling, or any claim thereon or interest therein. Without limiting
2095 the generality of this definition, the following shall be included: Pool-
2096 selling and bookmaking; maintaining slot machines, one-ball machines
2097 or variants thereof, pinball machines, which award anything other
2098 than an immediate and unrecorded right of replay, roulette wheels,

2099 dice tables, or money or merchandise pushcards, punchboards, jars or
2100 spindles, in any place accessible to the public; and except as provided
2101 in sections 7-169 to 7-172, inclusive, as amended by this act, and
2102 sections 7-185a to 7-186, inclusive, as amended by this act, conducting
2103 lotteries, gift enterprises, disposal or sale of property by lottery or
2104 hazard or policy or numbers games, or selling chances therein; and the
2105 following shall be presumed to be included: Conducting any banking
2106 game played with cards, dice or counters, or accepting any fixed share
2107 of the stakes therein;

2108 (4) "Gambling device" means any device or mechanism by the
2109 operation of which a right to money, credits, deposits or other things
2110 of value may be created, as the result of the operation of an element of
2111 chance; any device or mechanism which, when operated for a
2112 consideration, does not return the same value or thing of value for the
2113 same consideration upon each operation thereof; any device,
2114 mechanism, furniture or fixture designed primarily for use in
2115 connection with professional gambling; and any subassembly or
2116 essential part designed or intended for use in connection with any
2117 such device, mechanism, furniture, fixture, construction or installation,
2118 provided an immediate and unrecorded right of replay mechanically
2119 conferred on players of pinball machines and similar amusement
2120 devices shall be presumed to be without value. "Gambling device"
2121 does not include a crane game machine or device or a redemption
2122 machine;

2123 (5) "Gambling record" means any record, receipt, ticket, certificate,
2124 token, slip or notation given, made, used or intended to be used in
2125 connection with professional gambling;

2126 (6) "Gambling information" means a communication with respect to
2127 any wager made in the course of, and any information intended to be
2128 used for, professional gambling. Information as to wagers, betting
2129 odds or changes in betting odds shall be presumed to be intended for
2130 use in professional gambling;

2131 (7) "Gambling premise" means any building, room, enclosure,
2132 vehicle, vessel or other place, whether open or enclosed, used or
2133 intended to be used for professional gambling. Any place where a
2134 gambling device is found shall be presumed to be intended to be used
2135 for professional gambling **[**, except a place wherein a bazaar or raffle
2136 for which a permit has been issued under sections 7-170 to 7-186,
2137 inclusive,**]** or bingo for which a permit has been issued under section
2138 7-169, as amended by this act, is to be conducted;

2139 (8) "Person" includes natural persons, partnerships, limited liability
2140 companies and associations of persons, and corporations; and any
2141 corporate officer, director or stockholder who authorizes, participates
2142 in or knowingly accepts benefits from any violation of sections 53-278a
2143 to 53-278g, inclusive, as amended by this act, committed by his
2144 corporation;

2145 (9) "Peace officer" means a municipal or state police officer or chief
2146 inspector or inspector in the Division of Criminal Justice or state
2147 marshal while exercising authority granted under any provision of the
2148 general statutes or judicial marshal in the performance of the duties of
2149 a judicial marshal;

2150 (10) "Court" means the Superior Court;

2151 (11) "Crane game machine or device" means a machine or device (A)
2152 that is designed and manufactured only for bona fide amusement
2153 purposes and involves at least some skill in its operation, (B) that
2154 rewards a winning player exclusively with merchandise contained
2155 within the machine or device and such merchandise is limited to
2156 noncash prizes, toys or novelties each of which has a wholesale value
2157 not exceeding ten dollars or ten times the cost of playing the machine
2158 or device, whichever is less, (C) the player of which is able to control
2159 the timing of the use of the claw or grasping device to attempt to pick
2160 up or grasp a prize, toy or novelty, (D) the player of which is made
2161 aware of any time restrictions that the machine or device imposes on
2162 the player to maneuver the claw or grasping device into a position to

2163 attempt to pick up or grasp a prize, toy or novelty, and (E) the claw or
2164 grasping device of which is not of a size, design or shape that prohibits
2165 the picking up or grasping of a prize, toy or novelty contained within
2166 the machine or device;

2167 (12) "Redemption machine" means an amusement device operated
2168 by one or more players that involves a game the object of which is
2169 throwing, rolling, bowling, shooting, placing or propelling a ball or
2170 other object into, upon or against a hole or other target and that
2171 rewards the player or players with tickets, tokens or other noncash
2172 representations of value redeemable for merchandise prizes, provided
2173 (A) the outcome of the game is predominantly determined by the skill
2174 of the player, (B) the award of tickets, tokens or other noncash
2175 representations of value is based solely on the player's achieving the
2176 object of the game or on the player's score, (C) only merchandise prizes
2177 are awarded, (D) the average wholesale value of the prizes awarded in
2178 lieu of tickets or tokens for a single play of the machine does not
2179 exceed ten dollars or ten times the cost of a single play of the machine,
2180 whichever is less, and (E) the redemption value of each ticket, token or
2181 other noncash representation of value that may be accumulated by a
2182 player or players to redeem prizes of greater value does not exceed the
2183 cost of a single play of the machine.

2184 Sec. 43. Subsection (d) of section 53-278c of the general statutes is
2185 repealed and the following is substituted in lieu thereof (*Effective July*
2186 *1, 2011*):

2187 (d) Except as provided in subsection (e), any person who knowingly
2188 owns, manufactures, possesses, buys, sells, rents, leases, stores, repairs
2189 or transports any gambling device, or offers or solicits any interest
2190 therein, except in connection with a permit under sections 7-169 <u>to 7-</u>
2191 <u>172, inclusive, as amended by this act, and sections 7-185a</u> to 7-186,
2192 inclusive, <u>as amended by this act,</u> whether through an agent or
2193 employee or otherwise shall be guilty of a class A misdemeanor.
2194 Subsection (b) of this section shall have no application in the
2195 enforcement of this subsection.

2196 Sec. 44. Section 7-169 of the general statutes is repealed and the
2197 following is substituted in lieu thereof (*Effective July 1, 2011*):

2198 (a) The term "bingo" is defined as the name of a game in which each
2199 player receives a card containing several rows of numbers and, as
2200 numbers are drawn or otherwise obtained by chance and publicly
2201 announced, the player first having a specified number of announced
2202 numbers appearing on his card in a continuous straight line or
2203 covering a previously designated arrangement of numbers on such
2204 card is declared the winner. **[**The word "person" or "applicant", as used
2205 in this section, means the officer or representative of the sponsoring
2206 organization or the organization itself. The term "session" means a
2207 series of games played in one day. "Executive director" means the
2208 executive director of the Division of Special Revenue within the
2209 Department of Revenue Services who shall be responsible for the
2210 administration and regulation of bingo in the state.**]**

2211 (b) Upon a written petition of five per cent or more of the electors of
2212 any municipality requesting the selectmen, common council or other
2213 governing body of such municipality to vote upon the question of
2214 permitting the playing of bingo within such municipality, such
2215 governing body shall vote upon such question and, if the vote is in the
2216 affirmative, it shall be permitted, subject to the restrictions herein set
2217 forth, and if the vote is in the negative, bingo shall not be permitted to
2218 be played in such municipality. When the selectmen, common council
2219 or other governing body of any municipality have voted favorably
2220 upon the question of permitting the playing of bingo within such
2221 municipality, the playing of such game shall be permitted in such
2222 municipality indefinitely thereafter, without further petition or action
2223 by such governing body, unless such governing body has forbidden
2224 the playing of said game upon a similar written petition of five per
2225 cent or more of the electors of such municipality, whereupon bingo
2226 shall not be permitted to be played after such negative vote.

2227 **[**(c) The executive director of the Division of Special Revenue, with
2228 the advice and consent of the Gaming Policy Board, shall adopt, in

2229 accordance with the provisions of chapter 54, such regulations as are
2230 necessary effectively to carry out the provisions of this section and
2231 section 7-169a in order to prevent fraud and protect the public, which
2232 regulations shall have the effect of law.]

2233 [(d)] (c) No bingo game or series of bingo games shall be promoted,
2234 operated or played unless the same is sponsored and conducted
2235 exclusively by a charitable, civic, educational, fraternal, veterans' or
2236 religious organization, volunteer fire department or grange. Any such
2237 organization or group shall have been organized for not less than two
2238 years prior to its application for a bingo permit under the terms of this
2239 section. The promotion and operation of said game or games shall be
2240 confined solely to the qualified members of the sponsoring
2241 organization. [, except that the executive director of the Division of
2242 Special Revenue may permit any qualified member of a sponsoring
2243 organization who has registered with the executive director, on a form
2244 prepared by him for such purpose, to assist in the operation of a game
2245 sponsored by another organization. The executive director may revoke
2246 such registration for cause.]

2247 [(e)] (d) Any eligible organization desiring to operate bingo games
2248 in any municipality in which the governing body has voted to permit
2249 the playing thereof shall [make application] apply to the [executive
2250 director of the Division of Special Revenue] Commissioner of
2251 Consumer Protection, which application shall contain a statement of
2252 the name and address of the applicant, the location of the place at
2253 which the games are to be played and the seating capacity of such
2254 place, the date or dates for which a permit is sought, the class of permit
2255 sought and any other information which the [executive director]
2256 commissioner reasonably requires for the protection of the public, and,
2257 upon payment of the fee hereinafter provided for, the [executive
2258 director] commissioner is authorized to issue such permit, provided
2259 such eligible organization has been registered [by him] as provided in
2260 section 7-169a, as amended by this act.

2261 [(f)] (e) Permits shall be known as "Class A" which shall be annual

2262 one-day-per-week permits and shall permit the conduct of not more
2263 than forty and not less than fifteen bingo games on such day, and
2264 "Class B" which shall permit not more than forty and not less than
2265 fifteen bingo games per day for a maximum of ten successive days,
2266 and "Class C" which shall be annual one-day-per-month permits and
2267 shall permit the conduct of not more than forty and not less than
2268 fifteen bingo games on such day. "Class A" permits shall allow the
2269 playing of bingo no more than one day weekly. Not more than two
2270 "Class B" permits shall be issued to any one organization within any
2271 twelve-month period. "Class C" permits shall allow the playing of
2272 bingo no more than one day per month.

2273 **[**(g)**]** (f) Permit fees shall be remitted to the state as follows: "Class
2274 A", seventy-five dollars; "Class B", five dollars per day; "Class C", fifty
2275 dollars.

2276 **[**(h)**]** (g) Each person who operates bingo games shall keep accurate
2277 records of receipts and disbursements. **[**, which shall be available for
2278 inspection by the executive director. Any information acquired by the
2279 executive director pursuant to this subsection shall be available to the
2280 Commissioner of Public Safety upon request.**]**

2281 **[**(i)**]** (h) Prizes offered for the winning of bingo games may consist of
2282 cash, merchandise, tickets for any lottery conducted under chapter 226,
2283 the value of which shall be the purchase price printed on such tickets,
2284 or other personal property. No permittee may offer a prize which
2285 exceeds one hundred dollars in value, except that (1) a permittee may
2286 offer a prize or prizes on any one day of not less than one hundred one
2287 dollars or more than three hundred dollars in value, provided the total
2288 value of such prizes on any one day does not exceed twelve hundred
2289 dollars, (2) a permittee may offer one or two winner-take-all games or
2290 series of games played on any day on which the permittee is allowed
2291 to conduct bingo, provided ninety per cent of all receipts from the sale
2292 of bingo cards for such winner-take-all game or series of games shall
2293 be awarded as prizes and provided each prize awarded does not
2294 exceed five hundred dollars in value, (3) the holder of a Class A permit

2295 may offer two additional prizes on a weekly basis not to exceed one
2296 hundred twenty-five dollars each as a special grand prize and in the
2297 event such a special grand prize is not won, the money reserved for
2298 such prize shall be added to the money reserved for the next week's
2299 special grand prize, provided no such special grand prize may
2300 accumulate for more than sixteen weeks or exceed a total of two
2301 thousand dollars, and (4) a permittee may award door prizes the
2302 aggregate value of which shall not exceed two hundred dollars in
2303 value. When more than one player wins on the call of the same
2304 number, the designated prize shall be divided equally to the next
2305 nearest dollar. If a permittee elects, no winner may receive a prize
2306 which amounts to less than ten per cent of the announced prize and in
2307 such case the total of such multiple prizes may exceed the statutory
2308 limit of such game.

2309 **[**(j) Any organization operating or conducting a bingo game shall
2310 file a return with the executive director, on a form prepared by him,
2311 within ten days after such game is held or within such further time as
2312 the executive director may allow, and pay to the state a fee of five per
2313 cent of the gross receipts, less the prizes awarded including prizes
2314 reserved for special grand prize games, derived from such games at
2315 each bingo session. All such returns shall be public records. The
2316 executive director shall pay each municipality in which bingo games
2317 are conducted, one-quarter of one per cent of the total money wagered
2318 less prizes awarded on such games conducted. He shall make such
2319 payment at least once a year and not more than four times a year from
2320 the fee imposed pursuant to this subsection.**]**

2321 **[**(k)**]** (i) (1) Whenever it appears to the **[**executive director**]**
2322 commissioner after an investigation that any person is violating or is
2323 about to violate any provision of this section or section 7-169a, as
2324 amended by this act, or administrative regulations issued pursuant
2325 thereto, the **[**executive director**]** commissioner may in his discretion, to
2326 protect the public welfare, order that any permit issued pursuant to
2327 this section be immediately suspended or revoked and that the person

2328 cease and desist from the actions constituting such violation or which
2329 would constitute such violation. After such an order is issued, the
2330 person named therein may, [within] not later than fourteen days after
2331 receipt of the order, file a written request for a hearing. Such hearing
2332 shall be held in accordance with the provisions of chapter 54.

2333 (2) Whenever the [executive director] commissioner finds as the
2334 result of an investigation that any person has violated any provision of
2335 this section or section 7-169a, as amended by this act, or administrative
2336 regulations issued pursuant thereto or made any false statement in any
2337 application for a permit or in any report required by this section or
2338 section 7-169a, as amended by this act, or by the [executive director]
2339 commissioner, the [executive director] commissioner may send a
2340 notice to such person by certified mail, return receipt requested. Any
2341 such notice shall include (A) a reference to the section or regulation
2342 alleged to have been violated or the application or report in which an
2343 alleged false statement was made, (B) a short and plain statement of
2344 the matter asserted or charged, (C) the fact that any permit issued
2345 pursuant to this section may be suspended or revoked for such
2346 violation or false statement and the maximum penalty that may be
2347 imposed for such violation or false statement, and (D) the time and
2348 place for the hearing. Such hearing shall be fixed for a date not earlier
2349 than fourteen days after the notice is mailed.

2350 (3) The [executive director] commissioner shall hold a hearing upon
2351 the charges made unless such person fails to appear at the hearing.
2352 Such hearing shall be held in accordance with the provisions of chapter
2353 54. If such person fails to appear at the hearing or if, after the hearing,
2354 the [executive director] commissioner finds that such person
2355 committed such a violation or made such a false statement, the
2356 [executive director] commissioner may, in his discretion, suspend or
2357 revoke such permit and order that a civil penalty of not more than two
2358 hundred dollars be imposed upon such person for such violation or
2359 false statement. The [executive director] commissioner shall send a
2360 copy of any order issued pursuant to this subdivision by certified mail,

2361 return receipt requested, to any person named in such order. Any
2362 person aggrieved by a decision of the [executive director]
2363 commissioner under this subdivision shall have a right of appeal to the
2364 Gaming Policy Board for a hearing. Any person aggrieved by a
2365 decision of the Gaming Policy Board shall have a right of appeal
2366 pursuant to section 4-183.

2367 (4) Whenever the [executive director] commissioner revokes a
2368 permit issued pursuant to this section, he shall not issue any permit to
2369 such permittee for one year after the date of such revocation.

2370 (5) Any person who promotes or operates any bingo game without
2371 a permit therefor, or who violates any provision of this section or
2372 section 7-169a, as amended by this act, or administrative regulations
2373 issued pursuant thereto, or who makes any false statement in any
2374 application for a permit or in any report required by this section or
2375 section 7-169a, as amended by this act, or by the [executive director]
2376 commissioner shall be fined not more than two hundred dollars or
2377 imprisoned not more than sixty days or both.

2378 Sec. 45. Section 7-185a of the general statutes is repealed and the
2379 following is substituted in lieu thereof (*Effective July 1, 2011*):

2380 (a) Notwithstanding the provisions of sections 7-170 to 7-172,
2381 inclusive, as amended by this act, and sections 7-185a to 7-186,
2382 inclusive, as amended by this act, and the regulations adopted
2383 thereunder, any organized church, volunteer fire company or veterans
2384 organization or association conducting a bazaar or raffle, (1) may have
2385 the actual drawing of the raffle in a municipality other than the
2386 municipality which grants the permit, provided the chief executive
2387 officer of the other municipality has in writing approved such
2388 drawing; (2) may conduct the bazaar in a municipality other than the
2389 municipality which grants the permit, provided the municipality in
2390 which the bazaar is to be conducted has adopted the provisions of
2391 sections 7-170 to 7-172, inclusive, as amended by this act, and sections
2392 7-185a to 7-186, inclusive, as amended by this act, and the chief

2393 executive officer of such municipality has in writing approved such
2394 bazaar; (3) may be permitted to redeem prizes in cash; (4) shall be
2395 exempt from the requirement of preserving unsold raffle tickets
2396 beyond ninety days after the conclusion of the holding, operating and
2397 conducting of such bazaar or raffle and shall be permitted to dispose of
2398 unclaimed prizes after such ninety days; and (5) may file a
2399 reconciliation of expenditures and receipts signed by an officer in lieu
2400 of an accountant.

2401 (b) Notwithstanding the provisions of sections 7-170 to 7-172,
2402 inclusive, as amended by this act, and sections 7-185a to 7-186,
2403 inclusive, as amended by this act, and the regulations adopted
2404 thereunder, any sponsoring organization qualified to conduct a bazaar
2405 or raffle under the provisions of section 7-172, as amended by this act,
2406 and recognized as a nonprofit organization under the provisions of
2407 Section 501(c)(3) of the federal Internal Revenue Code of 1986, or any
2408 subsequent corresponding internal revenue code of the United States,
2409 as from time to time amended, may have the actual drawing of the
2410 raffle in a municipality other than the municipality which grants the
2411 permit, provided the chief executive officer of the other municipality
2412 has in writing approved such drawing.

2413 (c) **[**Notwithstanding the provisions of section 7-177, any**]** Any
2414 organization conducting a bazaar may operate "fifty-fifty" coupon
2415 games each day of a permitted bazaar event and may award cash
2416 prizes of fifty per cent of "fifty-fifty" coupon game sales for each
2417 coupon drawing conducted. **[**Not more than three scheduled drawings
2418 may be held on any day on which a bazaar is permitted. A "fifty-fifty"
2419 coupon game shall be operated from an authorized bazaar booth,
2420 subject to the regulation of the executive director of the Division of
2421 Special Revenue and shall allow for the sale of "fifty-fifty" coupons at a
2422 predetermined uniform price. Each "fifty-fifty" coupon shall be
2423 consecutively numbered and shall have a correspondingly numbered
2424 stub. Each sponsoring organization shall provide different colored
2425 coupons for each drawing and shall award one prize for each drawing

2426 held. Each organization conducting such games shall conspicuously
2427 post, at each bazaar booth at which such games are conducted, a notice
2428 or notices which shall include the dates, times and places of any "fifty-
2429 fifty" coupon drawings, as well as the prices and colors of coupons to
2430 be sold for each drawing. The executive director shall prescribe the
2431 form of such notice which shall contain the following statement:
2432 "Holders of coupons must be present to claim a prize." Each such
2433 organization shall account for each coupon printed and sold for each
2434 drawing and shall announce the amount of sales and the prize to be
2435 awarded immediately prior to each drawing. The sponsoring
2436 organization shall preserve all sold and unsold coupons or stubs for a
2437 period of at least one year from the date of the verified statement
2438 required pursuant to section 7-182. At the conclusion of a bazaar, each
2439 organization conducting such games, and its members who were in
2440 charge thereof, shall furnish to the chief of police of the municipality or
2441 to the first selectman, as the case may be, a verified statement,
2442 prescribed by the executive director of the Division of Special Revenue,
2443 in duplicate, showing (1) the total number of coupons purchased and
2444 sold for each "fifty-fifty" coupon game drawing, and (2) the total
2445 number and amount of prizes awarded and the names and addresses
2446 of the persons to whom the prizes were awarded. Such report shall be
2447 furnished during the next succeeding month. The chief of police or
2448 first selectman, as the case may be, shall forward the original copy of
2449 such report to the executive director, who shall keep it on file and
2450 available for public inspection for a period of one year thereafter. Such
2451 report shall be certified to under penalty of false statement by the three
2452 persons designated in the permit application as being responsible for
2453 the bazaar.**]**

2454 (d) **[**Notwithstanding the provisions of section 7-177, any**]** Any
2455 sponsoring organization qualified to conduct a bazaar or raffle under
2456 the provisions of section 7-172, as amended by this act, may operate a
2457 cow-chip raffle once a calendar year and, pursuant to a "Class No. 1",
2458 "Class No. 2" or "Class No. 4" permit, may award cash prizes in
2459 connection with participation in such a raffle. **[**, in addition to those

2460 prizes authorized pursuant to section 7-177.**]** Such raffles shall conform
2461 to the provisions of sections 7-170 to 7-172, inclusive, as amended by
2462 this act, and sections 7-185a to 7-186, inclusive, as amended by this act.
2463 **[**, and shall be subject to regulation by the executive director of the
2464 Division of Special Revenue.**]** A cow-chip raffle shall allow for the sale
2465 of consecutively numbered tickets with correspondingly numbered
2466 stubs, entitling the holders of such tickets to the temporary possession
2467 of a plot of land for purposes of the conduct of the cow-chip raffle.
2468 **[**Each organization intending to sponsor or conduct a cow-chip raffle
2469 shall furnish with its application, required pursuant to section 7-173, a
2470 cow-chip raffle plot plan displaying the land area to be utilized for
2471 such raffle and the numbered plots, each corresponding to a numbered
2472 cow-chip raffle ticket.**]** Each **[**such**]** organization conducting a cow-chip
2473 raffle shall provide for a suitable land area on which the cow-chip
2474 raffle activity is to be conducted. The area shall be sufficiently enclosed
2475 so as to confine any animal utilized in the conduct of a cow-chip raffle
2476 during the period in which the animal is so utilized. The area shall be
2477 adequately marked so as to display the number of plots to be utilized,
2478 which shall correspond to the number of cow-chip raffle tickets to be
2479 sold. The manner in which winners in a cow-chip raffle are determined
2480 shall be clearly stated prior to the commencement of a cow-chip raffle
2481 drawing and each sponsoring organization shall conspicuously post an
2482 information board **[**, prescribed by the executive director of the
2483 Division of Special Revenue,**]** which shall display the consecutively
2484 numbered plots of the cow-chip raffle event. A cow-chip raffle
2485 drawing shall commence at a designated time and shall continue until
2486 all winners of authorized prizes have been determined. No person
2487 may feed, lead or handle any animal utilized in a cow-chip raffle once
2488 the animal has entered into the enclosed area from which winners will
2489 be determined. Each organization conducting a cow-chip raffle shall
2490 deposit all proceeds from the conduct of such raffle in a special
2491 checking account established and maintained by such organization.
2492 **[**which shall be subject to audit by the Division of Special Revenue.**]**
2493 Any expense incidental to the conduct of such raffle shall be paid from
2494 the gross receipts of cow-chip raffle tickets and only by checks drawn

2495 from such checking account. All cash prizes awarded shall be paid
2496 from such checking account.

2497 (e) Notwithstanding the provisions of sections 7-170 to 7-172,
2498 inclusive, as amended by this act, and sections 7-185a to 7-186,
2499 inclusive, as amended by this act, and the regulations adopted
2500 pursuant to said sections, any organization conducting a bazaar may
2501 operate a "teacup raffle" and may, through the sale of chances, award
2502 prizes consisting of gift certificates or merchandise, each not exceeding
2503 two hundred fifty dollars in value. No such organization may conduct
2504 more than one scheduled "teacup raffle" drawing for all prizes offered
2505 on any day on which a bazaar is permitted. A "teacup raffle" shall be
2506 operated from an authorized bazaar booth. **[**, and shall be subject to
2507 regulation by the executive director of the Division of Special
2508 Revenue.**]** Each "teacup raffle" ticket shall (1) be consecutively
2509 numbered and have a correspondingly numbered stub that shall
2510 include the name, address and telephone number of the purchaser, or
2511 (2) be a sheet containing up to twenty-five coupons, each bearing the
2512 same number, and including a "hold" stub for the purchaser and a
2513 correspondingly numbered stub including the name, address and
2514 telephone number of the purchaser. **[**The Division of Special Revenue
2515 shall be the sole issuer of sheet**]** Sheet tickets **[**which**]** shall be made
2516 available for purchase by permittees as fund raising items at a price
2517 not to exceed ten per cent above the **[**state**]** purchase price. Each
2518 sponsoring organization conducting such raffle shall conspicuously
2519 post, at each bazaar booth at which such raffle is conducted, a notice or
2520 notices that include the date and time of any "teacup raffle" drawing.
2521 The sponsoring organization shall preserve all sold and unsold tickets
2522 or stubs for a period of at least one year. **[**from the date of the verified
2523 statement required pursuant to section 7-182.**]**

2524 (f) **[**(1)**]** Any sponsoring organization qualified to conduct a bazaar
2525 or raffle under the provisions of section 7-172, as amended by this act,
2526 may operate a duck-race raffle once each calendar year. Such raffles
2527 shall conform to the provisions of sections 7-170 to 7-172, inclusive, as

2528 amended by this act, and sections 7-185a to 7-186, inclusive, as
2529 amended by this act. [, and shall be subject to regulation by the
2530 executive director.] For the purpose of this subsection, "duck-race
2531 raffle" means a raffle in which artificial ducks, numbered consecutively
2532 to correspond with the number of tickets sold for such raffle, are
2533 placed in a naturally moving stream of water at a designated starting
2534 point and in which the ticket corresponding to the number of the first
2535 duck to pass a designated finishing point is the winning ticket. [(2) The
2536 executive director of the Division of Special Revenue, with the advice
2537 and consent of the Gaming Policy Board, shall adopt regulations, in
2538 accordance with chapter 54, that establish procedures for the operation
2539 of duck-race raffles.]

2540 (g) [(1)] Any sponsoring organization qualified to conduct a bazaar
2541 or raffle under the provisions of section 7-172, as amended by this act,
2542 may operate a frog-race raffle once each calendar year. Such raffles
2543 shall conform to the provisions of sections 7-170 to 7-172, inclusive, as
2544 amended by this act, and sections 7-185a to 7-186, inclusive, as
2545 amended by this act. [, and shall be subject to regulation by the
2546 executive director of the Division of Special Revenue.] For the purpose
2547 of this subsection, "frog-race raffle" means a raffle in which artificial
2548 frogs conforming to specifications approved by the executive director
2549 and numbered consecutively to correspond with the number of tickets
2550 sold for such raffle, are placed in a naturally moving stream of water at
2551 a designated starting point and in which the ticket corresponding to
2552 the number of the first frog to pass a designated finishing point is the
2553 winning ticket. [(2) The executive director, with the advice and consent
2554 of the Gaming Policy Board, shall adopt regulations, in accordance
2555 with chapter 54, that establish procedures for the operation of frog-race
2556 raffles.]

2557 Sec. 46. Section 7-169a of the general statutes is repealed and the
2558 following is substituted in lieu thereof (*Effective July 1, 2011*):

2559 Every organization desiring to apply for a permit under subsection
2560 [(e)] (d) of section 7-169, as amended by this act, to operate bingo

2561 games shall, before making any such application, register with the
2562 [executive director of the Division of Special Revenue] Commissioner
2563 of Consumer Protection on forms furnished by [him] the commissioner
2564 and secure an identification number. All applications for permits,
2565 amendment of permits, reports and any other papers relating to games
2566 of bingo shall bear the identification number of the organization
2567 involved. Neither registration nor the assignment of an identification
2568 number, which may be revoked for cause, shall constitute, or be any
2569 evidence of, the eligibility of any organization to receive a permit for or
2570 to conduct any game of bingo.

2571 Sec. 47. Section 7-169c of the general statutes is repealed and the
2572 following is substituted in lieu thereof (*Effective July 1, 2011*):

2573 (a) Any organization whose membership consists of persons sixty
2574 years of age or over may operate and conduct bingo games on and
2575 after January 1, 1989, for the amusement and recreation of its members
2576 without a permit as required by section 7-169, as amended by this act,
2577 provided (1) such organization has registered with and applied for and
2578 received an identification number from the [executive director of the
2579 Division of Special Revenue] Commissioner of Consumer Protection,
2580 (2) such organization does not charge an admission fee in excess of one
2581 dollar, (3) the prize or prizes awarded do not exceed twenty dollars in
2582 value, either in cash or merchandise, and (4) only active members of
2583 such organization assist in the operation of the bingo games without
2584 compensation. The [executive director] commissioner may revoke any
2585 such registration for cause.

2586 (b) Each such organization which operates bingo games shall keep
2587 accurate records of receipts and disbursements, which shall be
2588 available for inspection by the [executive director] commissioner.

2589 (c) Each such organization shall be exempt from the provisions of
2590 sections 7-169, as amended by this act, and 7-169a, as amended by this
2591 act.

2592 (d) The [executive director of the Division of Special Revenue]
2593 Commissioner of Consumer Protection, with the advice and consent of
2594 the Gaming Policy Board, shall adopt, in accordance with the
2595 provisions of chapter 54, such regulations as are necessary effectively
2596 to carry out the provisions of this section in order to prevent fraud and
2597 protect the public, which regulations shall have the effect of law.

2598 Sec. 48. Section 7-169d of the general statutes is repealed and the
2599 following is substituted in lieu thereof (*Effective July 1, 2011*):

2600 (a) As used in this section (1) "bingo" has the same meaning as
2601 provided in section 7-169, as amended by this act, and (2) "bingo
2602 products" means bingo ball equipment, bingo cards or bingo paper.

2603 (b) Each group or organization authorized to operate or conduct a
2604 bingo game or series of bingo games pursuant to sections 7-169, as
2605 amended by this act, 7-169a, as amended by this act, and 7-169c, as
2606 amended by this act, shall use bingo products that are (1) owned in full
2607 by such group or organization, (2) used without compensation by such
2608 group or organization, or (3) rented or purchased from a bingo
2609 product manufacturer or equipment dealer who is registered with the
2610 [Division of Special Revenue] Commissioner of Consumer Protection
2611 in accordance with subsection (c) of this section.

2612 (c) Each applicant for registration as a bingo product manufacturer
2613 or equipment dealer shall apply to the [executive director of the
2614 Division of Special Revenue] Commissioner of Consumer Protection
2615 on such forms as the [executive director] commissioner prescribes. The
2616 application shall be accompanied by an annual fee of one thousand
2617 seven hundred fifty dollars payable to the State Treasurer. Each
2618 applicant for an initial registration shall submit to state and national
2619 criminal history records checks conducted in accordance with section
2620 29-17a before such registration is issued.

2621 (d) No registered bingo product manufacturer or equipment dealer
2622 shall rent or sell any type of bingo product that has not been approved

2623 by the [executive director of the Division of Special Revenue]
2624 commissioner.

2625 (e) The [Division of Special Revenue] Department of Consumer
2626 Protection may revoke for cause any registration issued in accordance
2627 with subsection (c) of this section.

2628 (f) The [executive director of the Division of Special Revenue]
2629 Commissioner of Consumer Protection may adopt regulations, in
2630 accordance with chapter 54, to implement the provisions of this
2631 section.

2632 Sec. 49. Section 7-169e of the general statutes is repealed and the
2633 following is substituted in lieu thereof (*Effective July 1, 2011*):

2634 (a) Any parent teacher association or organization may operate and
2635 conduct games of bingo, as defined in section 7-169, as amended by
2636 this act, for the amusement and recreation of such association's or
2637 organization's members and guests without a permit, as required by
2638 said section, provided (1) such association or organization registers
2639 annually with the [Division of Special Revenue] Department of
2640 Consumer Protection and pays an annual registration fee of forty
2641 dollars, (2) such association or organization obtains an identification
2642 number from the [division] department, (3) such association or
2643 organization charges an admission fee of not more than one dollar, (4)
2644 each individual prize of cash or merchandise offered does not exceed
2645 twenty dollars in value, and (5) only active members of such
2646 association or organization assist in the operation of the games of
2647 bingo and assist without compensation. The [executive director of the
2648 Division of Special Revenue] Commissioner of Consumer Protection
2649 may revoke any such registration for cause. Any registration fees
2650 collected in accordance with this subsection shall be remitted to the
2651 state.

2652 (b) Each such association or organization shall keep accurate records
2653 of receipts and disbursements related to such games of bingo, and such

2654 records shall be available for inspection by the [executive director]
2655 commissioner.

2656 (c) Each such association or organization shall be exempt from the
2657 requirements of sections 7-169, as amended by this act, and 7-169a, as
2658 amended by this act.

2659 (d) The [executive director of the Division of Special Revenue]
2660 Commissioner of Consumer Protection, in consultation with the
2661 Gaming Policy Board, shall adopt regulations, in accordance with
2662 chapter 54, to implement the provisions of this section in order to
2663 prevent fraud and protect the public.

2664 Sec. 50. Section 7-171 of the general statutes is repealed and the
2665 following is substituted in lieu thereof (*Effective July 1, 2011*):

2666 Any town, city or borough may, by ordinance, adopt the provisions
2667 of sections 7-170 to 7-172, inclusive, as amended by this act, and
2668 sections 7-185a to 7-186, inclusive, as amended by this act, and the
2669 chief executive authority of any town, city or borough shall, upon the
2670 petition of at least five per cent of the electors of such municipality as
2671 determined by the last-completed registry list, submit the question of
2672 adopting the provisions of sections 7-170 to 7-172, inclusive, as
2673 amended by this act, and sections 7-185a to 7-186, inclusive, as
2674 amended by this act, to a vote of the electors of such municipality at a
2675 special meeting called for such purpose within twenty-one days after
2676 the receipt of such petition. Such petition shall contain the street
2677 addresses of the signers and shall be submitted to the municipal clerk,
2678 who shall certify thereon the number of names of electors on such
2679 petition, which names are on the last-completed registry list. Each page
2680 of such petition shall contain a statement, signed under the penalties of
2681 false statement, by the person who circulated the same, that each
2682 person whose name appears on such page signed the same in person
2683 and that the circulator either knows each such signer or that the signer
2684 satisfactorily identified himself to the circulator. The warning for such
2685 meeting shall state that the purpose of such meeting is to vote on the

2686 adoption of the provisions of said sections. Such vote shall be taken
2687 and the results thereof canvassed and declared in the same manner as
2688 is provided for the election of officers of such municipality. The vote
2689 on such adoption shall be taken by a "YES" and "NO" vote on the
2690 voting machine and the designation of the question on the voting
2691 machine ballot label shall be "Shall the operation of bazaars and raffles
2692 be allowed?" and such ballot label shall be provided for use in
2693 accordance with the provisions of section 9-250. If, upon the official
2694 determination of the result of such vote, it appears that the majority of
2695 all the votes so cast are in approval of such question, the provisions of
2696 said sections shall take effect immediately. Any town, city or borough,
2697 having once voted on the question of allowing bazaars and raffles as
2698 herein provided, shall not vote again on such question within two
2699 years from the date of the previous vote thereon. Any subsequent vote
2700 thereon shall be taken at the next regular town, city or borough
2701 election following the receipt of a petition as herein provided, which
2702 petition shall be filed at least sixty days prior to such election, and such
2703 question may be so voted upon only at intervals of not less than two
2704 years. Any town, city or borough which, prior to October 1, 1957, has
2705 voted more than once on such question, shall, for the purposes of this
2706 section, be treated as though it had voted only once thereon.

2707 Sec. 51. Section 7-172 of the general statutes is repealed and the
2708 following is substituted in lieu thereof (*Effective July 1, 2011*):

2709 No bazaar or raffle may be promoted, operated or conducted in any
2710 municipality after the adoption of the provisions of sections 7-170 to 7-
2711 172, inclusive, as amended by this act, and sections 7-185a to 7-186,
2712 inclusive, as amended by this act, unless it is sponsored and conducted
2713 exclusively by (1) an officially recognized organization or association
2714 of veterans of any war in which the United States has been engaged,
2715 (2) a church or religious organization, (3) a civic, service or social club,
2716 (4) a fraternal or fraternal benefit society, (5) an educational or
2717 charitable organization, (6) an officially recognized volunteer fire
2718 company, (7) a political party or town committee thereof, or (8) a

2719 municipality acting through a committee designated to conduct a
2720 celebration of the municipality's founding on its hundredth
2721 anniversary or any multiple thereof. Any such sponsoring
2722 organization, except a committee designated pursuant to subdivision
2723 (8) of this section, shall have been organized in good faith and actively
2724 functioning as a nonprofit organization within the municipality that is
2725 to issue the permit for a period of not less than six months prior to its
2726 application for a permit under the provisions of said sections. The
2727 promotion and operation of a bazaar or raffle shall be confined solely
2728 to the qualified members of the sponsoring organization, provided a
2729 committee designated pursuant to subdivision (8) of this section may
2730 promote or operate through its members and any officially appointed
2731 volunteers. No such member or officially appointed volunteer in the
2732 case of a raffle held pursuant to subdivision (8) of this section may
2733 receive remuneration in any form for time or effort devoted to the
2734 promotion or operation of the bazaar or raffle. No person under the
2735 age of eighteen years may promote, conduct, operate or work at a
2736 bazaar or raffle and no person under the age of sixteen years may sell
2737 or promote the sale of any raffle tickets, nor shall any sponsoring
2738 organization permit any person under the age of eighteen to so
2739 promote, conduct or operate any bazaar or raffle or any person under
2740 the age of sixteen to sell or promote the sale of such tickets. Any
2741 sponsoring organization having received a permit from any
2742 municipality may sell or promote the sale of such raffle tickets in that
2743 municipality and in any other town, city or borough which has
2744 adopted the provisions of sections 7-170 to 7-172, inclusive, as
2745 amended by this act, and sections 7-185a to 7-186, inclusive, as
2746 amended by this act. Such organization may accept a credit card, debit
2747 card, check or cash as payment for a raffle ticket. **[**All funds derived
2748 from any bazaar or raffle shall be used exclusively for the purpose
2749 stated in the application of the sponsoring organization as provided in
2750 section 7-173.**]**

2751 Sec. 52. Section 7-184 of the general statutes is repealed and the
2752 following is substituted in lieu thereof (*Effective July 1, 2011*):

2753 Any town, city or borough which has adopted the provisions of
2754 sections 7-170 to 7-172, inclusive, as amended by this act, and sections
2755 7-185a to 7-186, inclusive, as amended by this act, may, by referendum
2756 in the same manner as is provided in section 7-171, as amended by this
2757 act, vote to rescind its action in adopting the provisions of said
2758 sections.

2759 Sec. 53. Section 7-185b of the general statutes is repealed and the
2760 following is substituted in lieu thereof (*Effective July 1, 2011*):

2761 (a) As used in this section, "tuition raffle" means a raffle in which
2762 the prize is payment of the tuition or part of the tuition at an
2763 educational institution for a student recipient designated by the raffle
2764 winner.

2765 (b) Notwithstanding the provisions of sections 7-170 to 7-172,
2766 inclusive, as amended by this act, and sections 7-185a to 7-186,
2767 inclusive, as amended by this act, any organization qualified to
2768 conduct a bazaar or raffle under section 7-172, as amended by this act,
2769 may conduct a special tuition raffle once each calendar year. The
2770 [executive director] commissioner shall adopt such regulations, in
2771 accordance with chapter 54, as are necessary to carry out the
2772 provisions of this section. Said regulations shall allow (1) any
2773 organization permitted to conduct a special tuition raffle to fund all or
2774 a portion of a student recipient's education each year for a period not
2775 to exceed four years, (2) permit the student recipient to be the actual
2776 tuition raffle winner, a relative of the raffle winner or a student chosen
2777 by the raffle winner, (3) give authority to the sponsoring organization
2778 to permit the tuition prize to be divided among student recipients
2779 designated by the raffle winner, (4) provide that the tuition prize be
2780 paid each consecutive year, commencing with the first year of the
2781 student recipient's education at an accredited private or parochial
2782 school, or public or independent institution of higher education
2783 selected by the student recipient, (5) provide that the tuition prize be
2784 paid directly to the educational institution designated by the student
2785 recipient, and no tuition prize shall be redeemed or redeemable for

2786 cash, and (6) provide that the tuition raffle winner have a period not to
2787 exceed four years to designate a student recipient.

2788 (c) All proceeds of the special tuition raffle shall be deposited in a
2789 special dedicated bank account approved by the [executive director of
2790 the Division of Special Revenue] Commissioner of Consumer
2791 Protection, and all special tuition raffle expenses shall be paid from
2792 such account. The [executive director] commissioner shall prescribe the
2793 maintenance of tuition raffle accounts by any sponsoring organization
2794 and such accounts shall be subject to audit by the [executive director]
2795 commissioner or [his] a designee. The [executive director]
2796 commissioner may require any organization conducting a tuition raffle
2797 to post a performance bond in an amount sufficient to fully fund the
2798 special tuition raffle prize to be awarded.

2799 (d) Any organization permitted to conduct a special tuition raffle
2800 shall [, in addition to the verified financial statement required in
2801 accordance with section 7-182,] file a tuition raffle financial report in a
2802 manner prescribed by the [executive director] commissioner. Such
2803 report shall detail the status of the tuition prize money or the raffle and
2804 any other information that the [executive director] commissioner may
2805 require, on a quarterly basis, during the months of January, April, July
2806 and October, until all tuition payments for each special tuition raffle
2807 have been paid.

2808 Sec. 54. Section 7-186 of the general statutes is repealed and the
2809 following is substituted in lieu thereof (*Effective July 1, 2011*):

2810 Any person who violates any provision of sections 7-170 to [7-185]
2811 7-172, inclusive, as amended by this act, or administrative regulations
2812 issued pursuant thereto, or who makes any false statement in any
2813 application for a permit or in any report required by the provisions of
2814 said sections shall be fined not more than one thousand dollars or
2815 imprisoned not more than one year or be both fined and imprisoned.

2816 Sec. 55. (*Effective from passage*) (a) The Commissioner of

2817 Developmental Services, or the commissioner's designee, shall lead a
2818 working group that shall develop a plan to deinstitutionalize the
2819 residents of Southbury Training School. Such working group shall
2820 include the Secretary of the Office of Policy and Management, or the
2821 secretary's designee and four persons selected by the commissioner,
2822 each of whom shall represent one of the following: (1) The residents of
2823 the school, (2) state employees who work at the school or a union
2824 representing such employees, (3) an advocacy group for the residents,
2825 and (4) a private provider of services needed by such residents. The
2826 plan to deinstitutionalize the residents of the school shall consider the
2827 feasibility to safely move the residents into new settings in the
2828 community. The group shall consider the following: (A) The
2829 relationships built between the residents and the staff, and (B) whether
2830 it is appropriate for state employees to continue to deliver services to
2831 the residents or whether private providers should deliver such
2832 services, or both. Any recommendations contained in the plan shall be
2833 developed using a cost-benefit analysis that considers both financial
2834 costs as well as quality of care issues.

2835 (b) Not later than six months after the effective date of this section,
2836 the Commissioner of Developmental Services shall report a plan to
2837 deinstitutionalize the residents of Southbury Training School
2838 developed under subsection (a) of this section, in accordance with the
2839 provisions of section 11-4a of the general statutes, to the joint standing
2840 committee of the General Assembly having cognizance of matters
2841 relating to government administration and to the Governor.

2842 Sec. 56. (*Effective from passage*) (a) The Commissioner of Children
2843 and Families, or the commissioner's designee, shall lead a working
2844 group that shall develop a plan to deinstitutionalize the patients of
2845 Riverview Hospital for Children and Youth. Such working group shall
2846 include the Secretary of the Office of Policy and Management, or the
2847 secretary's designee, the Commissioners of Mental Health and
2848 Addiction Services and Public Heath, or the commissioners' designees,
2849 the Child Advocate and four persons selected by the Commissioner of

2850 Children and Families, each of whom shall represent one of the
2851 following: (1) The patients of the hospital, (2) state employees who
2852 work at the hospital or a union representing such employees, (3) an
2853 advocacy group for the patients, and (4) a private provider of services
2854 needed by such patients. The group shall consider the following: (A)
2855 The quality of care provided to the patients, (B) the promotion of home
2856 and community-based care, (C) whether it is appropriate for state
2857 employees to continue to deliver services to the patients or whether
2858 private providers should deliver such services, or both, (D) the
2859 possibility of downsizing staff without compromising the quality of
2860 care, and (E) alternative prevention and intervention treatment
2861 programs that could result in an avoidance of inpatient care. Any
2862 recommendations contained in the plan shall be developed using a
2863 cost-benefit analysis that considers both financial costs as well as
2864 quality of care issues.

2865 (b) Not later than six months after the effective date of this section,
2866 the Commissioner of Children and Families shall report the plan to
2867 deinstitutionalize the patients of Riverview Hospital for Children and
2868 Youth developed under subsection (a) of this section, in accordance
2869 with the provisions of section 11-4a of the general statutes, to the joint
2870 standing committee of the General Assembly having cognizance of
2871 matters relating to government administration and to the Governor.

2872 Sec. 57. (*Effective from passage*) (a) Not later than three months after
2873 the effective date of this section, the Secretary of the Office of Policy
2874 and Management shall (1) develop a plan to reduce the manager and
2875 supervisor-to-employee ratio for agencies in the executive branch to
2876 not more than one manager or supervisor for every ten employees, and
2877 (2) report such plan, in accordance with the provisions of section 11-4a
2878 of the general statutes, to the joint standing committee of the General
2879 Assembly having cognizance of matters relating to government
2880 administration and elections and the Governor. The plan shall ensure
2881 that such ratio is achieved as a bottom-line number spread across all
2882 such agencies not later than nine months from the date of the

2883 completion of the plan.

2884 (b) Not later than nine months after the reporting of such plan
2885 under subsection (a) of this section, any executive branch agency that
2886 fails to comply with any goal established for such agency in such plan,
2887 shall report the agency's reasons for lack of compliance, in accordance
2888 with the provisions of section 11-4a of the general statutes, to the
2889 Secretary of the Office of Policy and Management, the joint standing
2890 committee of the General Assembly having cognizance of matters
2891 relating to government administration and to the Governor.

2892 (c) As used in this section, "executive branch agency" includes each
2893 "budgeted agency", as defined in subparagraph (A) of subdivision (11)
2894 of section 4-69 of the general statutes, except the offices of the Attorney
2895 General, the State Treasurer, the State Comptroller and the Secretary of
2896 the State.

2897 Sec. 58. (*Effective from passage*) The Secretary of the Office of Policy
2898 and Management shall, in consultation with the Commissioners of
2899 Public Health, Developmental Services, Children and Families, Mental
2900 Health and Addiction Services and Social Services, create a plan for the
2901 consolidation of the personnel, payroll, affirmative action and business
2902 office functions of the following state agencies not later than three
2903 months after the effective date of this section: The Departments of
2904 Public Health, Developmental Services, Children and Families, Mental
2905 Health and Addiction Services and Social Services. Such plan shall
2906 achieve a reduction in costs to said agencies of twenty-eight per cent.
2907 Not later than three months after the effective date of this section, the
2908 secretary shall submit such plan, in accordance with the provisions of
2909 section 11-4a of the general statutes, to the Governor and the joint
2910 standing committee of the General Assembly having cognizance of
2911 matters relating to government administration.

2912 Sec. 59. (NEW) (*Effective July 1, 2011*) (a) On and after July 1, 2011,
2913 "Connecticut Economic Development Authority" shall be substituted
2914 for "Connecticut Development Authority" in the following sections of

2915 the general statutes: 8-134a, 8-192a, 8-240m, as amended by this act,
2916 13b-79w, 16-243v, 22a-134, 22a-173, 22a-259, 22a-264, 32-9qq, 32-22b,
2917 32-23k, 32-23q, 32-23r, 32-23s, 32-23t, 32-23z, 32-23aa, 32-23ss, 32-23zz,
2918 32-41s, 32-223, 32-265, 32-266, 32-285, 32-341, 32-477, 32-500, 32-503 and
2919 32-609.

2920 (b) On and after July 1, 2011, (1) "Connecticut Economic
2921 Development Authority" shall be substituted for "Connecticut
2922 Innovations, Incorporated", and (2) "authority" shall be substituted for
2923 "corporation" in the following sections of the general statutes: 16-245n,
2924 16-245bb, 16a-38p, 19a-32f, 32-39d, 32-39e, 32-40a, 32-40b, 32-40c, 32-
2925 41o, 32-41q, 32-41s, 32-41w, 32-43, 32-47 and 32-478.

2926 (c) On and after July 1, 2011, (1) "Connecticut Economic
2927 Development Authority" shall be substituted for "Department of
2928 Economic and Community Development, (2) "authority" shall be
2929 substituted for "department", (3) "executive director of the Connecticut
2930 Economic Development Authority" shall be substituted for the
2931 "Commissioner of Economic and Community Development", (4)
2932 "executive director" shall be substituted for "commissioner", (5)
2933 "procedures" shall be substituted for "regulations" and "procedure"
2934 shall be substituted for "regulation", and (6) "section 1-121" shall be
2935 substituted for "chapter 54", in the following sections of the general
2936 statutes: 3-20, 4a-57b, 4a-60g, 4a-61, 4b-21, 4b-66a, 7-137b, 7-392, 7-578,
2937 8-30g, 8-37o, 8-37s, 8-37v, 8-37w, 8-37y, 8-37ff, 8-37qq, 8-37rr, 8-37tt, 8-
2938 37vv, 8-37xx, 8-37aaa, 8-39, 8-44a, 8-45, 8-47, 8-49, 8-57, 8-64a, 8-68, 8-
2939 68a, 8-68b, 8-68c, 8-68d, 8-68e, 8-68g, 8-68h, 8-70, 8-71, 8-72, 8-72a, 8-73,
2940 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-
2941 87, 8-92, 8-113a, 8-114a, 8-114d, 8-115a, 8-116a, 8-117b, 8-118a, 8-118b,
2942 8-118c, 8-119c, 8-119f, 8-119h, 8-119i, 8-119j, 8-119k, 8-119*l*, 8-119n, 8-
2943 119t, 8-119x, 8-119dd, 8-119ee, 8-119ff, 8-119gg, 8-119hh, 8-119jj, 8-
2944 119kk, 8-119zz, 8-154a, 8-154c, 8-154e, 8-155 to 8-159, 8-161, 8-162, 8-
2945 163, 8-166, 8-167, 8-169w, 8-170 to 8-185, 8-187, 8-206e, 8-206f, 8-208, 8-
2946 208b, 8-209, 8-214a, 8-214b, 8-214d, 8-214e, 8-214f, 8-214g, 8-214h, 8-215,
2947 8-216, 8-216b, 8-216c, as amended by this act, 8-218, 8-218a, 8-218b, 8-

2948 218c, 8-218e, 8-218h, 8-219a, 8-219b, 8-219c, 8-219d, 8-219e, 8-220, 8-
2949 220a, 8-240p, 8-265p, 8-271, 8-272, 8-274, 8-278, 8-279, 8-281, 8-286, 8-
2950 336f, 8-336p, 8-355, 8-359, 8-365, 8-367, 8-367a, 8-376, 8-378, 8-381, 8-
2951 384, 8-386, 8-388, 8-389, 8-400, as amended by this act, 8-401, 8-405, 8-
2952 410, 8-411, 8-412, 8-415, 8-420, 8-423, 10-373bb, 10-425, 10a-19f, 10a-72i,
2953 10a-170b, 12-81aa, 12-217e, as amended by this act, 12-217n, 12-217gg,
2954 12-217ii, 12-217nn, 12-217oo, 12-263m, 12-631, 13b-51b, 13b-79v, 15-
2955 101pp, 16a-40, 16a-40b, 16a-40j, 16a-40k, 17b-748, 21-70a, 22a-1d, 22a-
2956 133m, 22a-133u, 23-102, 25-33b, 25-109q, 29-271, 31-3b, 31-3u, 31-3dd,
2957 subsection (a) of section 31-311, 31-362b, 31-362d, 32-1c, 32-1f, 32-1g,
2958 32-1*l*, 32-1n, 32-1p, 32-1q, 32-1r, 32-4b, 32-4f, 32-5b, 32-6, 32-6a, 32-6k, as
2959 amended by this act, 32-6*l*, 32-7, 32-7e, 32-8a, 32-8b, 32-9c, 32-9i, 32-9j,
2960 32-9p, 32-9q, 32-9t, 32-9u, 32-9cc, 32-9ee, 32-9kk, as amended by this
2961 act, 32-9*ll*, 32-9qq, 32-9tt, 32-9uu, 32-9vv, 32-9ww, 32-9xx, 32-9yy, 32-
2962 11a, 32-16, 32-22, 32-23c, 32-23d, as amended by this act, 32-23o, as
2963 amended by this act, 32-23r, 32-23t, 32-23v, as amended by this act, 32-
2964 23x, as amended by this act, 32-23ii, 32-23*ll*, 32-23qq, as amended by
2965 this act, 32-23ss, 32-35, 32-39, 32-41q, 32-41s, 32-57, 32-58, 32-58b, 32-59,
2966 32-70, 32-70a, 32-70b, 32-70d, 32-70e, 32-75, 32-75a, 32-75c, 32-76, 32-80,
2967 32-96, 32-98, 32-100, 32-180, 32-182, 32-222, 32-222a, as amended by this
2968 act, 32-223, 32-228, 32-235, 32-236, 32-238, 32-238a, 32-240, 32-241, 32-
2969 242, 32-242a, 32-244, as amended by this act, 32-244a, as amended by
2970 this act, 32-245, 32-246, 32-261, as amended by this act, 32-262, as
2971 amended by this act, 32-265, 32-266, 32-284, 32-285, 32-290, 32-290a, 32-
2972 291, 32-324a, 32-324b, 32-324c, 32-324d, 32-324e, 32-324f, 32-324g, 32-
2973 324h, 32-327, 32-329, 32-342, 32-345, 32-348, 32-349, 32-350, 32-353, 32-
2974 356, as amended by this act, 32-450, as amended by this act, 32-454, 32-
2975 462a, 32-476, 32-500, 32-501, 32-502, 32-505, 32-511, 32-614, 32-616, 32-
2976 700, as amended by this act, 32-701, as amended by this act, 32-717, as
2977 amended by this act, 32-718, as amended by this act, 32-726, 32-730, 32-
2978 741, 32-742, 32-743, 32-744, 32-745, 36b-21, 38a-88a, 38a-88b, 42-125*l*, 47-
2979 88b, 47-284, 47-288, 47-294, 47-295, 47a-56i, 47a-56j and 47a-56k.

2980 (d) On and after July 1, 2011, "Connecticut Economic Development
2981 Authority" shall be substituted for "Connecticut Housing Finance

2982 Authority" in the following sections of the general statutes: 3-27b, 3-
2983 27f, 4-66aa, 8-30g, 8-68f, 8-68k, 8-216, 8-218, 8-244b, 8-244c, 8-244d, 8-
2984 262a, 8-265f, 8-265g, 8-265h, 8-265i, 8-265bb, 8-265ii, 8-265*ll*, 8-265mm,
2985 8-265nn, 8-265pp, 8-265qq, 8-395, 10-8b, 17a-485b, as amended by this
2986 act, 17a-485e, 17b-244, 17b-340, 31-3nn, 36a-760 and 38a-1051.

2987 Sec. 60. (NEW) (*Effective July 1, 2011*) (a) There is established a
2988 Connecticut Economic Development Authority. The department head
2989 shall be the executive director, who shall be appointed in accordance
2990 with the provisions of section 61 of this act, with the powers and duties
2991 prescribed in section 61 of this act.

2992 (b) The Connecticut Economic Development Authority shall
2993 constitute a successor agency to the Department of Economic and
2994 Community Development in accordance with the provisions of
2995 sections 4-38d and 4-39 of the general statutes.

2996 (c) Wherever the term "Commissioner of Economic and Community
2997 Development" are used in the general statutes, the term "executive
2998 director of the Connecticut Economic Development Authority" shall be
2999 substituted in lieu thereof.

3000 (d) Any order or regulation of the Department of Economic and
3001 Community Development which is in force on July 1, 2011, shall
3002 continue in force and effect as an order or regulation of the
3003 Connecticut Economic Development Authority until amended,
3004 repealed or superseded pursuant to law. Where any order or
3005 regulation of said departments conflict, the executive director of the
3006 Connecticut Economic Development Authority may implement
3007 policies and procedures in accordance with section 1-121 of the general
3008 statutes consistent with the provisions of sections 60 to 68, inclusive, of
3009 this act and chapters 578, 579, 581, 584, 588*l*, 558n, 588r and 588u of the
3010 general statutes.

3011 Sec. 61. (NEW) (*Effective July 1, 2011*) (a) As used in this section and
3012 sections 62 to 68, inclusive, of this act:

3013 (1) "Authority" means the Connecticut Economic Development
3014 Authority; and

3015 (2) "Executive director" means the executive director of the
3016 Connecticut Economic Development Authority.

3017 (b) There is hereby created as a body politic and corporate,
3018 constituting a public instrumentality and political subdivision of the
3019 state created for the performance of an essential public and
3020 governmental function, the Connecticut Economic Development
3021 Authority, that is empowered to carry out the purposes of the
3022 authority, as provided in section 62 of this act, which are determined to
3023 be public purposes for which public funds may be expended. The
3024 Connecticut Economic Development Authority shall not be construed
3025 to be a department, institution or agency of the state.

3026 (c) The powers of the authority shall be vested in and exercised by a
3027 board of directors. The board of directors of the authority shall consist
3028 of the State Treasurer and the Secretary of the Office of Policy and
3029 Management, or their respective designees, five members appointed
3030 by the Governor and four members appointed as follows: One by the
3031 president pro tempore of the Senate, one by the minority leader of the
3032 Senate, one by the speaker of the House of Representatives and one by
3033 the minority leader of the House of Representatives. Each ex-officio
3034 member shall have full powers to vote, and a member may designate a
3035 deputy or any member of the agency staff to represent such member at
3036 meetings of the authority with full powers to act and vote on the
3037 member's behalf. Each member appointed by the Governor shall serve
3038 at the pleasure of the Governor but no longer than the term of office of
3039 the Governor or until the member's successor is appointed and
3040 qualified, whichever is longer. Each member appointed by a member
3041 of the General Assembly shall serve in accordance with the provisions
3042 of section 4-1a of the general statutes. Members shall receive no
3043 compensation but shall be reimbursed for necessary expenses incurred
3044 in the performance of their duties. Any vacancy on the board shall be
3045 filled for the unexpired term by the appointing authority of such

3046 member. Any member of the board may be removed by the Governor
3047 for misfeasance, malfeasance or wilful neglect of duty.

3048 (d) Each member of the authority, before entering upon his or her
3049 duties, shall take and subscribe the oath or affirmation required by
3050 article XI, section 1, of the State Constitution. A record of each such
3051 oath shall be filed in the office of the Secretary of the State. Each
3052 member of the board of directors of the authority shall execute a surety
3053 bond in the penal sum of fifty thousand dollars, or, in lieu thereof, the
3054 chairperson of the board shall execute a blanket position bond
3055 covering each member and the chief executive officer and the
3056 employees of the authority, each surety bond to be conditioned upon
3057 the faithful performance of the duties of the office or offices covered, to
3058 be executed by a surety company authorized to transact business in
3059 this state as surety and to be approved by the Attorney General and
3060 filed in the office of the Secretary of the State. The cost of each such
3061 bond shall be paid by the authority.

3062 (e) Notwithstanding any provision of the general statutes, it shall
3063 not constitute a conflict of interest for a trustee, director, partner or
3064 officer of any person, firm or corporation or any individual having a
3065 financial interest in a person, firm or corporation to serve as a member
3066 of the board of directors of the authority; provided such trustee,
3067 director, partner or officer of any person, firm or corporation or any
3068 individual having a financial interest in a person, firm or corporation
3069 shall file with the authority a record of his or her capacity with or
3070 interest in such person, firm or corporation and abstain and absent
3071 himself or herself from any deliberation, action and vote by the board
3072 that directly concerns such person, firm or corporation.

3073 (f) The board shall annually elect from its members a chairperson
3074 and a vice-chairperson. Meetings of the board shall be held at such
3075 times as shall be specified in the by-laws adopted by the board and at
3076 such other time or times as the chairperson or a majority of the board
3077 deems necessary.

3078 (g) The board of directors of the authority shall adopt written
3079 procedures, in accordance with the provisions of section 1-121 of the
3080 general statutes, for: (1) Adopting an annual budget and plan of
3081 operations, including a requirement of board approval before the
3082 budget or plan may take effect; (2) hiring, promoting and
3083 compensating employees of the authority, including an affirmative
3084 action policy and a requirement of board approval before a position
3085 may be created; (3) purchasing, leasing or acquiring real and personal
3086 property and personal services, including a requirement of board
3087 approval for any nonbudgeted expenditure in excess of five thousand
3088 dollars; (4) contracting for financial, legal, bond underwriting and
3089 other professional services, including a requirement that the authority
3090 solicit proposals at least once every three years for each such service
3091 which it uses; (5) issuing and retiring bonds, bond anticipation notes
3092 and other obligations of the authority; (6) awarding loans, grants and
3093 other financial assistance, including eligibility criteria, the application
3094 process and the role played by the authority's staff and board of
3095 directors and including deadlines for the approval or disapproval of
3096 applications for such assistance by the authority; and (7) the use of
3097 surplus funds to the extent authorized under this section and sections
3098 62 to 68, inclusive, of this act.

3099 (h) Neither members of the board of directors of the authority nor
3100 any person executing the notes and bonds shall be liable personally on
3101 the notes or bonds or be subject to any personal liability or
3102 accountability by reason of the issuance thereof.

3103 (i) The powers of the authority shall be vested in and exercised by
3104 not less than seven of the members of the board of directors then in
3105 office. Such number of members shall constitute a quorum and the
3106 affirmative vote of a majority of the members present at a meeting of
3107 the board shall be necessary for any action taken by the authority. No
3108 vacancy in the membership of the board shall impair the right to
3109 exercise all the rights and perform all the duties of the authority. Any
3110 action taken by the board under the provisions of this section and

3111 sections 62 to 68, inclusive, of this act may be authorized by resolution
3112 at any regular or special meeting, and each such resolution shall take
3113 effect immediately and need not be published or posted. The authority
3114 shall be exempt from the provisions of section 4-9a of the general
3115 statutes.

3116 (j) The board of directors of the authority may delegate to three or
3117 more of its members such board powers and duties as it may deem
3118 proper. At least one of such members shall not be a state employee.

3119 (k) The authority shall continue as long as it shall have bonds or
3120 other obligations outstanding and until its existence is terminated by
3121 law. Upon the termination of the existence of the authority, all its
3122 rights and properties shall pass to and be vested in the state.

3123 (l) The authority shall be subject to examination by the State
3124 Treasurer. The accounts of the authority shall be subject to annual
3125 audits by the Auditors of Public Accounts.

3126 Sec. 62. (NEW) (*Effective July 1, 2011*) (a) The purposes of the
3127 Connecticut Economic Development Authority shall be:

3128 (1) To support the economic, workforce and community
3129 development policies, programs, goals and strategies of the state;

3130 (2) To discharge the responsibilities of the authority under sections
3131 61 to 68, inclusive, of this act, chapters 578, 579, 581, 584, 588*l*, 588n,
3132 588r and 588u of the general statutes, and any other provisions of the
3133 general statutes or any public or special act setting forth or governing
3134 the powers and duties of the authority;

3135 (3) To stimulate and encourage the research and development of
3136 new technologies and products;

3137 (4) To encourage the creation and transfer of new technologies;

3138 (5) To assist existing businesses in adopting current and innovative

3139 technological processes;

3140 (6) To stimulate and provide services to industry that will advance
3141 the adoption and utilization of technology;

3142 (7) To achieve improvements in the quality of products and services;

3143 (8) To stimulate and encourage the development and operation of
3144 new and existing science parks and incubator facilities; and

3145 (9) To promote science, engineering, mathematics and other
3146 disciplines that are essential to the development and application of
3147 technology within the state by the infusion of financial aid for research,
3148 invention and innovation in situations in which such financial aid
3149 would not otherwise be reasonably available from commercial or other
3150 sources;

3151 (b) For the purposes of subsection (a) of this section, the authority
3152 shall have the following powers, in addition to any others provided by
3153 law:

3154 (1) To have perpetual succession as a body corporate and to adopt
3155 bylaws, policies and procedures for the regulation of its affairs and
3156 conduct of its businesses as provided by law;

3157 (2) To solicit, receive and accept aid, grants or contributions from
3158 any source of money, property or labor or other things of value, to be
3159 held, used and applied to carry out the purposes of the authority,
3160 subject to the conditions upon which such grants and contributions
3161 may be made, including, but not limited to, gifts or grants from any
3162 department or agency of the United States or the state;

3163 (3) To (A) employ such assistants, agents and other employees as
3164 may be necessary or desirable, which employees shall be exempt from
3165 the classified service and shall not be employees, as defined in
3166 subsection (b) of section 5-270 of the general statutes; (B) establish all
3167 necessary or appropriate personnel practices and policies, including

3168 those relating to hiring, promotion, compensation, retirement and
3169 collective bargaining, which need not be in accordance with chapter 68
3170 of the general statutes, and the authority shall not be an employer as
3171 defined in subsection (a) of section 5-270 of the general statutes; and
3172 (C) engage consultants, attorneys and appraisers as may be necessary
3173 or desirable to carry out its purposes in accordance with chapters 578,
3174 579, 581, 584, 588*l*, 588n, 588r and 588u of the general statutes;

3175 (4) To make and enter into all contracts and agreements necessary or
3176 incidental to the performance of its duties and the execution of its
3177 powers under this act;

3178 (5) To sue and be sued, plead and be impleaded, adopt a seal and
3179 alter the same at pleasure;

3180 (6) To maintain an office at such place or places within the state as it
3181 may designate;

3182 (7) To invest in, acquire, lease, purchase, own, manage, hold and
3183 dispose of real property and lease, convey or deal in or enter into
3184 agreements with respect to such property on any terms necessary or
3185 incidental to the carrying out of these purposes; provided, however, all
3186 such acquisitions of real property for the authority's own use with
3187 amounts appropriated by the state to the authority or with the
3188 proceeds of bonds supported by the full faith and credit of the state
3189 shall be subject to the approval of the Secretary of the Office of Policy
3190 and Management and the provisions of section 4b-23 of the general
3191 statutes;

3192 (8) To acquire, lease, purchase, own, manage, hold and dispose of
3193 personal property, and lease, convey or deal in or enter into
3194 agreements with respect to such property on any terms necessary or
3195 incidental to the carrying out of these purposes;

3196 (9) To account for and audit funds of the authority and funds of any
3197 recipients of financial aid from the authority;

3198 (10) With the approval of the State Treasurer, to invest any funds
3199 not needed for immediate use or disbursement, including any funds
3200 held in reserve, in obligations issued or guaranteed by the United
3201 States of America or this state and in other obligations which are legal
3202 investments for municipalities or retirement funds in this state;

3203 (11) To procure insurance against any loss in connection with its
3204 property and other assets in such amounts and from such insurers as it
3205 deems desirable;

3206 (12) To the extent permitted under its contract with other persons, to
3207 consent to any termination, modification, forgiveness or other change
3208 of any term of any contractual right, payment, royalty, contract or
3209 agreement of any kind to which the authority is a party;

3210 (13) In connection with any application for assistance under or
3211 commitments therefor, to make and collect such fees as the authority
3212 shall determine to be reasonable;

3213 (14) To hold patents, copyrights, trademarks, marketing rights,
3214 licenses, or any other evidences of protection or exclusivity as to any
3215 products as defined herein, issued under the laws of the United States
3216 or any state or any nation;

3217 (15) To borrow money or accept gifts, grants or loans of funds,
3218 property or service from any source, public or private, and comply,
3219 subject to the provisions of law, with the terms and conditions thereof;

3220 (16) To insure any or all payments to be made by the borrower
3221 under the terms of any agreement for the extension of credit or making
3222 of a loan by the authority in connection with any economic
3223 development project to be financed, wholly or in part, through the
3224 issuance of bonds or mortgage payments of any mortgage which is
3225 given by a mortgagor to the mortgagee who has provided the
3226 mortgage for an economic development project upon such terms and
3227 conditions as the authority may prescribe and as provided herein, and
3228 the faith and credit of the state are pledged thereto;

3229 (17) To request for its guidance, in connection with any project, a
3230 finding of the municipal planning commission, or, if there is no
3231 planning commission, a finding of the municipal officers of the
3232 municipality in which the economic development project is proposed
3233 to be located, or of the regional planning agency of which such
3234 municipality is a member, as to the expediency and advisability of the
3235 economic development project;

3236 (18) To advise the Governor, the General Assembly and the
3237 Commissioner of Higher Education on matters relating to economic
3238 development, finance, science, engineering and technology which may
3239 have an impact on state policies, programs, employers and residents,
3240 and on job creation and retention;

3241 (19) To do all acts and things necessary and convenient to carry out
3242 the purposes of sections 61 to 68, inclusive, of this act.

3243 Sec. 63. (NEW) (*Effective July 1, 2011*) The exercise of the powers
3244 vested in the Connecticut Economic Development Authority, and any
3245 subsidiary of such authority, shall constitute the performance of an
3246 essential governmental function and the authority shall not be
3247 required to pay any taxes or assessments upon or in respect of a
3248 project, or any property or moneys of the authority, levied by the state,
3249 any municipality or political subdivision or special district having
3250 taxing powers of the state.

3251 Sec. 64. (NEW) (*Effective July 1, 2011*) (a) (1) The Connecticut
3252 Economic Development Authority, established pursuant to section 60
3253 of this act, may form one or more subsidiaries to carry out the public
3254 purposes of the authority and may transfer to any such subsidiary any
3255 moneys and real or personal property of any kind or nature. Any such
3256 subsidiary may be organized as a stock or nonstock corporation or a
3257 limited liability company. Each such subsidiary shall have and may
3258 exercise such powers of the authority as are set forth in the resolution
3259 of the authority prescribing the purposes for which such subsidiary is
3260 formed and such other powers provided to it by law.

3261 (2) Each such subsidiary shall act through its board of directors, at
3262 least one-half of which shall be members of the board of directors of
3263 the authority, or their designees, or officers or employees of the
3264 authority. A resolution of the authority shall prescribe the purposes for
3265 which each such subsidiary is formed.

3266 (3) The provisions of section 1-125 of the general statutes, as
3267 amended by this act, and this subsection shall apply to any officer,
3268 director, designee or employee appointed as a member, director or
3269 officer of any such subsidiary. Any such persons so appointed shall
3270 not be personally liable for the debts, obligations or liabilities of any
3271 such subsidiary as provided in said section 1-125. The subsidiary shall,
3272 and the authority may, provide for the indemnification to protect, save
3273 harmless and indemnify such officer, director, designee or employee as
3274 provided by said section 1-125.

3275 (4) Each such subsidiary shall be deemed a quasi-public agency for
3276 purposes of chapter 12 of the general statutes and shall have all the
3277 privileges, immunities, tax exemptions and other exemptions of the
3278 authority, including the privileges, immunities, tax exemptions and
3279 other exemptions provided under the general statutes for special
3280 capital reserve funds. Each such subsidiary shall be subject to suit
3281 provided its liability shall be limited solely to the assets, revenues and
3282 resources of the subsidiary and without recourse to the general funds,
3283 revenues, resources or any other assets of the authority. Each such
3284 subsidiary is authorized to assume or take title to property subject to
3285 any existing lien, encumbrance or mortgage and to mortgage, convey
3286 or dispose of its assets and pledge its revenues in order to secure any
3287 borrowing, provided each such borrowing or mortgage shall be a
3288 special obligation of the subsidiary, which obligation may be in the
3289 form of bonds, bond anticipation notes and other obligations to the
3290 extent permitted under sections 61 to 68, inclusive, of this act to fund
3291 and refund the same and provide for the rights of the holders thereof,
3292 and to secure the same by pledge or revenues, notes and other assets
3293 and which shall be payable solely from the assets, revenues and other

3294 resources of the subsidiary. The authority shall have the power to
3295 assign to a subsidiary any rights, moneys or other assets it has under
3296 any governmental program including the nursing home loan program.
3297 No borrowing shall be undertaken by a subsidiary of the authority
3298 without the approval of the authority.

3299 (b) (1) The authority may establish one or more subsidiaries to
3300 stimulate, encourage and carry out the remediation, development and
3301 financing of contaminated property within this state, in coordination
3302 with the Department of Environmental Protection, and to provide
3303 financial, developmental and environmental expertise to others
3304 including, but not limited to, municipalities, interested in or
3305 undertaking such remediation, development or financing which are
3306 determined to be public purposes for which public funds may be
3307 expended. Each subsidiary shall be deemed a quasi-public agency for
3308 purposes of chapter 12 of the general statutes. The authority may
3309 transfer to any such subsidiary any moneys and real or personal
3310 property. Each such subsidiary shall have all the privileges,
3311 immunities, tax exemptions and other exemptions of the authority.

3312 (2) Each such subsidiary may sue and shall be subject to suit
3313 provided the liability of each such subsidiary shall be limited solely to
3314 the assets, revenues and resources of such subsidiary and without
3315 recourse to the general funds, revenues, resources or any other assets
3316 of the authority or any other subsidiary. No such subsidiary may
3317 provide for any bonded indebtedness of the state for the cost of any
3318 liability or contingent liability for the remediation of contaminated real
3319 property unless such indebtedness is specifically authorized by an act
3320 of the General Assembly. Each such subsidiary shall have the power to
3321 do all acts and things necessary or convenient to carry out the
3322 purposes of this subsection, section 12-81r of the general statutes, as
3323 amended by this act, subsection (h) of section 22a-133m of the general
3324 statutes, subsection (a) of section 22a-133x of the general statutes,
3325 sections 22a-133aa, 22a-133bb and 22a-133dd of the general statutes,
3326 subsection (l) of section 22a-134a of the general statutes, and sections

3327 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
3328 statutes, including, but not limited to, (A) solicit, receive and accept
3329 aid, grants or contributions from any source of money, property or
3330 labor or other things of value, to be held, used and applied to carry out
3331 the purposes of this subsection, section 12-81r of the general statutes,
3332 as amended by this act, subsection (h) of section 22a-133m of the
3333 general statutes, subsection (a) of section 22a-133x of the general
3334 statutes, sections 22a-133aa, 22a-133bb and 22a-133dd of the general
3335 statutes, subsection (l) of section 22a-134a of the general statutes, and
3336 sections 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
3337 statutes, subject to the conditions upon which such grants and
3338 contributions may be made, including, but not limited to, gifts, grants
3339 or loans, from any department, agency or quasi-public agency of the
3340 United States or this state; (B) enter into agreements with persons upon
3341 such terms and conditions as are consistent with the purposes of such
3342 subsidiary to acquire or facilitate the remediation, development or
3343 financing of contaminated real or personal property; (C) to acquire,
3344 take title, lease, purchase, own, manage, hold and dispose of real and
3345 personal property and lease, convey or deal in or enter into agreements
3346 with respect to such property; (D) examine, inspect, rehabilitate,
3347 remediate or improve real or personal property or engage others to do
3348 so on such subsidiary's behalf, or enter into contracts therefor; (E)
3349 mortgage, convey or dispose of its assets and pledge its revenues in
3350 order to secure any borrowing, for the purpose of financing,
3351 refinancing, rehabilitating, remediating, improving or developing its
3352 assets, provided each such borrowing or mortgage shall be a special
3353 obligation of such subsidiary, which obligation may be in the form of
3354 notes, bonds, bond anticipation notes and other obligations issued by
3355 or to such subsidiary to the extent permitted under sections 61 to 68,
3356 inclusive, of this act to fund and refund the same and provide for the
3357 rights of the holders thereof, and to secure the same by pledge of
3358 revenues, notes or other assets and which shall be payable solely from
3359 the assets, revenues and other resources of such subsidiary; (F) to
3360 create real estate investment trusts or similar entities or to become a
3361 member of a limited liability company or to become a partner in

3362 limited or general partnerships or establish other contractual
3363 arrangements with private and public sector entities as such subsidiary
3364 deems necessary to remediate, develop or finance environmentally
3365 contaminated property in the state; and (G) any other powers
3366 necessary or appropriate to carry out the purposes of this subsection,
3367 subsection (h) of section 22a-133m of the general statutes, subsection
3368 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-
3369 133bb and 22a-133dd of the general statutes, subsection (l) of section
3370 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
3371 23pp to 32-23rr, inclusive, of the general statutes. The board of
3372 directors, executive director, officers and staff of the authority may
3373 serve as members of any advisory or other board which may be
3374 established to carry out the purposes of this subsection, subsection (h)
3375 of section 22a-133m of the general statutes, subsection (a) of section
3376 22a-133x of the general statutes, sections 22a-133aa, 22a-133bb and 22a-
3377 133dd of the general statutes, subsection (l) of section 22a-134a of the
3378 general statutes, and sections 22a-452f, 32-7e and 32-23pp to 32-23rr,
3379 inclusive, of the general statutes.

3380 (c) Each such subsidiary shall act through its board of directors, at
3381 least one-half of which shall be members of the board of directors of
3382 the authority, or their designees, or officers or employees of the
3383 authority. A resolution of the authority shall prescribe the purposes for
3384 which each such subsidiary is formed.

3385 (d) The provisions of section 1-125 of the general statutes, as
3386 amended by this act, and this subsection shall apply to any officer,
3387 director, designee or employee appointed as a member, director or
3388 officer of any such subsidiary. Any such persons so appointed shall
3389 not be personally liable for the debts, obligations or liabilities of any
3390 such subsidiary as provided in section 1-125 of the general statutes, as
3391 amended by this act. The subsidiary shall, and the authority may,
3392 provide for the indemnification to protect, save harmless and
3393 indemnify such officer, director, designee or employee as provided by
3394 section 1-125 of the general statutes, as amended by this act.

3395 (e) The authority, or such subsidiary, may take such actions as are
3396 necessary to comply with the provisions of the Internal Revenue Code
3397 of 1986 or any subsequent corresponding internal revenue code of the
3398 United States, as from time to time amended, to qualify and maintain
3399 any such subsidiary as a corporation exempt from taxation under said
3400 internal revenue code.

3401 (f) The authority may make loans to each such subsidiary, following
3402 standard authority procedures, from its assets and the proceeds of its
3403 bonds, notes and other obligations, provided the source and security
3404 for the repayment of such loans is derived from the assets, revenues
3405 and resources of the subsidiary.

3406 Sec. 65. (NEW) (*Effective July 1, 2011*) (a) The board of directors of
3407 the Connecticut Economic Development Authority, established
3408 pursuant to section 60 of this act, shall appoint an executive director
3409 who shall not be a member of the board and such other officers as the
3410 board determines necessary. Such officers shall be exempt from
3411 classified service, serve at the pleasure of the board and receive such
3412 compensation as shall be fixed by the board.

3413 (b) The executive director shall direct and supervise administrative
3414 affairs and technical activities in accordance with the directives of the
3415 board. He or she shall perform such other duties as may be directed by
3416 the board in carrying out the purposes of sections 60 to 68, inclusive, of
3417 this act and chapters 578, 579, 581, 584, 588*l*, 588n, 588r and 588u of the
3418 general statutes. The executive director shall attend all meetings of the
3419 board, keep a record of the proceedings of the board and shall
3420 maintain and be custodian of all books, documents and papers filed
3421 with the authority and of the minute book or journal of the authority
3422 and of its official seal. He or she may cause copies to be made of all
3423 minutes and other records and documents of the authority and may
3424 give certificates under the official seal of the authority to the effect that
3425 such copies are true copies, and all persons dealing with the authority
3426 may rely upon such certificates.

3427 Sec. 66. (NEW) (*Effective July 1, 2011*) (a) Not later than November 1,
3428 2011, and annually thereafter, the Connecticut Economic Development
3429 Authority, established pursuant to section 60 of this act, shall submit a
3430 report, in accordance with the provisions of section 11-4a of the general
3431 statutes, to the Governor, the Auditors of Public Accounts and the joint
3432 standing committees of the General Assembly having cognizance of
3433 matters relating to commerce, appropriations and the budgets of state
3434 agencies and finance, revenue and capital bonding, which shall include
3435 the following information with respect to new and outstanding
3436 financial assistance provided by the authority during the twelve-
3437 month period ending on June thirtieth next preceding the date of the
3438 report for each financial assistance program administered by the
3439 authority: (1) A list of the names, addresses and locations of all
3440 recipients of such assistance, (2) for each recipient: (A) The business
3441 activities, (B) the North American Industry, Classification System
3442 codes, (C) the gross revenues during the recipient's most recent fiscal
3443 year, (D) the number of employees at the time of application, (E)
3444 whether the recipient is a minority or woman-owned business, (F) a
3445 summary of the terms and conditions for the assistance, including the
3446 type and amount of state financial assistance, job creation or retention
3447 requirements, and anticipated wage rates, and (G) the amount of
3448 investments from private and other nonstate sources that have been
3449 leveraged by the assistance, (3) the economic benefit criteria used in
3450 determining which applications have been approved or disapproved,
3451 and (4) for each recipient of assistance, a comparison between the
3452 number of jobs to be created, the number of jobs to be retained and the
3453 average wage rates for each such category of jobs, as projected in the
3454 recipient's application, versus the actual number of jobs created, the
3455 actual number of jobs retained and the average wage rates for each
3456 such category. The report shall also indicate the actual number of full-
3457 time jobs and the actual number of part-time jobs in each such category
3458 and the benefit levels for each such subcategory. In addition, the report
3459 shall state (i) for each final application approved during the twelve-
3460 month period covered by the report, (I) the date that the final
3461 application was received by the authority, and (II) the date of such

3462 approval; (ii) for each final application withdrawn during the twelve-
3463 month period covered by the report, (I) the municipality in which the
3464 applicant is located, (II) the North American Industry Classification
3465 System code for the applicant, (III) the date that the final application
3466 was received by the authority, and (IV) the date of such withdrawal;
3467 (iii) for each final application disapproved during the twelve-month
3468 period covered by the report, (I) the municipality in which the
3469 applicant is located, (II) the North American Industry Classification
3470 System code for the applicant, (III) the date that the final application
3471 was received by the authority, and (IV) the date of such disapproval;
3472 and (v) for each final application on which no action has been taken by
3473 the applicant or the agency in the twelve-month period covered by the
3474 report and for which no report has been submitted under this
3475 subsection, (I) the municipality in which the applicant is located, (II)
3476 the North American Industry Classification System code for the
3477 applicant, and (III) the date that the final application was received by
3478 the authority. The provisions of this subsection shall not apply to
3479 activities of the authority under the provisions of chapter 581 of the
3480 general statutes which shall continue to be reported on as provided in
3481 section 32-47a of the general statutes, as amended by this act.

3482 (b) The report described in subsection (a) of this section shall also
3483 include a summary of the activities of the authority, including all
3484 activities to assist small businesses and minority business enterprises,
3485 as defined in section 4a-60g of the general statutes, a complete
3486 operating and financial statement and recommendations for legislation
3487 to promote the purposes of the authority.

3488 Sec. 67. (NEW) (*Effective July 1, 2011*) (a) (1) In accordance with the
3489 provisions of section 4-38d of the general statutes, all powers and
3490 duties of the Connecticut Development Authority under the provisions
3491 of chapter 579 of the general statutes, shall be transferred to the
3492 Connecticut Economic Development Authority established pursuant to
3493 section 60 of this act. On and after July 1, 2011, the Connecticut
3494 Brownfields Redevelopment Authority, a subsidiary of the

3495 Connecticut Development Authority created pursuant to subsection (l)
3496 of section 32-11a of the general statutes, shall be a subsidiary of the
3497 Connecticut Economic Development Authority.

3498 (2) All notes, bonds or other obligations issued by the Connecticut
3499 Development Authority for the financing of any project or projects
3500 shall be in accordance with their terms of full force and effect and valid
3501 and binding upon the Connecticut Economic Development Authority
3502 as the successor to the Connecticut Development Authority and with
3503 respect to any resolution, contract, deed, trust agreement, mortgage,
3504 conditional sale or loan agreement, commitment, obligation or liability
3505 or other such document, public record, right, remedy, special act or
3506 public act, obligation, liability or responsibility pertaining thereto, the
3507 Connecticut Economic Development Authority shall be, and shall be
3508 deemed to be, the successor to the Connecticut Development
3509 Authority. All properties, rights in land, buildings and equipment and
3510 any funds, moneys, revenues and receipts or assets of such authority
3511 pledged or otherwise securing any such notes, bonds or other
3512 obligations shall belong to the Connecticut Economic Development
3513 Authority as successor to the Connecticut Development Authority,
3514 subject to such pledges and other security arrangements and to
3515 agreements with the holders of the outstanding notes, bonds or other
3516 obligations. Any resolution with respect to the issuance of bonds of
3517 Connecticut Development Authority for the purposes of sections 61 to
3518 68, inclusive, of this act and any other action taken by the Connecticut
3519 Economic Development Authority with respect to assisting in the
3520 financing of any project shall be, or shall be deemed to be, a resolution
3521 of the Connecticut Economic Development Authority or an action
3522 taken by the Connecticut Economic Development Authority subject
3523 only to any agreements with the holders of outstanding notes, bonds
3524 or other obligations of the authority.

3525 (3) Whenever the term "Connecticut Development Authority" is
3526 used or referred to in the general statutes, the term "Connecticut
3527 Economic Development Authority" shall be substituted in lieu thereof.

3528 (4) The procedures of the Connecticut Development Authority,
3529 adopted pursuant to section 1-121 of the general statutes, shall remain
3530 in full force and effect with respect to any other matter before the
3531 Connecticut Economic Development Authority.

3532 (b) (1) In accordance with the provisions of section 4-38d of the
3533 general statutes, all powers, duties and personnel of Connecticut
3534 Innovations, Incorporated, under the provisions of chapter 581 of the
3535 general statutes shall be transferred to the Connecticut Economic
3536 Development Authority established pursuant to section 60 of this act.
3537 All cash, notes, receivables, liabilities, appropriations, authorizations,
3538 allocations, and all other assets and properties of Connecticut
3539 Innovations, Incorporated, shall be transferred to the Connecticut
3540 Economic Development Authority. Such transfer shall not affect the
3541 validity, enforceability or binding nature of any contract or agreement
3542 for financial aid made by Connecticut Innovations, Incorporated,
3543 under the authorization of this act before July 1, 2011. On and after
3544 July 1, 2011, any and all subsidiaries of the Connecticut Innovations,
3545 Incorporated, shall be subsidiaries of the Connecticut Economic
3546 Development Authority.

3547 (2) All notes, bonds or other obligations issued by Connecticut
3548 Economic Innovations, Incorporated for the financing of any project or
3549 projects shall be in accordance with their terms of full force and effect
3550 and valid and binding upon the Connecticut Economic Development
3551 Authority as the successor to Connecticut Innovations, Incorporated
3552 and with respect to any resolution, contract, deed, trust agreement,
3553 mortgage, conditional sale or loan agreement, commitment, obligation
3554 or liability or other such document, public record, right, remedy,
3555 special act or public act, obligation, liability or responsibility
3556 pertaining thereto, the Connecticut Economic Development Authority
3557 shall be, and shall be deemed to be, the successor to Connecticut
3558 Innovations, Incorporated. All properties, rights in land, buildings and
3559 equipment and any funds, moneys, revenues and receipts or assets of
3560 such commission pledged or otherwise securing any such notes, bonds

3561 or other obligations shall belong to the Connecticut Economic
3562 Development Authority as successor to Connecticut Innovations,
3563 Incorporated, subject to such pledges and other security arrangements
3564 and to agreements with the holders of the outstanding notes, bonds or
3565 other obligations. Any resolution with respect to the issuance of bonds
3566 of the Connecticut Economic Development Authority for the purposes
3567 of sections 61 to 68, inclusive, of this act and any other action taken by
3568 the Connecticut Economic Development Authority with respect to
3569 assisting in the financing of any project shall be, or shall be deemed to
3570 be, a resolution of the Connecticut Economic Development Authority
3571 or an action taken by the Connecticut Economic Development
3572 Authority subject only to any agreements with the holders of
3573 outstanding notes, bonds or other obligations of the authority.

3574 (3) Whenever the term "Connecticut Innovations, Incorporated" is
3575 used or referred to in the general statutes, the term "Connecticut
3576 Economic Development Authority" shall be substituted in lieu thereof.

3577 (4) The procedures of Connecticut Innovations, Incorporated,
3578 adopted pursuant to section 1-121 of the general statutes, shall remain
3579 in full force and effect with respect to any matter arising under the
3580 provisions of chapter 581 of the general statutes.

3581 (c) Except as expressly provided in this act, nothing in this act shall
3582 be deemed to limit the powers exercised by the Connecticut
3583 Development Authority or Connecticut Innovations, Incorporated,
3584 before July 1, 2011.

3585 Sec. 68. (NEW) (*Effective July 1, 2011*) (a) During the period from July
3586 1, 2011, to September 30, 2011, the Connecticut Development Authority
3587 and Connecticut Innovations, Incorporated, may enter into any
3588 agreements with the Connecticut Economic Development Authority
3589 that are necessary to facilitate the assumption by the Connecticut
3590 Economic Development Authority of the responsibilities of
3591 Connecticut Innovations, Incorporated, pursuant to this section and
3592 sections 61 to 67, inclusive, of this act.

3593 (b) The Connecticut Development Authority and Connecticut
3594 Innovations, Incorporated, shall provide professional and clerical
3595 support, facilities, equipment and supplies to the Connecticut
3596 Economic Development Authority during the period from July 1, 2011,
3597 to September 30, 2011, inclusive.

3598 Sec. 69. Subsection (l) of section 1-79 of the general statutes is
3599 repealed and the following is substituted in lieu thereof (*Effective July*
3600 *1, 2011*):

3601 (l) "Quasi-public agency" means the **[**Connecticut Development
3602 Authority, Connecticut Innovations, Incorporated**]** Connecticut
3603 Economic Development Authority, Connecticut Health and Education
3604 Facilities Authority, Connecticut Higher Education Supplemental Loan
3605 Authority, Connecticut Housing Finance Authority, Connecticut
3606 Housing Authority, Connecticut Resources Recovery Authority, Lower
3607 Fairfield County Convention Center Authority, Capital City Economic
3608 Development Authority, Connecticut Lottery Corporation and Health
3609 Information Technology Exchange of Connecticut.

3610 Sec. 70. Subdivision (1) of section 1-120 of the general statutes is
3611 repealed and the following is substituted in lieu thereof (*Effective July*
3612 *1, 2011*):

3613 (1) "Quasi-public agency" means the Connecticut Economic
3614 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
3615 Connecticut Health and Educational Facilities Authority, Connecticut
3616 Higher Education Supplemental Loan Authority, Connecticut Housing
3617 Finance Authority, Connecticut Housing Authority, Connecticut
3618 Resources Recovery Authority, Capital City Economic Development
3619 Authority, Connecticut Lottery Corporation and Health Information
3620 Technology Exchange of Connecticut.

3621 Sec. 71. Section 1-124 of the general statutes is repealed and the
3622 following is substituted in lieu thereof (*Effective July 1, 2011*):

3623 (a) The Connecticut Economic Development Authority, the

3624 Connecticut Health and Educational Facilities Authority, the
3625 Connecticut Higher Education Supplemental Loan Authority, the
3626 Connecticut Housing Finance Authority, the Connecticut Housing
3627 Authority, the Connecticut Resources Recovery Authority, the Health
3628 Information Technology Exchange of Connecticut and the Capital City
3629 Economic Development Authority shall not borrow any money or
3630 issue any bonds or notes which are guaranteed by the state of
3631 Connecticut or for which there is a capital reserve fund of any kind
3632 which is in any way contributed to or guaranteed by the state of
3633 Connecticut until and unless such borrowing or issuance is approved
3634 by the State Treasurer or the Deputy State Treasurer appointed
3635 pursuant to section 3-12. The approval of the State Treasurer or said
3636 deputy shall be based on documentation provided by the authority
3637 that it has sufficient revenues to (1) pay the principal of and interest on
3638 the bonds and notes issued, (2) establish, increase and maintain any
3639 reserves deemed by the authority to be advisable to secure the
3640 payment of the principal of and interest on such bonds and notes, (3)
3641 pay the cost of maintaining, servicing and properly insuring the
3642 purpose for which the proceeds of the bonds and notes have been
3643 issued, if applicable, and (4) pay such other costs as may be required.

3644 (b) To the extent the Connecticut Economic Development Authority,
3645 **[**Connecticut Innovations, Incorporated,**]** Connecticut Higher
3646 Education Supplemental Loan Authority, Connecticut Housing
3647 Finance Authority, Connecticut Housing Authority, Connecticut
3648 Resources Recovery Authority, Connecticut Health and Educational
3649 Facilities Authority, the Health Information Technology Exchange of
3650 Connecticut or the Capital City Economic Development Authority is
3651 permitted by statute and determines to exercise any power to
3652 moderate interest rate fluctuations or enter into any investment or
3653 program of investment or contract respecting interest rates, currency,
3654 cash flow or other similar agreement, including, but not limited to,
3655 interest rate or currency swap agreements, the effect of which is to
3656 subject a capital reserve fund which is in any way contributed to or
3657 guaranteed by the state of Connecticut, to potential liability, such

3658 determination shall not be effective until and unless the State
3659 Treasurer or his or her deputy appointed pursuant to section 3-12 has
3660 approved such agreement or agreements. The approval of the State
3661 Treasurer or his or her deputy shall be based on documentation
3662 provided by the authority that it has sufficient revenues to meet the
3663 financial obligations associated with the agreement or agreements.

3664 Sec. 72. Section 1-125 of the general statutes is repealed and the
3665 following is substituted in lieu thereof (*Effective July 1, 2011*):

3666 The directors, officers and employees of the Connecticut Economic
3667 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
3668 Connecticut Higher Education Supplemental Loan Authority,
3669 Connecticut Housing Finance Authority, Connecticut Housing
3670 Authority, Connecticut Resources Recovery Authority, including ad
3671 hoc members of the Connecticut Resources Recovery Authority,
3672 Connecticut Health and Educational Facilities Authority, Capital City
3673 Economic Development Authority, the Health Information Technology
3674 Exchange of Connecticut and Connecticut Lottery Corporation and
3675 any person executing the bonds or notes of the agency shall not be
3676 liable personally on such bonds or notes or be subject to any personal
3677 liability or accountability by reason of the issuance thereof, nor shall
3678 any director or employee of the agency, including ad hoc members of
3679 the Connecticut Resources Recovery Authority, be personally liable for
3680 damage or injury, not wanton, reckless, wilful or malicious, caused in
3681 the performance of his or her duties and within the scope of his or her
3682 employment or appointment as such director, officer or employee,
3683 including ad hoc members of the Connecticut Resources Recovery
3684 Authority. The agency shall protect, save harmless and indemnify its
3685 directors, officers or employees, including ad hoc members of the
3686 Connecticut Resources Recovery Authority, from financial loss and
3687 expense, including legal fees and costs, if any, arising out of any claim,
3688 demand, suit or judgment by reason of alleged negligence or alleged
3689 deprivation of any person's civil rights or any other act or omission
3690 resulting in damage or injury, if the director, officer or employee,

3691 including ad hoc members of the Connecticut Resources Recovery
3692 Authority, is found to have been acting in the discharge of his or her
3693 duties or within the scope of his or her employment and such act or
3694 omission is found not to have been wanton, reckless, wilful or
3695 malicious.

3696 Sec. 73. Section 3-24d of the general statutes is repealed and the
3697 following is substituted in lieu thereof (*Effective July 1, 2011*):

3698 The Treasurer may also sell participation certificates or securities of
3699 the Tax-Exempt Proceeds Fund to the Connecticut Housing Finance
3700 Authority, the Connecticut Resources Recovery Authority, the
3701 **[**Connecticut Development Authority**]** Connecticut Economic
3702 Development Authority, the Connecticut Health and Educational
3703 Facilities Authority, the Connecticut Student Loan Foundation, any
3704 municipalities within the state and any other authorities, agencies,
3705 instrumentalities and political subdivisions of the state or of any
3706 municipality within the state. The participation certificates or securities
3707 shall bear and pay such interest and be issued subject to such terms
3708 and conditions as shall be determined and established by the
3709 Treasurer.

3710 Sec. 74. Section 3-24f of the general statutes is repealed and the
3711 following is substituted in lieu thereof (*Effective July 1, 2011*):

3712 Participation certificates or securities of the Tax-Exempt Proceeds
3713 Fund issued by the Treasurer under the provisions of sections 3-24a to
3714 3-24h, inclusive, are hereby made legal investments for the Connecticut
3715 Housing Finance Authority, the Connecticut Resources Recovery
3716 Authority, the **[**Connecticut Development Authority**]** Connecticut
3717 Economic Development Authority, the Connecticut Health and
3718 Educational Facilities Authority, the Connecticut Student Loan
3719 Foundation, all municipalities within the state, and all other
3720 authorities, agencies, instrumentalities and political subdivisions of the
3721 state or of any municipality within the state.

3722 Sec. 75. Section 8-134 of the general statutes is repealed and the
3723 following is substituted in lieu thereof (*Effective July 1, 2011*):

3724 For the purpose of carrying out or administering a redevelopment
3725 plan or other functions authorized under this chapter, a municipality,
3726 acting by and through its redevelopment agency, is hereby authorized,
3727 subject only to the limitations and procedures set forth in this section,
3728 to issue from time to time bonds of the municipality which are payable
3729 solely from and secured by: (a) A pledge of and lien upon any or all of
3730 the income, proceeds, revenues and property of redevelopment
3731 projects, including the proceeds of grants, loans, advances or
3732 contributions from the federal government, the state or other source,
3733 including financial assistance furnished by the municipality or any
3734 other public body pursuant to section 8-135; (b) taxes or payments in
3735 lieu of taxes, or both, in whole or in part, allocated to and paid into a
3736 special fund of the municipality pursuant to the provisions of section
3737 8-134a; or (c) any combination of the methods in subsections (a) and (b)
3738 of this section. For the purposes of a specified project only, the
3739 **[**Connecticut Development Authority**]** Connecticut Economic
3740 Development Authority may, upon a resolution with respect to such
3741 project adopted by the legislative body of the municipality, issue and
3742 administer bonds which are payable solely or in part from and secured
3743 by the pledge and security provided for in this section subject to the
3744 general terms and provisions of law applicable to the issuance of
3745 bonds by the **[**Connecticut Development Authority**]** Connecticut
3746 Economic Development Authority, except that the provisions of
3747 subsection (b) of section 32-23j shall not apply. Any bonds payable and
3748 secured as provided in this section shall be authorized by a resolution
3749 adopted by the legislative body of the municipality, notwithstanding
3750 the provisions of any other statute, local law or charter governing the
3751 authorization and issuance of bonds generally by the municipality. No
3752 such resolution shall be adopted until after a public hearing has been
3753 held upon such authorization. Notice of such hearing shall be
3754 published not less than five days prior to such hearing in a newspaper
3755 having a general circulation in the municipality. Such bonds shall be

3756 issued and sold in such manner; bear interest at such rate or rates,
3757 including variable rates to be determined in such manner as set forth
3758 in the proceedings authorizing the issuance of the bonds; provide for
3759 the payment of interest on such dates, whether before or at maturity;
3760 be issued at, above or below par; mature at such time or times not
3761 exceeding forty years from their date in the case of bonds issued to
3762 finance housing and facilities related thereto or thirty years from their
3763 date in all other cases; have such rank or priority; be payable in such
3764 medium of payment; be issued in such form, including, without
3765 limitation, registered or book-entry form, carry such registration and
3766 transfer privileges and be made subject to purchase or redemption
3767 before maturity at such price or prices and under such terms and
3768 conditions, including the condition that such bonds be subject to
3769 purchase or redemption on the demand of the owner thereof; and
3770 contain such other terms and particulars as the legislative body of the
3771 municipality or the officers delegated such authority by the legislative
3772 body of the municipality body shall determine. The proceedings under
3773 which bonds are authorized to be issued may, subject to the provisions
3774 of the general statutes, contain any or all of the following: (1)
3775 Provisions respecting custody of the proceeds from the sale of the
3776 bonds and any bond anticipation notes, including any requirements
3777 that such proceeds be held separate from or not be commingled with
3778 other funds of the municipality; (2) provisions for the investment and
3779 reinvestment of bond proceeds until such proceeds are used to pay
3780 project costs and for the disposition of any excess bond proceeds or
3781 investment earnings thereon; (3) provisions for the execution of
3782 reimbursement agreements, or similar agreements, in connection with
3783 credit facilities, including, but not limited to, letters of credit or policies
3784 of bond insurance, remarketing agreements and agreements for the
3785 purpose of moderating interest rate fluctuations; (4) provisions for the
3786 collection, custody, investment, reinvestment and use of the pledged
3787 revenues or other receipts, funds or moneys pledged for payment of
3788 bonds as provided in this section; (5) provisions regarding the
3789 establishment and maintenance of reserves, sinking funds and any
3790 other funds and accounts as shall be approved by the legislative body

3791 of the municipality in such amounts as may be established by the
3792 legislative body of the municipality and the regulation and disposition
3793 thereof, including requirements that any such funds and accounts be
3794 held separate from or not be commingled with other funds of the
3795 municipality; (6) covenants for the establishment of maintenance
3796 requirements with respect to facilities and properties; (7) provisions for
3797 the issuance of additional bonds on a parity with bonds issued prior to
3798 the issuance of such additional bonds, including establishment of
3799 coverage requirements with respect to such bonds as herein provided;
3800 (8) provisions regarding the rights and remedies available to the bond
3801 owners, note owners or any trustee under any contract, loan
3802 agreement, document, instrument or trust indenture in case of a
3803 default, including the right to appoint a trustee to represent their
3804 interests upon occurrence of any event of default, as defined in any
3805 such default proceedings, provided that if any bonds or bond
3806 anticipation notes are secured by a trust indenture, the respective
3807 owners of such bonds or notes shall have no authority except as set
3808 forth in such trust indenture to appoint a separate trustee to represent
3809 them; and (9) other provisions or covenants of like or different
3810 character from the foregoing which are consistent with this section and
3811 which the legislative body of the municipality determines in such
3812 proceedings are necessary, convenient or desirable in order to better
3813 secure the bonds or bond anticipation notes, or will tend to make the
3814 bonds or bond anticipation notes more marketable, and which are in
3815 the best interests of the municipality. Any provisions which may be
3816 included in proceedings authorizing the issuance of bonds under this
3817 section may be included in an indenture of trust duly approved in
3818 accordance with this section which secures the bonds and any notes
3819 issued in anticipation thereof, and in such case the provisions of such
3820 indenture shall be deemed to be a part of such proceedings as though
3821 they were expressly included therein. Any pledge made by the
3822 municipality shall be valid and binding from the time when the pledge
3823 is made, and any revenues or other receipts, funds or moneys so
3824 pledged and thereafter received by the municipality shall be subject
3825 immediately to the lien of such pledge without any physical delivery

3826 thereof or further act. The lien of any such pledge shall be valid and
3827 binding as against all parties having claims of any kind in tort, contract
3828 or otherwise against the municipality, irrespective of whether such
3829 parties have notice of such lien. Neither the resolution nor any other
3830 instrument by which a pledge is created need be recorded. The
3831 legislative body of the municipality may enter into a trust indenture by
3832 and between the municipality and a corporate trustee, which may be
3833 any trust company or bank having the powers of a trust company
3834 within or without the municipality. Such trust indenture may contain
3835 such provisions for protecting and enforcing the rights and remedies
3836 of the bond owners and note owners as may be reasonable and proper
3837 and not in violation of law, including covenants setting forth the duties
3838 of the municipality in relation to the exercise of its powers pursuant to
3839 this section and the custody, safeguarding and application of all
3840 moneys. The municipality may provide by such trust indenture for the
3841 payment of the pledged revenues or other receipts, funds or moneys to
3842 the trustee under such trust indenture or to any other depository, and
3843 for the method of disbursement thereof, with such safeguards and
3844 restrictions as it may determine. All expenses incurred in carrying out
3845 such trust indenture may be treated as project costs. Such bonds shall
3846 not be included in computing the aggregate indebtedness of the
3847 municipality, provided, if such bonds are made payable, in whole or in
3848 part, from funds contracted to be advanced by the municipality, the
3849 aggregate amount of such funds not yet appropriated to such purpose
3850 shall be included in computing the aggregate indebtedness of the
3851 municipality. As used in this section, "bonds" means any bonds,
3852 including refunding bonds, notes, interim certificates, debentures or
3853 other obligations. For purposes of this section and section 8-134a,
3854 references to the **[**Connecticut Development Authority**]** Connecticut
3855 Economic Development Authority shall include any subsidiary of the
3856 **[**Connecticut Development Authority**]** Connecticut Economic
3857 Development Authority established pursuant to **[**subsection (l) of
3858 section 32-11a**]** section 25 of this act.

3859 Sec. 76. Subsection (w) of section 32-23d of the general statutes is

3860 repealed and the following is substituted in lieu thereof (*Effective July*
3861 *1, 2011*):

3862 (w) "Authority" means the **[**Connecticut Development Authority or
3863 its successor as established and created under section 32-11a**]**
3864 Connecticut Economic Development Authority.

3865 Sec. 77. Subdivision (3) of subsection (a) of section 32-23v of the
3866 general statutes is repealed and the following is substituted in lieu
3867 thereof (*Effective July 1, 2011*):

3868 (3) "Authority" means the **[**Connecticut Development Authority
3869 established under section 32-11a**]** Connecticut Economic Development
3870 Authority or its successor.

3871 Sec. 78. Subsection (a) of section 32-23x of the general statutes is
3872 repealed and the following is substituted in lieu thereof (*Effective July*
3873 *1, 2011*):

3874 (a) As used in this section:

3875 (1) "Affiliate" means a business concern which directly controls or is
3876 controlled by another business concern, or a third party which controls
3877 both business concerns;

3878 (2) "Authority" means the **[**Connecticut Development Authority
3879 established under section 32-11a**]** Connecticut Economic Development
3880 Authority or its successor;

3881 **[**(3) "Department" means the Department of Economic and
3882 Community Development or its successor agency;**]**

3883 **[**(4)**]** (3) "Enterprise zone" has the same meaning as provided in
3884 section 32-70;

3885 **[**(5)**]** (4) "Impacted business" means any person impacted by (A) a
3886 disaster caused by natural forces including, but not limited to, floods
3887 or hurricanes or (B) an economic emergency including, but not limited

3888 to, an existing or threatened major plant shutdown, business
3889 disruption from a major road or bridge repair project or other existing
3890 or potential economic emergency, provided such disaster or
3891 emergency described in subparagraph (A) or (B) of this subdivision is
3892 proclaimed as such by declaration of the [Commissioner of Economic
3893 and Community Development] executive director of the Connecticut
3894 Economic Development Authority, with the consent of the Secretary of
3895 the Office of Policy and Management, upon a determination by the
3896 [Commissioner of Economic and Community Development] executive
3897 director of the Connecticut Economic Development Authority that
3898 such disaster or emergency is of a magnitude that could materially
3899 affect the health or well-being of the citizens of the impacted area and
3900 that the financial assistance provided for under this section is
3901 necessary to assure timely and effective relief and restoration;

3902 [(6)] (5) "Loans" means loans and extensions of lines of credit;

3903 [(7)] (6) "Minority business enterprise" means any person who meets
3904 the criteria contained in section 4a-60g and who is receiving a state
3905 contract award;

3906 [(8)] (7) "Person" means any person or entity, including affiliates,
3907 engaged in a for-profit activity or activities in this state and who,
3908 except for an impacted business, is not an eligible borrower for
3909 assistance under the provisions of the Connecticut Growth Fund
3910 established under section 32-23v, as amended by this act;

3911 [(9)] (8) "Rate of interest" means the interest rate which the authority
3912 shall charge and collect on each loan made by the state under this
3913 section, which rate shall not exceed one per cent above the interest rate
3914 borne by the general obligation bonds of the state last issued prior to
3915 the date such loan is made, provided, such rate shall not exceed the
3916 maximum allowable under federal law;

3917 [(10)] (9) "Small contractor" means any person who is a contractor,
3918 subcontractor, manufacturer or service company who has been in

3919 business for at least one year prior to the date of its application for
3920 assistance under this section and whose gross revenues, including
3921 revenues of affiliates, did not exceed three million dollars in its most
3922 recently completed fiscal year prior to the date of its application for
3923 assistance under this section;

3924 **[**(11)**]** (10) "State or local development corporation" means any entity
3925 organized under the laws of this state which has the authority to
3926 promote and assist the growth and development of business concerns
3927 in the areas covered by their operations;

3928 **[**(12)**]** (11) "Targeted business" means a person located in an
3929 enterprise zone whose gross revenues did not exceed three million
3930 dollars in its most recently completed fiscal year prior to the date of its
3931 application for assistance under this section, or if such person has not
3932 been in business for at least one year prior to the date of such
3933 application, if the authority determines in its discretion that such
3934 person's gross revenues, including revenues of affiliates, are not likely
3935 to exceed three million dollars in its first fiscal year;

3936 **[**(13)**]** (12) "Water facilities" means (A) investor-owned water
3937 companies which supply water to at least twenty-five but less than ten
3938 thousand customers, (B) municipally-owned water companies, and (C)
3939 owners of privately and municipally-owned dams which the
3940 Commissioner of Environmental Protection has determined benefit the
3941 public.

3942 Sec. 79. Section 32-23hh of the general statutes is repealed and the
3943 following is substituted in lieu thereof (*Effective July 1, 2011*):

3944 As used in sections 32-23gg to 32-23*ll*, inclusive:

3945 (1) "Authority" means the **[**Connecticut Development Authority,
3946 created under section 32-11a**]** Connecticut Economic Development
3947 Authority;

3948 (2) "Executive director" means the executive director of the

3949 [Connecticut Development Authority] Connecticut Economic
3950 Development Authority;

3951 (3) "Financial assistance" means any and all forms of loans,
3952 extensions of credit, guarantees, equity investments or any other form
3953 of financing or refinancing to persons for the purchase, acquisition,
3954 construction, expansion, continued operation, reconstruction,
3955 financing, refinancing or placing in operation of an economic
3956 development project, including, but not limited to, fixed assets,
3957 working capital, equity participations and acquisitions, employee
3958 buyouts, refinancing, financial restructuring, and other purposes
3959 which the authority determines further the purposes of sections 32-
3960 23gg to 32-23*ll*, inclusive;

3961 (4) "Economic development project" means any project (A) which is
3962 to be used or occupied by any person for manufacturing, industrial,
3963 research or product warehousing or distribution purposes, or any
3964 combination thereof, and which the authority determines will tend to
3965 maintain or provide gainful employment, maintain or increase the tax
3966 base of the economy, or maintain, expand or diversify industry in the
3967 state, or for any other purpose which the authority determines will
3968 materially support the economic base of the state, by creating or
3969 retaining jobs, promoting the export of products or services beyond
3970 state boundaries, encouraging innovation in products or services, or
3971 otherwise contributing to, supporting or enhancing existing activities
3972 that are important to the economic base of the state, and (B) which is
3973 unable to obtain conventional financing in satisfactory amounts or on
3974 satisfactory terms in the sole judgment of the authority, or whose
3975 ability, in the judgment of the authority, to start, continue to operate,
3976 expand, or maintain operations or relocate to Connecticut, is
3977 dependent upon financial assistance;

3978 (5) "Person" means a person as defined in subsection (s) of section
3979 32-23d, as amended by this act; and

3980 (6) "Return on investment" means any and all forms of principal or

3981 interest payments, insurance premiums or guarantee fees, equity
3982 participations, options, warrants, debentures and any or all other
3983 forms of remuneration to the authority in return for any financial
3984 assistance provided or offered.

3985 Sec. 80. Section 32-23qq of the general statutes is repealed and the
3986 following is substituted in lieu thereof (*Effective July 1, 2011*):

3987 (a) An Environmental Assistance Revolving Loan Fund is created.
3988 The state, acting through the **[**Connecticut Development Authority**]**
3989 Connecticut Economic Development Authority, or any subsidiary of
3990 the authority may provide grants, loans, lines of credit or loan
3991 guarantees to municipalities or businesses from the Environmental
3992 Assistance Revolving Loan Fund for the purposes of pollution
3993 prevention activities, as defined in section 32-23rr, for purchases and
3994 the costs associated with compliance with the Clean Air Act
3995 Amendments of 1990 (42 USC 7401, et seq.), as amended, or for
3996 remediation of contaminated real property. Within the Environmental
3997 Assistance Revolving Loan Fund, a loan subfund is created solely to
3998 provide loans and lines of credit as provided in this section, a
3999 guarantee subfund is created solely to provide loan guarantees as
4000 provided in this section and a grant subfund is created solely to
4001 provide grants as provided under this section. No financial assistance,
4002 nor any commitment to provide financial assistance, shall be provided
4003 by or entered into by the authority or any subsidiary of the authority
4004 pursuant to sections 32-23pp to 32-23ss, inclusive, which would cause
4005 the aggregate amount of all such financial assistance and commitments
4006 then outstanding to exceed the sum of the amounts in the applicable
4007 subfund of the Environmental Assistance Revolving Loan Fund plus
4008 the amount of any unpaid grants authorized to be made by the
4009 **[**Department of Economic and Community Development to the**]**
4010 authority or any subsidiary of the authority for deposit in the
4011 applicable subfund of the Environmental Assistance Revolving Loan
4012 Fund, provided the amount of financial assistance in the form of any
4013 guarantee shall be measured by the portion of unpaid loan principal

4014 which is guaranteed by the authority. Notwithstanding the above, the
4015 aggregate amount of financial assistance in the form of guarantees and
4016 commitments with respect thereto, calculated as above, may be up to
4017 four times the sum of the amounts available in the guarantee subfund
4018 of the Environmental Assistance Revolving Loan Fund plus the
4019 amount of any unpaid grants which remain available and are
4020 specifically designated by the department for purposes of such
4021 subfund pursuant to the bond authorization in section 32-23ss. For the
4022 purposes of this section, "business" means any business which (1) has
4023 gross revenues of less than twenty-five million dollars in its fiscal year
4024 ending prior to the application for any such loans, lines of credit or
4025 loan guarantees, or (2) has fewer than one hundred fifty employees.
4026 The [Connecticut Development Authority] Connecticut Economic
4027 Development Authority or any subsidiary of the authority shall charge
4028 and collect interest on each such loan or line of credit at a rate to be
4029 determined in accordance with procedures adopted pursuant to
4030 subsection (b) of this section. Payments made by businesses on all
4031 loans, lines of credit and loan guarantees shall be paid to the authority
4032 or any subsidiary of the authority for deposit in the Environmental
4033 Assistance Revolving Loan Fund.

4034 (b) The [Connecticut Development Authority] Connecticut
4035 Economic Development Authority and any subsidiary of the authority
4036 shall adopt written procedures, in accordance with the provisions of
4037 section 1-121, to carry out the provisions of this section. Such
4038 procedures shall establish requirements for grants, loans, guarantees,
4039 interest, repayment terms, security requirements, default and remedies
4040 and such other terms and conditions as the authority or any subsidiary
4041 of the authority shall deem appropriate.

4042 (c) Each such grant, loan, guarantee or extension of credit shall be
4043 authorized by the [Connecticut Development Authority] Connecticut
4044 Economic Development Authority or any subsidiary of the authority
4045 or, if the authority or any subsidiary of the authority so determines, by
4046 a committee of the authority or any subsidiary of the authority

4047 consisting of the chairman and either one other member of the
4048 authority or subsidiary or its executive director, as specified in the
4049 determination of the authority or subsidiary. Any administrative
4050 expenses incurred in carrying out the provisions of this section, to the
4051 extent not paid by the authority or any subsidiary of the authority or
4052 from moneys appropriated to the authority or any subsidiary of the
4053 authority, shall be paid from the Environmental Assistance Revolving
4054 Loan Fund. Payments from the Environmental Assistance Revolving
4055 Loan Fund to businesses or municipalities or to pay such
4056 administrative expenses shall be made by the authority or any
4057 subsidiary of the authority upon certification by the chairman of the
4058 authority or such subsidiary that the payment is authorized under the
4059 provisions of this section, under the applicable rules and regulations of
4060 the authority or subsidiary, and, if made to a business or municipality
4061 under the terms and conditions established by the authority or
4062 subsidiary or the duly appointed committee thereof in authorizing the
4063 making of the grant, loan or the extension of credit.

4064 Sec. 81. Section 32-23tt of the general statutes is repealed and the
4065 following is substituted in lieu thereof (*Effective July 1, 2011*):

4066 As used in section 32-23*ll*, this section, and sections 32-23uu,
4067 32-23vv and 32-235:

4068 (1) "Authority" means the **[**Connecticut Development Authority
4069 established under the provisions of this chapter**]** <u>Connecticut</u>
4070 <u>Economic Development Authority</u>;

4071 (2) "Educational upgrades" means (A) programs designed to
4072 increase the basic skills of workers and production workers including,
4073 but not limited to training, in written and oral communication,
4074 mathematics or science, or (B) training in innovative production
4075 methods and workplace oriented computer technical skills;

4076 (3) "Financial assistance" means grants, loans, loan guarantees or
4077 interest rate subsidies or any combination thereof;

4078 (4) "Manufacturing or economic base business" means a business
4079 defined under subsection (l) of section 32-222, as amended by this act;

4080 (5) "Production worker" means an employee of a manufacturer
4081 whose principal duties are located within the state, and consist of the
4082 assembly or construction of the manufacturer's product or a portion
4083 thereof; and

4084 (6) "Worker" means an employee of a manufacturing or economic-
4085 based business whose principal duties are located within the state.

4086 Sec. 82. Section 32-23yy of the general statutes is repealed and the
4087 following is substituted in lieu thereof (*Effective July 1, 2011*):

4088 (a) As used in this section, the following terms shall have the
4089 following meanings unless the context indicates another meaning and
4090 intent:

4091 (1) "Authority" means the **[**Connecticut Development Authority,
4092 created under section 32-11a**]** Connecticut Economic Development
4093 Authority, and any of its subsidiaries or affiliates;

4094 (2) "Executive director" means the executive director of the
4095 **[**Connecticut Development Authority**]** Connecticut Economic
4096 Development Authority;

4097 (3) "Financial assistance" means any and all forms of grants, loans,
4098 extensions of credit, guarantees, equity investments or other forms of
4099 financing or refinancing to persons for the purchase, acquisition,
4100 leasing, construction, expansion, continued operation, reconstruction,
4101 financing, refinancing or placing in operation of an information
4102 technology project, including, but not limited to, fixed assets, working
4103 capital, equity participations and acquisitions, employee buyouts,
4104 refinancing, lease guarantees, financial restructuring and other
4105 purposes which the authority determines further the purposes of this
4106 section. For purposes of this section financial assistance shall not be
4107 considered financial assistance under the provisions of section 32-462,

4108 as amended by this act;

4109 (4) "Information technology project" means an information
4110 technology project, as defined in section 32-23d, as amended by this
4111 act;

4112 (5) "Person" means a person, as defined in subsection (s) of section
4113 32-23d, as amended by this act;

4114 (6) "Return on investment" means any and all forms of principal or
4115 interest payments, guarantee fees, equity participations, options,
4116 warrants, debentures and any or all other forms of remuneration to the
4117 authority in return for any financial assistance provided or offered.

4118 (b) There is created within the authority the High-Technology
4119 Infrastructure Fund. The state, acting through the authority, may
4120 provide financial assistance from said fund that enables the
4121 development of information technology projects. Such financial
4122 assistance may be provided directly or in participation with any other
4123 financial institutions, funds or other persons or other sources of
4124 financing, public or private, and the authority may enter into any
4125 agreements or contracts it deems necessary or convenient in
4126 connection therewith. Payments of principal, interest or other forms of
4127 return on investment received by the authority shall be deposited in or
4128 held on behalf of said fund.

4129 (c) The authority may provide financial assistance in such amounts,
4130 in such form and under such terms and conditions as the authority
4131 shall prescribe, in written procedures adopted in accordance with
4132 section 1-121. Such procedures shall provide, in the case of financial
4133 assistance in a form other than a grant, for returns on investment as the
4134 authority deems appropriate to reflect the nature of the risk, provided
4135 a single project shall not receive an amount in excess of fifteen million
4136 dollars and shall not be for a term longer than thirty years.

4137 (d) The authority may take all reasonable steps and exercise all
4138 reasonable remedies necessary or desirable to protect the obligations

4139 or interests of the authority, including, but not limited to, the purchase
4140 or redemption in foreclosure proceedings, bankruptcy proceedings or
4141 in other judicial proceedings, of any property on which it holds a
4142 mortgage or other lien or in which it has an interest, and for such
4143 purposes and any other purposes provided in this section payment
4144 may be made from the High-Technology Infrastructure Fund upon
4145 certification by the executive director that payment is authorized
4146 under the provisions of this section, or other sections of the general
4147 statutes, applicable procedures or other programs of the authority.

4148 (e) Applicants for financial assistance shall pay the costs the
4149 authority deems reasonable and necessary incurred in processing
4150 applications made under this section, including application and
4151 commitment fees, closing costs or other costs. In carrying out the
4152 provisions of this section, any administrative expenses incurred by the
4153 authority, to the extent not paid by the borrower or from moneys
4154 appropriated to the authority for such purposes, may be paid from the
4155 High-Technology Infrastructure Fund.

4156 Sec. 83. Section 32-34 of the general statutes is repealed and the
4157 following is substituted in lieu thereof (*Effective July 1, 2011*):

4158 As used in this chapter, the following terms shall have the following
4159 meanings unless the context clearly indicates another meaning and
4160 intent:

4161 (1) **[**"Corporation" means Connecticut Innovations, Incorporated as
4162 created under section 32-35**]** <u>"Authority" means the Connecticut</u>
4163 <u>Economic Development Authority</u>;

4164 (2) "Entrepreneur" means any person who seeks to organize, operate
4165 and assume the risk for a business enterprise, or who organizes,
4166 operates and assumes the risk for a business enterprise;

4167 **[**(3) "Finance committee" means a committee or subcommittee
4168 organized by the corporation and having the authority to approve or
4169 deny applications for financial aid and to enter into agreements on

4170 behalf of the corporation to provide financial aid;]

4171 [(4)] (3) "Financial aid" means the infusion of capital to persons, in
4172 any form whatsoever, including, but not limited to, grants, loans,
4173 equity, leases, guarantees, royalty arrangements, other risk capital and
4174 other types of financial assistance;

4175 [(5)] (4) "Incubator facilities" means a building, structure or complex
4176 designed, constructed, renovated or developed to house and provide
4177 research and other services to assist small technology-based
4178 companies;

4179 [(6)] (5) "Invention" means any new product without regard to
4180 whether a patent has been or could be granted;

4181 [(7)] (6) "Person" means any individual, general or limited
4182 partnership, corporation, limited liability company, institution of
4183 higher education, governmental entity or joint venture conducting
4184 research into ideas with commercial potential or carrying on business,
4185 or proposing to carry on business, within the state which (A) in the
4186 case of an individual, general or limited partnership, corporation,
4187 limited liability company or joint venture, demonstrates to the
4188 corporation the inability (i) to obtain conventional financing in
4189 satisfactory amounts or on satisfactory terms or (ii) to locate or
4190 continue operations in the state without assistance as provided in this
4191 chapter, and (B) demonstrates to the corporation that any project for
4192 research into or the development of specific technologies, products,
4193 devices, techniques or procedures or the marketing of services based
4194 on the use of such technologies, products, devices, techniques or
4195 procedures for which assistance under this chapter, is sought, (i) will
4196 create new or retain existing jobs in the state, (ii) will result in an
4197 increase in the amount of goods or services exported from the state,
4198 (iii) will help to strengthen the economy of the state, or (iv) will
4199 promote the development and utilization of technology in the state;

4200 [(8)] (7) "Product" means any technology, device, technique, service

4201 or process, which is or may be exploitable commercially; such term
4202 shall not refer to pure research but shall be construed to apply to such
4203 technologies, products, devices, techniques, services or processes
4204 which have advanced beyond the theoretic stage and are readily
4205 capable of being, or have been, reduced to practice;

4206 **[**(9)**]** (8) "Research" means the scientific and engineering analysis,
4207 investigation, collection of ideas and inquiry into concepts, processes
4208 and techniques, the purpose of which is intended to result in a
4209 commercially feasible product, process or technique;

4210 **[**(10)**]** (9) "Seed venture" means a business or other entity in the early
4211 stage of development;

4212 **[**(11)**]** (10) "Technical peer review committee" means a committee,
4213 subcommittee or other entity organized by the corporation to provide
4214 advice and counsel concerning the technological, marketing and
4215 management feasibility of projects in connection with each application
4216 for financial and technical assistance;

4217 **[**(12)**]** (11) "Technology" means the conversion of basic scientific
4218 research into processes, techniques and products which may have
4219 commercial potential;

4220 **[**(13)**]** (12) "Advanced technology center" means a cooperative
4221 research center in a specified field of science and technology
4222 established and funded, subject to the requirements in sections 32-40a,
4223 32-40b and 32-40c, through an academic, industrial and governmental
4224 partnership for purposes of technological research with a direct
4225 relationship to economic development in the state;

4226 **[**(14)**]** (13) "Venture" means, without limitation, any contractual
4227 arrangement with any person whereby the corporation obtains rights
4228 from or in an invention or product or proceeds therefrom, or rights to
4229 obtain from any person any and all forms of equity instruments
4230 including, but not limited to, common and preferred stock, warrants,
4231 options, convertible debentures and similar types of instruments

4232 exercisable or convertible into capital stock, in exchange for the
4233 granting of financial aid to such person;

4234 [(15)] (14) "Venture lease" means a lease by the corporation to a
4235 technology company of any real or personal property, on such terms,
4236 including lease payments, lease term and purchase options, as the
4237 corporation shall determine;

4238 [(16)] (15) "Affiliate" means any person that directly or indirectly
4239 through one or more intermediaries, controls or is controlled by or is
4240 under common control with, another person, including, but not
4241 limited to, any corporation, general or limited partnership or limited
4242 liability company controlled, directly or indirectly, by such other
4243 person or the corporation, provided, in addition to other means of
4244 being controlled, a general or limited partnership or limited liability
4245 company shall be deemed to be controlled by the corporation if the
4246 corporation or one of its affiliates acts as a general partner or a
4247 manager of such general or limited partnership or limited liability
4248 company;

4249 [(17)] (16) "Capital initiative" means providing financial aid through
4250 one or more affiliates and raising the capital for such affiliates, in
4251 whole or in part, from sources other than the state;

4252 [(18)] (17) "Preseed financing" means financial aid provided for
4253 research and formulation of a concept;

4254 [(19)] (18) "Seed financing" means financial aid to an inventor or
4255 entrepreneur to assess the viability of a concept and to qualify for start-
4256 up financing to fund, including, but not limited to, product
4257 development, market research, management team building and,
4258 pending successful progress on such initial steps, business plan
4259 development;

4260 [(20)] (19) "Start-up financing" means financial aid to companies in
4261 the process of organizing as a business or that have been in operation
4262 for less than one year and (A) have completed product development

4263 and initial marketing but have not sold such product commercially,
4264 and (B) have established viability by performing market studies,
4265 assembling key management, developing a business plan and may also
4266 qualify for start-up financing by demonstrating viability by other
4267 means deemed appropriate by the corporation;

4268 **[**(21)**]** (20) "Early or first-stage financing" means financial aid to
4269 companies that have expended initial capital, developed and market-
4270 tested prototypes, and demonstrate that such funds are necessary to
4271 initiate full-scale manufacturing and sales;

4272 **[**(22)**]** (21) "Expansion financing" means financial aid to companies
4273 for market expansion or to enhance the fiscal position of a company in
4274 preceding a liquidity event including, but not limited to, an initial
4275 public offering or acquisition.

4276 Sec. 84. Section 32-39c of the general statutes is repealed and the
4277 following is substituted in lieu thereof (*Effective July 1, 2011*):

4278 (a) With respect to any affiliate created pursuant to section **[**32-39**]**
4279 28 of this act, liability shall be limited solely to the assets and revenues
4280 or other resources of any such affiliate and without recourse liability to
4281 **[**Connecticut Innovations, Incorporated**]** Connecticut Economic
4282 Development Authority, its other funds or any other assets of the
4283 **[**corporation**]** authority, except to the extent of any express written
4284 guarantees by the **[**corporation**]** authority or any investments made or
4285 committed to by the **[**corporation**]** authority.

4286 (b) The provisions of sections **[**32-47 and**]** 1-125, as amended by this
4287 act, and 32-47 shall apply to any officer, director, designee or employee
4288 serving at the request of the **[**corporation**]** authority as a member,
4289 director or officer or advisor of any such affiliate. Any such person so
4290 appointed shall not be personally liable for the debts, obligations or
4291 liabilities of any such affiliate as provided in **[**said**]** section 1-125, as
4292 amended by this act. Any affiliate shall and the **[**corporation**]** authority
4293 may provide the indemnification to protect, save harmless and

4294 indemnify such officer, director, designee or employee as provided in
4295 [said] section 1-125, as amended by this act.

4296 Sec. 85. Section 32-40 of the general statutes is repealed and the
4297 following is substituted in lieu thereof (*Effective July 1, 2011*):

4298 (a) All applications for financial aid shall be forwarded, together
4299 with an application fee prescribed by the [corporation] Connecticut
4300 Economic Development Authority, to the executive director of the
4301 [corporation] authority. Each such application shall be processed in
4302 accordance with the written procedures adopted by the [corporation]
4303 authority under subdivision (5) of subsection (d) of section 32-35. The
4304 [finance committee] board of directors of the [corporation] authority
4305 shall approve or deny each application recommended by the executive
4306 director. If the [finance committee] board of directors approves an
4307 application, [such committee] it may authorize the [corporation]
4308 authority to enter into an agreement or agreements on behalf of the
4309 [corporation] authority to provide financial aid to the applicant. The
4310 applicant shall be promptly notified of such action by the [corporation]
4311 authority.

4312 (b) In making the decision as to approval or denial of an application,
4313 the [finance committee] board of directors of the [corporation]
4314 authority shall give priority to those applicants (1) whose businesses
4315 are defense-dependent, or are located in municipalities which the
4316 [Commissioner of Economic and Community Development] authority
4317 has declared have been severely impacted by prime defense contract
4318 cutbacks pursuant to section 32-56, and (2) whose proposed research
4319 and development activity, technology, product or invention is to be
4320 used to convert all or a portion of the applicant's business to non-
4321 defense-related industrial or commercial activity, or to create a new
4322 non-defense-related industrial or commercial business. For purposes of
4323 this section, a defense-dependent business is any business that derives
4324 [over] more than fifty per cent of its gross income, generated from
4325 operations within the state, from prime defense contracts or from
4326 subcontracts entered into in connection with prime defense contracts, a

4327 significant portion of whose facilities and equipment are designed
4328 specifically for defense production and cannot be converted to
4329 nondefense uses without substantial investment.

4330 (c) All financial and credit information and all trade secrets
4331 contained in any application for financial aid submitted to the
4332 **[**corporation**]** authority or obtained by the **[**corporation**]** authority
4333 concerning any applicant, project, activity, technology, product or
4334 invention shall be exempt from the provisions of subsection (a) of
4335 section 1-210.

4336 Sec. 86. Section 32-41a of the general statutes is repealed and the
4337 following is substituted in lieu thereof (*Effective July 1, 2011*):

4338 (a) There is hereby created a "Connecticut Innovations **[**,
4339 Incorporated**]** Fund". Proceeds from the sale of bonds authorized by
4340 the State Bond Commission in accordance with **[**section**]** sections 32-41,
4341 as amended by this act, and **[**section**]** 32-41b, as amended by this act,
4342 shall be paid directly to the Treasurer of the state as agent of the
4343 **[**corporation**]** Connecticut Economic Development Authority and the
4344 Treasurer shall deposit all such amounts in the Connecticut
4345 Innovations **[**, Incorporated**]** Fund. The moneys in said fund shall be
4346 paid by checks signed by the Treasurer of the state or by his deputy
4347 appointed pursuant to section 3-12 on requisition of the executive
4348 director of the **[**corporation**]** authority or his designee.

4349 (b) Any funds or revenues of **[**Connecticut Innovations,
4350 Incorporated**]** the authority derived from application fees, royalty
4351 payments, investment income and loan repayments received by the
4352 **[**corporation**]** authority in connection with its programs shall be held,
4353 administered and invested by the **[**corporation**]** authority or deposited
4354 with and invested by any institution as may be designated by the
4355 **[**corporation**]** authority at its sole discretion and paid as the
4356 **[**corporation**]** authority shall direct. All moneys in such accounts shall
4357 be used and applied to carry out the purposes of the **[**corporation**]**
4358 authority. The **[**corporation**]** authority may make payments from such

4359 accounts to the Treasurer of the state for deposit in the Connecticut
4360 Innovations **[**, Incorporated**]** Fund for use in accordance with
4361 subsection (c) of this section.

4362 (c) The moneys in the Connecticut Innovations **[**, Incorporated**]**
4363 Fund (1) shall be used to carry out the purposes of the **[**corporation**]**
4364 authority and for the repayment of state bonds in such amounts as
4365 may be required by the State Bond Commission pursuant to **[**said
4366 section**]** sections 32-41, as amended by this act, and **[**section**]** 32-41b, as
4367 amended by this act, and (2) may be used as state matching funds for
4368 federal funds available to the state for defense conversion projects or
4369 other projects consistent with a defense conversion strategy.

4370 Sec. 87. Section 32-41b of the general statutes is repealed and the
4371 following is substituted in lieu thereof (*Effective July 1, 2011*):

4372 The State Bond Commission shall have power in accordance with
4373 the provisions of section 3-20 to authorize the issuance of bonds of the
4374 state in one or more series and in principal amounts not exceeding in
4375 the aggregate sixty-one million four hundred forty-five thousand six
4376 hundred dollars, to carry out the purposes of this section as follows: (1)
4377 Loans for the development and marketing of products in the high
4378 technology field within the state, not exceeding thirty-four million
4379 dollars; (2) royalty financing for start-up costs and product
4380 development costs of high technology products and procedures in the
4381 state, not exceeding seven million four hundred forty-five thousand six
4382 hundred dollars; and (3) financial aid for biotechnology and other high
4383 technology laboratories, facilities and equipment, not exceeding
4384 twenty million dollars. Any loans originated under subdivision (1) of
4385 this section shall bear interest at a rate to be determined in accordance
4386 with subsection (t) of said section 3-20. The principal and interest of
4387 said bonds shall be payable at such place or places as may be
4388 determined by the State Treasurer and shall bear such date or dates,
4389 mature at such time or times, bear interest at such rate or different or
4390 varying rates, be payable at such time or times, be in such
4391 denominations, be in such form with or without interest coupons

4392 attached, carry such registration and transfer privileges, be payable in
4393 such medium of payment and be subject to such terms of redemption
4394 with or without premium as, irrespective of the provisions of said
4395 section 3-20, may be provided by the authorization of the State Bond
4396 Commission or fixed in accordance therewith. The proceeds of the sale
4397 of said bonds, after deducting therefrom all expenses of issuance and
4398 sale, shall be paid to the Connecticut Innovations **[**, Incorporated**]** Fund
4399 created under section 32-41a, as amended by this act. When the State
4400 Bond Commission has acted to issue such bonds or a portion thereof,
4401 the Treasurer may, pending the issue of such bonds, issue, in the name
4402 of the state, temporary notes in anticipation of the money to be
4403 received from the sale of such bonds. In issuing the bonds authorized
4404 hereunder, the State Bond Commission may require repayment of such
4405 bonds by the corporation as shall seem desirable consistent with the
4406 purposes of this section and section 32-41a, as amended by this act.
4407 Such terms for repayment may include a forgiveness of interest, a
4408 holiday in the repayment of interest or principal or both.

4409 Sec. 88. Section 32-41i of the general statutes is repealed and the
4410 following is substituted in lieu thereof (*Effective July 1, 2011*):

4411 As used in sections 32-41g to 32-41o, inclusive:

4412 (1) "Act" means the Technology Deployment Act of 1993;

4413 (2) "Advanced available technology" means a technology or process
4414 that can be applied to a manufacturing operation without substantial
4415 modification;

4416 (3) "Technology deployment" means (A) activities that assist
4417 businesses in applying advanced available technologies in their
4418 existing operations, or (B) activities that assist businesses in the
4419 development and manufacture of new products derived from
4420 advanced available technologies;

4421 (4) **[**"Corporation" means Connecticut Innovations, Incorporated**]**
4422 "Authority" means the Connecticut Economic Development Authority

4423 or a subsidiary designated by said authority;

4424 (5) "Eligible institution" means an institution within the Connecticut
4425 State University System which is operating a technology deployment
4426 program on July 1, 1993;

4427 (6) "Eligible deployment research consortium" means a multitown,
4428 nonprofit coalition which is representative of the business, academic
4429 and government communities in an economically distressed area of the
4430 state which on or before July 1, 1993, is dependent upon labor
4431 intensive, less technologically advanced manufacturing;

4432 (7) "Eligible business consortium" means a nonprofit business-led
4433 consortium organized for the purpose of technology deployment in the
4434 fields of biotechnology, ergonomics, environmental and energy
4435 technologies or educational and job training technologies;

4436 (8) "Eligible grant recipient" means one or more state institutions of
4437 higher education or a nonprofit business-led consortium organized for
4438 the purpose of technology deployment in advanced materials, marine
4439 sciences, photonics, pharmaceutical and environmental technologies;

4440 (9) "Small and medium-sized business" means a manufacturing
4441 business with fewer than five hundred employees.

4442 Sec. 89. Section 32-41j of the general statutes is repealed and the
4443 following is substituted in lieu thereof (*Effective July 1, 2011*):

4444 (a) There is established a university-based manufacturing
4445 application center program to be administered by the **[**corporation**]**
4446 authority for the purpose of promoting technology deployment by
4447 linking Connecticut's higher education system with small and
4448 medium-sized businesses. **[**During the three-month period beginning
4449 on July 1, 1993, the corporation**]** The authority shall accept applications
4450 from eligible institutions in a form and manner prescribed by the
4451 **[**corporation**]** authority for state funding for the operation of a
4452 manufacturing application center.

4453 (b) [On or before January 1, 1994, the corporation] The authority
4454 shall review all applications timely received pursuant to this section
4455 and shall approve one such application. In approving such application
4456 the [corporation] authority shall assess scientific and economic factors
4457 concerning the proposed manufacturing application center, including,
4458 but not limited to, the following:

4459 (1) The eligible institution's experience with manufacturing
4460 applications, including computer-integrated manufacturing,
4461 computer-aided drafting and design, just-in-time manufacturing and
4462 total quality management;

4463 (2) The center's plan to provide follow-up employee training to
4464 center users;

4465 (3) The center's plan to involve urban-based businesses, minority
4466 students or minority-owned businesses in its activities; and

4467 (4) The adequacy of the center's proposed mechanisms for
4468 evaluating its progress.

4469 (c) The center's responsibilities shall include, but not be limited to,
4470 providing training for manufacturing businesses in high performance
4471 work practices.

4472 Sec. 90. Section 32-41k of the general statutes is repealed and the
4473 following is substituted in lieu thereof (*Effective July 1, 2011*):

4474 (a) There is established a nonprofit deployment research program to
4475 be administered by the [corporation] authority for the purpose of
4476 identifying emerging advanced available technologies in economically
4477 distressed manufacturing or former manufacturing regions of the state.
4478 [During the six-month period beginning on July 1, 1993, the
4479 corporation] The authority shall accept applications from eligible
4480 deployment research consortia in a form and manner prescribed by the
4481 [corporation] authority for state funding for technology deployment
4482 research.

4483 (b) **[**On or before July 1, 1994, the corporation**]** The authority shall
4484 review all applications timely received pursuant to this section and
4485 shall approve one such application. In approving such application the
4486 **[**corporation**]** authority shall assess scientific and economic factors
4487 concerning the proposed technology deployment research, including
4488 but not limited to the following:

4489 (1) The extent to which the research will identify advanced available
4490 technologies for future deployment;

4491 (2) The extent to which the research enhances existing
4492 manufacturing in Connecticut industry;

4493 (3) The eligible research consortium's plan to involve minority
4494 students or minority owned businesses in its activities; and

4495 (4) The adequacy of the eligible research consortium's proposed
4496 mechanisms for evaluating its progress.

4497 (c) The center's responsibilities shall include, but not be limited to,
4498 providing training for businesses in high performance work practices.

4499 Sec. 91. Section 32-41*l* of the general statutes is repealed and the
4500 following is substituted in lieu thereof (*Effective July 1, 2011*):

4501 (a) There is established a Connecticut energy and environmental
4502 technologies deployment center program to be administered by the
4503 **[**corporation**]** authority for the purpose of promoting a nonprofit
4504 business consortium for technology deployment in two critical
4505 technologies where the state possesses unique scientific and human
4506 resources. **[**During the three-month period beginning on July 1, 1993,
4507 the corporation**]** The authority shall accept applications from eligible
4508 business consortia in a form and manner prescribed by the
4509 **[**corporation**]** authority for state funding for the operation of an energy
4510 and environmental technologies application center.

4511 (b) **[**On or before January 1, 1994, the corporation**]** The authority

4512 shall review all applications timely received pursuant to this section
4513 and shall approve one such application. In approving such application
4514 the [corporation] authority shall assess scientific and economic factors
4515 concerning the proposed Connecticut energy and environmental
4516 technologies deployment center, including but not limited to the
4517 following:

4518 (1) Participation in the center by multiple private enterprises
4519 including defense and non-defense-based firms with an expertise in
4520 environmental and energy technologies;

4521 (2) Participation in the center by more than one public or private
4522 institution of higher education;

4523 (3) The center's plan to involve minority students or minority-
4524 owned businesses in its activities; and

4525 (4) The adequacy of the center's proposed mechanisms for
4526 evaluating its progress.

4527 Sec. 92. Section 32-41m of the general statutes is repealed and the
4528 following is substituted in lieu thereof (*Effective July 1, 2011*):

4529 (a) There is established a Connecticut educational and job training
4530 technologies deployment center program to be administered by the
4531 [corporation] authority for the purpose of promoting a nonprofit
4532 business-led consortium for technology deployment in a critical
4533 technology in which the state possesses unique scientific and human
4534 resources. [During the three-month period beginning on July 1, 1993,
4535 the corporation] The authority shall accept applications from eligible
4536 business consortia in a form and manner prescribed by the
4537 [corporation] authority for state funding for the operation of an
4538 educational and job training technologies deployment center.

4539 (b) [On or before January 1, 1994, the corporation] The authority
4540 shall review all applications timely received pursuant to this section
4541 and shall approve one such application. In approving such application

4542 the [corporation] authority shall assess scientific and economic factors
4543 concerning the proposed Connecticut educational and job training
4544 technologies deployment center, including, but not limited to, the
4545 following:

4546 (1) The center's plan to provide educational and job training
4547 technologies to industry, the state's public schools, and state agencies;

4548 (2) The center's plan to deploy educational and job training
4549 software, hardware and state of the art telecommunications
4550 technologies;

4551 (3) The center's plan to involve minority students or minority-
4552 owned businesses in its activities; and

4553 (4) The adequacy of the center's proposed mechanisms for
4554 evaluating its progress.

4555 Sec. 93. Section 32-41n of the general statutes is repealed and the
4556 following is substituted in lieu thereof (*Effective July 1, 2011*):

4557 (a) There is established a critical technologies grant program to be
4558 administered by the [corporation] authority for the purpose of
4559 promoting technology deployment in advanced materials, marine
4560 sciences, photonics, pharmaceutical and environmental technologies.
4561 [During the twelve-month period beginning on July 1, 1993, the
4562 corporation] The authority shall accept applications from eligible grant
4563 recipients in a form and manner prescribed by the [corporation]
4564 authority for state grants for the purpose of promoting technology
4565 deployment in such technologies.

4566 (b) [On or before January 1, 1995, the corporation] The authority
4567 shall review all applications timely received pursuant to this section,
4568 may approve such applications and provide approved grant recipients
4569 such financial assistance as it may determine will promote technology
4570 deployment in advanced materials, marine sciences, photonics,
4571 pharmaceutical and environmental technologies. In approving such

4572 application the [corporation] authority shall assess scientific and
4573 economic factors concerning the uses of the proposed grant, including
4574 but not limited to the following:

4575 (1) The formal participation in the program proposed by businesses
4576 actively engaged in the commercial use of advanced materials, marine
4577 sciences, photonics, pharmaceutical and environmental technologies;

4578 (2) The likelihood that the program proposed will result in
4579 substantial and timely deployment of advanced available technologies
4580 in one or more of the following: Advanced materials, marine sciences,
4581 photonics, pharmaceutical and environmental technologies;

4582 (3) The proposal's plan to involve minority students or minority-
4583 owned businesses in its activities; and

4584 (4) The adequacy of the program's mechanisms for evaluating its
4585 progress.

4586 Sec. 94. Section 32-41p of the general statutes is repealed and the
4587 following is substituted in lieu thereof (*Effective July 1, 2011*):

4588 (a) There is established a workplace center of excellence program to
4589 be administered by [Connecticut Innovations, Incorporated] the
4590 Connecticut Economic Development Authority for the purpose of
4591 developing and deploying ergonomic technology solutions and
4592 knowledge. [During the three-month period beginning on July 1, 1994,
4593 the corporation] The authority shall accept applications from eligible
4594 institutions in a form and manner prescribed by the [corporation]
4595 authority for state funding for the establishment and operation of a
4596 workplace center of excellence.

4597 (b) [On or before January 1, 1995, the corporation] The authority
4598 shall review all applications timely received pursuant to this section,
4599 approve one such application and provide the approved institution
4600 with such financial assistance as the [corporation] authority may
4601 determine will promote the purposes of this section. In approving such

4602 application the [corporation] authority shall assess scientific and
4603 economic factors concerning the proposed center, including but not
4604 limited to, the following:

4605 (1) The formal participation in, and financial support of, the center
4606 by employers, insurers, and enterprises actively engaged in
4607 developing and deploying ergonomics solutions and related activities;

4608 (2) The likelihood that the center will result in substantial and
4609 timely deployment of advanced technology solutions to existing
4610 businesses in the state;

4611 (3) The center's plan to involve employers, labor, institutions of
4612 higher education and other interested parties in its decision-making;

4613 (4) The adequacy of the center's financial plan, including the
4614 matching of any state grant funds to implement specific projects with
4615 at least an equal amount of funding from private sources;

4616 (5) The center's plan to involve urban residents and urban-based
4617 businesses; and

4618 (6) The adequacy of the center's mechanisms for evaluating its
4619 progress.

4620 Sec. 95. Section 32-41t of the general statutes is repealed and the
4621 following is substituted in lieu thereof (*Effective July 1, 2011*):

4622 As used in this section and section 32-41u, as amended by this act:

4623 (1) [“Corporation" means Connecticut Innovations, Incorporated as
4624 created under section 32-35] "Authority" means the Connecticut
4625 Economic Development Authority; and

4626 (2) "Eligible participant" means a member of the faculty or a
4627 researcher engaged in applied research and development at any
4628 Connecticut college or university that agrees to participate in a high
4629 technology research and development program established by the

4630 [corporation] authority.

4631 Sec. 96. Section 32-41u of the general statutes is repealed and the
4632 following is substituted in lieu thereof (*Effective July 1, 2011*):

4633 (a) There is established a high technology research and development
4634 program to be administered by the [corporation] authority for the
4635 purpose of promoting collaboration between businesses and colleges
4636 and universities in this state in advanced materials, aerospace,
4637 bioscience, energy and environmental systems, information
4638 technology, applied optics, microelectronics and other high technology
4639 fields. The [corporation] authority may accept applications to the
4640 program from eligible participants in a form and manner prescribed by
4641 the [corporation] authority.

4642 (b) In approving any application the [corporation] authority shall
4643 assess the collaborative nature of the proposal as well as scientific and
4644 economic factors, including, but not limited to, the following:

4645 (1) The formal participation in the proposal by businesses actively
4646 engaged in the commercial use of advanced materials, aerospace,
4647 bioscience, energy and environmental systems, information
4648 technology, applied optics, microelectronics and other high technology
4649 fields;

4650 (2) The likelihood that a proposal will result in the development or
4651 commercialization of high technology products or processes in this
4652 state; and

4653 (3) The likelihood that a proposal will result in long-term,
4654 sustainable economic growth for this state.

4655 (c) The [corporation] authority shall provide financial aid, as
4656 defined in subdivision [(4)] (3) of section 32-34, as amended by this act,
4657 to eligible participants whose proposals have been approved by the
4658 [corporation] authority as provided in subsections (a) and (b) of this
4659 section.

4660 (d) The [corporation] authority may establish other programs,
4661 including financial programs, in order to attract and retain residents
4662 with postsecondary education in science, engineering, mathematics
4663 and other disciplines that are essential or advisable to the development
4664 and application of technology.

4665 Sec. 97. Section 32-47a of the general statutes is repealed and the
4666 following is substituted in lieu thereof (*Effective July 1, 2011*):

4667 Not later than January first in each year, [Connecticut Innovations,
4668 Incorporated] the Connecticut Economic Development Authority shall
4669 submit a business plan containing a summary of its projected
4670 operations for the year to the joint standing committees of the General
4671 Assembly having cognizance of matters relating to [the Department of
4672 Economic and Community Development] economic development,
4673 appropriations and capital bonding. Not later than November first,
4674 annually, the [corporation] authority shall submit a report to [the
4675 Commissioner of Economic and Community Development,] the
4676 Auditors of Public Accounts and said joint standing committees, which
4677 shall include the following information with respect to new and
4678 outstanding financial assistance provided by the [corporation]
4679 authority during the twelve-month period ending on June thirtieth
4680 next preceding the date of the report for each financial assistance
4681 program administered by the [corporation] authority: (1) A list of the
4682 names, addresses and locations of all recipients of such assistance, (2)
4683 for each such recipient: (A) The business activities, (B) the Standard
4684 Industrial Classification Manual codes, (C) the gross revenues during
4685 the recipient's most recent fiscal year, if the recipient is an organization
4686 that makes such information public in the normal course of business,
4687 or, if the recipient does not make such information public in the
4688 normal course of business, the gross revenue information shall be
4689 provided for a recipient separately, using a system in which no
4690 recipient is listed by name but each is given a separate identity in a
4691 manner consistent with the provisions of subsection (c) of section 32-
4692 40, as amended by this act, (D) the number of employees at the time of

4693 application, (E) whether the recipient is a minority or woman-owned
4694 business, (F) a summary of the terms and conditions for the assistance,
4695 including the type and amount of state financial assistance, job
4696 creation or retention requirements, and anticipated wage rates, and (G)
4697 the amount of investments from private and other nonstate sources
4698 that have been leveraged by the assistance, (3) the economic benefit
4699 criteria used in determining which applications have been approved or
4700 disapproved, and (4) for each recipient of assistance on or after July 1,
4701 1991, a comparison between the number of jobs to be created, the
4702 number of jobs to be retained and the average wage rates for each such
4703 category of jobs, as projected in the recipient's application, versus the
4704 actual number of jobs created, the actual number of jobs retained and
4705 the average wage rates for each such category. The Governor and the
4706 chairpersons and ranking members of the joint standing committees of
4707 the General Assembly having cognizance of matters relating to finance,
4708 revenue and bonding and commerce may, after a request to
4709 **[**Connecticut Innovations, Incorporated**]** the Connecticut Economic
4710 Development Authority by any of said persons, examine, in
4711 confidence, the detailed data, including the specific revenue data for
4712 each identifiable business, submitted pursuant to subparagraph (C) of
4713 subdivision (2) of this section. The chairpersons and ranking members
4714 of said committees may disclose such data to the members of said
4715 committees, who shall also keep such data confidential. The report
4716 shall also indicate the actual number of full-time jobs and the actual
4717 number of part-time jobs in each such category and the benefit levels
4718 for each such subcategory. The November first report shall include a
4719 summary of the activities of the **[**corporation**]** authority, including all
4720 activities to assist small businesses and minority business enterprises,
4721 as defined in section 4a-60g, a complete operating and financial
4722 statement and recommendations for legislation to promote the
4723 purposes of the **[**corporation**]** authority. The **[**corporation**]** authority
4724 shall furnish such additional information upon the written request of
4725 any such committee at such times as the committee may request.

4726 Sec. 98. Section 10a-25b of the general statutes is repealed and the

4727 following is substituted in lieu thereof (*Effective July 1, 2011*):

4728 (a) The State Bond Commission may authorize the issuance of
4729 bonds of the state in one or more series in accordance with the
4730 provisions of sections 10a-25a to 10a-25g, inclusive, as amended by this
4731 act, but not in excess of the aggregate amount of twenty-two million
4732 five hundred thousand dollars.

4733 (b) The proceeds of the sale of said bonds, to the extent hereinafter
4734 stated, shall be used to encourage, promote, develop and assist high
4735 technology products and programs within Connecticut by infusion of
4736 financial assistance in situations when such financial aid would not
4737 otherwise reasonably be available from other sources as hereinafter
4738 stated: (1) For the State Board of Education: High technology
4739 equipment for programs in the vocational-technical schools, not
4740 exceeding two million dollars; (2) for **[**Connecticut Innovations,
4741 Incorporated**]** the Connecticut Economic Development Authority: (A)
4742 Matching funds for cooperative high technology research and
4743 development projects and programs, not exceeding nine million
4744 dollars; (B) financial aid, as defined in subdivision **[**(4)**]** (3) of section
4745 32-34, as amended by this act, to public institutions of higher education
4746 for high technology projects and programs, not exceeding eleven
4747 million five hundred thousand dollars.

4748 Sec. 99. Section 10a-25g of the general statutes is repealed and the
4749 following is substituted in lieu thereof (*Effective July 1, 2011*):

4750 Through **[**Connecticut Innovations, Incorporated**]** the Connecticut
4751 Economic Development Authority the state may provide financial aid,
4752 as defined in subdivision **[**(4)**]** (3) of section 32-34, as amended by this
4753 act, for the development of high technology projects and programs in
4754 accordance with the provisions of subdivision (2) of subsection (b) of
4755 section 10a-25b, as amended by this act. Such funding shall be made in
4756 accordance with written procedures adopted by **[**Connecticut
4757 Innovations, Incorporated**]** the Connecticut Economic Development
4758 Authority in accordance with the provisions of section 1-121. **[**Until

4759 June 30, 1996, Connecticut Innovations, Incorporated may use not
4760 more than three per cent of the total amount of any annual bond
4761 allocation for high technology projects and programs described in
4762 section 10a-25b or this section, for the administration and evaluation of
4763 such projects and programs.**]**

4764 Sec. 100. Section 32-41 of the general statutes is repealed and the
4765 following is substituted in lieu thereof (*Effective July 1, 2011*):

4766 The State Bond Commission shall have power in accordance with
4767 the provisions of section 3-20 to authorize the issuance of bonds of the
4768 state in one or more series and in principal amounts not exceeding in
4769 the aggregate forty-seven million eight hundred fifty-four thousand
4770 nine hundred dollars to carry out the purposes of sections 32-32 to 32-
4771 41, inclusive. The principal and interest of said bonds shall be payable
4772 at such place or places as may be determined by the State Treasurer
4773 and shall bear such date or dates, mature at such time or times, bear
4774 interest at such rate or different or varying rates, be payable at such
4775 time or times, be in such denominations, be in such form with or
4776 without interest coupons attached, carry such registration and transfer
4777 privileges, be payable in such medium of payment and be subject to
4778 such terms of redemption with or without premium as, irrespective of
4779 the provisions of said section 3-20, may be provided by the
4780 authorization of the State Bond Commission or fixed in accordance
4781 therewith. The proceeds of the sale of such bonds, after deducting
4782 therefrom all expenses of issuance and sale, shall be paid to the
4783 Connecticut Innovations **[**, Incorporated**]** Fund created under section
4784 32-41a<u>, as amended by this act</u>. When the State Bond Commission has
4785 acted to issue such bonds or a portion thereof, the Treasurer may,
4786 pending the issue of such bonds, issue, in the name of the state,
4787 temporary notes in anticipation of the money to be received from the
4788 sale of such bonds. In issuing the bonds authorized hereunder, the
4789 State Bond Commission may require repayment of such bonds by the
4790 corporation as shall seem desirable consistent with the purposes of
4791 sections 32-32 to 32-41, inclusive. Such terms for repayment may

4792 include a forgiveness of interest, a holiday in the repayment of interest
4793 or principal or both.

4794 Sec. 101. Subsection (f) of section 4-66a of the general statutes is
4795 repealed and the following is substituted in lieu thereof (*Effective July*
4796 *1, 2011*):

4797 (f) The Secretary of the Office of Policy and Management is
4798 authorized to do all things necessary to apply for and accept federal
4799 funds allotted or available to the state under any federal act or
4800 program which could support activities which the secretary is
4801 authorized to undertake. He shall administer such funds in accordance
4802 with state and federal law. The secretary, in consultation with the
4803 executive director of **[**Connecticut Innovations, Incorporated, or the
4804 Commissioner of Economic and Community Development, when
4805 applicable**]** the Connecticut Economic Development Authority, may
4806 apply for all federal funds available to the state for defense conversion
4807 projects and other projects consistent with a defense conversion
4808 strategy.

4809 Sec. 102. Subdivision (42) of section 8-250 of the general statutes is
4810 repealed and the following is substituted in lieu thereof (*Effective July*
4811 *1, 2011*):

4812 (42) To accept from the **[**department**]** Connecticut Economic
4813 Development Authority: (A) Financial assistance, (B) revenues or the
4814 right to receive revenues with respect to any program under the
4815 supervision of the **[**department**]** Connecticut Economic Development
4816 Authority, and (C) loan assets or equity interests in connection with
4817 any program under the supervision of the **[**department**]** Connecticut
4818 Economic Development Authority; to make advances to and reimburse
4819 the **[**department**]** Connecticut Economic Development Authority for
4820 any expenses incurred or to be incurred by it in the delivery of such
4821 assistance, revenues, rights, assets, interests or amounts; to enter into
4822 agreements with the **[**department**]** Connecticut Economic
4823 Development Authority for the delivery of services by the authority in

4824 consultation with the [department, the Connecticut Development
4825 Authority and Connecticut Innovations, Incorporated,] Connecticut
4826 Economic Development Authority to third parties which agreements
4827 may include provisions for payment by the [department to the
4828 authority for the delivery of such services] Connecticut Economic
4829 Development Authority; and to enter into agreements with the
4830 [department or with the Connecticut Development Authority or
4831 Connecticut Innovations, Incorporated,] Connecticut Economic
4832 Development Authority for the sharing of assistants, agents and other
4833 consultants, professionals and employees, and facilities and other real
4834 and personal property used in the conduct of the authority's affairs;

4835 Sec. 103. Section 16-245aa of the general statutes is repealed and the
4836 following is substituted in lieu thereof (*Effective July 1, 2011*):

4837 (a) There is established an account to be known as the "municipal
4838 renewable energy and efficient energy grant account", which shall be a
4839 separate, nonlapsing account within the Renewable Energy Investment
4840 Fund, established pursuant to section 16-245n. The account shall
4841 contain any moneys required or permitted by law to be deposited in
4842 the account and any funds received from any public or private
4843 contributions, gifts, grants, donations, bequests or devises to the fund.
4844 [Connecticut Innovations, Incorporated,] The Connecticut Economic
4845 Development Authority may make grants-in-aid from the fund in
4846 accordance with the provisions of subsection (b) of this section.

4847 (b) [Connecticut Innovations, Incorporated] The Connecticut
4848 Economic Development Authority, in consultation with the
4849 Department of Public Utility Control, the Department of Education
4850 and the Department of Emergency Management and Homeland
4851 Security, shall establish a municipal renewable energy and efficient
4852 energy generation grant program. [Connecticut Innovations,
4853 Incorporated,] The Connecticut Economic Development Authority
4854 shall make grants under said program to municipalities for the
4855 purchase of (1) renewable energy sources, including solar energy,
4856 geothermal energy and fuel cells or other energy-efficient hydrogen-

4857 fueled energy, or (2) energy-efficient generation sources, including
4858 units providing combined heat-and-power operations with greater
4859 than sixty-five per cent efficiency or such higher efficiency level as
4860 [Connecticut Innovations, Incorporated,] the Connecticut Economic
4861 Development Authority may prescribe, for municipal buildings.
4862 [Connecticut Innovations, Incorporated,] The Connecticut Economic
4863 Development Authority shall give priority to applications for grants
4864 for disaster relief centers and high schools. Each grant shall be in an
4865 amount that makes the cost of purchasing and operating the renewable
4866 energy or energy-efficient generation source competitive with the
4867 municipality's current electricity expenses.

4868 (c) [On or before October 1, 2007, Connecticut Innovations,
4869 Incorporated,] The Connecticut Economic Development Authority
4870 shall develop an application for grants-in-aid under this section for the
4871 purpose of purchasing and operating renewable energy or energy-
4872 efficient generation sources and may receive applications from
4873 municipalities for such grants-in-aid on and after said date.
4874 Applications shall include, but not be limited to, a complete
4875 description of the proposed renewable energy or energy-efficient
4876 generation source.

4877 (d) Commencing with the fiscal year ending June 30, 2008, and for
4878 each of the five consecutive fiscal years thereafter, until the fiscal year
4879 ending June 30, 2012, not less than ten million dollars shall be available
4880 from the municipal renewable energy and efficient energy generation
4881 grant account for grants-in-aid to municipalities for the purpose of
4882 purchasing and operating renewable energy or energy-efficient
4883 generation sources. Any balance of such amount not used for such
4884 grants-in-aid during a fiscal year shall be carried forward for the fiscal
4885 year next succeeding for such grants-in-aid.

4886 (e) On or before January 1, [2009] 2011, and annually thereafter,
4887 [Connecticut Innovations, Incorporated,] the Connecticut Economic
4888 Development Authority shall report on the effectiveness of said
4889 program to the joint standing committee of the General Assembly

4890 having cognizance of matters relating to energy.

4891 Sec. 104. Subsection (a) of section 31-11aa of the general statutes is
4892 repealed and the following is substituted in lieu thereof (*Effective July*
4893 *1, 2011*):

4894 (a) The Connecticut Employment and Training Commission within
4895 the Office of Workforce Competitiveness shall produce, within
4896 available appropriations, a report on information technology
4897 workforce development, including a long-range strategic plan, that
4898 addresses Connecticut's workforce and research needs as they relate to
4899 information technology and electronic commerce. The commission
4900 shall work with the Commissioners of **[**Economic and Community
4901 Development,**]** Education and Higher Education and any business-
4902 related association or organization that the commission deems
4903 appropriate in creating a planning structure, no later than July 5, 2000,
4904 to develop the plan. The planning structure shall include
4905 representation from the Connecticut Employment and Training
4906 Commission, the General Assembly, the Departments of Education **[**,**]**
4907 and Higher Education, **[**and Economic and Community Development,
4908 Connecticut Innovations, Incorporated**]** the Connecticut Economic
4909 Development Authority, information technology and software
4910 companies, the Connecticut Business and Industry Association, the
4911 Connecticut Economic Resource Center, the Connecticut Technology
4912 Council, The University of Connecticut, the Connecticut State
4913 University System, the community-technical colleges, Charter Oak
4914 State College, the Connecticut Distance Learning Consortium, the
4915 Connecticut Conference of Independent Colleges and any other
4916 representatives including regional and state-wide business and
4917 technology associations the Connecticut Employment and Training
4918 Commission and commissioners deem necessary.

4919 Sec. 105. Section 32-1e of the general statutes is repealed and the
4920 following is substituted in lieu thereof (*Effective July 1, 2011*):

4921 (a) The **[**Commissioner of Economic and Community Development**]**

4922 executive director of the Connecticut Economic Development
4923 Authority, in consultation with the Connecticut Resources Recovery
4924 Authority and the Commissioner of Environmental Protection, shall
4925 prepare a plan for the support and promotion of industries that use,
4926 process or transport recycled materials. The plan shall outline ways
4927 existing programs of the **[**Department of Economic and Community
4928 Development**]** Connecticut Economic Development Authority, the
4929 Connecticut Resources Recovery Authority and agencies such as the
4930 Department of Environmental Protection **[**, the Connecticut
4931 Development Authority and Connecticut Innovations, Incorporated**]**
4932 will be used to promote such industries.

4933 (b) Such plan shall be completed on or before July 1, 2007.

4934 Sec. 106. Section 32-1k of the general statutes is repealed and the
4935 following is substituted in lieu thereof (*Effective July 1, 2011*):

4936 As used in sections 8-244b to 8-244d, inclusive, this section and
4937 section 32-1*l*, the following terms shall have the following meanings
4938 unless the context clearly indicates another meaning and intent:

4939 (1) **[**"Department" means the Department of Economic and
4940 Community Development**]** "Authority" means the Connecticut
4941 Economic Development Authority;

4942 (2) **[**"Commissioner" means the Commissioner of Economic and
4943 Community Development;**]** "Executive director" means the executive
4944 director of the Connecticut Economic Development Authority; and

4945 **[**(3) "CDA" means the Connecticut Development Authority, as
4946 created under chapter 579;

4947 (4) "CHFA" means the Connecticut Housing Finance Authority, as
4948 created under chapter 134;

4949 (5) "CII" means Connecticut Innovations, Incorporated, as created
4950 under chapter 581; and**]**

4951 **[**(6)**]** (3) "SHA" means the State Housing Authority as created under
4952 section 8-244b.

4953 Sec. 107. Section 32-4h of the general statutes is repealed and the
4954 following is substituted in lieu thereof (*Effective July 1, 2011*):

4955 Not later than August 1, 1997, and annually thereafter, the
4956 **[**chairperson of the board of directors of the Connecticut Development
4957 Authority and the chairperson of the board of directors of Connecticut
4958 Innovations, Incorporated**]** executive director of the Connecticut
4959 Economic Development Authority shall submit a report to the joint
4960 standing committee of the General Assembly having cognizance of
4961 matters relating to **[**the Department of Economic and Community
4962 Development**]** economic development, in accordance with the
4963 provisions of section 11-4a, which details the amount of bond funds
4964 expended during the previous fiscal year on each economic cluster in
4965 the state by said authority. **[**by the quasi-public agency administered
4966 by such chairperson.**]**

4967 Sec. 108. Section 32-6k of the general statutes is repealed and the
4968 following is substituted in lieu thereof (*Effective July 1, 2011*):

4969 (a) Prior to entering into a grant, loan or assistance agreement for
4970 any project which is a major traffic generator within the meaning of
4971 section 14-311, the **[**Commissioner of Economic and Community
4972 Development and the executive directors of the Connecticut
4973 Development Authority and Connecticut Innovations, Incorporated, as
4974 the case may be,**]** executive director of the Connecticut Economic
4975 Development Authority shall submit an impact statement for each
4976 such project to the Connecticut Transportation Strategy Board,
4977 established pursuant to section 13b-57e, as amended by this act. Each
4978 impact statement shall (1) describe the project and its expected impact
4979 on the transportation system, (2) summarize whether or not such
4980 project conforms to the strategy adopted in accordance with section
4981 13b-57g, as amended by this act, and (3) include any other information
4982 the board may require to discharge its responsibilities under this

4983 subsection including, but not limited to, (A) the size of any facility
4984 proposed in connection with the project, (B) the hours of operation of
4985 such facility, (C) a projection of whether or not an increase in daily
4986 vehicle trips including truck traffic is likely to occur as a result of such
4987 project, and (D) the availability of public transportation to and from
4988 such facility. The board shall evaluate each such impact statement to
4989 determine whether such project conforms to such strategy and shall
4990 submit to said [commissioner and] executive [directors] director any
4991 findings and recommendations with respect to such project. Nothing
4992 in this subsection shall be construed as requiring any delay in the
4993 implementation of any such project.

4994 (b) The board shall, subject to the requirements of chapter 14,
4995 protect confidential information and trade secrets provided in
4996 connection with the review of any project pursuant to subsection (a) of
4997 this section.

4998 Sec. 109. Section 32-41v of the general statutes is repealed and the
4999 following is substituted in lieu thereof (*Effective July 1, 2011*):

5000 (a) As used in this section:

5001 (1) [''Corporation'' means Connecticut Innovations, Incorporated]
5002 "Authority" means the Connecticut Economic Development Authority;
5003 and

5004 (2) "Fund" means the Connecticut New Opportunities Fund.

5005 (b) [Connecticut Innovations, Incorporated] The Connecticut
5006 Economic Development Authority shall establish a fund to be known
5007 as the Connecticut New Opportunities Fund, for the purpose of
5008 investing in seed stage and emerging growth companies in the state.
5009 The [corporation] authority, or a subsidiary created by the
5010 [corporation] authority for the purposes of this section, shall serve as
5011 general partner or managing member of the fund and shall determine
5012 whether the fund should be organized as a limited partnership or a
5013 limited liability company. The general partner or managing member of

5014 the fund shall be reimbursed from the fund for its management costs,
5015 which shall not exceed two per cent, annually, of the committed capital
5016 of the fund.

5017 (c) Investors in the fund may include pension funds, foundations
5018 and private entities. Such investors shall participate as limited partners
5019 or nonmanaging members of the fund. The committed capital of the
5020 fund shall not exceed fifty million dollars.

5021 (d) The moneys in the fund shall be invested as follows: (1) Not
5022 more than twenty-five per cent in seed stage companies, and (2) not
5023 more than seventy-five per cent in not more than twenty emerging
5024 growth companies. Not more than three million dollars shall be
5025 invested in any single seed stage or emerging growth company. Fund
5026 investments shall be in the form of equity or similar instruments. An
5027 emerging growth company may be eligible for an investment if the
5028 company projects high growth, has a strong management team, has
5029 current and prospective customers, has had difficulty raising early
5030 stage venture capital and is a strong market driver but is facing entry
5031 barriers.

5032 (e) The fund shall have a term of ten years, provided it may be
5033 extended for three one-year periods if necessary to complete
5034 liquidation of the fund's investments. Upon such liquidation, each
5035 investor shall be entitled to a return of the investment made, plus
5036 eighty per cent of all net realized gains of the fund. The state shall
5037 provide a first loss guarantee at the end of the tenth year, if needed, of
5038 not more than twenty-five million dollars. The state shall be entitled to
5039 ten per cent of all net realized gains of the fund and the general partner
5040 or managing member of the fund shall also be entitled to ten per cent
5041 of all such net realized gains.

5042 Sec. 110. Section 32-344 of the general statutes is repealed and the
5043 following is substituted in lieu thereof (*Effective July 1, 2011*):

5044 As used in this section and sections 32-345, as amended by this act,

5045 and 32-346:

5046 (1) "Business-led consortium" means a coalition or other group of
5047 entities, related by contractual or other arrangements, that (A) includes
5048 at least one Connecticut business and may include other businesses
5049 and nonprofit or public institutions, and (B) is led by a business for the
5050 purpose of technology development or commercialization;

5051 (2) ["Corporation" means Connecticut Innovations, Incorporated, as
5052 created under section 32-35] "Authority" means the Connecticut
5053 Economic Development Authority;

5054 (3) "Small business" means a corporation, limited liability company,
5055 partnership, sole proprietorship or individual, operating a business for
5056 profit, which employs five hundred or fewer employees, including
5057 employees employed in any subsidiary or affiliated corporation;

5058 (4) "Small business innovation research program" means the federal
5059 program established pursuant to the Small Business Innovation
5060 Development Act of 1982 (P.L. 97-219), as amended, which provides
5061 funds to small businesses to conduct innovative research which has
5062 potential commercial applications;

5063 (5) "Small business technology transfer program" means the federal
5064 program established pursuant to the Small Business Research and
5065 Development Enhancement Act of 1992 (P.L. 102-564), as amended,
5066 which provides funds to small businesses that collaborate with
5067 nonprofit research institutions to conduct innovative research which
5068 has potential commercial applications;

5069 (6) "Federal technology support program" means any program now
5070 or hereafter established by the government of the United States of
5071 America or any agency or instrumentality thereof, other than the small
5072 business innovation research program and small business technology
5073 transfer program that (A) is authorized to provide funding support for
5074 projects undertaken by businesses and business-led consortia for the
5075 development or commercialization of advanced technologies,

5076 including without limitation technologies applied or applicable to
5077 national defense, and (B) requires recipients to furnish a portion of the
5078 funds necessary to carry out such activities;

5079 (7) "Micro business" means a business entity, including its affiliates,
5080 that (A) is independently owned and operated, and (B) employs fewer
5081 than fifty full-time employees or has gross annual sales of less than
5082 five million dollars.

5083 Sec. 111. Subsection (e) of section 32-356 of the general statutes is
5084 repealed and the following is substituted in lieu thereof (*Effective July*
5085 *1, 2011*):

5086 (e) (1) There is established a Small Business Incubator Advisory
5087 Board. Said board shall consist of: (A) **[**The Commissioner of Economic
5088 and Community Development; (B) the president of the Connecticut
5089 Development Authority and**]** the executive director of **[**Connecticut
5090 Innovations, Incorporated**]** the Connecticut Economic Development
5091 Authority, or the executive director's designee, as an ex-officio
5092 nonvoting **[**members, or their designees**]** member; **[**(C)**]** (B) one
5093 member to be appointed by the Governor; **[**(D)**]** (C) two members with
5094 experience in the field of technology transfer and commercialization, to
5095 be appointed by the speaker of the House of Representatives; **[**(E)**]** (D)
5096 two members with experience in new product and market
5097 development, to be appointed by the president pro tempore of the
5098 Senate; **[**(F)**]** (E) one member to be appointed by the majority leader of
5099 the Senate; **[**(G)**]** (F) one member to be appointed by the majority
5100 leader of the House of Representatives; **[**(H)**]** (G) one member with
5101 experience in seed and early stage capital investment, to be appointed
5102 by the minority leader of the House of Representatives; and **[**(I)**]** (H)
5103 one member with experience in seed and early stage capital
5104 investment, to be appointed by the minority leader of the Senate. All
5105 initial appointments to said board shall be made not later than
5106 September 1, 2007.

5107 (2) The **[**Commissioner of Economic and Community Development**]**

5108 executive director of the Connecticut Economic Development
5109 Authority shall schedule the first meeting of said board not later than
5110 October 15, 2007. Thereafter, the board shall meet at least once
5111 annually to evaluate and recommend changes to the guidelines
5112 adopted pursuant to this section.

5113 Sec. 112. Section 32-450 of the general statutes is repealed and the
5114 following is substituted in lieu thereof (*Effective July 1, 2011*):

5115 As used in sections 32-450 to 32-457, inclusive:

5116 (1) "Awarding authority" means the **[**Commissioner of Economic
5117 and Community Development, the**]** board of directors of the
5118 **[**Connecticut Development Authority and the board of directors of
5119 Connecticut Innovations, Incorporated**]** Connecticut Economic
5120 Development Authority.

5121 (2) "Economic development financial assistance" means any grant,
5122 loan or loan guarantee, or combination thereof, or any tax credits
5123 approved pursuant to section 32-9t, provided to a business for the
5124 purpose of economic development.

5125 (3) "Employee representatives" means representatives of any
5126 certified or recognized bargaining agents for employees of a business.

5127 (4) "Threshold project" means (A) a project for which a business
5128 operating in the state and having twenty-five or more full-time
5129 employees in the state submits a request to an awarding authority for
5130 economic development financial assistance in the form of (i) a grant in
5131 the amount of two hundred fifty thousand dollars or more or (ii) a
5132 combination of a grant and a loan or loan guarantee, totaling two
5133 hundred fifty thousand dollars or more, or (B) a project for which a
5134 business operating in the state and having one hundred or more full-
5135 time employees in the state submits a request to an awarding authority
5136 for economic development financial assistance in the form of (i) a loan
5137 or a loan guarantee, in the amount of one million dollars or more, or
5138 (ii) a combination of a loan and a loan guarantee, totaling one million

5139 dollars or more.

5140 Sec. 113. Section 32-462 of the general statutes is repealed and the
5141 following is substituted in lieu thereof (*Effective July 1, 2011*):

5142 (a) As used in this section:

5143 (1) "Agency" means the **[**Department of Economic and Community
5144 Development, the Connecticut Development Authority or Connecticut
5145 Innovations, Incorporated**]** Connecticut Economic Development
5146 Authority.

5147 (2) "Financial assistance" means grants, loans, loan guarantees,
5148 contracts of insurance, investments, or combinations thereof, which are
5149 provided from the proceeds of bonds, notes or other obligations of the
5150 state or an agency which constitute a debt or liability of the state or
5151 which are secured by a special capital reserve fund payable from
5152 amounts appropriated or deemed appropriated from the General
5153 Fund.

5154 (3) "Applicant" means any eligible applicant seeking financial
5155 assistance from an agency for a business project. The term "applicant"
5156 shall not include any political subdivision of the state.

5157 (4) "Business project" means a business proposal undertaken by one
5158 or more applicants, but does not include housing unless undertaken in
5159 combination with another unrelated type of business.

5160 (5) "Biotechnology business project" means any commercial project
5161 to be used or occupied by any person to conduct laboratory activity
5162 relating to, or the research, development or manufacture of,
5163 biologically active molecules or devices that apply to, affect or analyze
5164 biological processes.

5165 (b) (1) No agency or agencies may award more than a total of ten
5166 million dollars of financial assistance during any two-year period to an
5167 applicant or for a business project unless such financial assistance is

5168 specifically authorized by an act of the General Assembly which has
5169 been enacted before, on or after July 1, 1994. (2) The provisions of
5170 subdivision (1) of this subsection shall not apply to any awards funded
5171 or to be funded by bonds authorized to be issued by the State Bond
5172 Commission before July 1, 1994.

5173 (c) Notwithstanding the provisions of subsection (b) of this section,
5174 no agency or agencies may award more than twenty million dollars of
5175 financial assistance for a biotechnology business project during any
5176 two-year period unless such financial assistance is specifically
5177 authorized by an act of the General Assembly which has been enacted
5178 before, on or after July 1, 2001.

5179 Sec. 114. Section 32-479 of the general statutes is repealed and the
5180 following is substituted in lieu thereof (*Effective July 1, 2011*):

5181 **[**Not later than July 1, 1996, the Commissioner of Economic and
5182 Community Development, the Labor Commissioner, the Connecticut
5183 Development Authority and Connecticut Innovations, Incorporated**]**
5184 <u>The Labor Commissioner and the executive director of the Connecticut</u>
5185 <u>Economic Development Authority</u> shall jointly develop goals and
5186 objectives and quantifiable outcome measures related to the
5187 percentage of financial assistance which is being provided to high
5188 performance work organizations. The Labor Commissioner **[**, the
5189 Connecticut Development Authority and Connecticut Innovations,
5190 Incorporated**]** <u>and the Connecticut Economic Development Authority</u>
5191 shall submit an annual report concerning such goals, objectives and
5192 measures to the joint standing committee of the General Assembly
5193 having cognizance of matters relating to labor and public employees
5194 and the joint standing committee having cognizance of matters relating
5195 to commerce.

5196 Sec. 115. Section 32-480 of the general statutes is repealed and the
5197 following is substituted in lieu thereof (*Effective July 1, 2011*):

5198 The **[**Department of Economic and Community Development, the**]**

5199 Labor Department **[**, the Connecticut Development Authority**]** and
5200 **[**Connecticut Innovations, Incorporated**]** the Connecticut Economic
5201 Development Authority shall, when appropriate, encourage persons,
5202 firms and corporations which contact said departments or authorities
5203 for financial assistance to utilize high performance work practices in
5204 their business operations.

5205 Sec. 116. Section 32-700 of the general statutes is repealed and the
5206 following is substituted in lieu thereof (*Effective July 1, 2011*):

5207 As used in sections 32-701 to 32-703, inclusive, as amended by this
5208 act, and this section:

5209 (1) "Awarding authority" means the **[**Commissioner of Economic
5210 and Community Development, the**]** board of directors of the
5211 **[**Connecticut Development Authority, the board of directors of
5212 Connecticut Innovations, Incorporated,**]** Connecticut Economic
5213 Development Authority and the head of any other quasi-public
5214 agency, as defined in section 1-120, as amended by this act, and any
5215 state agency authorized to award state assistance, as defined in
5216 subdivision (2) of this section.

5217 (2) "State assistance" means any grant, loan, loan guarantee or
5218 issuance of tax benefit not of general applicability for the purpose of
5219 economic development that is (A) made to a business entity operated
5220 for profit, and (B) in an amount greater than one million dollars or
5221 that, if added to any other such state assistance made to the same
5222 business entity during the preceding two years, would total greater
5223 than one million dollars.

5224 Sec. 117. Subsection (a) of section 32-701 of the general statutes is
5225 repealed and the following is substituted in lieu thereof (*Effective July*
5226 *1, 2011*):

5227 (a) The terms and conditions of any agreement for state assistance
5228 under any program of the general statutes to a business entity
5229 operated for profit administered by the **[**Department of Economic and

5230 Community Development, Connecticut Development Authority and
5231 Connecticut Innovations, Incorporated,] Connecticut Economic
5232 Development Authority shall include provisions for (1) specific goals
5233 for the creation and retention of full-time and part-time jobs and for
5234 periodic reports by the recipient on progress in achieving such goals if
5235 the primary purpose of the state assistance is job creation or retention,
5236 and (2) a requirement that an applicant for any type of state assistance,
5237 except grants and loans of a term of less than one year, provide the
5238 agency with appropriate security for such financial assistance,
5239 including, but not limited to, a letter of credit, a lien on real property or
5240 a security interest in goods, equipment, inventory or other property of
5241 any kind and that the recipient of such state assistance will remain in
5242 substantial material compliance with state and federal law.

5243 Sec. 118. Section 32-717 of the general statutes is repealed and the
5244 following is substituted in lieu thereof (*Effective July 1, 2011*):

5245 (a) The [Commissioner of Economic and Community Development,
5246 the chairperson of Connecticut Innovations, Incorporated, the]
5247 president of The University of Connecticut and the [chairperson]
5248 executive director of the Connecticut Economic Development
5249 Authority, or their respective designees, shall prepare, within available
5250 appropriations, and in consultation with the Connecticut
5251 Competitiveness Council, the Commissioner of Education, the
5252 Commissioner of Higher Education, the chancellor of the community-
5253 technical college system, the director of the Office of Workforce
5254 Competitiveness and any other agencies and leading technology-
5255 focused organizations deemed appropriate by the [Commissioner of
5256 Economic and Community Development] executive director of the
5257 Connecticut Economic Development Authority, recommendations for
5258 an implementation plan and budget to establish an Innovation
5259 Network that will include the following: (1) The creation of endowed
5260 chairs and the hiring of leading academic professionals in targeted
5261 fields based on core competencies to work at universities, state colleges
5262 and community colleges, in collaboration with other technology

5263 initiatives; (2) the focused and aggressive solicitation of and leveraged
5264 partnership with federal research funds; (3) increased corporate-
5265 sponsored research; (4) the establishment of at least one innovation
5266 accelerator, linked to universities and involving corporations and start-
5267 up enterprises focused on advanced technology and leveraging the
5268 efforts underway by the Connecticut Center for Advanced Technology
5269 in the Hartford area; (5) the strengthening of technology transfer and
5270 entrepreneurship activities at universities in the state; (6) incentives
5271 and financial support for collaborative research between universities
5272 and industry or federally sponsored technology centers; (7) the
5273 creation of linkages to angel networks; and (8) the creation of linkages
5274 to incubators in Connecticut. Said plan shall also include provisions for
5275 the utilization of existing resources, including, but not limited to,
5276 **[**Connecticut Innovations, Incorporated,**]** the Connecticut Economic
5277 Development Authority, The University of Connecticut and the Office
5278 of Workforce Competitiveness.

5279 (b) **[**Not later than January 1, 2006, the Commissioner of Economic
5280 and Community Development**]** The executive director of the
5281 Connecticut Economic Development Authority, in consultation with
5282 **[**the chairperson of Connecticut Innovations, Incorporated,**]** the
5283 president of The University of Connecticut, **[**and the chairperson of the
5284 Connecticut Development Authority,**]** shall develop an
5285 implementation plan for the Innovation Network, within available
5286 resources, and submit said plan and budget to the Governor and the
5287 joint standing committees of the General Assembly having cognizance
5288 of matters relating to economic development, education and labor, in
5289 accordance with the provisions of section 11-4a.

5290 Sec. 119. Section 32-718 of the general statutes is repealed and the
5291 following is substituted in lieu thereof (*Effective July 1, 2011*):

5292 The **[**Department of Economic and Community Development,
5293 Connecticut Innovations, Incorporated, The**]** University of
5294 Connecticut, the **[**Connecticut Development Authority**]** Connecticut
5295 Economic Development Authority and the Office of Workforce

5296 Competitiveness may use up to ten million dollars of their existing
5297 resources for plan implementation and to provide a catalyst for an
5298 additional forty million dollars of private investment. The plan for
5299 how these funds will be applied and how they will leverage the
5300 private money shall be presented to and approved by the State Bond
5301 Commission.

5302 Sec. 120. Subsection (d) of section 8-192 of the general statutes is
5303 repealed and the following is substituted in lieu thereof (*Effective July*
5304 *1, 2011*):

5305 (d) For the purposes of carrying out or administering a specified
5306 development plan authorized under this chapter, the **[**Connecticut
5307 Development Authority**]** Connecticut Economic Development
5308 Authority may, upon a resolution with respect to such project adopted
5309 by the legislative body of the municipality, issue and administer bonds
5310 which are payable solely or in part from and secured by the pledge
5311 and security provided for in subsection (a) of this section subject to the
5312 general terms and provisions of law applicable to the issuance of
5313 bonds by the **[**Connecticut Development Authority**]** Connecticut
5314 Economic Development Authority, except that the provisions of
5315 subsection (b) of section 32-23j shall not apply. For purposes of this
5316 section and section 8-192a, references to the **[**Connecticut Development
5317 Authority**]** Connecticut Economic Development Authority shall
5318 include any subsidiary of the **[**Connecticut Development Authority
5319 established pursuant to subsection (l) of section 32-11a**]** Connecticut
5320 Economic Development Authority.

5321 Sec. 121. Subsection (c) of section 25-33a of the general statutes is
5322 repealed and the following is substituted in lieu thereof (*Effective July*
5323 *1, 2011*):

5324 (c) Each grant made pursuant to subsection (a) of this section shall
5325 be authorized by the **[**Connecticut Development Authority**]**
5326 Connecticut Economic Development Authority or, if the authority so
5327 determines, by a committee of the authority consisting of the chairman

5328 and either one other member of the authority or its executive director.
5329 The [Connecticut Development Authority] Connecticut Economic
5330 Development Authority shall charge reasonable application and other
5331 fees to be applied to the administrative expenses incurred in carrying
5332 out the provisions of this section, to the extent such expenses are not
5333 paid by the authority. [or from moneys appropriated to the
5334 department.] Each such payment shall be made by the Treasurer upon
5335 certification by the [Commissioner of Economic and Community
5336 Development] executive director of the Connecticut Economic
5337 Development Authority that the payment is authorized under the
5338 provisions of this section under the applicable [rules and regulations of
5339 the department, and under the] terms and conditions established by
5340 the authority or the duly appointed committee thereof in authorizing
5341 the making of the grant.

5342 Sec. 122. Subsection (a) of section 32-1o of the general statutes is
5343 repealed and the following is substituted in lieu thereof (*Effective July*
5344 *1, 2011*):

5345 (a) On or before July 1, 2009, and every five years thereafter, the
5346 [Commissioner of Economic and Community Development, within
5347 available appropriations,] executive director of the Connecticut
5348 Economic Development Authority shall prepare an economic strategic
5349 plan for the state in consultation with the Secretary of the Office of
5350 Policy and Management, the Commissioners of Environmental
5351 Protection and Transportation, the Labor Commissioner, the executive
5352 directors of the Connecticut Housing Finance Authority, [the
5353 Connecticut Development Authority, Connecticut Innovations,
5354 Incorporated,] the Commission on Culture and Tourism and the
5355 Connecticut Health and Educational Facilities Authority, and the
5356 president of the Office of Workforce Competitiveness, or their
5357 respective designees, and any other agencies the [Commissioner of
5358 Economic and Community Development] executive director deems
5359 appropriate.

5360 (b) In developing the plan, the [Commissioner of Economic and

5361 Community Development] executive director of the Connecticut
5362 Economic Development Authority shall:

5363 (1) Ensure that the plan is consistent with (A) the text and locational
5364 guide map of the state plan of conservation and development adopted
5365 pursuant to chapter 297, (B) the long-range state housing plan adopted
5366 pursuant to section 8-37t, as amended by this act, and (C) the
5367 transportation strategy adopted pursuant to section 13b-57g, as
5368 amended by this act;

5369 (2) Consult regional councils of governments, regional planning
5370 organizations, regional economic development agencies, interested
5371 state and local officials, entities involved in economic and community
5372 development, stakeholders and business, economic, labor, community
5373 and housing organizations;

5374 (3) Consider (A) regional economic, community and housing
5375 development plans, and (B) applicable state and local workforce
5376 investment strategies;

5377 (4) Assess and evaluate the economic development challenges and
5378 opportunities of the state and against the economic development
5379 competitiveness of other states and regions; and

5380 (5) Host regional forums to provide for public involvement in the
5381 planning process.

5382 (c) The strategic plan required under this section shall include, but
5383 not be limited to, the following:

5384 (1) A review and evaluation of the economy of the state. Such
5385 review and evaluation shall include, but not be limited to, a sectoral
5386 analysis, housing market and housing affordability analysis, labor
5387 market and labor quality analysis, demographic analysis and historic
5388 trend analysis and projections;

5389 (2) A review and analysis of factors, issues and forces that impact or

5390 impede economic development and responsible growth in Connecticut
5391 and its constituent regions. Such factors, issues or forces shall include,
5392 but not be limited to, transportation, including, but not limited to,
5393 commuter transit, rail and barge freight, technology transfer,
5394 brownfield remediation and development, health care delivery and
5395 costs, early education, primary education, secondary and
5396 postsecondary education systems and student performance, business
5397 regulation, labor force quality and sustainability, social services costs
5398 and delivery systems, affordable and workforce housing cost and
5399 availability, land use policy, emergency preparedness, taxation,
5400 availability of capital and energy costs and supply;

5401 (3) Identification and analysis of economic clusters that are growing
5402 or declining within the state;

5403 (4) An analysis of targeted industry sectors in the state that (A)
5404 identifies those industry sectors that are of current or future
5405 importance to the growth of the state's economy and to its global
5406 competitive position, (B) identifies what those industry sectors need
5407 for continued growth, and (C) identifies those industry sectors' current
5408 and potential impediments to growth;

5409 (5) A review and evaluation of the economic development structure
5410 in the state, including, but not limited to, (A) a review and analysis of
5411 the past and current economic, community and housing development
5412 structures, budgets and policies, efforts and responsibilities of its
5413 constituent parts in Connecticut; and (B) an analysis of the
5414 performance of the current economic, community and housing
5415 development structure, and its individual constituent parts, in meeting
5416 its statutory obligations, responsibilities and mandates and their
5417 impact on economic development and responsible growth in
5418 Connecticut;

5419 (6) Establishment and articulation of a vision for Connecticut that
5420 identifies where the state should be in five, ten, fifteen and twenty
5421 years;

5422 (7) Establishment of clear and measurable goals and objectives for
5423 the state and regions, to meet the short and long-term goals established
5424 under this section and provide clear steps and strategies to achieve
5425 said goals and objectives, including, but not limited to, the following:
5426 (A) The promotion of economic development and opportunity, (B) the
5427 fostering of effective transportation access and choice including the use
5428 of airports and ports for economic development, (C) enhancement and
5429 protection of the environment, (D) maximization of the effective
5430 development and use of the workforce consistent with applicable state
5431 or local workforce investment strategy, (E) promotion of the use of
5432 technology in economic development, including access to high-speed
5433 telecommunications, and (F) the balance of resources through sound
5434 management of physical development;

5435 (8) Prioritization of goals and objectives established under this
5436 section;

5437 (9) Establishment of relevant measures that clearly identify and
5438 quantify (A) whether a goal and objective is being met at the state,
5439 regional, local and private sector level, and (B) cause and effect
5440 relationships, and provide a clear and replicable measurement
5441 methodology;

5442 (10) Recommendations on how the state can best achieve goals
5443 under the strategic plan and provide cost estimates for implementation
5444 of the plan and the projected return on investment for those areas;

5445 (11) A review and evaluation of the operation and efficacy of the
5446 urban jobs program established pursuant to sections 32-9i to 32-9*l*,
5447 inclusive, enterprise zones established pursuant to section 32-70,
5448 railroad depot zones established pursuant to section 32-75a, qualified
5449 manufacturing plants designated pursuant to section 32-75c,
5450 entertainment districts established pursuant to section 32-76 and
5451 enterprise corridor zones established pursuant to section 32-80. The
5452 review and evaluation of enterprise zones shall include an analysis of
5453 enterprise zones that have been expanded to include an area in a

5454 contiguous municipality or in which there are base or plant closures;
5455 and

5456 (12) Any other responsible growth information that the
5457 commissioner deems appropriate.

5458 (d) On or before July 1, 2009, and every five years thereafter, the
5459 [Commissioner of Economic and Community Development] executive
5460 director of the Connecticut Economic Development Authority shall
5461 submit an economic development strategic plan for the state to the
5462 Governor for approval. The Governor shall review and approve or
5463 disapprove such plan not more than sixty days after submission. The
5464 plan shall be effective upon approval by the Governor or sixty days
5465 after the date of submission.

5466 (e) Upon approval, the [commissioner] executive director shall
5467 submit the economic development strategic plan to the joint standing
5468 committees of the General Assembly having cognizance of matters
5469 relating to commerce, planning and development, appropriations and
5470 the budgets of state agencies and finance, revenue and bonding. Not
5471 later than thirty days after such submission, the [commissioner]
5472 executive director shall post the plan on the web site of the
5473 [Department of Economic and Community Development] Connecticut
5474 Economic Development Authority.

5475 (f) The [commissioner] executive director from time to time, may
5476 revise and update the strategic plan upon approval of the Governor.
5477 The [commissioner] executive director shall post any such revisions on
5478 the web site of the [Department of Economic and Community
5479 Development] Connecticut Economic Development Authority.

5480 Sec. 123. Section 32-5a of the general statutes is repealed and the
5481 following is substituted in lieu thereof (*Effective July 1, 2011*):

5482 The [Commissioner of Economic and Community Development and
5483 the] board of directors of the [Connecticut Development Authority]
5484 Connecticut Economic Development Authority shall require, as a

5485 condition of any financial assistance provided on and after June 23,
5486 1993, under any program administered by **[**the Department of
5487 Economic and Community Development or**]** such authority to any
5488 business organization, that such business organization: (1) Shall not
5489 relocate outside of the state for ten years after receiving such assistance
5490 or during the term of a loan or loan guarantee, whichever is longer,
5491 unless the full amount of the assistance is repaid to the state and a
5492 penalty equal to five per cent of the total assistance received is paid to
5493 the state and (2) shall, if the business organization relocates within the
5494 state during such period, offer employment at the new location to its
5495 employees from the original location if such employment is available.
5496 For the purposes of subdivision (1) of this section, the value of a
5497 guarantee shall be equal to the amount of the state's liability under the
5498 guarantee. As used in this section, "relocate" means the physical
5499 transfer of the operations of a business in its entirety or of any division
5500 of a business which independently receives any financial assistance
5501 from the state from the location such business or division occupied at
5502 the time it accepted the financial assistance to another location.
5503 Notwithstanding the provisions of this section, the **[**Commissioner of
5504 Economic and Community Development**]** executive director of the
5505 Connecticut Economic Development Authority shall adopt
5506 **[**regulations in accordance with chapter 54**]** written procedures in
5507 accordance with section 1-121 to establish the terms and conditions of
5508 repayment, including specifying the conditions under which
5509 repayment may be deferred, following a determination by the
5510 **[**commissioner**]** executive director of a legitimate hardship.

5511 Sec. 124. Section 32-6j of the general statutes is repealed and the
5512 following is substituted in lieu thereof (*Effective July 1, 2011*):

5513 In the assessment and provision of job training for employers, **[**the
5514 Commissioner of Economic and Community Development and**]** the
5515 executive director of the **[**Connecticut Development Authority**]**
5516 Connecticut Economic Development Authority shall request the
5517 assistance of the Labor Commissioner. Upon receipt of a request for job

5518 training pursuant to this section, the Labor Commissioner shall notify
5519 the chancellor of the regional community-technical colleges, or his
5520 designee, of such request. The chancellor, or his designee, shall
5521 determine if a training program exists or can be designed at a regional
5522 community-technical college to meet such training need and shall
5523 notify the Labor Commissioner of such determination. The Labor
5524 Commissioner shall to the extent possible make arrangements for the
5525 participation of the regional community-technical colleges, the
5526 Connecticut State University System, other institutions of higher
5527 education, other postsecondary institutions, adult education programs
5528 and state regional vocational-technical schools in implementing the
5529 program. Nothing in this section shall preclude the Labor
5530 Commissioner from considering or choosing other providers to meet
5531 such training need.

5532 Sec. 125. Section 32-9n of the general statutes is repealed and the
5533 following is substituted in lieu thereof (*Effective July 1, 2011*):

5534 (a) There is established **[**within the Department of Economic and
5535 Community Development**]** an Office of Small Business Affairs. Such
5536 office shall aid and encourage small business enterprises, particularly
5537 those owned and operated by minorities and other socially or
5538 economically disadvantaged individuals in Connecticut. As used in
5539 this section, minority means: (1) Black Americans, including all
5540 persons having origins in any of the Black African racial groups not of
5541 Hispanic origin; (2) Hispanic Americans, including all persons of
5542 Mexican, Puerto Rican, Cuban, Central or South American, or other
5543 Spanish culture or origin, regardless of race; (3) all persons having
5544 origins in the Iberian Peninsula, including Portugal, regardless of race;
5545 (4) women; (5) Asian Pacific Americans and Pacific islanders; or (6)
5546 American Indians and persons having origins in any of the original
5547 peoples of North America and maintaining identifiable tribal
5548 affiliations through membership and participation or community
5549 identification.

5550 (b) Said Office of Small Business Affairs shall: (1) Administer at least

5551 one regional office of the small business development center program
5552 within the [Department of Economic and Community Development]
5553 Connecticut Economic Development Authority; (2) coordinate, with
5554 the director of the small business development center program, the
5555 flow of information within the technical and management assistance
5556 program within the [Department of Economic and Community
5557 Development] Connecticut Economic Development Authority; (3)
5558 encourage the Connecticut Economic Development Authority to grant
5559 loans to small businesses, particularly those owned and operated by
5560 minorities and other socially or economically disadvantaged
5561 individuals; (4) coordinate and serve as a liaison between all federal,
5562 state, regional and municipal agencies and programs affecting small
5563 business affairs; (5) administer any business management training
5564 program established under section 32-352 or section 32-355 as the
5565 [Commissioner of Economic and Community Development] executive
5566 director of the Connecticut Economic Development Authority may
5567 determine; (6) provide a single point of contact for small businesses
5568 seeking financial and technical assistance from the state and quasi-
5569 public agencies; (7) coordinate all state funded revolving loan funds
5570 used to assist small businesses; and (8) establish, [in cooperation with
5571 the Commissioner of Economic and Community Development, and]
5572 within available appropriations, an informational web page with a list
5573 and links to all small business resources available and post them in a
5574 conspicuous place on the [department's] authority's web site. The
5575 office shall update this information on its web site on at least a
5576 quarterly basis.

5577 (c) On or after February 1, 2011, the Office of Small Business Affairs
5578 shall compile a summary of all small business activities and programs
5579 available and incorporate such summary into the report required
5580 pursuant to section 32-1m, as amended by this act.

5581 Sec. 126. Subsection (d) of section 32-9cc of the general statutes is
5582 repealed and the following is substituted in lieu thereof (*Effective July*
5583 *1, 2011*):

5584 (d) The Department of Environmental Protection **[**, the Connecticut
5585 Development Authority**]** and the Department of Public Health shall
5586 each designate one or more staff members to act as a liaison between
5587 their offices and the Office of Brownfield Remediation and
5588 Development. The Commissioners of **[**Economic and Community
5589 Development,**]** Environmental Protection and Public Health and the
5590 executive director of the **[**Connecticut Development Authority**]**
5591 Connecticut Economic Development Authority shall enter into a
5592 memorandum of understanding concerning each entity's
5593 responsibilities with respect to the Office of Brownfield Remediation
5594 and Development. The Office of Brownfield Remediation and
5595 Development may develop and recruit two volunteers from the private
5596 sector, including a person from the Connecticut chapter of the National
5597 Brownfield Association, with experience in different aspects of
5598 brownfield remediation and development. Said volunteers may assist
5599 the Office of Brownfield Remediation and Development in achieving
5600 the goals of this section.

5601 Sec. 127. Section 32-9kk of the general statutes is repealed and the
5602 following is substituted in lieu thereof (*Effective July 1, 2011*):

5603 (a) As used in subsections (b) to (k), inclusive, of this section:

5604 (1) "Brownfield" means any abandoned or underutilized site where
5605 redevelopment and reuse has not occurred due to the presence or
5606 potential presence of pollution in the buildings, soil or groundwater
5607 that requires remediation before or in conjunction with the restoration,
5608 redevelopment and reuse of the property;

5609 (2) **[**"Commissioner" means the Commissioner of Economic and
5610 Community Development**]** "Executive director" means the executive
5611 director of the Connecticut Economic Development Authority;

5612 (3) **[**"Department" means the Department of Economic and
5613 Community Development**]** "Authority" means the Connecticut
5614 Economic Development Authority;

5615 (4) "Eligible applicant" means any municipality, a for-profit or
5616 nonprofit organization or entity, a local or regional economic
5617 development entity acting on behalf of a municipality or any
5618 combination thereof;

5619 (5) "Financial assistance" means grants, extensions of credit, loans or
5620 loan guarantees, participation interests in loans made to eligible
5621 applicants by the [Connecticut Development Authority] Connecticut
5622 Economic Development Authority or combinations thereof;

5623 (6) "Municipality" means a town, city, consolidated town and city or
5624 consolidated town and borough;

5625 (7) "Eligible brownfield project" means the foreclosure,
5626 investigation, assessment, remediation and development of a
5627 brownfield undertaken pursuant to this subsection and subsections (b)
5628 to (k), inclusive, of this section;

5629 (8) "Project area" means the area within which a brownfield
5630 development project is located;

5631 (9) "Real property" means land, buildings and other structures and
5632 improvements thereto, subterranean or subsurface rights, any and all
5633 easements, air rights and franchises of any kind or nature;

5634 (10) "State" means the state of Connecticut; and

5635 (11) "Eligible grant recipients" means municipalities, economic
5636 development authorities, regional economic development authorities,
5637 or qualified nonprofit community and economic development
5638 corporations.

5639 (b) Subject to the availability of funds, the [Commissioner of
5640 Economic and Community Development] executive director may, in
5641 consultation with the Commissioner of Environmental Protection,
5642 provide financial assistance pursuant to subsections (e) and (f) of this
5643 section in support of eligible brownfield projects, as defined in

5644 subdivision (7) of subsection (a) of this section.

5645 (c) An eligible applicant, as defined in subdivision (4) of subsection
5646 (a) of this section, shall submit an application for financial assistance to
5647 the [Commissioner of Economic and Community Development]
5648 executive director on forms provided by said [commissioner] executive
5649 director and with such information said [commissioner] executive
5650 director deems necessary, including, but not limited to: (1) A
5651 description of the proposed project; (2) an explanation of the expected
5652 benefits of the project in relation to the purposes of subsections (a) to
5653 (i), inclusive, of this section; (3) information concerning the financial
5654 and technical capacity of the eligible applicant to undertake the
5655 proposed project; (4) a project budget; (5) a description of the condition
5656 of the property involved including the results of any environmental
5657 assessment of the property; and (6) the names of any persons known to
5658 be liable for the remediation of the property.

5659 (d) The [commissioner] executive director may approve, reject or
5660 modify any application properly submitted. In reviewing an
5661 application and determining the type and amount of financial
5662 assistance, if any, to be provided, the [commissioner] executive
5663 director shall consider the following criteria: (1) The availability of
5664 funds; (2) the estimated costs of assessing and remediating the site, if
5665 known; (3) the relative economic condition of the municipality; (4) the
5666 relative need of the eligible project for financial assistance; (5) the
5667 degree to which financial assistance is necessary as an inducement to
5668 the eligible applicant to undertake the project; (6) the public health and
5669 environmental benefits of the project; (7) relative economic benefits of
5670 the project to the municipality, the region and the state, including, but
5671 not limited to, the extent to which the project will likely result in a
5672 contribution to the municipality's tax base and the retention and
5673 creation of jobs; (8) the time frame in which the contamination
5674 occurred; (9) the relationship of the applicant to the person or entity
5675 that caused the contamination; (10) the length of time the property has
5676 been abandoned; (11) the taxes owed and the projected revenues that

5677 may be restored to the community; (12) the type of financial assistance
5678 requested pursuant to this section; and (13) such other criteria as the
5679 [commissioner] executive director may establish consistent with the
5680 purposes of subsection (a) to (k), inclusive, of this section.

5681 (e) (1) There is established a remedial action and redevelopment
5682 municipal grant program to be administered by the [Department of
5683 Economic and Community Development] authority for the purpose of
5684 providing financial assistance in the form of grants to eligible grant
5685 recipients. Eligible grant recipients may use grant funds for any
5686 development project, including manufacturing, retail, residential,
5687 municipal, educational, parks, community centers and mixed-use
5688 development, and the project's associated costs, including (A) soil,
5689 groundwater and infrastructure investigation, (B) assessment, (C)
5690 remediation, (D) abatement, (E) hazardous materials or waste disposal,
5691 (F) long-term groundwater or natural attenuation monitoring, (G)
5692 environmental land use restrictions, (H) attorneys' fees, (I) planning,
5693 engineering and environmental consulting, and (J) building and
5694 structural issues, including demolition, asbestos abatement,
5695 polychlorinated biphenyls removal, contaminated wood or paint
5696 removal, and other infrastructure remedial activities.

5697 (2) The [Commissioner of Economic and Community Development]
5698 executive director shall award grants on a competitive basis, based at a
5699 minimum on an annual request for applications, [the first of which
5700 shall be issued on October 1, 2008, and the following] to be issued on
5701 June first each year, with awards being made by the following January
5702 first. The [commissioner] executive director, at the [commissioner's]
5703 executive director's discretion, may increase the frequency of requests
5704 for applications and awards depending upon the number of applicants
5705 and the availability of funding.

5706 (3) A grant awarded pursuant to this section shall not exceed four
5707 million dollars. If the eligible costs exceed four million dollars, the
5708 [commissioner] executive director may request and seek funding
5709 through other state programs.

5710 (4) If the eligible grant recipient develops and sells the property,
5711 such applicant shall return any money received pursuant to this
5712 subsection, to the brownfield remediation and development account
5713 established pursuant to subsection (l) of this section, minus twenty per
5714 cent, which such eligible grant recipient shall retain to cover costs of
5715 oversight, administration, development and, if applicable, lost tax
5716 revenue.

5717 (5) Any eligible grant recipient shall be immune from liability to the
5718 extent provided in subsection (a) of section 32-9ee.

5719 (6) The eligible grant recipient may make low-interest loans to a
5720 redeveloper, if the future reuse is known and an agreement with the
5721 redeveloper is in place and the private party is a coapplicant. Loan
5722 principal and interest payments shall be returned to the brownfield
5723 remediation and development account established pursuant to
5724 subsection (l) of this section, minus twenty per cent of the principal,
5725 which the eligible grant recipient shall retain. If the eligible grant
5726 recipient provides a loan, such loan may be secured by a state or
5727 municipal lien on the property.

5728 (7) Any eligible grant recipients that provide a loan pursuant to
5729 subdivision (6) of this subsection shall require the loan recipient to
5730 enter a voluntary program pursuant to section 22a-133x or 22a-133y
5731 with the Commissioner of Environmental Protection for brownfield
5732 remediation. The **[**commissioner**]** executive director may use not more
5733 than five per cent of eligible grant or loan proceeds for reasonable
5734 administrative expenses.

5735 (8) Notwithstanding section 22a-134a, the eligible grant recipient
5736 may acquire and convey its interest in the property without such
5737 recipient or the subsequent purchaser incurring liability, including any
5738 such liability incurred pursuant to section 22a-134a, provided the
5739 property was remediated pursuant to section 22a-133x or 22a-133y or
5740 pursuant to an order issued by the Commissioner of Environmental
5741 Protection and such remediation was performed in accordance with

5742 the standards adopted pursuant to section 22a-133k as determined by
5743 said commissioner or, if authorized by said commissioner, verified by
5744 a licensed environmental professional unless such verification has
5745 been rejected by said commissioner subsequent to an audit conducted
5746 by said commissioner and provided the subsequent purchaser has no
5747 direct or related liability for the site conditions.

5748 (f) (1) The [Department of Economic and Community Development]
5749 authority shall develop a targeted brownfield development loan
5750 program to provide financial assistance in the form of low-interest
5751 loans to eligible applicants who are potential brownfield purchasers
5752 who have no direct or related liability for the site conditions and
5753 eligible applicants who are existing property owners who (A) are
5754 currently in good standing and otherwise compliant with the
5755 Department of Environmental Protection's regulatory programs, (B)
5756 demonstrate an inability to fund the investigation and cleanup
5757 themselves, and (C) cannot retain or expand jobs due to the costs
5758 associated with the investigating and remediating of the
5759 contamination.

5760 (2) The [commissioner] executive director shall provide low-interest
5761 loans to eligible applicants who are purchasers or existing property
5762 owners pursuant to this section who seek to develop property for
5763 purposes of retaining or expanding jobs in the state or for developing
5764 housing to serve the needs of first-time home buyers. Loans shall be
5765 available to manufacturing, retail, residential or mixed-use
5766 developments, expansions or reuses. The [commissioner] executive
5767 director shall provide loans based upon project merit and viability, the
5768 economic and community development opportunity, municipal
5769 support, contribution to the community's tax base, number of jobs,
5770 past experience of the applicant, compliance history and ability to pay.

5771 (3) Any loan recipient who is a brownfields purchaser and who (A)
5772 receives a loan in excess of thirty thousand dollars, or (B) uses loan
5773 proceeds to perform a Phase II environmental investigation, shall be
5774 subject to section 22a-134a or shall enter a voluntary program for

5775 remediation of the property with the Department of Environmental
5776 Protection. Any loan recipient who is an existing property owner shall
5777 enter a voluntary program with the Department of Environmental
5778 Protection.

5779 (4) Loans made pursuant to this subsection shall have such terms
5780 and conditions and shall be subject to such eligibility, loan approval
5781 and criteria, as determined by the [commissioner] executive director.
5782 Such conditions shall include, but not be limited to, performance
5783 requirements and commitments to maintain or retain jobs. Loan
5784 repayment shall coincide with the restoration of the site to a
5785 productive use or the completion of the expansion. Such loans shall be
5786 for a period not to exceed twenty years.

5787 (5) If the property is sold before loan repayment, the loan is payable
5788 upon closing, with interest, unless the [commissioner] executive
5789 director agrees otherwise. The [commissioner] executive director may
5790 carry the loan forward as an encumbrance to the purchaser with the
5791 same terms and conditions as the original loan.

5792 (6) Loans made pursuant to this subsection may be used for any
5793 purpose, including the present or past costs of investigation,
5794 assessment, remediation, abatement, hazardous materials or waste
5795 disposal, long-term groundwater or natural attenuation monitoring,
5796 costs associated with an environmental land use restriction, attorneys'
5797 fees, planning, engineering and environmental consulting costs, and
5798 building and structural issues, including demolition, asbestos
5799 abatement, polychlorinated biphenyls removal, contaminated wood or
5800 paint removal, and other infrastructure remedial activities.

5801 (7) For any loan made pursuant to this subsection that is greater
5802 than fifty thousand dollars, the applicant shall submit a redevelopment
5803 plan that describes how the property will be used or reused for
5804 commercial, industrial or mixed-use development and how it will
5805 result in jobs and private investment in the community. For any
5806 residential development loan pursuant to this subsection, the

5807 developer shall agree that the development will provide the housing
5808 needs reasonable and appropriate for first-time home buyers or recent
5809 college graduates looking to remain in this state.

5810 (8) The loan program established pursuant to this subsection shall
5811 be available to all qualified new and existing property owners.
5812 Recipients who use loans for commercial, industrial or mixed-use
5813 development shall agree to retain or add jobs, during the term of the
5814 loan, unless otherwise agreed to by the [Department of Economic and
5815 Community Development, the Connecticut Development Authority]
5816 Connecticut Economic Development Authority and the Connecticut
5817 Brownfield Redevelopment Authority. The residential developer shall
5818 agree to retire the loan upon sale of the units unless the development
5819 will be apartments.

5820 (9) Each loan recipient pursuant to this subsection may be eligible
5821 for up to two million dollars per year for up to two years, subject to
5822 agency underwriting and reasonable and customary requirements to
5823 assure performance. If additional funds are needed, the
5824 [Commissioner of Economic and Community Development] executive
5825 director may recommend that the project be funded through the State
5826 Bond Commission.

5827 (g) The [Commissioner of Economic and Community Development]
5828 executive director shall approve applications submitted in accordance
5829 with subsection (c) of this section before awarding any financial
5830 assistance to an eligible applicant or purchasing any participation
5831 interest in a loan made by the [Connecticut Development Authority]
5832 Connecticut Economic Development Authority for the benefit of an
5833 eligible applicant. Notwithstanding any other provision of this section,
5834 if the applicant's request for financial assistance involves the
5835 [department] authority purchasing a participation interest in a loan
5836 made by the [Connecticut Development Authority] authority, such
5837 authority may submit such application and other information as is
5838 required of eligible applicants under subsection (c) of this section on
5839 behalf of such eligible applicant and no further application shall be

5840 required of such eligible applicant. No financial assistance shall exceed
5841 fifty per cent of the total project cost, provided in the case of (1)
5842 planning or site evaluation projects, and (2) financial assistance to any
5843 project in a targeted investment community, such assistance shall not
5844 exceed ninety per cent of the project cost. Upon approval of the
5845 [commissioner] executive director, a nonstate share of the total project
5846 cost, if any, may be satisfied entirely or partially from noncash
5847 contributions, including contributions of real property, from private
5848 sources or, to the extent permitted by federal law, from moneys
5849 received by the municipality under any federal grant program.

5850 (h) Financial assistance may be made available for (1) site
5851 investigation and assessment, (2) planning and engineering, including,
5852 but not limited to, the reasonable cost of environmental consultants,
5853 laboratory analysis, investigatory and remedial contractors, architects,
5854 attorneys' fees, feasibility studies, appraisals, market studies and
5855 related activities, (3) the acquisition of real property, provided
5856 financial assistance for such acquisition shall not exceed fair market
5857 value as appraised as if clean, (4) the construction of site and
5858 infrastructure improvements related to the site remediation, (5)
5859 demolition, asbestos abatement, hazardous waste removal, PCB
5860 removal and related infrastructure remedial activities, (6) remediation,
5861 groundwater monitoring, including, but not limited to, natural
5862 attenuation groundwater monitoring and costs associated with filing
5863 an environmental land use restriction, (7) environmental insurance,
5864 and (8) other reasonable expenses the [commissioner] executive
5865 director determines are necessary or appropriate for the initiation,
5866 implementation and completion of the project. The [department]
5867 authority may purchase participation interests in loans made by the
5868 [Connecticut Development Authority] Connecticut Economic
5869 Development Authority for the foregoing purposes.

5870 (i) The [commissioner] executive director may establish the terms
5871 and conditions of any financial assistance provided pursuant to
5872 subsections (a) to (k), inclusive, of this section. The [commissioner]

5873 executive director may make any stipulation in connection with an
5874 offer of financial assistance the [commissioner] executive director
5875 deems necessary to implement the policies and purposes of such
5876 sections, including, but not limited to the following: (1) Providing
5877 assurances that the eligible applicant will discharge its obligations in
5878 connection with the project; and (2) requiring that the eligible
5879 applicant provide the [department] authority with appropriate
5880 security for such financial assistance, including, but not limited to, a
5881 letter of credit, a lien on real property or a security interest in goods,
5882 equipment, inventory or other property of any kind.

5883 (j) The [commissioner] executive director may use any available
5884 funds for financial assistance under the provisions of subsections (a) to
5885 (k), inclusive, of this section.

5886 (k) Whenever funds are used pursuant to subsections (a) to (k),
5887 inclusive, of this section for purposes of environmental assessments or
5888 remediation of a brownfield, the Commissioner of Environmental
5889 Protection may seek reimbursement of the costs and expenses incurred
5890 by requesting the Attorney General to bring a civil action to recover
5891 such costs and expenses from any party responsible for such pollution
5892 provided no such action shall be brought separately from any action to
5893 recover costs and expenses incurred by the Commissioner of
5894 Environmental Protection in pursuing action to contain, remove or
5895 mitigate any pollution on such site. The costs and expenses recovered
5896 may include, but shall not be limited to, (1) the actual cost of
5897 identifying, evaluating, planning for and undertaking the remediation
5898 of the site; (2) any administrative costs not exceeding ten per cent of
5899 the actual costs; (3) the costs of recovering the reimbursement; and (4)
5900 interest on the actual costs at a rate of ten per cent a year from the date
5901 such expenses were paid. The defendant in any civil action brought
5902 pursuant to this subsection shall have no cause of action or claim for
5903 contribution against any person with whom the Commissioner of
5904 Environmental Protection has entered into a covenant not to sue
5905 pursuant to sections 22a-133aa and 22a-133bb with respect to pollution

5906 on or emanating from the property that is the subject of said civil
5907 action. Funds recovered pursuant to this section shall be deposited in
5908 the brownfield remediation and development account established
5909 pursuant to subsections (l) to (o), inclusive, of this section. The
5910 provisions of this subsection shall be in addition to any other remedies
5911 provided by law.

5912 (l) There is established a separate nonlapsing account within the
5913 General Fund to be known as the "brownfield remediation and
5914 development account". There shall be deposited in the account: (1) The
5915 proceeds of bonds issued by the state for deposit into said account and
5916 used in accordance with this section; (2) repayments of assistance
5917 provided pursuant to subsection (c) of section 22a-133u; (3) interest or
5918 other income earned on the investment of moneys in the account; (4)
5919 funds recovered pursuant to subsection (i) of this section; and (5) all
5920 funds required by law to be deposited in the account. Repayment of
5921 principal and interest on loans made pursuant to subsections (a) to (k),
5922 inclusive, of this section shall be credited to such account and shall
5923 become part of the assets of the account. Any balance remaining in
5924 such account at the end of any fiscal year shall be carried forward in
5925 the account for the fiscal year next succeeding.

5926 (m) All moneys received in consideration of financial assistance,
5927 including payments of principal and interest on any loans, shall be
5928 credited to the account. At the discretion of the **[**Commissioner of
5929 Economic and Community Development**]** <u>executive director</u> and
5930 subject to the approval of the Secretary of the Office of Policy and
5931 Management, any federal, private or other moneys received by the
5932 state in connection with projects undertaken pursuant to subsections
5933 (a) to (k), inclusive, of this section shall be credited to the assets of the
5934 account.

5935 (n) Notwithstanding any provision of **[**law**]** <u>the general statutes</u>,
5936 proceeds from the sale of bonds available pursuant to subdivision (1)
5937 of subsection (b) of section 4-66c may, with the approval of the
5938 Governor and the State Bond Commission, be used to capitalize the

5939 brownfield remediation and development account created by
5940 subsections (l) to (o), inclusive, of this section.

5941 (o) The **[**commissioner**]** executive director may, with the approval of
5942 the Secretary of the Office of Policy and Management, provide
5943 financial assistance pursuant to subsections (a) to (k), inclusive, of this
5944 section from the account established under subsection (l) to (o),
5945 inclusive, of this section.

5946 Sec. 128. Subsection (b) of section 32-23o of the general statutes is
5947 repealed and the following is substituted in lieu thereof (*Effective July*
5948 *1, 2011*):

5949 (b) Each such loan or extension of credit shall be authorized by the
5950 **[**Connecticut Development Authority**]** Connecticut Economic
5951 Development Authority or, if the authority so determines, by a
5952 committee of the authority consisting of the chairman and either one
5953 other member of the authority or its executive director, as specified in
5954 the determination of the authority. Any administrative expenses
5955 incurred in carrying out the provisions of this section, to the extent not
5956 paid by the authority or from moneys appropriated to the department,
5957 shall be paid from the Small Contractors' Revolving Loan Fund.
5958 Payments from the Small Contractors' Revolving Loan Fund to small
5959 contractors or to pay such administrative expenses shall be made by
5960 the Treasurer upon certification by the **[**Commissioner of Economic
5961 and Community Development**]** authority that the payment is
5962 authorized under the provisions of this section, under the applicable
5963 rules and **[**regulations**]** procedures of the **[**department**]** authority, and,
5964 if made to a small contractor, under the terms and conditions
5965 established by the authority or the duly appointed committee thereof
5966 in authorizing the making of the loan or the extension of credit.

5967 Sec. 129. Section 32-61 of the general statutes is repealed and the
5968 following is substituted in lieu thereof (*Effective July 1, 2011*):

5969 As used in this chapter, "authority" means the **[**Connecticut

5970 Development Authority created under subsection (a) of section 32-11a**]**
5971 Connecticut Economic Development Authority; "executive director"
5972 means the executive director of the **[**Connecticut Development
5973 Authority appointed pursuant to subsection (d) of section 32-11a**]**
5974 Connecticut Economic Development Authority; "project" means a
5975 project as defined in subsection (d) of section 32-23d; "insurance fund"
5976 means the Revenue Bond Mortgage Insurance Fund created under
5977 section 32-62; "eligible financial institution" means an eligible financial
5978 institution as defined in section 32-65; "state" means the state of
5979 Connecticut; and "loan" means loans, notes, bonds or other forms of
5980 indebtedness related to the financing or refinancing of a project by the
5981 authority or an eligible financial institution, or any participation or
5982 other interest therein, however evidenced, or any pool or portion of the
5983 foregoing.

5984 Sec. 130. Subsection (a) of section 32-141 of the general statutes is
5985 repealed and the following is substituted in lieu thereof (*Effective July*
5986 *1, 2011*):

5987 (a) (1) The total amount of private activity bonds which may be
5988 issued by state issuers in the calendar year commencing January 1,
5989 2001, under the state ceiling in effect for such year, shall be allocated as
5990 follows: (A) **[**Sixty**]** Seventy-five per cent to the **[**Connecticut Housing
5991 Finance Authority; (B) fifteen per cent to the Connecticut Development
5992 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
5993 (B) twenty-five per cent to municipalities and political subdivisions,
5994 departments, agencies, authorities and other bodies of municipalities,
5995 the Connecticut Higher Education Supplemental Loan Authority and
5996 for contingencies.

5997 (2) The total amount of private activity bonds which may be issued
5998 by state issuers in the calendar year commencing January 1, 2007, and
5999 each calendar year thereafter, under the state ceiling in effect for each
6000 such year, shall be allocated as follows: (A) **[**Sixty**]** Seventy-two and
6001 one-half per cent to the **[**Connecticut Housing Finance Authority; (B)
6002 twelve and one-half per cent to the Connecticut Development

6003 Authority] Connecticut Economic Development Authority; and [(C)]
6004 (B) twenty-seven and one-half per cent to municipalities and political
6005 subdivisions, departments, agencies, authorities and other bodies of
6006 municipalities and the Connecticut Higher Education Supplemental
6007 Loan Authority, then to the Connecticut Student Loan Foundation and
6008 then for contingencies. At least ten per cent of bonds allocated under
6009 subparagraph (A) of this subdivision shall be used for multifamily
6010 residential housing in the calendar year commencing January 1, 2008.
6011 In each calendar year commencing January 1, 2009, fifteen per cent of
6012 such bonds shall be used for multifamily residential housing.

6013 (3) The board of directors of the Connecticut [Housing Finance]
6014 Economic Development Authority shall undertake a review and
6015 analysis of the multifamily housing goals and programs of the
6016 authority to determine the extent to which the authority can increase
6017 the production of multifamily housing and promote its preservation,
6018 including production of multifamily housing that serves households
6019 with incomes less than fifty per cent of the area median income and
6020 households with incomes less than twenty-five per cent of the area
6021 median income. Such review and analysis shall include, but not be
6022 limited to, the use of private activity bonds in conjunction with four
6023 per cent federal tax credits. The board of directors of the authority
6024 shall report its findings and recommendations to the joint standing
6025 committee of the General Assembly having cognizance of matters
6026 relating to planning and development and to the select committee on
6027 housing not later than January 1, 2008.

6028 Sec. 131. Section 32-222 of the general statutes is repealed and the
6029 following is substituted in lieu thereof (*Effective July 1, 2011*):

6030 As used in sections 32-220 to 32-234, inclusive:

6031 (a) "Business development project" means a project undertaken by
6032 an eligible applicant involving one or more of the following:

6033 (1) The construction, substantial renovation, improvement or

6034 expansion of a facility;

6035 (2) The acquisition of new machinery and equipment;

6036 (3) The acquisition, improvement, demolition, cultivation or
6037 disposition of real property, or combinations thereof, or the
6038 remediation of contaminated real property;

6039 (4) The creation at a facility, within twenty-four months of the
6040 initiation of a hiring program, not less than ten new jobs or an increase
6041 in the number of persons employed at the facility of twenty per cent,
6042 whichever is greater;

6043 (5) Economic diversification of the economy of an area of the state or
6044 manufacturing or other economic base business where such area or
6045 business is substantially reliant upon defense and related industry;

6046 (6) Participation in the avoidance of an imminent plant closing or
6047 relocation by a manufacturing or other economic base business or
6048 assist or improve the economy of an area of the state which has been or
6049 is likely to be significantly and adversely impacted by one or more
6050 major plant closings or relocations;

6051 (7) Support research and development or commercialization of
6052 technologies, products, processes or techniques of a manufacturing or
6053 other economic base business;

6054 (8) Creation or support of organizations and activities specifically
6055 leveraging federal resources that provide technical and engineering
6056 assistance to small manufacturers or other economic base businesses to
6057 assist them with the design, testing, manufacture and marketing of
6058 new products, the exporting of state products and services, and the
6059 instruction and implementation of new techniques and technologies;

6060 (9) Support of substantial workforce development efforts;

6061 (10) Promotion of community conservation or development or

6062 improvement of the quality of life for urban residents of the state;

6063 (11) Promotion of the revitalization of underutilized, state-owned
6064 former railroad depots and areas adjacent to such depots; or

6065 (12) Promotion of export activities, including sponsorship of
6066 programs that support exportation, assistance to companies in
6067 accessing federal Department of Commerce services, and provision of
6068 marketing materials and web site improvements for exporters;

6069 (b) "Business support services" means activities related to a
6070 municipal development project or business development project which
6071 support the economic competitiveness of manufacturing or exporting
6072 or economic base businesses or which further the interests of the state,
6073 including, but not limited to, facilities and services related to day care,
6074 job training, education, transportation, employee housing, energy
6075 conservation, pollution control and recycling, provided activities
6076 related to employee housing shall be limited to feasibility and
6077 implementation studies;

6078 (c) **[**"Commissioner" means the Commissioner of Economic and
6079 Community Development**]** "Executive Director" means the executive
6080 director of the Connecticut Economic Development Authority;

6081 (d) "Economic base business" means a business that the
6082 commissioner determines will materially contribute to the economy of
6083 the state by creating or retaining jobs, exporting products or services
6084 beyond the state's boundaries, encouraging innovation in products or
6085 services, adding value to products or services or otherwise supporting
6086 or enhancing existing activities important to the economy of the state;

6087 (e) "Economic cluster" means an economic cluster, as defined in
6088 section 32-4e, recognized by the **[**commissioner**]** executive director;

6089 (f) **[**"Department" means the Department of Economic and
6090 Community Development**]** "Authority" means the Connecticut
6091 Economic Development Authority;

6092 (g) "Development plan" means a plan for a municipal development
6093 project prepared in accordance with the provisions of subsection (b) of
6094 section 32-223;

6095 (h) "Eligible applicant" means any for-profit or nonprofit
6096 organization, or any combination thereof, any municipality, regional
6097 planning agency or any combination thereof and further provided, in
6098 the case of a loan made by the Connecticut Economic Development
6099 Authority in which the department purchases a participation interest,
6100 "eligible applicant" means the for-profit or nonprofit organization, or
6101 any combination thereof, that will receive the proceeds of such loan;

6102 (i) "Financial assistance" means grants, funds for the purchase of
6103 insurance policies and payment of deductibles for insurance policies to
6104 cover remediation costs, extensions of credit, loans or loan guarantees,
6105 participation interests in loans made to eligible applicants by the
6106 Connecticut Economic Development Authority or combinations
6107 thereof;

6108 (j) "For-profit organization" means a for-profit partnership or sole
6109 proprietorship or corporation or limited liability company which is an
6110 economic base business or has a North American Industrial
6111 Classification code of 311111 through 339999 or 493110, 493120, 493130,
6112 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298,
6113 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910,
6114 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712,
6115 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513,
6116 611519, 611710 and 624410 or any business that is part of an economic
6117 cluster, or any establishment or auxiliary or operating unit thereof, as
6118 defined in the North American Industrial Classification System
6119 Manual, which has demonstrated to the satisfaction of the
6120 [commissioner] executive director that it has the qualifications,
6121 including financial qualifications, necessary to carry out a business
6122 development project;

6123 (k) "Implementing agency" means one of the following agencies

6124 designated by a municipality under section 32-223: (1) An economic
6125 development commission, redevelopment agency; sewer authority or
6126 sewer commission; public works commission; water authority or water
6127 commission; port authority or port commission or harbor authority or
6128 harbor commission; parking authority or parking commission; (2) a
6129 nonprofit development corporation; or (3) any other agency
6130 designated and authorized by a municipality to undertake a project
6131 and approved by the [commissioner] executive director;

6132 (l) "Municipal development project" means a business development
6133 project through which real property is acquired by a municipality or
6134 implementing agency as part of such project;

6135 (m) "Municipality" means a town, city, consolidated town and city
6136 or consolidated town and borough;

6137 (n) "Nonprofit organization" means a municipality or nonprofit
6138 corporation as defined in section 33-1002 and organized under the
6139 laws of this state and for purposes of this chapter includes any
6140 constituent unit of the state system of higher education;

6141 (o) "Planning commission" means a planning and zoning
6142 commission designated pursuant to section 8-4a or a planning
6143 commission created pursuant to section 8-19;

6144 (p) "Project" means a municipal development project or business
6145 development project;

6146 (q) "Project area" means the area within which a municipal
6147 development project or business development project is located;

6148 (r) "Real property" means land, buildings and other structures and
6149 improvements thereto, subterranean or subsurface right, any and all
6150 easements, air rights and franchises of any kind or nature;

6151 (s) "Site and infrastructure improvements" means improvements to:
6152 (1) Sanitary sewer facilities; (2) natural gas pipes, electric, telephone

6153 and telecommunications conduits and other facilities and waterlines
6154 and water supply facilities, except for any such pipes, wires, conduits,
6155 waterlines or facilities which a public service company, as defined in
6156 section 16-1, water company, as defined in section 25-32a, or municipal
6157 utility is required to install pursuant to any provision of the general
6158 statutes or any special act, regulation or order of the Department of
6159 Public Utility Control or a certificate of public convenience and
6160 necessity; (3) storm drainage facilities, including facilities to control
6161 flooding; (4) site grading, landscaping, environmental improvements,
6162 including remediation of contaminated sites, parking facilities,
6163 roadways and related appurtenances; (5) railroad spurs; (6) public port
6164 or docking facilities; and (7) such other related improvements
6165 necessary or appropriate to carry out the project;

6166 (t) "State" means the state of Connecticut;

6167 (u) "Targeted investment community" means a municipality which
6168 contains an enterprise zone designated pursuant to section 32-70;

6169 (v) "Total project cost" means costs of any kind or nature relating to
6170 the planning, implementation and completion of a municipal or
6171 business development project;

6172 (w) "Legislative body" means (1) the board of selectmen in a town
6173 that does not have a charter, special act or home rule ordinance
6174 relating to its government, or (2) the council, board of aldermen,
6175 representative town meeting, board of selectmen or other elected
6176 legislative body described in a charter, special act or home rule
6177 ordinance relating to its government in a city, consolidated town and
6178 city, consolidated town and borough or a town having a charter,
6179 special act, consolidation ordinance or home rule ordinance relating to
6180 its government.

6181 Sec. 132. Section 32-227 of the general statutes is repealed and the
6182 following is substituted in lieu thereof (*Effective July 1, 2011*):

6183 (a) For the purpose of carrying out or administering a municipal or

6184 business development project, (1) a municipality, acting by and
6185 through its implementing agency, may, subject to the limitations and
6186 procedures set forth in this section, issue from time to time bonds of
6187 the municipality, and (2) the **[**Connecticut Development Authority**]**
6188 Connecticut Economic Development Authority may, upon a resolution
6189 adopted by the legislative body of the municipality, issue from time to
6190 time bonds which, in either case, are payable solely or in part from and
6191 secured by: (A) A pledge of and lien upon any or all of the income,
6192 proceeds, revenues and property of development projects, including
6193 the proceeds of grants, loans, advances or contributions from the
6194 federal government, the state or other source, including financial
6195 assistance furnished by the municipality or any other public body
6196 pursuant to sections 32-220 to 32-234, inclusive; (B) taxes or payments
6197 in lieu of taxes, or both, in whole or in part, allocated to and paid into a
6198 special fund of the municipality or the **[**Connecticut Development
6199 Authority**]** Connecticut Economic Development Authority pursuant to
6200 the provisions of subsection (c) of this section; or (C) any combination
6201 of the methods in subparagraphs (A) and (B) of this subdivision. Any
6202 bonds payable and secured as provided in this subsection shall be
6203 authorized by, and the appropriation of the proceeds thereof approved
6204 by and subject to, a resolution adopted by the legislative body of the
6205 municipality, notwithstanding the provisions of any other statute, local
6206 law or charter governing the authorization and issuance of bonds and
6207 the appropriation of the proceeds thereof generally by the
6208 municipality. No such resolution shall be adopted until after a public
6209 hearing has been held upon such authorization. Notice of such hearing
6210 shall be published not less than five days prior to such hearing in a
6211 newspaper having a general circulation in the municipality. Any such
6212 bonds of a municipality or the **[**Connecticut Development Authority**]**
6213 Connecticut Economic Development Authority shall be issued and
6214 sold in such manner; bear interest at such rate or rates, including
6215 variable rates; provide for the payment of interest on such dates,
6216 whether before or at maturity; be issued at, above or below par;
6217 mature at such time or times not exceeding thirty years from their
6218 date; have such rank or priority; be payable in such medium of

6219 payment; be issued in such form, including, without limitation,
6220 registered or book-entry form; carry such registration and transfer
6221 privileges and be made subject to purchase or redemption before
6222 maturity at such price or prices and under such terms and conditions,
6223 including the condition that such bonds be subject to purchase or
6224 redemption on the demand of the owner thereof; and contain such
6225 other terms and particulars as the legislative body of the municipality
6226 or the officers delegated such authority by the legislative body of the
6227 municipality shall determine. Any such bonds of the [Connecticut
6228 Development Authority] Connecticut Economic Development
6229 Authority shall be issued and sold in the manner and subject to the
6230 general terms and provisions of law applicable to issuance of bonds by
6231 the [Connecticut Development Authority] Connecticut Economic
6232 Development Authority, except that the provisions of subsection (b) of
6233 section 32-23j shall not apply. The proceedings under which bonds are
6234 authorized to be issued may, subject to the provisions of indenture or
6235 to any other depository agreement, provide for the method of
6236 disbursement thereof, with such safeguards and restrictions as it may
6237 determine. Any pledge made by the municipality or the [Connecticut
6238 Development Authority] Connecticut Economic Development
6239 Authority for bonds issued as provided in this subsection shall be
6240 valid and binding from the time when the pledge is made, and any
6241 revenues or other receipts, funds or moneys so pledged and thereafter
6242 received by the municipality or the [Connecticut Development
6243 Authority] Connecticut Economic Development Authority shall be
6244 subject to the lien of such pledge without any physical delivery thereof
6245 or further act. The lien of any such pledge shall be valid and binding as
6246 against all parties having claims of any kind in tort, contract or
6247 otherwise against the municipality or [Connecticut Development
6248 Authority] the Connecticut Economic Development Authority,
6249 irrespective of whether such parties have notice of such lien. Neither
6250 the resolution nor any other instrument by which a pledge is created
6251 need be recorded. All expenses incurred in carrying out such financing
6252 may be treated as project costs. Such bonds shall not be included in
6253 computing the aggregate indebtedness of the municipality, provided,

6254 if such bonds are made payable, in whole or in part, from funds
6255 contracted to be advanced by the municipality, the aggregate amount
6256 of such funds not yet appropriated to such purpose shall be included
6257 in computing the aggregate indebtedness of the municipality. As used
6258 in this section, "bonds" means any bonds, including refunding bonds,
6259 notes, temporary notes, interim certificates, debentures or other
6260 obligations. Temporary notes issued in accordance with this subsection
6261 in anticipation of the receipt of the proceeds of bond issues may be
6262 issued for a period of not more than five years, and notes issued for a
6263 shorter period of time may be renewed by the issue of other notes,
6264 provided the period from the date of the original notes to the maturity
6265 of the last notes issued in renewal thereof shall not exceed five years.
6266 For purposes of this section, references to the Connecticut
6267 Development Authority shall include any subsidiary of the
6268 **[**Connecticut Development Authority established pursuant to
6269 subsection (l) of section 32-11a**]** Connecticut Economic Development
6270 Authority.

6271 (b) For the purpose of carrying out or administering a municipal or
6272 business development project, a municipality or its implementing
6273 agency may accept grants, advances, loans or other financial assistance
6274 from the federal government, the state or other source and may do any
6275 and all things necessary or desirable to secure such financial aid. To
6276 assist any project located in the area in which it is authorized to act,
6277 any public body, including the state, or any city, town, borough,
6278 authority, district, subdivision or agency of the state, may, upon such
6279 terms as it determines, furnish service or facilities, provide property,
6280 lend or contribute funds, and take any other action of a character
6281 which it is authorized to perform for other purposes. To obtain funds
6282 for the temporary and definitive financing of any project, a
6283 municipality or implementing agency may, in addition to other action
6284 authorized under this act or other law, issue its general obligation
6285 bonds, notes, temporary notes or other obligations secured by a pledge
6286 of the municipality's full faith and credit. Such bonds, notes,
6287 temporary notes and other obligations shall be authorized in

6288 accordance with the requirements for the authorization of such
6289 obligations generally by the municipality and the authorization,
6290 issuance and sale thereof shall be subject to the limitations contained in
6291 the general statutes, including provisions on the limitation of the
6292 aggregate indebtedness of the municipality. Notwithstanding the
6293 provisions of sections 7-264, 7-378 and 7-378a, and any other public or
6294 special act or charter or bond ordinance or bond resolution which
6295 limits the issuance or renewal of temporary notes issued in
6296 anticipation of the receipt of the proceeds of bond issues to a period of
6297 time of less than five years from the date of the original notes or
6298 requires a reduction in the principal amount of such notes or renewal
6299 notes prior to the fifth anniversary of the date of the original notes,
6300 such temporary notes may be issued for a period of not more than five
6301 years, and notes issued for a shorter period of time may be renewed by
6302 the issue of other notes, provided the period from the date of the
6303 original notes to the maturity of the last notes issued in renewal
6304 thereof shall not exceed five years.

6305 (c) Any development plan authorized under sections 32-220 to 32-
6306 234, inclusive, or any proceedings authorizing the issuance of bonds
6307 under said sections may contain a provision that taxes, if any,
6308 identified in such plan or such authorizing proceedings and levied
6309 upon taxable real or personal property, or both, in a project each year
6310 or payments in lieu of such taxes authorized pursuant to chapter 114,
6311 or both, by or for the benefit of any one or more municipalities,
6312 districts or other public taxing agencies, as the case may be, shall be
6313 divided as follows: (1) In each fiscal year that portion of the taxes or
6314 payments in lieu of taxes, or both, which would be produced by
6315 applying the then current tax rate of each of the taxing agencies to the
6316 total sum of the assessed value of the taxable property in the project on
6317 the effective date of such adoption or the date of such authorizing
6318 proceedings, as the case may be, or on any date between such two
6319 dates which is identified in such proceedings, shall be allocated to and
6320 when collected shall be paid into the funds of the respective taxing
6321 agencies in the same manner as taxes by or for said taxing agencies on

6322 all other property are paid; and (2) that portion of the assessed taxes or
6323 the payments in lieu of taxes, or both, each fiscal year in excess of the
6324 amount referred to in subdivision (1) of this subsection shall be
6325 allocated to and when collected shall be paid into a special fund of the
6326 municipality or the [Connecticut Development Authority] Connecticut
6327 Economic Development Authority to be used in each fiscal year, first
6328 to pay the principal of and interest due in such fiscal year on loans,
6329 moneys advanced to, or indebtedness, whether funded, refunded,
6330 assumed, or otherwise, incurred by such municipality or the
6331 [Connecticut Development Authority] Connecticut Economic
6332 Development Authority to finance or refinance in whole or in part,
6333 such project, and then, at the option of the municipality or the
6334 [Connecticut Development Authority] Connecticut Economic
6335 Development Authority, to purchase bonds issued for the project
6336 which has generated the tax increments or payments in lieu of taxes
6337 and then, at the option of the municipality or the [Connecticut
6338 Development Authority] Connecticut Economic Development
6339 Authority, to reimburse the provider of or reimbursement party with
6340 respect to any guarantee, letter of credit, policy of bond insurance,
6341 funds deposited in a debt service reserve fund, funds deposited as
6342 capitalized interest or other credit enhancement device used to secure
6343 payment of debt service on any bonds, notes or other indebtedness
6344 issued pursuant to this section to finance or refinance such project, to
6345 the extent of any payments of debt service made therefrom. Unless and
6346 until the total assessed valuation of the taxable property in a project
6347 exceeds the total assessed value of the taxable property in such project
6348 as shown by the last assessment list referred to in subdivision (1) of
6349 this subsection, all of the taxes levied and collected and all of the
6350 payments in lieu of taxes due and collected upon the taxable property
6351 in such project shall be paid into the funds of the respective taxing
6352 agencies. When such loans, advances, and indebtedness, if any, and
6353 interest thereof, and such debt service reimbursement to the provider
6354 of or reimbursement party with respect to such credit enhancement,
6355 have been paid in full, all moneys thereafter received from taxes or
6356 payments in lieu of taxes, or both, upon the taxable property in such

6357 development project shall be paid into the funds of the respective
6358 taxing agencies in the same manner as taxes on all other property are
6359 paid.

6360 (d) Notwithstanding the provisions of subsection (a) or (b) of this
6361 section and any other public or special act or charter or bond ordinance
6362 or bond resolution which limits the renewal of temporary notes issued
6363 pursuant to said subsections in anticipation of the receipt of the
6364 proceeds of bond issues to five years from the date of the original
6365 notes, any municipality may renew temporary notes in accordance
6366 with the provisions of this section for an additional period of not more
6367 than four years from the end of such five-year period. The officers or
6368 board authorized to issue the bonds or determine the particulars of the
6369 bonds may adopt a resolution authorizing the renewal of temporary
6370 notes for such additional period under the following conditions: (1) All
6371 project grant payments and bond sale proceeds received shall be
6372 promptly applied toward project costs or toward payment of such
6373 temporary notes as the same shall become due and payable or shall be
6374 deposited in trust for such purposes; (2) no later than the end of each
6375 period of twelve months after the end of such five-year period a
6376 portion of such temporary notes equal to at least one-twentieth of the
6377 municipality's estimated cost of the project shall be retired from funds
6378 other than project grants or land sale proceeds or note proceeds; (3) the
6379 interest on all temporary notes renewed after such five-year period
6380 shall be paid from funds other than project grants or land sale
6381 proceeds or note proceeds; (4) the principal amount of each bond issue
6382 when sold shall be reduced by the amounts spent under subdivision
6383 (2) of this section, and the principal of such bonds shall be paid in
6384 annual installments commencing no later than one year from the date
6385 of issue; and (5) the maximum authorized term of the bonds when sold
6386 shall be reduced by not less than the number of months from the end
6387 of such five-year period to the date of issue. Any anticipated federal or
6388 state project grants or land sale proceeds may be used in computing
6389 the municipality's cost of the project. Any municipality in which such
6390 resolution is passed shall include in its annual budget or shall

6391 otherwise appropriate sufficient funds to make the payments required
6392 by subdivisions (2) and (3) of this subsection.

6393 Sec. 133. Section 32-244 of the general statutes is repealed and the
6394 following is substituted in lieu thereof (*Effective July 1, 2011*):

6395 (a) All data and other information received by the **[**Department of
6396 Economic and Community Development, the Connecticut
6397 Development Authority**]** Connecticut Economic Development
6398 Authority or any implementing agency, as defined in section 32-222, as
6399 amended by this act, or any advisory board or committee of the
6400 department, authority or agency, from any person in connection with
6401 an application for, or the provision of, financial assistance, which
6402 consists of the following, shall be deemed, for purposes of a public
6403 records request pursuant to the Freedom of Information Act, as
6404 defined in section 1-200, made to the **[**Department of Economic and
6405 Community Development, the Connecticut Development Authority**]**
6406 Connecticut Economic Development Authority or any such
6407 implementing agency, advisory board or committee, to be information
6408 described in subdivision (5) of subsection (b) of section 1-210: (1)
6409 Actual trade secrets or information that a person intends to become a
6410 trade secret, (2) material that a person intends to patent, (3) patented
6411 material, (4) marketing or business plans, (5) plans for new products or
6412 services, (6) reports of customer orders or sales or other documents
6413 that would disclose names and addresses of customers or potential
6414 customers, (7) information concerning the financial condition or
6415 personal affairs of any individual, (8) financial statements or
6416 projections, (9) sales or earnings forecasts, (10) capital or strategic
6417 plans, (11) information regarding research and development, (12) tax
6418 returns, or (13) other commercial, credit or financial information with
6419 respect to the financial condition or business operations of an applicant
6420 for or recipient of financial assistance which is of a type not
6421 customarily made available to the public.

6422 (b) The enumeration in this section of particular types of data and
6423 information shall not be construed to limit the possible applicability of

6424 subdivision (5) of subsection (b) of section 1-210 to other data or
6425 information not so enumerated.

6426 Sec. 134. Section 32-244a of the general statutes is repealed and the
6427 following is substituted in lieu thereof (*Effective July 1, 2011*):

6428 All information contained in any application for financial assistance
6429 submitted to the **[**Department of Economic and Community
6430 Development or the Connecticut Development Authority**]** Connecticut
6431 Economic Development Authority prior to October 1, 2000, and all
6432 information with respect to any person or project, including all
6433 financial, credit and proprietary information, obtained by the
6434 **[**Department of Economic and Community Development or the
6435 Connecticut Development Authority**]** Connecticut Economic
6436 Development Authority prior to October 1, 2000, or on or after October
6437 1, 2000, pursuant to the requirements of an agreement entered into
6438 prior to October 1, 2000, shall be exempt from the provisions of
6439 subsection (a) of section 1-210.

6440 Sec. 135. Subsection (k) of section 32-261 of the general statutes is
6441 repealed and the following is substituted in lieu thereof (*Effective July*
6442 *1, 2011*):

6443 (k) As used in this section, the following terms shall have the
6444 following meanings unless the context indicates another meaning and
6445 intent:

6446 (1) "Authority" means the **[**Connecticut Development Authority
6447 created under subsection (a) of section 32-23d**]** Connecticut Economic
6448 Development Authority;

6449 (2) "Eligible financial institution" shall have the same meaning as
6450 "eligible financial institution", as defined in subsection (e) of section 32-
6451 23d;

6452 (3) "Loans" means loans, notes, bonds and all other forms of debt
6453 financing or extensions of credit, secured or unsecured, including

6454 loans for working capital purposes;

6455 (4) "Other investments" means (A) any and all forms of equity
6456 financing made by the authority or an eligible financial institution, (B)
6457 any participation or other interest in such equity financing, however
6458 evidenced, or (C) any pool or portfolio of, or position in, loans, such
6459 equity financing or any combination thereof;

6460 (5) "Person" means a person, as defined in subsection (s) of section
6461 32-23d; and

6462 (6) "State" means the state of Connecticut.

6463 Sec. 136. Subsection (b) of section 32-262 of the general statutes is
6464 repealed and the following is substituted in lieu thereof (*Effective July*
6465 *1, 2011*):

6466 (b) The proceeds of the sale of said bonds, to the extent of the
6467 amount stated in subsection (a) of this section, shall be used by the
6468 **[**Department of Economic and Community Development to make
6469 grants to the Connecticut Development Authority**]** Connecticut
6470 Economic Development Authority for deposit in the Investment and
6471 Loan Guaranty Fund to be used for the purpose of section 32-261, as
6472 amended by this act. **[**The terms and conditions of said grants shall be
6473 governed in accordance with a grant contract between the department
6474 and the authority.**]**

6475 Sec. 137. Section 32-9kk of the general statutes is repealed and the
6476 following is substituted in lieu thereof (*Effective July 1, 2011*):

6477 (a) As used in subsections (b) to (k), inclusive, of this section:

6478 (1) "Brownfield" means any abandoned or underutilized site where
6479 redevelopment and reuse has not occurred due to the presence or
6480 potential presence of pollution in the buildings, soil or groundwater
6481 that requires remediation before or in conjunction with the restoration,
6482 redevelopment and reuse of the property;

6483 (2) [“Commissioner” means the Commissioner of Economic and
6484 Community Development] “Executive director” means the executive
6485 director of the Connecticut Economic Development Authority;

6486 (3) [“Department” means the Department of Economic and
6487 Community Development] “Authority” means the Connecticut
6488 Economic Development Authority;

6489 (4) “Eligible applicant” means any municipality, a for-profit or
6490 nonprofit organization or entity, a local or regional economic
6491 development entity acting on behalf of a municipality or any
6492 combination thereof;

6493 (5) “Financial assistance” means grants, extensions of credit, loans or
6494 loan guarantees, participation interests in loans made to eligible
6495 applicants by the [Connecticut Development Authority] Connecticut
6496 Economic Development Authority or combinations thereof;

6497 (6) “Municipality” means a town, city, consolidated town and city or
6498 consolidated town and borough;

6499 (7) “Eligible brownfield project” means the foreclosure,
6500 investigation, assessment, remediation and development of a
6501 brownfield undertaken pursuant to this subsection and subsections (b)
6502 to (k), inclusive, of this section;

6503 (8) “Project area” means the area within which a brownfield
6504 development project is located;

6505 (9) “Real property” means land, buildings and other structures and
6506 improvements thereto, subterranean or subsurface rights, any and all
6507 easements, air rights and franchises of any kind or nature;

6508 (10) “State” means the state of Connecticut; and

6509 (11) “Eligible grant recipients” means municipalities, economic
6510 development authorities, regional economic development authorities,

6511 or qualified nonprofit community and economic development
6512 corporations.

6513 (b) Subject to the availability of funds, the [Commissioner of
6514 Economic and Community Development] executive director may, in
6515 consultation with the Commissioner of Environmental Protection,
6516 provide financial assistance pursuant to subsections (e) and (f) of this
6517 section in support of eligible brownfield projects, as defined in
6518 subdivision (7) of subsection (a) of this section.

6519 (c) An eligible applicant, as defined in subdivision (4) of subsection
6520 (a) of this section, shall submit an application for financial assistance to
6521 the [Commissioner of Economic and Community Development]
6522 executive director on forms provided by said [commissioner] executive
6523 director and with such information said [commissioner] executive
6524 director deems necessary, including, but not limited to: (1) A
6525 description of the proposed project; (2) an explanation of the expected
6526 benefits of the project in relation to the purposes of subsections (a) to
6527 (i), inclusive, of this section; (3) information concerning the financial
6528 and technical capacity of the eligible applicant to undertake the
6529 proposed project; (4) a project budget; (5) a description of the condition
6530 of the property involved including the results of any environmental
6531 assessment of the property; and (6) the names of any persons known to
6532 be liable for the remediation of the property.

6533 (d) The [commissioner] executive director may approve, reject or
6534 modify any application properly submitted. In reviewing an
6535 application and determining the type and amount of financial
6536 assistance, if any, to be provided, the [commissioner] executive
6537 director shall consider the following criteria: (1) The availability of
6538 funds; (2) the estimated costs of assessing and remediating the site, if
6539 known; (3) the relative economic condition of the municipality; (4) the
6540 relative need of the eligible project for financial assistance; (5) the
6541 degree to which financial assistance is necessary as an inducement to
6542 the eligible applicant to undertake the project; (6) the public health and
6543 environmental benefits of the project; (7) relative economic benefits of

6544 the project to the municipality, the region and the state, including, but
6545 not limited to, the extent to which the project will likely result in a
6546 contribution to the municipality's tax base and the retention and
6547 creation of jobs; (8) the time frame in which the contamination
6548 occurred; (9) the relationship of the applicant to the person or entity
6549 that caused the contamination; (10) the length of time the property has
6550 been abandoned; (11) the taxes owed and the projected revenues that
6551 may be restored to the community; (12) the type of financial assistance
6552 requested pursuant to this section; and (13) such other criteria as the
6553 [commissioner] executive director may establish consistent with the
6554 purposes of subsection (a) to (k), inclusive, of this section.

6555 (e) (1) There is established a remedial action and redevelopment
6556 municipal grant program to be administered by the [Department of
6557 Economic and Community Development] authority for the purpose of
6558 providing financial assistance in the form of grants to eligible grant
6559 recipients. Eligible grant recipients may use grant funds for any
6560 development project, including manufacturing, retail, residential,
6561 municipal, educational, parks, community centers and mixed-use
6562 development, and the project's associated costs, including (A) soil,
6563 groundwater and infrastructure investigation, (B) assessment, (C)
6564 remediation, (D) abatement, (E) hazardous materials or waste disposal,
6565 (F) long-term groundwater or natural attenuation monitoring, (G)
6566 environmental land use restrictions, (H) attorneys' fees, (I) planning,
6567 engineering and environmental consulting, and (J) building and
6568 structural issues, including demolition, asbestos abatement,
6569 polychlorinated biphenyls removal, contaminated wood or paint
6570 removal, and other infrastructure remedial activities.

6571 (2) The [Commissioner of Economic and Community Development]
6572 executive director shall award grants on a competitive basis, based at a
6573 minimum on an annual request for applications, [the first of which
6574 shall be issued on October 1, 2008, and the following] to be issued on
6575 June first each year, with awards being made by the following January
6576 first. The [commissioner] executive director, at the [commissioner's]

6577 executive director's discretion, may increase the frequency of requests
6578 for applications and awards depending upon the number of applicants
6579 and the availability of funding.

6580 (3) A grant awarded pursuant to this section shall not exceed four
6581 million dollars. If the eligible costs exceed four million dollars, the
6582 [commissioner] executive director may request and seek funding
6583 through other state programs.

6584 (4) If the eligible grant recipient develops and sells the property,
6585 such applicant shall return any money received pursuant to this
6586 subsection, to the brownfield remediation and development account
6587 established pursuant to subsection (l) of this section, minus twenty per
6588 cent, which such eligible grant recipient shall retain to cover costs of
6589 oversight, administration, development and, if applicable, lost tax
6590 revenue.

6591 (5) Any eligible grant recipient shall be immune from liability to the
6592 extent provided in subsection (a) of section 32-9ee.

6593 (6) The eligible grant recipient may make low-interest loans to a
6594 redeveloper, if the future reuse is known and an agreement with the
6595 redeveloper is in place and the private party is a coapplicant. Loan
6596 principal and interest payments shall be returned to the brownfield
6597 remediation and development account established pursuant to
6598 subsection (l) of this section, minus twenty per cent of the principal,
6599 which the eligible grant recipient shall retain. If the eligible grant
6600 recipient provides a loan, such loan may be secured by a state or
6601 municipal lien on the property.

6602 (7) Any eligible grant recipients that provide a loan pursuant to
6603 subdivision (6) of this subsection shall require the loan recipient to
6604 enter a voluntary program pursuant to section 22a-133x or 22a-133y
6605 with the Commissioner of Environmental Protection for brownfield
6606 remediation. The [commissioner] executive director may use not more
6607 than five per cent of eligible grant or loan proceeds for reasonable

6608 administrative expenses.

6609 (8) Notwithstanding section 22a-134a, the eligible grant recipient
6610 may acquire and convey its interest in the property without such
6611 recipient or the subsequent purchaser incurring liability, including any
6612 such liability incurred pursuant to section 22a-134a, provided the
6613 property was remediated pursuant to section 22a-133x or 22a-133y or
6614 pursuant to an order issued by the Commissioner of Environmental
6615 Protection and such remediation was performed in accordance with
6616 the standards adopted pursuant to section 22a-133k as determined by
6617 said commissioner or, if authorized by said commissioner, verified by
6618 a licensed environmental professional unless such verification has
6619 been rejected by said commissioner subsequent to an audit conducted
6620 by said commissioner and provided the subsequent purchaser has no
6621 direct or related liability for the site conditions.

6622 (f) (1) The **[**Department of Economic and Community Development**]**
6623 authority shall develop a targeted brownfield development loan
6624 program to provide financial assistance in the form of low-interest
6625 loans to eligible applicants who are potential brownfield purchasers
6626 who have no direct or related liability for the site conditions and
6627 eligible applicants who are existing property owners who (A) are
6628 currently in good standing and otherwise compliant with the
6629 Department of Environmental Protection's regulatory programs, (B)
6630 demonstrate an inability to fund the investigation and cleanup
6631 themselves, and (C) cannot retain or expand jobs due to the costs
6632 associated with the investigating and remediating of the
6633 contamination.

6634 (2) The **[**commissioner**]** executive director shall provide low-interest
6635 loans to eligible applicants who are purchasers or existing property
6636 owners pursuant to this section who seek to develop property for
6637 purposes of retaining or expanding jobs in the state or for developing
6638 housing to serve the needs of first-time home buyers. Loans shall be
6639 available to manufacturing, retail, residential or mixed-use
6640 developments, expansions or reuses. The **[**commissioner**]** executive

6641 director shall provide loans based upon project merit and viability, the
6642 economic and community development opportunity, municipal
6643 support, contribution to the community's tax base, number of jobs,
6644 past experience of the applicant, compliance history and ability to pay.

6645 (3) Any loan recipient who is a brownfields purchaser and who (A)
6646 receives a loan in excess of thirty thousand dollars, or (B) uses loan
6647 proceeds to perform a Phase II environmental investigation, shall be
6648 subject to section 22a-134a or shall enter a voluntary program for
6649 remediation of the property with the Department of Environmental
6650 Protection. Any loan recipient who is an existing property owner shall
6651 enter a voluntary program with the Department of Environmental
6652 Protection.

6653 (4) Loans made pursuant to this subsection shall have such terms
6654 and conditions and shall be subject to such eligibility, loan approval
6655 and criteria, as determined by the [commissioner] executive director.
6656 Such conditions shall include, but not be limited to, performance
6657 requirements and commitments to maintain or retain jobs. Loan
6658 repayment shall coincide with the restoration of the site to a
6659 productive use or the completion of the expansion. Such loans shall be
6660 for a period not to exceed twenty years.

6661 (5) If the property is sold before loan repayment, the loan is payable
6662 upon closing, with interest, unless the [commissioner] executive
6663 director agrees otherwise. The [commissioner] executive director may
6664 carry the loan forward as an encumbrance to the purchaser with the
6665 same terms and conditions as the original loan.

6666 (6) Loans made pursuant to this subsection may be used for any
6667 purpose, including the present or past costs of investigation,
6668 assessment, remediation, abatement, hazardous materials or waste
6669 disposal, long-term groundwater or natural attenuation monitoring,
6670 costs associated with an environmental land use restriction, attorneys'
6671 fees, planning, engineering and environmental consulting costs, and
6672 building and structural issues, including demolition, asbestos

6673 abatement, polychlorinated biphenyls removal, contaminated wood or
6674 paint removal, and other infrastructure remedial activities.

6675 (7) For any loan made pursuant to this subsection that is greater
6676 than fifty thousand dollars, the applicant shall submit a redevelopment
6677 plan that describes how the property will be used or reused for
6678 commercial, industrial or mixed-use development and how it will
6679 result in jobs and private investment in the community. For any
6680 residential development loan pursuant to this subsection, the
6681 developer shall agree that the development will provide the housing
6682 needs reasonable and appropriate for first-time home buyers or recent
6683 college graduates looking to remain in this state.

6684 (8) The loan program established pursuant to this subsection shall
6685 be available to all qualified new and existing property owners.
6686 Recipients who use loans for commercial, industrial or mixed-use
6687 development shall agree to retain or add jobs, during the term of the
6688 loan, unless otherwise agreed to by the **[**Department of Economic and
6689 Community Development, the Connecticut Development Authority**]**
6690 Connecticut Economic Development Authority and the Connecticut
6691 Brownfield Redevelopment Authority. The residential developer shall
6692 agree to retire the loan upon sale of the units unless the development
6693 will be apartments.

6694 (9) Each loan recipient pursuant to this subsection may be eligible
6695 for up to two million dollars per year for up to two years, subject to
6696 agency underwriting and reasonable and customary requirements to
6697 assure performance. If additional funds are needed, the
6698 **[**Commissioner of Economic and Community Development**]** executive
6699 director may recommend that the project be funded through the State
6700 Bond Commission.

6701 (g) The **[**Commissioner of Economic and Community Development**]**
6702 executive director shall approve applications submitted in accordance
6703 with subsection (c) of this section before awarding any financial
6704 assistance to an eligible applicant or purchasing any participation

6705 interest in a loan made by the [Connecticut Development Authority]
6706 Connecticut Economic Development Authority for the benefit of an
6707 eligible applicant. Notwithstanding any other provision of this section,
6708 if the applicant's request for financial assistance involves the
6709 [department] authority purchasing a participation interest in a loan
6710 made by the [Connecticut Development Authority] authority, such
6711 authority may submit such application and other information as is
6712 required of eligible applicants under subsection (c) of this section on
6713 behalf of such eligible applicant and no further application shall be
6714 required of such eligible applicant. No financial assistance shall exceed
6715 fifty per cent of the total project cost, provided in the case of (1)
6716 planning or site evaluation projects, and (2) financial assistance to any
6717 project in a targeted investment community, such assistance shall not
6718 exceed ninety per cent of the project cost. Upon approval of the
6719 [commissioner] executive director, a nonstate share of the total project
6720 cost, if any, may be satisfied entirely or partially from noncash
6721 contributions, including contributions of real property, from private
6722 sources or, to the extent permitted by federal law, from moneys
6723 received by the municipality under any federal grant program.

6724 (h) Financial assistance may be made available for (1) site
6725 investigation and assessment, (2) planning and engineering, including,
6726 but not limited to, the reasonable cost of environmental consultants,
6727 laboratory analysis, investigatory and remedial contractors, architects,
6728 attorneys' fees, feasibility studies, appraisals, market studies and
6729 related activities, (3) the acquisition of real property, provided
6730 financial assistance for such acquisition shall not exceed fair market
6731 value as appraised as if clean, (4) the construction of site and
6732 infrastructure improvements related to the site remediation, (5)
6733 demolition, asbestos abatement, hazardous waste removal, PCB
6734 removal and related infrastructure remedial activities, (6) remediation,
6735 groundwater monitoring, including, but not limited to, natural
6736 attenuation groundwater monitoring and costs associated with filing
6737 an environmental land use restriction, (7) environmental insurance,
6738 and (8) other reasonable expenses the [commissioner] executive

6739 director determines are necessary or appropriate for the initiation,
6740 implementation and completion of the project. The [department]
6741 authority may purchase participation interests in loans made by the
6742 [Connecticut Development Authority] Connecticut Economic
6743 Development Authority for the foregoing purposes.

6744 (i) The [commissioner] executive director may establish the terms
6745 and conditions of any financial assistance provided pursuant to
6746 subsections (a) to (k), inclusive, of this section. The [commissioner]
6747 executive director may make any stipulation in connection with an
6748 offer of financial assistance the [commissioner] executive director
6749 deems necessary to implement the policies and purposes of such
6750 sections, including, but not limited to the following: (1) Providing
6751 assurances that the eligible applicant will discharge its obligations in
6752 connection with the project; and (2) requiring that the eligible
6753 applicant provide the [department] authority with appropriate
6754 security for such financial assistance, including, but not limited to, a
6755 letter of credit, a lien on real property or a security interest in goods,
6756 equipment, inventory or other property of any kind.

6757 (j) The [commissioner] executive director may use any available
6758 funds for financial assistance under the provisions of subsections (a) to
6759 (k), inclusive, of this section.

6760 (k) Whenever funds are used pursuant to subsections (a) to (k),
6761 inclusive, of this section for purposes of environmental assessments or
6762 remediation of a brownfield, the Commissioner of Environmental
6763 Protection may seek reimbursement of the costs and expenses incurred
6764 by requesting the Attorney General to bring a civil action to recover
6765 such costs and expenses from any party responsible for such pollution
6766 provided no such action shall be brought separately from any action to
6767 recover costs and expenses incurred by the Commissioner of
6768 Environmental Protection in pursuing action to contain, remove or
6769 mitigate any pollution on such site. The costs and expenses recovered
6770 may include, but shall not be limited to, (1) the actual cost of
6771 identifying, evaluating, planning for and undertaking the remediation

6772 of the site; (2) any administrative costs not exceeding ten per cent of
6773 the actual costs; (3) the costs of recovering the reimbursement; and (4)
6774 interest on the actual costs at a rate of ten per cent a year from the date
6775 such expenses were paid. The defendant in any civil action brought
6776 pursuant to this subsection shall have no cause of action or claim for
6777 contribution against any person with whom the Commissioner of
6778 Environmental Protection has entered into a covenant not to sue
6779 pursuant to sections 22a-133aa and 22a-133bb with respect to pollution
6780 on or emanating from the property that is the subject of said civil
6781 action. Funds recovered pursuant to this section shall be deposited in
6782 the brownfield remediation and development account established
6783 pursuant to subsections (l) to (o), inclusive, of this section. The
6784 provisions of this subsection shall be in addition to any other remedies
6785 provided by law.

6786 (l) There is established a separate nonlapsing account within the
6787 General Fund to be known as the "brownfield remediation and
6788 development account". There shall be deposited in the account: (1) The
6789 proceeds of bonds issued by the state for deposit into said account and
6790 used in accordance with this section; (2) repayments of assistance
6791 provided pursuant to subsection (c) of section 22a-133u; (3) interest or
6792 other income earned on the investment of moneys in the account; (4)
6793 funds recovered pursuant to subsection (i) of this section; and (5) all
6794 funds required by law to be deposited in the account. Repayment of
6795 principal and interest on loans made pursuant to subsections (a) to (k),
6796 inclusive, of this section shall be credited to such account and shall
6797 become part of the assets of the account. Any balance remaining in
6798 such account at the end of any fiscal year shall be carried forward in
6799 the account for the fiscal year next succeeding.

6800 (m) All moneys received in consideration of financial assistance,
6801 including payments of principal and interest on any loans, shall be
6802 credited to the account. At the discretion of the **[**Commissioner of
6803 Economic and Community Development**]** executive director and
6804 subject to the approval of the Secretary of the Office of Policy and

6805 Management, any federal, private or other moneys received by the
6806 state in connection with projects undertaken pursuant to subsections
6807 (a) to (k), inclusive, of this section shall be credited to the assets of the
6808 account.

6809 (n) Notwithstanding any provision of **[**law**]** the general statutes,
6810 proceeds from the sale of bonds available pursuant to subdivision (1)
6811 of subsection (b) of section 4-66c, as amended by this act, may, with the
6812 approval of the Governor and the State Bond Commission, be used to
6813 capitalize the brownfield remediation and development account
6814 created by subsections (l) to (o), inclusive, of this section.

6815 (o) The **[**commissioner**]** executive director may, with the approval of
6816 the Secretary of the Office of Policy and Management, provide
6817 financial assistance pursuant to subsections (a) to (k), inclusive, of this
6818 section from the account established under subsection (l) to (o),
6819 inclusive, of this section.

6820 Sec. 138. Subsection (b) of section 32-23o of the general statutes is
6821 repealed and the following is substituted in lieu thereof (*Effective July*
6822 *1, 2011*):

6823 (b) Each such loan or extension of credit shall be authorized by the
6824 **[**Connecticut Development Authority**]** Connecticut Economic
6825 Development Authority or, if the authority so determines, by a
6826 committee of the authority consisting of the chairman and either one
6827 other member of the authority or its executive director, as specified in
6828 the determination of the authority. Any administrative expenses
6829 incurred in carrying out the provisions of this section, to the extent not
6830 paid by the authority or from moneys appropriated to the department,
6831 shall be paid from the Small Contractors' Revolving Loan Fund.
6832 Payments from the Small Contractors' Revolving Loan Fund to small
6833 contractors or to pay such administrative expenses shall be made by
6834 the Treasurer upon certification by the **[**Commissioner of Economic
6835 and Community Development**]** authority that the payment is
6836 authorized under the provisions of this section, under the applicable

6837 rules and [regulations] procedures of the [department] authority, and,
6838 if made to a small contractor, under the terms and conditions
6839 established by the authority or the duly appointed committee thereof
6840 in authorizing the making of the loan or the extension of credit.

6841 Sec. 139. Section 32-61 of the general statutes is repealed and the
6842 following is substituted in lieu thereof (*Effective July 1, 2011*):

6843 As used in this chapter, "authority" means the [Connecticut
6844 Development Authority created under subsection (a) of section 32-11a]
6845 Connecticut Economic Development Authority; "executive director"
6846 means the executive director of the [Connecticut Development
6847 Authority appointed pursuant to subsection (d) of section 32-11a]
6848 Connecticut Economic Development Authority; "project" means a
6849 project as defined in subsection (d) of section 32-23d, as amended by
6850 this act; "insurance fund" means the Revenue Bond Mortgage
6851 Insurance Fund created under section 32-62; "eligible financial
6852 institution" means an eligible financial institution as defined in section
6853 32-65; "state" means the state of Connecticut; and "loan" means loans,
6854 notes, bonds or other forms of indebtedness related to the financing or
6855 refinancing of a project by the authority or an eligible financial
6856 institution, or any participation or other interest therein, however
6857 evidenced, or any pool or portion of the foregoing.

6858 Sec. 140. Subsection (a) of section 32-141 of the general statutes is
6859 repealed and the following is substituted in lieu thereof (*Effective July*
6860 *1, 2011*):

6861 (a) (1) The total amount of private activity bonds which may be
6862 issued by state issuers in the calendar year commencing January 1,
6863 2001, under the state ceiling in effect for such year, shall be allocated as
6864 follows: (A) [Sixty] Seventy-five per cent to the [Connecticut Housing
6865 Finance Authority; (B) fifteen per cent to the Connecticut Development
6866 Authority] Connecticut Economic Development Authority; and [(C)]
6867 (B) twenty-five per cent to municipalities and political subdivisions,
6868 departments, agencies, authorities and other bodies of municipalities,

6869 the Connecticut Higher Education Supplemental Loan Authority and
6870 for contingencies.

6871 (2) The total amount of private activity bonds which may be issued
6872 by state issuers in the calendar year commencing January 1, 2007, and
6873 each calendar year thereafter, under the state ceiling in effect for each
6874 such year, shall be allocated as follows: (A) **[**Sixty**]** Seventy-two and
6875 one-half per cent to the **[**Connecticut Housing Finance Authority; (B)
6876 twelve and one-half per cent to the Connecticut Development
6877 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
6878 (B) twenty-seven and one-half per cent to municipalities and political
6879 subdivisions, departments, agencies, authorities and other bodies of
6880 municipalities and the Connecticut Higher Education Supplemental
6881 Loan Authority, then to the Connecticut Student Loan Foundation and
6882 then for contingencies. At least ten per cent of bonds allocated under
6883 subparagraph (A) of this subdivision shall be used for multifamily
6884 residential housing in the calendar year commencing January 1, 2008.
6885 In each calendar year commencing January 1, 2009, fifteen per cent of
6886 such bonds shall be used for multifamily residential housing.

6887 (3) The board of directors of the Connecticut **[**Housing Finance**]**
6888 Economic Development Authority shall undertake a review and
6889 analysis of the multifamily housing goals and programs of the
6890 authority to determine the extent to which the authority can increase
6891 the production of multifamily housing and promote its preservation,
6892 including production of multifamily housing that serves households
6893 with incomes less than fifty per cent of the area median income and
6894 households with incomes less than twenty-five per cent of the area
6895 median income. Such review and analysis shall include, but not be
6896 limited to, the use of private activity bonds in conjunction with four
6897 per cent federal tax credits. The board of directors of the authority
6898 shall report its findings and recommendations to the joint standing
6899 committee of the General Assembly having cognizance of matters
6900 relating to planning and development and to the select committee on
6901 housing not later than January 1, 2008.

6902 Sec. 141. Section 32-222 of the general statutes is repealed and the
6903 following is substituted in lieu thereof (*Effective July 1, 2011*):

6904 As used in sections 32-220 to 32-234, inclusive:

6905 (a) "Business development project" means a project undertaken by
6906 an eligible applicant involving one or more of the following:

6907 (1) The construction, substantial renovation, improvement or
6908 expansion of a facility;

6909 (2) The acquisition of new machinery and equipment;

6910 (3) The acquisition, improvement, demolition, cultivation or
6911 disposition of real property, or combinations thereof, or the
6912 remediation of contaminated real property;

6913 (4) The creation at a facility, within twenty-four months of the
6914 initiation of a hiring program, not less than ten new jobs or an increase
6915 in the number of persons employed at the facility of twenty per cent,
6916 whichever is greater;

6917 (5) Economic diversification of the economy of an area of the state or
6918 manufacturing or other economic base business where such area or
6919 business is substantially reliant upon defense and related industry;

6920 (6) Participation in the avoidance of an imminent plant closing or
6921 relocation by a manufacturing or other economic base business or
6922 assist or improve the economy of an area of the state which has been or
6923 is likely to be significantly and adversely impacted by one or more
6924 major plant closings or relocations;

6925 (7) Support research and development or commercialization of
6926 technologies, products, processes or techniques of a manufacturing or
6927 other economic base business;

6928 (8) Creation or support of organizations and activities specifically
6929 leveraging federal resources that provide technical and engineering

6930 assistance to small manufacturers or other economic base businesses to
6931 assist them with the design, testing, manufacture and marketing of
6932 new products, the exporting of state products and services, and the
6933 instruction and implementation of new techniques and technologies;

6934 (9) Support of substantial workforce development efforts;

6935 (10) Promotion of community conservation or development or
6936 improvement of the quality of life for urban residents of the state;

6937 (11) Promotion of the revitalization of underutilized, state-owned
6938 former railroad depots and areas adjacent to such depots; or

6939 (12) Promotion of export activities, including sponsorship of
6940 programs that support exportation, assistance to companies in
6941 accessing federal Department of Commerce services, and provision of
6942 marketing materials and web site improvements for exporters;

6943 (b) "Business support services" means activities related to a
6944 municipal development project or business development project which
6945 support the economic competitiveness of manufacturing or exporting
6946 or economic base businesses or which further the interests of the state,
6947 including, but not limited to, facilities and services related to day care,
6948 job training, education, transportation, employee housing, energy
6949 conservation, pollution control and recycling, provided activities
6950 related to employee housing shall be limited to feasibility and
6951 implementation studies;

6952 (c) **[**"Commissioner" means the Commissioner of Economic and
6953 Community Development**]** <u>"Executive Director" means the executive</u>
6954 <u>director of the Connecticut Economic Development Authority</u>;

6955 (d) "Economic base business" means a business that the
6956 commissioner determines will materially contribute to the economy of
6957 the state by creating or retaining jobs, exporting products or services
6958 beyond the state's boundaries, encouraging innovation in products or
6959 services, adding value to products or services or otherwise supporting

6960 or enhancing existing activities important to the economy of the state;

6961 (e) "Economic cluster" means an economic cluster, as defined in
6962 section 32-4e, recognized by the [commissioner] executive director;

6963 (f) ["Department" means the Department of Economic and
6964 Community Development] "Authority" means the Connecticut
6965 Economic Development Authority;

6966 (g) "Development plan" means a plan for a municipal development
6967 project prepared in accordance with the provisions of subsection (b) of
6968 section 32-223;

6969 (h) "Eligible applicant" means any for-profit or nonprofit
6970 organization, or any combination thereof, any municipality, regional
6971 planning agency or any combination thereof and further provided, in
6972 the case of a loan made by the Connecticut Economic Development
6973 Authority in which the department purchases a participation interest,
6974 "eligible applicant" means the for-profit or nonprofit organization, or
6975 any combination thereof, that will receive the proceeds of such loan;

6976 (i) "Financial assistance" means grants, funds for the purchase of
6977 insurance policies and payment of deductibles for insurance policies to
6978 cover remediation costs, extensions of credit, loans or loan guarantees,
6979 participation interests in loans made to eligible applicants by the
6980 Connecticut Economic Development Authority or combinations
6981 thereof;

6982 (j) "For-profit organization" means a for-profit partnership or sole
6983 proprietorship or corporation or limited liability company which is an
6984 economic base business or has a North American Industrial
6985 Classification code of 311111 through 339999 or 493110, 493120, 493130,
6986 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298,
6987 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910,
6988 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712,
6989 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513,
6990 611519, 611710 and 624410 or any business that is part of an economic

6991 cluster, or any establishment or auxiliary or operating unit thereof, as
6992 defined in the North American Industrial Classification System
6993 Manual, which has demonstrated to the satisfaction of the
6994 [commissioner] executive director that it has the qualifications,
6995 including financial qualifications, necessary to carry out a business
6996 development project;

6997 (k) "Implementing agency" means one of the following agencies
6998 designated by a municipality under section 32-223: (1) An economic
6999 development commission, redevelopment agency; sewer authority or
7000 sewer commission; public works commission; water authority or water
7001 commission; port authority or port commission or harbor authority or
7002 harbor commission; parking authority or parking commission; (2) a
7003 nonprofit development corporation; or (3) any other agency
7004 designated and authorized by a municipality to undertake a project
7005 and approved by the [commissioner] executive director;

7006 (l) "Municipal development project" means a business development
7007 project through which real property is acquired by a municipality or
7008 implementing agency as part of such project;

7009 (m) "Municipality" means a town, city, consolidated town and city
7010 or consolidated town and borough;

7011 (n) "Nonprofit organization" means a municipality or nonprofit
7012 corporation as defined in section 33-1002 and organized under the
7013 laws of this state and for purposes of this chapter includes any
7014 constituent unit of the state system of higher education;

7015 (o) "Planning commission" means a planning and zoning
7016 commission designated pursuant to section 8-4a or a planning
7017 commission created pursuant to section 8-19;

7018 (p) "Project" means a municipal development project or business
7019 development project;

7020 (q) "Project area" means the area within which a municipal

7021 development project or business development project is located;

7022 (r) "Real property" means land, buildings and other structures and
7023 improvements thereto, subterranean or subsurface right, any and all
7024 easements, air rights and franchises of any kind or nature;

7025 (s) "Site and infrastructure improvements" means improvements to:
7026 (1) Sanitary sewer facilities; (2) natural gas pipes, electric, telephone
7027 and telecommunications conduits and other facilities and waterlines
7028 and water supply facilities, except for any such pipes, wires, conduits,
7029 waterlines or facilities which a public service company, as defined in
7030 section 16-1, water company, as defined in section 25-32a, or municipal
7031 utility is required to install pursuant to any provision of the general
7032 statutes or any special act, regulation or order of the Department of
7033 Public Utility Control or a certificate of public convenience and
7034 necessity; (3) storm drainage facilities, including facilities to control
7035 flooding; (4) site grading, landscaping, environmental improvements,
7036 including remediation of contaminated sites, parking facilities,
7037 roadways and related appurtenances; (5) railroad spurs; (6) public port
7038 or docking facilities; and (7) such other related improvements
7039 necessary or appropriate to carry out the project;

7040 (t) "State" means the state of Connecticut;

7041 (u) "Targeted investment community" means a municipality which
7042 contains an enterprise zone designated pursuant to section 32-70;

7043 (v) "Total project cost" means costs of any kind or nature relating to
7044 the planning, implementation and completion of a municipal or
7045 business development project;

7046 (w) "Legislative body" means (1) the board of selectmen in a town
7047 that does not have a charter, special act or home rule ordinance
7048 relating to its government, or (2) the council, board of aldermen,
7049 representative town meeting, board of selectmen or other elected
7050 legislative body described in a charter, special act or home rule
7051 ordinance relating to its government in a city, consolidated town and

7052 city, consolidated town and borough or a town having a charter,
7053 special act, consolidation ordinance or home rule ordinance relating to
7054 its government.

7055 Sec. 142. Section 32-227 of the general statutes is repealed and the
7056 following is substituted in lieu thereof (*Effective July 1, 2011*):

7057 (a) For the purpose of carrying out or administering a municipal or
7058 business development project, (1) a municipality, acting by and
7059 through its implementing agency, may, subject to the limitations and
7060 procedures set forth in this section, issue from time to time bonds of
7061 the municipality, and (2) the **[**Connecticut Development Authority**]**
7062 Connecticut Economic Development Authority may, upon a resolution
7063 adopted by the legislative body of the municipality, issue from time to
7064 time bonds which, in either case, are payable solely or in part from and
7065 secured by: (A) A pledge of and lien upon any or all of the income,
7066 proceeds, revenues and property of development projects, including
7067 the proceeds of grants, loans, advances or contributions from the
7068 federal government, the state or other source, including financial
7069 assistance furnished by the municipality or any other public body
7070 pursuant to sections 32-220 to 32-234, inclusive; (B) taxes or payments
7071 in lieu of taxes, or both, in whole or in part, allocated to and paid into a
7072 special fund of the municipality or the **[**Connecticut Development
7073 Authority**]** Connecticut Economic Development Authority pursuant to
7074 the provisions of subsection (c) of this section; or (C) any combination
7075 of the methods in subparagraphs (A) and (B) of this subdivision. Any
7076 bonds payable and secured as provided in this subsection shall be
7077 authorized by, and the appropriation of the proceeds thereof approved
7078 by and subject to, a resolution adopted by the legislative body of the
7079 municipality, notwithstanding the provisions of any other statute, local
7080 law or charter governing the authorization and issuance of bonds and
7081 the appropriation of the proceeds thereof generally by the
7082 municipality. No such resolution shall be adopted until after a public
7083 hearing has been held upon such authorization. Notice of such hearing
7084 shall be published not less than five days prior to such hearing in a

7085 newspaper having a general circulation in the municipality. Any such
7086 bonds of a municipality or the [Connecticut Development Authority]
7087 Connecticut Economic Development Authority shall be issued and
7088 sold in such manner; bear interest at such rate or rates, including
7089 variable rates; provide for the payment of interest on such dates,
7090 whether before or at maturity; be issued at, above or below par;
7091 mature at such time or times not exceeding thirty years from their
7092 date; have such rank or priority; be payable in such medium of
7093 payment; be issued in such form, including, without limitation,
7094 registered or book-entry form; carry such registration and transfer
7095 privileges and be made subject to purchase or redemption before
7096 maturity at such price or prices and under such terms and conditions,
7097 including the condition that such bonds be subject to purchase or
7098 redemption on the demand of the owner thereof; and contain such
7099 other terms and particulars as the legislative body of the municipality
7100 or the officers delegated such authority by the legislative body of the
7101 municipality shall determine. Any such bonds of the [Connecticut
7102 Development Authority] Connecticut Economic Development
7103 Authority shall be issued and sold in the manner and subject to the
7104 general terms and provisions of law applicable to issuance of bonds by
7105 the [Connecticut Development Authority] Connecticut Economic
7106 Development Authority, except that the provisions of subsection (b) of
7107 section 32-23j shall not apply. The proceedings under which bonds are
7108 authorized to be issued may, subject to the provisions of indenture or
7109 to any other depository agreement, provide for the method of
7110 disbursement thereof, with such safeguards and restrictions as it may
7111 determine. Any pledge made by the municipality or the [Connecticut
7112 Development Authority] Connecticut Economic Development
7113 Authority for bonds issued as provided in this subsection shall be
7114 valid and binding from the time when the pledge is made, and any
7115 revenues or other receipts, funds or moneys so pledged and thereafter
7116 received by the municipality or the [Connecticut Development
7117 Authority] Connecticut Economic Development Authority shall be
7118 subject to the lien of such pledge without any physical delivery thereof
7119 or further act. The lien of any such pledge shall be valid and binding as

7120 against all parties having claims of any kind in tort, contract or
7121 otherwise against the municipality or [Connecticut Development
7122 Authority] the Connecticut Economic Development Authority,
7123 irrespective of whether such parties have notice of such lien. Neither
7124 the resolution nor any other instrument by which a pledge is created
7125 need be recorded. All expenses incurred in carrying out such financing
7126 may be treated as project costs. Such bonds shall not be included in
7127 computing the aggregate indebtedness of the municipality, provided,
7128 if such bonds are made payable, in whole or in part, from funds
7129 contracted to be advanced by the municipality, the aggregate amount
7130 of such funds not yet appropriated to such purpose shall be included
7131 in computing the aggregate indebtedness of the municipality. As used
7132 in this section, "bonds" means any bonds, including refunding bonds,
7133 notes, temporary notes, interim certificates, debentures or other
7134 obligations. Temporary notes issued in accordance with this subsection
7135 in anticipation of the receipt of the proceeds of bond issues may be
7136 issued for a period of not more than five years, and notes issued for a
7137 shorter period of time may be renewed by the issue of other notes,
7138 provided the period from the date of the original notes to the maturity
7139 of the last notes issued in renewal thereof shall not exceed five years.
7140 For purposes of this section, references to the Connecticut
7141 Development Authority shall include any subsidiary of the
7142 [Connecticut Development Authority established pursuant to
7143 subsection (l) of section 32-11a] Connecticut Economic Development
7144 Authority.

7145 (b) For the purpose of carrying out or administering a municipal or
7146 business development project, a municipality or its implementing
7147 agency may accept grants, advances, loans or other financial assistance
7148 from the federal government, the state or other source and may do any
7149 and all things necessary or desirable to secure such financial aid. To
7150 assist any project located in the area in which it is authorized to act,
7151 any public body, including the state, or any city, town, borough,
7152 authority, district, subdivision or agency of the state, may, upon such
7153 terms as it determines, furnish service or facilities, provide property,

7154 lend or contribute funds, and take any other action of a character
7155 which it is authorized to perform for other purposes. To obtain funds
7156 for the temporary and definitive financing of any project, a
7157 municipality or implementing agency may, in addition to other action
7158 authorized under this act or other law, issue its general obligation
7159 bonds, notes, temporary notes or other obligations secured by a pledge
7160 of the municipality's full faith and credit. Such bonds, notes,
7161 temporary notes and other obligations shall be authorized in
7162 accordance with the requirements for the authorization of such
7163 obligations generally by the municipality and the authorization,
7164 issuance and sale thereof shall be subject to the limitations contained in
7165 the general statutes, including provisions on the limitation of the
7166 aggregate indebtedness of the municipality. Notwithstanding the
7167 provisions of sections 7-264, 7-378 and 7-378a, and any other public or
7168 special act or charter or bond ordinance or bond resolution which
7169 limits the issuance or renewal of temporary notes issued in
7170 anticipation of the receipt of the proceeds of bond issues to a period of
7171 time of less than five years from the date of the original notes or
7172 requires a reduction in the principal amount of such notes or renewal
7173 notes prior to the fifth anniversary of the date of the original notes,
7174 such temporary notes may be issued for a period of not more than five
7175 years, and notes issued for a shorter period of time may be renewed by
7176 the issue of other notes, provided the period from the date of the
7177 original notes to the maturity of the last notes issued in renewal
7178 thereof shall not exceed five years.

7179 (c) Any development plan authorized under sections 32-220 to 32-
7180 234, inclusive, or any proceedings authorizing the issuance of bonds
7181 under said sections may contain a provision that taxes, if any,
7182 identified in such plan or such authorizing proceedings and levied
7183 upon taxable real or personal property, or both, in a project each year
7184 or payments in lieu of such taxes authorized pursuant to chapter 114,
7185 or both, by or for the benefit of any one or more municipalities,
7186 districts or other public taxing agencies, as the case may be, shall be
7187 divided as follows: (1) In each fiscal year that portion of the taxes or

7188 payments in lieu of taxes, or both, which would be produced by
7189 applying the then current tax rate of each of the taxing agencies to the
7190 total sum of the assessed value of the taxable property in the project on
7191 the effective date of such adoption or the date of such authorizing
7192 proceedings, as the case may be, or on any date between such two
7193 dates which is identified in such proceedings, shall be allocated to and
7194 when collected shall be paid into the funds of the respective taxing
7195 agencies in the same manner as taxes by or for said taxing agencies on
7196 all other property are paid; and (2) that portion of the assessed taxes or
7197 the payments in lieu of taxes, or both, each fiscal year in excess of the
7198 amount referred to in subdivision (1) of this subsection shall be
7199 allocated to and when collected shall be paid into a special fund of the
7200 municipality or the **[**Connecticut Development Authority**]** Connecticut
7201 Economic Development Authority to be used in each fiscal year, first
7202 to pay the principal of and interest due in such fiscal year on loans,
7203 moneys advanced to, or indebtedness, whether funded, refunded,
7204 assumed, or otherwise, incurred by such municipality or the
7205 **[**Connecticut Development Authority**]** Connecticut Economic
7206 Development Authority to finance or refinance in whole or in part,
7207 such project, and then, at the option of the municipality or the
7208 **[**Connecticut Development Authority**]** Connecticut Economic
7209 Development Authority, to purchase bonds issued for the project
7210 which has generated the tax increments or payments in lieu of taxes
7211 and then, at the option of the municipality or the **[**Connecticut
7212 Development Authority**]** Connecticut Economic Development
7213 Authority, to reimburse the provider of or reimbursement party with
7214 respect to any guarantee, letter of credit, policy of bond insurance,
7215 funds deposited in a debt service reserve fund, funds deposited as
7216 capitalized interest or other credit enhancement device used to secure
7217 payment of debt service on any bonds, notes or other indebtedness
7218 issued pursuant to this section to finance or refinance such project, to
7219 the extent of any payments of debt service made therefrom. Unless and
7220 until the total assessed valuation of the taxable property in a project
7221 exceeds the total assessed value of the taxable property in such project
7222 as shown by the last assessment list referred to in subdivision (1) of

7223 this subsection, all of the taxes levied and collected and all of the
7224 payments in lieu of taxes due and collected upon the taxable property
7225 in such project shall be paid into the funds of the respective taxing
7226 agencies. When such loans, advances, and indebtedness, if any, and
7227 interest thereof, and such debt service reimbursement to the provider
7228 of or reimbursement party with respect to such credit enhancement,
7229 have been paid in full, all moneys thereafter received from taxes or
7230 payments in lieu of taxes, or both, upon the taxable property in such
7231 development project shall be paid into the funds of the respective
7232 taxing agencies in the same manner as taxes on all other property are
7233 paid.

7234 (d) Notwithstanding the provisions of subsection (a) or (b) of this
7235 section and any other public or special act or charter or bond ordinance
7236 or bond resolution which limits the renewal of temporary notes issued
7237 pursuant to said subsections in anticipation of the receipt of the
7238 proceeds of bond issues to five years from the date of the original
7239 notes, any municipality may renew temporary notes in accordance
7240 with the provisions of this section for an additional period of not more
7241 than four years from the end of such five-year period. The officers or
7242 board authorized to issue the bonds or determine the particulars of the
7243 bonds may adopt a resolution authorizing the renewal of temporary
7244 notes for such additional period under the following conditions: (1) All
7245 project grant payments and bond sale proceeds received shall be
7246 promptly applied toward project costs or toward payment of such
7247 temporary notes as the same shall become due and payable or shall be
7248 deposited in trust for such purposes; (2) no later than the end of each
7249 period of twelve months after the end of such five-year period a
7250 portion of such temporary notes equal to at least one-twentieth of the
7251 municipality's estimated cost of the project shall be retired from funds
7252 other than project grants or land sale proceeds or note proceeds; (3) the
7253 interest on all temporary notes renewed after such five-year period
7254 shall be paid from funds other than project grants or land sale
7255 proceeds or note proceeds; (4) the principal amount of each bond issue
7256 when sold shall be reduced by the amounts spent under subdivision

7257 (2) of this section, and the principal of such bonds shall be paid in
7258 annual installments commencing no later than one year from the date
7259 of issue; and (5) the maximum authorized term of the bonds when sold
7260 shall be reduced by not less than the number of months from the end
7261 of such five-year period to the date of issue. Any anticipated federal or
7262 state project grants or land sale proceeds may be used in computing
7263 the municipality's cost of the project. Any municipality in which such
7264 resolution is passed shall include in its annual budget or shall
7265 otherwise appropriate sufficient funds to make the payments required
7266 by subdivisions (2) and (3) of this subsection.

7267 Sec. 143. Section 32-244 of the general statutes is repealed and the
7268 following is substituted in lieu thereof (*Effective July 1, 2011*):

7269 (a) All data and other information received by the **[**Department of
7270 Economic and Community Development, the Connecticut
7271 Development Authority**]** Connecticut Economic Development
7272 Authority or any implementing agency, as defined in section 32-222, or
7273 any advisory board or committee of the department, authority or
7274 agency, from any person in connection with an application for, or the
7275 provision of, financial assistance, which consists of the following, shall
7276 be deemed, for purposes of a public records request pursuant to the
7277 Freedom of Information Act, as defined in section 1-200, made to the
7278 **[**Department of Economic and Community Development, the
7279 Connecticut Development Authority**]** Connecticut Economic
7280 Development Authority or any such implementing agency, advisory
7281 board or committee, to be information described in subdivision (5) of
7282 subsection (b) of section 1-210: (1) Actual trade secrets or information
7283 that a person intends to become a trade secret, (2) material that a
7284 person intends to patent, (3) patented material, (4) marketing or
7285 business plans, (5) plans for new products or services, (6) reports of
7286 customer orders or sales or other documents that would disclose
7287 names and addresses of customers or potential customers, (7)
7288 information concerning the financial condition or personal affairs of
7289 any individual, (8) financial statements or projections, (9) sales or

7290 earnings forecasts, (10) capital or strategic plans, (11) information
7291 regarding research and development, (12) tax returns, or (13) other
7292 commercial, credit or financial information with respect to the financial
7293 condition or business operations of an applicant for or recipient of
7294 financial assistance which is of a type not customarily made available
7295 to the public.

7296 (b) The enumeration in this section of particular types of data and
7297 information shall not be construed to limit the possible applicability of
7298 subdivision (5) of subsection (b) of section 1-210 to other data or
7299 information not so enumerated.

7300 Sec. 144. Section 8-68j of the general statutes is repealed and the
7301 following is substituted in lieu thereof (*Effective July 1, 2011*):

7302 (a) As used in this section:

7303 (1) **[**"Commissioner" means the Commissioner of Economic and
7304 Community Development**]** "Executive director" means the executive
7305 director of the Connecticut Economic Development Authority;

7306 (2) "Connecticut **[**Housing Finance**]** Economic Development
7307 Authority" means the authority **[**created**]** established and operating
7308 pursuant to the provisions of **[**chapter 134**]** section 60 of this act;

7309 (3) "Financially distressed development" means a housing
7310 development owned by a housing authority and subject to an asset
7311 that was transferred **[**from the Department of Economic and
7312 Community Development**]** to the Connecticut **[**Housing Finance**]**
7313 Economic Development Authority pursuant to section 8-37u, as
7314 amended by this act, or subdivision (3) of section 32-11; and

7315 (4) "Housing authority" means a local housing authority owning a
7316 financially distressed development.

7317 (b) Notwithstanding any provision of the general statutes, a housing
7318 authority may, with the approval of the **[**Commissioner of Economic

7319 and Community Development] executive director, quit claim or
7320 otherwise transfer its interest in a financially distressed development
7321 to the Connecticut [Housing Finance] Economic Development
7322 Authority. The [commissioner] executive director may grant such
7323 approval upon an express finding that: (1) The housing authority is
7324 financially unable to maintain the development; (2) there is no
7325 reasonable prospect that the housing authority will be able to maintain
7326 the property in the future; (3) the housing authority has requested to
7327 transfer the development; and (4) the Connecticut [Housing Finance]
7328 Economic Development Authority is prepared to accept the transfer.

7329 Sec. 145. Section 8-78 of the general statutes is repealed and the
7330 following is substituted in lieu thereof (*Effective July 1, 2011*):

7331 The aggregate amount of all bonds and notes issued by the state
7332 pursuant to subsection (a) of section 8-80 to meet its obligations under
7333 assistance agreements for moderate rental housing projects entered
7334 into by it shall not exceed the sum of (1) one hundred sixty-nine
7335 million one hundred thirty-two thousand four hundred thirty-five
7336 dollars, exclusive of any notes or bonds, the avails of which shall be
7337 used for the purpose of refunding outstanding notes or bonds issued
7338 for said purposes, and (2) twenty-eight million dollars, provided the
7339 proceeds of such bonds and notes issued pursuant to the authorization
7340 in subdivision (2) of this section shall be made available for use only
7341 with respect to moderate rental housing projects. In considering
7342 housing projects for use of the bond proceeds, the [Department of
7343 Economic and Community Development] Connecticut Economic
7344 Development Authority shall attempt to capture all federal Section 8
7345 subsidies, for family, elderly, and congregate housing units available
7346 to the [Department of Economic and Community Development,
7347 Connecticut Housing Finance Authority] authority or from other
7348 sources; encourage the construction or rehabilitation of multifamily
7349 rental projects which meet the Mortgage and Revenue Bond Tax Act of
7350 1980 criteria for moderate income; and utilize any other federal
7351 subsidy programs for low and moderate income housing which may

7352 become available now or in the future, provided the state bonds can be
7353 adequately secured and the intent of this section can be assured. The
7354 **[**Department of Economic and Community Development**]** authority
7355 may also enter into joint loan participations with other financing
7356 sources in order to maximize the number of housing units produced
7357 for the amount allocated.

7358 Sec. 146. Section 8-119*ll* of the general statutes is repealed and the
7359 following is substituted in lieu thereof (*Effective July 1, 2011*):

7360 Annually, the **[**Department of Economic and Community
7361 Development in consultation with the Connecticut Housing Finance**]**
7362 Connecticut Economic Development Authority shall conduct a
7363 comprehensive assessment of current and future needs for rental
7364 assistance under section 8-119kk for housing projects for the state's
7365 elderly and disabled. Not later than April 1, 2006, the results of the first
7366 such analysis shall be presented to the select committee of the General
7367 Assembly having cognizance of matters relating to housing, in
7368 accordance with section 11-4a. Any analyses submitted after April 1,
7369 2006, shall be incorporated into the report required pursuant to section
7370 32-1m, as amended by this act.

7371 Sec. 147. Section 8-206 of the general statutes is repealed and the
7372 following is substituted in lieu thereof (*Effective July 1, 2011*):

7373 (a) The **[**Commissioner of Economic and Community Development**]**
7374 executive director of the Connecticut Economic Development
7375 Authority shall (1) administer and direct the operations of the
7376 **[**Department of Economic and Community Development**]** authority;
7377 (2) advise and inform municipal officials, local housing authorities, the
7378 Connecticut Housing Authority, public development agencies and
7379 other agencies and groups about housing, redevelopment, urban
7380 renewal and community development and shall collect and
7381 disseminate information pertaining thereto, including information
7382 about federal, state and private assistance programs and services
7383 pertaining thereto; (3) inquire into the utilization of state government

7384 resources, coordinate federal and state activities for assistance in and
7385 solution of problems of housing, redevelopment, urban renewal and
7386 community development and shall inform and advise the Governor
7387 about and propose legislation concerning such problems; (4) conduct,
7388 encourage and maintain research and studies relating to housing,
7389 redevelopment, urban renewal and community development
7390 problems; (5) prepare and review model ordinances and charters
7391 relating to these areas; (6) maintain an inventory of data and
7392 information and act as a clearing house and referral agency for
7393 information on state and federal programs and services relative to
7394 housing and community development; (7) conduct, encourage and
7395 maintain research and studies and advise municipal officials
7396 concerning forms of intergovernmental cooperation and cooperation
7397 between public and private agencies designed to advance programs of
7398 housing, redevelopment, urban renewal and community development;
7399 (8) promote and assist the formation of local housing authorities and
7400 other agencies or organizations appropriate to the purposes of this
7401 chapter; and (9) inform the public regarding the rights and obligations
7402 of landlords and tenants as provided in chapters 830, 831 and 832 and
7403 respond to any inquiries from the public on such matters.

7404 (b) The commissioner may determine the qualifications of personnel
7405 or consultants to be engaged in connection with the provision of any
7406 state assistance or administration provided by the **[**Department of
7407 Economic and Community Development**]** Connecticut Economic
7408 Development Authority.

7409 (c) The **[**Commissioner of Economic and Community Development**]**
7410 executive director of the Connecticut Economic Development
7411 Authority may make available technical and financial assistance and
7412 advisory services to any municipality, municipal agency, local housing
7413 authority, human resource development agency, regional planning
7414 agency, regional council of elected officials, regional council of
7415 governments, housing sponsor, prospective housing sponsor or other
7416 appropriate agency, or the Connecticut Housing Authority, for any

7417 activity pertinent to the development, preservation, repair or
7418 rehabilitation of housing or for urban renewal, redevelopment or
7419 community development activities as defined in chapter 130, provided
7420 any financial assistance to a regional planning agency, regional council
7421 of governments or a regional council of elected officials shall have the
7422 prior approval of the Secretary of the Office of Policy and
7423 Management, or his designee. Financial, technical or advisory
7424 assistance shall be rendered upon such contractual arrangements as
7425 may be agreed upon by the commissioner and any such municipality,
7426 agency, authority, council or sponsor in accordance with their
7427 respective needs.

7428 (d) The **[**Commissioner of Economic and Community Development**]**
7429 executive director of the Connecticut Economic Development
7430 Authority is authorized to do all things necessary to apply for, qualify
7431 for and accept any federal funds made available or allotted under any
7432 federal act for any activities which may be pertinent to the purposes of
7433 this chapter and chapters 128, 129, 130, 135 and 136 and said
7434 **[**commissioner**]** director shall administer any such funds allotted to the
7435 department in accordance with federal law. The **[**commissioner**]**
7436 executive director may enter into contracts with the federal
7437 government concerning the use and repayment of such funds under
7438 any such federal act, the prosecution of the work under any such
7439 contract and the establishment of and disbursement from a separate
7440 account in which federal and state funds estimated to be required for
7441 plan preparation or other eligible activities under such federal act shall
7442 be kept. Said account shall not be a part of the General Fund of the
7443 state or any subdivision of the state. Unless otherwise required by
7444 federal law or regulation, any federal housing assistance funding made
7445 available at the state level shall be allocated in accordance with the
7446 housing plan prepared pursuant to the provisions of section 8-37t, as
7447 amended by this act. Such allocation shall, to the maximum extent
7448 possible, reflect the types and distribution of housing needs in all parts
7449 of the state and the resources required by the **[**department, the
7450 Connecticut Housing Finance Authority**]** authority or other

7451 appropriate agencies to meet those needs.

7452 (e) The powers and duties enumerated in this section shall be in
7453 addition to and shall not limit any other powers or duties of the
7454 **[**Commissioner of Economic and Community Development**]** executive
7455 director of the Connecticut Economic Development Authority
7456 contained in any other **[**law**]** provision of the general statutes.

7457 Sec. 148. Subsection (b) of section 8-216c of the general statutes is
7458 repealed and the following is substituted in lieu thereof (*Effective July*
7459 *1, 2011*):

7460 (b) The **[**Commissioner of Economic and Community Development**]**
7461 executive director of the Connecticut Economic Development
7462 Authority shall establish a pilot program of financial assistance in the
7463 form of loans, deferred loans and grants-in-aid to nonprofit
7464 corporations for not more than five developments of rental, mutual or
7465 limited equity cooperative housing for low and moderate income
7466 persons and families. Financial assistance provided under this section
7467 shall be on such terms and conditions as prescribed by the
7468 **[**commissioner**]** executive director and shall be in an amount equal to
7469 one hundred per cent of the cost incurred for the acquisition of land
7470 and buildings, construction and any other costs determined by the
7471 **[**commissioner**]** executive director to be reasonable and necessary.
7472 Financial assistance shall be for permanent financing only and shall
7473 not be used for construction financing. Any development receiving
7474 financial assistance under this section shall not be eligible for
7475 construction financing under any program operated by the
7476 **[**Department of Economic and Community Development or the**]**
7477 Connecticut **[**Housing Finance**]** Economic Development Authority.
7478 Financial assistance shall be released upon (1) completion of a
7479 development in accordance with plans and specifications approved by
7480 the **[**commissioner**]** executive director and final inspection by the
7481 **[**commissioner**]** executive director, (2) issuance of a certificate of
7482 occupancy by the building official of the municipality in which the
7483 housing is located, and (3) the signing of leases for eighty per cent of

7484 the units in the development. The [commissioner] executive director
7485 may enter into an agreement with a nonprofit corporation for financial
7486 assistance under this section upon approval of the development by the
7487 State Bond Commission. Applicants receiving financial assistance
7488 under this section may retain not more than ten per cent of such
7489 assistance as a developer's administrative fee. The [commissioner]
7490 executive director, upon request of the developer of an approved
7491 development, may advance financial assistance to reimburse such
7492 developer for costs incurred prior to a construction loan closing,
7493 provided such costs were included in the development budget
7494 approved by the [commissioner] executive director. Any loan or
7495 deferred loans made under this program shall bear interest at a rate
7496 not exceeding three per cent per annum and shall be for a term of not
7497 less than twenty-five but not more than forty years.

7498 Sec. 149. Section 8-240m of the general statutes is repealed and the
7499 following is substituted in lieu thereof (*Effective July 1, 2011*):

7500 [(a)] The state, acting by and through the [Commissioner of
7501 Economic and Community Development] Connecticut Economic
7502 Development Authority, may provide financial assistance, including,
7503 without limitation financial assistance in the form of grants, loans and
7504 the purchase of capital stock, for the program established pursuant to
7505 subsection (a) of section 8-240k, upon the execution of a financial
7506 assistance agreement containing such terms and conditions as the
7507 [Commissioner of Economic and Community Development] executive
7508 director of the Connecticut Economic Development Authority shall
7509 deem necessary and appropriate to fulfill the purposes of sections 8-
7510 240k to 8-240n, inclusive. Notwithstanding the provisions of section 4-
7511 66c, as amended by this act, the [Commissioner of Economic and
7512 Community Development] executive director of the Connecticut
7513 Economic Development Authority may provide such financial
7514 assistance from the proceeds of bonds authorized for the [Department
7515 of Economic and Community Development] Connecticut Economic
7516 Development Authority pursuant to said section 4-66c.

7517 **[**(b) The Connecticut Development Authority may provide financial
7518 assistance, including, without limitation, financial assistance in the
7519 form of grants, loans and the purchase of capital stock, for the program
7520 established pursuant to subsection (a) of section 8-240k, upon the
7521 execution of a financial assistance agreement containing such terms
7522 and conditions as the Connecticut Development Authority shall deem
7523 necessary and appropriate to fulfill the purposes of sections 8-240k to
7524 8-240n, inclusive.

7525 (c) The Connecticut Housing Finance Authority may provide
7526 financial assistance, including, without limitation, financial assistance
7527 in the form of grants, loans and the purchase of capital stock, for the
7528 program established pursuant to subsection (a) of section 8-240k, upon
7529 the execution of a financial assistance agreement containing such terms
7530 and conditions as the Connecticut Housing Finance Authority shall
7531 deem necessary and appropriate to fulfill the purposes of sections 8-
7532 240k to 8-240n, inclusive.**]**

7533 Sec. 150. Section 8-243 of the general statutes is repealed and the
7534 following is substituted in lieu thereof (*Effective July 1, 2011*):

7535 The following terms shall have the following meanings unless the
7536 context clearly indicates another meaning and intent:

7537 (a) "Act" means this chapter as amended from time to time;

7538 (b) "Authority" means the Connecticut **[**Housing Finance**]** <u>Economic</u>
7539 <u>Development</u> Authority as **[**created**]** <u>established</u> under section **[**8-244**]**
7540 <u>60 of this act</u>;

7541 (c) "Housing", "housing project" or "project" means a work or
7542 undertaking having as its primary purpose the provision of safe and
7543 adequate housing and related facilities for low and moderate income
7544 families and persons, and includes existing dwelling units for low and
7545 moderate income families and persons, notwithstanding that said
7546 housing provides other dwelling accommodations in addition to the
7547 primary purpose of providing dwelling accommodations for low and

7548 moderate income families and persons;

7549 (d) "Related facilities" means commercial, office, health, welfare,
7550 administrative, recreational, community and service facilities
7551 incidental and pertinent to housing as determined by the authority;

7552 (e) "Rents", "rentals" or "carrying charges" means the charges,
7553 excluding security deposits and down payments, paid for occupancy
7554 of housing financed or assisted under this chapter, whether such
7555 housing is owned or operated on a landlord-tenant or home ownership
7556 basis or as a condominium or a cooperative;

7557 (f) "Project cost" means the sum total of all costs incurred in the
7558 development of a housing project, which are approved by the
7559 authority as reasonable and necessary, including, but not limited to (1)
7560 costs of land acquisition and any buildings thereon; (2) costs of site
7561 preparation, demolition and development; (3) architectural,
7562 engineering, legal, authority and other fees and charges paid or
7563 payable in connection with the planning, execution and financing of
7564 the project; (4) cost of necessary studies, surveys, plans and permits; (5)
7565 insurance, interest, financing, tax and assessment costs and other
7566 operating and carrying costs during construction; (6) cost of
7567 construction or reconstruction, and fixtures and equipment related to
7568 such construction or reconstruction; (7) cost of land improvements; (8)
7569 necessary expenses in connection with the initial occupancy of the
7570 project; (9) a reasonable profit or fee to the builder and developer; (10)
7571 an allowance established by the authority for working capital,
7572 replacement and contingency reserves, and reserves for any
7573 anticipated operating deficits during the first two years of occupancy;
7574 (11) the cost of such other items, including tenant relocation, as the
7575 authority shall deem to be reasonable and necessary for the
7576 development of the project, less any and all net rents and other net
7577 revenues received from the operation of the real and personal property
7578 on the project site during construction;

7579 (g) "Development costs" means the costs approved by the authority

7580 as appropriate expenditures which may be incurred prior to initial
7581 disbursement of mortgage loan proceeds, including, but not limited to:
7582 (1) Payments for options to purchase properties for the proposed
7583 project, deposits on contracts of purchase or, with the prior approval of
7584 the authority, payments for the purchase of such properties; (2) legal,
7585 organizational and marketing expenses, including payment of
7586 attorneys' and consultants' fees, project management and clerical staff
7587 salaries, office rent and other incidental expenses; (3) payment of fees
7588 for preliminary feasibility studies and advances for planning,
7589 architectural and engineering work and land surveys and soil tests; (4)
7590 expenses of surveys as to need and market analyses; (5) necessary
7591 application and other fees to federal, state and local government
7592 agencies; and (6) such other expenses as the authority may deem
7593 appropriate to effectuate the purposes of this chapter;

7594 (h) "Low and moderate income families and persons" means
7595 families and persons who lack the amount of income necessary as
7596 determined by the authority, to rent or purchase safe and adequate
7597 housing without special financial assistance not reasonably available.
7598 The income limits for the admission of such families and persons to
7599 housing built or financed or assisted under this chapter shall be
7600 established by this authority;

7601 (i) "Assisted mortgage financing" means a below market interest
7602 rate mortgage insured or purchased, or a loan made, by the Secretary
7603 of the United States Department of Housing and Urban Development;
7604 a market interest rate mortgage insured or purchased, or a loan made,
7605 in combination with, or as augmented by, a program of rent
7606 supplements, interest subsidies or interest reduction payments,
7607 leasing, contributions or grants, or other programs now or hereafter
7608 authorized by federal law to serve low and moderate income families
7609 and persons; a mortgage loan made or insured pursuant to this
7610 chapter; or any combination of such loans, mortgage insurance or
7611 other assistance;

7612 (j) "Mortgage" means a mortgage deed, deed of trust, or other

7613 instrument which shall constitute a lien, whether first or second, on
7614 real estate or on a leasehold under a lease having a remaining term, at
7615 the time such mortgage is acquired, which does not expire for at least
7616 that number of years beyond the maturity date of the obligation
7617 secured by such mortgage as is equal to the number of years remaining
7618 until the maturity date of such obligation. As used in this subsection, a
7619 lease of a lot in a mobile manufactured home park which is indefinitely
7620 renewable pursuant to subsection (b) of section 21-70 shall satisfy the
7621 leasehold requirement, provided such lease is acceptable to a third
7622 party mortgage insurer and the authority receives an acceptable
7623 mortgage insurance policy;

7624 (k) "First mortgage" means such classes of first liens as are
7625 commonly given to secure loans on, or the unpaid purchase price of,
7626 real estate under the laws of the state, together with appropriate credit
7627 instruments;

7628 (l) "Mortgagee" means the original lender under the mortgage or
7629 participants therein, and their successors and assigns;

7630 (m) "Mortgagor" or "eligible mortgagor" means (1) a nonprofit
7631 corporation incorporated pursuant to chapter 602 or any predecessor
7632 statutes thereto, having as one of its purposes the construction,
7633 rehabilitation, ownership or operation of housing, and having articles
7634 of incorporation approved by the authority in accordance with the
7635 provisions of this chapter; (2) any business corporation incorporated
7636 pursuant to chapter 601 or any predecessor statutes thereto, having as
7637 one of its purposes the construction, rehabilitation, ownership or
7638 operation of housing, and having articles of incorporation approved by
7639 the authority in accordance with the provisions of this chapter; (3) any
7640 partnership, limited partnership, joint venture, trust or association
7641 having as one of its purposes the construction, rehabilitation,
7642 ownership or operation of housing, and having basic documents of
7643 organization approved by the authority in accordance with the
7644 provisions of this chapter; (4) a housing authority established pursuant
7645 to chapter 128; (5) a family or person approved by the authority as

7646 qualified to own, construct, rehabilitate, manage and maintain housing
7647 under a mortgage loan made or insured by the authority under the
7648 provisions of this chapter; or (6) a municipal developer; and includes
7649 the successors and assigns of the mortgagor;

7650 (n) "Mortgage payments" means periodic payments called for by a
7651 mortgage, and may include, but is not limited to, interest, installments
7652 of principal, taxes and assessments, mortgage insurance premiums and
7653 hazard insurance premiums;

7654 (o) "Aggregate family income" means the total family income of all
7655 members of a family, from whatever source derived, including but not
7656 limited to pension, annuity, retirement and social security benefits,
7657 provided there may be excluded from income, as the authority by
7658 regulation may determine, (1) reasonable allowances for dependents,
7659 (2) reasonable allowances for medical expenses, (3) all or any
7660 proportionate part of the earnings of gainfully employed minors or
7661 family members other than the chief wage earner, (4) income not
7662 received regularly and (5) other expenses;

7663 (p) "Earned surplus" shall have the same meaning as in generally
7664 accepted accounting standards;

7665 (q) "Municipality" means any city, town or borough in the state;

7666 (r) "Lending institution" means any bank, trust company, savings
7667 bank, savings and loan association or credit union, whether chartered
7668 by the United States of America or this state, and any insurance
7669 company authorized to do business in this state, and any mortgage
7670 banking firm approved by the authority;

7671 (s) "Tenant" means the occupant of any housing financed or assisted
7672 by the authority under this chapter;

7673 (t) "Second mortgage" means any class of second liens ranking
7674 immediately after a first mortgage on the same property, without any
7675 intervening liens, as are commonly given to secure loans on real estate,

7676 or the unpaid purchase price of real estate under the laws of the state,
7677 together with appropriate credit instruments, provided such second
7678 mortgage, unless granted pursuant to the exercise of powers granted
7679 to the authority under the provisions of the general statutes, is insured
7680 by an agency of the federal government or by such other entity as the
7681 authority shall determine is financially able to insure or guarantee
7682 repayment in the event of default by the mortgagor;

7683 (u) "Person" means any person, including individuals, limited
7684 liability companies, firms, partnerships, associations, public or private,
7685 organized or existing under the laws of the state or, any other state if
7686 qualified to do business in the state;

7687 (v) "Urban area" means any targeted area, as defined in Section 143
7688 of the Internal Revenue Code of 1986, or any subsequent
7689 corresponding internal revenue code of the United States, as from time
7690 to time amended;

7691 (w) "Urban area mortgage" means a mortgage securing a
7692 construction or a permanent loan to any person for the purpose of
7693 purchasing, refinancing, constructing or rehabilitating any residential
7694 building in an urban area, including related facilities, such as
7695 commercial, offices, health, welfare, administration, recreational,
7696 community and service facilities incidental and pertinent thereto as
7697 determined by the authority, but need not be a first lien upon the
7698 mortgaged property;

7699 (x) "Municipal developer" means a municipality, as defined in
7700 subsection (q) of this section, which has not declared by resolution a
7701 need for a housing authority pursuant to section 8-40, acting by and
7702 through its legislative body, except that in any town in which a town
7703 meeting or representative town meeting is the legislative body,
7704 "municipal developer" means the board of selectmen if such board is
7705 authorized to act as the municipal developer by the town meeting or
7706 representative town meeting; <u>and</u>

7707 (y) "Employer-assisted housing" means (1) housing that is, in whole
7708 or in part, owned, acquired, developed or managed by employers, or
7709 on behalf of employers, for the benefit of employees in the state or (2)
7710 assistance offered by employers to employees in the purchase or lease
7711 of residential property in the state. **[**;**]**

7712 **[**(z) "Department" means the Department of Economic and
7713 Community Development.**]**

7714 Sec. 151. Subsection (a) of section 8-252a of the general statutes is
7715 repealed and the following is substituted in lieu thereof (*Effective July*
7716 *1, 2011*):

7717 (a) The Connecticut Housing Finance Authority, or any successor
7718 authority, is authorized to issue bonds secured by a pledge of principal
7719 and interest payments and other revenues to be received by the state
7720 with respect to any loans made by the state under any bond-financed
7721 housing program, as defined in section 8-37qq. Except as otherwise
7722 provided in this section, the issuance of such bonds shall be governed
7723 by the provisions of section 8-252, as amended by this act. Such bonds
7724 may be guaranteed by the authority, which guarantee may be a
7725 general obligation of the authority. Such bonds whether or not a
7726 general obligation of the authority may be secured by revenues or
7727 other assets of the authority which are not subject to the lien of the
7728 general housing mortgage program bond resolution of the authority
7729 adopted September 27, 1972, as amended, or subject to a lien created
7730 by any other existing bond resolution of the authority. The state, acting
7731 through the State Treasurer, is authorized to pledge such principal and
7732 interest payments and other revenues, and to make such agreements,
7733 covenants and representations as may be required for issuance of the
7734 bonds. The provisions of subdivision (3) of section 32-1*l* shall not apply
7735 to any pledge under this section, nor to any transfer of revenues to the
7736 Connecticut Housing Finance Authority, or any successor authority, or
7737 to a trustee incident to the issuance of bonds under this section, but
7738 such a pledge or transfer of revenues from bond-financed state
7739 housing programs, as defined in section 8-37qq, to the Connecticut

7740 Housing Finance Authority, or any successor authority, or to a trustee
7741 incident to the issuance of bonds under this section is hereby
7742 authorized. Any pledges made pursuant to this section shall be valid
7743 and binding from the time such pledge is made, and are not subject to
7744 further appropriation by the state. The proceeds of any bonds issued
7745 pursuant to this section shall, after payment of all costs of issuance and
7746 sale, including, without limitation, the costs of credit facilities and the
7747 establishment of any reserves as security for such bonds, be deposited
7748 in the General Fund.

7749 Sec. 152. Section 8-265o of the general statutes is repealed and the
7750 following is substituted in lieu thereof (*Effective July 1, 2011*):

7751 As used in this section and sections 8-265p to 8-265v, inclusive:

7752 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
7753 Development Authority as **[**created**]** established under section **[**8-244**]**
7754 60 of this act;

7755 (2) "Mortgage" means a mortgage deed or other instrument which
7756 constitutes a first or second consensual lien on one, two or three-family
7757 owner-occupied residential real property, including single-family units
7758 in a common interest community, located in this state;

7759 (3) "Mortgagee" means mortgage lenders authorized to originate
7760 mortgage loans in this state; and

7761 (4) "Mortgagor" means the owner-occupant of one, two or three-
7762 family residential real property located in this state who is also the
7763 borrower under a mortgage encumbering such real property.

7764 Sec. 153. Subsection (b) of section 8-265w of the general statutes is
7765 repealed and the following is substituted in lieu thereof (*Effective July*
7766 *1, 2011*):

7767 (b) The proceeds of the sale of said bonds, to the extent of the
7768 amount stated in subsection (a) of this section, shall be used by the

7769 [Department of Economic and Community Development for the
7770 purpose of (1) a grant to the] Connecticut [Housing Finance] Economic
7771 Development Authority for the purposes of sections 8-265o to 8-265v,
7772 inclusive, as amended by this act, and [(2)] for loans or deferred loans
7773 by the [Department of Economic and Community Development]
7774 Connecticut Economic Development Authority pursuant to sections 8-
7775 283 to 8-289, inclusive. Any proceeds authorized or allocated by the
7776 commission for loans or deferred loans pursuant to sections 8-283 to 8-
7777 289, inclusive, shall not be deemed to be authorized, allocated or
7778 available for the purposes of sections 8-265o to 8-265v, inclusive, as
7779 amended by this act.

7780 Sec. 154. Section 8-265cc of the general statutes is repealed and the
7781 following is substituted in lieu thereof (*Effective July 1, 2011*):

7782 As used in sections 8-265cc to 8-265kk, inclusive:

7783 (1) "Aggregate family income" means the total income of persons
7784 residing in the same household as the mortgagor and any other
7785 resident of the household declared by the mortgagor as a dependent
7786 for federal tax purposes, from whatever source derived, including, but
7787 not limited to, pensions, annuities, retirement benefits and Social
7788 Security benefits, provided the authority may exclude from income (A)
7789 reasonable allowances for dependents, (B) reasonable allowances for
7790 medical expenses, (C) all or any part of the earnings of gainfully
7791 employed minors or family members other than the chief wage earner,
7792 (D) income not regularly received, and (E) such other expenses as the
7793 authority may allow;

7794 (2) "Authority" means the Connecticut [Housing Finance] Economic
7795 Development Authority [created] established under section [8-244] 60
7796 of this act;

7797 (3) "Mortgage" means a mortgage deed or other instrument which
7798 constitutes a first or second consensual lien on one-to-four family
7799 owner-occupied residential real property located in this state,

7800 including, but not limited to, a single-family unit in a common interest
7801 community;

7802 (4) "Mortgagee" means the original lender under a mortgage, or its
7803 agents, successors, or assigns;

7804 (5) "Mortgagor" means the owner-occupant of a one-to-four family
7805 residential real property located in this state, including, but not limited
7806 to, a single family unit in a common interest community, who is also
7807 the borrower under a mortgage encumbering such real property;

7808 (6) "Housing expense" means the sum of the mortgagor's monthly
7809 maintenance expense in a common interest community, utility
7810 expense, heating expense, hazard insurance payment, taxes and
7811 required mortgage payment, including escrows;

7812 (7) "Financial hardship due to circumstances beyond the
7813 mortgagor's control" means a significant reduction of aggregate family
7814 household income or increase in expenses which reasonably cannot be
7815 or could not have been alleviated by the liquidation of assets by the
7816 mortgagor as determined by the Connecticut **[**Housing Finance**]**
7817 Economic Development Authority, including, but not limited to, a
7818 reduction resulting from (A) (i) unemployment or underemployment
7819 of one or more of the mortgagors; (ii) a loss, reduction or delay in
7820 receipt of such federal, state or municipal benefits as Social Security,
7821 supplemental security income, public assistance and government
7822 pensions; (iii) a loss, reduction or delay in receipt of such private
7823 benefits as pension, disability, annuity or retirement benefits; (iv)
7824 divorce or a loss of support payments; (v) disability, illness or death of
7825 a mortgagor; or (B) (i) a significant increase in the dollar amount of the
7826 periodic payments required by the mortgage; (ii) an unanticipated rise
7827 in housing expenses; or (iii) expenses related to the disability, illness or
7828 death of a member of the mortgagor's family, but does not include
7829 expenses related to the accumulation of credit or installment debt
7830 incurred for recreational or nonessential items prior to the occurrence
7831 of the alleged circumstances beyond the mortgagor's control in an

7832 amount that would have caused the mortgagor's total debt service to
7833 exceed sixty per cent of aggregate family income at that time;

7834 (8) "Consumer credit counseling agency" means a nonprofit
7835 corporation or governmental agency located in this state which has
7836 been designated by the authority to provide homeowners' emergency
7837 mortgage assistance program counseling. A qualified consumer credit
7838 counseling agency must either be certified as a housing counseling
7839 agency by the federal Department of Housing and Urban
7840 Development or otherwise determined accepted by the authority;

7841 (9) "Foreclosure mediation program" means the foreclosure
7842 mediation program established by section 49-31m; and

7843 (10) "Periodic payments" means principal, interest, taxes, insurance
7844 and, if applicable, condominium fees.

7845 Sec. 155. Subsections (a) and (b) of section 8-265oo of the general
7846 statutes are repealed and the following is substituted in lieu thereof
7847 (*Effective July 1, 2011*):

7848 (a) As used in this section:

7849 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
7850 Development Authority as **[**created**]** established under section **[**8-244**]**
7851 60 of this act;

7852 (2) "Mortgage" means a mortgage deed or other instrument that
7853 constitutes a first consensual lien on one, two or three-family owner-
7854 occupied residential real property located in this state;

7855 (3) "Mortgagee" means mortgage lenders authorized to originate
7856 mortgage loans in this state; and

7857 (4) "Mortgagor" means the owner-occupant of one, two or three-
7858 family residential real property located in this state who is also the
7859 borrower under a mortgage encumbering such real property.

7860 (b) It being in the public interest for the state to extend mortgage
7861 guarantees to mortgage lending institutions to provide refinancing for
7862 mortgage loans when the decline of home values has precluded such
7863 lending, the Connecticut **[**Housing Finance**]** Economic Development
7864 Authority shall establish and administer a program of loan guarantees
7865 to work in conjunction with loan programs established by secondary
7866 market investors to allow mortgagees to refinance residential
7867 mortgage loans when a decrease in the appraised value of the real
7868 property securing the mortgage might otherwise preclude such
7869 lending. The authority shall adopt procedures in accordance with the
7870 provisions of section 1-121 no later than January 1, 2000, to carry out
7871 the provisions of this section. Such procedures may establish a fee for
7872 such mortgage guarantee.

7873 Sec. 156. Section 8-265rr of the general statutes is repealed and the
7874 following is substituted in lieu thereof (*Effective July 1, 2011*):

7875 (a) As used in this section, "authority" means the Connecticut
7876 **[**Housing Finance**]** Economic Development Authority **[**created**]**
7877 established under section **[**8-244**]** 60 of this act.

7878 (b) The authority is authorized to continue to develop and
7879 implement a program for home mortgage refinancing for homeowners
7880 with fixed or adjustable rate mortgages as an additional purpose
7881 pursuant to the provisions of subdivision (32) of section 8-250. Such
7882 program shall (1) include making mortgage loans to borrowers who
7883 (A) are deemed eligible by the authority, and (B) purchase foreclosed
7884 or abandoned properties or properties conveyed by deed in lieu of
7885 foreclosure or short sale; or (2) be undertaken by the authority
7886 consistent with and subject to its contractual obligations to its
7887 bondholders in an initial amount of forty million dollars under terms
7888 and conditions determined by the authority.

7889 Sec. 157. Subdivision (1) of subsection (a) of section 8-265ss of the
7890 general statutes is repealed and the following is substituted in lieu
7891 thereof (*Effective July 1, 2011*):

7892 (1) "Authority" means the Connecticut [Housing Finance] Economic
7893 Development Authority [created] established under section [8-244] 60
7894 of this act;

7895 Sec. 158. Section 8-284 of the general statutes is repealed and the
7896 following is substituted in lieu thereof (*Effective July 1, 2011*):

7897 As used in this chapter:

7898 (a) "Eligible family or person" means a family or person who lacks
7899 the amount of income necessary, to purchase safe and adequate
7900 housing without special financial assistance;

7901 (b) ["Commissioner" means the Commissioner of Economic and
7902 Community Development;] "Executive director" means the executive
7903 director of the Connecticut Economic Development Authority; and

7904 (c) "Authority" means the Connecticut [Housing Finance] Economic
7905 Development Authority. [; and]

7906 [(d) "Department" means the Department of Economic and
7907 Community Development.]

7908 Sec. 159. Section 8-336 of the general statutes is repealed and the
7909 following is substituted in lieu thereof (*Effective July 1, 2011*):

7910 After June 8, 1982, neither the state nor any political subdivision
7911 thereof, nor any municipality or any political subdivision thereof, nor
7912 any department, agency, authority or other body of the state or any
7913 municipality, other than the Connecticut Housing Finance Authority,
7914 or any successor authority, shall issue bonds for the purpose of
7915 providing mortgages for single-family homes, as defined in the federal
7916 Mortgage Subsidy Bond Tax Act, Pub. L. 96-499, Title XI, Subtitle A, 94
7917 Stat 2669, except that the following amounts may be issued prior to
7918 October 1, 1983: (1) By the towns and cities of the state, as allocated
7919 and authorized by the [Commissioner of Economic and Community
7920 Development] executive director of the Connecticut Economic

7921 Development Authority and the Governor, thirty million dollars; (2) by
7922 the state pursuant to section 8-288, ten million dollars; and (3) by the
7923 state pursuant to section 16a-40c, ten million dollars. Any amount
7924 which may be issued by any entity other than the Connecticut Housing
7925 Finance Authority, or any successor authority, pursuant to this section
7926 may be issued by said authority if such amount is not issued by such
7927 other entity by October 1, 1983.

7928 Sec. 160. Section 8-336m of the general statutes is repealed and the
7929 following is substituted in lieu thereof (*Effective July 1, 2011*):

7930 As used in this section the following terms shall have the following
7931 meanings, unless the context clearly indicates a different meaning or
7932 intent:

7933 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
7934 Development Authority.

7935 (2) **[**"Commissioner" means the Commissioner of Economic and
7936 Community Development**]** "Executive director" means the executive
7937 director of the Connecticut Economic Development Authority.

7938 **[**(3) "Department" means the Department of Economic and
7939 Community Development.**]**

7940 **[**(4)**]** (3) "Eligible applicant" means: (A) A nonprofit entity; (B) a
7941 municipality; (C) a housing authority; (D) a business corporation
7942 incorporated pursuant to chapter 601 or any predecessor statutes
7943 thereto or authorized to do business pursuant to said chapter 601
7944 having as one of its purposes the construction, financing, acquisition,
7945 rehabilitation or operation of affordable housing, and having a
7946 certificate or articles of incorporation approved by the commissioner;
7947 (E) any partnership, limited partnership, limited liability company,
7948 joint venture, sole proprietorship, trust or association having as one of
7949 its purposes the construction, financing, acquisition, rehabilitation or
7950 operation of affordable housing; (F) the Connecticut **[**Housing Finance**]**
7951 Economic Development Authority; (G) a municipal developer; (H) any

7952 community development financial institution; or (I) any combination
7953 thereof.

7954 [(5)] (4) "Housing", "housing development" or "development" means
7955 a work or undertaking having as its primary purpose the provision of
7956 safe, well-designed and adequate housing and related facilities for low
7957 and moderate income families and persons and includes existing
7958 housing for low and moderate income families and persons and
7959 housing whose primary purpose is to provide dwelling
7960 accommodations for low and moderate income families and persons
7961 but has dwelling accommodations for others.

7962 [(6)] (5) "Housing Trust Fund" or "fund" means the Housing Trust
7963 Fund created under section 8-336o.

7964 [(7)] (6) "Housing Trust Fund program" or "program" means the
7965 housing trust fund program developed and administered under
7966 section 8-336p.

7967 [(8)] (7) "Low and moderate income families and persons" means
7968 families and persons whose income falls within the income levels set
7969 by the commissioner pursuant to regulations adopted under
7970 subsection (a) of section 8-336q, as amended by this act, except that the
7971 commissioner may establish income levels up to and including one
7972 hundred twenty per cent of the area median income, as determined by
7973 the United States Department of Housing and Urban Development.

7974 [(9)] (8) "Municipal developer" means a municipality acting by and
7975 through its legislative body, except that in any town in which a town
7976 meeting or representative town meeting is the legislative body,
7977 "municipal developer" means the board of selectmen if such board is
7978 authorized to act as the municipal developer by the town meeting or
7979 representative town meeting.

7980 [(10)] (9) "Secretary" means the Secretary of the Office of Policy and
7981 Management.

7982 **[**(11)**]** (10) "State Bond Commission" means the commission
7983 established under section 3-20.

7984 **[**(12)**]** (11) "Treasurer" means the State Treasurer and includes each
7985 successor in office or authority.

7986 Sec. 161. Section 8-336q of the general statutes is repealed and the
7987 following is substituted in lieu thereof (*Effective July 1, 2011*):

7988 (a) The **[**commissioner**]** executive director of the Connecticut
7989 Economic Development Authority, in consultation with the Treasurer
7990 **[**,**]** and the Secretary of the Office of Policy and Management **[**and the
7991 Connecticut Housing Finance Authority**]** and after consideration of the
7992 recommendations of the committee established by subsection (b) of
7993 this section, shall establish **[**regulations and**]** criteria for rating various
7994 proposals for funds under the Housing Trust Fund program. **[**The
7995 regulations**]** Such criteria shall be **[**adopted pursuant to chapter 54 and**]**
7996 posted on the **[**department's**]** authority's web site.

7997 (b) There shall be a Housing Trust Fund Program Advisory
7998 Committee. Said committee shall meet at least semiannually and shall
7999 advise the **[**commissioner**]** executive director on (1) the administration,
8000 management and objectives of the Housing Trust Fund program; and
8001 (2) the development of **[**regulations,**]** procedures and rating criteria for
8002 the program. The committee shall be appointed by the **[**commissioner**]**
8003 executive director, in consultation with the Treasurer and the secretary
8004 and shall include the chairpersons and ranking members of the joint
8005 standing committee of the General Assembly having cognizance of
8006 matters relating to planning and development, and the select
8007 committee of the General Assembly having cognizance of matters
8008 relating to housing and representatives from each of the following: (A)
8009 The nonprofit housing development community; (B) the for-profit
8010 housing development community; (C) a housing authority; (D) a
8011 community development financial institution; (E) the Connecticut
8012 Housing Finance Authority; (F) a state-wide housing organization; (G)
8013 an elected or appointed official of a municipality with a population of

8014 less than fifty thousand; (H) an elected or appointed official of a
8015 municipality with a population between fifty thousand and one
8016 hundred thousand; (I) an elected or appointed official of a
8017 municipality with a population in excess of one hundred thousand;
8018 and (J) the employers of the state, which may be satisfied by the
8019 appointment of a representative from a state business and industry
8020 association or regional chambers of commerce.

8021 **[**(c) The commissioner may adopt regulations, in accordance with
8022 the provisions of chapter 54, to carry out the provisions of sections 8-
8023 336m to 8-336q, inclusive.**]**

8024 **[**(d)**]** (c) The **[**commissioner**]** executive director may request, inspect
8025 and audit reports, books and records and any other financial or
8026 project-related information with respect to eligible applicants that
8027 receive financial assistance, including, without limitation, resident or
8028 employment information, financial and operating statements and
8029 audits. The commissioner may investigate the accuracy and
8030 completeness of such reports, books and records.

8031 **[**(e)**]** (d) Whenever financial assistance is provided pursuant to
8032 section 8-336p, the **[**commissioner**]** executive director may take all
8033 reasonable steps and exercise all available remedies necessary or
8034 desirable to protect the obligations or interests of the state, including,
8035 but not limited to, amending any term or condition of a contract or
8036 agreement, provided such amendment is allowed or agreed to
8037 pursuant to such contract or agreement, or purchasing or redeeming,
8038 pursuant to foreclosure proceedings, bankruptcy proceedings or in
8039 other judicial proceedings, any property on which such commissioner
8040 or the department holds a mortgage or other lien, or in which the
8041 **[**commissioner**]** executive director or the **[**department**]** authority has an
8042 interest.

8043 Sec. 162. Subsection (b) of section 8-385 of the general statutes is
8044 repealed and the following is substituted in lieu thereof (*Effective July*
8045 *1, 2011*):

8046 (b) The Housing Advisory Committee shall: (1) Advise the General
8047 Assembly, the Governor **[**, the Commissioner of Economic and
8048 Community Development**]** and the Connecticut **[**Housing Finance**]**
8049 Economic Development Authority on matters relating to housing
8050 programs and policies; (2) provide legislative recommendations
8051 relating to housing matters to **[**the Commissioner of Economic and
8052 Community Development,**]** the Connecticut **[**Housing Finance**]**
8053 Economic Development Authority and the General Assembly; (3)
8054 monitor the housing-related activities of the regional planning
8055 agencies under chapter 127; and (4) promote coordination on housing
8056 matters among state agencies.

8057 Sec. 163. Subdivision (1) of subsection (a) of section 8-400 of the
8058 general statutes is repealed and the following is substituted in lieu
8059 thereof (*Effective July 1, 2011*):

8060 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
8061 Development Authority as **[**created**]** established under section **[**8-244**]**
8062 60 of this act;

8063 Sec. 164. Section 17a-54a of the general statutes is repealed and the
8064 following is substituted in lieu thereof (*Effective July 1, 2011*):

8065 The Commissioner of Children and Families, in collaboration with
8066 the Commissioners of **[**Economic and Community Development,**]**
8067 Social Services, Developmental Services and Public Health, the
8068 Secretary of the Office of Policy and Management and the executive
8069 director of the Connecticut **[**Housing Finance**]** Economic Development
8070 Authority, shall establish a pilot project to provide affordable housing
8071 and support services to families with children who have one or more
8072 serious, chronic medical conditions and have ongoing, significant
8073 health care service needs.

8074 Sec. 165. Section 17a-485c of the general statutes is repealed and the
8075 following is substituted in lieu thereof (*Effective July 1, 2011*):

8076 (a) The Commissioner of Mental Health and Addiction Services, in

8077 collaboration with the Commissioners of Social Services [,] and
8078 Children and Families [and Economic and Community Development]
8079 and the Connecticut [Housing Finance] Economic Development
8080 Authority, shall establish a Supportive Housing Initiative to provide
8081 additional units of affordable housing and support services to eligible
8082 persons. The Supportive Housing Initiative shall be implemented in
8083 two phases with the first phase to be known as the Supportive
8084 Housing Pilots Initiative and the second phase to be known as the
8085 Next Steps Initiative.

8086 (b) The Supportive Housing Pilots Initiative shall provide up to six
8087 hundred fifty additional units of affordable housing and support
8088 services to eligible households, as defined in section 17a-484a, and to
8089 persons with serious mental health needs who are community-
8090 supervised offenders supervised by the executive or judicial branch.
8091 Such housing shall be permanent supportive housing or transitional
8092 living programs, and the permanent supportive housing may include
8093 both individuals and families with special needs and individuals and
8094 families without such needs.

8095 (c) The Next Steps Initiative shall provide up to one thousand
8096 additional units of affordable housing and support services to: (1)
8097 Eligible households, as defined in section 17a-484a; (2) families who
8098 are eligible under the state plan for the federal temporary assistance
8099 for needy families program; (3) adults who are eighteen to twenty-
8100 three years of age, inclusive, and who are homeless, or at risk for
8101 becoming homeless because they are transitioning from foster care or
8102 other residential programs; and (4) persons with serious mental health
8103 needs who are community-supervised offenders supervised by the
8104 executive or judicial branch. Such housing shall be permanent
8105 supportive housing and may include both individuals and families
8106 with special needs and individuals and families without such needs.

8107 (d) The Connecticut [Housing Finance] Economic Development
8108 Authority shall issue one or more requests for proposals by persons or
8109 entities interested in participating in such initiative with priority given

8110 to applicants that include organizations deemed qualified to provide
8111 services by the Departments of Mental Health and Addiction Services,
8112 Social Services and Children and Families. The Connecticut **[**Housing
8113 Finance**]** Economic Development Authority shall review and
8114 underwrite projects developed under the Supportive Housing
8115 Initiative. For purposes of this subsection, "state assistance" means a
8116 payment by the state of actual debt service, comprised of principal,
8117 interest, interest rate swap payments, liquidity fees, letter of credit fees,
8118 trustee fees, and other similar bond-related expenses.

8119 Sec. 166. Section 17b-347e of the general statutes is repealed and the
8120 following is substituted in lieu thereof (*Effective July 1, 2011*):

8121 (a) The Commissioner of Social Services, in collaboration with the
8122 **[**Commissioner of Economic and Community Development and the**]**
8123 Connecticut **[**Housing Finance**]** Economic Development Authority,
8124 shall establish a demonstration project to provide subsidized assisted
8125 living services, as defined in section 19-13-D105 of the regulations of
8126 Connecticut state agencies, for persons residing in affordable housing,
8127 as defined in section 8-39a. The demonstration project shall be
8128 conducted in at least three municipalities to be determined by the
8129 Commissioner of Social Services. The demonstration project shall be
8130 limited to a maximum of three hundred subsidized dwelling units.
8131 Applicants for such subsidized assisted living services shall be subject
8132 to the same eligibility requirements as the Connecticut home care
8133 program for the elderly pursuant to section 17b-342.

8134 (b) Not later than January 1, 1999, the Commissioner of Social
8135 Services shall enter into a memorandum of understanding with the
8136 **[**Commissioner of Economic and Community Development and the**]**
8137 Connecticut **[**Housing Finance**]** Economic Development Authority.
8138 Such memorandum of understanding shall specify that (1) the
8139 Department of Social Services apply for a Medicaid waiver to secure
8140 federal financial participation to fund assisted living services, establish
8141 a process to select nonprofit and for-profit providers and determine
8142 the number of dwelling units in the demonstration project, (2) the

8143 [Department of Economic and Community Development] Connecticut
8144 Economic Development Authority provide rental subsidy certificates
8145 pursuant to section 8-402, as amended by this act, or rental assistance
8146 pursuant to section 8-119kk, and (3) the Connecticut [Housing Finance]
8147 Economic Development Authority provide second mortgage loans for
8148 housing projects for which the authority has provided financial
8149 assistance in the form of a loan secured by a first mortgage pursuant to
8150 section 8-403, as amended by this act, for the demonstration project.
8151 Not later than July 1, 1999, the Connecticut [Housing Finance]
8152 Economic Development Authority shall issue a request for proposals
8153 for persons or entities interested in participating in the demonstration
8154 project.

8155 (c) Nothing in this section shall be construed to prohibit a
8156 combination of unsubsidized dwelling units and subsidized dwelling
8157 units under the demonstration project within the same facility.
8158 Notwithstanding the provisions of section 8-402, as amended by this
8159 act, the [Department of Economic and Community Development]
8160 Connecticut Economic Development Authority may set the rental
8161 subsidy at any percentage of the annual aggregate family income and
8162 define aggregate family income and eligibility for subsidies in a
8163 manner consistent with such demonstration project.

8164 Sec. 167. Subsection (a) of section 21-84a of the general statutes is
8165 repealed and the following is substituted in lieu thereof (*Effective July*
8166 *1, 2011*):

8167 (a) There is established, within the Department of Consumer
8168 Protection, a Mobile Manufactured Home Advisory Council composed
8169 of fifteen members as follows: One member of the Connecticut Real
8170 Estate Commission [, one employee of the Department of Economic
8171 and Community Development] and one employee of the Connecticut
8172 [Housing Finance] Economic Development Authority to be appointed
8173 by the Governor; an attorney-at-law specializing in mobile
8174 manufactured home matters to be appointed by the speaker of the
8175 House of Representatives; one town planner and one representative of

8176 the banking industry to be appointed by the Governor; three mobile
8177 manufactured home park owners, one to be appointed by the
8178 Governor, one to be appointed by the minority leader of the Senate
8179 and one to be appointed by the minority leader of the House of
8180 Representatives; a representative of the mobile manufactured home
8181 industry to be appointed by the majority leader of the House of
8182 Representatives; three mobile manufactured home park tenants or
8183 representatives of such tenants, each from different geographic areas
8184 of the state, one to be appointed by the Governor, one to be appointed
8185 by the president pro tempore of the Senate and one to be appointed by
8186 the majority leader of the Senate; a senior citizen, who is either a
8187 resident of a mobile manufactured home park or a representative of
8188 other senior citizens who reside in mobile manufactured home parks,
8189 and a representative of the Housing Advisory Committee to be
8190 appointed by the Governor. The mobile manufactured home park
8191 owners and the representative of the mobile manufactured home
8192 industry shall be appointed from a list submitted to the appointing
8193 authorities by the Connecticut Manufactured Housing Association or
8194 its successor, if such organization or successor exists. The mobile
8195 manufactured home park tenants or tenant representatives and the
8196 senior citizen shall be appointed from a list submitted to the
8197 appointing authorities by the Connecticut Manufactured Home
8198 Owners Alliance or its successor, if such organization or successor
8199 exists. The Governor shall appoint a chairperson from among the
8200 members of the council. Members shall serve for a term coterminous
8201 with the term of the Governor or until their successors are appointed,
8202 whichever is later. Any vacancy shall be filled by the appointing
8203 authority for the position which has become vacant. Members of the
8204 council shall not be compensated for their services. Any council
8205 member who fails to attend three consecutive meetings or who fails to
8206 attend fifty per cent of all meetings held during any calendar year shall
8207 be deemed to have resigned from office.

8208 Sec. 168. Section 32-1m of the general statutes is repealed and the
8209 following is substituted in lieu thereof (*Effective July 1, 2011*):

8210 (a) Not later than February 1, 2006, and annually thereafter, the
8211 [Commissioner of Economic and Community Development] executive
8212 director of the Connecticut Economic Development Authority shall
8213 submit a report to the Governor and the General Assembly, in
8214 accordance with the provisions of section 11-4a. Not later than thirty
8215 days after submission of the report to the Governor and the General
8216 Assembly, said [commissioner] director shall post the report on the
8217 [Department of Economic and Community Development's] authority's
8218 web site. Said report shall include, but not be limited to, the following
8219 information with regard to the activities of the [Department of
8220 Economic and Community Development] Connecticut Economic
8221 Development Authority during the preceding state fiscal year:

8222 (1) A brief description and assessment of the state's economy during
8223 such year, utilizing the most recent and reasonably available data, and
8224 including:

8225 (A) Connecticut employment by industry;

8226 (B) Connecticut and national average unemployment;

8227 (C) Connecticut gross state product, by industry;

8228 (D) Connecticut productivity, by industry, compared to the national
8229 average;

8230 (E) Connecticut manufacturing activity;

8231 (F) Identification of economic and competitive conditions affecting
8232 Connecticut's industry sectors, problems resulting from these
8233 conditions and state efforts to address the problems;

8234 (G) A brief summary of Connecticut's competitiveness as a place for
8235 business, which shall include, but not be limited to, an evaluation of (i)
8236 how the programs and policies of state government affect the state
8237 economy and state business environment, (ii) the ability of the state to
8238 retain and attract businesses, (iii) the steps taken by other states to

8239 improve the competitiveness of such states as places for business, and
8240 (iv) programs and policies the state could implement to improve the
8241 competitiveness of the state in order to encourage economic growth;
8242 and

8243 (H) Any other economic information that the [commissioner]
8244 executive director deems appropriate.

8245 (2) A statement of the [department's] authority's economic and
8246 community development objectives, measures of program success and
8247 standards for granting financial and nonfinancial assistance under
8248 programs administered by the [department] authority.

8249 (3) An analysis of the economic development portfolio of the
8250 [department] authority, including:

8251 (A) A list of the names, addresses and locations of all recipients of
8252 the [department's] authority's assistance;

8253 (B) The following information concerning each recipient of such
8254 assistance: (i) Business activities, (ii) standard industrial classification
8255 codes or North American industrial classification codes, (iii) number of
8256 full-time jobs and part-time jobs at the time of application, (iv) number
8257 of actual full-time jobs and actual part-time jobs during the preceding
8258 state fiscal year, (v) whether the recipient is a minority or woman-
8259 owned business, (vi) a summary of the terms and conditions for the
8260 assistance, including the type and amount of state financial assistance,
8261 job creation or retention requirements and anticipated wage rates, (vii)
8262 the amount of investments from private and other nonstate sources
8263 that have been leveraged by the assistance, (viii) the extent to which
8264 employees of the recipient participate in health benefit plans offered
8265 by such recipient, (ix) the extent to which the recipient offers unique
8266 economic, social, cultural or aesthetic attributes to the municipality in
8267 which the recipient is located or to the state, and (x) the amount of
8268 state investment;

8269 (C) A portfolio analysis, including (i) an analysis of the wages paid

8270 by recipients of financial assistance, (ii) the average portfolio wage,
8271 median portfolio wage, highest and lowest portfolio wage, (iii)
8272 portfolio wage data by industry, and (iv) portfolio wage data by
8273 municipality;

8274 (D) An investment analysis, including (i) total portfolio value, (ii)
8275 total investment by industry, (iii) portfolio dollar per job average, (iv)
8276 portfolio leverage ratio, and (v) percentage of financial assistance
8277 which was provided to high performance work organizations in the
8278 preceding state fiscal year; and

8279 (E) An analysis of the estimated economic effects of the
8280 [department's] authority's economic development investments on the
8281 state's economy, including (i) contribution to gross state product for
8282 the total economic development portfolio and for any investment
8283 activity occurring in the preceding state fiscal year, (ii) direct and
8284 indirect employment created by the investments for the total portfolio
8285 and for any investment activity occurring in the preceding state fiscal
8286 year, (iii) productivity of recipients of financial assistance as a result of
8287 the [department's] authority's investment occurring in the preceding
8288 state fiscal year, (iv) directly or indirectly increased property values in
8289 the municipalities in which the recipients of assistance are located, and
8290 (v) personal income.

8291 (4) An analysis of the community development portfolio of the
8292 [department] authority, including:

8293 (A) A list of the names, addresses and locations of all recipients of
8294 the [department's] authority's assistance;

8295 (B) The following information concerning each recipient of such
8296 assistance: (i) Amount of state investment, (ii) a summary of the terms
8297 and conditions for the department's assistance, including the type and
8298 amount of state financial assistance, and (iii) the amount of
8299 investments from private and other nonstate sources that have been
8300 leveraged by such assistance;

8301 (C) An investment analysis, including (i) total active portfolio value,
8302 (ii) total investments made in the preceding state fiscal year, (iii) total
8303 portfolio by municipality, (iv) total investments made in the preceding
8304 state fiscal year categorized by municipality, (v) total portfolio
8305 leverage ratio, and (vi) leverage ratio of the total investments made in
8306 the preceding state fiscal year; and

8307 (D) An analysis of the estimated economic effects of the
8308 [department's] authority's economic development investments on the
8309 state's economy, including (i) contribution to gross state product for
8310 the total portfolio and for any investment activity occurring in the
8311 preceding state fiscal year, (ii) direct and indirect employment created
8312 by the investments for the total portfolio and for any investment
8313 activity occurring in the preceding state fiscal year, (iii) productivity of
8314 recipients of financial assistance as a result of the [department's]
8315 authority's investment occurring in the preceding state fiscal year, (iv)
8316 directly or indirectly increased property values in the municipalities in
8317 which the recipients are located, and (v) personal income.

8318 (5) A summary of the [department's] authority's economic and
8319 community development marketing efforts in the preceding state fiscal
8320 year, a summary of the [department's] authority's business recruitment
8321 strategies and activities in such year, and a summary of the
8322 [department's] authority's efforts to assist small businesses and
8323 minority business enterprises in such year.

8324 (6) A summary of the [department's] authority's international trade
8325 efforts in the preceding state fiscal year, and, to the extent possible, a
8326 summary of foreign direct investment that occurred in the state in such
8327 year.

8328 (7) Identification of existing economic clusters, the formation of new
8329 economic clusters, the measures taken by the [commissioner] executive
8330 director during the preceding state fiscal year to encourage the growth
8331 of economic clusters and the amount of bond funds expended by the
8332 [department] authority during the previous fiscal year on each

8333 economic cluster.

8334 (8) (A) A summary of the [department's] authority's brownfield-
8335 related efforts and activities within the Office of Brownfield
8336 Remediation and Development established pursuant to subsections (a)
8337 to (f), inclusive, of section 32-9cc, as amended by this act, in the
8338 preceding state fiscal year, except for activity under the Special
8339 Contaminated Property Remediation and Insurance Fund program.
8340 Such efforts shall include, but not be limited to, (i) total portfolio
8341 investment in brownfield remediation projects, (ii) total investment in
8342 brownfield remediation projects in the preceding state fiscal year, (iii)
8343 total number of brownfield remediation projects, (iv) total number of
8344 brownfield remediation projects in the preceding state fiscal year, (v)
8345 total of reclaimed and remediated acreage, (vi) total of reclaimed and
8346 remediated acreage in the preceding state fiscal year, (vii) leverage
8347 ratio for the total portfolio investment in brownfield remediation
8348 projects, and (viii) leverage ratio for the total portfolio investment in
8349 brownfield remediation projects in the preceding state fiscal year. Such
8350 summary shall include a list of such brownfield remediation projects
8351 and, for each such project, the name of the developer and the location
8352 by street address and municipality and a tracking of all funds
8353 administered through or by said office;

8354 (B) A summary of the [department's] authority's efforts with regard
8355 to the Special Contaminated Property Remediation and Insurance
8356 Fund, including, but not limited to, (i) the number of applications
8357 received in the preceding state fiscal year, (ii) the number and amounts
8358 of loans made in such year, (iii) the names of the applicants for such
8359 loans, (iv) the average time period between submission of application
8360 and the decision to grant or deny the loan, (v) a list of the applications
8361 approved and the applications denied and the reasons for such
8362 denials, and (vi) for each project, the location by street address and
8363 municipality; and

8364 (C) A summary of the [department's] authority's efforts with regard
8365 to the dry cleaning grant program, established pursuant to section 12-

8366 263m, including, but not limited to, (i) information as to the number of
8367 applications received, (ii) the number and amounts of grants made
8368 since the inception of the program, (iii) the names of the applicants,
8369 (iv) the time period between submission of application and the
8370 decision to grant or deny the loan, (v) which applications were
8371 approved and which applications were denied and the reasons for any
8372 denials, and (vi) a recommendation as to whether the surcharge and
8373 grant program established pursuant to section 12-263m should
8374 continue.

8375 (9) The following information concerning enterprise zones
8376 designated under section 32-70:

8377 (A) A statement of the current goals for enterprise zones;

8378 (B) A statement of the current performance standards to measure
8379 the progress of municipalities that have enterprise zones in attaining
8380 the goals for such zones;

8381 (C) A report from each municipality that has an enterprise zone,
8382 which evaluates the progress of the municipality in meeting the
8383 performance standards established under section 32-70a; and

8384 (D) An assessment of the performance of each enterprise zone based
8385 on information collected under subparagraph (C) of this subdivision.

8386 (10) With regard to the grant program designated pursuant to
8387 sections 32-324a to 32-324e, inclusive, an assessment of program
8388 performance.

8389 (11) With regard to the fuel diversification program designated
8390 pursuant to section 32-324g, an assessment of program performance.

8391 (12) With regard to the **[**department's**]** <u>authority's</u> housing-
8392 development-related functions and activities:

8393 (A) A brief description and assessment of the state's housing market

8394 during the preceding state fiscal year, utilizing the most recent and
8395 reasonably available data, and including, but not limited to, (i) a brief
8396 description of the significant characteristics of such market, including
8397 supply, demand and condition and cost of housing, and (ii) any other
8398 information that the [commissioner] executive director deems
8399 appropriate;

8400 (B) A comprehensive assessment of current and future needs for
8401 rental assistance under section 8-119kk for housing projects for the
8402 elderly and disabled; [, in consultation with the Connecticut Housing
8403 Finance Authority;]

8404 (C) An analysis of the progress of the public and private sectors
8405 toward meeting housing needs in the state, using building permit data
8406 from the United States Census Bureau and demolition data from
8407 Connecticut municipalities;

8408 (D) A list of municipalities that meet the affordable housing criteria
8409 set forth in subsection (k) of section 8-30g, pursuant to [regulations]
8410 procedures that the [Commissioner of Economic and Community
8411 Development] executive director shall adopt [pursuant to the
8412 provisions of chapter 54] in accordance with section 1-121. For the
8413 purpose of determining the percentage required by subsection (k) of
8414 said section 8-30g, the [commissioner] executive director shall use as
8415 the denominator the number of dwelling units in the municipality, as
8416 reported in the most recent United States decennial census; and

8417 (E) A statement of the [department's] authority's housing
8418 development objectives, measures of program success and standards
8419 for granting financial and nonfinancial assistance under programs
8420 administered by said [commissioner] director.

8421 (13) A presentation of the state-funded housing development
8422 portfolio of the [department] authority, including:

8423 (A) A list of the names, addresses and locations of all recipients of
8424 such assistance; and

8425 (B) For each such recipient, (i) a summary of the terms and
8426 conditions for the assistance, including the type and amount of state
8427 financial assistance, (ii) the amount of investments from private and
8428 other nonstate sources that have been leveraged by the assistance, (iii)
8429 the number of new units to be created and the number of units to be
8430 preserved at the time of the application, and (iv) the number of actual
8431 new units created and number of units preserved.

8432 (14) An analysis of the state-funded housing development portfolio
8433 of the **[**department**]** authority, including:

8434 (A) An investment analysis, including the (i) total active portfolio
8435 value, (ii) total investment made in the preceding state fiscal year, (iii)
8436 portfolio dollar per new unit created, (iv) estimated dollars per new
8437 unit created for projects receiving an assistance award in the preceding
8438 state fiscal year, (v) portfolio dollars per unit preserved, (vi) estimated
8439 dollar per unit preserved for projects receiving an assistance award in
8440 the preceding state fiscal year, (vii) portfolio leverage ratio, and (viii)
8441 leverage ratio for housing development investments made in the
8442 preceding state fiscal year; and

8443 (B) A production and preservation analysis, including (i) the total
8444 number of units created, itemized by municipality, for the total
8445 portfolio and projects receiving an assistance award in the preceding
8446 state fiscal year, (ii) the total number of elderly units created for the
8447 total portfolio and for projects receiving an assistance award in the
8448 preceding state fiscal year, (iii) the total number of family units created
8449 for the total portfolio and for projects receiving an assistance award in
8450 the preceding state fiscal year, (iv) the total number of units preserved,
8451 itemized by municipality, for the total portfolio and projects receiving
8452 an assistance award in the preceding state fiscal year, (v) the total
8453 number of elderly units preserved for the total portfolio and for
8454 projects receiving an assistance award in the preceding state fiscal
8455 year, (vi) the total number of family units preserved for the total
8456 portfolio and for projects receiving an assistance award in the
8457 preceding state fiscal year, (vii) an analysis by income group of

8458 households served by the [department's] authority's housing
8459 construction, substantial rehabilitation, purchase and rental assistance
8460 programs, for each housing development, if applicable, and for each
8461 program, including number of households served under each program
8462 by race and data for all households, and (viii) a summary of the
8463 [department's] authority's efforts in promoting fair housing choice and
8464 racial and economic integration, including data on the racial
8465 composition of the occupants and persons on the waiting list of each
8466 housing project that is assisted under any housing program
8467 established by the general statutes or a special act or that is supervised
8468 by the [department] authority, provided no information shall be
8469 required to be disclosed by any occupant or person on a waiting list for
8470 the preparation of such summary. As used in this subparagraph,
8471 "elderly units" means dwelling units for which occupancy is restricted
8472 by age, and "family units" means dwelling units for which occupancy
8473 is not restricted by age.

8474 (15) An economic impact analysis of the [department's] authority's
8475 housing development efforts and activities, including, but not limited
8476 to:

8477 (A) The contribution of such efforts and activities to the gross state
8478 product;

8479 (B) The direct and indirect employment created by the investments
8480 for the total housing development portfolio and for any investment
8481 activity for such portfolio occurring in the preceding state fiscal year;
8482 and

8483 (C) Personal income in the state.

8484 (16) With regard to the Housing Trust Fund and Housing Trust
8485 Fund program, as those terms are defined in section 8-336m:

8486 (A) Activities for the prior fiscal year of the Housing Trust Fund and
8487 the Housing Trust Fund program; and

8488 (B) The efforts of the [department] authority to obtain private
8489 support for the Housing Trust Fund and the Housing Trust Fund
8490 program.

8491 (17) With regard to the [department's] authority's energy
8492 conservation loan program:

8493 (A) The number of loans or deferred loans made during the
8494 preceding fiscal year under each component of such program and the
8495 total amount of the loans or deferred loans made during such fiscal
8496 year under each such component;

8497 (B) A description of each step of the loan or deferred loan
8498 application and review process;

8499 (C) The location of each loan or deferred loan application intake site
8500 for such program;

8501 (D) The average time period for the processing of loan or deferred
8502 loan applications during such fiscal year; and

8503 (E) The total administrative expenses of such program for such
8504 fiscal year.

8505 (18) An assessment of the performance of the Connecticut qualified
8506 biodiesel producer incentive account grant program established
8507 pursuant to sections 32-324a to 32-324e, inclusive.

8508 (19) An assessment of the performance of the fuel diversification
8509 grant program established pursuant to section 32-324g.

8510 (20) A summary of the total social and economic impact of the
8511 [department's] authority's efforts and activities in the areas of
8512 economic, community and housing development, and an assessment
8513 of the department's performance in terms of meeting its stated goals
8514 and objectives.

8515 (21) With regard to the Connecticut Credit Consortium established

8516 pursuant to section 32-9yy, a summary of the activity of such program,
8517 including, but not limited to, the number of loans and lines of credit
8518 applied for and approved, the size of the businesses, the amount of the
8519 loans or lines of credit, and the amount repaid to date.

8520 (22) With regard to the office of the permit ombudsman, established
8521 pursuant to section 32-726:

8522 (A) The names of applicants for expedited review;

8523 (B) The date of request for expedited review;

8524 (C) The basis upon which the applicant claimed eligibility for
8525 expedited review;

8526 (D) State agencies that participated in the permit review process;

8527 (E) The dates on which the permit was granted or denied via the
8528 expedited review process or the date the applicant was determined not
8529 to be eligible for expedited review; and

8530 (F) If applicable, the reason the applicant was determined not to be
8531 eligible for the expedited review process.

8532 (b) Any annual report that is required from the **[**department**]**
8533 authority by any provision of the general statutes shall be incorporated
8534 into the annual report provided pursuant to subsection (a) of this
8535 section.

8536 Sec. 169. Section 32-23e of the general statutes is repealed and the
8537 following is substituted in lieu thereof (*Effective July 1, 2011*):

8538 To accomplish the purposes of the authority, as defined in
8539 subsection (t) of section 32-23d, which are hereby determined to be
8540 public purposes for which public funds may be expended, and in
8541 addition to any other powers provided by law, the authority shall have
8542 power to: (1) Determine the location and character of any project to be
8543 financed under the provisions of said chapters and sections, provided

8544 any financial assistance shall be approved in accordance with written
8545 procedures prepared pursuant to subdivision (14) of this section; (2)
8546 purchase, receive, by gift or otherwise, lease, exchange, or otherwise
8547 acquire, and construct, reconstruct, improve, maintain, equip and
8548 furnish one or more projects, including all real and personal property
8549 which the authority may deem necessary in connection therewith, and
8550 to enter into a contract with a person therefor upon such terms and
8551 conditions as the authority shall determine to be reasonable, including
8552 but not limited to reimbursement for the planning, designing,
8553 financing, construction, reconstruction, improvement, equipping,
8554 furnishing, operation and maintenance of the project and any claims
8555 arising therefrom and establishment and maintenance of reserve and
8556 insurance funds with respect to the financing of the project; (3) insure
8557 any or all payments to be made by the borrower under the terms of
8558 any agreement for the extension of credit or making of a loan by the
8559 authority in connection with any economic development project to be
8560 financed, wholly or in part, through the issuance of bonds or mortgage
8561 payments of any mortgage which is given by a mortgagor to the
8562 mortgagee who has provided the mortgage for an economic
8563 development project upon such terms and conditions as the authority
8564 may prescribe and as provided herein, and the faith and credit of the
8565 state are pledged thereto; (4) in connection with the insuring of
8566 payments of any mortgage, request for its guidance a finding of the
8567 municipal planning commission, or, if there is no planning
8568 commission, a finding of the municipal officers, of the municipality in
8569 which the economic development project is proposed to be located, or
8570 of the regional planning agency of which such municipality is a
8571 member, as to the expediency and advisability of the economic
8572 development project; (5) sell or lease to any person, all or any portion
8573 of a project, purchase from eligible financial institutions mortgages
8574 with respect to economic development projects, purchase or
8575 repurchase its own bonds, and sell, pledge or assign to any person any
8576 such bonds, mortgages, or other loans, notes, revenues or assets of the
8577 authority, or any interest therein, for such consideration and upon
8578 such terms as the authority may determine to be reasonable; (6)

8579 mortgage or otherwise encumber all or any portion of a project
8580 whenever it shall find such action to be in furtherance of the purposes
8581 of said chapters and sections; (7) enter into agreements with any
8582 person, including prospective mortgagees and mortgagors, for the
8583 purpose of planning, designing, constructing, acquiring, altering and
8584 financing projects, providing liquidity or a secondary market for
8585 mortgages or other financial obligations incurred with respect to
8586 facilities which would qualify as a project under this chapter,
8587 purchasing loans made by regional corporations under section 32-276,
8588 or for any other purpose in furtherance of any other power of the
8589 authority; (8) grant options to purchase or renew a lease for any of its
8590 projects on such terms as the authority may determine to be
8591 reasonable; (9) employ or retain attorneys, accountants and
8592 architectural, engineering and financial consultants and such other
8593 employees and agents and to fix their compensation and to employ the
8594 Connecticut Development Credit Corporation on a cost basis as it shall
8595 deem necessary to assist it in carrying out the purposes of said
8596 authority legislation; (10) borrow money or accept gifts, grants or loans
8597 of funds, property or service from any source, public or private, and
8598 comply, subject to the provisions of said authority legislation, with the
8599 terms and conditions thereof; (11) accept from a federal agency loans,
8600 grants or loan guarantees or otherwise participate in any loan, grant,
8601 loan guarantee or other financing or economic or project development
8602 program of a federal agency in furtherance of, and consistent with, the
8603 purposes of the authority, and enter into agreements with such agency
8604 respecting any such loans, grants, loan guarantees or federal agency
8605 programs; (12) provide tenant lease guarantees and performance
8606 guarantees, invest in, extend credit or make loans to any person for the
8607 planning, designing, financing, acquiring, constructing, reconstructing,
8608 improving, expanding, continuing in operation, equipping and
8609 furnishing of a project and for the refinancing of existing indebtedness
8610 with respect to any facility or part thereof which would qualify as a
8611 project in order to facilitate substantial improvements thereto, which
8612 guarantees, investments, credits or loans may be secured by loan
8613 agreements, lease agreements, installment sale agreements, mortgages,

8614 contracts and all other instruments or fees and charges, upon such
8615 terms and conditions as the authority shall determine to be reasonable
8616 in connection with such loans, including provision for the
8617 establishment and maintenance of reserve and insurance funds and in
8618 the exercise of powers granted in this section in connection with a
8619 project for such person, to require the inclusion in any contract, loan
8620 agreement or other instrument, such provisions for the construction,
8621 use, operation and maintenance and financing of a project as the
8622 authority may deem necessary or desirable; (13) in connection with
8623 any application for assistance under said authority legislation, or
8624 commitments therefor, to make and collect such fees and charges as
8625 the authority shall determine to be reasonable; (14) adopt procedures,
8626 in accordance with the provisions of section 1-121, to carry out the
8627 provisions of said authority legislation, which may give priority to
8628 applications for financial assistance based upon the extent the project
8629 will materially contribute to the economic base of the state by creating
8630 or retaining jobs, providing increased wages or benefits to employees,
8631 promoting the export of products or services beyond the boundaries of
8632 the state, encouraging innovation in products or services, encouraging
8633 defense-dependent business to diversify to nondefense production,
8634 promoting standards of participation adopted by the Connecticut
8635 partnership compact pursuant to section 33-374g of the general
8636 statutes, revision of 1958, revised to 1991, or will otherwise enhance
8637 existing activities that are important to the economic base of the state,
8638 provided regulation-making proceedings commenced before January
8639 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (15)
8640 adopt an official seal and alter the same at pleasure; (16) maintain an
8641 office at such place or places within the state as it may designate; (17)
8642 sue and be sued in its own name and plead and be impleaded, service
8643 of process in any action to be made by service upon the executive
8644 director of said authority either in hand or by leaving a copy of the
8645 process at the office of the authority with some person having charge
8646 thereof; (18) employ such assistants, agents and other employees as
8647 may be necessary or desirable for its purposes, which employees shall
8648 be exempt from the classified service and shall not be employees as

8649 defined in subsection (b) of section 5-270; establish all necessary or
8650 appropriate personnel practices and policies, including those relating
8651 to hiring, promotion, compensation, retirement and collective
8652 bargaining, which need not be in accordance with chapter 68 and the
8653 authority shall not be an employer as defined in subsection (a) of
8654 section 5-270; contract for and engage appraisers of industrial
8655 machinery and equipment, consultants and property management
8656 services, and utilize the services of other governmental agencies; (19)
8657 when it becomes necessary or feasible for the authority to safeguard
8658 itself from losses, acquire, purchase, manage and operate, hold and
8659 dispose of real and personal property, take assignments of rentals and
8660 leases and make and enter into all contracts, leases, agreements and
8661 arrangements necessary or incidental to the performance of its duties;
8662 (20) in order to further the purposes of said authority legislation, or to
8663 assure the payment of the principal and interest on bonds or notes of
8664 the authority or to safeguard the mortgage insurance fund, purchase,
8665 acquire and take assignments of notes, mortgages and other forms of
8666 security and evidences of indebtedness, purchase, acquire, attach,
8667 seize, accept or take title to any project by conveyance or, by
8668 foreclosure, and sell, lease or rent any project for a use specified in said
8669 chapters and sections or in this chapter; (21) adopt rules for the
8670 conduct of its business; (22) invest any funds not needed for immediate
8671 use or disbursement, including any funds held in reserve, in
8672 obligations issued or guaranteed by the United States of America or
8673 the state of Connecticut and in other obligations which are legal
8674 investments for savings banks in this state; (23) do, or delegate, any
8675 and all things necessary or convenient to carry out the purposes and to
8676 exercise the powers given and granted in said authority legislation;
8677 provided, in all matters concerning the internal administrative
8678 functions of the authority which are funded by amounts appropriated
8679 by the state to the authority, **[**or to the department,**]** the procedures of
8680 the state relating to office space, supplies, facilities, materials,
8681 equipment and professional services shall be followed, and provided
8682 further, that in the acquisition by the authority of real estate involving
8683 the use of appropriated funds or bonds supported by the full faith and

8684 credit of the state, the authority shall be subject to the provisions of
8685 section 4b-23; (24) to accept from the **[**department**]** state: (A) Financial
8686 assistance, (B) revenues or the right to receive revenues with respect to
8687 any program under the supervision of the **[**department**]** authority, and
8688 (C) loan assets or equity interests in connection with any program
8689 under the supervision of the **[**department**]** authority; to make advances
8690 to and reimburse the **[**department**]** state for any expenses incurred or
8691 to be incurred by it in the delivery of such assistance, revenues, rights,
8692 assets or amounts; to enter into agreements for the delivery of services
8693 by the authority, in consultation with **[**the department, the Connecticut
8694 Housing Finance Authority and Connecticut Innovations,
8695 Incorporated**]** state agencies, to third parties which agreements may
8696 include provisions for payment by the **[**department**]** state to the
8697 authority for the delivery of such services; and to enter into
8698 agreements with **[**the department or with the Connecticut Housing
8699 Finance Authority or Connecticut Innovations, Incorporated**]** state
8700 agencies for the sharing of assistants, agents and other consultants,
8701 professionals and employees, and facilities and other real and personal
8702 property used in the conduct of the authority's affairs; and (25) to
8703 transfer to the **[**department**]** state: (A) Financial assistance, (B)
8704 revenues or the right to receive revenues with respect to any program
8705 under the supervision of the authority, and (C) loan assets or equity
8706 interests in connection with any program under the supervision of the
8707 authority, provided the transfer of such financial assistance, revenues,
8708 rights, assets or interests is determined by the authority to be
8709 practicable, within the constraints and not inconsistent with the
8710 fiduciary obligations of the authority imposed upon or established
8711 upon the authority by any provision of the general statutes, the
8712 authority's bond resolutions or any other agreement or contract of the
8713 authority and to have no adverse effect on the tax-exempt status of any
8714 bonds of the authority or the state.

8715 Sec. 170. Section 49-31k of the general statutes is repealed and the
8716 following is substituted in lieu thereof (*Effective July 1, 2011*):

8717 As used in this section and sections 49-31*l* to 49-31o, inclusive:

8718 (1) "Mortgagor" means the owner-occupant of one-to-four family
8719 residential real property located in this state who is also the borrower
8720 under a mortgage encumbering such residential real property, which is
8721 the primary residence of such owner-occupant;

8722 (2) "Residential real property" means a one-to-four family dwelling
8723 occupied as a residence by a mortgagor;

8724 (3) "Mortgagee" means the original lender or servicer under a
8725 mortgage, or its successors or assigns, who is the holder of any
8726 mortgage on residential real property securing a loan made primarily
8727 for personal, family or household purposes that is the subject of a
8728 foreclosure action;

8729 (4) "Authority" means the Connecticut **[**Housing Finance**]** Economic
8730 Development Authority **[**created**]** established under section **[**8-244**]** 60
8731 of this act; and

8732 (5) "Mortgage assistance programs" means the mortgage assistance
8733 programs developed and implemented by the authority in accordance
8734 with sections 8-265cc to 8-265kk, inclusive, as amended by this act, 8-
8735 265rr and 8-265ss, as amended by this act.

8736 Sec. 171. Subsection (o) of section 8-252 of the general statutes is
8737 repealed and the following is substituted in lieu thereof (*Effective July*
8738 *1, 2011*):

8739 (o) The authority is authorized and empowered, from time to time,
8740 for the purposes and upon the findings set forth in section **[**8-242**]** 61 of
8741 this act, to issue bonds, notes or other obligations the interest on which
8742 may be includable under the Internal Revenue Code of 1986 or any
8743 subsequent corresponding internal revenue code of the United States,
8744 as from time to time amended, in the gross income of the holder or
8745 holders of such bonds, notes or other obligations to the same extent
8746 and in the same manner that interest on bills, bonds, notes or other

8747 obligations of the United States is includable in the gross income of the
8748 holders or holders thereof under said Internal Revenue Code; the state
8749 hereby consents to such inclusion only for the bonds, notes and other
8750 obligations of the authority authorized by this subsection. Such taxable
8751 bonds, notes or other obligations of the authority may be issued
8752 pursuant to this subsection by the authority for the purpose of
8753 financing the purchase, construction, rehabilitation or refinancing of
8754 new or existing multifamily rental developments and common interest
8755 ownership communities or land, upon a finding and determination by
8756 the board of directors, based on reasonable information, that such
8757 financing or refinancing is not readily available and that it is
8758 appropriate and in the public interest.

8759 Sec. 172. Subdivision (17) of section 8-250 of the general statutes is
8760 repealed and the following is substituted in lieu thereof (*Effective July*
8761 *1, 2011*):

8762 (17) To sue and be sued, plead and be impleaded, provided nothing
8763 in section **[**8-244 or**]** 8-253 shall be so construed as to permit an
8764 attachment of or garnishment against any of the funds or assets of the
8765 authority prior to final judgment, adopt a seal and alter the same at
8766 pleasure, and maintain an office at such place or places within the state
8767 as it may designate;

8768 Sec. 173. Section 4-5 of the general statutes is repealed and the
8769 following is substituted in lieu thereof (*Effective July 1, 2011*):

8770 As used in sections 4-6, 4-7 and 4-8, the term "department head"
8771 means Secretary of the Office of Policy and Management,
8772 Commissioner of Administrative Services, Commissioner of Revenue
8773 Services, Banking Commissioner, Commissioner of Children and
8774 Families, Commissioner of Consumer Protection, Commissioner of
8775 Correction, **[**Commissioner of Economic and Community
8776 Development,**]** State Board of Education, Commissioner of Emergency
8777 Management and Homeland Security, Commissioner of
8778 Environmental Protection, Commissioner of Agriculture,

8779 Commissioner of Public Health, Insurance Commissioner, Labor
8780 Commissioner, Liquor Control Commission, Commissioner of Mental
8781 Health and Addiction Services, Commissioner of Public Safety,
8782 Commissioner of Social Services, Commissioner of Developmental
8783 Services, Commissioner of Motor Vehicles, Commissioner of
8784 Transportation, Commissioner of Public Works, Commissioner of
8785 Veterans' Affairs, Chief Information Officer, the chairperson of the
8786 Public Utilities Control Authority, the executive director of the Board
8787 of Education and Services for the Blind, the executive director of the
8788 Connecticut Commission on Culture and Tourism, and the executive
8789 director of the Office of Military Affairs. As used in sections 4-6 and 4-
8790 7, "department head" also means the Commissioner of Education.

8791 Sec. 174. Section 4-38c of the general statutes is repealed and the
8792 following is substituted in lieu thereof (*Effective July 1, 2011*):

8793 There shall be within the executive branch of state government the
8794 following departments: Office of Policy and Management, Department
8795 of Administrative Services, Department of Revenue Services,
8796 Department of Banking, Department of Agriculture, Department of
8797 Children and Families, Department of Consumer Protection,
8798 Department of Correction, **[**Department of Economic and Community
8799 Development,**]** State Board of Education, Department of Emergency
8800 Management and Homeland Security, Department of Environmental
8801 Protection, Department of Public Health, Board of Governors of
8802 Higher Education, Insurance Department, Labor Department,
8803 Department of Mental Health and Addiction Services, Department of
8804 Developmental Services, Department of Public Safety, Department of
8805 Social Services, Department of Transportation, Department of Motor
8806 Vehicles, Department of Veterans' Affairs, Department of Public
8807 Works and Department of Public Utility Control.

8808 Sec. 175. Section 4-66c of the general statutes is repealed and the
8809 following is substituted in lieu thereof (*Effective July 1, 2011*):

8810 (a) For the purposes of subsection (b) of this section, the State Bond

8811 Commission shall have power, from time to time to authorize the
8812 issuance of bonds of the state in one or more series and in principal
8813 amounts not exceeding in the aggregate one billion one hundred fifty-
8814 nine million four hundred eighty-seven thousand five hundred forty-
8815 four dollars. All provisions of section 3-20, or the exercise of any right
8816 or power granted thereby, which are not inconsistent with the
8817 provisions of this section, are hereby adopted and shall apply to all
8818 bonds authorized by the State Bond Commission pursuant to this
8819 section, and temporary notes in anticipation of the money to be
8820 derived from the sale of any such bonds so authorized may be issued
8821 in accordance with said section 3-20 and from time to time renewed.
8822 Such bonds shall mature at such time or times not exceeding twenty
8823 years from their respective dates as may be provided in or pursuant to
8824 the resolution or resolutions of the State Bond Commission authorizing
8825 such bonds. None of said bonds shall be authorized except upon a
8826 finding by the State Bond Commission that there has been filed with it
8827 a request for such authorization, which is signed by or on behalf of the
8828 Secretary of the Office of Policy and Management and states such
8829 terms and conditions as said commission in its discretion may require.
8830 Said bonds issued pursuant to this section shall be general obligations
8831 of the state and the full faith and credit of the state of Connecticut are
8832 pledged for the payment of the principal of and interest on said bonds
8833 as the same become due, and accordingly as part of the contract of the
8834 state with the holders of said bonds, appropriation of all amounts
8835 necessary for punctual payment of such principal and interest is
8836 hereby made, and the Treasurer shall pay such principal and interest
8837 as the same become due.

8838 (b) (1) The proceeds of the sale of said bonds, to the extent
8839 hereinafter stated, shall be used, subject to the provisions of
8840 subsections (c) and (d) of this section, for the purpose of redirecting,
8841 improving and expanding state activities which promote community
8842 conservation and development and improve the quality of life for
8843 urban residents of the state as hereinafter stated: (A) For the
8844 **[**Department of Economic and Community Development**]** Connecticut

8845 Economic Development Authority: Economic and community
8846 development projects, including administrative costs incurred by the
8847 [Department of Economic and Community Development] Connecticut
8848 Economic Development Authority, not exceeding sixty-seven million
8849 five hundred ninety-one thousand six hundred forty-two dollars, one
8850 million dollars of which shall be used for a grant to the development
8851 center program and the nonprofit business consortium deployment
8852 center approved pursuant to section 32-411; (B) for the Department of
8853 Transportation: Urban mass transit, not exceeding two million dollars;
8854 (C) for the Department of Environmental Protection: Recreation
8855 development and solid waste disposal projects, not exceeding one
8856 million nine hundred ninety-five thousand nine hundred two dollars;
8857 (D) for the Department of Social Services: Child day care projects,
8858 elderly centers, shelter facilities for victims of domestic violence,
8859 emergency shelters and related facilities for the homeless,
8860 multipurpose human resource centers and food distribution facilities,
8861 not exceeding thirty-nine million one hundred thousand dollars,
8862 provided four million dollars of said authorization shall be effective
8863 July 1, 1994; (E) for the [Department of Economic and Community
8864 Development] Connecticut Economic Development Authority:
8865 Housing projects, not exceeding three million dollars; (F) for the Office
8866 of Policy and Management: (i) Grants-in-aid to municipalities for a
8867 pilot demonstration program to leverage private contributions for
8868 redevelopment of designated historic preservation areas, not
8869 exceeding one million dollars; (ii) grants-in-aid for urban development
8870 projects including economic and community development,
8871 transportation, environmental protection, public safety, children and
8872 families and social services projects and programs, including, in the
8873 case of economic and community development projects administered
8874 on behalf of the Office of Policy and Management by the [Department
8875 of Economic and Community Development] Connecticut Economic
8876 Development Authority, administrative costs incurred by the
8877 [Department of Economic and Community Development] Connecticut
8878 Economic Development Authority, not exceeding one billion forty-four
8879 million eight hundred thousand dollars.

8880 (2) (A) Five million dollars of the grants-in-aid authorized in
8881 subparagraph (F)(ii) of subdivision (1) of this subsection may be made
8882 available to private nonprofit organizations for the purposes described
8883 in said subparagraph (F)(ii). (B) Twelve million dollars of the grants-in-
8884 aid authorized in subparagraph (F)(ii) of subdivision (1) of this
8885 subsection may be made available for necessary renovations and
8886 improvements of libraries. (C) Five million dollars of the grants-in-aid
8887 authorized in subparagraph (F)(ii) of subdivision (1) of this subsection
8888 shall be made available for small business gap financing. (D) Ten
8889 million dollars of the grants-in-aid authorized in subparagraph (F)(ii)
8890 of subdivision (1) of this subsection may be made available for regional
8891 economic development revolving loan funds. (E) One million four
8892 hundred thousand dollars of the grants-in-aid authorized in
8893 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
8894 available for rehabilitation and renovation of the Black Rock Library in
8895 Bridgeport. (F) Two million five hundred thousand dollars of the
8896 grants-in-aid authorized in subparagraph (F)(ii) of subdivision (1) of
8897 this subsection shall be made available for site acquisition, renovation
8898 and rehabilitation for the Institute for the Hispanic Family in Hartford.
8899 (G) Three million dollars of the grants-in-aid authorized in
8900 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
8901 available for the acquisition of land and the development of
8902 commercial or retail property in New Haven. (H) Seven hundred fifty
8903 thousand dollars of the grants-in-aid authorized in subparagraph
8904 (F)(ii) of subdivision (1) of this subsection shall be made available for
8905 repairs and replacement of the fishing pier at Cummings Park in
8906 Stamford.

8907 (c) Any proceeds from the sale of bonds authorized pursuant to
8908 subsections (a) and (b) of this section or of temporary notes issued in
8909 anticipation of the moneys to be derived from the sale of such bonds
8910 may be used to fund grants-in-aid to municipalities or the grant-in-aid
8911 programs of said departments <u>or authority</u>, including, but not limited
8912 to, financial assistance and expenses authorized under chapters 128,
8913 129, 130, 133, 136 and 298, and section 16a-40a, provided any such

8914 program shall be implemented in an eligible municipality or is for
8915 projects in other municipalities which the State Bond Commission
8916 determines will help to meet the goals set forth in section 4-66b. For the
8917 purposes of this section, "eligible municipality" means a municipality
8918 which is economically distressed within the meaning of subsection (b)
8919 of section 32-9p, which is classified as an urban center in any plan
8920 adopted by the General Assembly pursuant to section 16a-30, which is
8921 classified as a public investment community within the meaning of
8922 subdivision (9) of subsection (a) of section 7-545, or in which the State
8923 Bond Commission determines that the project in question will help
8924 meet the goals set forth in section 4-66b. Notwithstanding the
8925 provisions of this subsection, proceeds from the sale of bonds pursuant
8926 to this section may, with the approval of the State Bond Commission,
8927 be used for transit-oriented development projects, as defined in section
8928 13b-79o, in any municipality.

8929 (d) Any economic development project eligible for assistance under
8930 this section may include but not be limited to: (1) The construction or
8931 rehabilitation of commercial, industrial and mixed use structures; and
8932 (2) the construction, reconstruction or repair of roads, accessways and
8933 other site improvements. The **[**state, acting by and in the discretion of
8934 the Commissioner of Economic and Community Development,**]**
8935 executive director of the Connecticut Economic Development
8936 Authority may enter into a contract for state financial assistance for
8937 any eligible economic or community development project in the form
8938 of a grant-in-aid. Any grant-in-aid shall be in an amount not in excess
8939 of the cost of the project for which the grant is made as determined and
8940 approved by the **[**Commissioner of Economic and Community
8941 Development**]** executive director. Before entering into a grant-in-aid
8942 contract the **[**Commissioner of Economic and Community
8943 Development**]** executive director of the Connecticut Economic
8944 Development Authority shall have approved an application submitted
8945 on forms provided by the **[**commissioner**]** executive director. No
8946 project shall be undertaken until the **[**Commissioner of Economic and
8947 Community Development**]** executive director of the Connecticut

8948 Economic Development Authority approves the plans, specifications
8949 and estimated costs. The [commissioner] executive director may adopt
8950 such [regulations] procedures, in accordance with [chapter 54] section
8951 1-121, as are necessary for the implementation of this section.

8952 (e) Notwithstanding any provision of the general statutes to the
8953 contrary, whenever the [Department of Economic and Community
8954 Development] Connecticut Economic Development Authority or the
8955 Office of Policy and Management is authorized by the general statutes
8956 to assess, collect or fund administrative expenses or service charges or
8957 otherwise recover costs or expenses incurred by the state in carrying
8958 out the provisions of any economic or community development project
8959 or program administered by the [Department of Economic and
8960 Community Development] Connecticut Economic Development
8961 Authority, except in the case of administrative oversight charges
8962 described in section 8-37tt amounts so assessed, collected or funded by
8963 the state may be used to pay any administrative expenses of the
8964 [Department of Economic and Community Development] Connecticut
8965 Economic Development Authority and shall not be required to be used
8966 to pay expenses related to a particular project or program.

8967 Sec. 176. Subsection (a) of section 4-67r of the general statutes is
8968 repealed and the following is substituted in lieu thereof (*Effective July*
8969 *1, 2011*):

8970 (a) There is created a Connecticut Progress Council. The council
8971 shall consist of the following members: The Lieutenant Governor, the
8972 Secretary of the Office of Policy and Management, the Commissioners
8973 of Social Services, Transportation [,] and Education; [and Economic
8974 and Community Development;] the president pro tempore of the
8975 Senate, the speaker of the House of Representatives, the minority
8976 leader of the Senate, the minority leader of the House of
8977 Representatives, the majority leader of the Senate and the majority
8978 leader of the House of Representatives, or their designees; the
8979 chairpersons and ranking members of the joint standing committee of
8980 the General Assembly having cognizance of matters relating to

8981 planning and development; a representative of a nonprofit municipal
8982 research organization, a representative of a state-sponsored economic
8983 advisory body, a representative of a major labor organization, a
8984 representative of a manufacturing concern, a representative of a
8985 service-related business and a representative of a financial service
8986 company, one appointed by the president pro tempore of the Senate,
8987 one by the speaker of the House of Representatives, one by the
8988 majority leader of the Senate, one by the majority leader of the House
8989 of Representatives, one by the minority leader of the Senate and one by
8990 the minority leader of the House of Representatives and six members
8991 appointed by the Governor, one representing medical services, one a
8992 major public or private university, one a major nonprofit organization,
8993 one a state employees' bargaining unit, one an environmental
8994 organization and one a business research organization. The first
8995 meeting of the council shall be called on or before November 1, 1993,
8996 by the Secretary of the Office of Policy and Management. The council
8997 shall elect a chairman from its members at the first meeting.

8998 Sec. 177. Subsection (a) of section 4-67x of the general statutes is
8999 repealed and the following is substituted in lieu thereof (*Effective July*
9000 *1, 2011*):

9001 (a) There shall be a Child Poverty and Prevention Council consisting
9002 of the following members or their designees: The Secretary of the
9003 Office of Policy and Management, the president pro tempore of the
9004 Senate, the speaker of the House of Representatives, the minority
9005 leader of the Senate and the minority leader of the House of
9006 Representatives, the Commissioners of Children and Families, Social
9007 Services, Correction, Developmental Services, Mental Health and
9008 Addiction Services, Transportation, Public Health **[**,**]** <u>and</u> Education<u>,</u>
9009 **[**and Economic and Community Development,**]** the Labor
9010 Commissioner, the Chief Court Administrator, the chairperson of the
9011 Board of Governors of Higher Education, the Child Advocate, the
9012 chairperson of the Children's Trust Fund Council and the executive
9013 directors of the Commission on Children and the Commission on

9014 Human Rights and Opportunities. The Secretary of the Office of Policy
9015 and Management, or the secretary's designee, shall be the chairperson
9016 of the council. The council shall (1) develop and promote the
9017 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
9018 number of children living in poverty in the state by fifty per cent, and
9019 (2) within available appropriations, establish prevention goals and
9020 recommendations and measure prevention service outcomes in
9021 accordance with this section in order to promote the health and well-
9022 being of children and families.

9023 Sec. 178. Subsection (a) of section 4-124z of the general statutes is
9024 repealed and the following is substituted in lieu thereof (*Effective July*
9025 *1, 2011*):

9026 (a) The Office of Workforce Competitiveness, the Labor
9027 Commissioner, the Commissioners of **[**Economic and Community
9028 Development,**]** Education and Social Services, the Secretary of the
9029 Office of Policy and Management and the Chancellor of the regional
9030 community-technical colleges, in consultation with the superintendent
9031 of the vocational-technical school system and one member of industry
9032 representing each of the economic clusters identified by the
9033 **[**Commissioner of Economic and Community Development**]** executive
9034 director of the Connecticut Economic Development Authority
9035 pursuant to section 32-1m, as amended by this act, shall (1) review,
9036 evaluate and, as necessary, recommend improvements for certification
9037 and degree programs offered by the vocational-technical school system
9038 and the community-technical college system to ensure that such
9039 programs meet the employment needs of business and industry, and
9040 (2) develop strategies to strengthen the linkage between skill standards
9041 for education and training and the employment needs of business and
9042 industry.

9043 Sec. 179. Subsection (b) of section 4-124ff of the general statutes is
9044 repealed and the following is substituted in lieu thereof (*Effective July*
9045 *1, 2011*):

9046 (b) There is established a Council of Advisors on Strategies for the
9047 Knowledge Economy to promote the formation of university-industry
9048 partnerships, identify benchmarks for technology-based workforce
9049 innovation and competitiveness and advise the award process (1) for
9050 innovation challenge grants to public postsecondary schools and their
9051 business partners, and (2) grants under section 4-124hh. The council
9052 shall be chaired by the director of the Office of Workforce
9053 Competitiveness and shall include the Secretary of the Office of Policy
9054 and Management, the **[**Commissioners of Economic and Community
9055 Development and**]** Commissioner of Higher Education, the Labor
9056 Commissioner, the executive **[**directors**]** director of **[**Connecticut
9057 Innovations, Incorporated and**]** the Connecticut Economic
9058 Development Authority and four representatives from the technology
9059 industry, one of whom shall be appointed by the president pro
9060 tempore of the Senate, one of whom shall be appointed by the speaker
9061 of the House of Representatives, one of whom shall be appointed by
9062 the minority leader of the Senate and one of whom shall be appointed
9063 by the minority leader of the House of Representatives.

9064 Sec. 180. Subsection (a) of section 4-124uu of the general statutes is
9065 repealed and the following is substituted in lieu thereof (*Effective July*
9066 *1, 2011*):

9067 (a) The Office of Workforce Competitiveness, in consultation with
9068 the Labor Commissioner, the **[**Commissioners**]** Commissioner of
9069 Education **[**and Economic and Community Development,**]** and the
9070 Connecticut Commission on Culture and Tourism, shall establish a
9071 program that is designed to develop a trained workforce for the film
9072 industry in the state. Such program shall have three components: (1)
9073 An unpaid intern training program for high school and college
9074 students; (2) a production assistant training program open to any state
9075 resident; and (3) a workforce training program that would include
9076 classroom training, on-set training and a mentor program.

9077 Sec. 181. Subsection (c) of section 4-168a of the general statutes is
9078 repealed and the following is substituted in lieu thereof (*Effective July*

9079 *1, 2011*):

9080 (c) Prior to the adoption of any proposed regulation that may have
9081 an adverse impact on small businesses, each agency shall notify the
9082 **[**Department of Economic and Community Development**]** Connecticut
9083 Economic Development Authority and the joint standing committee of
9084 the General Assembly having cognizance of matters relating to
9085 commerce of its intent to adopt the proposed regulation. Said
9086 **[**department**]** authority and committee shall advise and assist agencies
9087 in complying with the provisions of this section.

9088 Sec. 182. Subsection (a) of section 4d-90 of the general statutes is
9089 repealed and the following is substituted in lieu thereof (*Effective July*
9090 *1, 2011*):

9091 (a) There is established a Geospatial Information Systems Council
9092 consisting of the following members, or their designees: (1) The
9093 Secretary of the Office of Policy and Management; (2) the
9094 Commissioners of Environmental Protection, **[**Economic and
9095 Community Development,**]** Transportation, Public Safety, Public
9096 Health, Public Works, Agriculture, Emergency Management and
9097 Homeland Security and Social Services; (3) the Chief Information
9098 Officer of the Department of Information Technology; (4) the
9099 Chancellor of the Connecticut State University System; (5) the
9100 president of The University of Connecticut; (6) the Executive Director
9101 of the Connecticut Siting Council; (7) one member who is a user of
9102 geospatial information systems appointed by the president pro
9103 tempore of the Senate representing a municipality with a population of
9104 more than sixty thousand; (8) one member who is a user of geospatial
9105 information systems appointed by the minority leader of the Senate
9106 representing a regional planning agency; (9) one member who is a user
9107 of geospatial information systems appointed by the Governor
9108 representing a municipality with a population of less than sixty
9109 thousand but more than thirty thousand; (10) one member who is a
9110 user of geospatial information systems appointed by the speaker of the
9111 House of Representatives representing a municipality with a

9112 population of less than thirty thousand; (11) one member appointed by
9113 the minority leader of the House of Representatives who is a user of
9114 geospatial information systems; (12) the chairperson of the Public
9115 Utilities Control Authority; (13) the Adjutant General of the Military
9116 Department; and (14) any other persons the council deems necessary
9117 appointed by the council. The Governor shall select the chairperson
9118 from among the members. The chairperson shall administer the affairs
9119 of the council. Vacancies shall be filled by appointment by the
9120 authority making the appointment. Members shall receive no
9121 compensation for their services on said council, but shall be
9122 reimbursed for necessary expenses incurred in the performance of
9123 their duties. Said council shall hold one meeting each calendar quarter
9124 and such additional meetings as may be prescribed by council rules. In
9125 addition, special meetings may be called by the chairperson or by any
9126 three members upon delivery of forty-eight hours written notice to
9127 each member.

9128 Sec. 183. Section 7-136e of the general statutes is repealed and the
9129 following is substituted in lieu thereof (*Effective July 1, 2011*):

9130 (a) A municipality which, pursuant to section 7-136d, has
9131 authorized the establishment of a foreign trade zone, shall submit a
9132 copy of the application for the privilege of operating such foreign trade
9133 zone to the regional planning agency for the area of operation within
9134 which such municipality is located and the Departments of **[**Economic
9135 and Community Development,**]** Environmental Protection and
9136 Transportation for their comments on the advisability of establishment
9137 of such zone. Such comments shall be prepared within ninety days of
9138 receipt of the application from the municipality.

9139 (b) The Departments of **[**Economic and Community Development,**]**
9140 Environmental Protection and Transportation shall submit their
9141 advisory comments to the municipality and to the board established by
9142 said federal Foreign-Trade Zones Act.

9143 Sec. 184. Section 7-136f of the general statutes is repealed and the

9144 following is substituted in lieu thereof (*Effective July 1, 2011*):

9145 Upon compliance with the provisions of sections 7-136d and 7-136e,
9146 as amended by this act, and after receipt of the advisory comments
9147 prepared by the Departments of **[**Economic and Community
9148 Development,**]** Environmental Protection and Transportation, a
9149 municipality may apply to the board, established by said federal
9150 Foreign-Trade Zones Act for a grant of the privilege of establishing,
9151 operating and maintaining a foreign trade zone.

9152 Sec. 185. Section 8-13x of the general statutes is repealed and the
9153 following is substituted in lieu thereof (*Effective July 1, 2011*):

9154 Within available appropriations, the **[**Commissioner of Economic
9155 and Community Development**]** executive director of the Connecticut
9156 Economic Development Authority, in consultation with the Secretary
9157 of the Office of Policy and Management, may make grants to nonprofit
9158 housing assistance or nonprofit housing development organizations in
9159 order to support technical assistance planning, predevelopment,
9160 development, construction and management of housing
9161 developments. The **[**commissioner**]** executive director may adopt
9162 **[**regulations**]** procedures, in accordance with the provisions of **[**chapter
9163 54**]** section 1-121, to implement the provisions of this section.

9164 Sec. 186. Subdivision (2) of subsection (a) of section 8-23 of the
9165 general statutes is repealed and the following is substituted in lieu
9166 thereof (*Effective July 1, 2011*):

9167 (2) If a plan is not amended decennially, the chief elected official of
9168 the municipality shall submit a letter to the Secretary of the Office of
9169 Policy and Management and the Commissioners of Transportation **[**,**]**
9170 and Environmental Protection **[**and Economic and Community
9171 Development**]** that explains why such plan was not amended. A copy
9172 of such letter shall be included in each application by the municipality
9173 for discretionary state funding submitted to any state agency.

9174 Sec. 187. Section 8-37z of the general statutes is repealed and the

9175 following is substituted in lieu thereof (*Effective July 1, 2011*):

9176 **[**(a)**]** The **[**Commissioner of Economic and Community
9177 Development**]** executive director of the Connecticut Economic
9178 Development Authority shall ensure that the involuntary displacement
9179 of persons and families residing in any single-family or multifamily
9180 dwelling, which displacement occurs in connection with any housing
9181 or community development project or economic development project
9182 receiving state financial assistance under any program administered
9183 by the **[**commissioner**]** executive director under the general statutes, is
9184 reduced to the minimum level consistent with achieving the objectives
9185 of such program. The **[**commissioner**]** executive director shall require,
9186 as a condition of any contract for state financial assistance under the
9187 provisions of any such program, that the project for which such
9188 financial assistance is provided (1) will not cause the temporary or
9189 permanent displacement of persons and families residing in any
9190 single-family or multifamily dwelling, or (2) will cause only the
9191 minimum level of such displacement which cannot be avoided due to
9192 the nature of the project. The **[**commissioner**]** executive director shall
9193 ensure that all steps necessary to provide any relocation assistance
9194 available under chapter 135 to persons and families unavoidably
9195 displaced as a result of any state assisted housing or community
9196 development project or economic development project have been
9197 taken before granting final approval of any financial assistance for
9198 such project.

9199 **[**(b) The Commissioner of Economic and Community Development
9200 shall adopt regulations, in accordance with the provisions of chapter
9201 54, to carry out the purposes of this section.**]**

9202 Sec. 188. Section 8-37*ll* of the general statutes is repealed and the
9203 following is substituted in lieu thereof (*Effective July 1, 2011*):

9204 (a) No state financial assistance for any housing or community
9205 development project or economic development project shall be
9206 provided by the **[**Commissioner of Economic and Community

9207 Development] executive director of the Connecticut Economic
9208 Development Authority under any program administered by the
9209 [commissioner] executive director unless the [commissioner] executive
9210 director has first approved a residential antidisplacement and
9211 relocation assistance plan submitted under subsection (b) of this
9212 section by the applicant seeking such financial assistance. The
9213 [Commissioner of Economic and Community Development] executive
9214 director of the Connecticut Economic Development Authority shall
9215 ensure that any such plan is properly implemented for each project for
9216 which a plan is submitted.

9217 (b) Any applicant seeking state financial assistance for any housing
9218 or community development project or economic development project
9219 under any program administered by the [Commissioner of Economic
9220 and Community Development] executive director of the Connecticut
9221 Economic Development Authority shall submit a residential
9222 antidisplacement and relocation assistance plan to the [commissioner]
9223 executive director as part of the application for such financial
9224 assistance. The plan shall demonstrate that the project for which
9225 financial assistance is applied for will not cause the temporary or
9226 permanent displacement of persons and families residing in any
9227 single-family or multifamily residential dwelling or, if such
9228 displacement will result, that such project will cause no more
9229 displacement than is necessary to accomplish the project. If occupiable
9230 dwelling units are destroyed as a result of the project or displacement
9231 of low and moderate income households will result from the project,
9232 the plan shall further demonstrate that: (1) The applicant shall provide
9233 comparable replacement dwellings within the same municipality for
9234 the same number of occupants as could have been housed in the
9235 occupied and vacant occupiable residential dwellings that will be
9236 demolished or converted to a use other than housing for low and
9237 moderate income persons and families as a result of the project; (2)
9238 such replacement dwellings shall be designed to remain affordable to
9239 low and moderate income persons and families for ten years; (3)
9240 relocation assistance benefits shall be provided pursuant to chapter 135

9241 for all persons displaced as a result of the project; and (4) displaced
9242 persons, to the extent practicable, who wish to remain in the same
9243 neighborhood shall be relocated within such neighborhood. As used in
9244 this subsection, "low and moderate income persons and families"
9245 means persons, families or households whose annual income is less
9246 than or equal to eighty per cent of the area median income for the area
9247 of the state in which they live, as determined by the United States
9248 Department of Housing and Urban Development. An applicant shall
9249 be deemed to have met the replacement requirements of this section by
9250 rehabilitation of vacant, unoccupiable units.

9251 (c) The **[**Commissioner of Economic and Community Development**]**
9252 executive director of the Connecticut Economic Development
9253 Authority may exempt an applicant from the provisions of this section
9254 upon determination that:

9255 (1) Based on objective data, there is available in the area an adequate
9256 supply of habitable affordable housing for the full range of low and
9257 moderate income persons, or

9258 (2) The project will dedicate at least as much total floor space to
9259 housing for low and moderate income persons and families as was
9260 contained in all the dwelling units being replaced, whether occupied
9261 or vacant, and either (A) the project will not permanently displace any
9262 person or family or (B) all of the following: (i) The sizes and purposes
9263 of the dwelling units in the project are at least as needed as the sizes
9264 and purposes of the dwelling units to be replaced; (ii) the number of
9265 very low income persons to be served in the project is not less than the
9266 number of very low income persons served by the structure to be
9267 replaced, and (iii) the persons and families to be displaced by the
9268 project will be relocated to permanent housing and will receive
9269 relocation assistance pursuant to chapter 135. As used in this
9270 subsection, "very low income persons" means persons whose annual
9271 income is less than or equal to fifty per cent of the area median income
9272 for the area of the state in which they live, as determined by the United
9273 States Department of Housing and Urban Development.

9274 (d) The [Commissioner of Economic and Community Development]
9275 executive director of the Connecticut Economic Development
9276 Authority shall adopt [regulations] procedures, in accordance with
9277 [the provisions of chapter 54] section 1-121, to carry out the purposes
9278 of this section. Such [regulations] procedures shall define the objective
9279 data used under subdivision (1) of subsection (c) of this section to
9280 determine whether there is an adequate supply of habitable affordable
9281 housing for the full range of low and moderate income persons and
9282 families residing in the area.

9283 Sec. 189. Section 8-37pp of the general statutes is repealed and the
9284 following is substituted in lieu thereof (*Effective July 1, 2011*):

9285 (a) For purposes of this section:

9286 (1) "Affordable housing" means affordable housing, as defined in
9287 section 8-39a;

9288 (2) ["Commissioner" means the Commissioner of Economic and
9289 Community Development] "Executive director" means the executive
9290 director of the Connecticut Economic Development Authority;

9291 (3) ["Department" means the Department of Economic and
9292 Community Development] "Authority" means the Connecticut
9293 Economic Development Authority;

9294 (4) "Eligible applicant" means: (A) A nonprofit entity; (B) a
9295 municipality; (C) a housing authority; (D) a business corporation
9296 incorporated pursuant to chapter 601 or any predecessor statutes
9297 thereto or authorized to do business pursuant to said chapter 601
9298 having as one of its purposes the construction, financing, acquisition,
9299 rehabilitation or operation of affordable housing, and having a
9300 certificate or articles of incorporation approved by the [commissioner]
9301 executive director; (E) any partnership, limited partnership, limited
9302 liability company, joint venture, sole proprietorship, trust or
9303 association having as one of its purposes the construction, financing,
9304 acquisition, rehabilitation or operation of affordable housing, and

9305 having basic documents of organization approved by the
9306 [commissioner] executive director; or (F) any combination thereof;

9307 (5) "Eligible costs" means costs relating to the planning,
9308 implementation and completion of an eligible project; and

9309 (6) "Eligible project" means a project designed for the purpose of
9310 providing affordable housing, and shall include, but not be limited to,
9311 (A) acquisition, construction, rehabilitation, repair and maintenance of
9312 residential or mixed use structures, (B) acquisition, construction,
9313 rehabilitation, repair and maintenance of related infrastructure,
9314 facilities and amenities incidental and pertinent to the provision of
9315 affordable housing and intended primarily to serve the residents of the
9316 affordable housing project, that may include, but not be limited to, a
9317 community room, laundry, day care space, computer center,
9318 management office or playground, or (C) demolition, renovation or
9319 redevelopment of vacant buildings or related infrastructure.

9320 (b) The state, acting by and in the discretion of the [commissioner]
9321 executive director, may enter into a contract for state financial
9322 assistance for any eligible project in the form determined by the
9323 [commissioner] executive director, including, but not limited to, a
9324 grant, loan, loan guarantee, deferred loan or any combination thereof.

9325 (c) An application for financial assistance shall be in the form and
9326 manner prescribed by the [commissioner] executive director. In
9327 determining whether and to what extent to fund an application
9328 received from eligible applicants, the [commissioner] executive
9329 director may consider relevant factors including, but not limited to, the
9330 following: (A) The ability of the project to affirmatively further racial
9331 and economic integration, including expanding multifamily rental
9332 housing opportunities in suburban and rural communities; (B) the
9333 ability of the project to meet the housing needs of the lowest income
9334 populations; (C) the ability of the project to revitalize urban
9335 neighborhoods, including expanding homeownership and increasing
9336 multifamily rehabilitation in the central cities; (D) the ability of the

9337 project to provide a full range of supportive housing options for
9338 people with special needs or who are at risk of becoming homeless; (E)
9339 impact of the project on the local neighborhood, region and the state;
9340 (F) short-term and long-term benefits of the project; (G) impact on
9341 affordable housing needs of the neighborhood, community,
9342 municipality and region; (H) project feasibility; (I) potential for
9343 leveraging other public and private investments; (J) applicant's ability
9344 to implement the project in a timely manner; (K) the relative need for
9345 the project; (L) the applicant's financial commitment to the project,
9346 except in the case of a nonprofit entity or a housing authority created
9347 pursuant to section 8-40; and (M) the extent to which the project will
9348 advance the public purposes set forth in this subdivision.

9349 (d) The **[**commissioner**]** executive director shall review and approve
9350 the site and the estimated total development budget, including the
9351 nature and amount of financial assistance to be provided from all
9352 sources and by the state. The **[**commissioner**]** executive director may
9353 review and approve any additional factors determined to be necessary
9354 or appropriate to protect the state's interests. Upon determination by
9355 the **[**commissioner**]** executive director that the eligible costs are
9356 necessary and reasonable, and, in the case of financial assistance
9357 provided from the proceeds of the state's bonds upon preliminary
9358 approval by the State Bond Commission pursuant to the provisions of
9359 section 3-20 or, in the case of financial assistance provided from a
9360 funding source other than the state's bonds upon the approval by the
9361 Governor of an allotment for such purpose, the state, acting by and
9362 through the **[**commissioner**]** executive director, may provide the
9363 financial assistance for such eligible costs.

9364 (e) Financial assistance provided shall be upon terms and conditions
9365 not inconsistent with the provisions of this section **[**which**]** that the
9366 **[**commissioner**]** executive director shall establish as prudent and
9367 necessary to protect the state's interests. Such terms and conditions
9368 may include, separately or in combination, without limitation: (1) The
9369 requirements of funds from other sources, including, without

9370 limitation, financing obtained from quasi-public agencies, as defined in
9371 section 1-120, as amended by this act, federal and local government
9372 agencies and private for-profit and not-for-profit institutions; (2)
9373 participation interests; (3) subsidy recapture provisions; and (4) resale
9374 and prepayment, job retention, residency, use and affordability
9375 restrictions. Such terms and conditions and compliance with such
9376 terms and conditions may be documented and secured as the
9377 [commissioner] executive director shall determine.

9378 (f) (1) The [commissioner] executive director may take all reasonable
9379 steps and exercise all available remedies necessary or desirable to
9380 protect the obligations or interests of the state, including, but not
9381 limited to, amending any term or condition of a contract or agreement,
9382 provided such amendment is allowed or agreed to pursuant to such
9383 contract or agreement, or purchasing or redeeming, pursuant to
9384 foreclosure proceedings, bankruptcy proceedings or in other judicial
9385 proceedings, any property on which such [commissioner] executive
9386 director or the [department] authority holds a mortgage or other lien,
9387 or in which such [commissioner] executive director or the
9388 [department] authority has an interest.

9389 (2) The [commissioner] executive director may request, inspect and
9390 audit reports, books and records and any other financial or project-
9391 related information with respect to eligible applicants that receive
9392 financial assistance, including, without limitation, resident or
9393 employment information, financial and operating statements and
9394 audits. The [commissioner] executive director may investigate the
9395 accuracy and completeness of such reports, books and records.

9396 (3) Notwithstanding any provision of the general statutes, the
9397 [commissioner is authorized] executive director may, for purposes of
9398 the program established under this section, [to] assess and collect
9399 application fees of no more than two hundred fifty dollars to recover
9400 all or part of the costs or expenses incurred by the state in reviewing
9401 applications for financial assistance.

9402 (g) The [commissioner] executive director may adopt such
9403 [regulations] procedures, in accordance with [chapter 54] section 1-121,
9404 as are necessary for the implementation of this section.

9405 Sec. 190. Section 8-37uu of the general statutes is repealed and the
9406 following is substituted in lieu thereof (*Effective July 1, 2011*):

9407 Notwithstanding any provision of the general statutes, the
9408 [Department of Economic and Community Development] Connecticut
9409 Economic Development Authority, in consultation with [the
9410 Connecticut Housing Finance Authority,] the Office of Policy and
9411 Management and the State Treasurer, shall arrange for the transfer of
9412 the housing loan portfolio of said department or any portion thereof,
9413 to said authority.

9414 Sec. 191. Section 8-37yy of the general statutes is repealed and the
9415 following is substituted in lieu thereof (*Effective July 1, 2011*):

9416 (a) The [Department of Economic and Community Development]
9417 Connecticut Economic Development Authority shall, in consultation
9418 with the State-Assisted Housing Sustainability Advisory Committee,
9419 established pursuant to section 8-37zz, as amended by this act,
9420 establish and maintain the State-Assisted Housing Sustainability Fund
9421 for the purpose of the preservation of eligible housing. The moneys of
9422 the fund shall be available to the [department] authority to provide
9423 financial assistance to the owners of eligible housing for the
9424 maintenance, repair, rehabilitation, and modernization of eligible
9425 housing and for other activities consistent with preservation of eligible
9426 housing, including, but not limited to, (1) emergency repairs to abate
9427 actual or imminent emergency conditions that would result in the loss
9428 of habitable housing units, (2) major system repairs or upgrades,
9429 including, but not limited to, repairs or upgrades to roofs, windows,
9430 mechanical systems and security, (3) reduction of vacant units, (4)
9431 remediation or abatement of hazardous materials, including lead, (5)
9432 increases in development mobility and sensory impaired accessibility
9433 in units, common areas and accessible routes, (6) relocation costs and

9434 alternative housing for not more than sixty days, necessary because of
9435 the failure of a major building system, and (7) a comprehensive
9436 physical needs assessment. Financial assistance shall be awarded to
9437 applicants consistent with standards and criteria adopted in
9438 consultation with the recommendations of the State-Assisted Housing
9439 Sustainability Advisory Committee.

9440 (b) **[**In each of the fiscal years ending June 30, 2008, and June 30,
9441 2009, the department may expend not more than seven hundred fifty
9442 thousand dollars from the fund for reasonable administrative costs
9443 related to the operation of the fund, including the expenses of the
9444 State-Assisted Housing Sustainability Advisory Committee, the
9445 development of analytic tools and research concerning the capital and
9446 operating needs of eligible housing for the purpose of advising the
9447 General Assembly on policy regarding eligible housing and the study
9448 required by section 107 of public act 07-4 of the June special session.
9449 Thereafter,**]** On and after July 1, 2011, the **[**department**]** authority shall
9450 prepare an administrative budget which shall be effective upon the
9451 approval of **[**said committee**]** the State-Assisted Housing Sustainability
9452 Advisory Committee.

9453 (c) **[**(1)**]** The **[**department**]** authority shall adopt **[**regulations**]** written
9454 procedures, in accordance with **[**chapter 54**]** section 1-121, to
9455 implement the provisions of this section and sections 8-37xx, 8-37zz, as
9456 amended by this act, and 8-37aaa. Such **[**regulations**]** procedures shall
9457 establish (A) guidelines for grants and loans, and (B) a process for
9458 certifying an emergency condition in not more than forty-eight hours
9459 and for committing emergency funds, including costs of resident
9460 relocation, if necessary, not more than five business days after
9461 application by the owner of eligible housing for emergency repair
9462 financial assistance. The guidelines under subparagraph (A) of this
9463 subdivision shall provide for deferred payment of principal and
9464 interest upon approval of the committee.

9465 **[**(2) The department shall adopt written policies and procedures to
9466 implement such provisions while in the process of adopting such

9467 policies and procedures in regulation form, and the commissioner shall
9468 print a notice of intention to adopt the regulations in the Connecticut
9469 Law Journal not later than twenty days prior to implementing such
9470 policies and procedures. The department shall submit final regulations
9471 to implement said sections to the legislative regulation review
9472 committee not later than October 1, 2009. Policies and procedures
9473 implemented pursuant to this subdivision shall be valid until the time
9474 final regulations are effective.**]**

9475 (d) In reviewing applications and providing financial assistance
9476 under this section, the **[**department**]** authority, in consultation with the
9477 State-Assisted Housing Sustainability Advisory Committee, shall
9478 consider the long term viability of the eligible housing and the
9479 likelihood that financial assistance will assure such long term viability.
9480 As used in this section, "viability" includes, but is not limited to,
9481 continuous habitability and adequate operating cash flow to maintain
9482 the existing physical plant and any capital improvements and to
9483 provide basic services required under the lease and otherwise required
9484 by local codes and ordinances.

9485 (e) On or before February 1, 2009, and annually thereafter, the
9486 **[**department**]** authority, in consultation with the State-Assisted
9487 Housing Sustainability Advisory Committee, shall submit a report on
9488 the operation of the fund, for the previous calendar year, to the
9489 General Assembly, in accordance with section 11-4a. The report shall
9490 include an analysis of the distribution of funds and an evaluation of
9491 the performance of said fund and may include recommendations for
9492 modification to the program.

9493 Sec. 192. Subsection (b) of section 8-37zz of the general statutes is
9494 repealed and the following is substituted in lieu thereof (*Effective July*
9495 *1, 2011*):

9496 (b) The committee shall meet at least quarterly and shall advise the
9497 **[**Commissioner of Economic and Community Development and the
9498 Connecticut Housing Finance**]** Connecticut Economic Development

9499 Authority on the administration, management, procedures and
9500 objectives of the financial assistance provided pursuant to section 8-
9501 37yy, as amended by this act, including, but not limited to, the
9502 establishment of criteria, priorities and procedures for such financial
9503 assistance and the adoption of regulations pursuant to section 8-37yy,
9504 as amended by this act.

9505 Sec. 193. Section 8-37*lll* of the general statutes is repealed and the
9506 following is substituted in lieu thereof (*Effective July 1, 2011*):

9507 (a) The **[**Commissioner of Economic and Community Development**]**
9508 executive director of the Connecticut Economic Development
9509 Authority shall review applications for affordable housing tax credits
9510 submitted pursuant to subsection (e) of section 10-416b, as amended
9511 by this act. Upon determination that an application contains affordable
9512 housing as required by said section the **[**commissioner**]** executive
9513 director shall issue a certificate to that effect. The **[**commissioner**]**
9514 executive director shall monitor projects certified under this section to
9515 ensure that the affordable housing units are maintained as affordable
9516 for a minimum of ten years and may require deed restrictions or other
9517 fiscal mechanisms designed to ensure compliance with project
9518 requirements. The **[**commissioner**]** executive director may impose a fee
9519 in an amount not exceeding two thousand dollars to cover the cost of
9520 reviewing applications and monitoring projects that qualify for
9521 affordable housing tax credits pursuant to subsections (a) to (j),
9522 inclusive, of section 10-416b, as amended by this act.

9523 (b) The **[**Commissioner of Economic and Community Development**]**
9524 Connecticut Economic Development Authority, in consultation with
9525 the Commission on Culture and Tourism, may adopt **[**regulations**]**
9526 written procedures, pursuant to **[**chapter 54**]** section 1-121, for
9527 monitoring of projects that qualify for affordable housing tax credits
9528 pursuant to subsections (a) to (j), inclusive, of section 10-416b, as
9529 amended by this act, by the **[**Department of Economic and Community
9530 Development**]** Connecticut Economic Development Authority, or by
9531 local housing authorities, municipalities, other public agencies or

9532 quasi-public agencies, as defined in section 1-120, as amended by this
9533 act, designated by the [department] authority. Such [regulations]
9534 procedures shall include provisions for ensuring that affordable units
9535 developed under subdivision (3) of subsection (e) of section 10-416b, as
9536 amended by this act, are maintained as affordable for a minimum of
9537 ten years and may require deed restrictions or other fiscal mechanisms
9538 designed to ensure compliance with project requirements.

9539 Sec. 194. Section 8-37mmm of the general statutes is repealed and
9540 the following is substituted in lieu thereof (*Effective July 1, 2011*):

9541 (a) For purposes of this section, "visitable housing" means one-to-
9542 four family residential construction that includes three basic
9543 architectural features to allow persons with disabilities to easily visit:
9544 (1) Interior doorways that provide a minimum thirty-two inch wide
9545 unobstructed opening, (2) an accessible means of egress, as defined in
9546 Appendix A to 28 CFR Part 36, and (3) a full or half bathroom on the
9547 first floor that is compliant with the provisions of the Americans with
9548 Disabilities Act of 1990, as amended, 42 USC 12101.

9549 (b) The [Department of Economic and Community Development, in
9550 consultation with the Connecticut Housing Finance Authority,]
9551 Connecticut Economic Development Authority may establish a
9552 program to encourage the development of visitable housing in the
9553 state. The program shall (1) provide a single point of contact for any
9554 person seeking financial or technical assistance from the state to
9555 construct visitable housing, (2) identify financial incentives for
9556 developers who construct visitable housing, and (3) include public
9557 education about such housing. The [department] authority shall
9558 submit a report on the status of the program, in accordance with
9559 section 11-4a, to the joint standing committee of the General Assembly
9560 having cognizance of matters relating to housing not later than
9561 October 1, 2012.

9562 (c) The [Department of Economic and Community Development]
9563 Connecticut Economic Development Authority shall establish, within

9564 available appropriations, an informational web page in a conspicuous
9565 place on such [department's] authority's Internet web site with a list of
9566 links to available visitable housing resources.

9567 Sec. 195. Section 8-89 of the general statutes is repealed and the
9568 following is substituted in lieu thereof (*Effective July 1, 2011*):

9569 The [Commissioner of Economic and Community Development]
9570 Connecticut Economic Development Authority is designated as the
9571 [state] quasi-public agency empowered to hold or originate in the
9572 name of the state first and second mortgages on real estate and
9573 secondary loans as provided in this part.

9574 Sec. 196. Section 8-119m of the general statutes is repealed and the
9575 following is substituted in lieu thereof (*Effective July 1, 2011*):

9576 (a) The [Commissioner of Economic and Community Development]
9577 executive director of the Connecticut Economic Development
9578 Authority and the Commissioner of Social Services shall establish a
9579 joint pilot program to provide for the development and operation of
9580 congregate housing and congregate housing projects, as defined in
9581 section 8-119e, in which, at a minimum, (1) residents pay no more than
9582 sixty per cent of their income to live and receive meals in such
9583 housing, (2) residents receive three meals per day and (3) such housing
9584 contains a single kitchen facility and a central dining area. The
9585 [commissioners] executive director and commissioner may provide
9586 technical assistance and the [Commissioner of Economic and
9587 Community Development] executive director may provide financial
9588 assistance in the form of grants-in-aid or loans for such development
9589 and operation under the program. Any grant-in-aid or loan shall be
9590 awarded in accordance with such terms and conditions as the
9591 [Commissioner of Economic and Community Development] executive
9592 director may prescribe. The pilot program shall provide such
9593 assistance for no more than two congregate housing projects located in
9594 different municipalities.

9595 (b) The Commissioner of **[**Economic and Community Development**]**
9596 Social Services, in consultation with the **[**Commissioner of Social
9597 Services**]** executive director, shall adopt regulations, in accordance
9598 with the provisions of chapter 54, to carry out the purposes of this
9599 section. The regulations shall establish the criteria for awarding grants-
9600 in-aid and loans authorized under this section, and the terms and
9601 conditions of such grants and loans.

9602 Sec. 197. Subsection (a) of section 8-169b of the general statutes is
9603 repealed and the following is substituted in lieu thereof (*Effective July*
9604 *1, 2011*):

9605 As used in this part:

9606 (a) **[**"Commissioner" means the Commissioner of Economic and
9607 Community Development**]** "Executive director" means the executive
9608 director of the Connecticut Economic Development Authority.

9609 Sec. 198. Subsection (a) of section 8-244 of the general statutes is
9610 repealed and the following is substituted in lieu thereof (*Effective July*
9611 *1, 2011*):

9612 (a) There is created a body politic and corporate to be known as the
9613 "Connecticut Housing Finance Authority". Said authority is constituted
9614 a public instrumentality and political subdivision of this state and the
9615 exercise by the authority of the powers conferred by this chapter shall
9616 be deemed and held to be the performance of an essential public and
9617 governmental function. The Connecticut Housing Finance Authority
9618 shall not be construed to be a department, institution or agency of the
9619 state. The board of directors of the authority shall consist of fifteen
9620 members as follows: (1) The **[**Commissioner of Economic and
9621 Community Development**]** executive director of the Connecticut
9622 Economic Development Authority, the Secretary of the Office of Policy
9623 and Management, the Banking Commissioner and the State Treasurer,
9624 ex officio, with the right to vote, (2) seven members to be appointed by
9625 the Governor, and (3) four members appointed as follows: One by the

9626 president pro tempore of the Senate, one by the speaker of the House
9627 of Representatives, one by the minority leader of the Senate and one by
9628 the minority leader of the House of Representatives. The member
9629 initially appointed by the speaker of the House of Representatives
9630 shall serve a term of five years; the member initially appointed by the
9631 president pro tempore of the Senate shall serve a term of four years.
9632 The members initially appointed by the Senate minority leader shall
9633 serve a term of three years. The member initially appointed by the
9634 minority leader of the House of Representatives shall serve a term of
9635 two years. Thereafter, each member appointed by a member of the
9636 General Assembly shall serve a term of five years. The members
9637 appointed by the Governor and the members of the General Assembly
9638 shall be appointed in accordance with section 4-9b and among them be
9639 experienced in all aspects of housing, including housing design,
9640 development, finance, management and state and municipal finance,
9641 and at least one of whom shall be selected from among the officers or
9642 employees of the state. At least one shall have experience in the
9643 provision of housing to very low, low and moderate income families.
9644 On or before July first, annually, the Governor shall appoint a member
9645 for a term of five years from said July first to succeed the member
9646 whose term expires and until such member's successor has been
9647 appointed, except that in 1974 and 1995 and quinquennially thereafter,
9648 the Governor shall appoint two members. The chairperson of the
9649 board shall be appointed by the Governor, with the advice and consent
9650 of both houses of the General Assembly. The board shall annually elect
9651 one of its appointed members as vice-chairperson of the board.
9652 Members shall receive no compensation for the performance of their
9653 duties hereunder but shall be reimbursed for necessary expenses
9654 incurred in the performance thereof. The Governor or appointing
9655 member of the General Assembly, as the case may be, shall fill any
9656 vacancy for the unexpired term. A member of the board shall be
9657 eligible for reappointment. Any member of the board may be removed
9658 by the Governor or appointing member of the General Assembly, as
9659 the case may be, for misfeasance, malfeasance or wilful neglect of duty.
9660 Each member of the board before entering upon such member's duties

9661 shall take and subscribe the oath of affirmation required by article XI,
9662 section 1, of the State Constitution. A record of each such oath shall be
9663 filed in the office of the Secretary of the State. Each ex-officio member
9664 may designate such member's deputy or any member of such
9665 member's staff to represent such member at meetings of the board with
9666 full power to act and vote on such member's behalf.

9667 Sec. 199. Section 8-273 of the general statutes is repealed and the
9668 following is substituted in lieu thereof (*Effective July 1, 2011*):

9669 (a) In order to promote uniform and effective administration of
9670 relocation assistance and land acquisition of state agencies, the
9671 Commissioner of Transportation and **[**Commissioner of Economic and
9672 Community Development**]** executive director of the Connecticut
9673 Economic Development Authority shall consult together on the
9674 establishment of regulations and procedures for the implementation of
9675 such projects and programs.

9676 (b) The Commissioner of Transportation is authorized to establish
9677 for transportation projects such regulations and the **[**Commissioner of
9678 Economic and Community Development**]** executive director of the
9679 Connecticut Economic Development Authority for all other state
9680 agency programs and projects such **[**regulations and**]** procedures as
9681 each may determine to be necessary to assure (1) that the payments
9682 and assistance authorized by this chapter shall be administered in a
9683 manner which is fair and reasonable, and as uniform as practicable; (2)
9684 that a displaced person who makes proper application for a payment
9685 authorized for such person by this chapter shall be paid promptly after
9686 a move or, in hardship cases, be paid in advance; and (3) that any
9687 person aggrieved by a determination as to eligibility for a payment
9688 authorized by this chapter, or the amount of a payment, may have his
9689 application reviewed by the Commissioner of Transportation for
9690 transportation projects and by the **[**Commissioner of Economic and
9691 Community Development**]** executive director of the Connecticut
9692 Economic Development Authority for any other state agency program
9693 or project.

9694 (c) The Commissioner of Transportation is authorized to establish
9695 for transportation projects such other regulations and procedures and
9696 the [Commissioner of Economic and Community Development]
9697 executive director of the Connecticut Economic Development
9698 Authority such other procedures for all other state agency programs
9699 and projects, [such other regulations and procedures,] consistent with
9700 the provisions of this chapter, as each deems necessary or appropriate
9701 to carry out this chapter.

9702 Sec. 200. Section 8-280 of the general statutes is repealed and the
9703 following is substituted in lieu thereof (*Effective July 1, 2011*):

9704 (a) The [state, acting by and in the discretion of the Commissioner of
9705 Economic and Community Development,] executive director of the
9706 Connecticut Economic Development Authority may enter into a
9707 contract or agreement with a state agency to provide state financial
9708 assistance to such state agency in the form of a grant-in-aid equal to
9709 two-thirds of the net cost of carrying out a program of relocation
9710 assistance pursuant to a relocation plan as provided under section 8-
9711 281 and approved by the [commissioner] executive director. Such
9712 grant-in-aid shall: (1) Provide actual administration costs not to exceed
9713 one hundred dollars for each dwelling unit and two hundred fifty
9714 dollars for each farm or business relocated in accordance with the
9715 provisions of this chapter; (2) provide advance grants for relocation
9716 assistance paid pursuant to the provisions of said section to persons,
9717 families, businesses and farm operations and nonprofit organizations
9718 not otherwise entitled to relocation assistance from any program of
9719 any other state agency or any program of the federal government and
9720 who have not been reimbursed for moving costs in a condemnation
9721 proceeding; (3) include the cost of the preparation of the relocation
9722 plan.

9723 (b) The [Commissioner of Economic and Community Development]
9724 executive director of the Connecticut Economic Development
9725 Authority shall not provide a grant-in-aid pursuant to subsection (a) of
9726 this section to any town, city or borough for the cost of carrying out a

9727 program of relocation assistance for persons displaced as the direct
9728 result of code enforcement activities undertaken by a town, city or
9729 borough, unless such town, city or borough (1) places, pursuant to
9730 section 8-270, a lien on all real property in such town, city or borough,
9731 which is owned by the landlord of the persons who are displaced by
9732 such code enforcement activities, and (2) assigns to the state the claim
9733 of the town, city or borough against such landlord for the costs of
9734 carrying out such program of relocation assistance. The Attorney
9735 General shall be responsible for collecting such claim and may carry
9736 out such responsibility by (A) enforcing any such lien assigned to the
9737 state by the town, city or borough, (B) placing and enforcing a lien on
9738 any other real property owned by the landlord in the state or (C)
9739 instituting civil proceedings in the Superior Court against such
9740 landlord. Two-thirds of all funds collected by the Attorney General
9741 from a landlord pursuant to this subsection shall be deposited in the
9742 General Fund and the remaining one-third of such funds shall be
9743 remitted to the town, city or borough which brought code enforcement
9744 activities against such landlord.

9745 Sec. 201. Section 8-356 of the general statutes is repealed and the
9746 following is substituted in lieu thereof (*Effective July 1, 2011*):

9747 The state **[**, acting by and in the discretion of the Commissioner of
9748 Economic and Community Development,**]** <u>or the executive director of</u>
9749 <u>the Connecticut Economic Development Authority</u> may enter into a
9750 contract with a community housing development corporation, a
9751 municipal developer or a nonprofit corporation providing emergency
9752 shelter services for homeless persons for state financial assistance in
9753 the form of a state grant-in-aid, loan, deferred loan, loan guarantee or
9754 interest subsidy for the cost of acquisition, construction, rehabilitation
9755 or renovation of emergency shelters or rooming houses for homeless
9756 persons or for the cost of acquisition of mobile manufactured homes
9757 for use as transitional housing. In the case of a deferred loan, the
9758 contract shall require that payments on interest are due immediately
9759 but that payments on principal may be made at a later time.

9760 Sec. 202. Section 8-357 of the general statutes is repealed and the
9761 following is substituted in lieu thereof (*Effective July 1, 2011*):

9762 (a) The state **[**, acting by and in the discretion of the Commissioner
9763 of Economic and Community Development,**]** or the executive director
9764 of the Connecticut Economic Development Authority may enter into a
9765 contract with a community housing development corporation, a
9766 municipal developer or a nonprofit corporation for state financial
9767 assistance in the form of a state grant-in-aid, loan, deferred loan, loan
9768 guarantee or interest subsidy for the cost of acquisition, construction,
9769 rehabilitation or renovation of multifamily dwellings for persons and
9770 families whose adjusted monthly income does not exceed fifty per cent
9771 of the median household income, as determined by the **[**commissioner**]**
9772 executive director, for the area in which they reside and who have
9773 received emergency shelter services or shelter services for battered
9774 women and are in need of transitional housing and support services
9775 for a period of six to twenty-four months. Such housing and services
9776 shall be designed to enable such persons to maintain their current jobs,
9777 improve their employment skills, retrain for different occupations or
9778 continue their education. Such services may include, without
9779 limitation, information and referral; counseling and support groups;
9780 aid in finding vocational training, education or employment; health,
9781 nutrition, fitness and recreation programs; child care; transportation;
9782 legal aid; and financial counseling. In the case of a deferred loan, the
9783 contract shall require that payments on interest are due immediately
9784 but that payments on principal may be made at a later time.

9785 (b) The **[**commissioner**]** executive director may consider, without
9786 limitation, the following criteria in determining which project shall be
9787 eligible for assistance under this section: (1) Whether the project has
9788 been approved by local planning and zoning commissions, (2) the
9789 amount of resources which have been committed to the project by the
9790 private sector and the municipality in which the project would be
9791 located, (3) the extent to which resources of existing social services
9792 agencies are planned to be utilized, (4) the extent to which both

9793 privacy and community living are planned for residents of the project,
9794 (5) whether the project is capable of operating without ongoing state
9795 subsidies, and (6) the proximity of the project to schools, potential
9796 employers, stores and transportation, medical, child care and
9797 recreational facilities.

9798 Sec. 203. Section 8-387 of the general statutes is repealed and the
9799 following is substituted in lieu thereof (*Effective July 1, 2011*):

9800 (a) There is established a fund to be known as the "Housing
9801 Infrastructure Fund". The fund shall contain any moneys required by
9802 law to be deposited therein and shall be held separate and apart from
9803 all other moneys, funds and accounts. Any balance remaining in the
9804 fund at the end of any fiscal year shall be carried forward in the fund
9805 for the fiscal year next succeeding. The fund may be used to make
9806 grants-in-aid, loans or deferred loans authorized by subsection (b) of
9807 this section.

9808 (b) The **[**state, acting by and in the discretion of the Commissioner of
9809 Economic and Community Development**]** executive director of the
9810 Connecticut Economic Development Authority, in consultation with
9811 the Secretary of the Office of Policy and Management, may enter into a
9812 contract to provide **[**state**]** financial assistance in the form of a grant-in-
9813 aid, loan, deferred loan or combination thereof to municipalities
9814 located within the planning regions in which the pilot program is
9815 established, upon the approval of the regional fair housing compact as
9816 provided in section 8-386. In the case of a deferred loan, the contract
9817 shall require that payments on interest are due immediately but that
9818 payments on principal may be made at a later time. Notwithstanding
9819 the provisions of subsection (d) of section 4-86, funds appropriated to
9820 any state agency for payment to local governments for purposes
9821 related to or necessary for the development of housing in the regions,
9822 including but not limited to the purposes contained in this subsection,
9823 other than those for which distribution is governed by statutory
9824 formula, may be made available for the pilot program authorized
9825 under section 8-386 upon the recommendation of the Governor and

9826 approval of the Finance Advisory Committee. The grants-in-aid, loans,
9827 deferred loans or combinations thereof authorized under this
9828 subsection and any additional funds made available for the pilot
9829 program as provided in this subsection shall be used by the
9830 municipalities in said regions for the purpose of planning, construction
9831 or renovation of housing and for any of the following when necessary
9832 to support the development of housing within such municipalities in
9833 accordance with the regional fair housing compact: (1) Sanitary sewer
9834 lines, including interceptors, laterals and pumping stations; (2) natural
9835 gas, electric, telephone and telecommunications pipes, wires, conduits
9836 and other facilities and waterlines and water supply facilities, except
9837 for any such pipes, wires, conduits, waterlines or facilities which a
9838 public service company, as defined in section 16-1, a water company,
9839 as defined in section 25-32a, or a municipal utility is required to install
9840 pursuant to any provision of the general statutes, or any special act, a
9841 regulation or order of the Department of Public Utility Control or a
9842 certificate of public convenience and necessity; (3) storm drainage
9843 facilities, including facilities to control flooding; (4) public roadways
9844 and related appurtenances; (5) community septic systems approved by
9845 the Department of Environmental Protection, provided administrative
9846 costs directly related to such construction or renovation shall not
9847 exceed five per cent of the total grant or loan from the **[**department**]**
9848 authority. Such grants-in-aid, loans, deferred loans or combinations
9849 thereof shall be awarded in such amounts and upon such conditions as
9850 the **[**commissioner**]** executive director, in consultation with the
9851 secretary, may prescribe by **[**regulation**]** procedure, except that no
9852 grant-in-aid, loan, or deferred loan or combination thereof shall be
9853 made to any municipality that has not approved a housing compact
9854 prepared under section 8-386.

9855 Sec. 204. Section 8-401 of the general statutes is repealed and the
9856 following is substituted in lieu thereof (*Effective July 1, 2011*):

9857 Upon preliminary approval by the State Bond Commission
9858 pursuant to the provisions of section 3-20, the state, acting by and

9859 through the [Commissioner of Economic and Community
9860 Development] executive director of the Connecticut Economic
9861 Development Authority, may [enter into a contract with the authority
9862 to] provide for state financial assistance in the form of grants-in-aid or
9863 deferred loans to housing projects financed by the authority through
9864 the means of a loan secured by a first mortgage; provided, any such
9865 financial assistance to be funded with proceeds of bonds authorized by
9866 public or special acts effective on or after July 1, 1995, shall be
9867 provided as set forth in this section. Commencing October 1, 1995,
9868 upon preliminary approval of the State Bond Commission pursuant to
9869 the provisions of section 3-20, the state, acting by and through the
9870 [department] authority may [provide a grant-in-aid to the authority for
9871 purposes of permitting the authority to] extend state financial
9872 assistance to a developer or mortgagor of the authority in the form of
9873 grants-in-aid or deferred loans to housing projects financed by the
9874 authority through means of a loan secured by a first mortgage. Such
9875 grants or deferred loans made to a developer under this section shall
9876 be for construction or rehabilitation of developments containing rental
9877 units. The total amount of such grants or deferred loans awarded to a
9878 single project shall not exceed an amount equal to one-half of the cost
9879 of the project divided by the number of rental units in the project
9880 multiplied by the number of low-income units in the project. The total
9881 number of low-income units in any project receiving financial
9882 assistance under this section shall be not less than twenty per cent and,
9883 for projects receiving assistance prior to October 1, 1995, and for
9884 projects receiving assistance from the proceeds of bonds authorized by
9885 public or special acts effective prior to July 1, 1995, shall not be more
9886 than forty per cent of the total number of rental units in the project. No
9887 project receiving financial assistance under this section shall contain
9888 less than twenty-five rental units. Any grant or deferred loan awarded
9889 under this section shall be used to reduce the cost of the project. Loan
9890 repayments shall be paid to the State Treasurer and deposited in the
9891 General Fund.

9892 Sec. 205. Section 8-402 of the general statutes is repealed and the

9893 following is substituted in lieu thereof (*Effective July 1, 2011*):

9894 The state, acting by and through the **[**Department of Economic and
9895 Community Development**]** executive director of the Connecticut
9896 Economic Development Authority, may enter into a contract with the
9897 **[**authority,**]** developer **[**,**]** or mortgagor of the authority **[**and the
9898 authority may enter into a contract with a developer or mortgagor of
9899 the authority**]** to provide state financial assistance in the form of rental
9900 subsidy certificates for each low-income unit in the project. Any
9901 commitment to provide such subsidy shall be an obligation of the
9902 **[**state or the**]** authority, as the case may be, for a period of not less than
9903 fifteen years, and the amount of such subsidy shall be equal to the
9904 difference between the amount of rent plus an allowance for heat and
9905 utilities not included in the rent approved by the **[**commissioner or the**]**
9906 authority, **[**as the case may be,**]** and thirty per cent of the annual
9907 aggregate family income of the tenant residing in the low-income unit
9908 for each such unit on an annual basis. The rent charged for a low-
9909 income unit may not be increased without the approval of the
9910 **[**commissioner or the**]** authority. **[**, as the case may be.**]** The annual
9911 aggregate family income of a tenant for the year prior to the occupancy
9912 of a low-income unit by the tenant shall not exceed fifty per cent of the
9913 area median income, adjusted for family size, as determined by the
9914 **[**commissioner or**]** the authority. **[**, as the case may be.**]** If such annual
9915 aggregate family income after occupancy exceeds seventy per cent of
9916 the area median income, adjusted for family size, the unit occupied by
9917 the tenant will no longer be considered a low-income unit and the next
9918 available unit will be rented to a tenant with an aggregate family
9919 income of less than fifty per cent of the area median income, adjusted
9920 for family size. No tenant residing in a project will receive financial
9921 assistance through a rental subsidy certificate under this section if the
9922 aggregate family income of the tenant in the prior year exceeds sixty
9923 per cent of the area median income, adjusted for family size.

9924 Sec. 206. Section 8-403 of the general statutes is repealed and the
9925 following is substituted in lieu thereof (*Effective July 1, 2011*):

9926 Upon preliminary approval by the State Bond Commission
9927 pursuant to the provisions of section 3-20, the state, acting by and
9928 through the [Department of Economic and Community Development
9929 may enter into a contract with the] authority, [to] may provide state
9930 financial assistance to a mortgagor of the authority in the form of a
9931 loan secured by a second mortgage for any housing project for which
9932 the authority has provided financial assistance in the form of a loan
9933 secured by a first mortgage; provided any such financial assistance to
9934 be funded with proceeds of bonds authorized by public or special acts
9935 effective on or after July 1, 1995, shall be provided as follows:
9936 Commencing October 1, 1995, upon preliminary approval of the State
9937 Bond Commission pursuant to the provisions of section 3-20, the state,
9938 acting by and through the [Department of Economic and Community
9939 Development] authority, may provide a grant-in-aid to [the authority,
9940 for purposes of permitting the authority to extend state financial
9941 assistance to] the developer or mortgagor of the authority in the form
9942 of a loan secured by a second mortgage for any housing project for
9943 which the authority has provided financial assistance in the form of a
9944 loan secured by a first mortgage. Such loan shall be made for the
9945 purpose of providing additional financing for the project. Any loan
9946 made under this section shall bear interest payable quarterly on the
9947 first days of January, April, July and October for the preceding
9948 calendar quarter, or at such other times as are determined by the
9949 authority at a rate determined by the State Bond Commission under
9950 subsection (t) of section 3-20 and shall be repayable in such
9951 installments as may be determined by the [commissioner or the]
9952 authority, [as the case may be,] within fifty years from the date of
9953 completion of the project. Loan repayments shall be paid to the State
9954 Treasurer and deposited in the General Fund.

9955 Sec. 207. Section 8-404 of the general statutes is repealed and the
9956 following is substituted in lieu thereof (*Effective July 1, 2011*):

9957 Any contract for financial assistance awarded under sections 8-400
9958 to 8-405, inclusive, which is funded with proceeds of bonds of the state

9959 authorized by public or special acts effective prior to July 1, 1995, or
9960 which is funded prior to October 1, 1995, shall, and any other contract
9961 may contain the requirement that the **[**state or the**]** authority **[**, as the
9962 case may be,**]** shall receive, in exchange for any such assistance, a
9963 financial participation in the project. Such financial participation shall
9964 be in a proportion which shall not be less than the proportion that the
9965 number of low-income units in the project bears to the total rental
9966 units in the project. Any sale of the project, any interest in the project
9967 or any of its units shall require the approval of the **[**Commissioner of
9968 Economic and Community Development or the**]** authority **[**, as the case
9969 may be,**]** and shall be made upon such terms and conditions as the
9970 **[**commissioner or the**]** authority **[**, as the case may be,**]** may approve.

9971 Sec. 208. Subsection (a) of section 10-20d of the general statutes is
9972 repealed and the following is substituted in lieu thereof (*Effective July*
9973 *1, 2011*):

9974 (a) The Commissioner of Education, in consultation with the Labor
9975 Commissioner and the **[**Commissioners of Economic and Community
9976 Development and**]** <u>Commissioner of</u> Higher Education, shall, within
9977 the limits of available appropriations, provide grants to postsecondary
9978 institutions, regional workforce development boards, regional
9979 educational service centers and other appropriate agencies and
9980 organizations to support the development of educators administering
9981 programs leading to a Connecticut career certificate pursuant to
9982 section 10-20a.

9983 Sec. 209. Subdivision (3) of subsection (a) of section 10-416 of the
9984 general statutes is repealed and the following is substituted in lieu
9985 thereof (*Effective July 1, 2011*):

9986 (3) "Nonprofit corporation" means a nonprofit corporation
9987 incorporated pursuant to chapter 602 or any predecessor statutes
9988 thereto, having as one of its purposes the construction, rehabilitation,
9989 ownership or operation of housing and having articles of incorporation
9990 approved by the **[**Commissioner of Economic and Community

9991 Development**]** the executive director of the Connecticut Economic
9992 Development Authority in accordance with **[**regulations**]** procedures
9993 adopted pursuant to section 8-79a or 8-84;

9994 Sec. 210. Subsections (e) and (f) of section 10-416b of the general
9995 statutes are repealed and the following is substituted in lieu thereof
9996 (*Effective July 1, 2011*):

9997 (e) Prior to beginning any rehabilitation work on a certified historic
9998 structure, the owner shall submit (1) (A) a rehabilitation plan to the
9999 commission for a determination of whether or not such rehabilitation
10000 work meets the standards developed under the provisions of
10001 subsections (b) to (d), inclusive, of this section, and (B) if such
10002 rehabilitation work is planned to be undertaken in phases, a complete
10003 description of each such phase, with anticipated schedules for
10004 completion, (2) an estimate of the qualified rehabilitation expenditures,
10005 and (3) for projects pursuant to subdivision (2) of subsection (f) of this
10006 section, (A) the number of units of affordable housing, as defined in
10007 section 8-39a, to be created, (B) the proposed rents or sale prices of
10008 such units, and (C) the median income for the municipality where the
10009 project is located. In the case of a project pursuant to subdivision (2) of
10010 subsection (f) of this section the owner shall submit a copy of data
10011 required under subdivision (3) of this subsection to the **[**Department of
10012 Economic and Community Development**]** Connecticut Economic
10013 Development Authority.

10014 (f) If the commission certifies that the rehabilitation plan conforms
10015 to the standards developed under the provisions of subsections (b) to
10016 (d), inclusive, of this section, the commission shall reserve for the
10017 benefit of the owner an allocation for a tax credit equivalent to (1)
10018 twenty-five per cent of the projected qualified rehabilitation
10019 expenditures, or (2) for rehabilitation plans submitted pursuant to
10020 subsection (e) of this section on or after June 14, 2007, thirty per cent of
10021 the projected qualified rehabilitation expenditures if (A) at least twenty
10022 per cent of the units are rental units and qualify as affordable housing,
10023 as defined in section 8-39a, or (B) at least ten per cent of the units are

10024 individual homeownership units and qualify as affordable housing, as
10025 defined in section 8-39a. No tax credit shall be allocated for the
10026 purposes of this subdivision unless an applicant has submitted to the
10027 commission a certificate from the **[**Department of Economic and
10028 Community Development**]** Connecticut Economic Development
10029 Authority pursuant to subsections (l) and (m) of this section
10030 confirming that the project complies with affordable housing
10031 requirements under section 8-39a.

10032 Sec. 211. Subdivision (2) of subsection (a) of section 10a-11b of the
10033 general statutes is repealed and the following is substituted in lieu
10034 thereof (*Effective July 1, 2011*):

10035 (2) The following persons shall serve as ex-officio nonvoting
10036 members on the commission: (A) The Commissioners of Higher
10037 Education **[**,**]** and Education **[**and Economic and Community
10038 Development,**]** and the Labor Commissioner, or their designees; (B) the
10039 chairpersons of the boards of trustees and the chief executive officers
10040 of each constituent unit of the state system of higher education, or their
10041 designees; (C) the chairperson of the board and president of the
10042 Connecticut Conference of Independent Colleges, or their designees;
10043 (D) the director of the Office of Workforce Competitiveness, or the
10044 director's designee; (E) the chairpersons and ranking members of the
10045 joint standing committee of the General Assembly having cognizance
10046 of matters relating to higher education and employment advancement;
10047 and (F) the Secretary of the Office of Policy and Management, or the
10048 secretary's designee.

10049 Sec. 212. Section 10a-12a of the general statutes is repealed and the
10050 following is substituted in lieu thereof (*Effective July 1, 2011*):

10051 There shall be a Technical Education Coordinating Council. The
10052 council shall consist of the following members: The chairpersons and
10053 ranking members of the joint standing committees of the General
10054 Assembly having cognizance of matters relating to education and
10055 commerce, or their designees; the **[**Commissioners**]** Commissioner of

10056 Higher Education [and Economic and Community Development] and
10057 the Labor Commissioner or their designees; the chief executive officers
10058 of each constituent unit of the state system of higher education, or their
10059 designees; the president of the Connecticut Conference of Independent
10060 Colleges; the superintendent of the vocational-technical school system;
10061 one member who is a teacher at a regional vocational-technical school
10062 designated by the exclusive representative of the vocational-technical
10063 school teachers' bargaining unit; two members who are parents of
10064 students enrolled in vocational-technical schools designated by the
10065 vocational-technical schools parents' association; one member
10066 representing each of the economic clusters identified pursuant to
10067 section 32-1m designated by the Commissioner of Economic and
10068 Community Development; one member designated by the Connecticut
10069 Business and Industry Association; one member designated by the
10070 Manufacturing Assistance Council; and one member designated by the
10071 Connecticut Technology Council. The cochairpersons of the joint
10072 standing committee of the General Assembly having cognizance of
10073 matters relating to education, or their designees, shall jointly convene a
10074 meeting of the council not later than October 1, 1998. The council shall
10075 meet at least six times a year to review and evaluate the coordinated
10076 delivery of technical and technological education to meet the
10077 employment needs of business and industry. The council shall also
10078 explore ways to: (1) Encourage students to pursue technical careers,
10079 including the development or expansion of alternative training
10080 methods that may improve the delivery and accessibility of vocational-
10081 technical training; (2) ensure a successful transition for students from
10082 the regional vocational-technical schools to post secondary education;
10083 and (3) improve public awareness regarding manufacturing careers.
10084 On or before January 1, 1999, and annually thereafter, the
10085 Commissioner of Education shall report, in accordance with section 11-
10086 4a, to the joint standing committees of the General Assembly having
10087 cognizance of matters relating to education and commerce on the
10088 activities of the council in the prior year.

10089 Sec. 213. Subdivision (2) of subsection (a) of section 10a-19i of the

10090 general statutes is repealed and the following is substituted in lieu
10091 thereof (*Effective July 1, 2011*):

10092 (2) "Job relating to green technology" means a job in which green
10093 technology is employed and may include the occupation codes
10094 identified as green jobs by the United States Bureau of Labor Statistics
10095 and those codes identified by the Labor Department **[**and the
10096 Department of Economic and Community Development**]** for such
10097 purposes;

10098 Sec. 214. Subdivision (2) of section 10a-55d of the general statutes is
10099 repealed and the following is substituted in lieu thereof (*Effective July*
10100 *1, 2011*):

10101 (2) "Green jobs" means jobs in which green technology is employed
10102 and may include the occupation codes identified as green jobs by the
10103 United States Bureau of Labor Statistics and any codes identified as
10104 green jobs by the Labor Department. **[**and the Department of Economic
10105 and Community Development.**]**

10106 Sec. 215. Section 10a-72c of the general statutes is repealed and the
10107 following is substituted in lieu thereof (*Effective July 1, 2011*):

10108 There is established a council to advise the Board of Trustees of the
10109 Community-Technical Colleges in the performance of its statutory
10110 functions relating to technical and technological education. The council
10111 shall consist of: (1) The **[**Commissioner of Economic and Community
10112 Development and the**]** Labor Commissioner, (2) one technical or
10113 technological education faculty member from each of the community-
10114 technical colleges appointed by the chief executive officer of each such
10115 institution, (3) one technical or technological education student from
10116 each of the community-technical colleges elected by the student body
10117 of each such institution.

10118 Sec. 216. Section 10a-103 of the general statutes is repealed and the
10119 following is substituted in lieu thereof (*Effective July 1, 2011*):

10120 There shall continue to be a Board of Trustees for The University of
10121 Connecticut to consist of twenty-one persons, twelve to be appointed
10122 by the Governor, who shall reflect the state's geographic, racial and
10123 ethnic diversity; two to be elected by the university alumni; two to be
10124 elected by the students enrolled at the institutions under the
10125 jurisdiction of said board; and five members ex officio. On or before
10126 July 1, 1983, the Governor shall appoint members to the board as
10127 follows: Four members for a term of two years from said date; four
10128 members for a term of four years from said date; and four members for
10129 a term of six years from said date. Thereafter, the Governor shall
10130 appoint trustees of said university to succeed those appointees whose
10131 terms expire, and each trustee so appointed shall hold office for a
10132 period of six years from the first day of July in the year of his or her
10133 appointment, provided two of the trustees appointed for terms
10134 commencing July 1, 1995, and their successors shall be alumni of the
10135 university, one of the trustees appointed for a term commencing July 1,
10136 1997, and his or her successors shall be such alumni and one of the
10137 members appointed for a term commencing July 1, 1999, and his or her
10138 successors shall be such alumni. The Commissioner of Agriculture, the
10139 Commissioner of Education **[**, the Commissioner of Economic and
10140 Community Development**]** and the chairperson of The University of
10141 Connecticut Health Center Board of Directors shall be, ex officio,
10142 members of the board of trustees. The Governor shall be, ex officio,
10143 president of said board. The graduates of all of the schools and
10144 colleges of said university shall, prior to September first in the odd-
10145 numbered years, elect one trustee, who shall be a graduate of the
10146 institution and who shall hold office for four years from the first day of
10147 September succeeding his or her election. Not less than two or more
10148 than four nominations for each such election shall be made by the
10149 alumni association of said university, provided no person who has
10150 served as an alumni trustee for the two full consecutive terms
10151 immediately prior to the term for which such election is to be held
10152 shall be nominated for any such election. Such election shall be
10153 conducted by mail prior to September first under the supervision of a
10154 canvassing board consisting of three members, one appointed by the

10155 board of trustees, one by the board of directors of the alumni
10156 association of the university and one by the president of the university.
10157 No ballot in such election shall be opened until the date by which
10158 ballots must be returned to the canvassing board. In such election, all
10159 graduates shall be entitled to vote by signed ballots which have been
10160 circulated to them by mail and which shall be returned by mail.
10161 Vacancies occurring by death or resignation of either of such alumni
10162 trustees shall be filled for the unexpired portion of the term by special
10163 election, if such unexpired term is for more than eighteen months.
10164 When the unexpired term is eighteen months or less, such vacancy
10165 shall be filled by appointment by the board of directors of said alumni
10166 association. On or before November 1, 1975, the students of The
10167 University of Connecticut shall, in such manner as the board of
10168 trustees of said university shall determine, elect two trustees, each of
10169 whom shall be enrolled as a full-time student of said university at the
10170 time of his or her election. One such member shall be elected for a term
10171 of one year from November 1, 1975, and one for a term of two years
10172 from said date. Prior to July first, annually, such students shall, in
10173 accordance with this section and in such manner as the board shall
10174 determine, elect one member of said board, who shall be so enrolled at
10175 said university at the time of his or her election and who shall serve for
10176 a term of two years from July first in the year of his or her election. The
10177 student member elected to fill the term expiring on June 30, 2003, and
10178 such elected member's successors shall be enrolled as full-time
10179 undergraduate students at a school or college of the university and
10180 shall be elected by the undergraduate students of the schools and
10181 colleges of the university. The student member elected to fill the term
10182 expiring on June 30, 2004, and such elected member's successors shall
10183 be enrolled as a full-time student in the School of Law, the School of
10184 Medicine, the School of Dentistry, the School of Social Work, or as a
10185 graduate student of a school or college of the university, and shall be
10186 elected by the students of the School of Law, the School of Medicine,
10187 the School of Dentistry, the School of Social Work and the graduate
10188 students of the schools and colleges of the university. Any vacancies in
10189 the elected membership of said board shall, except as otherwise

10190 provided in this section, be filled by special election for the balance of
10191 the unexpired term.

10192 Sec. 217. Subdivisions (59) and (60) of section 12-81 of the general
10193 statutes are repealed and the following is substituted in lieu thereof
10194 (*Effective July 1, 2011*):

10195 (59) (a) Any manufacturing facility, as defined in section 32-9p,
10196 acquired, constructed, substantially renovated or expanded on or after
10197 July 1, 1978, in a distressed municipality, as defined in said section or
10198 in a targeted investment community, as defined in section 32-222, as
10199 amended by this act, or in an enterprise zone designated pursuant to
10200 section 32-70 and for which an eligibility certificate has been issued by
10201 the **[**Department of Economic and Community Development**]**
10202 Connecticut Economic Development Authority, and any
10203 manufacturing plant designated by the **[**Commissioner of Economic
10204 and Community Development**]** executive director of the Connecticut
10205 Economic Development Authority under subsection (a) of section 32-
10206 75c as follows: To the extent of eighty per cent of its valuation for
10207 purposes of assessment in each of the five full assessment years
10208 following the assessment year in which the acquisition, construction,
10209 renovation or expansion of the manufacturing facility is completed,
10210 except that a manufacturing facility having a standard industrial
10211 classification code of 2833 or 2834 and having at least one thousand
10212 full-time employees, as defined in subsection (f) of section 32-9j, shall
10213 be eligible to have the assessment period extended for five additional
10214 years upon approval of the **[**commissioner**]** executive director, in
10215 accordance with all applicable **[**regulations**]** procedures, provided such
10216 full-time employees have not been relocated from another facility in
10217 the state operated by the same eligible applicant;

10218 (b) Any service facility, as defined in section 32-9p, acquired,
10219 constructed, substantially renovated or expanded on or after July 1,
10220 1996, and for which an eligibility certificate has been issued by the
10221 **[**Department of Economic and Community Development**]** Connecticut
10222 Economic Development Authority, as follows: (i) In the case of an

10223 investment of twenty million dollars or more but not more than thirty-
10224 nine million dollars in the service facility, to the extent of forty per cent
10225 of its valuation for purposes of assessment in each of the five full
10226 assessment years following the assessment year in which the
10227 acquisition, construction, renovation or expansion of the service
10228 facility is completed; (ii) in the case of an investment of more than
10229 thirty-nine million dollars but not more than fifty-nine million dollars
10230 in the service facility, to the extent of fifty per cent of its valuation for
10231 purposes of assessment in each of the five full assessment years
10232 following the assessment year in which the acquisition, construction,
10233 renovation or expansion of the service facility is completed; (iii) in the
10234 case of an investment of more than fifty-nine million dollars but not
10235 more than seventy-nine million dollars in the service facility, to the
10236 extent of sixty per cent of its valuation for purposes of assessment in
10237 each of the five full assessment years following the assessment year in
10238 which the acquisition, construction, renovation or expansion of the
10239 service facility is completed; (iv) in the case of an investment of more
10240 than seventy-nine million dollars but not more than ninety million
10241 dollars in the service facility, to the extent of seventy per cent of its
10242 valuation for purposes of assessment in each of the five full assessment
10243 years following the assessment year in which the acquisition,
10244 construction, renovation or expansion of the service facility is
10245 completed; or (v) in the case of an investment of more than ninety
10246 million dollars in the service facility, to the extent of eighty per cent of
10247 its valuation for purposes of assessment in each of the five full
10248 assessment years following the assessment year in which the
10249 acquisition, construction, renovation or expansion of the service
10250 facility is completed, except that any financial institution, as defined in
10251 subsection (b) of section 32-236, having at least four thousand qualified
10252 employees, as determined in accordance with an agreement pursuant
10253 to subsection (c) of section 32-236, shall be eligible to have the
10254 assessment period extended for five additional years upon approval of
10255 the **[**commissioner**]** executive director, in accordance with all
10256 applicable **[**regulations**]** procedures, provided such full-time
10257 employees have not been relocated from another facility in the state

10258 operated by the same eligible applicant. In no event shall the definition
10259 of qualified employee be more favorable to the employer than the
10260 definition provided in section 32-236;

10261 (c) The completion date of a manufacturing facility, manufacturing
10262 plant or a service facility will be determined by the **[**Department of
10263 Economic and Community Development**]** Connecticut Economic
10264 Development Authority taking into account the issuance of occupancy
10265 certificates and such other factors as it deems relevant. In the case of a
10266 manufacturing facility, manufacturing plant or a service facility which
10267 consists of a constructed, renovated or expanded portion of an existing
10268 plant, the assessed valuation of the facility or manufacturing plant is
10269 the difference between the assessed valuation of the plant prior to its
10270 being improved and the assessed valuation of the plant upon
10271 completion of the improvements. In the case of a manufacturing
10272 facility, manufacturing plant or a service facility which consists of an
10273 acquired portion of an existing plant, the assessed valuation of the
10274 facility or manufacturing plant is the assessed valuation of the portion
10275 acquired. This exemption shall be applicable during each such
10276 assessment year regardless of any change in the ownership or
10277 occupancy of the facility or manufacturing plant. If during any such
10278 assessment year, however, any facility for which an eligibility
10279 certificate has been issued ceases to qualify as a manufacturing facility,
10280 manufacturing plant or a service facility, the entitlement to the
10281 exemption allowed by this subdivision shall terminate for the
10282 assessment year following the date on which the qualification ceases,
10283 and there shall not be a pro rata application of the exemption. Any
10284 person who desires to claim the exemption provided in this
10285 subdivision shall file annually with the assessor or board of assessors
10286 in the distressed municipality, targeted investment community or
10287 enterprise zone designated pursuant to section 32-70 in which the
10288 manufacturing facility or service facility is located, on or before the
10289 first day of November, written application claiming such exemption on
10290 a form prescribed by the Secretary of the Office of Policy and
10291 Management. Failure to file such application in this manner and form

10292 within the time limit prescribed shall constitute a waiver of the right to
10293 such exemption for such assessment year, unless an extension of time
10294 is allowed pursuant to section 12-81k, and upon payment of the
10295 required fee for late filing;

10296 (60) (a) (1) Machinery and equipment which represents an addition
10297 to the assessment or grand list of the municipality in which this
10298 exemption is claimed and is installed in any manufacturing facility, as
10299 defined in section 32-9p, which facility is or has been constructed, or
10300 substantially renovated or expanded on or after July 1, 1978, in a
10301 distressed municipality or targeted investment community or
10302 enterprise zone designated pursuant to section 32-70 and for which an
10303 eligibility certificate has been issued by the **[**Department of Economic
10304 and Community Development**]** Connecticut Economic Development
10305 Authority, concurrently with and directly attributable to such
10306 construction, renovation or expansion, (2) machinery and equipment
10307 which represents an addition to the assessment or grand list of the
10308 municipality in which this exemption is claimed and is installed, or
10309 machinery and equipment existing, in any manufacturing facility, as
10310 defined in section 32-9p, which facility is or has been acquired on or
10311 after July 1, 1978, in a distressed municipality, targeted investment
10312 community or enterprise zone designated pursuant to section 32-70
10313 and for which an eligibility certificate has been issued by the
10314 **[**Department of Economic and Community Development**]** Connecticut
10315 Economic Development Authority, and (3) machinery and equipment
10316 acquired and installed on or after October 1, 1986, in a manufacturing
10317 facility that is or has at one time been certified as eligible for the
10318 exemption under this subparagraph in accordance with section 32-9r,
10319 and which continues to be used for manufacturing purposes, provided
10320 such machinery and equipment is installed in conjunction with an
10321 expansion program that satisfies the requirements for a manufacturing
10322 facility, as defined in section 32-9p, and is contiguous to and represents
10323 an increase in square feet of floor space of not less than fifty per cent of
10324 the floor space in the certified manufacturing facility, as follows: To the
10325 extent of eighty per cent of its valuation for purposes of assessment in

10326 each of the five full assessment years for which the manufacturing
10327 facility in which it is installed qualifies for an exemption under
10328 subdivision (59) of this section, except that a facility having a code
10329 classification 2833 or 2834 in the Standard Industrial Code
10330 Classification Manual, United States Office of Management and
10331 Budget, 1987 edition, wherein at least one thousand new full-time
10332 employees, as defined in subsection (f) of section 32-9j, are employed,
10333 shall be eligible to have the assessment period under this subdivision
10334 extended for five additional years upon approval of the
10335 **[**commissioner**]** executive director, provided the **[**commissioner**]**
10336 executive director approves an extension of the assessment period
10337 under subdivision (59) of this section for said facility;

10338 Sec. 218. Subdivisions (59) and (60) of section 12-81 of the general
10339 statutes, as amended by sections 2 and 3 of public act 10-98, are
10340 repealed and the following is substituted in lieu thereof (*Effective*
10341 *October 1, 2011*):

10342 (59) (a) Any manufacturing facility, as defined in section 32-9p,
10343 acquired, constructed, substantially renovated or expanded on or after
10344 July 1, 1978, in a distressed municipality, as defined in said section, in
10345 a targeted investment community, as defined in section 32-222, in an
10346 enterprise zone designated pursuant to section 32-70 or in an airport
10347 development zone established pursuant to section 32-75d and for
10348 which an eligibility certificate has been issued by the **[**Department of
10349 Economic and Community Development**]** Connecticut Economic
10350 Development Authority, and any manufacturing plant designated by
10351 the **[**Commissioner of Economic and Community Development**]**
10352 executive director of the Connecticut Economic Development
10353 Authority under subsection (a) of section 32-75c as follows: To the
10354 extent of eighty per cent of its valuation for purposes of assessment in
10355 each of the five full assessment years following the assessment year in
10356 which the acquisition, construction, renovation or expansion of the
10357 manufacturing facility is completed, except that a manufacturing
10358 facility having a standard industrial classification code of 2833 or 2834

10359 and having at least one thousand full-time employees, as defined in
10360 subsection (f) of section 32-9j, shall be eligible to have the assessment
10361 period extended for five additional years upon approval of the
10362 [commissioner] executive director, in accordance with all applicable
10363 [regulations] procedures, provided such full-time employees have not
10364 been relocated from another facility in the state operated by the same
10365 eligible applicant;

10366 (b) Any service facility, as defined in section 32-9p, acquired,
10367 constructed, substantially renovated or expanded on or after July 1,
10368 1996, and for which an eligibility certificate has been issued by the
10369 [Department of Economic and Community Development] Connecticut
10370 Economic Development Authority, as follows: (i) In the case of an
10371 investment of twenty million dollars or more but not more than thirty-
10372 nine million dollars in the service facility, to the extent of forty per cent
10373 of its valuation for purposes of assessment in each of the five full
10374 assessment years following the assessment year in which the
10375 acquisition, construction, renovation or expansion of the service
10376 facility is completed; (ii) in the case of an investment of more than
10377 thirty-nine million dollars but not more than fifty-nine million dollars
10378 in the service facility, to the extent of fifty per cent of its valuation for
10379 purposes of assessment in each of the five full assessment years
10380 following the assessment year in which the acquisition, construction,
10381 renovation or expansion of the service facility is completed; (iii) in the
10382 case of an investment of more than fifty-nine million dollars but not
10383 more than seventy-nine million dollars in the service facility, to the
10384 extent of sixty per cent of its valuation for purposes of assessment in
10385 each of the five full assessment years following the assessment year in
10386 which the acquisition, construction, renovation or expansion of the
10387 service facility is completed; (iv) in the case of an investment of more
10388 than seventy-nine million dollars but not more than ninety million
10389 dollars in the service facility, to the extent of seventy per cent of its
10390 valuation for purposes of assessment in each of the five full assessment
10391 years following the assessment year in which the acquisition,
10392 construction, renovation or expansion of the service facility is

10393 completed; or (v) in the case of an investment of more than ninety
10394 million dollars in the service facility, to the extent of eighty per cent of
10395 its valuation for purposes of assessment in each of the five full
10396 assessment years following the assessment year in which the
10397 acquisition, construction, renovation or expansion of the service
10398 facility is completed, except that any financial institution, as defined in
10399 section 12-217u, having at least four thousand qualified employees, as
10400 determined in accordance with an agreement pursuant to subdivision
10401 (3) of subsection (n) of section 12-217u, shall be eligible to have the
10402 assessment period extended for five additional years upon approval of
10403 the **[**commissioner**]** executive director, in accordance with all
10404 applicable **[**regulations**]** procedures, provided such full-time
10405 employees have not been relocated from another facility in the state
10406 operated by the same eligible applicant. In no event shall the definition
10407 of qualified employee be more favorable to the employer than the
10408 definition provided in section 12-217u;

10409 (c) The completion date of a manufacturing facility, manufacturing
10410 plant or a service facility will be determined by the **[**Department of
10411 Economic and Community Development**]** Connecticut Economic
10412 Development Authority taking into account the issuance of occupancy
10413 certificates and such other factors as it deems relevant. In the case of a
10414 manufacturing facility, manufacturing plant or a service facility which
10415 consists of a constructed, renovated or expanded portion of an existing
10416 plant, the assessed valuation of the facility or manufacturing plant is
10417 the difference between the assessed valuation of the plant prior to its
10418 being improved and the assessed valuation of the plant upon
10419 completion of the improvements. In the case of a manufacturing
10420 facility, manufacturing plant or a service facility which consists of an
10421 acquired portion of an existing plant, the assessed valuation of the
10422 facility or manufacturing plant is the assessed valuation of the portion
10423 acquired. This exemption shall be applicable during each such
10424 assessment year regardless of any change in the ownership or
10425 occupancy of the facility or manufacturing plant. If during any such
10426 assessment year, however, any facility for which an eligibility

10427 certificate has been issued ceases to qualify as a manufacturing facility,
10428 manufacturing plant or a service facility, the entitlement to the
10429 exemption allowed by this subdivision shall terminate for the
10430 assessment year following the date on which the qualification ceases,
10431 and there shall not be a pro rata application of the exemption. Any
10432 person who desires to claim the exemption provided in this
10433 subdivision shall file annually with the assessor or board of assessors
10434 in the distressed municipality, targeted investment community,
10435 enterprise zone designated pursuant to section 32-70 or in the town
10436 within the airport development zone established pursuant to section
10437 32-75d in which the manufacturing facility or service facility is located,
10438 on or before the first day of November, written application claiming
10439 such exemption on a form prescribed by the Secretary of the Office of
10440 Policy and Management. Failure to file such application in this manner
10441 and form within the time limit prescribed shall constitute a waiver of
10442 the right to such exemption for such assessment year, unless an
10443 extension of time is allowed pursuant to section 12-81k, and upon
10444 payment of the required fee for late filing;

10445 (60) (a) (1) Machinery and equipment which represents an addition
10446 to the assessment or grand list of the municipality in which this
10447 exemption is claimed and is installed in any manufacturing facility, as
10448 defined in section 32-9p, which facility is or has been constructed, or
10449 substantially renovated or expanded on or after July 1, 1978, in a
10450 distressed municipality, targeted investment community, enterprise
10451 zone designated pursuant to section 32-70 or in an airport
10452 development zone established pursuant to section 32-75d and for
10453 which an eligibility certificate has been issued by the **[**Department of
10454 Economic and Community Development**]** Connecticut Economic
10455 Development Authority, concurrently with and directly attributable to
10456 such construction, renovation or expansion, (2) machinery and
10457 equipment which represents an addition to the assessment or grand
10458 list of the municipality in which this exemption is claimed and is
10459 installed, or machinery and equipment existing, in any manufacturing
10460 facility, as defined in section 32-9p, which facility is or has been

10461 acquired on or after July 1, 1978, in a distressed municipality, targeted
10462 investment community, enterprise zone designated pursuant to section
10463 32-70 or in an airport development zone established pursuant to
10464 section 32-75d and for which an eligibility certificate has been issued
10465 by the **[**Department of Economic and Community Development**]**
10466 Connecticut Economic Development Authority, and (3) machinery and
10467 equipment acquired and installed on or after October 1, 1986, in a
10468 manufacturing facility that is or has at one time been certified as
10469 eligible for the exemption under this subparagraph in accordance with
10470 section 32-9r, and which continues to be used for manufacturing
10471 purposes, provided such machinery and equipment is installed in
10472 conjunction with an expansion program that satisfies the requirements
10473 for a manufacturing facility, as defined in section 32-9p, and is
10474 contiguous to and represents an increase in square feet of floor space
10475 of not less than fifty per cent of the floor space in the certified
10476 manufacturing facility, as follows: To the extent of eighty per cent of its
10477 valuation for purposes of assessment in each of the five full assessment
10478 years for which the manufacturing facility in which it is installed
10479 qualifies for an exemption under subdivision (59) of this section,
10480 except that a facility having a code classification 2833 or 2834 in the
10481 Standard Industrial Code Classification Manual, United States Office
10482 of Management and Budget, 1987 edition, wherein at least one
10483 thousand new full-time employees, as defined in subsection (f) of
10484 section 32-9j, are employed, shall be eligible to have the assessment
10485 period under this subdivision extended for five additional years upon
10486 approval of the **[**commissioner**]** executive director, provided the
10487 **[**commissioner**]** executive director approves an extension of the
10488 assessment period under subdivision (59) of this section for said
10489 facility;

10490 (b) (1) Machinery and equipment which represents an addition to
10491 the assessment or grand list of the municipality in which this
10492 exemption is claimed and is installed in any service facility, as defined
10493 in section 32-9p, which facility is or has been constructed, or
10494 substantially renovated or expanded on or after July 1, 1996, and for

10495 which an eligibility certificate has been issued by the [Department of
10496 Economic and Community Development] Connecticut Economic
10497 Development Authority, concurrently with and directly attributable to
10498 such construction, renovation or expansion, (2) machinery and
10499 equipment which represents an addition to the assessment or grand
10500 list of the municipality in which this exemption is claimed and is
10501 installed, or machinery and equipment existing, in any service facility,
10502 as defined in section 32-9p, which facility is or has been acquired on or
10503 after July 1, 1996, and for which an eligibility certificate has been
10504 issued by the [department] authority, and (3) machinery and
10505 equipment acquired and installed on or after July 1, 1996, in a service
10506 facility that is or has at one time been certified as eligible for the
10507 exemption under this subparagraph in accordance with section 32-9r
10508 and which continues to be used for service purposes, provided such
10509 machinery and equipment is installed in conjunction with an
10510 expansion program that satisfies the requirements for a service facility,
10511 as defined in section 32-9p, and is contiguous to and represents an
10512 increase in square feet of floor space of not less than fifty per cent of
10513 the floor space in the certified service facility, as follows: (i) In the case
10514 of an investment of twenty million dollars or more but not more than
10515 thirty-nine million dollars in the service facility, to the extent of forty
10516 per cent of its valuation for purposes of assessment in each of the five
10517 full assessment years for which the service facility in which it is
10518 installed qualifies for an exemption under subdivision (59) of this
10519 section; (ii) in the case of an investment of more than thirty-nine
10520 million dollars but not more than fifty-nine million dollars in the
10521 service facility, to the extent of fifty per cent of its valuation for
10522 purposes of assessment in each of the five full assessment years for
10523 which the service facility in which it is installed qualifies for an
10524 exemption under subdivision (59) of this section; (iii) in the case of an
10525 investment of more than fifty-nine million dollars but not more than
10526 seventy-nine million dollars in the service facility, to the extent of sixty
10527 per cent of its valuation for purposes of assessment in each of the five
10528 full assessment years for which the service facility in which it is
10529 installed qualifies for an exemption under subdivision (59) of this

10530 section; (iv) in the case of an investment of more than seventy-nine
10531 million dollars but not more than ninety million dollars in the service
10532 facility, to the extent of seventy per cent of its valuation for purposes of
10533 assessment in each of the five full assessment years for which the
10534 service facility in which it is installed qualifies for an exemption under
10535 subdivision (59) of this section; or (v) in the case of an investment of
10536 more than ninety million dollars in the service facility, to the extent of
10537 eighty per cent of its valuation for purposes of assessment in each of
10538 the five full assessment years for which the service facility in which it
10539 is installed qualifies for an exemption under subdivision (59) of this
10540 section, except that any financial institution, as defined in section 12-
10541 217u, having at least four thousand qualified employees, as
10542 determined in accordance with an agreement pursuant to subdivision
10543 (3) of subsection (n) of section 12-217u, as amended by this act, shall be
10544 eligible to have the assessment period extended for five additional
10545 years upon approval of the commissioner, in accordance with all
10546 applicable regulations, provided such full-time employees have not
10547 been relocated from another facility in the state operated by the same
10548 eligible applicant. In no event shall the definition of qualified
10549 employee be more favorable to the employer than the definition
10550 provided in section 12-217u, as amended by this act;

10551 (c) This exemption shall terminate for the assessment year next
10552 following if the manufacturing facility or service facility in which such
10553 machinery and equipment is installed no longer qualifies for an
10554 exemption under said subdivision (59), and there shall not be a pro
10555 rata application of the exemption of such machinery and equipment in
10556 the assessment year of such termination. Any person who desires to
10557 claim the exemption provided in this subdivision shall file annually
10558 with the assessor or board of assessors in the distressed municipality,
10559 targeted investment community, enterprise zone designated pursuant
10560 to section 32-70 or the town in the airport development zone
10561 established pursuant to section 32-75d in which the manufacturing
10562 facility or service facility is located, on or before the first day of
10563 November, written application claiming such exemption on a form

10564 prescribed by the Secretary of the Office of Policy and Management.
10565 Failure to file such application in this manner and form within the time
10566 limit prescribed shall constitute a waiver of the right to such
10567 exemption for such assessment year, unless an extension of time is
10568 allowed pursuant to section 12-81k, and upon payment of the required
10569 fee for late filing. This exemption shall not apply to rolling stock.

10570 Sec. 219. Subdivision (70) of section 12-81 of the general statutes is
10571 repealed and the following is substituted in lieu thereof (*Effective July*
10572 *1, 2011*):

10573 (70) (A) New machinery and equipment used directly in the
10574 manufacturing of goods or products and acquired through purchase
10575 by any business organization or any affiliate of such business
10576 organization as part of a technological upgrading of the manufacturing
10577 process at a location in a distressed municipality, targeted investment
10578 community, as defined in section 32-222, as amended by this act, or
10579 enterprise zone designated pursuant to section 32-70, and for which an
10580 eligibility certificate has been issued by the **[**Department of Economic
10581 and Community Development**]** Connecticut Economic Development
10582 Authority, which business organization (i) is engaged in the
10583 manufacturing, processing or assembling of raw materials, parts or
10584 manufactured products, (ii) has been in continuous operation in the
10585 state for a period not less than five years prior to claiming the
10586 exemption provided in this subdivision, (iii) had gross receipts in an
10587 amount less than twenty million dollars in the year prior to claiming
10588 the exemption provided in this subdivision, including receipts of any
10589 affiliates of the business organization, and (iv) has incurred costs in
10590 acquiring such machinery and equipment not less than the greater of
10591 (I) two hundred thousand dollars, or (II) two hundred per cent of the
10592 business organization's and affiliate's average expenditure for the
10593 acquisition of machinery and equipment used directly in the
10594 manufacturing of goods or products at the location in the distressed
10595 municipality, targeted investment community or enterprise zone
10596 designated pursuant to section 32-70 during the three years prior to

10597 claiming the exemption provided in this subdivision, as follows: To the
10598 extent of fifty per cent of its valuation for purposes of assessment in
10599 each of the five full assessment years following the assessment year in
10600 which such machinery and equipment is acquired;

10601 (B) Any person who desires to claim the exemption provided in this
10602 subdivision shall file annually with the assessor or board of assessors
10603 in the distressed municipality, targeted investment community or
10604 enterprise zone designated pursuant to section 32-70 in which the
10605 business organization is located, on or before the first day of
10606 November, written application claiming such exemption on a form
10607 prescribed by the Secretary of the Office of Policy and Management.
10608 Failure to file such application in this manner and form within the time
10609 limit prescribed shall constitute a waiver of the right to such
10610 exemption for such assessment year, unless an extension of time is
10611 allowed pursuant to section 12-81k, and upon payment of the required
10612 fee for late filing. No person shall be eligible to receive the exemption
10613 provided in this subdivision if such exemption is sought for machinery
10614 and equipment located in a manufacturing facility, as defined in
10615 subsection (d) of section 32-9p, currently receiving assistance under
10616 subdivisions (59) and (60) of this section, and no person shall receive
10617 such exemption for eligible machinery or equipment at each location in
10618 a distressed municipality, targeted investment community or
10619 enterprise zone designated pursuant to section 32-70 more than once in
10620 any continuous five-year period;

10621 (C) The state and the municipality and district shall hold a security
10622 interest, as defined in subdivision (35) of subsection (b) of section 42a-
10623 1-201, in any machinery or equipment which is exempt from taxation
10624 pursuant to this subdivision, in an amount equal to the tax revenue
10625 reimbursed or lost, as the case may be, which shall be subordinate to
10626 any purchase money security interest, as defined in section 42a-9-103a.
10627 Such security interest shall be enforceable against the taxpayer for a
10628 period of five years after the last assessment year in which such
10629 exemption was received in any case in which the business organization

10630 ceases all business operations or moves its business operations entirely
10631 out of this state. Any assessor who has granted an exemption under
10632 this subdivision shall provide written notification to the secretary of
10633 the cessation of such operations or the move of such operations
10634 entirely out of this state. Such notification may be made at any time
10635 after the October first of the last assessment year in which such
10636 exemption is granted and before the September thirtieth that is five
10637 years after the conclusion of said assessment year. Upon receiving such
10638 notification and complying with the provisions of section 12-35a, the
10639 state shall have a lien upon the machinery or equipment situated in
10640 this state and owned by the person that ceased all business operations
10641 or moved such operations entirely out of this state. Notwithstanding
10642 the provisions of section 12-35a, the total amount of the reimbursement
10643 made by the state for the property tax exemptions granted to the
10644 person under the provisions of this subdivision, shall be deemed to be
10645 the amount of the tax which such person failed to pay.
10646 Notwithstanding said section 12-35a, the information required to be
10647 included in the notice of lien for said tax shall be as follows: (i) The
10648 owner of the property upon which the lien is claimed, (ii) the business
10649 address or residence address of such owner, (iii) the specific property
10650 claimed to be subject to such lien, (iv) the location of such property at
10651 the time it was last made tax-exempt pursuant to this subdivision, (v)
10652 the total amount of the reimbursement made by the state for the
10653 property tax exemptions granted to such owner under the provisions
10654 of this subdivision, and (vi) the tax period or periods for which such
10655 lien is claimed. If more than one agency of the state perfects such a
10656 notice of lien on the same day, the priority of such liens shall be
10657 determined by the time of day such liens were perfected, and if
10658 perfected at the same time, the lien for the highest amount shall have
10659 priority. In addition to the other remedies provided in this subdivision,
10660 the Attorney General, upon request of the secretary, may bring a civil
10661 action in a court of competent jurisdiction to recover the amount of tax
10662 revenue reimbursed by the state from any person who received an
10663 exemption under this subdivision;

10664 Sec. 220. Subsection (c) of section 12-81r of the general statutes is
10665 repealed and the following is substituted in lieu thereof (*Effective July*
10666 *1, 2011*):

10667 (c) A municipality shall notify the Commissioner of Environmental
10668 Protection **[**, the Commissioner of Economic and Community
10669 Development**]** and the Secretary of the Office of Policy and
10670 Management not later than thirty days after granting any abatement or
10671 forgiveness of taxes or any fixed assessment under subsection (a) of
10672 this section. Such notice shall provide the owner or purchaser's name,
10673 as the case may be, and the address of the property.

10674 Sec. 221. Subsection (f) of section 12-217e of the general statutes, as
10675 amended by section 4 of public act 10-98, is repealed and the following
10676 is substituted in lieu thereof (*Effective October 1, 2011*):

10677 (f) The **[**Commissioner of Economic and Community Development**]**
10678 executive director of the Connecticut Economic Development
10679 Authority shall, upon request, provide a copy of the applicable
10680 eligibility certificate to the Commissioner of Revenue Services.

10681 Sec. 222. Section 12-217u of the general statutes is repealed and the
10682 following is substituted in lieu thereof (*Effective July 1, 2011*):

10683 (a) For purposes of this section:

10684 (1) **[**"Commissioner" means the Commissioner of Economic and
10685 Community Development**]** "Executive director" means the executive
10686 director of the Connecticut Economic Development Authority;

10687 (2) "Company" means any corporation, partnership, trust,
10688 association, unincorporated organization or similar organization;

10689 (3) "Compensation is paid within this state" if (A) the individual's
10690 service is performed entirely within the state; or (B) the individual's
10691 service is performed both within and without the state, but the service
10692 performed without the state is incidental to the individual's service

10693 within the state;

10694 (4) "Control" with respect to a corporation means ownership of
10695 stock possessing at least fifty per cent of the total combined voting
10696 power of all classes of stock entitled to vote. "Control" with respect to a
10697 partnership, association or similar unincorporated organization means
10698 ownership of at least fifty per cent of the capital or profits interest in
10699 such partnership or association. "Control" with respect to a trust,
10700 means ownership of at least fifty per cent of the beneficial interest in
10701 the principal or income of such trust. Ownership shall be determined
10702 as provided in Section 267(c) of the Internal Revenue Code of 1986, as
10703 in effect on October 14, 1994, other than paragraph (3) of such section;

10704 (5) "Financial institution" means any bank, holding company or out-
10705 of-state bank, as those terms are defined in section 36a-2, or out-of-
10706 state holding company, as that term is defined in section 36a-410,
10707 which directly or indirectly establishes an office in Connecticut and is
10708 subject to the supervision of or regulation by the Banking
10709 Commissioner pursuant to title 36a or by one or more federal banking
10710 agencies pursuant to applicable federal law. "Financial institution" also
10711 means any establishment described in major group 61 or 62 in the
10712 Standard Industrial Classification Manual, United States Office of
10713 Management and Budget, 1987 edition, or in Subsector 522 or 523 in
10714 the North American Industrial Classification System, United States
10715 Manual, United States Office of Management and Budget, 1997 edition,
10716 as engaged primarily in the extending of credit in the form of loans or
10717 the underwriting, purchase, sale or brokerage of securities and other
10718 financial contracts on their own account or for the account of others,
10719 and exchanges, exchange clearinghouses and other services allied with
10720 the exchange of securities and commodities or a holding company
10721 controlling any such establishment;

10722 (6) "Related person" means a corporation, limited liability company,
10723 partnership, trust, association, unincorporated organization or similar
10724 organization that is controlled by the financial institution;

10725 (7) "Tax" means the corporation business tax imposed by this
10726 chapter.

10727 (b) In any income year commencing prior to January 1, 2014, there
10728 shall be allowed a credit against the tax imposed on a financial
10729 institution not to exceed fifty per cent of the amount of such tax,
10730 provided the aggregate amount of the credit that may be taken under
10731 this subsection shall in no event exceed one hundred twenty million
10732 dollars over the period for which it is allowed and provided further
10733 the total amount of credit allowed in any qualified income year shall
10734 not exceed the aggregate amount as determined in accordance with the
10735 employment requirements for such year under subsection (c) of this
10736 section, reduced by the amount of credit previously allowed, but in no
10737 event shall the amount be below zero. The credit shall be allowed in
10738 the initial qualified year and in each of the nine consecutive income
10739 years thereafter which is a subsequent qualified year.

10740 (c) For purposes of this section, (1) the initial qualified year is the
10741 income year with respect to which the financial institution first meets
10742 all of the following criteria: (A) It has constructed a new facility in
10743 Connecticut of at least nine hundred thousand gross square feet for the
10744 purpose of carrying on, directly or indirectly, the business of the
10745 financial institution; (B) it has obtained a temporary or permanent
10746 certificate of occupancy for such facility; (C) it has employed, during
10747 the income year for which the credit is claimed, an average of at least
10748 (i) one thousand two hundred qualified employees to claim a thirty per
10749 cent tax credit, which shall not exceed seventy-two million dollars in
10750 the aggregate over the period of initial and subsequent qualified years
10751 for which the credit under subsection (b) is allowed, (ii) one thousand
10752 six hundred qualified employees to claim a forty per cent tax credit,
10753 which shall not exceed ninety-six million dollars in the aggregate over
10754 the period of initial and subsequent qualified years for which the credit
10755 under subsection (b) is allowed, and (iii) two thousand qualified
10756 employees to claim a fifty per cent tax credit, which shall not exceed
10757 one hundred twenty million dollars in the aggregate over the period of

10758 initial and subsequent qualified years for which the credit under
10759 subsection (b) is allowed; and (D) it has been issued an initial
10760 certificate of eligibility by the **[**commissioner**]** executive director under
10761 subsection (g) of this section; and (2) a subsequent qualified year is an
10762 income year, following an initial qualified year, with respect to which
10763 the financial institution employs an average of at least (A) one
10764 thousand two hundred qualified employees to claim a thirty per cent
10765 tax credit, which shall not exceed seventy-two million dollars in the
10766 aggregate over the period of initial and subsequent qualified years for
10767 which the credit under subsection (b) is allowed, (B) one thousand six
10768 hundred qualified employees to claim a forty per cent tax credit, which
10769 shall not exceed ninety-six million dollars in the aggregate over the
10770 period of initial and subsequent qualified years for which the credit
10771 under subsection (b) is allowed, and (C) two thousand qualified
10772 employees to claim a fifty per cent tax credit, which shall not exceed
10773 one hundred twenty million dollars in the aggregate over the period of
10774 initial and subsequent qualified years for which the credit under
10775 subsection (b) is allowed, and has been issued an annual certificate of
10776 eligibility by the **[**commissioner**]** executive director under subsection
10777 (g) of this section.

10778 (d) For purposes of this section, (1) a qualified employee is an
10779 individual whose compensation is paid within this state and (A) is
10780 employed directly by the financial institution or a related person and
10781 who works an average of at least thirty-five hours per week for at least
10782 eight consecutive weeks for such financial institution or related person,
10783 (B) is an independent contractor of the financial institution or of a
10784 related person and who works an average of at least thirty-five hours
10785 per week for at least eight consecutive weeks for such financial
10786 institution or related person, or (C) is an employee or principal of a
10787 company other than the financial institution or a related person if (i)
10788 such individual works an average of at least thirty-five hours per week
10789 for at least eight consecutive weeks providing services to the financial
10790 institution or a related person, and (ii) such company derives not less
10791 than eighty per cent of its gross revenues from the financial institution,

10792 one or more related persons or a combination thereof. A qualified
10793 employee shall not include any individual who would have satisfied
10794 the criteria of a qualified employee prior to the date that a proposal by
10795 the financial institution to create new positions in this state was
10796 approved by the [commissioner] executive director; and (2)
10797 notwithstanding the provisions of subdivision (1) of this subsection, an
10798 individual is not a qualified employee if (A) the prior employer of such
10799 individual was a company other than the financial institution or a
10800 related person, (B) compensation was paid in this state to such
10801 individual by such employer, (C) the individual was employed for an
10802 average of at least thirty-five hours per week and had been employed
10803 by such employer for at least eight consecutive weeks, and (D) either
10804 (i) the individual is employed directly by the financial institution or a
10805 related person in which the prior employer had an ownership interest
10806 equal to ten per cent or more of the voting rights of the financial
10807 institution or related person at the time such individual became
10808 employed by the financial institution or related person, unless the
10809 position previously held by such individual with the prior employer
10810 has been filled by the prior employer; (ii) the individual is employed
10811 directly by the financial institution or a related person which had an
10812 ownership interest equal to ten per cent or more of the voting rights of
10813 the prior employer at the time such individual became employed by
10814 the financial institution or related person, unless the position
10815 previously held by such individual with the prior employer has been
10816 filled by the prior employer; or (iii) the prior employer of such
10817 individual was a company which was acquired directly or indirectly
10818 by, or merged or consolidated with, the financial institution or a
10819 related person and the individual was employed by that company at
10820 the date of such acquisition, merger or consolidation.

10821 (e) For each income year in which the credit is claimed, the average
10822 number of qualified employees shall be the sum of (1) the average of
10823 the number of qualified employees reported in the quarterly Federal
10824 Insurance Contributions Act tax returns of the financial institution or a
10825 related person; (2) the average of the number of qualified employees

10826 who are included in the quarterly reports described in subsection (g) of
10827 this section; and (3) the average of the number of qualified employees
10828 reported in the quarterly Federal Insurance Contributions Act tax
10829 returns of the company as described in subparagraph (C) of
10830 subdivision (1) of subsection (d) of this section. If the number of
10831 qualified employees in any income year fails to equal or exceed the
10832 number necessary to qualify under subsection (b) or (f) of this section,
10833 as the case may be, the financial institution may compute an average
10834 which includes the first quarter of the next succeeding income year
10835 with the four quarters of the subject income year and, if such new
10836 average equals or exceeds the criteria set forth in subsection (c) or (f) of
10837 this section, as the case may be, such financial institution shall be
10838 deemed to have met the employment criteria necessary to qualify
10839 under subsection (b) or (f) of this section, as the case may be. If two
10840 otherwise unrelated financial institutions have a related person in
10841 common, the employees of such related person may be considered in
10842 determining the average number of employees for only one of the
10843 financial institutions.

10844 (f) (1) In any income year commencing prior to January 1, 2014,
10845 there shall be allowed a credit against the tax imposed on a financial
10846 institution for an additional five-year period if the financial institution
10847 (A) employs an average of at least three thousand qualified employees
10848 in the tenth income year after the initial qualified year and during each
10849 subsequent income year for which the credit is claimed; and (B) has
10850 been issued a certificate by the **[**commissioner**]** <u>executive director</u>
10851 under subsection (g) of this section. The credit allowed under this
10852 subsection may be claimed each year for five consecutive income years
10853 beginning with the tenth income year after the initial qualified year.

10854 (2) The amount of the credit allowed by this subsection shall equal
10855 twenty-five per cent of the tax imposed on a financial institution
10856 provided the aggregate amount of the credit that may be taken under
10857 this subsection and subsection (b) of this section may not exceed one
10858 hundred forty-five million dollars.

10859 (g) Upon application from a financial institution, the [commissioner]
10860 executive director shall issue an initial certificate of eligibility for the
10861 credit allowed under subsection (b) of this section after it has been
10862 established that the applicant satisfies the new facility construction,
10863 certificate of occupancy and relevant employment requirements of this
10864 section and, after consultation with the Commissioner of Revenue
10865 Services and the Banking Commissioner, that the applicant is a
10866 financial institution. If the [commissioner] executive director
10867 determines that all appropriate requirements are met, the
10868 [commissioner] executive director shall issue an annual certificate of
10869 eligibility for the credit allowed under subsection (b) or (f) of this
10870 section for each income year for which an application for a credit
10871 under either of said subsections is made. The [commissioner] executive
10872 director shall require the financial institution to submit quarterly
10873 reports of the number of individuals to whom the financial institution
10874 or a related person made payments of six hundred dollars or more
10875 which must be reported as provided by Section 6041 of the Internal
10876 Revenue Code of 1986, or any subsequent corresponding internal
10877 revenue code of the United States, as from time to time amended, for
10878 each income year for which the credit is claimed and to submit such
10879 other information as may be necessary to determine whether all
10880 appropriate requirements have been met and that the applicant
10881 continues to be a financial institution. Such reports shall also include
10882 the number of individuals who are principals and who qualify as
10883 qualified employees under subparagraph (C) of subdivision (1) of
10884 subsection (d) of this section.

10885 (h) The sale, merger, acquisition, bankruptcy or other reorganization
10886 by or of a financial institution may not create new eligibility for the
10887 credit allowed under subsection (b) or (f) of this section in a succeeding
10888 company. Any successor to the financial institution which is a financial
10889 institution may qualify under subsection (b) or (f) of this section if
10890 either the original financial institution or such successor satisfies the
10891 new facility construction and certificate of occupancy requirements
10892 and such successor qualifies under subsection (b) or (f) of this section

10893 on an annual basis, provided the total credits available to the successor
10894 financial institution, when added to all credits taken by the original
10895 financial institution, shall not exceed the applicable limits under
10896 subsection (b) or (f) of this section, or both, as the case may be.

10897 (i) The [commissioner] executive director may accept and approve
10898 proposals to create new positions as described in subsection (d) of this
10899 section. The [commissioner] executive director shall prescribe the form
10900 of such proposals.

10901 (j) The [commissioner] executive director shall, upon request,
10902 provide a copy of the certificate of eligibility to the Commissioner of
10903 Revenue Services.

10904 (k) No taxpayer claiming the credit under this section is eligible for
10905 the credit allowed under section 12-217w.

10906 (l) (1) In the case of a financial institution included in a combined
10907 return under section 12-223a, a credit allowed under subsection (b) or
10908 (f) of this section may be taken against the tax of the combined group.
10909 (2) The credit allowed to a financial institution under subsection (b) or
10910 (f) of this section may be taken by any corporation which is eligible to
10911 elect to file a combined return with a group with which the financial
10912 institution is eligible to file a combined return, provided the aggregate
10913 credit taken by all such corporations in any income year shall not
10914 exceed the aggregate credit for which such group would have been
10915 eligible if it had filed a combined return.

10916 (m) The credits allowed under this section shall be claimed prior to
10917 any other credits allowed against the corporation business tax.

10918 (n) (1) No taxpayer which has received financial assistance from the
10919 state under section 32-236 may claim the credit under subsection (b) of
10920 this section. The total amount of credit allowed under subsection (f) of
10921 this section to such a taxpayer shall not exceed, in the aggregate,
10922 twenty-five million dollars.

10923 (2) Notwithstanding the provisions of subsection (c) of this section,
10924 for purposes of any credit allowed under subsection (f) of this section
10925 to a taxpayer which has received financial assistance under section 32-
10926 236, the initial qualified year shall be the income year in which the
10927 **[**Commissioner of Economic and Community Development**]** executive
10928 director executes an agreement with such financial institution to
10929 provide financial assistance pursuant to section 32-236.

10930 (3) For purposes of determining the number and specification of
10931 qualified employees under subsection (d) of this section, and the
10932 number and specification of new employees under section 12-217e, as
10933 amended by this act, with respect to any taxpayer which has received
10934 financial assistance under section 32-236, the dates, numbers and
10935 specifications shall be the dates, numbers and specifications provided
10936 in an agreement executed by the **[**Commissioner of Economic and
10937 Community Development**]** executive director with such financial
10938 institution to provide financial assistance pursuant to section 32-236. In
10939 no event shall the definition of qualified employee be more favorable
10940 to the employer than the definition provided in this section.

10941 Sec. 223. Subsection (a) of section 12-217z of the general statutes is
10942 repealed and the following is substituted in lieu thereof (*Effective July*
10943 *1, 2011*):

10944 (a) There is established a Business Tax Credit and Tax Policy Review
10945 Committee which shall be comprised of the following members: (1)
10946 The chairpersons and ranking members of the joint standing
10947 committee of the General Assembly having cognizance of matters
10948 relating to finance, revenue and bonding, or their designees; (2) one
10949 member appointed by each of the following: The Governor, the
10950 president pro tempore of the Senate, the speaker of the House of
10951 Representatives, the majority leader of the Senate, the majority leader
10952 of the House of Representatives, the minority leader of the House of
10953 Representatives and the minority leader of the Senate; and (3) the
10954 **[**Commissioners**]** Commissioner of Revenue Services **[**and Economic
10955 and Community Development**]** and the Labor Commissioner, or their

10956 designees.

10957 Sec. 224. Section 12-217jj of the general statutes is repealed and the
10958 following is substituted in lieu thereof (*Effective July 1, 2011*):

10959 (a) As used in this section:

10960 (1) "Commissioner" means the Commissioner of Revenue Services.

10961 (2) **[**"Department" means the Department of Economic and
10962 Community Development**]** "Authority" means the Connecticut
10963 Economic Development Authority.

10964 (3) (A) "Qualified production" means entertainment content created
10965 in whole or in part within the state, including motion pictures;
10966 documentaries; long-form, specials, mini-series, series, sound
10967 recordings, videos and music videos and interstitials television
10968 programming; interactive television; interactive games; videogames;
10969 commercials; any format of digital media, including an interactive web
10970 site, created for distribution or exhibition to the general public; and
10971 any trailer, pilot, video teaser or demo created primarily to stimulate
10972 the sale, marketing, promotion or exploitation of future investment in
10973 either a product or a qualified production via any means and media in
10974 any digital media format, film or videotape, provided such program
10975 meets all the underlying criteria of a qualified production.

10976 (B) "Qualified production" shall not include any ongoing television
10977 program created primarily as news, weather or financial market
10978 reports, a production featuring current events, sporting events, an
10979 awards show or other gala event, a production whose sole purpose is
10980 fundraising, a long-form production that primarily markets a product
10981 or service, a production used for corporate training or in-house
10982 corporate advertising or other similar productions, or any production
10983 for which records are required to be maintained under 18 USC 2257
10984 with respect to sexually explicit content.

10985 (4) "Eligible production company" means a corporation, partnership,

10986 limited liability company, or other business entity engaged in the
10987 business of producing qualified productions on a one-time or ongoing
10988 basis, and qualified by the Secretary of the State to engage in business
10989 in the state.

10990 (5) "Production expenses or costs" means all expenditures clearly
10991 and demonstrably incurred in the state in the preproduction,
10992 production or postproduction costs of a qualified production,
10993 including:

10994 (A) Expenditures incurred in the state in the form of either
10995 compensation or purchases including production work, production
10996 equipment not eligible for the infrastructure tax credit provided in
10997 section 12-217kk, as amended by this act, production software,
10998 postproduction work, postproduction equipment, postproduction
10999 software, set design, set construction, props, lighting, wardrobe,
11000 makeup, makeup accessories, special effects, visual effects, audio
11001 effects, film processing, music, sound mixing, editing, location fees,
11002 soundstages and any and all other costs or services directly incurred in
11003 connection with a state-certified qualified production;

11004 (B) Expenditures for distribution, including preproduction,
11005 production or postproduction costs relating to the creation of trailers,
11006 marketing videos, commercials, point-of-purchase videos and any and
11007 all content created on film or digital media, including the duplication
11008 of films, videos, CDs, DVDs and any and all digital files now in
11009 existence and those yet to be created for mass consumer consumption;
11010 the purchase, by a company in the state, of any and all equipment
11011 relating to the duplication or mass market distribution of any content
11012 created or produced in the state by any digital media format which is
11013 now in use and those formats yet to be created for mass consumer
11014 consumption; and

11015 (C) "Production expenses or costs" does not include the following:
11016 (i) On and after January 1, 2008, compensation in excess of fifteen
11017 million dollars paid to any individual or entity representing an

11018 individual, for services provided in the production of a qualified
11019 production and on or after January 1, 2010, compensation subject to
11020 Connecticut personal income tax in excess of twenty million dollars
11021 paid in the aggregate to any individuals or entities representing
11022 individuals, for star talent provided in the production of a qualified
11023 production; (ii) media buys, promotional events or gifts or public
11024 relations associated with the promotion or marketing of any qualified
11025 production; (iii) deferred, leveraged or profit participation costs
11026 relating to any and all personnel associated with any and all aspects of
11027 the production, including, but not limited to, producer fees, director
11028 fees, talent fees and writer fees; (iv) costs relating to the transfer of the
11029 production tax credits; (v) any amounts paid to persons or businesses
11030 as a result of their participation in profits from the exploitation of the
11031 qualified production; and (vi) any expenses or costs relating to an
11032 independent certification, as required by subsection (g) of this section,
11033 or as the **[**department**]** authority may otherwise require, pertaining to
11034 the amount of production expenses or costs set forth by an eligible
11035 production company in its application for a production tax credit.

11036 (6) "Sound recording" means a recording of music, poetry or
11037 spoken-word performance, but does not include the audio portions of
11038 dialogue or words spoken and recorded as part of a motion picture,
11039 video, theatrical production, television news coverage or athletic event.

11040 (7) "State-certified qualified production" means a qualified
11041 production produced by an eligible production company that (A) is in
11042 compliance with regulations adopted pursuant to subsection (k) of this
11043 section, (B) is authorized to conduct business in this state, and (C) has
11044 been approved by the **[**department**]** authority as qualifying for a
11045 production tax credit under this section.

11046 (8) "Interactive web site" means a web site, the production costs of
11047 which (A) exceed five hundred thousand dollars per income year, and
11048 (B) is primarily (i) interactive games or end user applications, or (ii)
11049 animation, simulation, sound, graphics, story lines or video created or
11050 repurposed for distribution over the Internet. An interactive web site

11051 does not include a web site primarily used for institutional, private,
11052 industrial, retail or wholesale marketing or promotional purposes, or
11053 which contains obscene content.

11054 (9) "Post-certification remedy" means the recapture, disallowance,
11055 recovery, reduction, repayment, forfeiture, decertification or any other
11056 remedy that would have the effect of reducing or otherwise limiting
11057 the use of a tax credit provided by this section.

11058 (10) "Compensation" means base salary or wages and does not
11059 include bonus pay, stock options, restricted stock units or similar
11060 arrangements.

11061 (b) The **[**Department of Economic and Community Development**]**
11062 Connecticut Economic Development Authority shall administer a
11063 system of tax credit vouchers within the resources, requirements and
11064 purposes of this section for eligible production companies producing a
11065 state-certified qualified production in the state.

11066 (1) For income years commencing on or after January 1, 2006, but
11067 prior to January 1, 2010, any eligible production company incurring
11068 production expenses or costs in excess of fifty thousand dollars shall be
11069 eligible for a credit against the tax imposed under chapter 207 or this
11070 chapter equal to thirty per cent of such production expenses or costs.

11071 (2) For income years commencing on or after January 1, 2010, (A)
11072 any eligible production company incurring production expenses or
11073 costs of not less than one hundred thousand dollars, but not more than
11074 five hundred thousand dollars, shall be eligible for a credit against the
11075 tax imposed under chapter 207 or this chapter equal to ten per cent of
11076 such production expenses or costs, (B) any such company incurring
11077 such expenses or costs of more than five hundred thousand dollars,
11078 but not more than one million dollars, shall be eligible for a credit
11079 against the tax imposed under chapter 207 or this chapter equal to
11080 fifteen per cent of such production expenses or costs, and (C) any such
11081 company incurring such expenses or costs of more than one million

11082 dollars shall be eligible for a credit against the tax imposed under
11083 chapter 207 or this chapter equal to thirty per cent of such production
11084 expenses or costs.

11085 (c) No eligible production company incurring an amount of
11086 production expenses or costs that qualifies for such credit shall be
11087 eligible for such credit unless on or after January 1, 2010, such
11088 company conducts (1) not less than twenty-five per cent of principal
11089 photography days within the state, or (2) expends not less than fifty
11090 per cent of postproduction costs within the state, or (3) expends not
11091 less than one million dollars of postproduction costs within the state.

11092 (d) (1) For income years commencing on or after January 1, 2009, but
11093 prior to January 1, 2010, fifty per cent of production expenses or costs
11094 shall be counted toward such credit when incurred outside the state
11095 and used within the state, and one hundred per cent of such expenses
11096 or costs shall be counted toward such credit when incurred within the
11097 state and used within the state.

11098 (2) For income years commencing on or after January 1, 2010, no
11099 expenses or costs incurred outside the state and used within the state
11100 shall be eligible for a credit, and one hundred per cent of such
11101 expenses or costs shall be counted toward such credit when incurred
11102 within the state and used within the state.

11103 (e) On and after July 1, 2006, and for income years commencing on
11104 or after January 1, 2006, any credit allowed pursuant to this subsection
11105 may be sold, assigned or otherwise transferred, in whole or in part, to
11106 one or more taxpayers, provided no credit, after issuance, may be sold,
11107 assigned or otherwise transferred, in whole or in part, more than three
11108 times.

11109 (f) On and after July 1, 2006, and for income years commencing on
11110 or after January 1, 2006, all or part of any such credit allowed under
11111 this subsection shall be claimed against the tax imposed under chapter
11112 207 or this chapter for the income year in which the production

11113 expenses or costs were incurred, or in the three immediately
11114 succeeding income years. Any production tax credit allowed under
11115 this subsection shall be nonrefundable.

11116 (g) (1) An eligible production company shall apply to the
11117 **[**department**]** authority for a tax credit voucher on an annual basis, but
11118 not later than ninety days after the first production expenses or costs
11119 are incurred in the production of a qualified production, and shall
11120 provide with such application such information as the **[**department**]**
11121 authority may require to determine such company's eligibility to claim
11122 a credit under this section. No production expenses or costs may be
11123 listed more than once for purposes of the tax credit voucher pursuant
11124 to this section, or pursuant to section 12-217kk, as amended by this act,
11125 or 12-217*ll*, as amended by this act, and if a production expense or cost
11126 has been included in a claim for a credit, such production expense or
11127 cost may not be included in any subsequent claim for a credit.

11128 (2) Not later than ninety days after the end of the annual period, or
11129 after the last production expenses or costs are incurred in the
11130 production of a qualified production, an eligible production company
11131 shall apply to the **[**department**]** authority for a production tax credit
11132 voucher, and shall provide with such application such information and
11133 independent certification as the **[**department**]** authority may require
11134 pertaining to the amount of such company's production expenses or
11135 costs. Such independent certification shall be provided by an audit
11136 professional chosen from a list compiled by the **[**department**]**
11137 authority. If the **[**department**]** authority determines that such company
11138 is eligible to be issued a production tax credit voucher, the
11139 **[**department**]** authority shall enter on the voucher the amount of
11140 production expenses or costs that has been established to the
11141 satisfaction of the **[**department**]** authority and the amount of such
11142 company's credit under this section. The **[**department**]** authority shall
11143 provide a copy of such voucher to the commissioner, upon request.

11144 (3) The **[**department**]** authority shall charge a reasonable
11145 administrative fee sufficient to cover the **[**department's**]** authority's

11146 costs to analyze applications submitted under this section.

11147 (h) If an eligible production company sells, assigns or otherwise
11148 transfers a credit under this section to another taxpayer, the transferor
11149 and transferee shall jointly submit written notification of such transfer
11150 to the [department] authority not later than thirty days after such
11151 transfer. If such transferee sells, assigns or otherwise transfers a credit
11152 under this section to a subsequent transferee, such transferee and such
11153 subsequent transferee shall jointly submit written notification of such
11154 transfer to the [department] authority not later than thirty days after
11155 such transfer. The notification after each transfer shall include the
11156 credit voucher number, the date of transfer, the amount of such credit
11157 transferred, the tax credit balance before and after the transfer, the tax
11158 identification numbers for both the transferor and the transferee, and
11159 any other information required by the [department] authority. Failure
11160 to comply with this subsection will result in a disallowance of the tax
11161 credit until there is full compliance on the part of the transferor and
11162 the transferee, and for a second or third transfer, on the part of all
11163 subsequent transferors and transferees. The [department] authority
11164 shall provide a copy of the notification of assignment to the
11165 commissioner upon request.

11166 (i) Any eligible production company that submits information to the
11167 [department] authority that it knows to be fraudulent or false shall, in
11168 addition to any other penalties provided by law, be liable for a penalty
11169 equal to the amount of such company's credit entered on the
11170 production tax credit certificate issued under this section.

11171 (j) No tax credits transferred pursuant to this section shall be subject
11172 to a post-certification remedy, and the [department] authority and the
11173 commissioner shall have no right, except in the case of possible
11174 material misrepresentation or fraud, to conduct any further or
11175 additional review, examination or audit of the expenditures or costs
11176 for which such tax credits were issued. The sole and exclusive remedy
11177 of the [department] authority and the commissioner shall be to seek
11178 collection of the amount of such tax credits from the entity that

11179 committed the fraud or misrepresentation.

11180 (k) The **[**department**]** commissioner, in consultation with the
11181 **[**commissioner**]** authority, shall adopt regulations, in accordance with
11182 the provisions of chapter 54, as may be necessary for the
11183 administration of this section.

11184 Sec. 225. Section 12-217kk of the general statutes is repealed and the
11185 following is substituted in lieu thereof (*Effective July 1, 2011*):

11186 (a) As used in this section:

11187 (1) "Commissioner" means the Commissioner of Revenue Services.

11188 (2) **[**"Department" means the Department of Economic and
11189 Community Development**]** "Authority" means the Connecticut
11190 Economic Development Authority.

11191 (3) "Infrastructure project" means a capital project to provide basic
11192 buildings, facilities or installations needed for the functioning of the
11193 digital media and motion picture industry in this state.

11194 (4) "State-certified project" means an infrastructure project
11195 undertaken in this state by an entity that (A) is in compliance with
11196 regulations adopted pursuant to subsection (e) of this section, (B) is
11197 authorized to conduct business in this state, (C) is not in default on a
11198 loan made by the state or a loan guaranteed by the state, nor has ever
11199 declared bankruptcy under which an obligation of the entity to pay or
11200 repay public funds was discharged as a part of such bankruptcy, and
11201 (D) has been approved by the **[**department**]** authority as qualifying for
11202 an infrastructure tax credit under this section.

11203 (5) "Post-certification remedy" means the recapture, disallowance,
11204 recovery, reduction, repayment, forfeiture, decertification or any other
11205 remedy that would have the effect of reducing or otherwise limiting
11206 the use of a tax credit provided by this section.

11207 (b) (1) (A) For income years commencing prior to January 1, 2010,
11208 there shall be allowed a state-certified project credit against the tax
11209 imposed under chapter 207 or this chapter to any taxpayer that invests
11210 in a state-certified project. Such credit may be in the following
11211 amounts: (i) For state-certified projects costing greater than fifteen
11212 thousand dollars and less than one hundred fifty thousand dollars,
11213 each taxpayer may be allowed a tax credit of ten per cent of the
11214 investment made by such taxpayer; (ii) for state-certified projects
11215 costing one hundred fifty thousand dollars or more, but less than one
11216 million dollars, each taxpayer may be allowed a tax credit of fifteen per
11217 cent of the investment made by such taxpayer; and (iii) for state-
11218 certified projects costing one million dollars or more, each taxpayer
11219 may be allowed a tax credit of twenty per cent of the investment made
11220 by such taxpayer.

11221 (B) For income years commencing on or after January 1, 2010, there
11222 shall be allowed a state-certified project credit against the tax imposed
11223 under chapter 207 or this chapter to any taxpayer that invests three
11224 million dollars or more in a state-certified project in an amount equal
11225 to twenty per cent of the investment made by such taxpayer.

11226 (2) Eligible expenditures pursuant to this section shall include the
11227 following: All expenditures for a capital project to provide buildings,
11228 facilities or installations, whether a capital lease or purchase, together
11229 with necessary equipment for a film, video, television, digital
11230 production facility or digital animation production facility; project
11231 development, including design, professional consulting fees and
11232 transaction costs; development, preproduction, production, post-
11233 production and distribution equipment and system access; and fixtures
11234 and other equipment.

11235 (3) Any credit allowed pursuant to this section may be sold,
11236 assigned or otherwise transferred, in whole or in part, to one or more
11237 taxpayers, and such taxpayers may sell, assign or otherwise transfer, in
11238 whole or in part, such credit. Any taxpayer holding such credit may
11239 claim such credit only for the income year in which expenditures were

11240 made by the taxpayer for the infrastructure project.

11241 (4) Any credit allowed pursuant to this section shall be claimed
11242 against the tax imposed under chapter 207 or this chapter. If the
11243 amount of the credit allowable under this section exceeds the sum of
11244 any taxes due from a taxpayer, any such excess amount of the credit
11245 allowable under this section may be taken in any of the three
11246 immediately succeeding income years.

11247 (5) Any tax credit earned under this section shall be nonrefundable.

11248 (c) (1) An entity undertaking an infrastructure project shall apply to
11249 the **[**department**]** authority for an eligibility certificate not later than
11250 ninety days after the first expenses or costs are incurred, and shall
11251 provide with such application such information as the **[**department**]**
11252 authority may require to determine such infrastructure project's
11253 eligibility as a state-certified project.

11254 (2) Each application for an eligibility certificate shall include: (A) A
11255 detailed description of the infrastructure project; (B) a preliminary
11256 budget; (C) estimated completion date; and (D) such other information
11257 as the **[**department**]** authority may require. The **[**department**]** authority
11258 may require an independent audit of all project costs and expenditures
11259 prior to certification. If the **[**department**]** authority determines that
11260 such project is eligible to be a state-certified project, the **[**department**]**
11261 authority shall indicate the amount of costs or expenditures that has
11262 been established to the satisfaction of the **[**department**]** authority, and
11263 issue to such entity a tax credit certification letter for investors
11264 indicating the amount of tax credits available under this section. The
11265 **[**department**]** authority shall provide a copy of such letter to the
11266 commissioner, upon request.

11267 (3) Prior to the issuance of a state-certified project tax credit voucher
11268 to a taxpayer based upon the tax credit certification letter issued
11269 pursuant to subdivision (2) of this subdivision, the entity undertaking
11270 such infrastructure project shall provide the **[**department**]** authority

11271 with a description of the progress on such project and an estimated
11272 completion date. The [department] authority may require an
11273 independent audit of all project costs and expenditures prior to
11274 issuance of such tax credit voucher to a taxpayer. No such tax credit
11275 voucher may be issued prior to such time as such state-certified project
11276 is shown to be one hundred per cent complete.

11277 (4) The [department] authority shall charge a reasonable
11278 administrative fee sufficient to cover the [department's] authority's
11279 costs to analyze applications submitted under this section.

11280 (d) If a taxpayer sells, assigns or otherwise transfers a credit under
11281 this section to another taxpayer, the transferor and transferee shall
11282 jointly submit written notification of such transfer to the [department]
11283 authority not later than thirty days after such transfer. The notification
11284 shall include the credit certificate number, the date of transfer, the
11285 amount of such credit transferred, the tax credit balance before and
11286 after the transfer, the tax identification numbers for both the transferor
11287 and the transferee and any other information required by the
11288 commissioner. After the initial issuance of a tax credit, such credit may
11289 be sold, assigned or otherwise transferred not more than three times.
11290 Failure to comply with this subsection will result in a disallowance of
11291 the tax credit until there is full compliance on both the part of the
11292 transferor and the transferee, and all subsequent transferors and
11293 transferees. The [department] authority shall provide a copy of the
11294 notification of assignment to the commissioner upon request.

11295 (e) No tax credits transferred pursuant to this section shall be
11296 subject to a post-certification remedy, and the [department] authority
11297 and the commissioner shall have no right, except in the case of possible
11298 material misrepresentation or fraud, to conduct any further or
11299 additional review, examination or audit of the expenditures or costs
11300 for which such tax credits were issued. The sole and exclusive remedy
11301 of the [department] authority and the commissioner shall be to seek
11302 collection of the amount of such tax credits from the entity that
11303 committed the fraud or misrepresentation.

11304 (f) The [department] commissioner, in consultation with the
11305 [commissioner] authority, shall adopt regulations, in accordance with
11306 the provisions of chapter 54, as may be necessary for the
11307 administration of this section.

11308 Sec. 226. Section 12-217*ll* of the general statutes is repealed and the
11309 following is substituted in lieu thereof (*Effective July 1, 2011*):

11310 (a) As used in this section:

11311 (1) "Commissioner" means the Commissioner of Revenue Services.

11312 (2) ["Department" means the Department of Economic and
11313 Community Development] "Authority" means the Connecticut
11314 Economic Development Authority.

11315 (3) "Digital animation production company" means a corporation,
11316 partnership, limited liability company or other business entity engaged
11317 exclusively in digital animation production activity on an ongoing
11318 basis, and that is qualified by the Secretary of the State to engage in
11319 business in the state.

11320 (4) "State-certified digital animation production company" means a
11321 digital animation production company that (A) maintains studio
11322 facilities located within the state at which digital animation production
11323 activities are conducted, (B) employs at least two hundred full-time
11324 employees within the state, (C) is in compliance with regulations
11325 adopted pursuant to subsection (h) of this section, and (D) has been
11326 certified by the [department] authority.

11327 (5) "Digital animation production activity" means the creation,
11328 development and production of computer-generated animation
11329 content for distribution or exhibition to the general public, but not for
11330 the production of any material for which records are required to be
11331 maintained under 18 USC 2257 with respect to sexually explicit
11332 content.

11333 (6) "Full-time employee" means an employee required to work at
11334 least thirty-five hours or more per week, and who is not a temporary
11335 or seasonal employee.

11336 (7) "Post-certification remedy" means the recapture, disallowance,
11337 recovery, reduction, repayment, forfeiture, decertification or any other
11338 remedy that would have the effect of reducing or otherwise limiting
11339 the use of a tax credit provided by this section.

11340 (8) "Production expenses or costs" means all expenditures clearly
11341 and demonstrably incurred in the state in the development,
11342 preproduction, production or postproduction costs of a digital
11343 animation production activity, including:

11344 (A) Expenditures for optioning or purchase of any intellectual
11345 property including, but not limited to, books, scripts, music or
11346 trademarks relating to the development or purchase of a script,
11347 screenplay or format, to the extent that such expenditures are less than
11348 thirty-five per cent of the production expenses or costs incurred by a
11349 digital animation production company in any income year. Such
11350 expenses or costs shall include all expenditures generally associated
11351 with the optioning or purchase of intellectual property, including
11352 option money, agent fees and attorney fees relating to the transaction,
11353 but shall not include any and all deferrals, deferments, profit
11354 participation or recourse or nonrecourse loans which the digital
11355 animation production company may negotiate in order to obtain the
11356 rights to the intellectual property;

11357 (B) Expenditures incurred in the form of either compensation or
11358 purchases including production work, production equipment not
11359 eligible for the infrastructure tax credit provided in section 12-217kk,
11360 <u>as amended by this act,</u> production software, postproduction work,
11361 postproduction equipment, postproduction software, set design, set
11362 construction, props, lighting, wardrobe, makeup, makeup accessories,
11363 special effects, visual effects, audio effects, actors, voice talent, film
11364 processing, music, sound mixing, editing, location fees, soundstages,

11365 rent, utilities, insurance, administrative support, systems support, all
11366 reasonably-related expenses in connection with digital animation
11367 production activity, and any and all other costs or services directly
11368 incurred in the state in connection with a state-certified digital
11369 animation production company;

11370 (C) Expenditures for distribution, including preproduction,
11371 production or postproduction costs relating to the creation of trailers,
11372 marketing videos, short films, commercials, point-of-purchase videos
11373 and any and all content created on film or digital media, including the
11374 duplication of films, videos, CDs, DVDs and any and all digital files
11375 now in existence and those yet to be created for mass consumer
11376 consumption; the purchase, by a company in the state, of any and all
11377 equipment relating to the duplication or mass market distribution of
11378 any content created or produced in the state by any digital media
11379 format which is now in use and those formats yet to be created for
11380 mass consumer consumption; and

11381 (D) "Production expenses or costs" does not include the following:
11382 (i) Compensation in excess of fifteen million dollars paid to any
11383 individual or entity representing an individual, for services provided
11384 in a digital animation production activity and, on or after January 1,
11385 2010, compensation subject to Connecticut personal income tax in
11386 excess of twenty million dollars paid in the aggregate to any
11387 individuals or entities representing individuals, for star talent
11388 provided in a digital animation production activity; (ii) media buys,
11389 promotional events or gifts or public relations associated with the
11390 promotion or marketing of any digital animation production activity;
11391 (iii) deferred, leveraged or profit participation costs relating to any and
11392 all personnel associated with any and all aspects of the production,
11393 including, but not limited to, producer fees, director fees, talent fees
11394 and writer fees; (iv) costs relating to the transfer of the digital
11395 animation tax credits; (v) any amounts paid to persons or businesses as
11396 a result of their participation in profits from the exploitation of the
11397 digital animation production activity; and (vi) any expenses or costs

11398 relating to an independent certification, as required by subsection (c)
11399 of this section, or as the [department] authority may otherwise require,
11400 pertaining to the amount of production expenses or costs set forth by a
11401 state-certified digital animation company in its application for a digital
11402 animation tax credit.

11403 (b) (1) The [Department of Economic and Community
11404 Development] Connecticut Economic Development Authority shall
11405 administer a system of tax credit vouchers within the resources,
11406 requirements and purposes of this section for digital animation
11407 production companies undertaking digital animation production
11408 activity in the state.

11409 (A) For income years commencing on or after January 1, 2007, but
11410 prior to January 1, 2010, any state-certified digital animation
11411 production company incurring production expenses or costs in excess
11412 of fifty thousand dollars shall be eligible for a credit against the tax
11413 imposed under chapter 207 or this chapter, equal to thirty per cent of
11414 such production expenses or costs.

11415 (B) For income years commencing on or after January 1, 2010, (i) any
11416 state-certified digital animation production company incurring
11417 production expenses or costs of not less than one hundred thousand
11418 dollars, but not more than five hundred thousand dollars, shall be
11419 eligible for a credit against the tax imposed under chapter 207 or this
11420 chapter equal to ten per cent of such production expenses or costs, (ii)
11421 any such company incurring such expenses or costs of more than five
11422 hundred thousand dollars, but not more than one million dollars, shall
11423 be eligible for a credit against the tax imposed under chapter 207 or
11424 this chapter equal to fifteen per cent of such production expenses or
11425 costs, and (iii) any such company incurring such expenses or costs of
11426 more than one million dollars shall be eligible for a credit against the
11427 tax imposed under chapter 207 or this chapter equal to thirty per cent
11428 of such production expenses or costs.

11429 (2) Any credit allowed pursuant to this section may be sold,

11430 assigned or otherwise transferred, in whole or in part, to one or more
11431 taxpayers, provided no credit, after issuance, may be sold, assigned or
11432 otherwise transferred, in whole or in part, more than three times.

11433 (3) All or part of any credit allowed pursuant to this section shall be
11434 claimed against the tax imposed under chapter 207 or this chapter, for
11435 the income year in which the production expenses or costs were
11436 incurred, or in the three immediately succeeding income years. Any
11437 digital animation tax credit allowed under this section shall be
11438 nonrefundable.

11439 (4) Any digital animation production company receiving a digital
11440 animation tax credit pursuant to this section shall not be eligible to
11441 apply for or receive a tax credit pursuant to section 12-217jj, as
11442 amended by this act.

11443 (c) (1) Not more frequently than twice during the income year of a
11444 state-certified digital animation production company, such company
11445 may apply to the [department] authority for a digital animation tax
11446 credit voucher, and shall provide with such application such
11447 information and independent certification as the [department]
11448 authority may require pertaining to the amount of such company's
11449 production expenses or costs incurred during the period for which
11450 such application is made. Such independent certification shall be
11451 provided by an audit professional chosen from a list compiled by the
11452 [department] authority. If the [department] authority determines that
11453 the company is eligible to be issued a tax credit voucher, the
11454 [department] authority shall enter on the voucher the amount of
11455 production expenses and costs incurred during the period for which
11456 the voucher is issued and the amount of tax credits issued pursuant to
11457 such voucher. The [department] authority shall provide a copy of such
11458 voucher to the commissioner upon request.

11459 (2) The [department] authority shall charge a reasonable
11460 administrative fee sufficient to cover the [department's] authority's
11461 costs to analyze applications submitted under this section.

11462 (d) If a state-certified digital animation production company sells,
11463 assigns or otherwise transfers a credit under this section to another
11464 taxpayer, the transferor and transferee shall jointly submit written
11465 notification of such transfer to the [department] authority not later
11466 than thirty days after such transfer. If such transferee sells, assigns or
11467 otherwise transfers a credit under this section to a subsequent
11468 transferee, such transferee and such subsequent transferee shall jointly
11469 submit written notification of such transfer to the [department]
11470 authority not later than thirty days after such transfer. The notification
11471 after each transfer shall include the credit voucher number, the date of
11472 transfer, the amount of such credit transferred, the tax credit balance
11473 before and after the transfer, the tax identification numbers for both
11474 the transferor and the transferee, and any other information required
11475 by the [department] authority. Failure to comply with this subsection
11476 will result in a disallowance of the tax credit until there is full
11477 compliance on the part of the transferor and the transferee, and for a
11478 second or third transfer, on the part of all subsequent transferors and
11479 transferees. The [department] authority shall provide a copy of the
11480 notification of assignment to the commissioner upon request.

11481 (e) Any state-certified digital animation production company that
11482 submits information to the department that it knows to be fraudulent
11483 or false shall, in addition to any other penalties provided by law, be
11484 liable for a penalty equal to the amount of such company's credit
11485 entered on the digital animation tax credit certificate issued under this
11486 section.

11487 (f) No tax credits transferred pursuant to this section shall be subject
11488 to a post-certification remedy, and the [department] authority and the
11489 commissioner shall have no right, except in the case of possible
11490 material misrepresentation or fraud, to conduct any further or
11491 additional review, examination or audit of the expenditures or costs
11492 for which such tax credits were issued. The sole and exclusive remedy
11493 of the [department] authority and the commissioner shall be to seek
11494 collection of the amount of such tax credits from the entity that

11495 committed the fraud or misrepresentation.

11496 (g) The aggregate amount of all tax credits which may be reserved
11497 by the [department] authority pursuant to this section shall not exceed
11498 fifteen million dollars in any one fiscal year.

11499 (h) The [department] commissioner, in consultation with the
11500 [commissioner] authority, shall adopt regulations, in accordance with
11501 the provisions of chapter 54, as may be necessary for the
11502 administration of this section.

11503 Sec. 227. Subdivision (5) of subsection (a) of section 12-217mm of the
11504 general statutes is repealed and the following is substituted in lieu
11505 thereof (*Effective July 1, 2011*):

11506 (5) "Enterprise zone" means an area in a municipality designated by
11507 the [Commissioner of Economic and Community Development]
11508 executive director of the Connecticut Economic Development
11509 Authority as an enterprise zone in accordance with the provisions of
11510 section 32-70;

11511 Sec. 228. Subdivision (3) of subsection (a) of section 12-704d of the
11512 general statutes is repealed and the following is substituted in lieu
11513 thereof (*Effective July 1, 2011*):

11514 (3) "Connecticut business" means any business with its principal
11515 place of business in Connecticut that is engaged in bioscience,
11516 advanced materials, photonics, information technology, clean
11517 technology or any other emerging technology as determined by the
11518 [Commissioner of Economic and Community Development] executive
11519 director of the Connecticut Economic Development Authority;

11520 Sec. 229. Subsections (d) and (e) of section 12-704d of the general
11521 statutes are repealed and the following is substituted in lieu thereof
11522 (*Effective July 1, 2011*):

11523 (d) (1) A Connecticut business may apply to [Connecticut

11524 Innovations, Incorporated,] the Connecticut Economic Development
11525 Authority for approval as a Connecticut business qualified to receive
11526 cash investments eligible for a tax credit pursuant to this section. The
11527 application shall include (A) the name of the business and a copy of
11528 the organizational documents of such business, (B) a business plan,
11529 including a description of the business and the management, product,
11530 market and financial plan of the business, (C) a description of the
11531 business's innovative and proprietary technology, product or service,
11532 (D) a statement of the potential economic impact of the business,
11533 including the number, location and types of jobs expected to be
11534 created, (E) a description of the qualified securities to be issued and the
11535 amount of cash investment sought by the qualified Connecticut
11536 business, (F) a statement of the amount, timing and projected use of
11537 the proceeds to be raised from the proposed sale of qualified securities,
11538 and (G) such other information as the executive director of
11539 [Connecticut Innovations, Incorporated,] the Connecticut Economic
11540 Development Authority may require.

11541 (2) Said executive director shall, on or before August 1, 2010, and
11542 monthly thereafter, compile a list of approved applications,
11543 categorized by the cash investments being sought by the qualified
11544 Connecticut business and type of qualified securities offered.

11545 (e) (1) Any angel investor that intends to make a cash investment in
11546 a business on such list may apply to [Connecticut Innovations,
11547 Incorporated,] the Connecticut Economic Development Authority to
11548 reserve a tax credit in the amount indicated by such investor. The
11549 aggregate amount of all tax credits under this section that may be
11550 reserved by [Connecticut Innovations, Incorporated,] the Connecticut
11551 Economic Development Authority shall not exceed six million dollars
11552 annually for the fiscal years commencing July 1, 2010, to July 1, 2012,
11553 inclusive, and shall not exceed three million dollars in each fiscal year
11554 thereafter. [Connecticut Innovations, Incorporated,] The Connecticut
11555 Economic Development Authority shall not reserve tax credits under
11556 this section for any investment made on or after July 1, 2014.

11557 (2) The amount of the credit allowed to any investor pursuant to this
11558 section shall not exceed the amount of tax due from such investor
11559 under this chapter, other than section 12-707, with respect to such
11560 taxable year. Any tax credit that is claimed by the angel investor but
11561 not applied against the tax due under this chapter, other than the
11562 liability imposed under section 12-707, may be carried forward for the
11563 five immediately succeeding taxable years until the full credit has been
11564 applied.

11565 Sec. 230. Subsection (g) of section 12-704d of the general statutes is
11566 repealed and the following is substituted in lieu thereof (*Effective July*
11567 *1, 2011*):

11568 (g) A review of the effectiveness of the credit under this section shall
11569 be conducted by **[**Connecticut Innovations, Incorporated,**]** the
11570 Connecticut Economic Development Authority by July 1, 2014. Such
11571 review shall be submitted to the joint standing committee of the
11572 General Assembly having cognizance of matters relating to commerce.

11573 Sec. 231. Section 13b-31c of the general statutes is repealed and the
11574 following is substituted in lieu thereof (*Effective July 1, 2011*):

11575 The Commissioner of Transportation, in consultation with the
11576 **[**Commissioners**]** Commissioner of Environmental Protection, **[**and
11577 Economic and Community Development,**]** may designate state
11578 highways or portions thereof as scenic roads. Any alteration of a scenic
11579 road shall maintain the character of such road when so designated, if
11580 practical.

11581 Sec. 232. Section 13b-31e of the general statutes is repealed and the
11582 following is substituted in lieu thereof (*Effective July 1, 2011*):

11583 The Commissioner of Transportation, in consultation with the
11584 **[**Commissioners**]** Commissioner of Environmental Protection, **[**and
11585 Economic and Community Development,**]** shall adopt regulations in
11586 accordance with the provisions of chapter 54 setting forth special
11587 maintenance and improvement standards for scenic roads which shall

11588 include provisions for widening of the right-of-way or traveled portion
11589 of the highway and for guardrails, paving, changes of grade,
11590 straightening and removal of stone walls or mature trees. In adopting
11591 such regulations the commissioner shall consider the protection of
11592 historic and natural features of scenic roads.

11593 Sec. 233. Subsection (a) of section 13b-38a of the general statutes is
11594 repealed and the following is substituted in lieu thereof (*Effective July*
11595 *1, 2011*):

11596 (a) The Department of Transportation shall assist all employers in
11597 the state who employ or provide parking facilities for one hundred or
11598 more employees in one location, in establishing a commuter, trip-to-
11599 work program. The Department of Transportation, working in
11600 coordination with the Office of Policy and Management **[**,**]** and the
11601 Department of Environmental Protection, **[**and the Department of
11602 Economic and Community Development,**]** shall provide to such
11603 employers information for commuting to work, which information
11604 shall include, but not be limited to, the following: (1) Schedules and
11605 types of available modes of public transportation in the employer's
11606 region; (2) maps and listings of state commuter parking lot locations;
11607 (3) estimates of cost savings to individual employees where
11608 determinable; (4) sources of available federal and state funds,
11609 including subsidies, to aid in the implementation of employee
11610 commuter, trip-to-work programs; (5) available tax incentives to
11611 employers for participation in such program; (6) lists of state, regional
11612 and local officials operating transit districts, who may assist the
11613 employer in such a program; and (7) literature, posters, pamphlets and
11614 cost savings charts. All employers in the state who employ or provide
11615 parking facilities to one hundred or more employees in one location,
11616 who wish to participate in a commuter, trip-to-work program, shall
11617 submit to the Department of Transportation on forms provided by the
11618 commissioner, the work schedules, residence addresses and usual
11619 mode of transportation of their employees. Following an employer's
11620 request for a commuter, trip-to-work program, the department, in

11621 conjunction with any other state agency having jurisdiction, shall
11622 render necessary assistance in the implementation of the program.
11623 Based upon information received from the employer and in the order
11624 received, the Department of Transportation shall furnish to such
11625 employers a proposed commuter, trip-to-work program for their
11626 employees. Said program shall include at no cost to the employer: (A)
11627 A computer matching of employees for potential carpool, vanpool and
11628 buspool services; (B) technical assistance to the employer in
11629 implementing carpools, vanpools and buspools and utilizing existing
11630 transit systems at the employer's work location.

11631 Sec. 234. Subsection (a) of section 13b-51a of the general statutes is
11632 repealed and the following is substituted in lieu thereof (*Effective July*
11633 *1, 2011*):

11634 (a) There shall be in the Department of Transportation a Connecticut
11635 Maritime Commission which shall consist of **[**fifteen**]** <u>fourteen</u>
11636 members, as follows: (1) The Commissioners of Transportation **[**,
11637 Economic and Community Development**]** and Environmental
11638 Protection, the Secretary of the Office of Policy and Management and
11639 the chairman of the Transportation Strategy Board, established
11640 pursuant to section 13b-57e, <u>as amended by this act,</u> or their respective
11641 designees; (2) four members appointed by the Governor; and (3) one
11642 member each appointed by the president pro tempore of the Senate,
11643 the speaker of the House of Representatives, the majority leader of the
11644 Senate, the minority leader of the Senate, the majority leader of the
11645 House of Representatives and the minority leader of the House of
11646 Representatives. All appointed members shall serve for terms
11647 coterminous with their appointing authority and until their successor
11648 is appointed and has qualified. Vacancies on said commission shall be
11649 filled for the remainder of the term in the same manner as original
11650 appointments.

11651 Sec. 235. Subdivision (2) of subsection (b) of section 13b-57d of the
11652 general statutes is repealed and the following is substituted in lieu
11653 thereof (*Effective July 1, 2011*):

11654 (2) "Economic development plan" means a comprehensive plan
11655 describing (A) existing economic development projects, and (B)
11656 proposed economic development projects for which a letter of
11657 commitment has been issued by the **[**Department of Economic and
11658 Community Development**]** Connecticut Economic Development
11659 Authority; and

11660 Sec. 236. Subdivision (3) of subsection (a) of section 13b-57e of the
11661 general statutes is repealed and the following is substituted in lieu
11662 thereof (*Effective July 1, 2011*):

11663 (3) The Commissioners of Transportation, Environmental Protection
11664 **[**, Economic and Community Development**]** and Public Safety, and the
11665 Secretary of the Office of Policy and Management, or their respective
11666 designees.

11667 Sec. 237. Subsection (f) of section 13b-57e of the general statutes is
11668 repealed and the following is substituted in lieu thereof (*Effective July*
11669 *1, 2011*):

11670 (f) The Secretary of the Office of Policy and Management shall be
11671 responsible for staff support for the board. The secretary may utilize
11672 the staff of said office and, in consultation with the responsible agency
11673 head, the Department of Transportation **[**, the Department of Economic
11674 and Community Development,**]** or any other state agency for that
11675 purpose. Within available appropriations, the board may hire
11676 consultants with approval by the secretary, and such consultants shall
11677 be procured through the Office of Policy and Management or the
11678 Department of Transportation, as determined by the secretary.

11679 Sec. 238. Subsection (j) of section 13b-57g of the general statutes is
11680 repealed and the following is substituted in lieu thereof (*Effective July*
11681 *1, 2011*):

11682 (j) Not later than January 1, 2007, and quadrennially thereafter, the
11683 board shall review and, if necessary, revise the strategy adopted
11684 pursuant to subsection (a) of this section. A report describing any

11685 revisions and the reasons for such revisions shall be submitted to the
11686 Governor and, pursuant to section 11-4a, the General Assembly. Such
11687 report shall include a prioritized list of projects which the board, in
11688 consultation with the commissioner, determines are necessary to
11689 implement the recommended strategy, including the estimated capital
11690 and operating costs and time frame of such projects, and completion
11691 schedule for all projects. Not later than January 31, 2007, and
11692 quadrennially thereafter, the joint standing committees of the General
11693 Assembly having cognizance of matters relating to transportation,
11694 finance, revenue and bonding and planning and development and the
11695 chairpersons and ranking members of the joint standing committee
11696 having cognizance of matters relating to commerce shall meet with the
11697 **[**Commissioners**]** Commissioner of Transportation, **[**and Economic and
11698 Community Development,**]** the Secretary of the Office of Policy and
11699 Management, the chairperson of the Transportation Strategy Board
11700 and such other persons as they deem appropriate to consider the
11701 report required by this subsection.

11702 Sec. 239. Section 13b-79s of the general statutes is repealed and the
11703 following is substituted in lieu thereof (*Effective July 1, 2011*):

11704 The Secretary of the Office of Policy and Management shall (1) in
11705 consultation with the Commissioners of Transportation **[**, Economic
11706 and Community Development**]** and Environmental Protection, ensure
11707 the coordination of state and regional transportation planning with
11708 other state planning efforts, including, but not limited to, economic
11709 development and housing plans; (2) coordinate interagency policy and
11710 initiatives concerning transportation; (3) in consultation with the
11711 Commissioner of Transportation, evaluate transportation initiatives
11712 and proposed expenditures; and (4) coordinate staff and consultant
11713 services for the Transportation Strategy Board.

11714 Sec. 240. Subsection (b) of section 13b-79z of the general statutes is
11715 repealed and the following is substituted in lieu thereof (*Effective July*
11716 *1, 2011*):

11717 (b) During the month of December of each year, the joint standing
11718 committees of the General Assembly having cognizance of matters
11719 relating to transportation, finance, revenue and bonding and planning
11720 and development shall meet with the **[**Commissioners**]** Commissioner
11721 of Transportation **[**and Economic and Community Development**]** and
11722 the Secretary of the Office of Policy and Management and such other
11723 persons as they deem appropriate to consider the report required by
11724 subsection (a) of this section.

11725 Sec. 241. Subsection (b) of section 14-11c of the general statutes is
11726 repealed and the following is substituted in lieu thereof (*Effective July*
11727 *1, 2011*):

11728 (b) The Motor Carrier Advisory Council shall consist of the
11729 following voting members: The Commissioners of Transportation,
11730 Motor Vehicles, Public Safety, Revenue Services **[**, Economic and
11731 Community Development**]** and Environmental Protection, or their
11732 designees, and any other commissioner of a state agency, or such
11733 commissioner's designee, invited to participate. The Commissioner of
11734 Motor Vehicles or the commissioner's designee shall organize and
11735 serve as chairperson of the council. The council shall only make
11736 recommendations or take actions by a unanimous vote of all members
11737 present and voting. The council may make recommendations as the
11738 council deems appropriate to the United States Congress, the Governor
11739 or the General Assembly.

11740 Sec. 242. Subsection (b) of section 15-101mm of the general statutes
11741 is repealed and the following is substituted in lieu thereof (*Effective July*
11742 *1, 2011*):

11743 (b) The Bradley Board of Directors shall consist of **[**seven**]** six
11744 members, appointed as follows: The Commissioner of Transportation,
11745 **[**and the Commissioner of Economic and Community Development,
11746 each**]** serving ex-officio, a representative appointed by the speaker of
11747 the House of Representatives from the Connecticut Transportation
11748 Strategy Board, created by section 13b-57e, as amended by this act, a

11749 representative appointed by the minority leader of the House of
11750 Representatives from among the members of the Bradley International
11751 Community Advisory Board, as created by section 15-101pp and three
11752 private sector members appointed as follows: (A) The Governor shall
11753 appoint one member, who shall be the chairperson, and whose first
11754 term shall expire on June 30, 2005, (B) the president pro tempore of the
11755 Senate shall appoint one member whose first term shall expire on June
11756 30, 2005, (C) the minority leader of the Senate shall appoint one
11757 member whose first term shall expire on June 30, 2005. The term of
11758 office of each successor shall be four years.

11759 Sec. 243. Subsection (d) of section 16-19e of the general statutes is
11760 repealed and the following is substituted in lieu thereof (*Effective July*
11761 *1, 2011*):

11762 (d) The Commissioner of Environmental Protection, **[**the
11763 Commissioner of Economic and Community Development,**]** the
11764 Connecticut Siting Council and the Office of Policy and Management
11765 shall be made parties to each proceeding on a rate amendment
11766 proposed by a gas, electric or electric distribution company based
11767 upon an alleged need for increased revenues to finance an expansion
11768 of capital equipment and facilities, and shall participate in such
11769 proceedings to the extent necessary.

11770 Sec. 244. Subsection (h) of section 16-50j of the general statutes is
11771 repealed and the following is substituted in lieu thereof (*Effective July*
11772 *1, 2011*):

11773 (h) Prior to commencing any hearing pursuant to section 16-50m,
11774 the council shall consult with and solicit written comments from the
11775 Department of Environmental Protection, the Department of Public
11776 Health, the Council on Environmental Quality, the Department of
11777 Agriculture, the Department of Public Utility Control, the Office of
11778 Policy and Management **[**, the Department of Economic and
11779 Community Development**]** and the Department of Transportation. In
11780 addition, the Department of Environmental Protection shall have the

11781 continuing responsibility to investigate and report to the council on all
11782 applications which prior to October 1, 1973, were within the
11783 jurisdiction of said Department of Environmental Protection with
11784 respect to the granting of a permit. Copies of such comments shall be
11785 made available to all parties prior to the commencement of the
11786 hearing. Subsequent to the commencement of the hearing, said
11787 departments and council may file additional written comments with
11788 the council within such period of time as the council designates. All
11789 such written comments shall be made part of the record provided by
11790 section 16-50o. Said departments and council shall not enter any
11791 contract or agreement with any party to the proceedings or hearings
11792 described in this section or section 16-50p, that requires said
11793 departments or council to withhold or retract comments, refrain from
11794 participating in or withdraw from said proceedings or hearings.

11795 Sec. 245. Subsection (a) of section 16-261a of the general statutes is
11796 repealed and the following is substituted in lieu thereof (*Effective July*
11797 *1, 2011*):

11798 (a) There is established an interagency task force to study electric
11799 and magnetic fields. The task force shall determine the appropriate
11800 role of the state in addressing the potential problems associated with
11801 electric and magnetic fields and may make recommendations to the
11802 General Assembly regarding any legislation which it deems
11803 appropriate. The task force shall consist of (1) the Commissioner of
11804 Public Health or his designee; (2) the Commissioner of Environmental
11805 Protection or his designee; (3) **[**the Commissioner of Economic and
11806 Community Development or his designee; (4)**]** the Secretary of the
11807 Office of Policy and Management or his designee; **[**(5)**]** (4) the
11808 chairperson of the Public Utilities Control Authority or his designee;
11809 and **[**(6)**]** (5) the chairman of the Connecticut Siting Council or his
11810 designee.

11811 Sec. 246. Subsection (b) of section 16a-14a of the general statutes is
11812 repealed and the following is substituted in lieu thereof (*Effective July*
11813 *1, 2011*):

11814 (b) The secretary shall adopt regulations in accordance with chapter
11815 54 **[**, in consultation with the Commissioner of Economic and
11816 Community Development,**]** to govern the operation of any such grant
11817 program and to define small businesses, or specific categories thereof,
11818 which are eligible for such grants. Priority shall be accorded to the
11819 development of small scale technology applicable to residential
11820 dwellings and municipal facilities.

11821 Sec. 247. Section 16a-35c of the general statutes is repealed and the
11822 following is substituted in lieu thereof (*Effective July 1, 2011*):

11823 (a) As used in this section and sections 16a-35d to 16a-35g, inclusive:

11824 (1) "Funding" includes any form of assurance, guarantee, grant
11825 payment, credit, tax credit or other assistance, including a loan, loan
11826 guarantee, or reduction in the principal obligation of or rate of interest
11827 payable on a loan or a portion of a loan;

11828 (2) "Growth-related project" means any project which includes (A)
11829 the acquisition of real property when the acquisition costs are in excess
11830 of one hundred thousand dollars, except the acquisition of open space
11831 for the purposes of conservation or preservation; (B) the development
11832 or improvement of real property when the development costs are in
11833 excess of one hundred thousand dollars; (C) the acquisition of public
11834 transportation equipment or facilities when the acquisition costs are in
11835 excess of one hundred thousand dollars; or (D) the authorization of
11836 each state grant, any application for which is not pending on July 1,
11837 2006, for an amount in excess of one hundred thousand dollars, for the
11838 acquisition or development or improvement of real property or for the
11839 acquisition of public transportation equipment or facilities, except the
11840 following: (i) Projects for maintenance, repair, additions or renovations
11841 to existing facilities, acquisition of land for telecommunications towers
11842 whose primary purpose is public safety, parks, conservation and open
11843 space, and acquisition of agricultural, conservation and historic
11844 easements; (ii) funding by the **[**Department of Economic and
11845 Community Development**]** <u>Connecticut Economic Development</u>

11846 Authority for any project financed with federal funds used to purchase
11847 or rehabilitate existing single or multi-family housing or projects
11848 financed with the proceeds of revenue bonds if the [Commissioner of
11849 Economic and Community Development] executive director of the
11850 Connecticut Economic Development Authority determines that
11851 application of this section and sections 16a-35d and 16a-35e (I) conflicts
11852 with any provision of federal or state law applicable to the issuance or
11853 tax-exempt status of the bonds or any provision of any trust agreement
11854 between the [Department of Economic and Community Development]
11855 Connecticut Economic Development Authority and any trustee, or (II)
11856 would otherwise prohibit financing of an existing project or financing
11857 provided to cure or prevent any default under existing financing; (iii)
11858 projects that the [Commissioner of Economic and Community
11859 Development] executive director of the Connecticut Economic
11860 Development Authority determines promote fair housing choice and
11861 racial and economic integration as described in section 8-37cc; (iv)
11862 projects at an existing facility needed to comply with state
11863 environmental or health laws or regulations adopted thereunder; (v)
11864 school construction projects funded by the Department of Education
11865 under chapter 173; (vi) libraries; (vii) municipally owned property or
11866 public buildings used for government purposes; and (viii) any other
11867 project, funding or other state assistance not included under
11868 subparagraphs (A) to (D), inclusive, of this subdivision.

11869 (3) "Priority funding area" means the area of the state designated
11870 under subsection (b) of this section.

11871 (b) The Secretary of the Office of Policy and Management, in
11872 consultation with the Commissioners of [Economic and Community
11873 Development,] Environmental Protection, Public Works, Agriculture,
11874 Transportation, the executive director of the Connecticut Economic
11875 Development Authority, the chairman of the Transportation Strategy
11876 Board, the regional planning agencies in the state and any other
11877 persons or entities the secretary deems necessary shall develop
11878 recommendations for delineation of the boundaries of priority funding

11879 areas in the state and for revisions thereafter. In making such
11880 recommendations the secretary shall consider areas designated as
11881 regional centers, growth areas, neighborhood conservation areas and
11882 rural community centers on the state plan of conservation and
11883 development, redevelopment areas, distressed municipalities, as
11884 defined in section 32-9p; targeted investment communities, as defined
11885 in section 32-222; public investment communities, as defined in section
11886 7-545, enterprise zones, designated by the **[**Commissioner of Economic
11887 and Community Development**]** executive director of the Connecticut
11888 Economic Development Authority under section 32-70, as amended by
11889 this act, corridor management areas identified in the state plan of
11890 conservation and development and the principles of the
11891 Transportation Strategy Board approved under section 13b-57h. The
11892 secretary shall submit the recommendations to the Continuing
11893 Legislative Committee on State Planning and Development established
11894 pursuant to section 4-60d for review when the state plan of
11895 conservation and development is submitted to such committee in
11896 accordance with section 16a-29. The committee shall report its
11897 recommendations to the General Assembly at the time said state plan
11898 is submitted to the General Assembly under section 16a-30. The
11899 boundaries shall become effective upon approval of the General
11900 Assembly.

11901 Sec. 248. Section 16a-35h of the general statutes is repealed and the
11902 following is substituted in lieu thereof (*Effective July 1, 2011*):

11903 The **[**Commissioners**]** Commissioner of Environmental Protection
11904 **[**and Economic and Community Development**]** shall, in consultation
11905 with the Secretary of the Office of Policy and Management and the
11906 executive director of the Connecticut Economic Development
11907 Authority, establish a pilot program to identify and evaluate
11908 brownfield sites in priority funding areas designated pursuant to
11909 section 16a-35c, as amended by this act. Said **[**commissioners**]**
11910 commissioner and executive director will work with state and local
11911 agencies as a coordinated team to identify all necessary permits and

11912 approvals for development, conduct outreach to solicit development
11913 proposals, and coordinate to review all requests for funding and
11914 permit approvals.

11915 Sec. 249. Subsections (f) and (g) of section 16a-38 of the general
11916 statutes are repealed and the following is substituted in lieu thereof
11917 (*Effective July 1, 2011*):

11918 (f) The **[**Commissioner of Economic and Community Development**]**
11919 executive director of the Connecticut Economic Development
11920 Authority and the Secretary of the Office of Policy and Management
11921 shall jointly establish and publish energy performance standards for
11922 buildings constructed as part of state-owned and state-financed
11923 housing projects and establish standards for life-cycle cost analyses for
11924 such projects. In establishing such standards, the **[**commissioner**]**
11925 executive director and secretary shall consider (1) the coordination,
11926 positioning and solar orientation of the project on its situs, (2) the
11927 amount of glazing, degree of sun shading and direction of exposure,
11928 (3) the levels of insulation incorporated into the design, (4) the variable
11929 occupancy and operating conditions of the facility, (5) all architectural
11930 features which affect energy consumption, and (6) the design and
11931 location of all heating, cooling, hot water and electrical systems.

11932 (g) Notwithstanding any provision in this section concerning the
11933 review of life-cycle cost analyses by the Commissioner of Public
11934 Works, a life-cycle cost analysis of a major capital project prepared for
11935 the Department of Housing shall be reviewed by the **[**Commissioner of
11936 Economic and Community Development**]** executive director of the
11937 Connecticut Economic Development Authority and the Secretary of
11938 the Office of Policy and Management to determine if such analysis is in
11939 compliance with the life-cycle cost analyses standards established for
11940 such project under subsection (f) of this section.

11941 Sec. 250. Subsection (a) of section 16a-41 of the general statutes is
11942 repealed and the following is substituted in lieu thereof (*Effective July*
11943 *1, 2011*):

11944 (a) Any public or private agency or organization administering an
11945 energy assistance program which is funded or administered, in whole
11946 or in part, by the state shall take simultaneous applications from
11947 applicants for all energy assistance programs and energy conservation
11948 loan, grant, audit or service programs which that agency or
11949 organization administers and for which an applicant may be eligible
11950 and shall provide the applicants with written summaries of all such
11951 programs administered by other agencies and organizations and for
11952 which an applicant may be eligible. Any public or private agency or
11953 organization administering an energy conservation loan, grant, audit
11954 or service program or renewable resources loan, grant or service
11955 program which is funded or administered, in whole or in part, by the
11956 state shall provide applicants with written summaries of all other such
11957 programs in the state for which an applicant may be eligible. The
11958 Department of Social Services, in consultation with the **[**Department of
11959 Economic and Community Development and the**]** Department of
11960 Public Utility Control, shall adopt regulations in accordance with the
11961 provisions of chapter 54 to carry out the purposes of this subsection.
11962 Such regulations shall, without limitation, set forth requirements for
11963 the form and content of the summaries. The Department of Social
11964 Services shall be responsible for collecting and disseminating
11965 information on all such programs in the state to agencies and
11966 organizations administering the programs.

11967 Sec. 251. Subsection (a) of section 17a-3 of the general statutes is
11968 repealed and the following is substituted in lieu thereof (*Effective July*
11969 *1, 2011*):

11970 (a) The department shall plan, create, develop, operate or arrange
11971 for, administer and evaluate a comprehensive and integrated
11972 state-wide program of services, including preventive services, for
11973 children and youths whose behavior does not conform to the law or to
11974 acceptable community standards, or who are mentally ill, including
11975 deaf and hearing impaired children and youths who are mentally ill,
11976 emotionally disturbed, substance abusers, delinquent, abused,

11977 neglected or uncared for, including all children and youths who are or
11978 may be committed to it by any court, and all children and youths
11979 voluntarily admitted to, or remaining voluntarily under the
11980 supervision of, the commissioner for services of any kind. Services
11981 shall not be denied to any such child or youth solely because of other
11982 complicating or multiple disabilities. The department shall work in
11983 cooperation with other child-serving agencies and organizations to
11984 provide or arrange for preventive programs, including, but not limited
11985 to, teenage pregnancy and youth suicide prevention, for children and
11986 youths and their families. The program shall provide services and
11987 placements that are clinically indicated and appropriate to the needs of
11988 the child or youth. In furtherance of this purpose, the department
11989 shall: (1) Maintain the Connecticut Juvenile Training School and other
11990 appropriate facilities exclusively for delinquents; (2) develop a
11991 comprehensive program for prevention of problems of children and
11992 youths and provide a flexible, innovative and effective program for the
11993 placement, care and treatment of children and youths committed by
11994 any court to the department, transferred to the department by other
11995 departments, or voluntarily admitted to the department; (3) provide
11996 appropriate services to families of children and youths as needed to
11997 achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to
11998 17a-49, inclusive, and 17a-51; (4) establish incentive paid work
11999 programs for children and youths under the care of the department
12000 and the rates to be paid such children and youths for work done in
12001 such programs and may provide allowances to children and youths in
12002 the custody of the department; (5) be responsible to collect, interpret
12003 and publish statistics relating to children and youths within the
12004 department; (6) conduct studies of any program, service or facility
12005 developed, operated, contracted for or supported by the department in
12006 order to evaluate its effectiveness; (7) establish staff development and
12007 other training and educational programs designed to improve the
12008 quality of departmental services and programs, provided no social
12009 worker trainee shall be assigned a case load prior to completing
12010 training, and may establish educational or training programs for
12011 children, youths, parents or other interested persons on any matter

12012 related to the promotion of the well-being of children, or the
12013 prevention of mental illness, emotional disturbance, delinquency and
12014 other disabilities in children and youths; (8) develop and implement
12015 aftercare and follow-up services appropriate to the needs of any child
12016 or youth under the care of the department; (9) establish a case audit
12017 unit to monitor each area office's compliance with regulations and
12018 procedures; (10) develop and maintain a database listing available
12019 community service programs funded by the department; (11) provide
12020 outreach and assistance to persons caring for children whose parents
12021 are unable to do so by informing such persons of programs and
12022 benefits for which they may be eligible; and (12) collect data sufficient
12023 to identify the housing needs of children served by the department
12024 and share such data with the **[**Department of Economic and
12025 Community Development**]** Connecticut Economic Development
12026 Authority.

12027 Sec. 252. Subsection (b) of section 17a-485a of the general statutes is
12028 repealed and the following is substituted in lieu thereof (*Effective July*
12029 *1, 2011*):

12030 (b) The Commissioners of Mental Health and Addiction Services,
12031 Children and Families, **[**Economic and Community Development,**]**
12032 Education, Correction, Public Health and Social Services, the Secretary
12033 of the Office of Policy and Management and the Chief Court
12034 Administrator shall provide such information, including, but not
12035 limited to, information regarding needs assessments, program reviews
12036 and program revenues and expenses, and make such
12037 recommendations for expenditures from the account established under
12038 section 17a-485, as may be requested by the board.

12039 Sec. 253. Subsection (a) of section 17a-485b of the general statutes is
12040 repealed and the following is substituted in lieu thereof (*Effective July*
12041 *1, 2011*):

12042 (a) There is established a Community Mental Health Strategy Board.
12043 The voting members of the board shall be appointed as follows: (1)

12044 Two members by the Governor; (2) two members by the president pro
12045 tempore of the Senate; (3) two members by the speaker of the House of
12046 Representatives; (4) one member by the majority leader of the Senate;
12047 (5) one member by the majority leader of the House of Representatives;
12048 (6) two members by the minority leader of the Senate; (7) two members
12049 by the minority leader of the House of Representatives; (8) the
12050 Commissioner of Children and Families; and (9) the Commissioner of
12051 Mental Health and Addiction Services, who shall serve as chairperson.
12052 The Secretary of the Office of Policy and Management, the Chief Court
12053 Administrator and the Commissioners of **[**Economic and Community
12054 Development,**]** Education, Correction, Public Health and Social
12055 Services, or their designees, shall serve as nonvoting ex-officio
12056 members of the board. Board members shall serve without
12057 compensation but shall be reimbursed for their necessary expenses. All
12058 initial appointments to the board shall be made not later than
12059 September 1, 2001. The Commissioner of Mental Health and Addiction
12060 Services shall convene the first meeting of the board not later than
12061 September 15, 2001.

12062 Sec. 254. Subsection (c) of section 17b-337 of the general statutes is
12063 repealed and the following is substituted in lieu thereof (*Effective July*
12064 *1, 2011*):

12065 (c) The Long-Term Care Planning Committee shall consist of: (1)
12066 The chairpersons and ranking members of the joint standing and select
12067 committees of the General Assembly having cognizance of matters
12068 relating to human services, public health, elderly services and
12069 long-term care; (2) the Commissioner of Social Services, or the
12070 commissioner's designee; (3) one member of the Office of Policy and
12071 Management appointed by the Secretary of the Office of Policy and
12072 Management; (4) one member from the Department of Social Services
12073 appointed by the Commissioner of Social Services; (5) two members
12074 from the Department of Public Health appointed by the Commissioner
12075 of Public Health, one of whom is from the Office of Health Care Access
12076 division of the department; (6) **[**one member from the Department of

12077 Economic and Community Development appointed by the
12078 Commissioner of Economic and Community Development; (7)**]** one
12079 member from the Department of Developmental Services appointed by
12080 the Commissioner of Developmental Services; **[**(8)**]** (7) one member
12081 from the Department of Mental Health and Addiction Services
12082 appointed by the Commissioner of Mental Health and Addiction
12083 Services; **[**(9)**]** (8) one member from the Department of Transportation
12084 appointed by the Commissioner of Transportation; **[**(10)**]** (9) one
12085 member from the Department of Children and Families appointed by
12086 the Commissioner of Children and Families; and **[**(11)**]** (10) the
12087 executive director of the Office of Protection and Advocacy for Persons
12088 with Disabilities or the executive director's designee. The committee
12089 shall convene no later than ninety days after June 4, 1998. Any vacancy
12090 shall be filled by the appointing authority. The chairperson shall be
12091 elected from among the members of the committee. The committee
12092 shall seek the advice and participation of any person, organization or
12093 state or federal agency it deems necessary to carry out the provisions
12094 of this section.

12095 Sec. 255. Section 17b-733 of the general statutes is repealed and the
12096 following is substituted in lieu thereof (*Effective July 1, 2011*):

12097 The Department of Social Services shall be the lead agency for child
12098 day care services in Connecticut. The department shall: (1) Identify,
12099 annually, existing child day care services and maintain an inventory of
12100 all available services; (2) provide technical assistance to corporations
12101 and private agencies in the development and expansion of child day
12102 care services for families at all income levels, including families of their
12103 employees and clients; (3) study and identify funding sources available
12104 for child day care including federal funds and tax benefits; (4) study
12105 the cost and availability of liability insurance for child day care
12106 providers; (5) provide, in conjunction with the Departments of
12107 Education and Higher Education, ongoing training for child day care
12108 providers including preparing videotaped workshops and distributing
12109 them to cable stations for broadcast on public access stations, and seek

12110 private donations to fund such training; (6) encourage child day care
12111 services to obtain accreditation; (7) develop a range of financing
12112 options for child care services, including the use of a tax-exempt bond
12113 program, a loan guarantee program and establishing a direct revolving
12114 loan program; (8) promote the colocation of child day care and school
12115 readiness programs pursuant to section 4b-31; (9) establish a
12116 performance-based evaluation system; (10) develop for
12117 recommendation to the Governor and the General Assembly measures
12118 to provide incentives for the private sector to develop and support
12119 expanded child day care services; (11) provide, within available funds
12120 and in conjunction with the temporary family assistance program as
12121 defined in section 17b-680, child day care to public assistance
12122 recipients; (12) develop and implement, with the assistance of the
12123 Child Day Care Council and the Departments of Public Health, Social
12124 Services, Education, Higher Education, Children and Families,
12125 **[**Economic and Community Development**]** and Consumer Protection, a
12126 state-wide coordinated child day care and early childhood education
12127 training system (A) for child day care centers, group day care homes
12128 and family day care homes that provide child day care services, and
12129 (B) that makes available to such providers and their staff, within
12130 available appropriations, scholarship assistance, career counseling and
12131 training, advancement in career ladders, as defined in section 4-124bb,
12132 through seamless articulation of levels of training, program
12133 accreditation support and other initiatives recommended by the
12134 Departments of Social Services, Education and Higher Education; (13)
12135 plan and implement a unit cost reimbursement system for state-
12136 funded child day care services such that, on and after January 1, 2008,
12137 any increase in reimbursement shall be based on a requirement that
12138 such centers meet the staff qualifications, as defined in subsection (b)
12139 of section 10-16p; (14) develop, within available funds, initiatives to
12140 increase compensation paid to child day care providers for educational
12141 opportunities, including, but not limited to, (A) incentives for
12142 educational advancement paid to persons employed by child day care
12143 centers receiving state or federal funds, and (B) support for the
12144 establishment and implementation by the Labor Commissioner of

12145 apprenticeship programs for child day care workers pursuant to
12146 sections 31-22m to 31-22q, inclusive, which programs shall be jointly
12147 administered by labor and management trustees; (15) evaluate the
12148 effectiveness of any initiatives developed pursuant to subdivision (14)
12149 of this section in improving staff retention rates and the quality of
12150 education and care provided to children; and (16) report annually to
12151 the Governor and the General Assembly on the status of child day care
12152 in Connecticut. Such report shall include (A) an itemization of the
12153 allocation of state and federal funds for child care programs; (B) the
12154 number of children served under each program so funded; (C) the
12155 number and type of such programs, providers and support personnel;
12156 (D) state activities to encourage partnership between the public and
12157 private sectors; (E) average payments issued by the state for both part-
12158 time and full-time child care; (F) range of family income and
12159 percentages served within each range by such programs; and (G) age
12160 range of children served.

12161 Sec. 256. Subdivision (3) of subsection (f) of section 21-70 of the
12162 general statutes is repealed and the following is substituted in lieu
12163 thereof (*Effective July 1, 2011*):

12164 (3) Except as otherwise provided in subdivision (5) of this
12165 subsection, within one hundred twenty days after the notice provided
12166 for in subdivision (2) of this subsection has been mailed, any
12167 association representing twenty-five per cent or more of the units in
12168 the park, including an association formed after the issuance of the
12169 notice, may notify the owner of the park that it is interested in
12170 purchasing the mobile manufactured home park. A copy of such notice
12171 may be filed on the land records of the town in which the mobile
12172 manufactured home park is located. If such notice is given, except as
12173 otherwise provided in subdivision (5) of this subsection, the
12174 association shall have three hundred sixty-five days after the notice
12175 required in subdivision (2) of this subsection has been given to
12176 purchase the park through negotiation or the method set forth in
12177 subdivision (4) of this subsection. Upon the request of the association,

12178 the [Department of Economic and Community Development]
12179 Connecticut Economic Development Authority shall assist the
12180 association in developing financing for the purchase of the park.

12181 Sec. 257. Subsection (a) of section 22-11e of the general statutes is
12182 repealed and the following is substituted in lieu thereof (*Effective July*
12183 *1, 2011*):

12184 (a) There shall be an Interagency Aquaculture Coordinating
12185 Committee comprised of the Departments of Agriculture [,] and
12186 Environmental Protection [, and Economic and Community
12187 Development] to provide for the development and enhancement of
12188 aquaculture in this state. The Commissioner of Agriculture shall serve
12189 as chairperson of said committee and shall convene the committee as
12190 often as he deems necessary.

12191 Sec. 258. Subsection (a) of section 22-26c of the general statutes is
12192 repealed and the following is substituted in lieu thereof (*Effective July*
12193 *1, 2011*):

12194 (a) There shall be a Connecticut Farm Wine Development Council
12195 which shall be within the Department of Agriculture for
12196 administrative purposes only. Said council shall consist of [thirteen]
12197 twelve members as follows: The [Commissioners] Commissioner of
12198 Agriculture, [and Economic and Community Development,] the dean
12199 of the College of Agriculture and Natural Resources of The University
12200 of Connecticut and the directors of the Storrs Agricultural Experiment
12201 Station and the Connecticut Agricultural Experiment Station, or their
12202 respective designees; and eight members engaged in the wine
12203 production industry in this state, appointed as follows: Two members
12204 appointed by the Governor, and one member each appointed by the
12205 president pro tempore of the Senate, the speaker of the House of
12206 Representatives and the majority and minority leaders of the House of
12207 Representatives and the Senate.

12208 Sec. 259. Subsection (a) of section 22-26cc of the general statutes is

12209 repealed and the following is substituted in lieu thereof (*Effective July*
12210 *1, 2011*):

12211 (a) There is established within the Department of Agriculture a
12212 program to solicit, from owners of agricultural land, offers to sell the
12213 development rights to such land and to inform the public of the
12214 purposes, goals and provisions of this chapter. The commissioner, with
12215 the approval of the State Properties Review Board, shall have the
12216 power to acquire or accept as a gift, on behalf of the state, the
12217 development rights of any agricultural land, if offered by the owner.
12218 Notice of the offer shall be filed in the land records wherein the
12219 agricultural land is situated. If ownership of any land for which
12220 development rights have been offered is transferred, the offer shall be
12221 effective until the subsequent owner revokes the offer in writing. The
12222 state conservation and development plan established pursuant to
12223 section 16a-24 shall be applied as an advisory document to the
12224 acquisition of development rights of any agricultural lands. The factors
12225 to be considered by the commissioner in deciding whether or not to
12226 acquire such rights shall include, but not be limited to, the following:
12227 (1) The probability that the land will be sold for nonagricultural
12228 purposes; (2) the current productivity of such land and the likelihood
12229 of continued productivity; (3) the suitability of the land as to soil
12230 classification and other criteria for agricultural use; (4) the degree to
12231 which such acquisition would contribute to the preservation of the
12232 agricultural potential of the state; (5) any encumbrances on such land;
12233 (6) the cost of acquiring such rights; and (7) the degree to which such
12234 acquisition would mitigate damage due to flood hazards. Ownership
12235 by a nonprofit organization authorized to hold land for conservation
12236 and preservation purposes of land which prior to such ownership
12237 qualified for the program established pursuant to this section shall not
12238 be deemed to diminish the probability that the land will be sold for
12239 nonagricultural purposes. After a preliminary evaluation of such
12240 factors by the Commissioner of Agriculture, he shall obtain and review
12241 one or more fee appraisals of the property selected in order to
12242 determine the value of the development rights of such property. The

12243 commissioner shall notify the Department of Transportation, **[**the
12244 Department of Economic and Community Development,**]** the
12245 Department of Environmental Protection and the Office of Policy and
12246 Management that such property is being appraised. Any appraisal of
12247 the value of such land obtained by the owner and performed in a
12248 manner approved by the commissioner shall be considered by the
12249 commissioner in making such determination. The value of
12250 development rights for all purposes of this section shall be the
12251 difference between the value of the property for its highest and best
12252 use and its value for agricultural purposes as determined by the
12253 commissioner. The use or presence of pollutants or chemicals in the
12254 soil shall not be deemed to diminish the agricultural value of the land
12255 or to prohibit the commissioner from acquiring the development rights
12256 to such land. The commissioner may purchase development rights for
12257 a lesser amount provided he complies with all factors for acquisition
12258 specified in this subsection and in any implementing regulations. In
12259 determining the value of the property for its highest and best use,
12260 consideration shall be given but not limited to sales of comparable
12261 properties in the general area, use of which was unrestricted at the
12262 time of sale.

12263 Sec. 260. Subsection (a) of section 22-26jj of the general statutes is
12264 repealed and the following is substituted in lieu thereof (*Effective July*
12265 *1, 2011*):

12266 (a) The Commissioner of Agriculture, with the approval of the State
12267 Properties Review Board, may acquire by purchase or accept as a gift,
12268 on behalf of the state, the fee simple title of any agricultural real
12269 property and any personal property related to such real property,
12270 including, but not limited to, machinery, equipment, fixtures and
12271 livestock. The state conservation and development plan established
12272 pursuant to chapter 297 shall be used as an advisory document in
12273 connection with acquisition of such property. The commissioner, in
12274 deciding whether or not to acquire such property, shall consider all of
12275 the factors stated in section 22-26cc<u>, as amended by this act,</u> and shall

12276 further consider the likelihood of subsequent sale of such property by
12277 the department for agricultural purposes, subject to the state's
12278 retention of development rights. After a preliminary evaluation of such
12279 factors, the Commissioner of Agriculture shall obtain and review one
12280 or more fee appraisals of the property in order to determine the value
12281 of such property. Each such appraisal shall include an itemization of
12282 (1) the total value of the land, (2) the value of the land as agricultural
12283 land, (3) the value of the development rights of the land, and (4) the
12284 value of any related personal property proposed to be included in any
12285 sale. The commissioner shall give notice of any such appraisal to the
12286 Departments of Transportation **[**, Economic and Community
12287 Development**]** and Environmental Protection and the Office of Policy
12288 and Management. Any such appraisal may be obtained by the owner
12289 of the property and, if performed in a manner approved by the
12290 commissioner, shall be considered by the commissioner in making
12291 such determination. The commissioner may purchase such property
12292 for a lesser price than any price suggested by any such appraisal
12293 provided all considerations for acquisition specified in this subsection
12294 are taken into account. In determining the value of the property,
12295 consideration shall be given to sales of comparable properties in the
12296 general vicinity.

12297 Sec. 261. Subsection (a) of section 22-54s of the general statutes is
12298 repealed and the following is substituted in lieu thereof (*Effective July*
12299 *1, 2011*):

12300 (a) Notwithstanding the provisions of section 4-9a, on or before the
12301 fifteenth day of the month after the issuance of a market order the
12302 commissioner shall appoint an Apple Marketing Board consisting of
12303 six apple producers **[**,**]** <u>and</u> a member of the general public<u>.</u> **[**and the
12304 Commissioner of Economic and Community Development, or his
12305 designee, who shall be a nonvoting member of the board.**]** The
12306 members who are apple producers shall be appointed from
12307 nominations submitted by the Connecticut Pomological Society or any
12308 apple producer. Three of the apple producers shall be from the area

12309 west of the Connecticut River and three shall be from the area east of
12310 said river. The commissioner shall also appoint three alternate
12311 members of the commission, one from the area west of the Connecticut
12312 River, one from the area east of said river and one who is a member of
12313 the general public. Alternates may attend all meetings of the board. If a
12314 regular member of the board from an area is absent, the chairperson
12315 may designate the alternate from such area to act. The members shall
12316 serve terms of three years, provided of the members first appointed,
12317 two members, one from each district, shall serve for a term of one year;
12318 two members, one from each district shall serve for a term of two
12319 years, and two members, one from each district, shall serve for a term
12320 of three years. The alternates and the member representing the general
12321 public shall be appointed for terms of three years. Members of the
12322 board shall receive no compensation for their services but shall be
12323 reimbursed for necessary expenses in the performance of their duties.
12324 Such expenses shall be paid from money collected by the
12325 commissioner in accordance with the provisions of section 22-54r. At
12326 its first meeting the board shall elect a chairperson and such other
12327 officers as it deems necessary. Four members who are apple producers
12328 and the member representing the general public shall constitute a
12329 quorum.

12330 Sec. 262. Section 22-63 of the general statutes is repealed and the
12331 following is substituted in lieu thereof (*Effective July 1, 2011*):

12332 There shall continue to be a Marketing Authority within the
12333 Department of Agriculture. The authority shall continue to have and
12334 exercise the powers and duties authorized for it by this chapter. Such
12335 authority shall consist of eleven members. The authority shall be
12336 composed of one public member from each congressional district of
12337 the state, two at-large public members **[**,**]** <u>and</u> the Commissioner of
12338 Agriculture or his designee<u>.</u> **[**, and the Commissioner of Economic and
12339 Community Development or his designee.**]** The Governor shall
12340 appoint three members of the authority and the president pro tempore
12341 of the Senate, the Senate minority leader, the speaker of the House of

12342 Representatives and the minority leader of the House of
12343 Representatives shall each appoint one member. In addition, the
12344 Governor shall appoint two members of the authority who shall be
12345 tenants of the Hartford market facility. Any vacancy in the
12346 membership of said authority shall be filled by appointment for the
12347 unexpired portion of the term. The name of the authority shall be
12348 "Connecticut Marketing Authority". The members of the authority
12349 shall serve without compensation, but their necessary expenses
12350 incurred in the performance of their duties shall be paid by the state.
12351 Any member absent from three consecutive meetings shall be deemed
12352 to have resigned. Notwithstanding any provision of the general
12353 statutes, the terms of all appointed members of the authority serving
12354 before and on January 1, 2004, shall expire on said date. Not later than
12355 January 1, 2004, new members shall be appointed to the authority in
12356 accordance with the provisions of this section and such members shall
12357 begin serving on said date and shall complete the terms of their
12358 predecessors.

12359 Sec. 263. Section 22-455 of the general statutes is repealed and the
12360 following is substituted in lieu thereof (*Effective July 1, 2011*):

12361 There is established a Connecticut Seafood Advisory Council to
12362 assist in the promotion of Connecticut seafood products and examine
12363 market opportunities. The advisory council shall consist of one
12364 freshwater fish producer appointed by the Governor, two finfish,
12365 shellfish or lobster harvesters or representatives of harvester
12366 organizations appointed one each by the speaker and majority leader
12367 of the House of Representatives, two finfish, shellfish or lobster
12368 processors or representatives of processor organizations appointed one
12369 each by the minority leaders of the Senate and House of
12370 Representatives, one retailer serving restaurants or representing a
12371 restaurant organization appointed by the president pro tempore of the
12372 Senate, one member at-large appointed by the majority leader of the
12373 Senate, and **[**four**]** <u>three</u> nonvoting members one of whom shall
12374 represent the Department of Environmental Protection, **[**one the

12375 Department of Economic and Community Development and**]** one the
12376 Department of Agriculture and one the Sea Grant Program at The
12377 University of Connecticut. The advisory council shall be within the
12378 Department of Agriculture.

12379 Sec. 264. Section 22a-6r of the general statutes is repealed and the
12380 following is substituted in lieu thereof (*Effective July 1, 2011*):

12381 On or before July 1, 1997, and annually thereafter, the commissioner
12382 shall submit to the Governor and the joint standing committees of the
12383 General Assembly having cognizance of matters relating to
12384 environment **[**and the Department of Economic and Community
12385 Development**]** <u>and economic development</u> a report on the permitting
12386 efforts of the Department of Environmental Protection in the preceding
12387 state fiscal year. Such report shall include, but not be limited to: An
12388 identification of revenues received from permit application fees and
12389 any revenues derived from the processing of such applications as set
12390 forth in this chapter and the department's appropriation from the
12391 General Fund for permitting activities; the number and amount of
12392 permit applications received; the number of permit decisions issued
12393 and the number of permits pending; the number and amount of permit
12394 application fees refunded; the number of permit applications requiring
12395 alternative timely action schedules pursuant to section 22a-6q; and a
12396 summary of the significant improvements the department has made in
12397 its permitting programs.

12398 Sec. 265. Section 22a-27s of the general statutes is repealed and the
12399 following is substituted in lieu thereof (*Effective July 1, 2011*):

12400 (a) There is established the Face of Connecticut Steering Committee,
12401 which shall be within the Department of Environmental Protection for
12402 administrative purposes only. Such committee shall direct the
12403 expenditure of any funds deposited in the Face of Connecticut account
12404 created under section 22a-27t. The committee shall consist of the
12405 Commissioner of Environmental Protection, **[**the Commissioner of
12406 Economic and Community Development, or the commissioner's

12407 designee,] the Commissioner of Agriculture, the executive director of
12408 the Connecticut Commission on Culture and Tourism, the Secretary of
12409 the Office of Policy and Management and ten members as follows: (1)
12410 A representative of a local organization involved in historic
12411 preservation, appointed by the speaker of the House of
12412 Representatives; (2) a representative of a nonprofit organization
12413 involved in farmland preservation, appointed by the president pro
12414 tempore of the Senate; (3) a representative of a local or regional
12415 nonprofit organization involved in the preservation of open space,
12416 appointed by the majority leader of the House of Representatives; (4) a
12417 representative of a water company actively involved in land
12418 preservation, appointed by the majority leader of the Senate; (5) a
12419 representative of the agricultural industry, appointed by the minority
12420 leader of the House of Representatives; (6) a representative of a state-
12421 wide nonprofit involved in the preservation of open space, appointed
12422 by the minority leader of the Senate; (7) a representative of a state-wide
12423 nonprofit organization involved in historic preservation, appointed by
12424 the Governor; (8) a representative of an organization involved with
12425 community redevelopment, appointed by the Governor; (9) a
12426 representative of the legislative Brownfields Task Force, appointed by
12427 the speaker of the House of Representatives; and (10) a representative
12428 of the environmental law section of the Connecticut Bar Association
12429 who is involved with brownfields remediation, appointed by the
12430 president pro tempore of the Senate.

12431 (b) All initial appointments to the committee shall be made not later
12432 than September 1, 2008. The term of each appointed member of the
12433 steering committee shall be coterminous with the term of the
12434 appointing authority or until a successor is chosen, whichever is later.
12435 The Commissioner of Environmental Protection shall serve as the
12436 chairperson of the committee for the two years following the
12437 appointment of the committee, followed first by the Commissioner of
12438 Agriculture for two years and subsequently by the executive director
12439 of the Connecticut Commission on Culture and Tourism for two years.
12440 [and subsequently by the Commissioner of Economic and Community

12441 Development or said commissioner's designee for two years.**]** Such
12442 rotation shall repeat every two years thereafter in the order specified in
12443 this subsection, except that if there is a vacancy in one of said
12444 positions, one of the other commissioners or the executive director
12445 may serve as chairperson until the vacancy is filled.

12446 (c) The committee shall meet quarterly.

12447 Sec. 266. Subsection (e) of section 22a-119 of the general statutes is
12448 repealed and the following is substituted in lieu thereof (*Effective July*
12449 *1, 2011*):

12450 (e) Prior to commencing any hearing pursuant to this section the
12451 council shall consult with and solicit written comments from the
12452 Departments of Environmental Protection, Public Health, Public
12453 Utility Control, **[**Economic and Community Development,**]** Public
12454 Safety and Transportation, the Office of Policy and Management and
12455 the Council on Environmental Quality. Copies of comments submitted
12456 by such agencies shall be available to all parties prior to
12457 commencement of the public hearing. Agencies consulted may file
12458 additional comments within thirty days of the conclusion of the
12459 hearing and such additional comments shall be a part of the record.

12460 Sec. 267. Section 22a-172 of the general statutes is repealed and the
12461 following is substituted in lieu thereof (*Effective July 1, 2011*):

12462 The Commissioner of Transportation **[**and the Commissioner of
12463 Economic and Community Development**]** shall consult with the
12464 commissioner on plans for the location of highways and for industrial
12465 development with respect to the effect of such plans on the incidence
12466 of air pollution in the state.

12467 Sec. 268. Subsection (c) of section 22a-241 of the general statutes is
12468 repealed and the following is substituted in lieu thereof (*Effective July*
12469 *1, 2011*):

12470 (c) There is established an advisory council to advise the

12471 Commissioner of Environmental Protection on implementation of the
12472 municipal solid waste recycling program. The advisory council may
12473 study any issue related to recycling, including composting and
12474 packaging. In any such study the advisory council may consult with
12475 persons with specific information related to the study. If it deems it
12476 appropriate, the advisory council shall recommend a list of materials
12477 that should be banned in the state. The advisory council shall consist
12478 of: The Secretary of the Office of Policy and Management, or his
12479 designee; **[**the Commissioner of Economic and Community
12480 Development, or his designee;**]** the Commissioner of Administrative
12481 Services, or his designee; the Commissioner of Transportation, or his
12482 designee; the chairman of the Connecticut Resources Recovery
12483 Authority, or his designee; one person appointed by the Connecticut
12484 Conference of Municipalities; one person appointed by the Council of
12485 Small Towns; one person representing a municipality having a
12486 population of not more than ten thousand to be appointed by the
12487 minority leader of the Senate, one person representing a municipality
12488 having a population of more than ten thousand but not more than fifty
12489 thousand to be appointed by the minority leader of the House of
12490 Representatives, one person representing a municipality having a
12491 population of more than fifty thousand but not more than one
12492 hundred thousand to be appointed by the president pro tempore of the
12493 Senate, one person representing a municipality having a population of
12494 more than one hundred thousand to be appointed by the speaker of
12495 the House of Representatives; two members of the public, one of
12496 whom shall be appointed by the majority leader of the House of
12497 Representatives and one of whom shall be appointed by the majority
12498 leader of the Senate; two persons representing recycling industries, one
12499 of whom shall be appointed by the speaker of the House of
12500 Representatives and one by the minority leader of the House of
12501 Representatives; two persons representing the packaging industry, one
12502 of whom shall be appointed by the speaker of the House of
12503 Representatives and one of whom shall be appointed by the president
12504 pro tempore of the Senate; a trash hauler to be appointed by the
12505 speaker of the House of Representatives; one person representing an

12506 industry using recycled material, to be appointed by the president pro
12507 tempore of the Senate; one person representing an environmental
12508 organization to be appointed by the speaker of the House of
12509 Representatives; one person representing business and industry to be
12510 appointed by the minority leader of the House of Representatives, and
12511 a regional recycling coordinator to be appointed by the minority leader
12512 of the Senate, the cochairmen and ranking members of the joint
12513 standing committee of the General Assembly having cognizance of
12514 matters relating to the environment and four members of the General
12515 Assembly to be appointed as follows: One by the speaker of the House
12516 of Representatives, one by the president pro tempore of the Senate, one
12517 by the minority leader of the House of Representatives and one by the
12518 majority leader of the House of Representatives. The members of the
12519 task force shall elect a chairman, who shall be one of the members
12520 appointed by the speaker of the House of Representatives or by the
12521 president pro tempore of the Senate.

12522 Sec. 269. Subsection (d) of section 22a-371 of the general statutes is
12523 repealed and the following is substituted in lieu thereof (*Effective July*
12524 *1, 2011*):

12525 (d) Upon notifying the applicant in accordance with subsection (c)
12526 of this section that the application is complete, the commissioner shall
12527 immediately provide notice of the application and a concise
12528 description of the proposed diversion to the Governor, the Attorney
12529 General, the speaker of the House of Representatives, the president pro
12530 tempore of the Senate, the Secretary of the Office of Policy and
12531 Management, the **[**Commissioners**]** Commissioner of Public Health,
12532 **[**and Economic and Community Development,**]** the chairperson of the
12533 Public Utilities Control Authority, chief executive officer and chairmen
12534 of the conservation commission and wetlands agency of the
12535 municipality or municipalities in which the proposed diversion will
12536 take place or have effect, and to any person who has requested notice
12537 of such activities.

12538 Sec. 270. Subsection (a) of section 23-10i of the general statutes is

12539 repealed and the following is substituted in lieu thereof (*Effective July*
12540 *1, 2011*):

12541 (a) The Commissioner of Environmental Protection, in consultation
12542 with the **[**Commissioner of Economic and Community Development
12543 and the**]** State Historic Commission, shall develop criteria and
12544 guidelines for the designation of heritage parks consisting of sites in a
12545 region linked by a common social, historical or economic theme.
12546 Thereafter, in accordance with such criteria and guidelines, the
12547 Commissioner of Environmental Protection may designate the
12548 boundaries, name and theme of any such park, as well as any physical
12549 sites to be included. Any designation shall be consistent with the plan
12550 for development of outdoor recreation and other natural resources
12551 authorized under section 22a-21 and shall be made after consideration
12552 of the significance of the heritage of the sites to be included and the
12553 economic benefit to the state from such designation. Sites designated
12554 for inclusion in a heritage park shall not be required to be contiguous
12555 to one another and need not be owned by the state.

12556 Sec. 271. Subsections (g) and (h) of section 25-68d of the general
12557 statutes are repealed and the following is substituted in lieu thereof
12558 (*Effective July 1, 2011*):

12559 (g) The provisions of this section shall not apply to any proposal by
12560 the Department of Transportation or the **[**Department of Economic and
12561 Community Development**]** Connecticut Economic Development
12562 Authority for a project within a drainage basin of less than one square
12563 mile.

12564 (h) The provisions of subsections (a) to (d), inclusive, and (f) and (g)
12565 of this section shall not apply to the following critical activities above
12566 the one-hundred-year flood elevation that involve state funded
12567 housing reconstruction, rehabilitation or renovation, provided the state
12568 agency that provides funding for such activity certifies that it complies
12569 with the provisions of the National Flood Insurance Program and the
12570 requirements of this subsection: (1) Projects involving the renovation

12571 or rehabilitation of existing housing on the [Department of Economic
12572 and Community Development's] Connecticut Economic Development
12573 Authority's most recent affordable housing appeals list; (2)
12574 construction of minor structures to an existing building for the
12575 purpose of providing handicapped accessibility pursuant to the State
12576 Building Code; (3) construction of open decks attached to residential
12577 structures, properly anchored in accordance with the State Building
12578 Code; (4) the demolition and reconstruction of existing housing for
12579 persons and families of low and moderate income, provided there is
12580 no increase in the number of dwelling units and (A) such
12581 reconstruction is limited to the footprint of the existing foundation of
12582 the building or buildings used for such purpose, or which could be
12583 used for such purpose subsequent to reconstruction, or (B) such
12584 reconstruction is on a parcel of land where the elevation of such land is
12585 above the one-hundred-year flood elevation, provided there is no
12586 placement of fill within an adopted Federal Emergency Management
12587 Agency flood zone.

12588 Sec. 272. Subsection (c) of section 25-102qq of the general statutes is
12589 repealed and the following is substituted in lieu thereof (*Effective July*
12590 *1, 2011*):

12591 (c) If the commissioner undertakes to establish such a program, he
12592 shall establish a River Protection Advisory Committee to assist him in
12593 developing the river protection program. [The committee shall consist
12594 of the following members whose terms shall expire on October 1, 1992:
12595 (1) The Commissioners of Public Health, Transportation, Economic
12596 and Community Development and Agriculture, the Secretary of the
12597 Office of Policy and Management, the director of the Connecticut
12598 Commission on Culture and Tourism, and the State Archaeologist, or
12599 their designees; and (2) two members representing the business
12600 community, two members representing public service companies,
12601 seven members representing environmental and recreational
12602 organizations, four members representing river protection
12603 organizations, one member representing municipalities with a river or

12604 river segment within their borders, two members representing
12605 regional planning agencies, three members representing related
12606 professional practices and one member representing the public, which
12607 members shall be appointed by the commissioner.] On and after
12608 October 1, 1992, the committee's membership shall consist of: (1) The
12609 Commissioners of Public Health, Transportation [, Economic and
12610 Community Development] and Agriculture, the Secretary of the Office
12611 of Policy and Management, the director of the Connecticut
12612 Commission on Culture and Tourism, and the State Archaeologist, or
12613 their designees; and (2) one member representing the business
12614 community, and one member representing a related professional
12615 practice appointed by the Governor; one member representing an
12616 environmental or recreational organization, one member representing
12617 a river protection organization and one member representing a related
12618 professional practice appointed by the president pro tempore of the
12619 Senate; one member representing an environmental or recreational
12620 organization, one member representing a river protection organization
12621 and one member representing a related professional practice
12622 appointed by the speaker of the House of Representatives; one
12623 member representing an environmental or recreational organization,
12624 one member representing a municipality with a river or river segment
12625 within its borders and one member representing the business
12626 community appointed by the majority leader of the Senate; two
12627 members representing an environmental or recreational organization,
12628 one member representing a river protection organization and one
12629 member representing a public service company appointed by the
12630 minority leader of the Senate; one member representing an
12631 environmental or recreational organization, one member representing
12632 a public service company and one member representing a regional
12633 planning agency appointed by the majority leader of the House of
12634 Representatives; one member representing an environmental or
12635 recreational organization, one member representing a river protection
12636 organization, one member of the public and one member representing
12637 a regional planning agency appointed by the minority leader of the
12638 House of Representatives.

12639 Sec. 273. Section 31-3c of the general statutes is repealed and the
12640 following is substituted in lieu thereof (*Effective July 1, 2011*):

12641 The Labor Commissioner, with the approval of the **[**Commissioners**]**
12642 Commissioner of **[**Economic and Community Development and**]**
12643 Education, shall establish a customized job training program for
12644 preemployment and postemployment job training for the purpose of
12645 meeting the labor requirements of manufacturing or economic base
12646 businesses, as defined in subsection (l) of section 32-222, as amended
12647 by this act, and shall implement such job training program. Such job
12648 training program shall include training designed to increase the basic
12649 skills of employees, including, but not limited to, training in written
12650 and oral communication, mathematics or science, or training in
12651 technical and technological skills. The Labor Commissioner shall use
12652 funds appropriated to the Labor Department for vocational and
12653 manpower training in carrying out such job training program, except
12654 that not more than four per cent of such funds may be used to pay the
12655 cost of its administration. Upon receipt of a request for job training
12656 pursuant to this section, the Labor Commissioner shall notify the
12657 chancellor of the regional community-technical colleges, or his
12658 designee, of such request. The chancellor, or his designee, shall
12659 determine if a training program exists or can be designed at a regional
12660 community-technical college to meet such training need and shall
12661 notify the Labor Commissioner of such determination. The Labor
12662 Commissioner shall to the extent possible make arrangements for the
12663 participation of the regional community-technical colleges, the
12664 Connecticut State University System, other institutions of higher
12665 education, other postsecondary institutions, adult education programs,
12666 opportunities industrialization centers and state regional
12667 vocational-technical schools in implementing the program. Nothing in
12668 this section shall preclude the Labor Commissioner from considering
12669 or choosing other providers to meet such training need. Nothing in
12670 this section shall preclude an employer from considering or choosing
12671 other providers to meet the training needs of such employer, provided
12672 the Labor Commissioner approves such employer's use of such other

12673 providers. For the period from July 1, 1996, to June 30, 1999, the Labor
12674 Commissioner, or his designee, the chancellor of the
12675 community-technical colleges and the chairpersons of the joint
12676 standing committee of the General Assembly having cognizance of
12677 matters relating to education shall meet semiannually to review
12678 actions taken pursuant to this section and section 32-6j, as amended by
12679 this act.

12680 Sec. 274. Subdivision (3) of subsection (b) of section 31-3w of the
12681 general statutes is repealed and the following is substituted in lieu
12682 thereof (*Effective July 1, 2011*):

12683 (3) Consult with the **[**Commissioner of Economic and Community
12684 Development**]** executive director of the Connecticut Economic
12685 Development Authority to ensure coordination of service delivery to
12686 employers;

12687 Sec. 275. Subdivision (2) of subsection (a) of section 31-11cc of the
12688 general statutes is repealed and the following is substituted in lieu
12689 thereof (*Effective July 1, 2011*):

12690 (2) The ex-officio nonvoting members shall consist of the following
12691 members, or their designees: The Commissioners of Correction,
12692 Education, Higher Education **[**, Economic and Community
12693 Development**]** and Social Services, the Labor Commissioner, the
12694 director of the Office of Workforce Competitiveness, the Secretary of
12695 the Office of Policy and Management, the chancellor of the regional
12696 community-technical colleges and the State Librarian.

12697 Sec. 276. Subsection (b) of section 31-11dd of the general statutes is
12698 repealed and the following is substituted in lieu thereof (*Effective July*
12699 *1, 2011*):

12700 (b) The Office of Workforce Competitiveness, in accordance with
12701 subsection (c) of section 4-124w, may request other state agencies,
12702 including, but not limited to, the Departments of Education, Higher
12703 Education **[**, Economic and Community Development**]** and Social

12704 Services, the Labor Department, and the Board of Trustees of the
12705 Community-Technical Colleges to provide information, reports and
12706 other assistance to the board in carrying out its duties, pursuant to
12707 subsection (a) of this section and sections 31-11cc, as amended by this
12708 act, and 31-11ee, and to the Connecticut Employment and Training
12709 Commission in carrying out its duties pursuant to subsection (d) of
12710 this section.

12711 Sec. 277. Subsection (b) of section 31-362g of the general statutes is
12712 repealed and the following is substituted in lieu thereof (*Effective July*
12713 *1, 2011*):

12714 (b) Each defense contractor which (1) performs one or more defense
12715 contracts in this state, the combined value of which exceeds one
12716 million dollars in any one year, and (2) after October 1, 1994, is the
12717 recipient of state assistance or other funds from the **[**Department of
12718 Economic and Community Development**]** Connecticut Economic
12719 Development Authority shall establish an alternative use committee.
12720 The committee shall consist of representatives of employees and
12721 employers. The employees of such contractor who are represented by a
12722 collective bargaining organization shall be represented on such
12723 committee by a representative of such organization. The employees of
12724 such contractor who are not represented by a collective bargaining
12725 organization shall designate a person to serve as their representative.
12726 The committee may invite representatives of the community to
12727 participate in committee meetings. The committee shall prepare a plan
12728 to reduce or eliminate the dependence of the contractor on defense
12729 contracts. The plan shall include: (A) Alternative products that are
12730 feasible to produce and marketable; and (B) retraining resources
12731 needed to produce such products in order to avoid dislocation of the
12732 current workforce. The Labor Commissioner shall adopt regulations
12733 pursuant to chapter 54 to administer the establishment and
12734 composition of alternate use committees and the committee's duty to
12735 establish plans pursuant to this subsection.

12736 Sec. 278. Subsection (a) of section 31-386 of the general statutes is

12737 repealed and the following is substituted in lieu thereof (*Effective July*
12738 *1, 2011*):

12739 When used in this chapter, unless the context otherwise requires:

12740 (a) ["Commissioners" means the Commissioner of Economic and
12741 Community Development and the] "Commissioner" means the Labor
12742 Commissioner;

12743 Sec. 279. Section 31-389 of the general statutes is repealed and the
12744 following is substituted in lieu thereof (*Effective July 1, 2011*):

12745 (a) The state, acting by and in the discretion of the [commissioners]
12746 Labor Commissioner and the executive director of the Connecticut
12747 Economic Development Authority, and with the approval of the
12748 Secretary of the Office of Policy and Management, may enter into a
12749 contract with an eligible municipality for state financial assistance for
12750 any eligible emergency municipal public works employment project in
12751 the form of a grant to such eligible municipality. Any such grant shall
12752 be in an amount not in excess of the cost of the project for which such
12753 grant is made, as determined and approved by the Labor
12754 Commissioner, [and the Commissioners of Economic and Community
12755 Development] the executive director of the Connecticut Economic
12756 Development Authority and the Commissioner of Administrative
12757 Services. In accordance with any such contract, the state may make
12758 temporary advances to such municipality for the cost of such project.

12759 (b) Before entering into such contract the [commissioners] Labor
12760 Commissioner and the executive director of the Connecticut Economic
12761 Development Authority shall have approved an application submitted
12762 by such municipality on forms provided by the [commissioners] Labor
12763 Commissioner and the executive director of the Connecticut Economic
12764 Development Authority.

12765 (c) No such project shall be undertaken until the [commissioners]
12766 Labor Commissioner and the executive director of the Connecticut
12767 Economic Development Authority have approved the plans,

12768 specifications and estimated costs.

12769 Sec. 280. Section 31-390 of the general statutes is repealed and the
12770 following is substituted in lieu thereof (*Effective July 1, 2011*):

12771 (a) The Labor Commissioner, the executive director of the
12772 Connecticut Economic Development Authority and the
12773 [Commissioners of Economic and Community Development and]
12774 Commissioner of Public Works shall have the right of inspection of
12775 any such project at any time.

12776 (b) The Labor Commissioner, the executive director of the
12777 Connecticut Economic Development Authority and the
12778 [Commissioners of Economic and Community Development and]
12779 Commissioner of Public Works and the Secretary of the Office of
12780 Policy and Management are authorized to make orders, establish
12781 guidelines and, except for the executive director, adopt regulations
12782 under the provisions of chapter 54 with respect to the implementation
12783 of this chapter.

12784 (c) At the request of the [commissioners] Labor Commissioner and
12785 the executive director of the Connecticut Economic Development
12786 Authority, any agency or department of the executive branch shall
12787 advise and assist the [commissioners] Labor Commissioner and the
12788 executive director of the Connecticut Economic Development
12789 Authority in the implementation of this chapter.

12790 Sec. 281. (NEW) (*Effective from passage*) (a) For the purposes of this
12791 section, (1) "state employee" means any employee in the executive,
12792 legislative or judicial branch of state government, whether in the
12793 classified or unclassified service and whether full or part-time and any
12794 employee of a quasi-public agency, (2) "salary" has the same meaning
12795 as in section 5-154 of the general statutes, (3) "pay card" means a card
12796 issued by an employer or its payroll service provider to its employee
12797 that is linked to a payroll card account and credited with the
12798 employee's wages at the close of a pay period, and (4) "pay card

12799 system" means an electronic pay arrangement where an employee's
12800 wages are credited on a recurring basis to a payroll card account
12801 directly or indirectly established by the employer on behalf of the
12802 employee that is subject to withdrawal charges and fees and where
12803 withdrawals may be made using a pay card at automated teller
12804 machines or point of sale terminals.

12805 (b) Unless otherwise requested by the employee, the Comptroller
12806 shall make any payment of salary to a state employee by electronic
12807 direct deposit to the account in a bank, Connecticut credit union or
12808 federal credit union of such state employee that will agree to accept
12809 such payment, or by pay card.

12810 Sec. 282. (NEW) (*Effective July 1, 2011*) (a) As used in this section, (1)
12811 "pay card" means a card (A) issued by the state or its payroll service
12812 provider to a recipient, and (B) linked to a payroll card account and
12813 credited with the recipient's pension payment at the close of a pay
12814 period, and (2) "pay card system" means an electronic pay
12815 arrangement where a recipient's pension payments are credited on a
12816 recurring basis to a payroll card account directly or indirectly
12817 established by the state on behalf of the recipient that is subject to
12818 withdrawal charges and fees and where withdrawals may be made
12819 using a pay card at automated teller machines or point of sale
12820 terminals.

12821 (b) Unless otherwise requested by the recipient, any pension
12822 payment made under (1) the retirement system administered by the
12823 Connecticut State Employees Retirement Commission pursuant to
12824 chapter 66 of the general statutes, (2) an alternate retirement program
12825 authorized by said commission, or (3) the Connecticut teacher's
12826 retirement system established under section 10-183c of the general
12827 statutes, shall be made by electronic direct deposit to the recipient's
12828 account in a bank, Connecticut credit union or federal credit union that
12829 will agree to accept such payment, or by pay card.

12830 Sec. 283. (NEW) (*Effective from passage*) Any compensation payable

12831 under chapter 568 of the general statutes to any employee of the state
12832 or to any dependents of any employee of the state, excluding any
12833 payments made to a provider under section 31-294d of the general
12834 statutes, shall be made by electronic direct deposit to the account in a
12835 bank, Connecticut credit union or federal credit union of such
12836 employee or such dependent that will agree to accept such deposit or
12837 by pay card, as defined in section 281 of this act.

12838 Sec. 284. Section 3-119a of the general statutes is repealed and the
12839 following is substituted in lieu thereof (*Effective from passage*):

12840 (a) The Comptroller shall develop, implement and maintain a
12841 comprehensive retirement data base system and shall regularly consult
12842 and inform the State Employees Retirement Commission concerning
12843 the system.

12844 (b) The Comptroller, in conjunction with the Commissioner of
12845 Administrative Services, shall develop, implement and maintain a
12846 state-wide time and attendance system. The system shall be integrated
12847 with the central payroll system and compatible with the development
12848 of the comprehensive retirement data base system.

12849 <u>(c) On or before July 1, 2011, each agency shall implement and</u>
12850 <u>maintain its employee time and attendance system in an electronic</u>
12851 <u>format that is compatible with the state-wide time and attendance</u>
12852 <u>system developed pursuant to subsection (b) of this section.</u>

12853 Sec. 285. (NEW) (*Effective from passage*) The state shall furnish a
12854 record of hours worked and gross earnings as described in section 31-
12855 13a of the general statutes, as amended by this act, in electronic format,
12856 to each employee, unless the employee requests to receive such record
12857 in writing.

12858 Sec. 286. Section 31-13a of the general statutes is repealed and the
12859 following is substituted in lieu thereof (*Effective from passage*):

12860 **[**With**]** <u>Except as provided in section 285 of this act, with</u> each wage

12861 payment each employer shall furnish to each employee in writing a
12862 record of hours worked, the gross earnings showing straight time and
12863 overtime as separate entries, itemized deductions and net earnings,
12864 except that the furnishing of a record of hours worked and the
12865 separation of straight time and overtime earnings shall not apply in the
12866 case of any employee with respect to whom the employer is
12867 specifically exempt from the keeping of time records and the payment
12868 of overtime under the Connecticut Minimum Wage Act or the Fair
12869 Labor Standards Act.

12870 Sec. 287. Subsection (a) of section 31-71b of the general statutes is
12871 repealed and the following is substituted in lieu thereof (*Effective from*
12872 *passage*):

12873 (a) **[**Each**]** Except as provided in section 281 of this act, each
12874 employer, by himself, his agent or representative, shall pay weekly all
12875 moneys due each employee on a regular pay day, designated in
12876 advance by the employer, in cash, by negotiable checks or, upon an
12877 employee's written request, by credit to such employee's account in
12878 any bank which has agreed with the employer to accept such wage
12879 deposits.

12880 Sec. 288. Section 2-27 of the general statutes is repealed and the
12881 following is substituted in lieu thereof (*Effective from passage*):

12882 Copies of each bill for an act reported favorably by a committee
12883 shall be printed in sufficient numbers, as determined by the clerks of
12884 the House and Senate, for use by the General Assembly. A greater
12885 number of copies of any bill shall be printed upon order of either
12886 legislative commissioner. **[**Seven copies of each printed bill shall be
12887 reserved for the use of the Secretary of the State who shall bind and
12888 distribute volumes thereof as follows: One to the State Library, one to
12889 the law library of Yale University, one to the library of The University
12890 of Connecticut and one to the law library of The University of
12891 Connecticut, one to the Wesleyan University library, one to the Library
12892 of Congress and one to the library of Quinnipiac College.**]**

12893 Sec. 289. Section 2-7 of the general statutes is repealed and the
12894 following is substituted in lieu thereof (*Effective from passage*):

12895 (a) Whenever the Governor, the members of the General Assembly
12896 or the president pro tempore of the Senate and the speaker of the
12897 House of Representatives call a special session of the General
12898 Assembly, the Secretary of the State shall give notice thereof by
12899 mailing a true copy of the call of such special session, by first class
12900 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
12901 House of Representatives and of the Senate at his or her address as it
12902 appears upon the records of said secretary not less than ten nor more
12903 than fifteen days prior to the date of convening of such special session
12904 or by causing a true copy of the call to be delivered to each member by
12905 a state marshal, constable, state policeman or indifferent person at least
12906 twenty-four hours prior to the time of convening of such special
12907 session.

12908 (b) Whenever the Secretary of the State is required to reconvene the
12909 General Assembly pursuant to article third of the amendments to the
12910 Constitution of Connecticut, said secretary shall give notice thereof by
12911 mailing a true copy of the call of such reconvened session, by first class
12912 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
12913 House of Representatives and of the Senate at his or her address as it
12914 appears upon the records of said secretary not less than five days prior
12915 to the date of convening of such reconvened session or by causing a
12916 true copy of the call to be delivered to each member by a state marshal,
12917 constable, state policeman or indifferent person at least twenty-four
12918 hours prior to the time of convening of such reconvened session.

12919 Sec. 290. Subsection (d) of section 16-2 of the general statutes is
12920 repealed and the following is substituted in lieu thereof (*Effective from*
12921 *passage*):

12922 (d) The commissioners of the authority shall serve full time and
12923 shall make full public disclosure of their assets, liabilities and income
12924 at the time of their appointment, and thereafter each member of the

12925 authority shall make such disclosure on or before July thirtieth of each
12926 year of such member's term, and shall file such disclosure with the
12927 **[**office of the Secretary of the State**]** Office of State Ethics. Each
12928 commissioner shall receive annually a salary equal to that established
12929 for management pay plan salary group seventy-five by the
12930 Commissioner of Administrative Services, except that the chairperson
12931 shall receive annually a salary equal to that established for
12932 management pay plan salary group seventy-seven.

12933 Sec. 291. Section 33-608 of the general statutes is repealed and the
12934 following is substituted in lieu thereof (*Effective October 1, 2011*):

12935 (a) A document shall satisfy the requirements of this section, and of
12936 any other section that adds to or varies from these requirements, to be
12937 entitled to filing by the Secretary of the State.

12938 (b) Sections 33-600 to 33-998, inclusive, as amended by this act, shall
12939 require or permit filing the document in the office of the Secretary of
12940 the State.

12941 (c) The document shall contain the information required by sections
12942 33-600 to 33-998, inclusive, as amended by this act. It may contain
12943 other information as well.

12944 (d) The document shall be typewritten or printed or, if electronically
12945 transmitted, in a format that can be retrieved or reproduced in
12946 typewritten or printed form.

12947 (e) The document shall be in the English language. A corporate
12948 name need not be in English if written in English letters or Arabic or
12949 Roman numerals, and the certificate of existence required of foreign
12950 corporations need not be in English if accompanied by a reasonably
12951 authenticated English translation.

12952 (f) The document shall be executed: (1) By the chairman of the board
12953 of directors of a domestic or foreign corporation, by its president or by
12954 another of its officers; (2) if directors have not been selected or the

12955 corporation has not been formed, by an incorporator; or (3) if the
12956 corporation is in the hands of a receiver, trustee or other court-
12957 appointed fiduciary, by that fiduciary.

12958 (g) The person executing the document shall sign it and state
12959 beneath or opposite such person's signature such person's name and
12960 the capacity in which such person signs. The document may but need
12961 not contain a corporate seal, attestation, acknowledgment or
12962 verification.

12963 (h) If the Secretary of the State has prescribed a mandatory form for
12964 the document under section 33-609, the document shall be in or on the
12965 prescribed form.

12966 (i) The document shall be delivered to the office of the Secretary of
12967 the State for filing. **[**Delivery may be made by electronic transmission if
12968 and to the extent permitted by the Secretary of the State.**]** If the
12969 document is filed in typewritten or printed form and not electronically
12970 transmitted, the Secretary of the State may require one exact or
12971 conformed copy to be delivered with the document, except as
12972 provided in sections 33-662 and 33-928.

12973 (j) When the document is delivered to the office of the Secretary of
12974 the State for filing, the correct filing fee, and any franchise tax, license
12975 fee or penalty required to be paid therewith by sections 33-600 to 33-
12976 998, inclusive, <u>as amended by this act,</u> or other law must be paid or
12977 provision for payment made in a manner permitted by the Secretary of
12978 the State.

12979 (k) When any document is required or permitted to be filed or
12980 recorded as provided in sections 33-600 to 33-998, inclusive, <u>as</u>
12981 <u>amended by this act,</u> the Secretary of the State may<u>,</u> in the Secretary of
12982 the State's discretion, for good cause, permit a photostatic or other
12983 photographic copy of such document to be filed or recorded in lieu of
12984 the original instrument. Such filing or recording shall have the same
12985 force and effect as if the original instrument had been so filed or

12986 recorded.

12987 (l) As used in this subsection, "filed document" means a document
12988 filed with the Secretary of the State under any provision of sections 33-
12989 600 to 33-998, inclusive, as amended by this act, except sections 33-920
12990 to 33-937, inclusive, as amended by this act, and section 33-953, as
12991 amended by this act, and "plan" means a plan of merger or share
12992 exchange. Whenever a provision of sections 33-600 to 33-998, inclusive,
12993 as amended by this act, permits any of the terms of a plan or filed
12994 document to be dependent on facts objectively ascertainable outside
12995 the plan or filed document, the following provisions apply:

12996 (1) The manner in which the facts will operate upon the terms of the
12997 plan or filed document shall be set forth in the plan or filed document;

12998 (2) The facts may include, but are not limited to (A) any of the
12999 following that is available in a nationally recognized news or
13000 information medium either in print or electronically: Statistical or
13001 market indices, market prices of any security or group of securities,
13002 interest rates, currency exchange rates, or similar economic or financial
13003 data, (B) a determination or action by any person or body, including
13004 the corporation or any other party to a plan or filed document, or (C)
13005 the terms of, or actions taken under, an agreement to which the
13006 corporation is a party, or any other agreement or document;

13007 (3) The following provisions of a plan or filed document may not be
13008 made dependent on facts outside the plan or filed document: (A) The
13009 name and address of any person required in a filed document; (B) the
13010 registered office of any entity required in a filed document; (C) the
13011 registered agent of any entity required in a filed document; (D) the
13012 number of authorized shares and designation of each class or series of
13013 shares; (E) the effective date of a filed document; and (F) any required
13014 statement in a filed document of the date on which the underlying
13015 transaction was approved or the manner in which such approval was
13016 given; and

13017 (4) If a provision of a filed document is made dependent on a fact
13018 ascertainable outside of the filed document, and such fact is not
13019 ascertainable by reference to a source described in subparagraph (A) of
13020 subdivision (2) of this subsection or a document that is a matter of
13021 public record, or the affected shareholders have not received notice of
13022 the fact from the corporation, then the corporation shall file with the
13023 Secretary of the State a certificate of amendment setting forth the fact
13024 promptly after the time when the fact referred to is first ascertainable
13025 or thereafter changes. Certificates of amendment under this
13026 subdivision are deemed to be authorized by the authorization of the
13027 original plan or filed document to which they relate and may be filed
13028 by the corporation without further action by the board of directors or
13029 the shareholders.

13030 (m) The Secretary of the State may require or permit the filing by
13031 electronic transmission or by employing new technology as it is
13032 developed of any document that is required by law or regulation
13033 adopted under sections 33-600 to 33-998, inclusive, as amended by this
13034 act, to be filed with the Secretary of the State.

13035 Sec. 292. Section 33-953 of the general statutes is repealed and the
13036 following is substituted in lieu thereof (*Effective October 1, 2011*):

13037 (a) Each domestic corporation, except banks, trust companies,
13038 insurance or surety companies, savings and loan associations and
13039 public service companies, as defined in section 16-1, and each foreign
13040 corporation authorized to transact business in this state, shall file an
13041 annual report with the Secretary of the State as prescribed in this
13042 section.

13043 (b) The first annual report of a domestic corporation shall be filed
13044 within thirty days after its organization meeting. **[**Subsequent**]** On and
13045 after October 1, 2011, subsequent annual reports of such domestic
13046 corporation and annual reports of each foreign corporation authorized
13047 to transact business in this state shall be filed **[**at such times as may be
13048 provided by regulations adopted by the Secretary of the State in

13049 accordance with chapter 54, provided the Secretary of the State may
13050 require any corporation to file an annual report according to reporting
13051 schedules established by the secretary so as to effect staggered filing of
13052 all such reports**]** by electronic transmission on or after October first
13053 and prior to January first. Upon request of a corporation, the Secretary
13054 of the State may grant an exemption from the requirement to file an
13055 annual report by electronic transmission if the corporation does not
13056 have the capability to file by electronic transmission or make payment
13057 in an authorized manner by electronic means or if other good cause is
13058 shown.

13059 (c) Each annual report shall set forth as of a date which complies
13060 with subsection (d) of this section and which is specified in such
13061 report: (1) The name of the corporation; (2) the principal office of the
13062 corporation or, in the case of a foreign corporation (A) the address of
13063 the principal office of the foreign corporation in the state under the
13064 laws of which it is incorporated, (B) the address of the executive offices
13065 of the foreign corporation, and (C) the address of the principal office of
13066 the foreign corporation in this state, if any; **[**and**]** (3) the electronic mail
13067 address, if any, of the corporation; and (4) the names and respective
13068 business and residence addresses of the directors and officers of the
13069 corporation, except that if good cause is shown, the Secretary of the
13070 State may accept business addresses in lieu of business and residence
13071 addresses of the directors and officers of the corporation. For the
13072 purposes of this subsection, a showing of good cause shall include, but
13073 not be limited to, a showing that public disclosure of the residence
13074 addresses of the corporation's directors and officers may expose the
13075 personal security of such directors and officers to significant risk.

13076 (d) The date specified in the annual report pursuant to subsection
13077 (c) of this section shall (1) not be later than the date of filing the report,
13078 and (2) not be earlier than the latest date preceding the date of filing on
13079 which any change of circumstances occurred which would affect the
13080 statements of fact required in the report.

13081 (e) Each annual report shall be accompanied by the required filing

13082 fee. The report shall be executed as set forth in section 33-608, as
13083 amended by this act. The Secretary of the State shall [mail] deliver to
13084 each domestic corporation at its principal office or electronic mail
13085 address, as shown by his records, and to each foreign corporation
13086 authorized to transact business in this state at its executive offices or
13087 electronic mail address, as last shown by his records, [a form
13088 prescribed by him for the annual report] notice that the annual report
13089 is due, but failure to receive such [form] notice shall not relieve a
13090 corporation of the requirement of filing the report as provided in this
13091 section.

13092 Sec. 293. Section 33-1004 of the general statutes is repealed and the
13093 following is substituted in lieu thereof (*Effective October 1, 2011*):

13094 (a) A document shall satisfy the requirements of this section, and of
13095 any other section that adds to or varies from these requirements, to be
13096 entitled to filing by the Secretary of the State.

13097 (b) Sections 33-1000 to 33-1290, inclusive, as amended by this act,
13098 shall require or permit filing the document in the office of the Secretary
13099 of the State.

13100 (c) The document shall contain the information required by sections
13101 33-1000 to 33-1290, inclusive, as amended by this act. It may contain
13102 other information as well.

13103 (d) The document shall be typewritten or printed or, if electronically
13104 transmitted, in a format that can be retrieved or reproduced in
13105 typewritten or printed form.

13106 (e) The document shall be in the English language. A corporate
13107 name need not be in English if written in English letters or Arabic or
13108 Roman numerals, and the certificate of existence required of foreign
13109 corporations need not be in English if accompanied by a reasonably
13110 authenticated English translation.

13111 (f) The document shall be executed: (1) By the chairman of the board

13112 of directors of a domestic or foreign corporation, by its president or by
13113 another of its officers; (2) if directors have not been selected or the
13114 corporation has not been formed, by an incorporator; or (3) if the
13115 corporation is in the hands of a receiver, trustee or other court-
13116 appointed fiduciary, by that fiduciary.

13117 (g) The person executing the document shall sign it and state
13118 beneath or opposite such person's signature such person's name and
13119 the capacity in which such person signs. The document may but need
13120 not contain a corporate seal, attestation, acknowledgment or
13121 verification.

13122 (h) If the Secretary of the State has prescribed a mandatory form for
13123 the document under section 33-1005, the document shall be in or on
13124 the prescribed form.

13125 (i) The document shall be delivered to the office of the Secretary of
13126 the State for filing. **[**Delivery may be made by electronic transmission if
13127 and to the extent permitted by the Secretary of the State.**]** If the
13128 document is filed in typewritten or printed form and not electronically
13129 transmitted, the Secretary of the State may require one exact or
13130 conformed copy to be delivered with the document, except as
13131 provided in sections 33-1052 and 33-1218.

13132 (j) When the document is delivered to the office of the Secretary of
13133 the State for filing, the correct filing fee, and any franchise tax, license
13134 fee or penalty required to be paid therewith by sections 33-1000 to 33-
13135 1290, inclusive, <u>as amended by this act,</u> or other law, must be paid or
13136 provision for payment made in a manner permitted by the Secretary of
13137 the State.

13138 (k) When any document is required or permitted to be filed or
13139 recorded as provided in sections 33-1000 to 33-1290, inclusive, <u>as</u>
13140 <u>amended by this act,</u> the Secretary of the State may<u>,</u> in the Secretary of
13141 the State's discretion, for good cause, permit a photostatic or other
13142 photographic copy of such document to be filed or recorded in lieu of

13143 the original instrument. Such filing or recording shall have the same
13144 force and effect as if the original instrument had been so filed or
13145 recorded.

13146 (l) The Secretary of the State may require or permit the filing by
13147 electronic transmission or by employing new technology as it is
13148 developed of any document that is required by law or regulation
13149 adopted under sections 33-1000 to 33-1290, inclusive, as amended by
13150 this act, to be filed with the Secretary of the State.

13151 Sec. 294. Section 33-1243 of the general statutes is repealed and the
13152 following is substituted in lieu thereof (*Effective October 1, 2011*):

13153 (a) Each domestic corporation, except banks, trust companies,
13154 insurance or surety companies, savings and loan associations, credit
13155 unions, public service companies, as defined in section 16-1, cemetery
13156 associations and incorporated church or religious corporations, and
13157 each foreign corporation authorized to conduct affairs in this state, and
13158 except corporations formed before January 1, 1961, which under the
13159 law in effect on December 31, 1960, were not required to file an annual
13160 report, shall file an annual report with the Secretary of the State as
13161 prescribed in this section.

13162 (b) The first annual report of a domestic corporation shall be filed
13163 within thirty days after its organization meeting. **[**Subsequent**]** On and
13164 after October 1, 2011, subsequent annual reports of such domestic
13165 corporation and annual reports of each foreign corporation authorized
13166 to conduct affairs in this state shall be filed **[**at such times as may be
13167 provided by regulations adopted by the Secretary of the State in
13168 accordance with chapter 54, provided the Secretary of the State may
13169 require any corporation to file an annual report according to reporting
13170 schedules established by the secretary so as to effect staggered filing of
13171 all such reports**]** by electronic transmission on or after October first
13172 and prior to January first. Upon request of a corporation, the Secretary
13173 of the State may grant an exemption from the requirement to file an
13174 annual report by electronic transmission if the corporation does not

13175 have the capability to file by electronic transmission or make payment
13176 in an authorized manner by electronic means or if other good cause is
13177 shown.

13178 (c) Each annual report shall set forth as of a date which complies
13179 with subsection (d) of this section and which is specified in such
13180 report: (1) The name of the corporation and, in the case of a foreign
13181 corporation, the state under the laws of which it is incorporated; (2) the
13182 principal office of the corporation or, in the case of a foreign
13183 corporation (A) the address of the principal office of the foreign
13184 corporation in the state under the laws of which it is incorporated, (B)
13185 the address of the executive offices of the foreign corporation, and (C)
13186 the address of the principal office of the foreign corporation in this
13187 state, if any; [and] (3) the electronic mail address, if any, of the
13188 corporation; and (4) the names and respective business and residence
13189 addresses of the directors and officers of the corporation, except that if
13190 good cause is shown, the Secretary of the State may accept business
13191 addresses in lieu of business and residence addresses of the directors
13192 and officers of the corporation. For the purposes of this subsection, a
13193 showing of good cause shall include, but not be limited to, a showing
13194 that public disclosure of the residence addresses of the corporation's
13195 directors and officers may expose the personal security of such
13196 directors and officers to significant risk.

13197 (d) The date specified in the annual report pursuant to subsection
13198 (c) of this section shall (1) not be later than the date of filing the report,
13199 and (2) not be earlier than the latest date preceding the date of filing on
13200 which any change of circumstances occurred which would affect the
13201 statements of fact required in the report.

13202 (e) Each annual report shall be accompanied by the required filing
13203 fee. The report shall be executed as set forth in section 33-1004, as
13204 amended by this act. The Secretary of the State shall [mail] deliver to
13205 each domestic corporation at its principal office or electronic mail
13206 address, as shown by his records, and to each foreign corporation
13207 authorized to conduct affairs in this state at its executive offices or

13208 electronic mail address, as last shown by his records, [a form
13209 prescribed by him for the annual report] notice that the annual report
13210 is due, but failure to receive such [form] notice shall not relieve a
13211 corporation of the requirement of filing the report as provided in this
13212 section.

13213 Sec. 295. Section 34-9 of the general statutes is repealed and the
13214 following is substituted in lieu thereof (*Effective October 1, 2011*):

13215 As used in this chapter, unless the context otherwise requires:

13216 (1) "Address" means location as described by the full street number,
13217 if any, street, city or town, state or country and not a mailing address
13218 such as a post office box.

13219 (2) "Certificate of limited partnership" means the certificate referred
13220 to in section 34-10 and the certificate as amended or restated.

13221 (3) "Consolidation" means a business combination pursuant to
13222 section 34-33b.

13223 (4) "Contribution" means any cash, property, services rendered, or a
13224 promissory note or other binding obligation to contribute cash or
13225 property or to perform services, which a partner contributes to a
13226 limited partnership in his capacity as a partner.

13227 (5) "Deliver" or "delivery" means any method of delivery used in
13228 conventional commercial practice including delivery by hand, mail,
13229 commercial delivery and electronic transmission.

13230 (6) "Document" includes anything delivered to the office of the
13231 Secretary of the State for filing under sections 34-9 to 34-38u, inclusive,
13232 as amended by this act.

13233 (7) "Electronic transmission" or "electronically transmitted" means
13234 any process of communication not directly involving the physical
13235 transfer of paper that is suitable for the retention, retrieval and

13236 reproduction of information by the recipient.

13237 [(5)] (8) "Event of withdrawal of a general partner" means an event
13238 that causes a person to cease to be a general partner as provided in
13239 section 34-28.

13240 [(6)] (9) "Foreign limited partnership" means a partnership formed
13241 under the laws of any state other than this state and having as partners
13242 one or more general partners and one or more limited partners.

13243 [(7)] (10) "General partner" means a person who has been admitted
13244 to a limited partnership as a general partner in accordance with the
13245 partnership agreement and named in the certificate of limited
13246 partnership as a general partner.

13247 [(8)] (11) "Interests" means the proprietary interests in an other
13248 entity.

13249 [(9)] (12) "Limited partner" means a person who has been admitted
13250 to a limited partnership as a limited partner in accordance with the
13251 partnership agreement.

13252 [(10)] (13) "Limited partnership" and "domestic limited partnership"
13253 means a partnership formed by two or more persons under the
13254 provisions of this chapter and having one or more general partners
13255 and one or more limited partners.

13256 [(11)] (14) "Merger" means a business combination pursuant to
13257 section 34-33a.

13258 [(12)] (15) "Organizational documents" means the basic document or
13259 documents that create, or determine the internal governance of, an
13260 other entity.

13261 [(13)] (16) "Other entity" means any association or legal entity, other
13262 than a domestic or foreign limited partnership, organized to conduct
13263 business, including, but not limited to, a corporation, general

13264 partnership, limited liability partnership, limited liability company,
13265 joint venture, joint stock company, business trust, statutory trust and
13266 real estate investment trust.

13267 [(14)] (17) "Partner" means a limited or general partner.

13268 [(15)] (18) "Partnership agreement" means any valid agreement,
13269 written or oral, of the partners as to the affairs of a limited partnership
13270 and the conduct of its business.

13271 [(16)] (19) "Partnership interest" means a partner's share of the
13272 profits and losses of a limited partnership and the right to receive
13273 distributions of partnership assets.

13274 [(17)] (20) "Party to a consolidation" means any domestic or foreign
13275 limited partnership or other entity that will consolidate under a plan of
13276 consolidation.

13277 [(18)] (21) "Party to a merger" means any domestic or foreign limited
13278 partnership or other entity that will merge under a plan of merger.

13279 [(19)] (22) "Person" means a natural person, partnership, limited
13280 partnership, foreign limited partnership, trust, estate, association,
13281 limited liability company or corporation.

13282 [(20)] (23) "Plan of merger" means a plan entered into pursuant to
13283 section 34-33a.

13284 [(21)] (24) "Plan of consolidation" means a plan entered into
13285 pursuant to section 34-33b.

13286 (25) "Sign" or "signature" includes any manual, facsimile, conformed
13287 or electronic signature.

13288 [(22)] (26) "State" means a state, territory, or possession of the United
13289 States, the District of Columbia or the Commonwealth of Puerto Rico.

13290 [(23)] (27) "Survivor" means, in a merger or consolidation, the

13291 limited partnership or other entity into which one or more other
13292 limited partnerships or other entities are merged or consolidated.

13293 Sec. 296. Section 34-10b of the general statutes is repealed and the
13294 following is substituted in lieu thereof (*Effective October 1, 2011*):

13295 (a) A signed copy of the certificate of limited partnership and of any
13296 certificates of amendment or cancellation or of any judicial decree of
13297 amendment or cancellation or of any certificate of merger or
13298 consolidation, or notice or any other document permitted or required
13299 to be filed pursuant to this chapter for a limited partnership, shall be
13300 delivered to the Secretary of the State. A person who executes a
13301 certificate as an agent or fiduciary need not exhibit evidence of his
13302 authority as a prerequisite to filing. Unless the Secretary of the State
13303 finds that any certificate does not conform to law, upon receipt of all
13304 filing fees required by law he shall:

13305 (1) Endorse on each copy the word "Filed" and the day, month and
13306 year of the filing thereof; and

13307 (2) File a signed copy in his office.

13308 (b) Upon the filing of a certificate of amendment or judicial decree
13309 of amendment in the office of the Secretary of the State, the certificate
13310 of limited partnership shall be amended as set forth therein, and upon
13311 the effective date of a certificate of cancellation, or a judicial decree
13312 thereof or a certificate of merger or consolidation which acts as a
13313 certificate of cancellation, the certificate of limited partnership is
13314 cancelled.

13315 <u>(c) When any document is required or permitted to be filed or</u>
13316 <u>recorded as provided in sections 34-9 to 34-38u, inclusive, as amended</u>
13317 <u>by this act, the Secretary of the State may, in the Secretary of the State's</u>
13318 <u>discretion, for good cause, permit a photostatic or other photographic</u>
13319 <u>copy of such document to be filed or recorded in lieu of the original</u>
13320 <u>instrument. Such filing or recording shall have the same force and</u>
13321 <u>effect as if the original instrument had been so filed or recorded.</u>

13322 (d) The Secretary of the State may require or permit the filing by
13323 electronic transmission or by employing new technology as it is
13324 developed of any document that is required by law or regulation
13325 adopted under sections 34-9 to 34-38u, inclusive, as amended by this
13326 act, to be filed with the Secretary of the State.

13327 Sec. 297. Section 34-13e of the general statutes is repealed and the
13328 following is substituted in lieu thereof (*Effective October 1, 2011*):

13329 (a) On and after January 1, 1996, each limited partnership shall file
13330 an annual report with the Secretary of the State that shall be due upon
13331 the anniversary of the formation of the limited partnership. On and
13332 after October 1, 2011, each limited partnership shall file an annual
13333 report by electronic transmission on or after January first and prior to
13334 January first. Upon request of a limited partnership, the Secretary of
13335 the State may grant an exemption from the requirement to file an
13336 annual report by electronic transmission if the limited partnership
13337 does not have the capability to file by electronic transmission or make
13338 payment in an authorized manner by electronic means or if other good
13339 cause is shown.

13340 (b) Each annual report shall set forth: (1) The name of the limited
13341 partnership; **[**and**]** (2) the address of the office of the limited
13342 partnership required to be maintained by section 34-13b; and (3) the
13343 electronic mail address, if any, of the limited partnership.

13344 (c) Each annual report shall be executed in accordance with section
13345 34-10a and be accompanied by the filing fee established in section 34-
13346 38n. The Secretary of the State shall **[**mail**]** deliver to each limited
13347 partnership at **[**its**]** the address of the office required to be maintained
13348 by section 34-13b or its electronic mail address, as shown by his
13349 records, **[**a form prescribed by him for the annual report**]** notice that
13350 the annual report is due, but failure to receive such **[**form**]** notice shall
13351 not relieve a limited partnership of the requirement of filing the report
13352 as provided in this section.

13353 Sec. 298. Section 34-38s of the general statutes is repealed and the
13354 following is substituted in lieu thereof (*Effective October 1, 2011*):

13355 (a) On and after January 1, 1996, each foreign limited partnership
13356 registered to transact business in this state shall file an annual report
13357 with the Secretary of the State that shall be due upon the anniversary
13358 of the registration of such foreign limited partnership pursuant to
13359 section 34-38g. On and after October 1, 2011, each foreign limited
13360 partnership shall file an annual report by electronic transmission on or
13361 after October first and prior to January first. Upon request of a foreign
13362 limited partnership, the Secretary of the State may grant an exemption
13363 from the requirement to file an annual report by electronic
13364 transmission if the foreign limited partnership does not have the
13365 capability to file by electronic transmission or make payment in an
13366 authorized manner by electronic means or if other good cause is
13367 shown.

13368 (b) Each annual report shall set forth: (1) The name of the foreign
13369 limited partnership and, if different, the name under which such
13370 foreign limited partnership transacts business in this state; **[**, and**]** (2)
13371 the address of the office required to be maintained in the state or other
13372 jurisdiction of the foreign limited partnership's organization by the
13373 laws of that state or jurisdiction or, if not so required, the address of its
13374 principal office; and (3) the electronic mail address, if any, of the
13375 foreign limited partnership.

13376 (c) Each annual report shall be executed in accordance with section
13377 34-10a and be accompanied by the filing fee established in section 34-
13378 38n. The Secretary of the State shall **[**mail**]** deliver to each foreign
13379 limited partnership at its principal office or its electronic mail address,
13380 as last shown by his records, **[**a form prescribed by him for the annual
13381 report**]** notice that the annual report is due, but failure to receive such
13382 **[**form**]** notice shall not relieve a foreign limited partnership of the
13383 requirement of filing the report as provided in this section.

13384 Sec. 299. Section 34-101 of the general statutes is repealed and the

13385 following is substituted in lieu thereof (*Effective January 1, 2011*):

13386 As used in sections 34-100 to 34-242, inclusive, as amended by this
13387 act, unless the context otherwise requires:

13388 (1) "Address" means a location as described by the full street
13389 number, if any, street, city or town, state or county and not a mailing
13390 address such as a post office box.

13391 (2) "Articles of organization" means articles filed under section 34-
13392 121, and those articles as amended or restated.

13393 (3) "Corporation" means a corporation formed under the laws of this
13394 state or a foreign corporation.

13395 (4) "Court" includes every court having jurisdiction in the case.

13396 (5) "Deliver" or "delivery" means any method of delivery used in
13397 conventional commercial practice including delivery by hand, mail,
13398 commercial delivery and electronic transmission.

13399 (6) "Document" includes anything delivered to the office of the
13400 Secretary of the State for filing under sections 34-100 to 34-242,
13401 inclusive, as amended by this act.

13402 **[**(5)**]** (7) "Electronic transmission" or "electronically transmitted"
13403 means any process of communication not directly involving the
13404 physical transfer of paper that is suitable for the retention, retrieval
13405 and reproduction of information by the recipient. **[**and which does not
13406 directly involve the physical transfer of paper.**]**

13407 **[**(6)**]** (8) "Event of dissociation" means an event that causes a person
13408 to cease to be a member, as provided in section 34-180.

13409 **[**(7)**]** (9) "Foreign corporation" means a corporation formed under
13410 the laws of any state other than this state or under the laws of any
13411 foreign country.

13412 [(8)] (10) "Foreign limited liability company" means an entity that is:
13413 (A) Organized under the laws of a state other than the laws of this state
13414 or under the laws of any foreign country; (B) organized under a statute
13415 pursuant to which an entity denominated as a limited liability
13416 company may be formed that affords to each of its members limited
13417 liability with respect to the liabilities of the entity; and (C) is not
13418 required to be registered or organized under any statute of this state
13419 other than sections 34-100 to 34-242, inclusive, as amended by this act.

13420 [(9)] (11) "Foreign limited partnership" means a limited partnership
13421 formed under the laws of any state other than this state or under the
13422 laws of any foreign country.

13423 [(10)] (12) "Limited liability company" or "domestic limited liability
13424 company" means an organization having one or more members that is
13425 formed under sections 34-100 to 34-242, inclusive, as amended by this
13426 act.

13427 [(11)] (13) "Limited liability company membership interest" or
13428 "interest" or "interest in the limited liability company" means a
13429 member's share of the profits and losses of the limited liability
13430 company and a member's right to receive distributions of the limited
13431 liability company's assets, unless otherwise provided in the operating
13432 agreement.

13433 [(12)] (14) "Limited partnership" means a limited partnership
13434 formed under the laws of this state or a foreign limited partnership.

13435 [(13)] (15) "Manager" or "managers" means, with respect to a limited
13436 liability company that has set forth in its articles of organization that it
13437 is to be managed by managers, the person or persons designated in
13438 accordance with section 34-140.

13439 [(14)] (16) "Member" or "members" means a person or persons who
13440 have been admitted to membership in a limited liability company as
13441 provided in section 34-179 and who have not disassociated from the
13442 limited liability company as provided in section 34-180.

13443 [(15)] (17) "Operating agreement" means any agreement, written or
13444 oral, as to the conduct of the business and affairs of a limited liability
13445 company, which is binding upon all of the members.

13446 [(16)] (18) "Organizational documents" means the basic document or
13447 documents that create, or determine the internal governance of, an
13448 other entity.

13449 [(17)] (19) "Organizer" or "organizers" means any member or
13450 members or any other person or persons who files or file the articles of
13451 organization as provided in section 34-120.

13452 [(18)] (20) "Other entity" means any association or legal entity, other
13453 than a domestic or foreign limited liability company, organized to
13454 conduct business, including, but not limited to, a corporation, general
13455 partnership, limited liability partnership, limited partnership, joint
13456 venture, joint stock company, business trust, statutory trust and real
13457 estate investment trust.

13458 [(19)] (21) "Party to a consolidation" means any domestic or foreign
13459 limited liability company or other entity that will consolidate under a
13460 plan of consolidation.

13461 [(20)] (22) "Party to a merger" means any domestic or foreign limited
13462 liability company or other entity that will merge under a plan of
13463 merger.

13464 [(21)] (23) "Person" means an individual, a general partnership, a
13465 limited partnership, a domestic or foreign limited liability company, a
13466 trust, an estate, an association, a corporation or any other legal or
13467 commercial entity.

13468 [(22)] (24) "Plan of merger" or "plan of consolidation" means a plan
13469 entered into pursuant to section 34-195.

13470 [(23)] (25) "Professional service" means any type of service to the
13471 public that requires that members of a profession rendering such

13472 service obtain a license or other legal authorization as a condition
13473 precedent to the rendition thereof, limited to the professional services
13474 rendered by dentists, natureopaths, chiropractors, physicians and
13475 surgeons, doctors of dentistry, physical therapists, occupational
13476 therapists, podiatrists, optometrists, nurses, nurse-midwives,
13477 veterinarians, pharmacists, architects, professional engineers, or jointly
13478 by architects and professional engineers, landscape architects, real
13479 estate brokers, insurance producers, certified public accountants and
13480 public accountants, land surveyors, psychologists, attorneys-at-law,
13481 licensed marital and family therapists, licensed professional
13482 counselors, licensed or certified alcohol and drug counselors and
13483 licensed clinical social workers.

13484 **[**(24)**]** (26) "Sign" or "signature" includes any manual, facsimile, **[**or**]**
13485 conformed or electronic signature.

13486 **[**(25)**]** (27) "State" means a state, territory or possession of the United
13487 States, the District of Columbia or the Commonwealth of Puerto Rico.

13488 **[**(26)**]** (28) "Survivor" means, in a merger or consolidation, the
13489 limited liability company or other entity into which one or more other
13490 limited liability companies or other entities are merged or
13491 consolidated.

13492 Sec. 300. Section 34-106 of the general statutes is repealed and the
13493 following is substituted in lieu thereof (*Effective October 1, 2011*):

13494 (a) Each limited liability company shall file an annual report with
13495 the Secretary of the State which report shall be due upon the
13496 anniversary of the filing of a limited liability company's articles of
13497 organization pursuant to section 34-120. On and after October 1, 2011,
13498 each limited liability company shall file an annual report by electronic
13499 transmission on or after October first and prior to January first. Upon
13500 request of a limited liability company, the Secretary of the State may
13501 grant an exemption from the requirement to file an annual report by
13502 electronic transmission if (1) the limited liability company does not

13503 have the capability to file by electronic transmission or make payment
13504 in an authorized manner by electronic means, or (2) other good cause
13505 is shown.

13506 (b) Such reporting requirement shall commence on or after January
13507 1, 1995, and continue annually thereafter.

13508 (c) Each annual report shall set forth: (1) The name of the limited
13509 liability company; (2) the limited liability company's current principal
13510 office address; [and] (3) the electronic mail address, if any, of the
13511 limited liability company; and (4) the name and respective business
13512 and residence addresses of a manager or a member of the limited
13513 liability company, except that if good cause is shown, the Secretary of
13514 the State may accept a business address in lieu of the business and
13515 residence addresses of such manager or member. For the purposes of
13516 this subsection and subsection (d) of this section, a showing of good
13517 cause shall include, but not be limited to, a showing that public
13518 disclosure of the residence address of the manager or member of the
13519 limited liability company may expose the personal security of such
13520 manager or member to significant risk.

13521 (d) If the manager or member named in a limited liability
13522 company's most current annual report pursuant to subsection (c) of
13523 this section is replaced for such purpose by another manager or
13524 member after the limited liability company has filed such annual
13525 report, but not later than thirty days preceding the month during
13526 which the limited liability company's next annual report becomes due,
13527 the limited liability company shall file with the Secretary of the State
13528 an interim notice of change of manager or member that sets forth: (1)
13529 The name of the limited liability company; and (2) the name, title and
13530 respective business and residence addresses of the new manager or
13531 member and the name and title of the former manager or member,
13532 except that if good cause is shown, the Secretary of the State may
13533 accept a business address in lieu of the business and residence
13534 addresses of the new manager or member. Any such change of
13535 manager or member that occurs within the thirty-day period preceding

13536 the month during which the limited liability company's next annual
13537 report becomes due shall be reflected in such next annual report.

13538 (e) Each annual report shall be executed in accordance with section
13539 34-109 and be accompanied by the filing fee established in section 34-
13540 112. The Secretary of the State shall **[**mail**]** deliver to each limited
13541 liability company at its principal office or electronic mail address, as
13542 shown on his records, **[**a form prescribed by him for the annual report**]**
13543 notice that the annual report is due, but failure to receive such **[**form**]**
13544 notice shall not relieve a limited liability company of the requirement
13545 of filing the report as provided in this section.

13546 Sec. 301. Section 34-110 of the general statutes is repealed and the
13547 following is substituted in lieu thereof (*Effective October 1, 2011*):

13548 (a) The original signed copy of the articles of organization or any
13549 other document required to be filed pursuant to sections 34-100 to 34-
13550 242, inclusive, as amended by this act, shall be delivered to the
13551 Secretary of the State. The articles of organization or any other
13552 document required to be filed shall be typewritten or printed or, if
13553 **[**authorized by the Secretary of the State,**]** electronically transmitted, in
13554 a format that can be retrieved or reproduced in typewritten or printed
13555 form. Unless the Secretary of the State determines that the document
13556 does not conform to the filing provisions of said sections, the Secretary
13557 of the State shall, when all required filing fees have been paid: (1)
13558 Endorse on each signed document "filed" and the date and time of its
13559 acceptance for filing; and (2) retain the signed document in the
13560 Secretary of the State's files.

13561 (b) When any document is required or permitted to be filed or
13562 recorded as provided in sections 34-100 to 34-242, inclusive, as
13563 amended by this act, the Secretary of the State may, in the Secretary of
13564 the State's discretion, for good cause, permit a photostatic or other
13565 photographic copy of such document to be filed or recorded in lieu of
13566 the original instrument. Such filing or recording shall have the same
13567 force and effect as if the original instrument had been so filed or

13568 recorded.

13569 (c) The Secretary of the State may require or permit the filing by
13570 electronic transmission or by employing new technology as it is
13571 developed of any document that is required by law or regulation
13572 adopted under sections 34-100 to 34-242, inclusive, as amended by this
13573 act, to be filed with the Secretary of the State.

13574 **[**(c)**]** (d) If the Secretary of the State determines that the document
13575 does not conform to the filing provisions of sections 34-100 to 34-242,
13576 inclusive, as amended by this act, or is not accompanied by all fees
13577 required by law, the document shall not be filed and the Secretary of
13578 the State shall return the document to the person originally submitting
13579 it.

13580 Sec. 302. Section 34-229 of the general statutes is repealed and the
13581 following is substituted in lieu thereof (*Effective October 1, 2011*):

13582 (a) A foreign limited liability company registered to transact
13583 business in this state shall file an annual report in the office of the
13584 Secretary of the State which report shall be due upon the anniversary
13585 of such foreign limited liability company's registration pursuant to
13586 section 34-223. On and after October 1, 2011, each foreign limited
13587 liability company shall file an annual report by electronic transmission
13588 on or after October first and prior to January first. Upon request of a
13589 foreign limited liability company, the Secretary of the State may grant
13590 an exemption from the requirement to file an annual report by
13591 electronic transmission if the foreign limited liability company does
13592 not have the capability to file by electronic transmission or make
13593 payment in an authorized manner by electronic means or if other good
13594 cause is shown.

13595 (b) Such reporting requirement shall commence on and after
13596 January 1, 1995, and continue annually thereafter.

13597 (c) Each annual report shall set forth: (1) The name of the foreign
13598 limited liability company and, if different, the name under which such

13599 foreign limited liability company transacts business in this state; (2) the
13600 address of the office required to be maintained in the state or other
13601 jurisdiction of the foreign limited liability company's organization by
13602 the laws of that state or jurisdiction or, if not so required, the address
13603 of its principal office; **[**and**]** (3) the electronic mail address, if any, of the
13604 foreign limited liability company; and (4) the name and respective
13605 business and residence addresses of a manager or a member of the
13606 foreign limited liability company, except that if good cause is shown,
13607 the Secretary of the State may accept a business address in lieu of the
13608 business and residence addresses of such manager or member. For the
13609 purposes of this subsection and subsection (d) of this section, a
13610 showing of good cause shall include, but not be limited to, a showing
13611 that public disclosure of the residence address of the manager or
13612 member of the foreign limited liability company may expose the
13613 personal security of such manager or member to significant risk.

13614 (d) If the manager or member named in a foreign limited liability
13615 company's most current annual report pursuant to subsection (c) of
13616 this section is replaced for such purpose by another manager or
13617 member after the foreign limited liability company has filed such
13618 annual report, but not later than thirty days preceding the month
13619 during which the foreign limited liability company's next annual
13620 report becomes due, the foreign limited liability company shall file
13621 with the Secretary of the State an interim notice of change of manager
13622 or member that sets forth: (1) The name of the foreign limited liability
13623 company; and (2) the name, title and respective business and residence
13624 addresses of the new manager or member and the name and title of the
13625 former manager or member, except that if good cause is shown, the
13626 Secretary of the State may accept a business address in lieu of the
13627 business and residence addresses of the new manager or member. Any
13628 such change of manager or member that occurs within the thirty-day
13629 period preceding the month during which the foreign limited liability
13630 company's next annual report becomes due shall be reflected in such
13631 next annual report.

13632 (e) Each annual report shall be executed in accordance with section
13633 34-109 and be accompanied by the filing fee established in section 34-
13634 112. The Secretary of the State shall **[**mail**]** deliver to each foreign
13635 limited liability company at its principal office or electronic mail
13636 address, as shown on his records, **[**a form prescribed by him for the
13637 annual report**]** notice that the annual report is due, but failure to
13638 receive such **[**form**]** notice shall not relieve a foreign limited liability
13639 company of the requirement of filing the report as provided in this
13640 section.

13641 Sec. 303. Section 34-301 of the general statutes is repealed and the
13642 following is substituted in lieu thereof (*Effective October 1, 2011*):

13643 As used in sections 34-300 to **[**34-399**]** 34-434, inclusive, as amended
13644 by this act:

13645 (1) "Business" includes every trade, occupation and profession.

13646 (2) "Debtor in bankruptcy" means a person who is the subject of: (A)
13647 An order for relief under Title 11 of the United States Code or a
13648 comparable order under a successor statute of general application; or
13649 (B) a comparable order under federal, state or foreign law governing
13650 insolvency.

13651 (3) "Deliver" or "delivery" means any method of delivery used in
13652 conventional commercial practice including delivery by hand, mail,
13653 commercial delivery and electronic transmission.

13654 **[**(3)**]** (4) "Distribution" means a transfer of money or other property
13655 from a partnership to a partner in the partner's capacity as a partner or
13656 to the partner's transferee.

13657 (5) "Document" includes anything delivered to the office of the
13658 Secretary of the State for filing under sections 34-300 to 34-434,
13659 inclusive, as amended by this act.

13660 (6) "Electronic transmission" or "electronically transmitted" means

13661 any process of communication not directly involving the physical
13662 transfer of paper that is suitable for the retention, retrieval and
13663 reproduction of information by the recipient.

13664 [(4)] (7) "Foreign registered limited liability partnership" includes a
13665 partnership formed pursuant to an agreement governed by the laws of
13666 any state other than this state and registered or denominated as a
13667 registered limited liability partnership or limited liability partnership
13668 under the laws of such other state.

13669 [(5)] (8) "Interests" means the proprietary interests in an other entity.

13670 [(6)] (9) "Merger" means a business combination pursuant to section
13671 34-388.

13672 [(7)] (10) "Organizational documents" means the basic document or
13673 documents that create, or determine the internal governance of, an
13674 other entity.

13675 [(8)] (11) "Other entity" means any association or legal entity, other
13676 than a domestic or foreign partnership, organized to conduct business,
13677 including, but not limited to, a corporation, limited partnership,
13678 limited liability partnership, limited liability company, joint venture,
13679 joint stock company, business trust, statutory trust and real estate
13680 investment trust.

13681 [(9)] (12) "Partnership" means an association of two or more persons
13682 to carry on as co-owners a business for profit formed under section 34-
13683 314, predecessor law or comparable law of another jurisdiction, and
13684 includes for all purposes of the laws of this state a registered limited
13685 liability partnership.

13686 [(10)] (13) "Partnership agreement" means the agreement, whether
13687 written, oral or implied, among the partners concerning the
13688 partnership, including amendments to the partnership agreement.

13689 [(11)] (14) "Partnership at will" means a partnership in which the

13690 partners have not agreed to remain partners until the expiration of a
13691 definite term or the completion of a particular undertaking.

13692 [(12)] (15) "Partnership interest" or "partner's interest in the
13693 partnership" means all of a partner's interests in the partnership,
13694 including the partner's transferable interest and all management and
13695 other rights.

13696 [(13)] (16) "Party to a merger" means any domestic or foreign
13697 partnership or other entity that will merge under a plan of merger.

13698 [(14)] (17) "Person" means an individual, corporation, limited
13699 liability company, business trust, estate, trust, partnership, association,
13700 joint venture, government, governmental subdivision, agency or
13701 instrumentality, or any other legal or commercial entity.

13702 [(15)] (18) "Plan of merger" means a plan entered into pursuant to
13703 section 34-388.

13704 [(16)] (19) "Property" means all property, real, personal or mixed,
13705 tangible or intangible, or any interest therein.

13706 [(17)] (20) "Registered limited liability partnership" includes a
13707 partnership formed pursuant to an agreement governed by the laws of
13708 this state, registered under section 34-419, and complying with sections
13709 34-406 and 34-420, as amended by this act.

13710 (21) "Sign" or "signature" includes any manual, facsimile, conformed
13711 or electronic signature.

13712 [(18)] (22) "State" means a state of the United States, the District of
13713 Columbia, the Commonwealth of Puerto Rico or any territory or
13714 insular possession subject to the jurisdiction of the United States.

13715 [(19)] (23) "Statement" means a statement of partnership authority
13716 under section 34-324, a statement of denial under section 34-325, a
13717 statement of dissociation under section 34-365, a statement of

13718 dissolution under section 34-376, a statement of merger under section
13719 34-390, or an amendment or cancellation of any of the foregoing.

13720 **[**(20)**]** (24) "Survivor" in a merger means the partnership or other
13721 entity into which one or more other partnerships or other entities are
13722 merged or consolidated. A survivor of a merger may preexist the
13723 merger or be created by the merger.

13724 **[**(21)**]** (25) "Transfer" includes an assignment, conveyance, lease,
13725 mortgage, deed and encumbrance.

13726 Sec. 304. Section 34-411 of the general statutes is repealed and the
13727 following is substituted in lieu thereof (*Effective October 1, 2011*):

13728 (a) The original signed copy of a certificate of limited liability
13729 partnership of a registered limited liability partnership or the
13730 certificate of authority of a foreign registered limited liability
13731 partnership or of any other document required to be filed pursuant to
13732 sections 34-300 to 34-434, inclusive, as amended by this act, shall be
13733 delivered to the Secretary of the State. Unless the Secretary of the State
13734 determines that the documents do not conform to the filing provisions
13735 of said sections, he shall, when all required filing fees have been paid:
13736 (1) Endorse on each signed original "filed" and the date and time of its
13737 acceptance for filing; and (2) retain the signed original in his files.

13738 (b) When any document is required or permitted to be filed or
13739 recorded as provided in sections 34-300 to 34-434, inclusive, as
13740 amended by this act, the Secretary of the State may, in the Secretary of
13741 the State's discretion, for good cause, permit a photostatic or other
13742 photographic copy of such document to be filed or recorded in lieu of
13743 the original instrument. Such filing or recording shall have the same
13744 force and effect as if the original instrument had been so filed or
13745 recorded.

13746 (c) The Secretary of the State may require or permit the filing by
13747 electronic transmission or by employing new technology as it is
13748 developed of any document that is required by law or regulation

13749 adopted under sections 34-300 to 34-434, inclusive, as amended by this
13750 act, to be filed with the Secretary of the State.

13751 **[**(b)**]** (d) If the Secretary of the State determines that the documents
13752 do not conform to the filing provisions of sections 34-300 to 34-434,
13753 inclusive, as amended by this act, or are not accompanied by all fees
13754 required by law, the documents shall not be filed and the Secretary of
13755 the State shall return the documents to the person originally
13756 submitting them.

13757 Sec. 305. Section 34-420 of the general statutes is repealed and the
13758 following is substituted in lieu thereof (*Effective October 1, 2011*):

13759 (a) Each registered limited liability partnership shall file an annual
13760 report with the Secretary of the State, which report shall be due upon
13761 the anniversary of the filing of a certificate of limited liability
13762 partnership pursuant to section 34-419. On and after October 1, 2011,
13763 each registered limited liability partnership shall file an annual report
13764 by electronic transmission on or after October first and prior to January
13765 first. Upon request of a registered limited liability partnership, the
13766 Secretary of the State may grant an exemption from the requirement to
13767 file an annual report by electronic transmission if the registered limited
13768 liability partnership does not have the capability to file by electronic
13769 transmission or make payment in an authorized manner by electronic
13770 means or if other good cause is shown.

13771 (b) Such reporting requirement shall commence on or after January
13772 1, 1997, and continue annually thereafter.

13773 (c) Each annual report shall set forth: (1) The name of the registered
13774 limited liability partnership; **[**, and**]** (2) the registered limited liability
13775 partnership's current principal office address; and (3) the electronic
13776 mail address, if any, of the registered limited liability partnership.

13777 (d) Each annual report shall be executed in accordance with section
13778 34-410 and be accompanied by the filing fee established in section 34-
13779 413. The Secretary of the State shall **[**mail**]** deliver to each registered

13780 limited liability partnership at its principal office or electronic mail
13781 address, as shown on his records, [a form prescribed by him for the
13782 annual report] notice that the annual report is due, but failure to
13783 receive such [form] notice shall not relieve a registered limited liability
13784 partnership of the requirement of filing the report as provided in this
13785 section.

13786 Sec. 306. Section 34-431 of the general statutes is repealed and the
13787 following is substituted in lieu thereof (*Effective October 1, 2011*):

13788 (a) A foreign registered limited liability partnership authorized to
13789 transact business in this state shall file an annual report in the office of
13790 the Secretary of the State which report shall be due upon the
13791 anniversary of such foreign registered limited liability partnership's
13792 certificate of authority pursuant to section 34-429, as amended by this
13793 act. On and after October 1, 2011, each foreign registered limited
13794 liability partnership shall file an annual report by electronic
13795 transmission on or after October first and prior to January first. Upon
13796 request of a foreign registered limited liability partnership, the
13797 Secretary of the State may grant an exemption from the requirement to
13798 file an annual report by electronic transmission if the foreign registered
13799 limited liability partnership does not have the capability to file by
13800 electronic transmission or make payment in an authorized manner by
13801 electronic means or if other good cause is shown.

13802 (b) Such reporting requirement shall commence on and after
13803 January 1, 1997, and continue annually thereafter.

13804 (c) Each annual report shall set forth: (1) The name of the foreign
13805 registered limited liability partnership and, if different, the name
13806 under which such foreign registered limited liability partnership
13807 transacts business in this state; [and] (2) the address of the office
13808 required to be maintained in the state or other jurisdiction of the
13809 foreign registered limited liability partnership's organization by the
13810 laws of that state or jurisdiction or, if not so required, the address of its
13811 principal office; and (3) the electronic mail address, if any, of the

13812 foreign registered limited liability partnership.

13813 (d) Each annual report shall be executed in accordance with section
13814 34-410, and be accompanied by the filing fee established in section 34-
13815 413. The Secretary of the State shall [mail] deliver to each foreign
13816 registered limited liability partnership at its principal office or
13817 electronic mail address, as shown on his records, [a form prescribed by
13818 him for the annual report] notice that the annual report is due, but
13819 failure to receive such [form] notice shall not relieve a foreign
13820 registered limited liability partnership of the requirement of filing the
13821 report as provided in this section.

13822 Sec. 307. Section 34-501 of the general statutes is repealed and the
13823 following is substituted in lieu thereof (*Effective October 1, 2011*):

13824 For purposes of sections 34-500 to 34-547, inclusive, as amended by
13825 this act:

13826 (1) "Beneficial owner" means any owner of a beneficial interest in a
13827 statutory trust. Beneficial ownership shall be determined and
13828 evidenced, whether by means of registration, the issuance of
13829 certificates or otherwise, in accordance with the applicable provisions
13830 of the governing instrument of the statutory trust.

13831 (2) "Statutory trust" or "domestic statutory trust" means an
13832 unincorporated association which (A) is created by a trust instrument
13833 under which property is or will be held, managed, administered,
13834 controlled, invested, reinvested or operated, or business or
13835 professional activities are carried on or will be carried on, by a trustee
13836 or trustees for the benefit of such person or persons as are or may
13837 become entitled to a beneficial interest in the trust property, including
13838 but not limited to a trust of the type known at common law as a
13839 "business trust" or "Massachusetts trust" or "grantor trust", or a trust
13840 qualifying as a real estate investment trust under Section 856 et seq., of
13841 the United States Internal Revenue Code of 1986, or any subsequent
13842 corresponding internal revenue code of the United States, as from time

13843 to time amended, or a trust qualifying as a real estate mortgage
13844 investment conduit under Section 860D of the United States Internal
13845 Revenue Code of 1986, or any subsequent corresponding internal
13846 revenue code of the United States, as from time to time amended, and
13847 (B) files a certificate of trust pursuant to section 34-503, as amended by
13848 this act. Any such association organized before or after October 1, 1997,
13849 shall be a statutory trust and a separate legal entity.

13850 (3) "Document" includes anything delivered to the office of the
13851 Secretary of the State for filing under sections 34-500 to 34-547,
13852 inclusive, as amended by this act.

13853 **[**(3)**]** (4) "Foreign statutory trust" means any business trust,
13854 association or similar entity which is not organized under the laws of
13855 this state.

13856 **[**(4)**]** (5) "Governing instrument" means a trust instrument which
13857 creates a statutory trust and provides for the governance of the affairs
13858 of the statutory trust and the conduct of its business. A governing
13859 instrument: (A) May provide that a person shall become a beneficial
13860 owner and shall become bound by the governing instrument if such
13861 person, or a representative authorized by such person orally, in
13862 writing or by other action such as payment for a beneficial interest,
13863 complies with the conditions for becoming a beneficial owner set forth
13864 in the governing instrument or any other writing and acquires a
13865 beneficial interest; and (B) may consist of one or more agreements,
13866 instruments or other writings and may refer to or incorporate bylaws
13867 containing provisions relating to the business of the statutory trust, the
13868 conduct of its affairs and its rights or powers or the rights or powers of
13869 its trustees, beneficial owners, agents or employees.

13870 **[**(5)**]** (6) "Other business entity" means a corporation, a limited
13871 liability company, a general or limited partnership, a limited liability
13872 partnership, a common law trust or any other unincorporated
13873 business.

13874 **[**(6)**]** (7) "Person" means a natural person, partnership, limited
13875 partnership, limited liability partnership, limited liability company,
13876 trust, estate, association, corporation, custodian, nominee or any other
13877 individual or entity in its own or any representative capacity.

13878 (8) "Sign" or "signature" includes any manual, facsimile, conformed
13879 or electronic signature.

13880 **[**(7)**]** (9) "Trustee" means the person or persons appointed as a
13881 trustee in accordance with the governing instrument of a statutory
13882 trust and may include one or more of the beneficial owners of the
13883 statutory trust.

13884 Sec. 308. Section 34-503 of the general statutes is repealed and the
13885 following is substituted in lieu thereof (*Effective October 1, 2011*):

13886 (a) Every statutory trust shall file **[**the original,**]** a signed copy of its
13887 certificate of trust with the office of the Secretary of the State. The
13888 certificate of trust shall set forth:

13889 (1) A name of the statutory trust that satisfies the requirements of
13890 section 34-506;

13891 (2) The future effective date, which shall be a date certain, of
13892 effectiveness of the certificate if it is not to be effective upon the filing
13893 of the certificate;

13894 (3) The principal office address of the statutory trust;

13895 (4) The appointment of a statutory agent for service of process, as
13896 required by section 34-507; and

13897 (5) Any other information the trustees determine to include therein.

13898 (b) (1) A certificate of trust may be amended by filing a certificate of
13899 amendment thereto with the office of the Secretary of the State. The
13900 certificate of amendment shall set forth: (A) The name of the statutory
13901 trust; (B) the date of filing of the **[**original**]** initial certificate of trust; (C)

13902 the amendment to the certificate; and (D) the future effective date,
13903 which shall be a date certain, of effectiveness of the certificate if it is
13904 not to be effective upon the filing of the certificate.

13905 (2) A certificate of trust may be amended at any time for any
13906 purpose as the trustees may determine, provided the certificate of trust
13907 as amended contains those provisions that are required by law to be
13908 contained in a certificate of trust at the time of making the amendment.

13909 (c) (1) A certificate of trust may be restated by integrating into a
13910 single instrument all of the provisions of the certificate of trust which
13911 are then in effect and operative as a result of there having been
13912 theretofore filed one or more certificates of amendment pursuant to
13913 subsection (b) of this section, and the certificate of trust may be
13914 amended or further amended by the filing of a restated certificate of
13915 trust. The restated certificate of trust shall be specifically designated as
13916 such in its heading and shall set forth: (A) The present name of the
13917 statutory trust and, if it has been changed, the name under which the
13918 statutory trust was originally formed; (B) the date of filing of the
13919 **[**original**]** initial certificate of trust; (C) the information required to be
13920 included pursuant to subsection (a) of this section; (D) the future
13921 effective date, which shall be a date certain, of effectiveness of the
13922 restated certificate of trust if it is not to be effective upon the filing of
13923 the restated certificate of trust; and (E) any other information the
13924 trustees determine to include therein.

13925 (2) A certificate of trust may be restated at any time for any purpose
13926 as the trustees may determine.

13927 (d) A certificate of trust shall be cancelled upon the completion of
13928 winding up of the statutory trust and its termination. A certificate of
13929 cancellation shall be filed in the office of the Secretary of the State and
13930 set forth: (1) The name of the statutory trust; (2) the date of filing of the
13931 **[**original**]** initial certificate of trust; (3) the reason for filing the
13932 certificate of cancellation; (4) the future effective date, which shall be a
13933 date certain, of cancellation if it is not to be effective upon the filing of

13934 the certificate; and (5) any other information the trustees determine to
13935 include therein.

13936 (e) When any document is required or permitted to be filed or
13937 recorded as provided in sections 34-500 to 34-547, inclusive, as
13938 amended by this act, the Secretary of the State may, in the Secretary of
13939 the State's discretion, for good cause, permit a photostatic or other
13940 photographic copy of such document to be filed or recorded in lieu of
13941 the original instrument. Such filing or recording shall have the same
13942 force and effect as if the original instrument had been so filed or
13943 recorded.

13944 **[**(e)**]** (f) Unless the office of the Secretary of the State determines that
13945 a document filed with it pursuant to this section does not conform to
13946 law, it shall, when all required filing fees have been paid, endorse on
13947 each signed **[**original of such**]** document the word "Filed" and the date
13948 and time of its acceptance for filing and retain the **[**original**]** signed
13949 document in its files.

13950 Sec. 309. Section 34-429 of the general statutes is repealed and the
13951 following is substituted in lieu thereof (*Effective October 1, 2011*):

13952 Before transacting business in this state, a foreign registered limited
13953 liability partnership shall file a certificate of authority with the
13954 Secretary of the State executed by a person with authority to do so
13955 under the laws of the state or other jurisdiction where it is registered as
13956 a registered limited liability partnership. The certificate of authority
13957 shall set forth: (1) The name of the partnership and, if different, the
13958 name under which it proposes to transact business in this state, either
13959 of which shall conform to the requirements of section 34-406; (2) the
13960 state or other jurisdiction where it is registered as a registered limited
13961 liability partnership and the date of its registration; (3) the name and
13962 address of the agent in this state for service of process required to be
13963 maintained by section 34-408 and an acceptance of such appointment
13964 signed by the agent appointed; (4) the address of the office required to
13965 be maintained in the state or other jurisdiction of its organization by

13966 the laws of that state or jurisdiction or, if not so required, of the
13967 principal office of the partnership; (5) a representation that the
13968 partnership is a "foreign registered limited liability partnership" as
13969 defined in **[**subdivision (4) of**]** section 34-301, as amended by this act;
13970 (6) a brief statement of the business in which the partnership engages;
13971 and (7) any other matters the partnership may determine to include.

13972 Sec. 310. Section 34-531 of the general statutes is repealed and the
13973 following is substituted in lieu thereof (*Effective October 1, 2011*):

13974 Before transacting business in this state, a foreign statutory trust
13975 shall register with the Secretary of the State. In order to register, a
13976 foreign statutory trust shall submit to the Secretary of the State an
13977 original signed copy of an application for registration as a foreign
13978 statutory trust executed by a person with authority to do so under the
13979 laws of the state or other jurisdiction of its formation. The application
13980 shall set forth: (1) The name of the foreign statutory trust and, if
13981 different, the name under which it proposes to transact business in this
13982 state; (2) the state or other jurisdiction where formed, and date of its
13983 organization; (3) the name and address of the agent in this state for
13984 service of process on the foreign statutory trust required to be
13985 maintained by section 34-532 and an acceptance of such appointment
13986 signed by the agent appointed if other than the Secretary of the State;
13987 (4) the address of the office required to be maintained in the state or
13988 other jurisdiction of its organization by the laws of that state or
13989 jurisdiction or, if not so required, of the principal office of the foreign
13990 statutory trust; (5) a representation that the foreign statutory trust is a
13991 "foreign statutory trust" as defined in **[**subdivision (3) of**]** section 34-
13992 501, as amended by this act; and (6) the character of the business which
13993 the statutory trust intends to transact in this state.

13994 Sec. 311. (NEW) (*Effective from passage*) Notwithstanding any
13995 provision of the general statutes, each state agency shall modify its
13996 forms to ask for the electronic mail address of all clients, licensees or
13997 other persons routinely contacted by such agency and such agency
13998 may notify such clients, licensees or other persons using the electronic

13999 mail address provided rather than posting such notification by mail.

14000 Sec. 312. (NEW) (*Effective from passage*) On and after the effective
14001 date of this section, the Comptroller shall pay any vendor who receives
14002 more than one hundred payments per year, money that is owed by the
14003 state to such vendor, by electronic direct deposit to the account in a
14004 bank, Connecticut credit union or federal credit union of such vendor
14005 designated by such vendor.

14006 Sec. 313. (*Effective from passage*) The Comptroller shall evaluate
14007 current billing and payment methods of the state to determine where
14008 opportunities exist for the state to convert to electronic billing or
14009 payment and, not later than three months after the effective date of this
14010 section, shall report such opportunities to the joint standing committee
14011 of the General Assembly having cognizance of matters relating to
14012 government administration in accordance with the provisions of
14013 section 11-4a of the general statutes.

14014 Sec. 314. Section 1 of public act 09-206 is repealed and the following
14015 is substituted in lieu thereof (*Effective from passage*):

14016 (a) The Commissioners of Social Services and Administrative
14017 Services and the Comptroller, in consultation with the Commissioner
14018 of Public Health and the Insurance Commissioner, shall develop a plan
14019 to (1) implement and maintain a prescription drug purchasing
14020 program and procedures to aggregate or negotiate the purchase of
14021 pharmaceuticals for pharmaceutical programs benefiting state-
14022 administered general assistance, HUSKY Plan, Part B, Charter Oak
14023 Health Plan and ConnPACE recipients, inmates of the Department of
14024 Correction, and persons eligible for coverage under the group
14025 hospitalization and medical and surgical insurance plans procured
14026 under section 5-259 of the general statutes, <u>as amended by this act,</u> and
14027 (2) have the state join an existing multistate Medicaid pharmaceutical
14028 purchasing pool. Such plan shall determine the feasibility of subjecting
14029 some or all of the component programs set forth in subdivision (1) of
14030 this subsection to the preferred drug lists adopted pursuant to section

14031 17b-274d of the general statutes, as amended by this act.

14032 (b) The Commissioner of Social Services shall submit the plan
14033 authorized by subsection (a) of this section, including (1) a timetable
14034 for its implementation, (2) anticipated costs or savings resulting from
14035 its implementation and maintenance, (3) a timetable for achievement of
14036 any such savings, and (4) proposed legislative recommendations
14037 necessary to implement such plan to the joint standing committees of
14038 the General Assembly having cognizance of matters relating to
14039 government administration and elections, public health and human
14040 services, not later than **[**December 31, 2009**]** ninety days after the
14041 effective date of this section, in accordance with the provisions of
14042 section 11-4a of the general statutes. The commissioner shall submit to
14043 the Centers for Medicare and Medicaid Services any proposed
14044 Medicaid state plan amendment that may be required to implement
14045 the provisions of such plan.

14046 Sec. 315. Section 5-259 of the general statutes is repealed and the
14047 following is substituted in lieu thereof (*Effective July 1, 2011*):

14048 (a) The Comptroller, with the approval of the Attorney General and
14049 of the Insurance Commissioner, shall arrange and procure a group
14050 hospitalization and medical and surgical insurance plan or plans for
14051 (1) state employees, (2) members of the General Assembly who elect
14052 coverage under such plan or plans, (3) participants in an alternate
14053 retirement program who meet the service requirements of section
14054 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
14055 under section 5-144 or from any state-sponsored retirement system,
14056 except the teachers' retirement system and the municipal employees
14057 retirement system, (5) judges of probate and Probate Court employees,
14058 (6) the surviving spouse, and any dependent children until they reach
14059 the age of eighteen, of a state police officer, a member of an organized
14060 local police department, a firefighter or a constable (A) who performs
14061 criminal law enforcement duties, (B) who dies **[**before, on or after June
14062 26, 2003,**]** as the result of injuries received while acting within the
14063 scope of such officer's or firefighter's or constable's employment and

14064 not as the result of illness or natural causes, and (C) whose surviving
14065 spouse and dependent children are not otherwise eligible for a group
14066 hospitalization and medical and surgical insurance plan, (7) employees
14067 of the Capital City Economic Development Authority established by
14068 section 32-601, and (8) the surviving spouse and dependent children of
14069 any employee of a municipality who dies on or after October 1, 2000,
14070 as the result of injuries received while acting within the scope of such
14071 employee's employment and not as the result of illness or natural
14072 causes, and whose surviving spouse and dependent children are not
14073 otherwise eligible for a group hospitalization and medical and surgical
14074 insurance plan. For purposes of this subdivision, "employee" means
14075 any regular employee or elective officer receiving pay from a
14076 municipality, "municipality" means any town, city, borough, school
14077 district, taxing district, fire district, district department of health,
14078 probate district, housing authority, regional work force development
14079 board established under section 31-3k, flood commission or authority
14080 established by special act or regional planning agency. For purposes of
14081 subdivision (6) of this subsection, "firefighter" means any person who
14082 is regularly employed and paid by any municipality for the purpose of
14083 performing firefighting duties for a municipality on average of not less
14084 than thirty-five hours per week. The minimum benefits to be provided
14085 by such plan or plans shall be substantially equal in value to the
14086 benefits that each such employee or member of the General Assembly
14087 could secure in such plan or plans on an individual basis on the
14088 preceding first day of July. The state shall pay for each such employee
14089 and each member of the General Assembly covered by such plan or
14090 plans the portion of the premium charged for such member's or
14091 employee's individual coverage and seventy per cent of the additional
14092 cost of the form of coverage and such amount shall be credited to the
14093 total premiums owed by such employee or member of the General
14094 Assembly for the form of such member's or employee's coverage under
14095 such plan or plans. On and after January 1, 1989, the state shall pay for
14096 anyone receiving benefits from any such state-sponsored retirement
14097 system one hundred per cent of the portion of the premium charged
14098 for such member's or employee's individual coverage and one

14099 hundred per cent of any additional cost for the form of coverage. The
14100 balance of any premiums payable by an individual employee or by a
14101 member of the General Assembly for the form of coverage shall be
14102 deducted from the payroll by the State Comptroller. The total
14103 premiums payable shall be remitted by the Comptroller to the
14104 insurance company or companies or nonprofit organization or
14105 organizations providing the coverage. The amount of the state's
14106 contribution per employee for a health maintenance organization
14107 option shall be equal, in terms of dollars and cents, to the largest
14108 amount of the contribution per employee paid for any other option
14109 that is available to all eligible state employees included in the health
14110 benefits plan, but shall not be required to exceed the amount of the
14111 health maintenance organization premium.

14112 (b) The Comptroller shall develop, in consultation with the
14113 Commissioner of Social Services, a plan for the Comptroller to jointly
14114 procure prescription drugs for (1) persons identified in subsection (a)
14115 of this section, who are eligible to participate in the group
14116 hospitalization and medical and surgical insurance plan, and (2)
14117 persons who have been determined by the Commissioner of Social
14118 Services to be eligible for medical assistance benefits under programs
14119 including, but not limited to: (A) Medicaid; (B) the HUSKY Plan, Part
14120 A and Part B; (C) the HUSKY Plus programs; (D) ConnPACE; (E) the
14121 Charter Oak Health Plan; and (F) the Connecticut AIDS drug
14122 assistance program. The Comptroller shall implement such plan not
14123 later than July 1, 2012.

14124 **[**(b)**]** (c) The insurance coverage procured under subsection (a) of
14125 this section for active state employees, employees of the Connecticut
14126 Institute for Municipal Studies, anyone receiving benefits from any
14127 such state-sponsored retirement system and members of the General
14128 Assembly, who are over sixty-five years of age, may be modified to
14129 reflect benefits available to such employees or members pursuant to
14130 Social Security and medical benefits programs administered by the
14131 federal government, provided any payments required to secure such

14132 benefits administered by the federal government shall be paid by the
14133 Comptroller either directly to the employee or members or to the
14134 agency of the federal government authorized to collect such payments.

14135 [(c)] (d) On October 1, 1972, the Comptroller shall continue to afford
14136 payroll deduction services for employees participating in existing
14137 authorized plans covering state employees until such time as the
14138 employee elects in writing to be covered by the plan authorized by
14139 subsection (a) of this section.

14140 [(d)] (e) Notwithstanding the provisions of subsection (a) of this
14141 section, the state shall pay for a member of any such state-sponsored
14142 retirement system, or a participant in an alternate retirement program
14143 who meets the service requirements of section 5-162 or subsection (a)
14144 of section 5-166, and who begins receiving benefits from such system
14145 or program on or after November 1, 1989, eighty per cent of the
14146 portion of the premium charged for his individual coverage and eighty
14147 per cent of any additional cost for his form of coverage. Upon the
14148 death of any such member, any surviving spouse of such member who
14149 begins receiving benefits from such system shall be eligible for
14150 coverage under this section and the state shall pay for any such spouse
14151 eighty per cent of the portion of the premium charged for his
14152 individual coverage and eighty per cent of any additional cost for his
14153 form of coverage.

14154 [(e)] (f) Notwithstanding the provisions of subsection (a) of this
14155 section, (1) vending stand operators eligible for membership in the
14156 state employee's retirement system pursuant to section 5-175a, shall be
14157 eligible for coverage under the group hospitalization and medical and
14158 surgical insurance plans procured under this section, provided the cost
14159 for such operators' insurance coverage shall be paid by the Board of
14160 Education and Services for the Blind from vending machine income
14161 pursuant to section 10-303, and (2) blind persons employed in
14162 workshops, established pursuant to section 10-298a, on December 31,
14163 2002, shall be eligible for coverage under the group hospitalization and
14164 medical and surgical insurance plans procured under this section,

14165 provided the cost for such persons' insurance coverage shall be paid by
14166 the Board of Education and Services for the Blind. General workers
14167 employed in positions by the Department of Developmental Services
14168 as self-advocates, not to exceed eleven employees, shall be eligible for
14169 sick leave, in accordance with section 5-247, vacation and personal
14170 leave, in accordance with section 5-250, and holidays, in accordance
14171 with section 5-254.

14172 [(f)] (g) The Comptroller, with the approval of the Attorney General
14173 and of the Insurance Commissioner, shall arrange and procure a group
14174 hospitalization and medical and surgical insurance plan or plans for
14175 any person who adopts a child from the state foster care system, any
14176 person who has been a foster parent for the Department of Children
14177 and Families for six months or more, a parent in a permanent family
14178 residence for six months or more, and any dependent of such adoptive
14179 parent, foster parent or parent in a permanent family residence who
14180 elects coverage under such plan or plans. The Comptroller may also
14181 arrange for inclusion of such person and any such dependent in an
14182 existing group hospitalization and medical and surgical insurance plan
14183 offered by the state. Any adoptive parent, foster parent or a parent in a
14184 permanent family residence and any dependent who elects coverage
14185 shall pay one hundred per cent of the premium charged for such
14186 coverage directly to the insurer, provided such adoptive parent, foster
14187 parent or parent and all such dependents shall be included in such
14188 group hospitalization and medical and surgical insurance plan. A
14189 person and his dependents electing coverage pursuant to this
14190 subsection shall be eligible for such coverage until no longer an
14191 adoptive parent, a foster parent or a parent in a permanent family
14192 residence. An adoptive parent shall be eligible for such coverage until
14193 the adopted child reaches the age of eighteen or, if the child has not
14194 completed a secondary education program, until such child reaches
14195 the age of twenty-one. As used in this section "dependent" means a
14196 spouse or natural or adopted child if such child is wholly or partially
14197 dependent for support upon the adoptive parent, foster parent or
14198 parent in a permanent family residence.

14199 [(g)] (h) Notwithstanding the provisions of subsection (a) of this
14200 section, the Probate Court Administration Fund established in
14201 accordance with section 45a-82, shall pay for each probate judge and
14202 each probate court employee not more than one hundred per cent of
14203 the portion of the premium charged for the judge's or employee's
14204 individual coverage and not more than fifty per cent of any additional
14205 cost for the judge's or employee's form of coverage. The remainder of
14206 the premium for such coverage shall be paid by the probate judge or
14207 probate court employee to the State Treasurer. Payment shall be
14208 credited by the State Treasurer to the fund established by section 45a-
14209 82. The total premiums payable shall be remitted by the Probate Court
14210 Administrator directly to the insurance company or companies or
14211 nonprofit organization or organizations providing the coverage. The
14212 Probate Court Administrator shall issue regulations governing group
14213 hospitalization and medical and surgical insurance pursuant to
14214 subsection (b) of section 45a-77.

14215 [(h)] (i) For the purpose of subsection [(g)] (h) of this section,
14216 "probate judge" or "judge" means a duly elected probate judge who
14217 works in such judge's capacity as a probate judge at least twenty hours
14218 per week, on average, on a quarterly basis and certifies to that fact on
14219 forms provided by and filed with the Probate Court Administrator, on
14220 or before the fifteenth day of April, July, October and January, for the
14221 preceding calendar quarter; and "probate court employee" or
14222 "employee" means a person employed by a probate court for at least
14223 twenty hours per week.

14224 [(i)] (j) The Comptroller may provide for coverage of employees of
14225 municipalities, nonprofit corporations, community action agencies and
14226 small employers and individuals eligible for a health coverage tax
14227 credit, retired members or members of an association for personal care
14228 assistants under the plan or plans procured under subsection (a) of this
14229 section, provided: (1) Participation by each municipality, nonprofit
14230 corporation, community action agency, small employer, eligible
14231 individual, retired member or association for personal care assistants

14232 shall be on a voluntary basis; (2) where an employee organization
14233 represents employees of a municipality, nonprofit corporation,
14234 community action agency or small employer, participation in a plan or
14235 plans to be procured under subsection (a) of this section shall be by
14236 mutual agreement of the municipality, nonprofit corporation,
14237 community action agency or small employer and the employee
14238 organization only and neither party may submit the issue of
14239 participation to binding arbitration except by mutual agreement if
14240 such binding arbitration is available; (3) no group of employees shall
14241 be refused entry into the plan by reason of past or future health care
14242 costs or claim experience; (4) rates paid by the state for its employees
14243 under subsection (a) of this section are not adversely affected by this
14244 subsection; (5) administrative costs to the plan or plans provided
14245 under this subsection shall not be paid by the state; (6) participation in
14246 the plan or plans in an amount determined by the state shall be for the
14247 duration of the period of the plan or plans, or for such other period as
14248 mutually agreed by the municipality, nonprofit corporation,
14249 community action agency, small employer, retired member or
14250 association for personal care assistants and the Comptroller; and (7)
14251 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
14252 shall be construed as requiring a participating insurer or health care
14253 center to issue individual policies to individuals eligible for a health
14254 coverage tax credit. The coverage provided under this section may be
14255 referred to as the "Municipal Employee Health Insurance Plan". The
14256 Comptroller may arrange and procure for the employees and eligible
14257 individuals under this subsection health benefit plans that vary from
14258 the plan or plans procured under subsection (a) of this section.
14259 Notwithstanding any provision of part V of chapter 700c, the coverage
14260 provided under this subsection may be offered on either a fully
14261 underwritten or risk-pooled basis at the discretion of the Comptroller.
14262 For the purposes of this subsection, (A) "municipality" means any
14263 town, city, borough, school district, taxing district, fire district, district
14264 department of health, probate district, housing authority, regional
14265 work force development board established under section 31-3k,
14266 regional emergency telecommunications center, tourism district

14267 established under section 32-302, flood commission or authority
14268 established by special act, regional planning agency, transit district
14269 formed under chapter 103a, or the Children's Center established by
14270 number 571 of the public acts of 1969; (B) "nonprofit corporation"
14271 means (i) a nonprofit corporation organized under 26 USC 501 that has
14272 a contract with the state or receives a portion of its funding from a
14273 municipality, the state or the federal government, or (ii) an
14274 organization that is tax exempt pursuant to 26 USC 501(c)(5); (C)
14275 "community action agency" means a community action agency, as
14276 defined in section 17b-885; (D) "small employer" means a small
14277 employer, as defined in subparagraph (A) of subdivision (4) of section
14278 38a-564; (E) "eligible individuals" or "individuals eligible for a health
14279 coverage tax credit" means individuals who are eligible for the credit
14280 for health insurance costs under Section 35 of the Internal Revenue
14281 Code of 1986, or any subsequent corresponding internal revenue code
14282 of the United States, as from time to time amended, in accordance with
14283 the Pension Benefit Guaranty Corporation and Trade Adjustment
14284 Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F)
14285 "association for personal care assistants" means an organization
14286 composed of personal care attendants who are employed by recipients
14287 of service (i) under the home-care program for the elderly under
14288 section 17b-342, (ii) under the personal care assistance program under
14289 section 17b-605a, (iii) in an independent living center pursuant to
14290 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for
14291 individuals with acquired brain injury as described in section 17b-
14292 260a; and (G) "retired members" means individuals eligible for a
14293 retirement benefit from the Connecticut municipal employees'
14294 retirement system.

14295 **[**(j)**]** (k) (1) Notwithstanding any provision of law to the contrary,
14296 the existing rights and obligations of state employee organizations and
14297 the state employer under current law and contract shall not be
14298 impaired by the provisions of this section. (2) Other conditions of entry
14299 for any group into the plan or plans procured under subsection (a) of
14300 this section shall be determined by the Comptroller upon the

14301 recommendation of a coalition committee established pursuant to
14302 subsection (f) of section 5-278, except for such conditions referenced in
14303 subsection [(g)] (h) of this section. (3) Additional determinations by the
14304 Comptroller on (A) issues generated by any group's actual or
14305 contemplated participation in the plan or plans, (B) modifications to
14306 the terms and conditions of any group's continued participation, (C)
14307 related matters shall be made upon the recommendation of such
14308 committee. (4) Notwithstanding any provision of law to the contrary, a
14309 municipal employer and an employee organization may upon mutual
14310 agreement reopen a collective bargaining agreement for the exclusive
14311 purpose of negotiating on the participation by such municipal
14312 employer or employee organization in the plan or plans offered under
14313 the provisions of this section.

14314 [(k)] (l) The Comptroller shall submit annually to the General
14315 Assembly a review of the coverage of employees of municipalities,
14316 nonprofit corporations, community action agencies, small employers
14317 under subsection [(i)] (j) of this section and eligible individuals under
14318 subsection [(i)] (j) of this section beginning February 1, 2004.

14319 [(l)] (m) (1) Effective July 1, 1996, any deputies or special deputies
14320 appointed pursuant to section 6-37 of the general statutes, revision of
14321 1958, revised to 1999, or section 6-43, shall be allowed to participate in
14322 the plan or plans procured by the Comptroller pursuant to subsection
14323 (a) of this section. Such participation shall be voluntary and the
14324 participant shall pay the full cost of the coverage under such plan.

14325 (2) Effective December 1, 2000, any state marshal shall be allowed to
14326 participate in the plan or plans procured by the Comptroller pursuant
14327 to subsection (a) of this section. Such participation shall be voluntary
14328 and the participant shall pay the full cost of the coverage under such
14329 plan.

14330 (3) Effective December 1, 2000, any judicial marshal shall be allowed
14331 to participate in the plan or plans procured by the Comptroller
14332 pursuant to subsection (a) of this section. Such participation shall be

14333 voluntary and the participant shall pay the full cost of the coverage
14334 under such plan unless and until the judicial marshals participate in
14335 the plan or plans procured by the Comptroller under this section
14336 through collective bargaining negotiations pursuant to subsection (f) of
14337 section 5-278.

14338 **[**(m)**]** (n) (1) Notwithstanding any provision of the general statutes,
14339 the Comptroller shall begin procedures to convert the group
14340 hospitalization and medical and surgical insurance plans set forth in
14341 subsection (a) of this section, including any prescription drug plan
14342 offered in connection with or in addition to such insurance plans, to
14343 self-insured plans, except that any dental plan offered in connection
14344 with or in addition to such self-insured plans may be fully insured.

14345 (2) The Comptroller may enter into contracts with third-party
14346 administrators to provide administrative services only for the self-
14347 insured plans set forth in subdivision (1) of this subsection. Any such
14348 third-party administrator shall be required under such contract to
14349 charge such third-party administrator's lowest available rate for such
14350 services.

14351 (3) (A) (i) The Comptroller shall offer nonstate public employers the
14352 option to purchase prescription drugs for their employees, employees'
14353 dependents and retirees under the purchasing authority of the state
14354 pursuant to section 1 of public act 09-206, as amended by this act,
14355 subject to the provisions of subparagraph (E) of this subdivision.

14356 (ii) For purposes of this subdivision, "nonstate public employer"
14357 means (I) a municipality or other political subdivision of the state,
14358 including a board of education, quasi-public agency or public library,
14359 as defined in section 11-24a, or (II) the Teachers' Retirement Board.

14360 (B) The Comptroller shall establish procedures to determine (i) the
14361 eligibility requirements for, (ii) the enrollment procedures for, (iii) the
14362 duration of, (iv) requirements regarding payment for, and (v) the
14363 procedures for withdrawal from and termination of, the purchasing of

14364 prescription drugs for nonstate public employers under subparagraph
14365 (A) of this subdivision.

14366 (C) The Comptroller may offer to nonstate public employers that
14367 choose to purchase prescription drugs pursuant to subparagraph (A)
14368 of this subdivision the option to purchase stop loss coverage from an
14369 insurer at a rate negotiated by the Comptroller.

14370 (D) Two or more nonstate public employers may join together for
14371 the purpose of purchasing prescription drugs for their employees,
14372 employees' dependents and retirees. Such arrangement shall not
14373 constitute a multiple employer welfare arrangement, as defined in
14374 Section 3 of the Employee Retirement Income Security Act of 1974, as
14375 amended from time to time.

14376 (E) (i) The Comptroller shall offer nonstate public employers the
14377 option to purchase prescription drugs through the plan set forth in the
14378 State Employees' Bargaining Agent Coalition's collective bargaining
14379 agreement with the state only if the Health Care Cost Containment
14380 Committee, established in accordance with the ratified agreement
14381 between the state and said coalition pursuant to subsection (f) of
14382 section 5-278, has indicated in writing to the Comptroller that allowing
14383 such nonstate public employers such option is consistent with said
14384 coalition's collective bargaining agreement.

14385 (ii) Such writing shall not be required if the Comptroller establishes
14386 a separate prescription drugs purchasing plan for nonstate public
14387 employers.

14388 (iii) Nonstate public employers that purchase prescription drugs
14389 pursuant to this subdivision shall pay the full cost of their own claims
14390 and prescription drugs.

14391 Sec. 316. Subsection (b) of section 38a-472d of the general statutes is
14392 repealed and the following is substituted in lieu thereof (*Effective July*
14393 *1, 2011*):

14394 (b) The information on the department's Internet web site shall
14395 reference the availability and general eligibility requirements of (1)
14396 programs administered by the Department of Social Services,
14397 including, but not limited to, the Medicaid program, the HUSKY Plan,
14398 Part A and Part B, and the state-administered general assistance
14399 program, (2) health insurance coverage provided by the Comptroller
14400 under subsection **[**(i)**]** (j) of section 5-259, as amended by this act, (3)
14401 health insurance coverage available under comprehensive health care
14402 plans issued pursuant to part IV of this chapter, and (4) other health
14403 insurance coverage offered through local, state or federal agencies or
14404 through entities licensed in this state. The commissioner shall update
14405 the information on the web site at least quarterly.

14406 Sec. 317. Subsection (b) of section 38a-556a of the general statutes is
14407 repealed and the following is substituted in lieu thereof (*Effective July*
14408 *1, 2011*):

14409 (b) Said association shall, in consultation with the Insurance
14410 Commissioner and the Healthcare Advocate, develop, within available
14411 appropriations, a web site, telephone number or other method to serve
14412 as a clearinghouse for information about individual and small
14413 employer health insurance policies and health care plans that are
14414 available to consumers in this state, including, but not limited to, the
14415 Medicaid program, the HUSKY Plan, state-administered general
14416 assistance, the Charter Oak Health Plan set forth in section 17b-311, the
14417 Municipal Employee Health Insurance Plan set forth in subsection **[**(i)**]**
14418 (j) of section 5-259, as amended by this act, and any individual or small
14419 employer health insurance policies or health care plans an insurer,
14420 health care center or other entity chooses to list with the Connecticut
14421 Clearinghouse.

14422 Sec. 318. Subdivision (22) of section 38a-567 of the general statutes is
14423 repealed and the following is substituted in lieu thereof (*Effective July*
14424 *1, 2011*):

14425 (22) (A) With respect to plans or arrangements issued pursuant to

14426 subsection [(i)] (j) of section 5-259, as amended by this act, at the option
14427 of the Comptroller, the premium rates charged or offered to small
14428 employers purchasing health insurance shall not be subject to this
14429 section, provided (i) the plan or plans offered or issued cover such
14430 small employers as a single entity and cover not less than three
14431 thousand employees on the date issued, (ii) each small employer is
14432 charged or offered the same premium rate with respect to each
14433 employee and dependent, and (iii) the plan or plans are written on a
14434 guaranteed issue basis.

14435 (B) With respect to plans or arrangements issued by an association
14436 group plan, at the option of the administrator of the association group
14437 plan, the premium rates charged or offered to small employers
14438 purchasing health insurance shall not be subject to this section,
14439 provided (i) the plan or plans offered or issued cover such small
14440 employers as a single entity and cover not less than three thousand
14441 employees on the date issued, (ii) each small employer is charged or
14442 offered the same premium rate with respect to each employee and
14443 dependent, and (iii) the plan or plans are written on a guaranteed issue
14444 basis. In addition, such association group (I) shall be a bona fide group
14445 as set forth in the Employee Retirement and Security Act of 1974, (II)
14446 shall not be formed for the purposes of fictitious grouping, as defined
14447 in section 38a-827, and (III) shall not issue any plan that shall cause
14448 undue disruption in the insurance marketplace, as determined by the
14449 commissioner.

14450 Sec. 319. Subdivision (5) of section 45a-34 of the general statutes is
14451 repealed and the following is substituted in lieu thereof (*Effective July*
14452 *1, 2011*):

14453 (5) "Judge" means a judge of probate, except that, with respect to a
14454 judge first elected for a term beginning on or after January 5, 2011,
14455 judge means a person who holds the office of judge of probate and
14456 works in such judge's capacity as a judge of probate for at least one
14457 thousand hours per year as determined pursuant to information filed
14458 by the judge of probate with the Probate Court Administrator

14459 pursuant to subsection **[**(h)**]** (i) of section 5-259, as amended by this act;

14460 Sec. 320. Subsection (a) of section 17b-256 of the general statutes is
14461 repealed and the following is substituted in lieu thereof (*Effective July*
14462 *1, 2011*):

14463 (a) The Commissioner of Social Services may administer, within
14464 available appropriations, a program providing payment for the cost of
14465 drugs prescribed by a physician for the treatment of acquired
14466 immunodeficiency syndrome or human immunodeficiency virus. The
14467 Comptroller shall be responsible for the procurement of such drugs.
14468 The **[**commissioner**]** Commissioner of Social Services, in consultation
14469 with the Commissioner of Public Health, shall determine specific
14470 drugs to be covered and may implement a pharmacy lock-in
14471 procedure for the program. The Commissioner of Social Services shall
14472 adopt regulations, in accordance with the provisions of chapter 54, to
14473 carry out the purposes of this section. The commissioner may
14474 implement the program while in the process of adopting regulations,
14475 provided notice of intent to adopt the regulations is published in the
14476 Connecticut Law Journal within twenty days of implementation. The
14477 regulations may include eligibility for all persons with acquired
14478 immunodeficiency syndrome or human immunodeficiency virus
14479 whose income is below four hundred per cent of the federal poverty
14480 level. Subject to federal approval, the commissioner may, within
14481 available federal resources, maintain existing insurance policies for
14482 eligible clients, including, but not limited to, coverage of costs
14483 associated with such policies, that provide a full range of human
14484 immunodeficiency virus treatments and access to comprehensive
14485 primary care services as determined by the commissioner and as
14486 provided by federal law, and may provide payment, determined by
14487 the commissioner, for (1) drugs and nutritional supplements
14488 prescribed by a physician that prevent or treat opportunistic diseases
14489 and conditions associated with acquired immunodeficiency syndrome
14490 or human immunodeficiency virus; (2) ancillary supplies related to the
14491 administration of such drugs; and (3) laboratory tests ordered by a

14492 physician. On and after May 26, 2006, any person who previously
14493 received insurance assistance under the program established pursuant
14494 to section 17b-255 of the general statutes, revision of 1958, revised to
14495 2005, shall continue to receive such assistance until the expiration of
14496 the insurance coverage, provided such person continues to meet
14497 program eligibility requirements established in accordance with this
14498 subsection. On or before March 1, 2007, and annually thereafter, the
14499 Commissioner of Social Services shall report, in accordance with
14500 section 11-4a, to the joint standing committees of the General
14501 Assembly having cognizance of matters relating to human services,
14502 public health and appropriations and the budgets of state agencies on
14503 the projected availability of funds for the program established
14504 pursuant to this section.

14505 Sec. 321. (NEW) (*Effective July 1, 2011*) The Comptroller shall, in
14506 consultation with the Commissioner of Social Services, contract with a
14507 pharmacy benefits manager or a single entity qualified to deliver
14508 comprehensive health care services, in accordance with subsection 17b-
14509 266 of the general statutes, to provide prescription drug coverage to
14510 medical assistance recipients receiving services in a managed care
14511 setting.

14512 Sec. 322. Section 17b-274a of the general statutes is repealed and the
14513 following is substituted in lieu thereof (*Effective July 1, 2011*):

14514 The **[**Commissioner of Social Services may**]** <u>Comptroller shall</u>
14515 establish maximum allowable costs to be paid under the Medicaid,
14516 state-administered general assistance, ConnPACE and Connecticut
14517 AIDS drug assistance programs for generic prescription drugs **[**based
14518 on, but not limited to,**]** <u>which shall be equal to the</u> actual acquisition
14519 costs. **[**The department shall implement and maintain a procedure to
14520 review and update the maximum allowable cost list at least annually,
14521 and shall report annually to the joint standing committee of the
14522 General Assembly having cognizance of matters relating to
14523 appropriations and the budgets of state agencies on its activities
14524 pursuant to this section.**]**

14525 Sec. 323. Subsection (l) of section 17b-274d of the general statutes is
14526 repealed and the following is substituted in lieu thereof (*Effective July*
14527 *1, 2011*):

14528 (l) The **[**Commissioner of Social Services may**]** Comptroller shall, in
14529 consultation with the Commissioner of Social Services, contract with a
14530 pharmacy benefits **[**organization**]** manager or a single entity qualified
14531 to negotiate with pharmaceutical manufacturers for supplemental
14532 rebates, available pursuant to 42 USC 1396r-8(c), for the purchase of
14533 drugs listed on the preferred drug lists established pursuant to
14534 subsection (e) of this section.

14535 Sec. 324. Subsection (a) of section 17b-280 of the general statutes is
14536 repealed and the following is substituted in lieu thereof (*Effective July*
14537 *1, 2011*):

14538 (a) The state shall reimburse for all legend drugs provided under
14539 the Medicaid, state-administered general assistance, ConnPACE and
14540 Connecticut AIDS drug assistance programs at the **[**lower of (1) the
14541 rate established by the Centers for Medicare and Medicaid Services as
14542 the federal acquisition cost, (2) the average wholesale price minus
14543 fourteen per cent, or (3) an equivalent percentage as established under
14544 the Medicaid state plan**]** actual cost of procurement by the
14545 Comptroller. The commissioner shall also establish a professional fee
14546 of two dollars and ninety cents for each prescription to be paid to
14547 licensed pharmacies for dispensing drugs to Medicaid, state-
14548 administered general assistance, ConnPACE and Connecticut AIDS
14549 drug assistance recipients in accordance with federal regulations; and
14550 **[**on and after September 4, 1991,**]** payment for legend and nonlegend
14551 drugs provided to Medicaid recipients shall be based upon the actual
14552 package size dispensed. **[**Effective October 1, 1991, reimbursement**]**
14553 Reimbursement for over-the-counter drugs for such recipients shall be
14554 limited to those over-the-counter drugs and products published in the
14555 Connecticut Formulary, or the cross reference list, issued by the
14556 commissioner. The cost of all over-the-counter drugs and products
14557 provided to residents of nursing facilities, chronic disease hospitals,

14558 and intermediate care facilities for the mentally retarded shall be
14559 included in the facilities' per diem rate. Notwithstanding the
14560 provisions of this subsection, no dispensing fee shall be issued for a
14561 prescription drug dispensed to a ConnPACE or Medicaid recipient
14562 who is a Medicare Part D beneficiary when the prescription drug is a
14563 Medicare Part D drug, as defined in Public Law 108-173, the Medicare
14564 Prescription Drug, Improvement, and Modernization Act of 2003.

14565 Sec. 325. Section 17b-491 of the general statutes is repealed and the
14566 following is substituted in lieu thereof (*Effective July 1, 2011*):

14567 (a) There shall be a "Connecticut Pharmaceutical Assistance
14568 Contract to the Elderly and the Disabled Program" which shall be
14569 within the Department of Social Services. The program shall consist of
14570 payments by the state to pharmacies **[**for the reasonable**]** <u>at a rate equal</u>
14571 <u>to the actual</u> cost of <u>procurement by the Comptroller for</u> prescription
14572 drugs dispensed to eligible persons minus a copayment charge. The
14573 pharmacy shall collect the copayment charge from the eligible person
14574 at the time of each purchase of prescription drugs, and shall not waive,
14575 discount or rebate in whole or in part such amount. The copayment for
14576 each prescription shall not exceed sixteen dollars and twenty-five
14577 cents.

14578 (b) On January 1, 2002, and annually thereafter, the commissioner
14579 shall increase the income limits established in subsection (a) of this
14580 section that set the appropriate participant copayment by the increase
14581 in the annual inflation adjustment in Social Security income, if any.
14582 Each such adjustment shall be determined to the nearest one hundred
14583 dollars.

14584 **[**(c) Notwithstanding the provisions of subsection (a) of this section,
14585 effective September 15, 1991, payment by the state to a pharmacy
14586 under the program may be based on the price paid directly by a
14587 pharmacy to a pharmaceutical manufacturer for drugs dispensed
14588 under the program minus the copayment charge, plus the dispensing
14589 fee, if the direct price paid by the pharmacy is lower than the

14590 reasonable cost of such drugs.]

14591 [(d)] (c) [Effective September 15, 1991, reimbursement]
14592 Reimbursement to a pharmacy for prescription drugs dispensed under
14593 the program shall be based upon actual package size costs of drugs
14594 purchased by the pharmacy in units larger than or smaller than one
14595 hundred.

14596 [(e)] (d) Participation by a pharmaceutical manufacturer shall
14597 require that the department shall receive a rebate from the
14598 pharmaceutical manufacturer for prescriptions covered under the
14599 program and for prescriptions covered by the department pursuant to
14600 subsection (c) of section 17b-265e. Rebate amounts for brand name
14601 prescription drugs shall be equal to those under the Medicaid
14602 program. Rebate amounts for generic prescription drugs shall be
14603 established by the commissioner, provided such amounts may not be
14604 less than those under the Medicaid program. A participating
14605 pharmaceutical manufacturer shall make quarterly rebate payments to
14606 the department for the total number of dosage units of each form and
14607 strength of a prescription drug which the department reports as
14608 reimbursed to providers of prescription drugs, provided such
14609 payments shall not be due until thirty days following the
14610 manufacturer's receipt of utilization data from the department
14611 including the number of dosage units reimbursed to providers of
14612 prescription drugs during the quarter for which payment is due. The
14613 department may enter into contracts for supplemental rebates for
14614 drugs that are on a preferred drug list or formulary established by the
14615 department.

14616 [(f)] (e) All prescription drugs of a pharmaceutical manufacturer
14617 that participates in the program pursuant to subsection [(e)] (d) of this
14618 section shall be subject to prospective drug utilization review. Any
14619 prescription drug of a manufacturer that does not participate in the
14620 program shall not be reimbursable, unless the department determines
14621 the prescription drug is essential to program participants.

14622 Sec. 326. (*Effective from passage*) The Secretary of the Office of Policy
14623 and Management, in consultation with the Commissioners of Public
14624 Health, Developmental Services, Children and Families, Mental Health
14625 and Addiction Services and Social Services shall evaluate all existing
14626 purchase of service contracts and devise a system to consolidate such
14627 contracts in order to permit private providers to contract with the
14628 agencies of said commissioners using fewer contracts. Not later than
14629 three months after the effective date of this section, the secretary shall
14630 submit the findings of such study and any recommendations for
14631 legislation to the joint standing committee of the General Assembly
14632 having cognizance of matters relating to government administration in
14633 accordance with the provisions of section 11-4a of the general statutes.

14634 Sec. 327. (*Effective from passage*) The Secretary of the Office of Policy
14635 and Management shall review all existing personal service agreements
14636 of state agencies with a term of three years or more to determine
14637 whether such agreements are a good value to the state, and, to
14638 determine such value, the secretary shall assume a preference for
14639 fewer long-term contracts, restrictions on contract amendments,
14640 greater outside evaluation of need and greater use of contingency
14641 contracting. After such review, the secretary shall recommend changes
14642 to contracting practices with the goal of achieving a ten per cent
14643 savings in costs to the state for all personal service agreements in the
14644 aggregate. Not later than three months after the effective date of this
14645 section, the secretary shall submit a report containing the secretary's
14646 findings and recommendations as a result of such review to the joint
14647 standing committee of the General Assembly having cognizance of
14648 matters relating to government administration in accordance with the
14649 provisions of section 11-4a of the general statutes.

14650 Sec. 328. Section 4a-60b of the general statutes is repealed and the
14651 following is substituted in lieu thereof (*Effective from passage*):

14652 (a) For the purposes of this section:

14653 (1) "Reverse auction" means an on-line bidding process in which

14654 qualified bidders or qualified proposers, anonymous to each other,
14655 submit bids or proposals to provide goods, services or supplies
14656 pursuant to an invitation to bid or request for proposals; [and]

14657 (2) "Contracting agency" means a state agency with statutory
14658 authority to award contracts for goods, services or supplies, or a
14659 political subdivision of the state or school district; and

14660 (3) "Services" means any (A) laundry and cleaning service, (B) pest
14661 control service, (C) janitorial service, (D) security service, (E) rental,
14662 repair or maintenance of equipment, machinery or other personal
14663 property owned by the state, a political subdivision of the state or a
14664 school district, (F) advertising, (G) photostating, (H) mimeographing,
14665 or (I) other service arrangements, other than construction or
14666 construction management services, where such services are provided
14667 by persons other than employees of the state, a political subdivision of
14668 the state or a school district.

14669 (b) Notwithstanding any provision of the general statutes,
14670 whenever a contracting agency determines that the use of a reverse
14671 auction is advantageous to the contracting agency and will ensure a
14672 competitive contract award, the contracting agency may use a reverse
14673 auction to award a contract for goods, services or supplies, in
14674 accordance with any applicable requirement of the general statutes
14675 and policies of the contracting agency. The contracting agency may
14676 contract with a third party to prepare and manage any such reverse
14677 auction.

14678 Sec. 329. (NEW) (*Effective from passage*) (a) All state agencies shall
14679 use modern procurement practices in their routine purchasing in order
14680 to achieve a ten per cent reduction in the cost of contracting for the
14681 state. Such practices shall include, but not be limited to, reverse
14682 auctions as described in section 4a-60b of the general statutes, as
14683 amended by this act, job-order contracting, on-line submission of bids,
14684 membership in purchasing cooperatives, as described in section 4a-53
14685 of the general statutes, performance-based contracting and

14686 contingency contracting.

14687 (b) The Department of Administrative Services shall establish
14688 guidelines concerning such modern procurement practices for state
14689 agencies and shall post such guidelines on the Internet web site of the
14690 department.

14691 (c) For the purposes of this section, "job-order contracting" means
14692 method of contracting where the competitively bid contract uses a set
14693 of customized, prepriced, common construction tasks contained in a
14694 catalog and sets parameters such as the types of work that can be done,
14695 location of the work, design criteria and maximum amount of work to
14696 be awarded; "performance-based contracting" means a method of
14697 contracting where the agency states the result it wants achieved and
14698 allows contractors to make bids detailing their proposed solutions or
14699 methods of achieving the result and where the agency is charged with
14700 developing clear ways to measure the result as well as the contractors'
14701 performance over the course of the contract; and "contingency
14702 contracting" means a method of contracting where the contractor is
14703 paid on a percentage basis of the savings or revenue collected by the
14704 agency that is attributable to the contract.

14705 Sec. 330. (*Effective from passage*) Not later than ninety days after the
14706 effective date of this section, the Commissioner of Social Services shall
14707 submit a report, in accordance with the provisions of section 11-4a of
14708 the general statutes, to the joint standing committee of the General
14709 Assembly having cognizance of matters relating to government
14710 administration and elections concerning the return of unused
14711 prescription drugs by long-term care facilities to vendor pharmacies in
14712 accordance with section 17b-363a of the general statutes. Such report
14713 shall include, but not be limited to: (1) The name of each long-term
14714 care facility that the commissioner has notified of a failure to comply
14715 with the provisions of section 17b-363a of the general statutes and the
14716 amount of each penalty assessed by the commissioner pursuant to
14717 subsection (f) of section 17b-363a of the general statutes; (2) the total
14718 number of long-term care facilities that the commissioner has reason to

14719 suspect have failed to comply with the provisions of section 17b-363a
14720 of the general statutes and the reasons that a long-term care facility
14721 may have failed to comply with such provisions; (3) a description of
14722 efforts made by the commissioner to increase compliance with the
14723 provisions of section 17b-363a of the general statutes; and (4)
14724 recommendations for increasing compliance with section 17b-363a of
14725 the general statutes.

14726 Sec. 331. (NEW) (*Effective from passage*) Not later than ninety days
14727 after the effective date of this section, the Commissioner of Social
14728 Services shall develop and implement a plan to (1) increase by not less
14729 than five per cent the usage of generic substitute prescription drug
14730 products by recipients of benefits under the state's medical assistance
14731 programs, and (2) lower the amount the state pays for generic
14732 substitute prescription drug products for recipients of benefits under
14733 the state's medical assistance programs to an amount not more than
14734 the national average paid by states for generic substitute prescription
14735 drug products under the Medicaid program. Such plan shall include,
14736 but not be limited to, a description of policy changes to be
14737 implemented that will reduce the number of brand name drugs for
14738 which prior authorization is granted by the Department of Social
14739 Services or an independent pharmacy consultant acting on behalf of
14740 the department. Not later than September 1, 2011, the commissioner
14741 shall submit such plan to the joint standing committee of the General
14742 Assembly having cognizance of matters relating to government
14743 administration and elections.

14744 Sec. 332. (*Effective from passage*) The Department of Social Services'
14745 pharmacy program personnel shall direct the drug utilization review
14746 board to study (1) the average number of drug prescriptions issued,
14747 annually, to each recipient of benefits under the state's medical
14748 assistance programs, (2) the reasons for the high number of such drug
14749 prescriptions, as compared with the number of such drug prescriptions
14750 issued in other states, and (3) recommendations concerning the
14751 issuance of such drug prescriptions. Not later than ninety days after

14752 the effective date of this section, the Commissioner of Social Services
14753 shall report, in accordance with the provisions of section 11-4a of the
14754 general statutes, to the joint standing committee of the General
14755 Assembly having cognizance of matters relating to government
14756 administration and elections concerning the findings of the drug
14757 utilization review board.

14758 Sec. 333. (*Effective from passage*) The Department of Veterans' Affairs
14759 shall enter into a memorandum of understanding with the Department
14760 of Mental Health and Addiction Services to (1) permit the Department
14761 of Mental Health and Addiction Services to send quarterly electronic
14762 reports to the Department of Veterans' Affairs containing lists of clients
14763 of the Department of Mental Health and Addiction Services deemed
14764 by said department to be eligible for, or to be currently receiving
14765 benefits from, said department and the federal Department of
14766 Veterans' Affairs, (2) require the Department of Veterans' Affairs to
14767 further research the eligibility of the clients contained in such list for
14768 state or federal benefits, and (3) require the Department of Veterans'
14769 Affairs to report to the Department of Mental Health and Addiction
14770 Services on the status of such benefits.

14771 Sec. 334. (*Effective from passage*) (a) The Commissioner of Social
14772 Services shall adopt a long-term care rebalancing strategy that (1)
14773 meets the objectives of the State Balancing Incentive Payments
14774 Program established in the Patient Protection and Affordable Care Act,
14775 P.L. 111-148, and (2) establishes a goal to reduce the state nursing
14776 home bed ratio to the national nursing home bed ratio by 2017. For
14777 purposes of this section, "nursing home bed ratio" means the number
14778 of nursing home beds per one thousand residents sixty-five years of
14779 age and older.

14780 (b) Not later than January 1, 2012, the commissioner shall report to
14781 the joint standing committees of the General Assembly having
14782 cognizance of matters relating to aging, human services and public
14783 health on such strategy and make recommendations to such
14784 committees on any legislative changes that may be required to meet

14785 the objectives of said State Balancing Incentive Payments Program and
14786 to reduce the state nursing home bed ratio.

14787 Sec. 335. (*Effective July 1, 2011*) The Department of Revenue Services
14788 shall increase the number of auditors and collection and enforcement
14789 personnel employed by the department from the number of which
14790 were employed by the department on June 30, 2011.

14791 Sec. 336. Section 16a-4d of the general statutes is repealed and the
14792 following is substituted in lieu thereof (*Effective from passage*):

14793 (a) If, in the exercise of the Secretary of the Office of Policy and
14794 Management's powers pursuant to this title, the secretary finds that the
14795 use of a certain technology, product or process would promote energy
14796 conservation, energy efficiency or renewable energy technology, the
14797 secretary **[**may**]** shall direct a state agency to test such technology,
14798 product or process by using it in the operations of such agency on a
14799 trial basis. The purpose of such test program shall be to validate the
14800 effectiveness of such technology, product or process in reducing
14801 energy usage and costs or reducing dependence on fossil fuels or green
14802 house gas emissions. No agency shall undertake such testing of any
14803 technology, product or process unless the business manufacturing or
14804 marketing the technology, product or process demonstrates that (1) the
14805 use of such technology, product or process by the state agency will not
14806 adversely affect safety, (2) a certified independent third party or
14807 accredited laboratory has found that the technology, product or
14808 process reduces energy consumption and cost, and (3) the technology,
14809 product or process is presently available for commercial sale and
14810 distribution or has potential for commercialization not later than two
14811 years following the completion of any test program by a state agency
14812 pursuant to this section.

14813 (b) If the secretary finds that using such technology, product or
14814 process would be feasible in the operations of a state agency and
14815 would not have any detrimental effect on such operations, the
14816 secretary, notwithstanding the requirements of chapter 58, **[**may**]** shall

14817 direct a state agency to accept delivery of such technology, product or
14818 process and to undertake such a test program. Any costs associated
14819 with the acquisition and use of such technology, product or process by
14820 the testing agency for the test period shall be borne by the
14821 manufacturer, the marketer or any investor or participant in such
14822 business. The acquisition of any technology, product or process for
14823 purposes of the test program established pursuant to this subsection or
14824 subsection (a) of this section shall not be deemed to be a purchase
14825 under the provisions of state procurement law. The manufacturer, the
14826 marketer or any investor or participant in such business shall maintain
14827 records related to such test program, as required by the secretary. All
14828 proprietary information derived from such test program shall be
14829 exempt from the provisions of subsection (a) of section 1-210.

14830 (c) If the secretary determines that the test program sufficiently
14831 demonstrates that the technology, product or process reduces energy
14832 usage and costs or reduces dependence on fossil fuels or green house
14833 gas emissions, the testing agency **[**may**]** shall request that the
14834 Commissioner of Administrative Services (1) procure such technology
14835 for use by **[**any or**]** all appropriate state agencies, and (2) make such
14836 procurement pursuant to subsection (b) of section 4a-58.

14837 Sec. 337. (NEW) (*Effective July 1, 2011*) Not later than July 1, 2012, the
14838 Secretary of the Office of Policy and Management and the
14839 Commissioner of Public Works shall establish a pilot program under
14840 which the state selects an existing state facility or complex of facilities
14841 to be covered by an energy performance contract with a private
14842 vendor. The secretary and commissioner shall submit reports on the
14843 results of the program to the joint standing committee of the General
14844 Assembly having cognizance of matters relating to government
14845 administration and to the Governor in accordance with section 11-4a of
14846 the general statutes. Such reports shall be submitted not later than
14847 three months after the effective date of the contract and annually
14848 thereafter until the final report is submitted not later than three
14849 months after the termination of the contract.

14850 Sec. 338. (NEW) (*Effective July 1, 2011*) The Secretary of the Office of
14851 Policy and Management shall achieve (1) for the fiscal year ending
14852 June 30, 2012, a ten per cent reduction in energy costs for the agencies
14853 in the executive branch from such costs for such agencies for the fiscal
14854 year ending June 30, 2010, and (2) for the fiscal year ending June 30,
14855 2023, a thirty per cent reduction in such costs for such agencies from
14856 such costs for such agencies for the fiscal year ending June 30, 2010.
14857 Such percentage reductions in costs may be achieved as a bottom-line
14858 number spread across all such agencies. The secretary may employ any
14859 method to reduce such energy costs, including, but not limited to, (A)
14860 training in facility management in a certification program that
14861 provides the knowledge to increase the energy efficiency of a building,
14862 (B) using the Renewable Energy Investment fund created under
14863 section 16-245n of the general statutes, (C) using any energy efficiency
14864 fund that results from a partnership of the state's public utilities, (D)
14865 entering into an energy performance contract under section 305 of this
14866 act, and (E) participation in the program under section 16a-4d of the
14867 general statutes, as amended by this act. The secretary shall report, not
14868 later than July 1, 2012, and annually thereafter, until the final report is
14869 filed on or before July 1, 2023, on the energy costs reduction achieved
14870 under this section, in accordance with the provisions of section 11-4a of
14871 the general statutes, to the joint standing committee of the General
14872 Assembly having cognizance of matters relating to government
14873 administration and to the Governor.

14874 Sec. 339. (*Effective from passage*) (a) For the purposes of this section,
14875 "lean techniques" means a method of improving administrative
14876 processes that (1) is based upon a focus on a customer service
14877 perspective that seeks to optimize value delivered to the public, (2)
14878 involves employees, the regulated community and the public in
14879 continual improvements and the finding of solutions, (3) uses a
14880 continual improvement framework that emphasizes rapid
14881 implementation rather than lengthy planning, (4) seeks to reduce the
14882 complexity of the process, and (5) uses metrics and visual controls to
14883 improve decision making and problem solving.

14884 (b) There is established the Lean Government Steering Committee to
14885 develop a plan to implement lean techniques in state agencies. The
14886 Governor shall appoint five members of the business community who
14887 have experience with lean techniques as follows: One member from
14888 the banking industry, one member from the service sector, one
14889 member from the manufacturing sector, one member from the
14890 healthcare industry and one member from a collective bargaining unit.
14891 A representative from the Connecticut Center for Advanced
14892 Technology shall be a nonvoting member of said committee.

14893 (c) All appointments to the committee shall be made not later than
14894 thirty days after the effective date of this section. Any vacancy shall be
14895 filled by the appointing authority.

14896 (d) The Secretary of the Office of Policy and Management, or a
14897 designee, shall serve as the chairperson of the committee. Such
14898 chairperson shall schedule the first meeting of the committee, which
14899 shall be held not later than thirty days after the effective date of this
14900 section.

14901 (e) The Connecticut Center for Advanced Technology shall assist
14902 said committee to develop a plan for the implementation of lean
14903 techniques in state agencies, including, but not limited to, which
14904 agencies should implement lean techniques first, which processes
14905 should be made more efficient, a method for such implementation and
14906 the goals of such implementation.

14907 (f) Not later than sixty days after the effective date of this section,
14908 the committee shall submit a report on its findings and
14909 recommendations to the Governor, the speaker of the House of
14910 Representatives, the president pro tempore of the Senate and the joint
14911 standing committee of the General Assembly having cognizance of
14912 matters relating to government administration, in accordance with the
14913 provisions of section 11-4a of the general statutes.

14914 Sec. 340. (*Effective from passage*) Not later than ninety days after the

14915 effective date of this section, the Commissioner of Social Services shall
14916 apply for a Medicaid waiver, pursuant to Section 1915(c) of the Social
14917 Security Act, in order to provide home and community-based services
14918 for elderly and disabled persons receiving benefits under the Medicaid
14919 program. The commissioner shall take such action as is necessary to
14920 consolidate all Medicaid waivers under which home and community-
14921 based services are provided to elderly and disabled persons, as
14922 permitted by federal law.

14923 Sec. 341. (NEW) (*Effective July 1, 2011*) (a) The Commissioner of
14924 Social Services shall direct that the department's Aging Services
14925 Division and Bureau of Rehabilitation Services establish a state-wide
14926 single point of entry system for individuals seeking long-term care.
14927 The goals of the single point of entry system shall be to (1) permit any
14928 individual seeking long-term care services in the state to obtain the
14929 same information on long-term care services from any one of the
14930 entities designated as a single point of entry agency pursuant to
14931 subsection (b) of this section, and (2) promote consumer choice of long-
14932 term care options.

14933 (b) The Aging Services Division and the Bureau of Rehabilitation
14934 Services, in consultation with the Long-Term Care Advisory Council
14935 and members of the public, shall designate state-wide service areas for
14936 the establishment of single point of entry agencies and shall designate
14937 a center for independent living, as defined in section 17b-613 of the
14938 general statutes, and an area agency on aging as single point of entry
14939 agencies for each of the state-wide service areas.

14940 (c) Each center for independent living and area agency on aging
14941 designated a single point of entry agency pursuant to subsection (b) of
14942 this section shall be required to:

14943 (1) Work collaboratively in the operation of the single point of entry
14944 system;

14945 (2) Provide all individuals seeking information on long-term care,

14946 including individuals who pay privately for such care, with
14947 information on all long-term care options and services available in the
14948 state, including community and home-based care and nursing home
14949 care;

14950 (3) Assess an individual's eligibility for long-term care services and
14951 programs in the state, including Medicaid and other public programs
14952 and services offered by private and nonprofit organizations, through a
14953 comprehensive, uniform screening process;

14954 (4) Assist individuals in obtaining a timely determination of
14955 eligibility from the Department of Social Services for publicly funded
14956 long-term care services and programs;

14957 (5) Assist individuals in developing a long-term care support plan
14958 that is person-centered throughout the process; and

14959 (6) Implement quality assurance standards and procedures.

14960 (d) The directors of the Aging Services Division and the Bureau of
14961 Rehabilitation Services may establish additional requirements, criteria
14962 and standards for the operation of agencies designated as single point
14963 of entry agencies. Said directors shall implement a quality assurance
14964 program to measure the performance of such designated agencies. Any
14965 designated entity that fails to meet the requirements and standards in
14966 subsection (c) of this section, or any additional criteria or quality
14967 assurance measures established under this subsection may be subject
14968 to termination as a single point of entry agency.

14969 Sec. 342. Section 17b-367 of the general statutes is repealed and the
14970 following is substituted in lieu thereof (*Effective July 1, 2011*):

14971 The Office of Policy and Management, **[**within existing budgetary
14972 resources and**]** in consultation with the **[**Select Committee on Aging**]**
14973 <u>joint standing committee of the General Assembly having cognizance</u>
14974 <u>of matters relating to aging</u>, the Commission on Aging, personnel
14975 designated by the Commissioner of Social Services who administer the

14976 CHOICES health insurance assistance program, personnel who
14977 administer the single point of entry system established in section 344
14978 of this act and the Long-Term Care Advisory Council, shall develop
14979 and maintain a single consumer-oriented Internet web site that
14980 provides comprehensive information on long-term care options that
14981 are available in Connecticut and information on the single point of
14982 entry system established pursuant to section 344 of this act. The web
14983 site shall also include direct links and referral information regarding
14984 long-term care resources, including private and nonprofit
14985 organizations offering advice, counseling and legal services.

14986 Sec. 343. (*Effective from passage*) The Secretary of the Office of Policy
14987 and Management shall direct an employee of the Policy and Planning
14988 Division of the Office of Policy and Management to coordinate, within
14989 available appropriations, the implementation of the goals and
14990 recommendations continued in the most recent long-term care plan
14991 submitted to the General Assembly pursuant to section 17b-337 of the
14992 general statutes, as amended by this act, in the fiscal year ending June
14993 30, 2012.

14994 Sec. 344. Subsection (b) of section 17b-3 of the general statutes is
14995 repealed and the following is substituted in lieu thereof (*Effective from*
14996 *passage*):

14997 (b) (1) The Commissioner of Social Services is authorized to do all
14998 things necessary to apply for, qualify for and accept any federal funds
14999 made available or allotted under any federal act for social service
15000 development, or any other projects, programs or activities which may
15001 be established by federal law, for any of the purposes or activities
15002 related thereto, and said commissioner shall administer any such
15003 funds allotted to the department in accordance with federal law. The
15004 commissioner may enter into contracts with the federal government
15005 concerning the use and repayment of such funds under any such
15006 federal act, the prosecution of the work under any such contract and
15007 the establishment of and disbursement from a separate account in
15008 which federal and state funds estimated to be required for plan

15009 preparation or other eligible activities under such federal act shall be
15010 kept. Said account shall not be a part of the General Fund of the state
15011 or any subdivision of the state.

15012 (2) The Commissioner of Social Services shall designate an
15013 employee of the Department of Social Services to act as a federal
15014 revenue ombudsman. Such employee shall be responsible for ensuring
15015 that the department takes advantage of opportunities to obtain or
15016 increase federal funding for programs administered by the
15017 department.

15018 Sec. 345. (NEW) (*Effective from passage*) The Commissioner of Social
15019 Services shall place a recipient of benefits under the Medicaid program
15020 on suspension status upon receipt of notice that such recipient has
15021 been incarcerated in a state-operated correctional facility, provided
15022 such recipient shall remain otherwise eligible for benefits under the
15023 Medicaid program. Upon release of such recipient from such
15024 correctional facility, the commissioner shall remove the suspension
15025 status, provided such recipient is eligible to receive Medicaid benefits
15026 at the time such recipient is released from the correctional facility.

15027 Sec. 346. Sections 3-81 and 3-84 of the general statutes are repealed.
15028 (*Effective from passage*)

15029 Sec. 347. Sections 7-169h, 7-169i, 7-173 to 7-175, inclusive, 7-176 to 7-
15030 183, inclusive, 7-185, 8-37i, 8-37k, 8-37r, 8-45b, 8-206a, 8-239a, 8-244, 8-
15031 418, 12-569b, 32-1b, 32-1d, 32-1e, 32-9c, 32-11a, 32-35 and 32-39 of the
15032 general 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*	1-83(a)
Sec. 3	*July 1, 2011*	1-84(d)
Sec. 4	*July 1, 2011*	12-3b
Sec. 5	*July 1, 2011*	12-557b

Sec. 6	*July 1, 2011*	12-557c
Sec. 7	*July 1, 2011*	12-557d
Sec. 8	*July 1, 2011*	12-557e
Sec. 9	*July 1, 2011*	12-562
Sec. 10	*July 1, 2011*	12-563a
Sec. 11	*July 1, 2011*	12-564a
Sec. 12	*July 1, 2011*	12-568a
Sec. 13	*July 1, 2011*	12-571
Sec. 14	*July 1, 2011*	12-571a
Sec. 15	*July 1, 2011*	12-574
Sec. 16	*July 1, 2011*	12-574c
Sec. 17	*July 1, 2011*	12-574d
Sec. 18	*July 1, 2011*	12-575
Sec. 19	*July 1, 2011*	12-586f
Sec. 20	*July 1, 2011*	12-586g
Sec. 21	*July 1, 2011*	12-801
Sec. 22	*July 1, 2011*	12-802
Sec. 23	*July 1, 2011*	12-802a
Sec. 24	*July 1, 2011*	12-806
Sec. 25	*July 1, 2011*	12-806a
Sec. 26	*July 1, 2011*	12-806b
Sec. 27	*July 1, 2011*	12-807
Sec. 28	*July 1, 2011*	12-808
Sec. 29	*July 1, 2011*	12-813
Sec. 30	*July 1, 2011*	12-815
Sec. 31	*July 1, 2011*	12-815a
Sec. 32	*July 1, 2011*	17a-713
Sec. 33	*July 1, 2011*	22-410
Sec. 34	*July 1, 2011*	22-412
Sec. 35	*July 1, 2011*	29-7c
Sec. 36	*July 1, 2011*	29-18c
Sec. 37	*July 1, 2011*	30-20
Sec. 38	*July 1, 2011*	30-39
Sec. 39	*July 1, 2011*	30-59a
Sec. 40	*July 1, 2011*	31-51y
Sec. 41	*July 1, 2011*	53-278g
Sec. 42	*July 1, 2011*	53-278a
Sec. 43	*July 1, 2011*	53-278c(d)
Sec. 44	*July 1, 2011*	7-169
Sec. 45	*July 1, 2011*	7-185a

Sec. 46	*July 1, 2011*	7-169a
Sec. 47	*July 1, 2011*	7-169c
Sec. 48	*July 1, 2011*	7-169d
Sec. 49	*July 1, 2011*	7-169e
Sec. 50	*July 1, 2011*	7-171
Sec. 51	*July 1, 2011*	7-172
Sec. 52	*July 1, 2011*	7-184
Sec. 53	*July 1, 2011*	7-185b
Sec. 54	*July 1, 2011*	7-186
Sec. 55	*from passage*	New section
Sec. 56	*from passage*	New section
Sec. 57	*from passage*	New section
Sec. 58	*from passage*	New section
Sec. 59	*July 1, 2011*	New section
Sec. 60	*July 1, 2011*	New section
Sec. 61	*July 1, 2011*	New section
Sec. 62	*July 1, 2011*	New section
Sec. 63	*July 1, 2011*	New section
Sec. 64	*July 1, 2011*	New section
Sec. 65	*July 1, 2011*	New section
Sec. 66	*July 1, 2011*	New section
Sec. 67	*July 1, 2011*	New section
Sec. 68	*July 1, 2011*	New section
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