General Assembly **Substitute Bill No. 1059**

January Session, 2011 *____SB01059TRA__051811___*

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 shall be transferred to
24 funded vacancies in other agencies in the same or comparable
25 classifications.

26 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The Department of
27 Consumer Protection shall constitute a successor agency to the
28 Division of Special Revenue in accordance with the provisions of
29 sections 4-38d and 4-39 of the general statutes.

30 (b) Wherever the term "executive director of the Division of Special
31 Revenue" is used in the general statutes or in any special or public act,
32 the term "Commissioner of Consumer Protection" shall be substituted
33 in lieu thereof. Wherever the term "Division of Special Revenue" is
34 used in the general statutes or any public or special act, the term
35 "Department of Consumer Protection" shall be substituted in lieu
36 thereof.

37 (c) Any order or regulation of the executive director of the Division
38 of Special Revenue which is in force on July 1, 2011, shall continue in
39 force and effect as an order or regulation of the Commissioner of
40 Consumer Protection until amended, repealed or superseded pursuant
41 to law. Where any order or regulation of said division and department
42 conflict, the Commissioner of Consumer Protection may implement
43 policies and procedures in accordance with section 1-121 of the general
44 statutes consistent with the provisions of the general statutes.

45 Sec. 3. (*Effective July 1, 2011*) On and after July 1, 2011, (1)
46 "Commissioner of Consumer Protection" shall be substituted for
47 "executive director of the Division of Special Revenue", (2)
48 "commissioner" shall be substituted for "executive director", and (3)
49 "department" shall be substituted for "division" in the following
50 sections of the general statutes: 7-169c, 7-169d, 7-169e, 12-560, 12-561,
51 12-563, 12-563a, 12-564, 12-564a, 12-565, 12-566, 12-567, 12-568a, 12-571,

52 12-571a, 12-572, 12-573, 12-573a, 12-574a, 12-574c, 12-574d, 12-575c, 12-
53 576, 12-578, 12-584, 12-585, 12-801, 12-802a, 12-806, 12-806a, 12-807, 12-
54 808, 12-813, 12-815, 12-815a, 17a-713, 29-18c, 30-20 and 53-278g.

55 Sec. 4. Subsection (a) of section 1-83 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective July*
57 *1, 2011*):

58 (a) (1) All state-wide elected officers, members of the General
59 Assembly, department heads and their deputies, members of the
60 Gaming Policy Board, **[**the executive director of the Division of Special
61 Revenue within the Department of Revenue Services,**]** members or
62 directors of each quasi-public agency, members of the Investment
63 Advisory Council, state marshals and such members of the Executive
64 Department and such employees of quasi-public agencies as the
65 Governor shall require, shall file, under penalty of false statement, a
66 statement of financial interests for the preceding calendar year with the
67 Office of State Ethics on or before the May first next in any year in
68 which they hold such a position. Any such individual who leaves his
69 or her office or position shall file a statement of financial interests
70 covering that portion of the year during which such individual held
71 his or her office or position. The Office of State Ethics shall notify such
72 individuals of the requirements of this subsection not later than thirty
73 days after their departure from such office or position. Such
74 individuals shall file such statement within sixty days after receipt of
75 the notification.

76 (2) Each state agency, department, board and commission shall
77 develop and implement, in cooperation with the Office of State Ethics,
78 an ethics statement as it relates to the mission of the agency,
79 department, board or commission. The executive head of each such
80 agency, department, board or commission shall be directly responsible
81 for the development and enforcement of such ethics statement and
82 shall file a copy of such ethics statement with the Department of
83 Administrative Services and the Office of State Ethics.

84 Sec. 5. Subsection (d) of section 1-84 of the general statutes is
85 repealed and the following is substituted in lieu thereof (*Effective July*
86 *1, 2011*):

87 (d) No public official or state employee or employee of such public
88 official or state employee shall agree to accept, or be a member or
89 employee of a partnership, association, professional corporation or
90 sole proprietorship which partnership, association, professional
91 corporation or sole proprietorship agrees to accept any employment,
92 fee or other thing of value, or portion thereof, for appearing, agreeing
93 to appear, or taking any other action on behalf of another person
94 before the Department of Banking, the Claims Commissioner, the
95 Office of Health Care Access division within the Department of Public
96 Health, the Insurance Department, the office within the Department of
97 Consumer Protection that carries out the duties and responsibilities of
98 sections 30-2 to 30-68m, inclusive, the Department of Motor Vehicles,
99 the State Insurance and Risk Management Board, the Department of
100 Environmental Protection, the Department of Public Utility Control,
101 the Connecticut Siting Council, **[**the Division of Special Revenue
102 within the Department of Revenue Services,**]** the Gaming Policy Board
103 within the **[**Division of Special Revenue**]** Department of Consumer
104 Protection or the Connecticut Real Estate Commission; provided this
105 shall not prohibit any such person from making inquiry for
106 information on behalf of another before any of said commissions or
107 commissioners if no fee or reward is given or promised in consequence
108 thereof. For the purpose of this subsection, partnerships, associations,
109 professional corporations or sole proprietorships refer only to such
110 partnerships, associations, professional corporations or sole
111 proprietorships which have been formed to carry on the business or
112 profession directly relating to the employment, appearing, agreeing to
113 appear or taking of action provided for in this subsection. Nothing in
114 this subsection shall prohibit any employment, appearing, agreeing to
115 appear or taking action before any municipal board, commission or
116 council. Nothing in this subsection shall be construed as applying (1)
117 to the actions of any teaching or research professional employee of a

118 public institution of higher education if such actions are not in
119 violation of any other provision of this chapter, (2) to the actions of any
120 other professional employee of a public institution of higher education
121 if such actions are not compensated and are not in violation of any
122 other provision of this chapter, (3) to any member of a board or
123 commission who receives no compensation other than per diem
124 payments or reimbursement for actual or necessary expenses, or both,
125 incurred in the performance of the member's duties, or (4) to any
126 member or director of a quasi-public agency. Notwithstanding the
127 provisions of this subsection to the contrary, a legislator, an officer of
128 the General Assembly or part-time legislative employee may be or
129 become a member or employee of a firm, partnership, association or
130 professional corporation which represents clients for compensation
131 before agencies listed in this subsection, provided the legislator, officer
132 of the General Assembly or part-time legislative employee shall take
133 no part in any matter involving the agency listed in this subsection and
134 shall not receive compensation from any such matter. Receipt of a
135 previously established salary, not based on the current or anticipated
136 business of the firm, partnership, association or professional
137 corporation involving the agencies listed in this subsection, shall be
138 permitted.

139 Sec. 6. Section 12-3b of the general statutes is repealed and the
140 following is substituted in lieu thereof (*Effective July 1, 2011*):

141 (a) There is created an Abatement Review Committee which shall
142 consist of (1) the State Comptroller or an employee of the office of the
143 State Comptroller designated by said Comptroller, (2) the Secretary of
144 the Office of Policy and Management or an employee of the Office of
145 Policy and Management **[**designed**]** designated by said secretary, (3)
146 the Commissioner of Consumer Protection or an employee of the
147 Department of Consumer Protection designated by said commissioner,
148 and (4) the Commissioner of Revenue Services or an employee of the
149 Department of Revenue Services designated by said commissioner.
150 Said committee shall meet monthly or as often as necessary to approve
151 any abatement, in whole or in part, of tax, including any penalty or

152 interest payable in connection therewith, which the Commissioner of
153 Revenue Services or the **[**executive director of the Division of Special
154 Revenue**]** Commissioner of Consumer Protection is authorized to abate
155 pursuant to any provision of the general statutes. A majority vote of
156 the committee shall be required for approval of such abatement.

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

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

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

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

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

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

170 (b) "Commissioner" means the Commissioner of Consumer
171 Protection;

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

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

175 (d) "Business organization" means a partnership, incorporated or
176 unincorporated association, firm, corporation, trust or other form of
177 business or legal entity, other than a financial institution regulated by a
178 state or federal agency which is not exercising control over an
179 association licensee; and

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

182 Sec. 8. Section 12-557c of the general statutes is repealed and the
183 following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

193 **[**(b) The Division of Special Revenue shall be under the direction
194 and control of an executive director who shall be responsible for the
195 operation of his division. The executive director shall be appointed by
196 the Governor, with the approval of the General Assembly, and shall be
197 qualified and experienced in the functions performed by the Division
198 of Special Revenue. The executive director may appoint a deputy and
199 an executive assistant for the efficient conduct of the business of the
200 division. The deputy executive director shall, in the absence or
201 disqualification of the executive director or on his death, exercise the
202 powers and duties of the executive director until he resumes his duties
203 or the vacancy is filled. The deputy executive director and the
204 executive assistant shall serve at the pleasure of the executive director.
205 The executive director and the deputy executive director shall not
206 participate actively in political management and campaigns. Such
207 activity includes holding office in a political party, political
208 organization or political club, campaigning for a candidate in a
209 partisan election by making speeches, writing on behalf of a candidate,
210 soliciting votes in support of or in opposition to a candidate and
211 making contributions of time and money to political parties.

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

216 Sec. 9. Section 12-557d of the general statutes is repealed and the
217 following is substituted in lieu thereof (*Effective July 1, 2011*):

218 (a) There shall be a Gaming Policy Board within the **[**Division of
219 Special Revenue**]** Department of Consumer Protection. Said board
220 shall consist of five members appointed by the Governor with the
221 advice and consent of both houses of the General Assembly. Not more
222 than three members of said board in office at any one time shall be
223 members of the same political party. **[**On or before July 1, 1979, the
224 Governor shall nominate three members who shall serve until July 1,
225 1981, and two members who shall serve until July 1, 1983. The General
226 Assembly shall confirm or reject such nominations in the manner
227 prescribed by section 4-7 before adjournment sine die of the 1979
228 regular session, except that if the nominations cannot be acted on by
229 both houses of the General Assembly during said regular session, the
230 General Assembly shall confirm or reject the nominations at a special
231 session which shall be called, notwithstanding sections 2-6 and 2-7,
232 immediately following adjournment sine die of the 1979 session
233 reconvened in accordance with article third of the amendments to the
234 Constitution of Connecticut, except that if no session is held pursuant
235 to said article, the General Assembly shall meet in special session,
236 notwithstanding sections 2-6 and 2-7, not later than August 1, 1979, to
237 confirm or reject such nominations. Any special session called
238 pursuant to this section shall be held for the sole purpose of
239 confirming or rejecting the initial nominations made by the Governor
240 to the board. Thereafter members**]** Members shall serve for a term of
241 four years and the procedure prescribed by section 4-7 shall apply to
242 such appointments, except that the Governor shall submit such
243 nominations on or before May first, and both houses shall confirm or
244 reject the nominations before adjournment sine die. Members shall
245 receive fifty dollars per day for each day they are engaged in the

246 business of the board and shall be reimbursed for necessary expenses
247 incurred in the performance of their duties. The [executive director]
248 commissioner shall serve on the board ex officio without voting rights.

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

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

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

262 (e) The members of the board shall not participate actively in
263 political management and campaigns. Such activity includes holding
264 office in a political party, political organization or political club,
265 campaigning for a candidate in a partisan election by making speeches,
266 writing on behalf of a candidate, soliciting votes in support of or in
267 opposition to a candidate and making contributions of time and
268 money to political parties.

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

271 Sec. 10. Section 12-557e of the general statutes is repealed and the
272 following is substituted in lieu thereof (*Effective July 1, 2011*):

273 The Gaming Policy Board shall work in cooperation with the
274 [Division of Special Revenue] Department of Consumer Protection to
275 implement and administer the provisions of this chapter [,] and

276 chapters 226b and 229a and sections 7-169 to 7-172, inclusive, as
277 amended by this act, and sections 7-185a to 7-186, inclusive, as
278 amended by this act. In carrying out its duties the board shall be
279 responsible for: (1) Approving, suspending or revoking licenses issued
280 under subsection (a) of section 12-574; (2) approving contracts for
281 facilities, goods, components or services necessary to carry out the
282 provisions of section 12-572; (3) setting racing and jai alai meeting
283 dates, except that the board may delegate to **[**the executive director**]**
284 designated staff the authority for setting make-up performance dates
285 within the period of a meeting set by the board; (4) imposing fines on
286 licensees under subsection (j) of section 12-574; (5) approving the types
287 of pari-mutuel betting to be permitted; (6) advising the **[**executive
288 director**]** commissioner concerning the conduct of off-track betting
289 facilities; (7) assisting the **[**executive director**]** commissioner in
290 developing regulations to carry out the provisions of this chapter,
291 chapters 226b and 229a and sections 7-169 to 7-172, inclusive, as
292 amended by this act, and sections 7-185a to 7-186, inclusive, as
293 amended by this act, and approving such regulations prior to their
294 adoption; (8) hearing all appeals taken under subsection (k) of section
295 7-169, as amended by this act, **[**subsection (h) of section 7-169h,
296 subsection (c) of section 7-181,**]** subsection (j) of section 12-574 and
297 section 12-815a, as amended by this act; and (9) advising the Governor
298 on state-wide plans and goals for legalized gambling.

299 Sec. 11. Section 12-562 of the general statutes is repealed and the
300 following is substituted in lieu thereof (*Effective July 1, 2011*):

301 (a) Except as provided in subsection (b) of this section, the
302 **[**executive director**]** commissioner shall have power to enforce the
303 provisions of this chapter and chapter 226b, and with the advice and
304 consent of the board, shall adopt all necessary regulations for that
305 purpose and for carrying out, enforcing and preventing violation of
306 any of the provisions of this chapter, for the inspection of licensed
307 premises or enterprises, for insuring proper, safe and orderly conduct
308 of licensed premises or enterprises and for protecting the public
309 against fraud or overcharge. The **[**executive director**]** commissioner

310 shall have power generally to do whatever is reasonably necessary for
311 the carrying out of the intent of this chapter; and may call upon other
312 administrative departments of the state government and of municipal
313 governments for such information and assistance as he or she deems
314 necessary to the performance of his or her duties.

315 (b) The special policemen in the [Division of Special Revenue]
316 Department of Consumer Protection and the legalized gambling
317 investigative unit in the Division of State Police within the Department
318 of Public Safety shall be responsible for the criminal enforcement of the
319 provisions of sections 7-169 to 7-172, inclusive, as amended by this act,
320 and sections 7-185a to 7-186, inclusive, as amended by this act, this
321 chapter and chapters 226b and 229a. They shall have the powers and
322 duties specified in section 29-7c, as amended by this act.

323 Sec. 12. Section 12-569 of the general statutes is repealed and the
324 following is substituted in lieu thereof (*Effective July 1, 2011*):

325 (a) If the president of the Connecticut Lottery Corporation
326 determines that any lottery sales agent has breached such agent's
327 fiduciary responsibility to the corporation in that the account of such
328 lottery sales agent with respect to moneys received from the sale of
329 lottery tickets has become delinquent in accordance with regulations
330 adopted as provided in section 12-568a, the president shall notify the
331 [executive director] commissioner of the breach of fiduciary duty and
332 the executive director shall impose a delinquency assessment upon
333 such account equal to ten per cent of the amount due or ten dollars,
334 whichever amount is greater, plus interest at the rate of one and one-
335 half per cent of such amount for each month or fraction of a month
336 from the date such amount is due to the date of payment. [Except as
337 provided in section 12-569b, and subject] Subject to the provisions of
338 section 12-3a, the [executive director] commissioner may waive all or
339 part of the penalties provided under this subsection when it is proven
340 to the [executive director's] commissioner's satisfaction that the failure
341 to pay such moneys to the state within the time allowed was due to
342 reasonable cause and was not intentional or due to neglect. Any such

343 delinquent lottery sales agent shall be notified of such delinquency
344 assessment and shall be afforded an opportunity to contest the validity
345 and amount of such assessment before the **[**executive director**]**
346 commissioner who may conduct such hearing. Upon request of the
347 president of the Connecticut Lottery Corporation, the **[**executive
348 director**]** commissioner may prepare and sign a warrant directed to
349 any state marshal, constable or any collection agent employed by the
350 Connecticut Lottery Corporation for distraint upon any property of
351 such delinquent lottery sales agent within the state, whether personal
352 or real property. An itemized bill shall be attached to the warrant
353 certified by the **[**executive director**]** commissioner as a true statement
354 of the amount due from such lottery sales agent. Such warrant shall
355 have the same force and effect as an execution issued in accordance
356 with chapter 906. Such warrant shall be levied on any real, personal,
357 tangible or intangible property of such agent and sale made pursuant
358 to such warrant in the same manner and with the same force and effect
359 as a levy and sale pursuant to an execution.

360 (b) The **[**executive director**]** commissioner, with the advice and
361 consent of the board, shall adopt regulations in accordance with
362 chapter 54 to carry out the purposes of this section.

363 Sec. 13. Section 12-574 of the general statutes is repealed and the
364 following is substituted in lieu thereof (*Effective July 1, 2011*):

365 (a) No person or business organization may conduct a meeting at
366 which racing or the exhibition of jai alai is permitted for any stake,
367 purse or reward or operate the off-track betting system unless such
368 person or business organization is licensed as an association licensee
369 by the board. Any such licensee authorized to conduct a meeting or
370 operate the off-track betting system shall indemnify and save harmless
371 the state of Connecticut against any and all actions, claims, and
372 demands of whatever kind or nature which the state may sustain or
373 incur by reason or in consequence of issuing such license.

374 (b) No business organization, other than a shareholder in a publicly

375 traded corporation, may exercise control in or over an association
376 licensee unless such business organization is licensed as an affiliate
377 licensee by the board as provided in subdivision (1) of subsection (h) of
378 this section.

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

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

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

395 (f) No business organization, other than a shareholder in a publicly
396 traded corporation, may exercise control in or over a concessionaire,
397 vendor or totalizator licensee unless such business organization is
398 licensed as an affiliate licensee by the **[**executive director**]**
399 commissioner.

400 (g) No person may participate in this state in any activity permitted
401 under this chapter as an employee of an association, concessionaire,
402 vendor, totalizator or affiliate licensee unless such person is licensed as
403 an occupational licensee by the **[**executive director**]** commissioner.
404 Whether located in or out of this state no officer, director, partner,
405 trustee or owner of a business organization which obtains a license in
406 accordance with this section may continue in such capacity unless such

407 officer, director, partner, trustee or owner is licensed as an
408 occupational licensee by the [executive director] commissioner. An
409 occupational license shall also be obtained by any shareholder, key
410 executive, agent or other person connected with any association,
411 concessionaire, vendor, totalizator or affiliate licensee, who in the
412 judgment of the [executive director] commissioner will exercise control
413 in or over any such licensee. Such person shall apply for a license not
414 later than thirty days after the [executive director] commissioner
415 requests him or her, in writing, to do so. The [executive director]
416 commissioner shall complete his or her investigation of an applicant
417 for an occupational license and notify such applicant of his or her
418 decision to approve or deny the application within one year after its
419 receipt. Such period may be extended by the board upon a showing of
420 good cause by the [executive director] commissioner, after giving the
421 applicant a reasonable opportunity for a hearing before the board.

422 (h) (1) The board shall issue affiliate of association licenses to
423 qualified business organizations. (2) The [executive director]
424 commissioner shall issue affiliate of concessionaire licenses to qualified
425 business organizations.

426 (i) In determining whether to grant a license the board or the
427 [executive director] commissioner may require the applicant to submit
428 information as to: Financial standing and credit; moral character;
429 criminal record, if any; previous employment; corporate, partnership
430 or association affiliations; ownership of personal assets; and such other
431 information as it or he or she deems pertinent to the issuance of such
432 license. The [executive director] commissioner may reject for good
433 cause an application for a license, and he or she, the deputy [executive
434 director] commissioner, the executive assistant, any unit head or any
435 assistant unit head authorized by the [executive director]
436 commissioner may suspend or revoke for good cause any license
437 issued by him or her after a hearing held in accordance with chapter
438 54. In addition, if any affiliate licensee licensed by the [executive
439 director] commissioner fails to comply with the provisions of this
440 chapter the [executive director] commissioner, after a hearing held in

441 accordance with chapter 54, may revoke or suspend the license of any
442 one or more of the following related licensees: Concessionaire, vendor
443 or totalizator, and may fine any one or more of said licensees in an
444 amount not to exceed two thousand five hundred dollars. Any licensee
445 whose license is suspended or revoked, or any applicant aggrieved by
446 the action of the **[**executive director**]** commissioner concerning an
447 application for a license may appeal not later than fifteen days after
448 such decision to the board in accordance with subsection (j) of this
449 section.

450 (j) The **[**executive director**]** commissioner, with the advice and
451 consent of the board shall adopt regulations governing the operation
452 of the off-track betting system and facilities, tracks, stables, kennels
453 and frontons, including the regulation of betting in connection
454 therewith, to insure the integrity and security of the conduct of
455 meetings and the broadcast of racing events held pursuant to this
456 chapter. Such regulations shall include provision for the imposition of
457 fines and suspension of licenses for violations thereof. Prior to the
458 adoption of any regulations concerning the treatment of animals at any
459 dog race track, the **[**executive director**]** commissioner shall notify the
460 National Greyhound Association of the contents of such regulations
461 and of its right to request a hearing pursuant to chapter 54. The board
462 shall have the authority to impose a fine of up to seventy-five
463 thousand dollars for any violation of such regulations by a licensee
464 authorized to conduct a meeting or operate the off-track betting system
465 under this section and a fine of up to five thousand dollars for any
466 violation of such regulations by any other licensee. The **[**executive
467 director**]** commissioner shall have the authority to impose a fine of up
468 to two thousand five hundred dollars for any such violation by any
469 licensee licensed by him or her and the stewards or judges of a meeting
470 acting in accordance with such regulations shall have the authority to
471 impose a fine of up to five hundred dollars for any such violation by
472 such licensee, and the players' manager of a jai alai exhibition acting in
473 accordance with such regulations shall have the authority to
474 recommend to the judges that a fine should be considered for a player

475 who may have violated such regulations. The board may delegate to
476 the stewards and judges of a meeting the power to suspend the license
477 of any occupational licensee employed in this state by an association
478 licensee for a period not to exceed sixty days for any violation of such
479 regulations. If any license is suspended, such stewards and judges of a
480 meeting shall state the reasons therefor in writing. All fines imposed
481 pursuant to this section shall be paid over to the General Fund upon
482 receipt by the [division] department. Any person or business
483 organization fined or suspended by an authority other than the board
484 or any licensee or applicant for a license aggrieved by a decision of the
485 [executive director] commissioner under subsection (i) shall have a
486 right of appeal to the board for a hearing. All hearings, other than
487 appellate hearings before the board, shall be conducted pursuant to
488 chapter 54. Any person or business organization aggrieved by a
489 decision of the board shall have a right of appeal pursuant to section 4-
490 183.

491 (k) The [executive director] commissioner shall have the power to
492 require that the books and records of any licensee, other than an
493 occupational licensee, shall be maintained in any manner which he or
494 she may deem best, and that any financial or other statements based on
495 such books and records shall be prepared in accordance with generally
496 accepted accounting principles in such form as he or she shall
497 prescribe. The [executive director] commissioner or his or her designee
498 shall also be authorized to visit, to investigate and to place expert
499 accountants and such other persons as he or she may deem necessary,
500 in the offices, tracks, frontons, off-track betting facilities or places of
501 business of any such licensee, for the purpose of satisfying himself or
502 herself that the [division's] department's regulations are strictly
503 complied with.

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

507 (m) The board shall have the right to reject any application for a

508 license for good cause and the action of the board as to the license and
509 the meeting dates assigned shall be final, provided any person or
510 business organization aggrieved by the action of the board concerning
511 an application for a license may appeal such decision in accordance
512 with section 4-183. The board shall, as far as practicable, avoid conflicts
513 in the dates assigned for racing or the exhibition of the game of jai alai
514 in the state. Any license granted under the provisions of this chapter is
515 a revocable privilege and no licensee shall be deemed to have acquired
516 any vested rights based on the issuance of such license. Any such
517 license shall be subject to the regulations set forth by the **[**executive
518 director**]** commissioner with the advice and consent of the board. Any
519 license issued by the board shall be subject to suspension or revocation
520 for good cause, after giving the licensee a reasonable opportunity for a
521 hearing before the board, at which he or she shall have the right to be
522 represented by counsel. In addition, if any affiliate licensee licensed by
523 the board fails to comply with the provisions of this chapter the board,
524 after a hearing held in accordance with chapter 54, may revoke or
525 suspend the license of the related association licensee and may fine the
526 related association licensee in an amount not to exceed seventy-five
527 thousand dollars or both. If any license is suspended or revoked the
528 board shall state the reasons for such suspension or revocation and
529 cause an entry of such reasons to be made on the record books of the
530 board. Any licensee aggrieved by the action of the board may appeal
531 therefrom in accordance with section 4-183.

532 (n) The appropriate licensing authority may, on its own motion or
533 upon application, exempt any person or business organization from
534 the licensing requirements of this chapter or some or all of the
535 disclosure requirements of chapter 226b, provided the applicant does
536 not exercise control in or over an integral part of any activity which is
537 authorized under this chapter. The burden of proving that an
538 exemption should be granted rests solely with the applicant. The
539 licensing authority making the determination may limit or condition
540 the terms of an exemption and such determination shall be final.

541 (o) Any person aiding or abetting in the operation of an off-track

542 betting system or the conduct of any meeting within this state at which
543 racing or the exhibition of the game of jai alai shall be permitted for
544 any stake, purse or reward, except in accordance with a license duly
545 issued and unsuspended or unrevoked by the board or the [executive
546 director] commissioner, shall be guilty of a class A misdemeanor.

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

552 (q) Any license granted under this section other than a license
553 issued by the board shall be effective for not more than one year from
554 the date of issuance. Initial application for and renewal of any license
555 shall be in such form and manner as the [executive director]
556 commissioner shall, by regulation adopted with the advice and
557 consent of the board, prescribe.

558 (r) Any person or business organization issued a license to conduct
559 dog racing shall establish a pet adoption program for the proper
560 housing and care of retired greyhounds and shall provide financial
561 support for such program and any facility operated to implement such
562 program.

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

573 (t) Any person or business organization issued a license to conduct

574 dog racing pursuant to subsection (c) of section 12-574c, as amended
575 by this act, shall provide an on-site day care facility for use by
576 employees of the dog race track. Such licensee shall employ persons
577 who, at the time of employment, are recipients of aid under chapter
578 302 or 308 to fill not less than fifty per cent of the positions at such day
579 care facility if such persons have been trained for such employment by
580 public or publicly-funded agencies in coordination with such licensee.

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

587 Sec. 14. Section 12-575 of the general statutes is repealed and the
588 following is substituted in lieu thereof (*Effective July 1, 2011*):

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

595 (b) The pari-mutuel system, so called, shall not be used or permitted
596 at any location other than the race track at which the racing event is
597 licensed to be conducted or the fronton at which the game of jai alai is
598 licensed to be played or at an off-track betting facility operated by the
599 **[**division**]** department or by a licensee authorized to operate the off-
600 track betting system. A computerized electronic totalizator system,
601 approved by the **[**executive director**]** commissioner, shall be used to
602 conduct pari-mutuel wagering at each racing or jai alai event. A
603 computerized electronic totalizator system approved by the **[**executive
604 director**]** commissioner and, where authorized by subsection (b) of
605 section 12-571a, as amended by this act, and approved by the

606 [executive director] commissioner, a simulcast system shall be used to
607 conduct pari-mutuel wagering and simulcasting of off-track betting
608 race programs at off-track betting facilities. The [executive director]
609 commissioner may require any licensee to submit information
610 concerning the daily operation of such totalizator or simulcast system
611 which he or she deems necessary for the effective administration of
612 this chapter, including records of all wagering transactions, in such
613 form and manner as he or she shall prescribe.

614 (c) (1) Except as provided in subdivision (2) of this subsection, each
615 licensee conducting horse racing events under the pari-mutuel system
616 shall distribute all sums deposited in any pari-mutuel program to the
617 holders of winning tickets therein, less seventeen per cent of the total
618 deposits plus the breakage to the dime of the amount so retained; each
619 licensee conducting jai alai events shall distribute all sums deposited in
620 any pari-mutuel program to the holders of winning tickets therein, less
621 a maximum of eighteen per cent of the deposits in the win, place or
622 show pools and less a maximum of twenty-three per cent of the
623 deposits in all other pools plus the breakage to the dime of the amount
624 so retained; each licensee conducting dog racing events shall distribute
625 all sums deposited in any pari-mutuel program to the holders of
626 winning tickets therein, less a maximum of nineteen per cent of the
627 deposits in the win, place or show pools and less a maximum of
628 twenty-seven per cent of the deposits in all other pools plus the
629 breakage to the dime of the amount so retained, or, shall distribute all
630 sums deposited in all of its pari-mutuel programs conducted on any
631 day to the holders of winning tickets therein less twenty per cent of the
632 total deposits plus the breakage to the dime of the amount so retained,
633 provided on and after July 1, 1992, each licensee conducting dog racing
634 events on July 5, 1991, shall allocate four per cent of all sums deposited
635 in any pari-mutuel program to purses, one-quarter of one per cent to
636 capital expenditures for alterations, additions, replacement changes,
637 improvements or major repairs to or upon the property owned or
638 leased by any such licensee and used for such racing events, and one-
639 quarter of one per cent to promotional marketing, to reduce the costs

640 of admission, programs, parking and concessions and to offer
641 entertainment and giveaways. Each licensee conducting dog racing
642 events shall, on an annual basis, submit to the [division] department
643 certified financial statements verifying the use of such allocations for
644 purses, capital improvements and promotional marketing. (2) Each
645 licensee conducting racing or jai alai events may carry over all or a
646 portion of the sums deposited in any pari-mutuel program, less the
647 amount retained as herein provided, in the twin trifecta, pick four or
648 pick six pari-mutuel pool to another pool, including a pool in a
649 succeeding performance.

650 (d) Each licensee conducting horse racing events under the pari-
651 mutuel system shall pay to the state, and there is hereby imposed: (1)
652 A tax on the total money wagered in the pari-mutuel pool on each and
653 every day the licensee conducts racing events, pursuant to the
654 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

655 and (2) a tax equal to one-half of the breakage to the dime resulting
656 from such wagering. The [executive director] commissioner, with the
657 advice and consent of the board, shall by regulation designate the

658 percentage of the difference between the seventeen per cent specified
659 in subsection (c), and the tax specified in this subsection which shall be
660 allocated as prize or purse money for the horses racing at each facility.

661 (e) Each licensee conducting dog racing events under the pari-
662 mutuel system shall pay to the state, and there is hereby imposed: (1)
663 (A) A tax at the rate of two per cent on the total money wagered in the
664 pari-mutuel pool on each and every day the licensee conducts racing
665 events or (B) on or after July 1, 1993, in the case of any licensee licensed
666 prior to July 5, 1991, (i) a tax at the rate of two per cent on any amount
667 up to and including fifty million dollars of the total money wagered in
668 the pari-mutuel pool in any state fiscal year during which a licensee
669 licensed prior to July 5, 1991, conducts racing events, (ii) a tax at the
670 rate of three per cent on any amount in excess of fifty million dollars
671 and up to and including eighty million dollars of the total money
672 wagered in the pari-mutuel pool in any state fiscal year during which a
673 licensee licensed prior to July 5, 1991, conducts racing events, and (iii)
674 a tax at the rate of four per cent on any amount in excess of eighty
675 million dollars of the total money wagered in the pari-mutuel pool in
676 any state fiscal year during which a licensee licensed prior to July 5,
677 1991, conducts racing events, and (2) a tax equal to one-half of the
678 breakage to the dime resulting from such wagering.

679 (f) Each licensee operating a fronton at which the game of jai alai is
680 licensed to be played under the pari-mutuel system shall pay to the
681 state and there is hereby imposed: (1) (A) A tax at the rate of two per
682 cent on any amount up to and including fifty million dollars of the
683 total money wagered on such games, (B) a tax at the rate of three per
684 cent of any amount in excess of fifty million dollars and up to and
685 including eighty million dollars of the total money wagered on such
686 games, and (C) a tax at the rate of four per cent on any amount in
687 excess of eighty million dollars of the total money wagered on such
688 games, and (2) a tax equal to one-half of the breakage to the dime
689 resulting from such wagering.

690 (g) The licensee authorized to operate the system of off-track betting

691 under the pari-mutuel system shall pay to the state and there is hereby
692 imposed: (1) A tax at the rate of three and one-half per cent on the total
693 money wagered in the pari-mutuel pool on each and every day the
694 licensee broadcasts racing events, and (2) a tax equal to one-half of the
695 breakage to the dime resulting from such wagering.

696 (h) The [executive director] commissioner shall assess and collect
697 the taxes imposed by this chapter under such regulations as, with the
698 advice and consent of the board, he or she may prescribe. All taxes
699 hereby imposed shall be due and payable by the close of the next
700 banking day after each day's racing or jai alai exhibition. If any such
701 tax is not paid when due, the [executive director] commissioner shall
702 impose a delinquency assessment upon the licensee in the amount of
703 ten per cent of such tax or ten dollars, whichever amount is greater,
704 plus interest at the rate of one and one-half per cent of the unpaid
705 principal of such tax for each month or fraction of a month from the
706 date such tax is due to the date of payment. Subject to the provisions of
707 section 12-3a, the [executive director] commissioner may waive all or
708 part of the penalties provided under this subsection when it is proven
709 to his or her satisfaction that the failure to pay such tax within the time
710 required was due to reasonable cause and was not intentional or due
711 to neglect. Failure to pay any such delinquent tax upon demand may
712 be considered by the [executive director] commissioner as cause for
713 revocation of license.

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

719 (j) The amount of unclaimed moneys, as determined by the
720 [executive director] commissioner, held by any licensee other than by
721 licensees authorized to operate a jai alai fronton, dog race track or the
722 off-track betting system on account of outstanding and uncashed
723 winning tickets, shall be due and payable to the [executive director]

724 commissioner, for deposit in the General Fund of the state, at the
725 expiration of one year after the close of the meeting during which such
726 tickets were issued. If any such unclaimed moneys are not paid when
727 due, the [executive director] commissioner shall impose a delinquency
728 assessment upon the licensee in the amount of ten per cent of such
729 moneys or ten dollars, whichever amount is greater, plus interest at the
730 rate of one and one-half per cent of the unpaid principal of such
731 moneys for each month or fraction of a month from the date such
732 moneys are due to the date of payment. Subject to the provisions of
733 section 12-3a, the [executive director] commissioner may waive all or
734 part of the penalties provided under this subsection when it is proven
735 to his or her satisfaction that the failure to pay such moneys to the state
736 within the time required was due to reasonable cause and was not
737 intentional or due to neglect.

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

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

751 (m) (1) The [executive director] commissioner shall pay each
752 municipality in which a horse race track is located, one-quarter of one
753 per cent of the total money wagered on horse racing events at such
754 race track, except the [executive director] commissioner shall pay each
755 such municipality having a population in excess of fifty thousand one
756 per cent of the total money wagered at such horse racing events in

757 such municipality. The [executive director] commissioner shall pay
758 each municipality in which a jai alai fronton or dog race track is
759 located one-half of one per cent of the total money wagered on jai alai
760 games or dog racing events at such fronton or dog race track, except
761 the [executive director] commissioner shall pay each such municipality
762 having a population in excess of fifty thousand one per cent of the total
763 money wagered on jai alai games or dog racing events at such fronton
764 or dog race track located in such municipality. The [executive director]
765 commissioner shall pay each municipality in which an off-track betting
766 facility is located one and three-fifths per cent of the total money
767 wagered in such facility less amounts paid as refunds or for
768 cancellations. The [executive director] commissioner shall pay to both
769 the city of New Haven and the town of Windsor Locks an additional
770 one-half of one per cent of the total money wagered less any amount
771 paid as a refund or a cancellation in any facility equipped with screens
772 for simulcasting after October 1, 1997, located within a fifteen mile
773 radius of facilities in New Haven and Windsor Locks. Payment shall
774 be made not less than four times a year and not more than twelve
775 times a year as determined by the [executive director] commissioner,
776 and shall be made from the tax imposed pursuant to subsection (d) of
777 this section for horse racing, subsection (e) of this section for dog
778 racing, subsection (f) of this section for jai alai games and subsection
779 (g) of this section for off-track betting. (2) If, for any calendar year after
780 the surrender of a license to conduct jai alai events by any person or
781 business organization pursuant to subsection (c) of section 12-574c, as
782 amended by this act, and prior to the opening of any dog race track by
783 such person or business organization, any other person or business
784 organization licensed to conduct jai alai events is authorized to
785 conduct a number of performances greater than the number
786 authorized for such licensee in the previous calendar year, the
787 [executive director] commissioner shall pay the municipality in which
788 the jai alai fronton for which such license was surrendered was
789 located, rather than the municipality in which the jai alai fronton
790 conducting the increased performances is located, one-half of one per
791 cent of the total money wagered on jai alai games for such increased

792 performances at the fronton which conducted the additional
793 performances, except the [executive director] commissioner shall pay
794 each such municipality having a population in excess of fifty thousand
795 one per cent of the total money wagered on jai alai games for such
796 increased performances at such fronton. (3) During any state fiscal year
797 ending on or after June 30, 1993, the [executive director] commissioner
798 shall pay each municipality in which a dog race track was operating
799 prior to July 5, 1991, one per cent of the total money wagered on dog
800 racing events at such dog race track. (4) During the state fiscal year
801 ending June 30, 2001, each municipality in which a dog race track was
802 operating prior to July 5, 1991, shall pay the Northeast Connecticut
803 Economic Alliance, Inc. two-tenths of one per cent of the total money
804 wagered on dog racing events at any dog race track operating prior to
805 July 5, 1991. (5) In the event a licensee incurs a loss from the operation
806 of a pari-mutuel facility, as determined by the [executive director]
807 commissioner, the legislative body of the city or town in which such
808 facility is located may direct the [executive director] commissioner to
809 credit or rebate all or a part of the revenue otherwise due to the
810 municipality back to the facility. In no case shall such credit and such
811 reimbursement exceed the amount of the licensee's loss, and in no
812 fiscal year shall these provisions affect the total fees paid to the state by
813 the authorized operator of the off-track betting system on its off-track
814 betting activities.

815 Sec. 15. Section 12-577 of the general statutes is repealed and the
816 following is substituted in lieu thereof (*Effective July 1, 2011*):

817 The [executive director] commissioner shall annually cause to be
818 made by some competent person or persons in the [executive director's
819 division] department a thorough audit of the books and records of
820 each association licensee under this chapter and the [executive
821 director] commissioner may, from time to time, cause to be made by
822 some competent person in the [executive director's division]
823 department a thorough audit of the books and records of any other
824 person or business organization licensed under this chapter. All such
825 audit records shall be kept on file in the [executive director's]

826 commissioner's office at all times and copies shall be forwarded to the
827 board immediately upon completion thereof. Each licensee shall
828 permit access to its books and records for the purpose of having such
829 audit made, and shall produce, upon written order of the **[**executive
830 director**]** commissioner, any documents and information required for
831 such purpose.

832 Sec. 16. Section 12-586f of the general statutes is repealed and the
833 following is substituted in lieu thereof (*Effective July 1, 2011*):

834 (a) For the purposes of this section, "tribe" means the Mashantucket
835 Pequot Tribe and "compact" means the Tribal-State Compact between
836 the tribe and the state of Connecticut, as incorporated and amended in
837 the Final Mashantucket Pequot Gaming Procedures prescribed by the
838 Secretary of the United States Department of the Interior pursuant to
839 Section 2710(d)(7)(B)(vii) of Title 25 of the United States Code and
840 published in 56 Federal Register 24996 (May 31, 1991).

841 (b) The expenses of administering the provisions of the compact
842 shall be financed as provided **[**herein**]** in this section. Assessments for
843 regulatory costs incurred by any state agency which are subject to
844 reimbursement by the tribe in accordance with the provisions of the
845 compact shall be made by the Commissioner of Revenue Services in
846 accordance with the provisions of the compact, including provisions
847 respecting adjustment of excess assessments. Any underassessment for
848 a prior fiscal year may be included in a subsequent assessment but
849 shall be specified as such. Payments made by the tribe in accordance
850 with the provisions of the compact shall be deposited in the General
851 Fund and shall be credited to the appropriation for the state agency
852 incurring such costs.

853 (c) Assessments for law enforcement costs incurred by any state
854 agency which are subject to reimbursement by the tribe in accordance
855 with the provisions of the compact shall be made by the Commissioner
856 of Public Safety in accordance with the provisions of the compact,
857 including provisions respecting adjustment of excess assessments. Any

858 underassessment for a prior fiscal year may be included in a
859 subsequent assessment but shall be specified as such. Payments made
860 by the tribe in accordance with the provisions of the compact shall be
861 deposited in the General Fund and shall be credited to the
862 appropriation for the state agency incurring such costs.

863 (d) If the tribe is aggrieved due to any assessment levied pursuant to
864 such compact and this section or by any failure to adjust an excess
865 assessment in accordance with the provisions of the compact and this
866 section, it may, within one month from the time provided for the
867 payment of such assessment, appeal therefrom in accordance with the
868 terms of the compact, to the superior court for the judicial district of
869 Hartford, which appeal shall be accompanied by a citation to the
870 **[**executive director of the Division of Special Revenue**]** Commissioner
871 of Consumer Protection to appear before said court. Such citation shall
872 be signed by the same authority, and such appeal shall be returnable at
873 the same time and served and returned in the same manner as is
874 required in case of a summons in a civil action. Proceedings in such
875 matter shall be conducted in the same manner as provided for in
876 section 38a-52.

877 (e) The **[**executive director**]** Commissioner of Consumer Protection
878 shall require each applicant for a casino gaming employee license,
879 casino gaming service license or casino gaming equipment license to
880 submit to state and national criminal history records checks before
881 such license is issued. The criminal history records checks required
882 pursuant to this subsection shall be conducted in accordance with
883 section 29-17a.

884 Sec. 17. Section 12-586g of the general statutes is repealed and the
885 following is substituted in lieu thereof (*Effective July 1, 2011*):

886 (a) For the purposes of this section, "tribe" means the Mohegan Tribe
887 of Indians of Connecticut and "compact" means the Tribal-State
888 Compact between the tribe and the state of Connecticut, dated May 17,
889 1994.

890 (b) The expenses of administering the provisions of the compact
891 shall be financed as provided **[**herein**]** in this section. Assessments for
892 regulatory costs incurred by any state agency which are subject to
893 reimbursement by the tribe in accordance with the provisions of the
894 compact shall be made by the Commissioner of Revenue Services in
895 accordance with the provisions of the compact, including provisions
896 respecting adjustment of excess assessments. Any underassessment for
897 a prior fiscal year may be included in a subsequent assessment but
898 shall be specified as such. Payments made by the tribe in accordance
899 with the provisions of the compact shall be deposited in the General
900 Fund and shall be credited to the appropriation for the state agency
901 incurring such costs.

902 (c) Assessments for law enforcement costs incurred by any state
903 agency which are subject to reimbursement by the tribe in accordance
904 with the provisions of the compact shall be made by the Commissioner
905 of Public Safety in accordance with the provisions of the compact,
906 including provisions respecting adjustment of excess assessments. Any
907 underassessment for a prior fiscal year may be included in a
908 subsequent assessment but shall be specified as such. Payments made
909 by the tribe in accordance with the provisions of the compact shall be
910 deposited in the General Fund and shall be credited to the
911 appropriation for the state agency incurring such costs.

912 (d) If the tribe is aggrieved due to any assessment levied pursuant to
913 such compact and this section or by any failure to adjust an excess
914 assessment in accordance with the provisions of the compact and this
915 section, it may, within one month from the time provided for the
916 payment of such assessment, appeal therefrom in accordance with the
917 terms of the compact, to the superior court for the judicial district of
918 New Britain, which appeal shall be accompanied by a citation to the
919 **[**executive director of the Division of Special Revenue**]** Commissioner
920 of Consumer Protection to appear before said court. Such citation shall
921 be signed by the same authority, and such appeal shall be returnable at
922 the same time and served and returned in the same manner as is
923 required in case of a summons in a civil action. Proceedings in such

924 matter shall be conducted in the same manner as provided for in
925 section 38a-52.

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

932 Sec. 18. Section 12-802 of the general statutes is repealed and the
933 following is substituted in lieu thereof (*Effective July 1, 2011*):

934 (a) There is created a body politic and corporate, constituting a
935 public instrumentality and political subdivision of the state created for
936 the performance of an essential governmental revenue-raising
937 function, which shall be named the Connecticut Lottery Corporation,
938 and which may exercise the functions, powers and duties set forth in
939 sections 12-563a, as amended by this act, and 12-800 to 12-818,
940 inclusive, as amended by this act, to implement the purposes set forth
941 in said sections, which are public purposes for which public funds may
942 be expended. The Connecticut Lottery Corporation shall not be
943 construed to be a department, institution or agency of the state with
944 respect to budgeting, procurement or personnel requirements, except
945 as provided in sections 1-120, as amended by this act, 1-121, 1-125, as
946 amended by this act, 12-557e, as amended by this act, 12-563, 12-563a,
947 as amended by this act, 12-564, 12-566, 12-567, 12-568a, as amended by
948 this act, and 12-569, subsection (d) of section 12-574, as amended by
949 this act, and sections 12-800 to 12-818, inclusive, as amended by this
950 act.

951 (b) The corporation shall be governed by a board of thirteen
952 directors. The Governor, with the advice and consent of the General
953 Assembly, shall appoint four directors who shall have skill, knowledge
954 and experience in the fields of management, finance or operations in
955 the private sector. Three directors shall be the State Treasurer, the

956 Secretary of the Office of Policy and Management and the [executive
957 director of the Division of Special Revenue] Commissioner of
958 Consumer Protection, all of whom shall serve ex officio and shall have
959 all of the powers and privileges of a member of the board of directors.
960 Each ex-officio director may designate his or her deputy or any
961 member of his or her staff to represent him or her at meetings of the
962 corporation with full power to act and vote on his or her behalf. The
963 [executive director of the Division of Special Revenue] Commissioner
964 of Consumer Protection shall cease to be a director one year from June
965 4, 1996, or earlier at the discretion of the Governor. The Governor, with
966 the advice and consent of the General Assembly, shall fill the vacancy
967 created by the removal or departure of the [executive director of the
968 Division of Special Revenue] Commissioner of Consumer Protection
969 with a person who shall have skill, knowledge and experience in the
970 fields of management, finance or operations in the private sector. The
971 Governor shall thereafter have the power to appoint a total of five
972 members to the board. The procedures of section 4-7 shall apply to the
973 confirmation of the Governor's appointments by both houses of the
974 General Assembly. Six directors shall be appointed as follows: One by
975 the president pro tempore of the Senate, one by the majority leader of
976 the Senate, one by the minority leader of the Senate, one by the speaker
977 of the House of Representatives, one by the majority leader of the
978 House of Representatives and one by the minority leader of the House
979 of Representatives. Each director appointed by the Governor shall
980 serve at the pleasure of the Governor but no longer than the term of
981 office of the Governor or until the director's successor is appointed and
982 qualified, whichever term is longer. Each director appointed by a
983 member of the General Assembly shall serve in accordance with the
984 provisions of section 4-1a. The Governor shall fill any vacancy for the
985 unexpired term of a member appointed by the Governor. The
986 appropriate legislative appointing authority shall fill any vacancy for
987 the unexpired term of a member appointed by such authority. Any
988 director, other than the [executive director of the Division of Special
989 Revenue] Commissioner of Consumer Protection, shall be eligible for
990 reappointment. Any director may be removed by order of the Superior

991 Court upon application of the Attorney General for misfeasance,
992 malfeasance or wilful neglect of duty. Such actions shall be tried to the
993 court without a jury and shall be privileged in assignment for hearing.
994 If the court, after hearing, finds there is clear and convincing evidence
995 of such misfeasance, malfeasance or wilful neglect of duty it shall
996 order the removal of such director. Any director so removed shall not
997 be reappointed to the board. Each appointing authority shall make his
998 initial appointment to the board no later than six months following
999 June 4, 1996.

1000 (c) The chairperson of the board shall be appointed by the Governor
1001 from among the members of the board. The directors shall annually
1002 elect one of their number as vice chairperson. The board may elect
1003 such other officers of the board as it deems proper. Directors shall
1004 receive no compensation for the performance of their duties under
1005 sections 12-563a, as amended by this act, and 12-800 to 12-818,
1006 inclusive, as amended by this act, but shall be reimbursed for
1007 necessary expenses incurred in the performance of their duties.

1008 (d) Meetings of the corporation shall be held at such times as shall
1009 be specified in the bylaws adopted by the corporation and at such
1010 other time or times as the chairperson deems necessary. The
1011 corporation shall, within the first ninety days of the transfer to the
1012 corporation of the lottery, pursuant to section 12-808, as amended by
1013 this act, and on a fiscal quarterly basis thereafter, report on its
1014 operations for the preceding fiscal quarter to the Governor and the
1015 joint standing committees of the General Assembly having cognizance
1016 of matters relating to finance, revenue and bonding, and public safety.
1017 The report shall include a summary of the activities of the corporation,
1018 a statement of operations and, if necessary, recommendations for
1019 legislation to promote the purposes of the corporation. The accounts of
1020 the corporation shall be subject to audit by the state Auditors of Public
1021 Accounts. The corporation shall have independent certified public
1022 accountants audit its books and accounts at least once each fiscal year.
1023 The books, records and financial statements of the corporation shall be
1024 prepared in accordance with generally accepted accounting principles.

1025 (e) **[**(1)**]** Connecticut Lottery Corporation shall be a successor
1026 employer to the state and shall recognize existing bargaining units and
1027 collective bargaining agreements existing at the time of transfer of the
1028 lottery to the corporation. The employees of the corporation shall be
1029 considered state employees under the provisions of sections 5-270 to 5-
1030 280, inclusive. The corporation shall not be required to comply with
1031 personnel policies and procedures of the Department of
1032 Administrative Services and the Office of Policy and Management
1033 with regard to approval for the creation of new positions, the number
1034 of such positions, the decision to fill such positions or the time for
1035 filling such positions. The corporation, not the executive branch, shall
1036 have the power to determine whether an individual is qualified to fill a
1037 vacancy at the corporation. Nonmanagerial employees of the
1038 corporation shall be members of the classified service. Managerial
1039 employees shall be exempt from the classified service. The corporation
1040 shall have the ability to determine the qualifications and set the terms
1041 and conditions of employment of managerial employees including the
1042 establishment of incentive plans.

1043 **[**(2) Existing lottery employees of the Division of Special Revenue in
1044 collective bargaining units shall be offered the opportunity to transfer
1045 with their position to the corporation. If the corporation elects to
1046 employ a smaller number of persons in such positions at the
1047 corporation than exist in the lottery at the Division of Special Revenue,
1048 the opportunity to transfer to the corporation shall be offered on the
1049 basis of seniority. Employees who are offered the opportunity to
1050 transfer to the corporation may decline to do so. Any person who is
1051 covered by a collective bargaining agreement as an employee of the
1052 Division of Special Revenue who accepts employment with the
1053 corporation shall transfer with his position and shall remain in the
1054 same bargaining unit of which he was a member as an employee of the
1055 Division of Special Revenue.

1056 (3) No employee who is covered by a collective bargaining
1057 agreement as an employee of the Division of Special Revenue shall be
1058 laid off as a result of the creation of the corporation. Each employee of

1059 the Division of Special Revenue who is not employed by the
1060 corporation and by virtue of sections 12-563a and 12-800 to 12-818,
1061 inclusive, is no longer employed by the Division of Special Revenue
1062 shall be assigned with his position to another state agency. Such
1063 opportunities shall be offered in the order of seniority. Seniority shall
1064 be defined in the same way as cases of transfer under the appropriate
1065 collective bargaining agreements. Such assignments shall be made
1066 only with the approval of the Office of Policy and Management and
1067 shall be reported at the end of the fiscal year to the Finance Advisory
1068 Committee. Employees may choose to be laid off in lieu of accepting
1069 any such assignment. In such case, they shall be entitled to all
1070 collective bargaining rights under their respective collective bargaining
1071 agreements including the State Employees Bargaining Agent Coalition
1072 (SEBAC). Sections 1-120, 1-121, 1-125, 12-557e, 12-563, 12-563a, 12-564,
1073 12-566, 12-567, 12-568a and 12-569, subsection (d) of section 12-574 and
1074 sections 12-800 to 12-818, inclusive, shall in no way affect the collective
1075 bargaining rights of employees of the Division of Special Revenue.

1076 (f) (1) In addition to the sales positions transferred to the
1077 corporation under subdivision (2) of subsection (e) of this section, the**]**

1078 <u>(f) The</u> corporation may create one or more new classifications of
1079 entrepreneurial sales employees as determined by the board of
1080 directors. Such classifications shall not be deemed comparable to other
1081 classifications in state service.

1082 **[**(2) For the period commencing on June 4, 1996, until the expiration
1083 of the collective bargaining agreement in effect for transferred sales
1084 employees or the date of approval by the legislature of any interim
1085 agreement, whichever is earlier, the corporation may hire employees
1086 into a new entrepreneurial sales classification without regard to any
1087 collective bargaining agreement then in effect and may set the initial
1088 terms and conditions of employment for all employees in a new
1089 entrepreneurial sales classification.

1090 (3) Six months after the hiring of the first employee in any such new

1091 entrepreneurial sales classification, the collective bargaining agent of
1092 the transferred sales employees and the executive branch on behalf of
1093 the corporation shall engage in midterm bargaining for such
1094 classification at the request of either party. The scope of such midterm
1095 bargaining shall include all terms of employment, except that
1096 provisions relating to compensation shall not be subject to arbitration,
1097 provided that the average annualized compensation for such
1098 entrepreneurial sales classification shall not be less than the average
1099 annualized compensation for transferred sales employees.

1100 (4) Upon the expiration of the collective bargaining agreement
1101 covering transferred sales employees, all terms and conditions of
1102 employment in a new entrepreneurial sales classification shall be
1103 subject to collective bargaining as part of the negotiation of a common
1104 successor agreement.**]**

1105 (g) The executive branch **[**shall be authorized and empowered to**]**
1106 may negotiate on behalf of the corporation for employees of the
1107 corporation covered by collective bargaining and represent the
1108 corporation in all other collective bargaining matters. The corporation
1109 shall be entitled to have a representative present at all such bargaining.

1110 (h) In any interest arbitration regarding employees of the
1111 corporation, the arbitrator shall take into account as a factor, in
1112 addition to those factors specified in section 5-276a, the purposes of
1113 sections 1-120, as amended by this act, 1-121, 1-125, as amended by this
1114 act, 12-557e, as amended by this act, 12-563, 12-563a, as amended by
1115 this act, 12-564, 12-566, 12-567, 12-568a, as amended by this act, and 12-
1116 569, subsection (d) of section 12-574, as amended by this act, and
1117 sections 12-800 to 12-818, inclusive, as amended by this act, the
1118 entrepreneurial mission of the corporation and the necessity to provide
1119 flexibility and innovation to facilitate the success of the Connecticut
1120 Lottery Corporation in the marketplace. In any arbitration regarding
1121 any classification of entrepreneurial sales employees, the arbitrator
1122 shall include a term awarding incentive compensation for such
1123 employees for the purpose of motivating employees to maximize

1124 lottery sales.

1125 (i) The officers and all other employees of the corporation shall be
1126 state employees for the purposes of group welfare benefits and
1127 retirement, including, but not limited to, those provided under chapter
1128 66 and sections 5-257 and 5-259, as amended by this act. The
1129 corporation shall reimburse the appropriate state agencies for all costs
1130 incurred by such designation.

1131 Sec. 19. Section 12-806b of the general statutes is repealed and the
1132 following is substituted in lieu thereof (*Effective July 1, 2011*):

1133 (a) Commencing July 1, 2010, and annually thereafter, the Office of
1134 Policy and Management shall assess the Connecticut Lottery
1135 Corporation in an amount sufficient to compensate the **[**Division of
1136 Special Revenue**]** Department of Consumer Protection for the
1137 reasonable and necessary costs incurred by the **[**division**]** department
1138 for the regulatory activities specified in subdivision (13) of subsection
1139 (b) of section 12-806, as amended by this act, for the preceding fiscal
1140 year ending June thirtieth.

1141 (b) On or before **[**August**]** May first of each year, the Office of Policy
1142 and Management shall submit the total of the assessment made in
1143 accordance with subsection (a) of this section, together with a
1144 proposed assessment for the succeeding fiscal year based on the
1145 preceding fiscal year cost, to the Connecticut Lottery Corporation. The
1146 assessment for the preceding fiscal year shall be determined not later
1147 than **[**September**]** June fifteenth of each year, after receiving any
1148 objections to the proposed assessments and making such changes or
1149 adjustments as the Secretary of the Office of Policy and Management
1150 determines to be warranted. The corporation shall pay the total
1151 assessment in quarterly payments to the Office of Policy and
1152 Management, with the first payment commencing on **[**October**]** July
1153 first of each year, and with the remaining payments to be made on
1154 **[**January**]** October first, **[**April**]** January first, and **[**July**]** April first
1155 annually. The office shall deposit any such payment in the lottery

1156 assessment account established under subsection (c) of this section.

1157 (c) There is established an account to be known as the "lottery
1158 assessment account" which shall be a separate, nonlapsing account
1159 within the General Fund. The account shall contain any moneys
1160 required by law to be deposited in the account. Moneys in the account
1161 shall be expended by the **[**Division of Special Revenue**]** Department of
1162 Consumer Protection.

1163 Sec. 20. Section 22-410 of the general statutes is repealed and the
1164 following is substituted in lieu thereof (*Effective July 1, 2011*):

1165 The Department of Agriculture and the **[**Division of Special
1166 Revenue**]** Department of Consumer Protection, within the limitations
1167 of funds available, may offer cash awards to the breeders of
1168 Connecticut-bred horses which officially finish in first place in horse
1169 races conducted in this state where pari-mutuel betting is permitted
1170 and to those which finish first, second or third in horse races where
1171 pari-mutuel betting is permitted and the total purse is twenty
1172 thousand dollars or more, and to owners at the time of service of the
1173 stallions which sired such horses. Such awards shall be paid from the
1174 Connecticut Breeders' Fund to be administered by the **[**department and
1175 the division**]** departments. Said fund shall consist of revenues derived
1176 from pari-mutuel betting in such races in the state, both on and off-
1177 track, consisting of twenty-five per cent of the tax derived from the
1178 breakage of the state's share of the tax derived from such races,
1179 pursuant to subdivision (2) of subsection (d) of section 12-575, as
1180 amended by this act, with a limit set for the fund not to exceed fifty
1181 thousand dollars in any fiscal year.

1182 Sec. 21. Section 22-412 of the general statutes is repealed and the
1183 following is substituted in lieu thereof (*Effective July 1, 2011*):

1184 The Department of Agriculture and the **[**Division of Special
1185 Revenue**]** Department of Consumer Protection shall use part of said
1186 fund for programs to promote the equine industry in the state of
1187 Connecticut, such as equine activities, facilities and research. The

1188 Department of Agriculture and the **[**Division of Special Revenue**]**
1189 Department of Consumer Protection may **[**promulgate**]** adopt
1190 regulations, in accordance with the provisions of chapter 54, to carry
1191 out the purposes of this section and sections 22-410, as amended by
1192 this act, and 22-411.

1193 Sec. 22. Section 29-7c of the general statutes is repealed and the
1194 following is substituted in lieu thereof (*Effective July 1, 2011*):

1195 There is established a unit in the Division of State Police within the
1196 Department of Public Safety to be known as the legalized gambling
1197 investigative unit. The unit, in conjunction with the special policemen
1198 in the **[**Division of Special Revenue**]** Department of Consumer
1199 Protection, shall be responsible for (1) the criminal enforcement of the
1200 provisions of sections 7-169 to 7-172, inclusive, as amended by this act,
1201 and sections 7-185a to 7-186, inclusive, and chapters 226, 226b and
1202 229a, and (2) the investigation, detection of and assistance in the
1203 prosecution of any criminal matter or alleged violation of criminal law
1204 with respect to legalized gambling, provided the legalized gambling
1205 investigative unit shall be the primary criminal enforcement agency.
1206 Nothing in this section shall limit the powers granted to persons
1207 appointed to act as special policemen in accordance with the
1208 provisions of section 29-18c, as amended by this act.

1209 Sec. 23. Section 30-39 of the general statutes is repealed and the
1210 following is substituted in lieu thereof (*Effective July 1, 2011*):

1211 (a) For the purposes of this section, the "filing date" of an application
1212 means the date upon which the department, after approving the
1213 application for processing, mails or otherwise delivers to the applicant
1214 a placard containing such date.

1215 (b) (1) Any person desiring a liquor permit or a renewal of such a
1216 permit shall make a sworn application therefor to the Department of
1217 Consumer Protection upon forms to be furnished by the department,
1218 showing the name and address of the applicant and of the applicant's
1219 backer, if any, the location of the club or place of business which is to

1220 be operated under such permit and a financial statement setting forth
1221 all elements and details of any business transactions connected with
1222 the application. Such application shall include a detailed description of
1223 the type of live entertainment that is to be provided. A club or place of
1224 business shall be exempt from providing such detailed description if
1225 the club or place of business (A) was issued a liquor permit prior to
1226 October 1, 1993, and (B) has not altered the type of entertainment
1227 provided. The application shall also indicate any crimes of which the
1228 applicant or the applicant's backer may have been convicted.
1229 Applicants shall submit documents sufficient to establish that state and
1230 local building, fire and zoning requirements and local ordinances
1231 concerning hours and days of sale will be met, except that local
1232 building and zoning requirements and local ordinances concerning
1233 hours and days of sale shall not apply to any class of airport permit.
1234 The State Fire Marshal or the marshal's certified designee shall be
1235 responsible for approving compliance with the State Fire Code at
1236 Bradley International Airport. Any person desiring a permit provided
1237 for in section 30-33b shall file a copy of such person's license **[**from the
1238 Division of Special Revenue or the Gaming Policy Board**]** with such
1239 application <u>if such license was issued by the Gaming Policy Board</u>. The
1240 department may, at its discretion, conduct an investigation to
1241 determine whether a permit shall be issued to an applicant.

1242 (2) The applicant shall pay to the department a nonrefundable
1243 application fee, which fee shall be in addition to the fees prescribed in
1244 this chapter for the permit sought. An application fee shall not be
1245 charged for an application to renew a permit. The application fee shall
1246 be in the amount of ten dollars for the filing of each application for a
1247 permit by a charitable organization, including a nonprofit public
1248 television corporation, a nonprofit golf tournament permit, a
1249 temporary permit or a special club permit; and for all other permits in
1250 the amount of one hundred dollars for the filing of an initial
1251 application. Any permit issued shall be valid only for the purposes and
1252 activities described in the application.

1253 (3) The applicant, immediately after filing an application, shall give

1254 notice thereof, with the name and residence of the permittee, the type
1255 of permit applied for and the location of the place of business for
1256 which such permit is to be issued and the type of live entertainment to
1257 be provided, all in a form prescribed by the department, by publishing
1258 the same in a newspaper having a circulation in the town in which the
1259 place of business to be operated under such permit is to be located, at
1260 least once a week for two successive weeks, the first publication to be
1261 not more than seven days after the filing date of the application and
1262 the last publication not more than fourteen days after the filing date of
1263 the application. The applicant shall affix, and maintain in a legible
1264 condition upon the outer door of the building wherein such place of
1265 business is to be located and clearly visible from the public highway,
1266 the placard provided by the department, not later than the day
1267 following the receipt of the placard by the applicant. If such outer door
1268 of such premises is so far from the public highway that such placard is
1269 not clearly visible as provided, the department shall direct a suitable
1270 method to notify the public of such application. When an application is
1271 filed for any type of permit for a building that has not been
1272 constructed, such applicant shall erect and maintain in a legible
1273 condition a sign not less than six feet by four feet upon the site where
1274 such place of business is to be located, instead of such placard upon
1275 the outer door of the building. The sign shall set forth the type of
1276 permit applied for and the name of the proposed permittee, shall be
1277 clearly visible from the public highway and shall be so erected not
1278 later than the day following the receipt of the placard. Such applicant
1279 shall make a return to the department, under oath, of compliance with
1280 the foregoing requirements, in such form as the department may
1281 determine, but the department may require any additional proof of
1282 such compliance. Upon receipt of evidence of such compliance, the
1283 department may hold a hearing as to the suitability of the proposed
1284 location. The provisions of this subdivision shall not apply to
1285 applications for airline permits, charitable organization permits,
1286 temporary permits, special club permits, concession permits, military
1287 permits, railroad permits, boat permits, warehouse permits, brokers'
1288 permits, out-of-state shippers' permits for alcoholic liquor and out-of-

1289 state shippers' permits for beer, coliseum permits, coliseum concession
1290 permits, special sporting facility restaurant permits, special sporting
1291 facility employee recreational permits, special sporting facility guest
1292 permits, special sporting facility concession permits, special sporting
1293 facility bar permits, nonprofit golf tournament permits, nonprofit
1294 public television permits and renewals. The provisions of this
1295 subdivision regarding publication and placard display shall also be
1296 required of any applicant who seeks to amend the type of
1297 entertainment upon filing of a renewal application.

1298 (4) In any case in which a permit has been issued to a partnership, if
1299 one or more of the partners dies or retires, the remaining partner or
1300 partners need not file a new application for the unexpired portion of
1301 the current permit, and no additional fee for such unexpired portion
1302 shall be required. Notice of any such change shall be given to the
1303 department and the permit shall be endorsed to show correct
1304 ownership. When any partnership changes by reason of the addition of
1305 one or more persons, a new application with new fees shall be
1306 required.

1307 (c) Any ten persons who are at least eighteen years of age, and are
1308 residents of the town within which the business for which the permit
1309 or renewal thereof has been applied for, is intended to be operated, or,
1310 in the case of a manufacturer's or a wholesaler's permit, any ten
1311 persons who are at least eighteen years of age and are residents of the
1312 state, may file with the department, within three weeks from the last
1313 date of publication of notice made pursuant to subdivision (3) of
1314 subsection (b) of this section for an initial permit, and in the case of
1315 renewal of an existing permit, at least twenty-one days before the
1316 renewal date of such permit, a remonstrance containing any objection
1317 to the suitability of such applicant or proposed place of business. Upon
1318 the filing of such remonstrance, the department, upon written
1319 application, shall hold a hearing and shall give such notice as it deems
1320 reasonable of the time and place at least five days before such hearing
1321 is had. The remonstrants shall designate one or more agents for
1322 service, who shall serve as the recipient or recipients of all notices

1323 issued by the department. At any time prior to the issuance of a
1324 decision by the department, a remonstrance may be withdrawn by the
1325 remonstrants or by such agent or agents acting on behalf of such
1326 remonstrants and the department may cancel the hearing or withdraw
1327 the case. The decision of the department on such application shall be
1328 final with respect to the remonstrance.

1329 (d) No new permit shall be issued until the foregoing provisions of
1330 subsections (a) and (b) of this section have been complied with. Six
1331 months' or seasonal permits may be renewed, provided the renewal
1332 application and fee shall be filed at least twenty-one days before the
1333 reopening of the business, there is no change in the permittee,
1334 ownership or type of permit, and the permittee or backer did not
1335 receive a rebate of the permit fee with respect to the permit issued for
1336 the previous year.

1337 (e) The department may renew a permit that has expired if the
1338 applicant pays to the department a nonrefundable late fee pursuant to
1339 subsection (c) of section 21a-4, which fee shall be in addition to the fees
1340 prescribed in this chapter for the permit applied for. The provisions of
1341 this subsection shall not apply to one-day permits, to any permit which
1342 is the subject of administrative or court proceedings, or where
1343 otherwise provided by law.

1344 Sec. 24. Section 30-59a of the general statutes is repealed and the
1345 following is substituted in lieu thereof (*Effective July 1, 2011*):

1346 The Department of Consumer Protection may **[**, upon notice from
1347 the Division of Special Revenue of the name and address of any person
1348 who**]** <u>suspend any permit issued under this chapter if the permittee</u>
1349 has had a license suspended or revoked by the Gaming Policy Board or
1350 the **[**executive director of the Division of Special Revenue, suspend the
1351 permit of such person**]** <u>department</u> until such license has been restored
1352 to such person. **[**The Department of Consumer Protection shall notify
1353 the Division of Special Revenue of the name and address of any
1354 permittee or backer whose permit has been suspended or revoked.**]**

1355 Sec. 25. Section 31-51y of the general statutes is repealed and the
1356 following is substituted in lieu thereof (*Effective July 1, 2011*):

1357 (a) Nothing in sections 31-51t to 31-51aa, inclusive, shall prevent an
1358 employer from conducting medical screenings, with the express
1359 written consent of the employees, to monitor exposure to toxic or other
1360 unhealthy substances in the workplace or in the performance of their
1361 job responsibilities. Any such screenings or tests shall be limited to the
1362 specific substances expressly identified in the employee consent form.

1363 (b) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict an
1364 employer's ability to prohibit the use of intoxicating substances during
1365 work hours or restrict an employer's ability to discipline an employee
1366 for being under the influence of intoxicating substances during work
1367 hours.

1368 (c) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict or
1369 prevent a urinalysis drug test program conducted under the
1370 supervision of the **[**Division of Special Revenue within the Department
1371 of Revenue Services**]** Department of Consumer Protection relative to
1372 jai alai players, jai alai court judges, jockeys, harness drivers or
1373 stewards participating in activities upon which pari-mutuel wagering
1374 is authorized under chapter 226.

1375 Sec. 26. Section 53-278a of the general statutes is repealed and the
1376 following is substituted in lieu thereof (*Effective July 1, 2011*):

1377 As used in sections 53-278a to 53-278g, inclusive, as amended by
1378 this act:

1379 (1) "Gain" means the direct realization of winnings; "profit" means
1380 any other realized or unrealized benefit, direct or indirect, including
1381 without limitation benefits from proprietorship, management or
1382 unequal advantage in a series of transactions;

1383 (2) "Gambling" means risking any money, credit, deposit or other
1384 thing of value for gain contingent in whole or in part upon lot, chance

1385 or the operation of a gambling device, including the playing of a casino
1386 gambling game such as blackjack, poker, craps, roulette or a slot
1387 machine, but does not include: Legal contests of skill, speed, strength
1388 or endurance in which awards are made only to entrants or the owners
1389 of entries; legal business transactions which are valid under the law of
1390 contracts; activity legal under the provisions of sections 7-169 to 7-172,
1391 inclusive, as amended by this act, and sections 7-185a to 7-186,
1392 inclusive, as amended by this act; any lottery or contest conducted by
1393 or under the authority of any state of the United States,
1394 Commonwealth of Puerto Rico or any possession or territory of the
1395 United States; and other acts or transactions expressly authorized by
1396 law on or after October 1, 1973;

1397 (3) "Professional gambling" means accepting or offering to accept,
1398 for profit, money, credits, deposits or other things of value risked in
1399 gambling, or any claim thereon or interest therein. Without limiting
1400 the generality of this definition, the following shall be included: Pool-
1401 selling and bookmaking; maintaining slot machines, one-ball machines
1402 or variants thereof, pinball machines, which award anything other
1403 than an immediate and unrecorded right of replay, roulette wheels,
1404 dice tables, or money or merchandise pushcards, punchboards, jars or
1405 spindles, in any place accessible to the public; and except as provided
1406 in sections 7-169 to 7-172, inclusive, as amended by this act, and
1407 sections 7-185a to 7-186, inclusive, as amended by this act, conducting
1408 lotteries, gift enterprises, disposal or sale of property by lottery or
1409 hazard or policy or numbers games, or selling chances therein; and the
1410 following shall be presumed to be included: Conducting any banking
1411 game played with cards, dice or counters, or accepting any fixed share
1412 of the stakes therein;

1413 (4) "Gambling device" means any device or mechanism by the
1414 operation of which a right to money, credits, deposits or other things
1415 of value may be created, as the result of the operation of an element of
1416 chance; any device or mechanism which, when operated for a
1417 consideration, does not return the same value or thing of value for the
1418 same consideration upon each operation thereof; any device,

1419 mechanism, furniture or fixture designed primarily for use in
1420 connection with professional gambling; and any subassembly or
1421 essential part designed or intended for use in connection with any
1422 such device, mechanism, furniture, fixture, construction or installation,
1423 provided an immediate and unrecorded right of replay mechanically
1424 conferred on players of pinball machines and similar amusement
1425 devices shall be presumed to be without value. "Gambling device"
1426 does not include a crane game machine or device or a redemption
1427 machine;

1428 (5) "Gambling record" means any record, receipt, ticket, certificate,
1429 token, slip or notation given, made, used or intended to be used in
1430 connection with professional gambling;

1431 (6) "Gambling information" means a communication with respect to
1432 any wager made in the course of, and any information intended to be
1433 used for, professional gambling. Information as to wagers, betting
1434 odds or changes in betting odds shall be presumed to be intended for
1435 use in professional gambling;

1436 (7) "Gambling premise" means any building, room, enclosure,
1437 vehicle, vessel or other place, whether open or enclosed, used or
1438 intended to be used for professional gambling. Any place where a
1439 gambling device is found shall be presumed to be intended to be used
1440 for professional gambling **[**, except a place wherein a bazaar or raffle
1441 for which a permit has been issued under sections 7-170 to 7-186,
1442 inclusive,**]** or bingo for which a permit has been issued under section
1443 7-169, as amended by this act, is to be conducted;

1444 (8) "Person" includes natural persons, partnerships, limited liability
1445 companies and associations of persons, and corporations; and any
1446 corporate officer, director or stockholder who authorizes, participates
1447 in or knowingly accepts benefits from any violation of sections 53-278a
1448 to 53-278g, inclusive, as amended by this act, committed by his
1449 corporation;

1450 (9) "Peace officer" means a municipal or state police officer or chief

1451 inspector or inspector in the Division of Criminal Justice or state
1452 marshal while exercising authority granted under any provision of the
1453 general statutes or judicial marshal in the performance of the duties of
1454 a judicial marshal;

1455 (10) "Court" means the Superior Court;

1456 (11) "Crane game machine or device" means a machine or device (A)
1457 that is designed and manufactured only for bona fide amusement
1458 purposes and involves at least some skill in its operation, (B) that
1459 rewards a winning player exclusively with merchandise contained
1460 within the machine or device and such merchandise is limited to
1461 noncash prizes, toys or novelties each of which has a wholesale value
1462 not exceeding ten dollars or ten times the cost of playing the machine
1463 or device, whichever is less, (C) the player of which is able to control
1464 the timing of the use of the claw or grasping device to attempt to pick
1465 up or grasp a prize, toy or novelty, (D) the player of which is made
1466 aware of any time restrictions that the machine or device imposes on
1467 the player to maneuver the claw or grasping device into a position to
1468 attempt to pick up or grasp a prize, toy or novelty, and (E) the claw or
1469 grasping device of which is not of a size, design or shape that prohibits
1470 the picking up or grasping of a prize, toy or novelty contained within
1471 the machine or device;

1472 (12) "Redemption machine" means an amusement device operated
1473 by one or more players that involves a game the object of which is
1474 throwing, rolling, bowling, shooting, placing or propelling a ball or
1475 other object into, upon or against a hole or other target and that
1476 rewards the player or players with tickets, tokens or other noncash
1477 representations of value redeemable for merchandise prizes, provided
1478 (A) the outcome of the game is predominantly determined by the skill
1479 of the player, (B) the award of tickets, tokens or other noncash
1480 representations of value is based solely on the player's achieving the
1481 object of the game or on the player's score, (C) only merchandise prizes
1482 are awarded, (D) the average wholesale value of the prizes awarded in
1483 lieu of tickets or tokens for a single play of the machine does not

1484 exceed ten dollars or ten times the cost of a single play of the machine,
1485 whichever is less, and (E) the redemption value of each ticket, token or
1486 other noncash representation of value that may be accumulated by a
1487 player or players to redeem prizes of greater value does not exceed the
1488 cost of a single play of the machine.

1489 Sec. 27. Subsection (d) of section 53-278c of the general statutes is
1490 repealed and the following is substituted in lieu thereof (*Effective July*
1491 *1, 2011*):

1492 (d) Except as provided in subsection (e), any person who knowingly
1493 owns, manufactures, possesses, buys, sells, rents, leases, stores, repairs
1494 or transports any gambling device, or offers or solicits any interest
1495 therein, except in connection with a permit under sections 7-169 <u>to 7-</u>
1496 <u>172, inclusive, as amended by this act, and sections 7-185a</u> to 7-186,
1497 inclusive, <u>as amended by this act,</u> whether through an agent or
1498 employee or otherwise shall be guilty of a class A misdemeanor.
1499 Subsection (b) of this section shall have no application in the
1500 enforcement of this subsection.

1501 Sec. 28. Section 7-169 of the general statutes is repealed and the
1502 following is substituted in lieu thereof (*Effective July 1, 2011*):

1503 (a) The term "bingo" is defined as the name of a game in which each
1504 player receives a card containing several rows of numbers and, as
1505 numbers are drawn or otherwise obtained by chance and publicly
1506 announced, the player first having a specified number of announced
1507 numbers appearing on his card in a continuous straight line or
1508 covering a previously designated arrangement of numbers on such
1509 card is declared the winner. **[**The word "person" or "applicant", as used
1510 in this section, means the officer or representative of the sponsoring
1511 organization or the organization itself. The term "session" means a
1512 series of games played in one day. "Executive director" means the
1513 executive director of the Division of Special Revenue within the
1514 Department of Revenue Services who shall be responsible for the
1515 administration and regulation of bingo in the state.**]**

1516 (b) Upon a written petition of five per cent or more of the electors of
1517 any municipality requesting the selectmen, common council or other
1518 governing body of such municipality to vote upon the question of
1519 permitting the playing of bingo within such municipality, such
1520 governing body shall vote upon such question and, if the vote is in the
1521 affirmative, it shall be permitted, subject to the restrictions herein set
1522 forth, and if the vote is in the negative, bingo shall not be permitted to
1523 be played in such municipality. When the selectmen, common council
1524 or other governing body of any municipality have voted favorably
1525 upon the question of permitting the playing of bingo within such
1526 municipality, the playing of such game shall be permitted in such
1527 municipality indefinitely thereafter, without further petition or action
1528 by such governing body, unless such governing body has forbidden
1529 the playing of said game upon a similar written petition of five per
1530 cent or more of the electors of such municipality, whereupon bingo
1531 shall not be permitted to be played after such negative vote.

1532 **[**(c) The executive director of the Division of Special Revenue, with
1533 the advice and consent of the Gaming Policy Board, shall adopt, in
1534 accordance with the provisions of chapter 54, such regulations as are
1535 necessary effectively to carry out the provisions of this section and
1536 section 7-169a in order to prevent fraud and protect the public, which
1537 regulations shall have the effect of law.**]**

1538 **[**(d)**]** (c) No bingo game or series of bingo games shall be promoted,
1539 operated or played unless the same is sponsored and conducted
1540 exclusively by a charitable, civic, educational, fraternal, veterans' or
1541 religious organization, volunteer fire department or grange. Any such
1542 organization or group shall have been organized for not less than two
1543 years prior to its application for a bingo permit under the terms of this
1544 section. The promotion and operation of said game or games shall be
1545 confined solely to the qualified members of the sponsoring
1546 organization. **[**, except that the executive director of the Division of
1547 Special Revenue may permit any qualified member of a sponsoring
1548 organization who has registered with the executive director, on a form
1549 prepared by him for such purpose, to assist in the operation of a game

1550 sponsored by another organization. The executive director may revoke
1551 such registration for cause.]

1552 [(e)] (d) Any eligible organization desiring to operate bingo games
1553 in any municipality in which the governing body has voted to permit
1554 the playing thereof shall [make application] apply to the [executive
1555 director of the Division of Special Revenue] Commissioner of
1556 Consumer Protection, which application shall contain a statement of
1557 the name and address of the applicant, the location of the place at
1558 which the games are to be played and the seating capacity of such
1559 place, the date or dates for which a permit is sought, the class of permit
1560 sought and any other information which the [executive director]
1561 commissioner reasonably requires for the protection of the public, and,
1562 upon payment of the fee hereinafter provided for, the [executive
1563 director] commissioner is authorized to issue such permit, provided
1564 such eligible organization has been registered [by him] as provided in
1565 section 7-169a, as amended by this act.

1566 [(f)] (e) Permits shall be known as "Class A" which shall be annual
1567 one-day-per-week permits and shall permit the conduct of not more
1568 than forty and not less than fifteen bingo games on such day, and
1569 "Class B" which shall permit not more than forty and not less than
1570 fifteen bingo games per day for a maximum of ten successive days,
1571 and "Class C" which shall be annual one-day-per-month permits and
1572 shall permit the conduct of not more than forty and not less than
1573 fifteen bingo games on such day. "Class A" permits shall allow the
1574 playing of bingo no more than one day weekly. Not more than two
1575 "Class B" permits shall be issued to any one organization within any
1576 twelve-month period. "Class C" permits shall allow the playing of
1577 bingo no more than one day per month.

1578 [(g)] (f) Permit fees shall be remitted to the state as follows: "Class
1579 A", seventy-five dollars; "Class B", five dollars per day; "Class C", fifty
1580 dollars.

1581 [(h)] (g) Each person who operates bingo games shall keep accurate

1582 records of receipts and disbursements. [, which shall be available for
1583 inspection by the executive director. Any information acquired by the
1584 executive director pursuant to this subsection shall be available to the
1585 Commissioner of Public Safety upon request.]

1586 [(i)] (h) Prizes offered for the winning of bingo games may consist of
1587 cash, merchandise, tickets for any lottery conducted under chapter 226,
1588 the value of which shall be the purchase price printed on such tickets,
1589 or other personal property. No permittee may offer a prize which
1590 exceeds one hundred dollars in value, except that (1) a permittee may
1591 offer a prize or prizes on any one day of not less than one hundred one
1592 dollars or more than three hundred dollars in value, provided the total
1593 value of such prizes on any one day does not exceed twelve hundred
1594 dollars, (2) a permittee may offer one or two winner-take-all games or
1595 series of games played on any day on which the permittee is allowed
1596 to conduct bingo, provided ninety per cent of all receipts from the sale
1597 of bingo cards for such winner-take-all game or series of games shall
1598 be awarded as prizes and provided each prize awarded does not
1599 exceed five hundred dollars in value, (3) the holder of a Class A permit
1600 may offer two additional prizes on a weekly basis not to exceed one
1601 hundred twenty-five dollars each as a special grand prize and in the
1602 event such a special grand prize is not won, the money reserved for
1603 such prize shall be added to the money reserved for the next week's
1604 special grand prize, provided no such special grand prize may
1605 accumulate for more than sixteen weeks or exceed a total of two
1606 thousand dollars, and (4) a permittee may award door prizes the
1607 aggregate value of which shall not exceed two hundred dollars in
1608 value. When more than one player wins on the call of the same
1609 number, the designated prize shall be divided equally to the next
1610 nearest dollar. If a permittee elects, no winner may receive a prize
1611 which amounts to less than ten per cent of the announced prize and in
1612 such case the total of such multiple prizes may exceed the statutory
1613 limit of such game.

1614 [(j) Any organization operating or conducting a bingo game shall
1615 file a return with the executive director, on a form prepared by him,

1616 within ten days after such game is held or within such further time as
1617 the executive director may allow, and pay to the state a fee of five per
1618 cent of the gross receipts, less the prizes awarded including prizes
1619 reserved for special grand prize games, derived from such games at
1620 each bingo session. All such returns shall be public records. The
1621 executive director shall pay each municipality in which bingo games
1622 are conducted, one-quarter of one per cent of the total money wagered
1623 less prizes awarded on such games conducted. He shall make such
1624 payment at least once a year and not more than four times a year from
1625 the fee imposed pursuant to this subsection.]

1626 [(k)] (i) (1) Whenever it appears to the [executive director]
1627 commissioner after an investigation that any person is violating or is
1628 about to violate any provision of this section or section 7-169a, as
1629 amended by this act, or administrative regulations issued pursuant
1630 thereto, the [executive director] commissioner may in his discretion, to
1631 protect the public welfare, order that any permit issued pursuant to
1632 this section be immediately suspended or revoked and that the person
1633 cease and desist from the actions constituting such violation or which
1634 would constitute such violation. After such an order is issued, the
1635 person named therein may, [within] not later than fourteen days after
1636 receipt of the order, file a written request for a hearing. Such hearing
1637 shall be held in accordance with the provisions of chapter 54.

1638 (2) Whenever the [executive director] commissioner finds as the
1639 result of an investigation that any person has violated any provision of
1640 this section or section 7-169a, as amended by this act, or administrative
1641 regulations issued pursuant thereto or made any false statement in any
1642 application for a permit or in any report required by this section or
1643 section 7-169a, as amended by this act, or by the [executive director]
1644 commissioner, the [executive director] commissioner may send a
1645 notice to such person by certified mail, return receipt requested. Any
1646 such notice shall include (A) a reference to the section or regulation
1647 alleged to have been violated or the application or report in which an
1648 alleged false statement was made, (B) a short and plain statement of
1649 the matter asserted or charged, (C) the fact that any permit issued

1650 pursuant to this section may be suspended or revoked for such
1651 violation or false statement and the maximum penalty that may be
1652 imposed for such violation or false statement, and (D) the time and
1653 place for the hearing. Such hearing shall be fixed for a date not earlier
1654 than fourteen days after the notice is mailed.

1655 (3) The [executive director] commissioner shall hold a hearing upon
1656 the charges made unless such person fails to appear at the hearing.
1657 Such hearing shall be held in accordance with the provisions of chapter
1658 54. If such person fails to appear at the hearing or if, after the hearing,
1659 the [executive director] commissioner finds that such person
1660 committed such a violation or made such a false statement, the
1661 [executive director] commissioner may, in his discretion, suspend or
1662 revoke such permit and order that a civil penalty of not more than two
1663 hundred dollars be imposed upon such person for such violation or
1664 false statement. The [executive director] commissioner shall send a
1665 copy of any order issued pursuant to this subdivision by certified mail,
1666 return receipt requested, to any person named in such order. Any
1667 person aggrieved by a decision of the [executive director]
1668 commissioner under this subdivision shall have a right of appeal to the
1669 Gaming Policy Board for a hearing. Any person aggrieved by a
1670 decision of the Gaming Policy Board shall have a right of appeal
1671 pursuant to section 4-183.

1672 (4) Whenever the [executive director] commissioner revokes a
1673 permit issued pursuant to this section, he shall not issue any permit to
1674 such permittee for one year after the date of such revocation.

1675 (5) Any person who promotes or operates any bingo game without
1676 a permit therefor, or who violates any provision of this section or
1677 section 7-169a, as amended by this act, or administrative regulations
1678 issued pursuant thereto, or who makes any false statement in any
1679 application for a permit or in any report required by this section or
1680 section 7-169a, as amended by this act, or by the [executive director]
1681 commissioner shall be fined not more than two hundred dollars or
1682 imprisoned not more than sixty days or both.

1683 Sec. 29. Section 7-185a of the general statutes is repealed and the
1684 following is substituted in lieu thereof (*Effective July 1, 2011*):

1685 (a) Notwithstanding the provisions of sections 7-170 to 7-172,
1686 inclusive, as amended by this act, and sections 7-185a to 7-186,
1687 inclusive, as amended by this act, and the regulations adopted
1688 thereunder, any organized church, volunteer fire company or veterans
1689 organization or association conducting a bazaar or raffle, (1) may have
1690 the actual drawing of the raffle in a municipality other than the
1691 municipality which grants the permit, provided the chief executive
1692 officer of the other municipality has in writing approved such
1693 drawing; (2) may conduct the bazaar in a municipality other than the
1694 municipality which grants the permit, provided the municipality in
1695 which the bazaar is to be conducted has adopted the provisions of
1696 sections 7-170 to 7-172, inclusive, as amended by this act, and sections
1697 7-185a to 7-186, inclusive, as amended by this act, and the chief
1698 executive officer of such municipality has in writing approved such
1699 bazaar; (3) may be permitted to redeem prizes in cash; (4) shall be
1700 exempt from the requirement of preserving unsold raffle tickets
1701 beyond ninety days after the conclusion of the holding, operating and
1702 conducting of such bazaar or raffle and shall be permitted to dispose of
1703 unclaimed prizes after such ninety days; and (5) may file a
1704 reconciliation of expenditures and receipts signed by an officer in lieu
1705 of an accountant.

1706 (b) Notwithstanding the provisions of sections 7-170 to 7-172,
1707 inclusive, as amended by this act, and sections 7-185a to 7-186,
1708 inclusive, as amended by this act, and the regulations adopted
1709 thereunder, any sponsoring organization qualified to conduct a bazaar
1710 or raffle under the provisions of section 7-172, as amended by this act,
1711 and recognized as a nonprofit organization under the provisions of
1712 Section 501(c)(3) of the federal Internal Revenue Code of 1986, or any
1713 subsequent corresponding internal revenue code of the United States,
1714 as from time to time amended, may have the actual drawing of the
1715 raffle in a municipality other than the municipality which grants the
1716 permit, provided the chief executive officer of the other municipality

1717 has in writing approved such drawing.

1718 (c) [Notwithstanding the provisions of section 7-177, any] Any
1719 organization conducting a bazaar may operate "fifty-fifty" coupon
1720 games each day of a permitted bazaar event and may award cash
1721 prizes of fifty per cent of "fifty-fifty" coupon game sales for each
1722 coupon drawing conducted. [Not more than three scheduled drawings
1723 may be held on any day on which a bazaar is permitted. A "fifty-fifty"
1724 coupon game shall be operated from an authorized bazaar booth,
1725 subject to the regulation of the executive director of the Division of
1726 Special Revenue and shall allow for the sale of "fifty-fifty" coupons at a
1727 predetermined uniform price. Each "fifty-fifty" coupon shall be
1728 consecutively numbered and shall have a correspondingly numbered
1729 stub. Each sponsoring organization shall provide different colored
1730 coupons for each drawing and shall award one prize for each drawing
1731 held. Each organization conducting such games shall conspicuously
1732 post, at each bazaar booth at which such games are conducted, a notice
1733 or notices which shall include the dates, times and places of any "fifty-
1734 fifty" coupon drawings, as well as the prices and colors of coupons to
1735 be sold for each drawing. The executive director shall prescribe the
1736 form of such notice which shall contain the following statement:
1737 "Holders of coupons must be present to claim a prize." Each such
1738 organization shall account for each coupon printed and sold for each
1739 drawing and shall announce the amount of sales and the prize to be
1740 awarded immediately prior to each drawing. The sponsoring
1741 organization shall preserve all sold and unsold coupons or stubs for a
1742 period of at least one year from the date of the verified statement
1743 required pursuant to section 7-182. At the conclusion of a bazaar, each
1744 organization conducting such games, and its members who were in
1745 charge thereof, shall furnish to the chief of police of the municipality or
1746 to the first selectman, as the case may be, a verified statement,
1747 prescribed by the executive director of the Division of Special Revenue,
1748 in duplicate, showing (1) the total number of coupons purchased and
1749 sold for each "fifty-fifty" coupon game drawing, and (2) the total
1750 number and amount of prizes awarded and the names and addresses

1751 of the persons to whom the prizes were awarded. Such report shall be
1752 furnished during the next succeeding month. The chief of police or
1753 first selectman, as the case may be, shall forward the original copy of
1754 such report to the executive director, who shall keep it on file and
1755 available for public inspection for a period of one year thereafter. Such
1756 report shall be certified to under penalty of false statement by the three
1757 persons designated in the permit application as being responsible for
1758 the bazaar.]

1759 (d) [Notwithstanding the provisions of section 7-177, any] Any
1760 sponsoring organization qualified to conduct a bazaar or raffle under
1761 the provisions of section 7-172, as amended by this act, may operate a
1762 cow-chip raffle once a calendar year and, pursuant to a "Class No. 1",
1763 "Class No. 2" or "Class No. 4" permit, may award cash prizes in
1764 connection with participation in such a raffle. [, in addition to those
1765 prizes authorized pursuant to section 7-177.] Such raffles shall conform
1766 to the provisions of sections 7-170 to 7-172, inclusive, as amended by
1767 this act, and sections 7-185a to 7-186, inclusive, as amended by this act.
1768 [, and shall be subject to regulation by the executive director of the
1769 Division of Special Revenue.] A cow-chip raffle shall allow for the sale
1770 of consecutively numbered tickets with correspondingly numbered
1771 stubs, entitling the holders of such tickets to the temporary possession
1772 of a plot of land for purposes of the conduct of the cow-chip raffle.
1773 [Each organization intending to sponsor or conduct a cow-chip raffle
1774 shall furnish with its application, required pursuant to section 7-173, a
1775 cow-chip raffle plot plan displaying the land area to be utilized for
1776 such raffle and the numbered plots, each corresponding to a numbered
1777 cow-chip raffle ticket.] Each [such] organization conducting a cow-chip
1778 raffle shall provide for a suitable land area on which the cow-chip
1779 raffle activity is to be conducted. The area shall be sufficiently enclosed
1780 so as to confine any animal utilized in the conduct of a cow-chip raffle
1781 during the period in which the animal is so utilized. The area shall be
1782 adequately marked so as to display the number of plots to be utilized,
1783 which shall correspond to the number of cow-chip raffle tickets to be
1784 sold. The manner in which winners in a cow-chip raffle are determined

1785 shall be clearly stated prior to the commencement of a cow-chip raffle
1786 drawing and each sponsoring organization shall conspicuously post an
1787 information board **[**, prescribed by the executive director of the
1788 Division of Special Revenue,**]** which shall display the consecutively
1789 numbered plots of the cow-chip raffle event. A cow-chip raffle
1790 drawing shall commence at a designated time and shall continue until
1791 all winners of authorized prizes have been determined. No person
1792 may feed, lead or handle any animal utilized in a cow-chip raffle once
1793 the animal has entered into the enclosed area from which winners will
1794 be determined. Each organization conducting a cow-chip raffle shall
1795 deposit all proceeds from the conduct of such raffle in a special
1796 checking account established and maintained by such organization.
1797 **[**which shall be subject to audit by the Division of Special Revenue.**]**
1798 Any expense incidental to the conduct of such raffle shall be paid from
1799 the gross receipts of cow-chip raffle tickets and only by checks drawn
1800 from such checking account. All cash prizes awarded shall be paid
1801 from such checking account.

1802 (e) Notwithstanding the provisions of sections 7-170 to 7-172,
1803 inclusive, as amended by this act, and sections 7-185a to 7-186,
1804 inclusive, as amended by this act, and the regulations adopted
1805 pursuant to said sections, any organization conducting a bazaar may
1806 operate a "teacup raffle" and may, through the sale of chances, award
1807 prizes consisting of gift certificates or merchandise, each not exceeding
1808 two hundred fifty dollars in value. No such organization may conduct
1809 more than one scheduled "teacup raffle" drawing for all prizes offered
1810 on any day on which a bazaar is permitted. A "teacup raffle" shall be
1811 operated from an authorized bazaar booth. **[**, and shall be subject to
1812 regulation by the executive director of the Division of Special
1813 Revenue.**]** Each "teacup raffle" ticket shall (1) be consecutively
1814 numbered and have a correspondingly numbered stub that shall
1815 include the name, address and telephone number of the purchaser, or
1816 (2) be a sheet containing up to twenty-five coupons, each bearing the
1817 same number, and including a "hold" stub for the purchaser and a
1818 correspondingly numbered stub including the name, address and

1819 telephone number of the purchaser. [The Division of Special Revenue
1820 shall be the sole issuer of sheet] Sheet tickets [which] shall be made
1821 available for purchase by permittees as fund raising items at a price
1822 not to exceed ten per cent above the [state] purchase price. Each
1823 sponsoring organization conducting such raffle shall conspicuously
1824 post, at each bazaar booth at which such raffle is conducted, a notice or
1825 notices that include the date and time of any "teacup raffle" drawing.
1826 The sponsoring organization shall preserve all sold and unsold tickets
1827 or stubs for a period of at least one year. [from the date of the verified
1828 statement required pursuant to section 7-182.]

1829 (f) [(1)] Any sponsoring organization qualified to conduct a bazaar
1830 or raffle under the provisions of section 7-172, as amended by this act,
1831 may operate a duck-race raffle once each calendar year. Such raffles
1832 shall conform to the provisions of sections 7-170 to 7-172, inclusive, as
1833 amended by this act, and sections 7-185a to 7-186, inclusive, as
1834 amended by this act. [, and shall be subject to regulation by the
1835 executive director.] For the purpose of this subsection, "duck-race
1836 raffle" means a raffle in which artificial ducks, numbered consecutively
1837 to correspond with the number of tickets sold for such raffle, are
1838 placed in a naturally moving stream of water at a designated starting
1839 point and in which the ticket corresponding to the number of the first
1840 duck to pass a designated finishing point is the winning ticket. [(2) The
1841 executive director of the Division of Special Revenue, with the advice
1842 and consent of the Gaming Policy Board, shall adopt regulations, in
1843 accordance with chapter 54, that establish procedures for the operation
1844 of duck-race raffles.]

1845 (g) [(1)] Any sponsoring organization qualified to conduct a bazaar
1846 or raffle under the provisions of section 7-172, as amended by this act,
1847 may operate a frog-race raffle once each calendar year. Such raffles
1848 shall conform to the provisions of sections 7-170 to 7-172, inclusive, as
1849 amended by this act, and sections 7-185a to 7-186, inclusive, as
1850 amended by this act. [, and shall be subject to regulation by the
1851 executive director of the Division of Special Revenue.] For the purpose
1852 of this subsection, "frog-race raffle" means a raffle in which artificial

1853 frogs conforming to specifications approved by the executive director
1854 and numbered consecutively to correspond with the number of tickets
1855 sold for such raffle, are placed in a naturally moving stream of water at
1856 a designated starting point and in which the ticket corresponding to
1857 the number of the first frog to pass a designated finishing point is the
1858 winning ticket. **[**(2) The executive director, with the advice and consent
1859 of the Gaming Policy Board, shall adopt regulations, in accordance
1860 with chapter 54, that establish procedures for the operation of frog-race
1861 raffles.**]**

1862 Sec. 30. Section 7-169a of the general statutes is repealed and the
1863 following is substituted in lieu thereof (*Effective July 1, 2011*):

1864 Every organization desiring to apply for a permit under subsection
1865 **[**(e)**]** (d) of section 7-169, as amended by this act, to operate bingo
1866 games shall, before making any such application, register with the
1867 **[**executive director of the Division of Special Revenue**]** Commissioner
1868 of Consumer Protection on forms furnished by **[**him**]** the commissioner
1869 and secure an identification number. All applications for permits,
1870 amendment of permits, reports and any other papers relating to games
1871 of bingo shall bear the identification number of the organization
1872 involved. Neither registration nor the assignment of an identification
1873 number, which may be revoked for cause, shall constitute, or be any
1874 evidence of, the eligibility of any organization to receive a permit for or
1875 to conduct any game of bingo.

1876 Sec. 31. Section 7-171 of the general statutes is repealed and the
1877 following is substituted in lieu thereof (*Effective July 1, 2011*):

1878 Any town, city or borough may, by ordinance, adopt the provisions
1879 of sections 7-170 to 7-172, inclusive, as amended by this act, and
1880 sections 7-185a to 7-186, inclusive, as amended by this act, and the
1881 chief executive authority of any town, city or borough shall, upon the
1882 petition of at least five per cent of the electors of such municipality as
1883 determined by the last-completed registry list, submit the question of
1884 adopting the provisions of sections 7-170 to 7-172, inclusive, as

1885 amended by this act, and sections 7-185a to 7-186, inclusive, as
1886 amended by this act, to a vote of the electors of such municipality at a
1887 special meeting called for such purpose within twenty-one days after
1888 the receipt of such petition. Such petition shall contain the street
1889 addresses of the signers and shall be submitted to the municipal clerk,
1890 who shall certify thereon the number of names of electors on such
1891 petition, which names are on the last-completed registry list. Each page
1892 of such petition shall contain a statement, signed under the penalties of
1893 false statement, by the person who circulated the same, that each
1894 person whose name appears on such page signed the same in person
1895 and that the circulator either knows each such signer or that the signer
1896 satisfactorily identified himself to the circulator. The warning for such
1897 meeting shall state that the purpose of such meeting is to vote on the
1898 adoption of the provisions of said sections. Such vote shall be taken
1899 and the results thereof canvassed and declared in the same manner as
1900 is provided for the election of officers of such municipality. The vote
1901 on such adoption shall be taken by a "YES" and "NO" vote on the
1902 voting machine and the designation of the question on the voting
1903 machine ballot label shall be "Shall the operation of bazaars and raffles
1904 be allowed?" and such ballot label shall be provided for use in
1905 accordance with the provisions of section 9-250. If, upon the official
1906 determination of the result of such vote, it appears that the majority of
1907 all the votes so cast are in approval of such question, the provisions of
1908 said sections shall take effect immediately. Any town, city or borough,
1909 having once voted on the question of allowing bazaars and raffles as
1910 herein provided, shall not vote again on such question within two
1911 years from the date of the previous vote thereon. Any subsequent vote
1912 thereon shall be taken at the next regular town, city or borough
1913 election following the receipt of a petition as herein provided, which
1914 petition shall be filed at least sixty days prior to such election, and such
1915 question may be so voted upon only at intervals of not less than two
1916 years. Any town, city or borough which, prior to October 1, 1957, has
1917 voted more than once on such question, shall, for the purposes of this
1918 section, be treated as though it had voted only once thereon.

1919 Sec. 32. Section 7-172 of the general statutes is repealed and the
1920 following is substituted in lieu thereof (*Effective July 1, 2011*):

1921 No bazaar or raffle may be promoted, operated or conducted in any
1922 municipality after the adoption of the provisions of sections 7-170 to 7-
1923 172, inclusive, as amended by this act, and sections 7-185a to 7-186,
1924 inclusive, as amended by this act, unless it is sponsored and conducted
1925 exclusively by (1) an officially recognized organization or association
1926 of veterans of any war in which the United States has been engaged,
1927 (2) a church or religious organization, (3) a civic, service or social club,
1928 (4) a fraternal or fraternal benefit society, (5) an educational or
1929 charitable organization, (6) an officially recognized volunteer fire
1930 company, (7) a political party or town committee thereof, or (8) a
1931 municipality acting through a committee designated to conduct a
1932 celebration of the municipality's founding on its hundredth
1933 anniversary or any multiple thereof. Any such sponsoring
1934 organization, except a committee designated pursuant to subdivision
1935 (8) of this section, shall have been organized in good faith and actively
1936 functioning as a nonprofit organization within the municipality that is
1937 to issue the permit for a period of not less than six months prior to its
1938 application for a permit under the provisions of said sections. The
1939 promotion and operation of a bazaar or raffle shall be confined solely
1940 to the qualified members of the sponsoring organization, provided a
1941 committee designated pursuant to subdivision (8) of this section may
1942 promote or operate through its members and any officially appointed
1943 volunteers. No such member or officially appointed volunteer in the
1944 case of a raffle held pursuant to subdivision (8) of this section may
1945 receive remuneration in any form for time or effort devoted to the
1946 promotion or operation of the bazaar or raffle. No person under the
1947 age of eighteen years may promote, conduct, operate or work at a
1948 bazaar or raffle and no person under the age of sixteen years may sell
1949 or promote the sale of any raffle tickets, nor shall any sponsoring
1950 organization permit any person under the age of eighteen to so
1951 promote, conduct or operate any bazaar or raffle or any person under
1952 the age of sixteen to sell or promote the sale of such tickets. Any

1953 sponsoring organization having received a permit from any
1954 municipality may sell or promote the sale of such raffle tickets in that
1955 municipality and in any other town, city or borough which has
1956 adopted the provisions of sections 7-170 to 7-172, inclusive, as
1957 amended by this act, and sections 7-185a to 7-186, inclusive, as
1958 amended by this act. Such organization may accept a credit card, debit
1959 card, check or cash as payment for a raffle ticket. **[**All funds derived
1960 from any bazaar or raffle shall be used exclusively for the purpose
1961 stated in the application of the sponsoring organization as provided in
1962 section 7-173.**]**

1963 Sec. 33. Section 7-184 of the general statutes is repealed and the
1964 following is substituted in lieu thereof (*Effective July 1, 2011*):

1965 Any town, city or borough which has adopted the provisions of
1966 sections 7-170 to 7-172, inclusive, as amended by this act, and sections
1967 7-185a to 7-186, inclusive, as amended by this act, may, by referendum
1968 in the same manner as is provided in section 7-171, as amended by this
1969 act, vote to rescind its action in adopting the provisions of said
1970 sections.

1971 Sec. 34. Section 7-185b of the general statutes is repealed and the
1972 following is substituted in lieu thereof (*Effective July 1, 2011*):

1973 (a) As used in this section, "tuition raffle" means a raffle in which
1974 the prize is payment of the tuition or part of the tuition at an
1975 educational institution for a student recipient designated by the raffle
1976 winner.

1977 (b) Notwithstanding the provisions of sections 7-170 to 7-172,
1978 inclusive, as amended by this act, and sections 7-185a to 7-186,
1979 inclusive, as amended by this act, any organization qualified to
1980 conduct a bazaar or raffle under section 7-172, as amended by this act,
1981 may conduct a special tuition raffle once each calendar year. The
1982 **[**executive director**]** commissioner shall adopt such regulations, in
1983 accordance with chapter 54, as are necessary to carry out the
1984 provisions of this section. Said regulations shall allow (1) any

1985 organization permitted to conduct a special tuition raffle to fund all or
1986 a portion of a student recipient's education each year for a period not
1987 to exceed four years, (2) permit the student recipient to be the actual
1988 tuition raffle winner, a relative of the raffle winner or a student chosen
1989 by the raffle winner, (3) give authority to the sponsoring organization
1990 to permit the tuition prize to be divided among student recipients
1991 designated by the raffle winner, (4) provide that the tuition prize be
1992 paid each consecutive year, commencing with the first year of the
1993 student recipient's education at an accredited private or parochial
1994 school, or public or independent institution of higher education
1995 selected by the student recipient, (5) provide that the tuition prize be
1996 paid directly to the educational institution designated by the student
1997 recipient, and no tuition prize shall be redeemed or redeemable for
1998 cash, and (6) provide that the tuition raffle winner have a period not to
1999 exceed four years to designate a student recipient.

2000 (c) All proceeds of the special tuition raffle shall be deposited in a
2001 special dedicated bank account approved by the **[**executive director of
2002 the Division of Special Revenue**]** Commissioner of Consumer
2003 Protection, and all special tuition raffle expenses shall be paid from
2004 such account. The **[**executive director**]** commissioner shall prescribe the
2005 maintenance of tuition raffle accounts by any sponsoring organization
2006 and such accounts shall be subject to audit by the **[**executive director**]**
2007 commissioner or **[**his**]** a designee. The **[**executive director**]**
2008 commissioner may require any organization conducting a tuition raffle
2009 to post a performance bond in an amount sufficient to fully fund the
2010 special tuition raffle prize to be awarded.

2011 (d) Any organization permitted to conduct a special tuition raffle
2012 shall **[**, in addition to the verified financial statement required in
2013 accordance with section 7-182,**]** file a tuition raffle financial report in a
2014 manner prescribed by the **[**executive director**]** commissioner. Such
2015 report shall detail the status of the tuition prize money or the raffle and
2016 any other information that the **[**executive director**]** commissioner may
2017 require, on a quarterly basis, during the months of January, April, July
2018 and October, until all tuition payments for each special tuition raffle

2019 have been paid.

2020 Sec. 35. Section 7-186 of the general statutes is repealed and the
2021 following is substituted in lieu thereof (*Effective July 1, 2011*):

2022 Any person who violates any provision of sections 7-170 to **[**7-185**]**
2023 7-172, inclusive, as amended by this act, or administrative regulations
2024 issued pursuant thereto, or who makes any false statement in any
2025 application for a permit or in any report required by the provisions of
2026 said sections shall be fined not more than one thousand dollars or
2027 imprisoned not more than one year or be both fined and imprisoned.

2028 Sec. 36. (*Effective from passage*) (a) The Commissioner of
2029 Developmental Services, or the commissioner's designee, shall lead a
2030 working group that shall develop a plan to deinstitutionalize the
2031 residents of Southbury Training School. Such working group shall
2032 include the Secretary of the Office of Policy and Management, or the
2033 secretary's designee and four persons selected by the commissioner,
2034 each of whom shall represent one of the following: (1) The residents of
2035 the school, (2) state employees who work at the school or a union
2036 representing such employees, (3) an advocacy group for the residents,
2037 and (4) a private provider of services needed by such residents. The
2038 plan to deinstitutionalize the residents of the school shall consider the
2039 feasibility to safely move the residents into new settings in the
2040 community. The group shall consider the following: (A) The
2041 relationships built between the residents and the staff, and (B) whether
2042 it is appropriate for state employees to continue to deliver services to
2043 the residents or whether private providers should deliver such
2044 services, or both. Any recommendations contained in the plan shall be
2045 developed using a cost-benefit analysis that considers both financial
2046 costs as well as quality of care issues.

2047 (b) Not later than six months after the effective date of this section,
2048 the Commissioner of Developmental Services shall report a plan to
2049 deinstitutionalize the residents of Southbury Training School
2050 developed under subsection (a) of this section, in accordance with the

2051 provisions of section 11-4a of the general statutes, to the joint standing
2052 committee of the General Assembly having cognizance of matters
2053 relating to government administration and to the Governor.

2054 Sec. 37. (*Effective from passage*) (a) The Commissioner of Children
2055 and Families, or the commissioner's designee, shall lead a working
2056 group that shall develop a plan to deinstitutionalize the patients of
2057 Riverview Hospital for Children and Youth. Such working group shall
2058 include the Secretary of the Office of Policy and Management, or the
2059 secretary's designee, the Commissioners of Mental Health and
2060 Addiction Services and Public Heath, or the commissioners' designees,
2061 the Child Advocate and four persons selected by the Commissioner of
2062 Children and Families, each of whom shall represent one of the
2063 following: (1) The patients of the hospital, (2) state employees who
2064 work at the hospital or a union representing such employees, (3) an
2065 advocacy group for the patients, and (4) a private provider of services
2066 needed by such patients. The group shall consider the following: (A)
2067 The quality of care provided to the patients, (B) the promotion of home
2068 and community-based care, (C) whether it is appropriate for state
2069 employees to continue to deliver services to the patients or whether
2070 private providers should deliver such services, or both, (D) the
2071 possibility of downsizing staff without compromising the quality of
2072 care, and (E) alternative prevention and intervention treatment
2073 programs that could result in an avoidance of inpatient care. Any
2074 recommendations contained in the plan shall be developed using a
2075 cost-benefit analysis that considers both financial costs as well as
2076 quality of care issues.

2077 (b) Not later than six months after the effective date of this section,
2078 the Commissioner of Children and Families shall report the plan to
2079 deinstitutionalize the patients of Riverview Hospital for Children and
2080 Youth developed under subsection (a) of this section, in accordance
2081 with the provisions of section 11-4a of the general statutes, to the joint
2082 standing committee of the General Assembly having cognizance of
2083 matters relating to government administration and to the Governor.

2084 Sec. 38. (*Effective from passage*) (a) Not later than three months after
2085 the effective date of this section, the Secretary of the Office of Policy
2086 and Management shall (1) develop a plan to reduce the manager and
2087 supervisor-to-employee ratio for agencies in the executive branch to
2088 not more than one manager or supervisor for every ten employees, and
2089 (2) report such plan, in accordance with the provisions of section 11-4a
2090 of the general statutes, to the joint standing committee of the General
2091 Assembly having cognizance of matters relating to government
2092 administration and to the Governor. The plan shall ensure that such
2093 ratio is achieved as a bottom-line number spread across all such
2094 agencies not later than nine months from the date of the completion of
2095 the plan.

2096 (b) Not later than nine months after the reporting of such plan
2097 under subsection (a) of this section, any executive branch agency that
2098 fails to comply with any goal established for such agency in such plan,
2099 shall report the agency's reasons for lack of compliance, in accordance
2100 with the provisions of section 11-4a of the general statutes, to the
2101 Secretary of the Office of Policy and Management, the joint standing
2102 committee of the General Assembly having cognizance of matters
2103 relating to government administration and to the Governor.

2104 (c) As used in this section, "executive branch agency" includes each
2105 "budgeted agency", as defined in subparagraph (A) of subdivision (11)
2106 of section 4-69 of the general statutes, except the offices of the Attorney
2107 General, the State Treasurer, the State Comptroller and the Secretary of
2108 the State.

2109 Sec. 39. (*Effective from passage*) The Secretary of the Office of Policy
2110 and Management shall, in consultation with the Commissioners of
2111 Public Health, Developmental Services, Children and Families, Mental
2112 Health and Addiction Services and Social Services, create a plan for the
2113 consolidation of the personnel, payroll, affirmative action and business
2114 office functions of the following state agencies not later than three
2115 months after the effective date of this section: The Departments of
2116 Public Health, Developmental Services, Children and Families, Mental

2117 Health and Addiction Services and Social Services. Such plan shall
2118 achieve a reduction in costs to said agencies of at least twenty-eight per
2119 cent. Not later than three months after the effective date of this section,
2120 the secretary shall submit such plan, in accordance with the provisions
2121 of section 11-4a of the general statutes, to the Governor and the joint
2122 standing committee of the General Assembly having cognizance of
2123 matters relating to government administration.

2124 Sec. 40. (NEW) (*Effective July 1, 2011*) (a) On and after July 1, 2011,
2125 "Connecticut Economic Development Authority" shall be substituted
2126 for "Connecticut Development Authority" in the following sections of
2127 the general statutes: 3-24d, 3-24f, 8-134a, 8-192a, 13b-79w, 16-243v, 22a-
2128 134, 22a-173, 22a-259, 22a-264, 32-9kk, 32-9qq, 32-22b, 32-23k, 32-23o,
2129 32-23q, 32-23r, 32-23s, 32-23t, 32-23z, 32-23aa, 32-23qq, 32-23ss, 32-23zz,
2130 32-31a, 32-41s, 32-68a, 32-222, 32-223, 32-263, 32-265, 32-266, 32-285, 32-
2131 341, 32-477, 32-500, 32-503 and 32-609.

2132 (b) On and after July 1, 2011, (1) "Connecticut Economic
2133 Development Authority" shall be substituted for "Connecticut
2134 Innovations, Incorporated", and (2) "authority" shall be substituted for
2135 "corporation" in the following sections of the general statutes: 12-704d,
2136 16-245n, 16-245aa, 16-245bb, 16a-38p, 19a-32f, 32-39d, 32-39e, 32-40a,
2137 32-40b, 32-40c, 32-41j, 32-41k, 32-41*l*, 32-41m, 32-41n, 32-41o, 32-41p,
2138 32-41q, 32-41s, 32-41w, 32-41x, 32-42, 32-43, 32-46, 32-47 and 32-478.

2139 (c) On and after July 1, 2011, (1) "Connecticut Economic
2140 Development Authority" shall be substituted for "Department of
2141 Economic and Community Development, (2) "authority" shall be
2142 substituted for "department", (3) "executive director of the Connecticut
2143 Economic Development Authority" shall be substituted for the
2144 "Commissioner of Economic and Community Development", (4)
2145 "executive director" shall be substituted for "commissioner", (5)
2146 "procedures" shall be substituted for "regulations" and "procedure"
2147 shall be substituted for "regulation", and (6) "section 1-121" shall be
2148 substituted for "chapter 54", in the following sections of the general
2149 statutes: 3-20, 4a-57b, 4a-60g, 4a-61, 4b-21, 4b-66a, 7-137b, 7-392, 7-578,

2150 8-30g, 8-37o, 8-37s, 8-37v, 8-37w, 8-37x, 8-37y, 8-37aa, 8-37bb, 8-37ff, 8-
2151 37jj, 8-37kk, 8-37*ll*, 8-37pp, 8-37qq, 8-37rr, 8-37tt, 8-37vv, 8-37xx, 8-
2152 37aaa, 8-37*lll*, 8-39, 8-44a, 8-45, 8-47, 8-49, 8-57, 8-64a, 8-68, 8-68a, 8-68b,
2153 8-68c, 8-68d, 8-68e, 8-68g, 8-68h, 8-70, 8-71, 8-72, 8-72a, 8-73, 8-74, 8-76,
2154 8-76a, 8-77, 8-79, 8-79a, 8-80, 8-81a, 8-82, 8-83, 8-84, 8-85, 8-87, 8-89, 8-
2155 92, 8-113a, 8-114a, 8-114d, 8-115a, 8-116a, 8-117b, 8-118a, 8-118b, 8-118c,
2156 8-119a, 8-119c, 8-119f, 8-119h, 8-119i, 8-119j, 8-119k, 8-119*l*, 8-119n, 8-
2157 119t, 8-119x, 8-119dd, 8-119ee, 8-119ff, 8-119gg, 8-119hh, 8-119jj, 8-
2158 119kk, 8-119zz, 8-154a, 8-154c, 8-154e, 8-155 to 8-159, 8-161, 8-162, 8-
2159 163, 8-166, 8-167, 8-169b, 8-169w, 8-170 to 8-185, 8-187, 8-206d, 8-206e,
2160 8-206f, 8-208, 8-208b, 8-209, 8-214a, 8-214b, 8-214d, 8-214e, 8-214f, 8-
2161 214g, 8-214h, 8-215, 8-216, 8-216b, 8-216c, as amended by this act, 8-218,
2162 8-218a, 8-218b, 8-218c, 8-218e, 8-218h, 8-219a, 8-219b, 8-219c, 8-219d, 8-
2163 219e, 8-220, 8-220a, 8-240p, 8-265p, 8-271, 8-272, 8-274, 8-278, 8-279, 8-
2164 280, 8-281, 8-286, 8-336f, 8-336p, 8-355, 8-356, 8-357, 8-359, 8-365, 8-367,
2165 8-367a, 8-376, 8-378, 8-381, 8-384, 8-386, 8-387, 8-388, 8-389, 8-400, as
2166 amended by this act, 8-401, 8-405, 8-410, 8-411, 8-412, 8-415, 8-420, 8-
2167 423, 10-373bb, 10-425, 10a-19f, 10a-72i, 10a-170b, 12-81aa, 12-217e, 12-
2168 217n, 12-217u, 12-217gg, 12-217ii, 12-217nn, 12-217oo, 12-263m, 12-631,
2169 12-704d, 13b-51b, 13b-79v, 15-101pp, 16a-40, 16a-40b, 16a-40j, 16a-40k,
2170 17b-748, 21-70a, 22a-1d, 22a-133m, 22a-133u, 23-102, 25-33b, 25-109q,
2171 29-271, 31-3b, 31-3u, 31-3dd, subsection (a) of section 31-3*ll*, 31-362b,
2172 31-362d, 32-1c, 32-1f, 32-1g, 32-1*l*, 32-1n, 32-1p, 32-1q, 32-1r, 32-3, 32-4b,
2173 32-4f, 32-5b, 32-6, 32-6a, 32-6*l*, 32-7, 32-7e, 32-8a, 32-8b, 32-9i, 32-9j, 32-
2174 9p, 32-9q, 32-9t, 32-9u, 32-9cc, 32-9ee, 32-9kk, 32-9*ll*, 32-9qq, 32-9tt, 32-
2175 9uu, 32-9vv, 32-9ww, 32-9xx, 32-9yy, 32-16, 32-22, 32-23c, 32-23d, as
2176 amended by this act, 32-23o, 32-23r, 32-23t, 32-23v, as amended by this
2177 act, 32-23x, as amended by this act, 32-23ii, 32-23*ll*, 32-23qq, 32-23ss, 32-
2178 41q, 32-41s, 32-57, 32-58, 32-58b, 32-59, 32-70, 32-70a, 32-70b, 32-70d,
2179 32-70e, 32-75, 32-75a, 32-75c, 32-76, 32-80, 32-96, 32-98, 32-100, 32-180,
2180 32-182, 32-222, 32-222a, 32-223, 32-228, 32-235, 32-236, 32-238, 32-238a,
2181 32-240, 32-241, 32-242, 32-242a, 32-245, 32-246, 32-261, as amended by
2182 this act, 32-262, as amended by this act, 32-265, 32-266, 32-284, 32-285,
2183 32-290, 32-290a, 32-291, 32-324a, 32-324b, 32-324c, 32-324d, 32-324e, 32-
2184 324f, 32-324g, 32-324h, 32-327, 32-329, 32-342, 32-345, 32-348, 32-349, 32-

2185 350, 32-353, 32-356, as amended by this act, 32-454, 32-462a, 32-476, 32-
2186 500, 32-501, 32-502, 32-505, 32-511, 32-614, 32-616, 32-701, as amended
2187 by this act, 32-726, 32-730, 32-741, 32-742, 32-743, 32-744, 32-745, 36b-21,
2188 38a-88a, 38a-88b, 42-125*l*, 47-88b, 47-284, 47-288, 47-294, 47-295, 47a-56i,
2189 47a-56j and 47a-56k.

2190 (d) On and after July 1, 2011, "Connecticut Economic Development
2191 Authority" shall be substituted for "Connecticut Housing Finance
2192 Authority" in the following sections of the general statutes: 3-27b, 3-
2193 27f, 4-66aa, 8-30g, 8-68f, 8-68k, 8-216, 8-218, 8-244b, 8-244c, 8-244d, 8-
2194 262a, 8-265f, 8-265g, 8-265h, 8-265i, 8-265bb, 8-265ii, 8-265*ll*, 8-265mm,
2195 8-265nn, 8-265pp, 8-265qq, 8-395, 10-8b, 17a-485b, as amended by this
2196 act, 17a-485e, 17b-244, 17b-340, 31-3nn, 36a-760 and 38a-1051.

2197 Sec. 41. (NEW) (*Effective July 1, 2011*) (a) As used in this section and
2198 sections 42 to 49, inclusive, of this act:

2199 (1) "Authority" means the Connecticut Economic Development
2200 Authority; and

2201 (2) "Executive director" means the executive director of the
2202 Connecticut Economic Development Authority.

2203 (b) There is hereby created as a body politic and corporate,
2204 constituting a public instrumentality and political subdivision of the
2205 state created for the performance of an essential public and
2206 governmental function, the Connecticut Economic Development
2207 Authority, that is empowered to carry out the purposes of the
2208 authority, as provided in section 43 of this act, which are determined to
2209 be public purposes for which public funds may be expended. The
2210 Connecticut Economic Development Authority shall not be construed
2211 to be a department, institution or agency of the state.

2212 (c) The powers of the authority shall be vested in and exercised by a
2213 board of directors. The board of directors of the authority shall consist
2214 of the State Treasurer and the Secretary of the Office of Policy and
2215 Management, or their respective designees, five members appointed

2216 by the Governor and four members appointed as follows: One by the
2217 president pro tempore of the Senate, one by the minority leader of the
2218 Senate, one by the speaker of the House of Representatives and one by
2219 the minority leader of the House of Representatives. Each ex-officio
2220 member shall have full powers to vote, and a member may designate a
2221 deputy or any member of the agency staff to represent such member at
2222 meetings of the authority with full powers to act and vote on the
2223 member's behalf. Each member appointed by the Governor shall serve
2224 at the pleasure of the Governor but no longer than the term of office of
2225 the Governor or until the member's successor is appointed and
2226 qualified, whichever is longer. Each member appointed by a member
2227 of the General Assembly shall serve in accordance with the provisions
2228 of section 4-1a of the general statutes. Members shall receive no
2229 compensation but shall be reimbursed for necessary expenses incurred
2230 in the performance of their duties. Any vacancy on the board shall be
2231 filled for the unexpired term by the appointing authority of such
2232 member. Any member of the board may be removed by the Governor
2233 for misfeasance, malfeasance or wilful neglect of duty.

2234 (d) Each member of the authority, before entering upon his or her
2235 duties, shall take and subscribe the oath or affirmation required by
2236 article XI, section 1, of the State Constitution. A record of each such
2237 oath shall be filed in the office of the Secretary of the State. Each
2238 member of the board of directors of the authority shall execute a surety
2239 bond in the penal sum of fifty thousand dollars, or, in lieu thereof, the
2240 chairperson of the board shall execute a blanket position bond
2241 covering each member and the chief executive officer and the
2242 employees of the authority, each surety bond to be conditioned upon
2243 the faithful performance of the duties of the office or offices covered, to
2244 be executed by a surety company authorized to transact business in
2245 this state as surety and to be approved by the Attorney General and
2246 filed in the office of the Secretary of the State. The cost of each such
2247 bond shall be paid by the authority.

2248 (e) Notwithstanding any provision of the general statutes, it shall
2249 not constitute a conflict of interest for a trustee, director, partner or

2250 officer of any person, firm or corporation or any individual having a
2251 financial interest in a person, firm or corporation to serve as a member
2252 of the board of directors of the authority; provided such trustee,
2253 director, partner or officer of any person, firm or corporation or any
2254 individual having a financial interest in a person, firm or corporation
2255 shall file with the authority a record of his or her capacity with or
2256 interest in such person, firm or corporation and abstain and absent
2257 himself or herself from any deliberation, action and vote by the board
2258 that directly concerns such person, firm or corporation.

2259 (f) The board shall annually elect from its members a chairperson
2260 and a vice-chairperson. Meetings of the board shall be held at such
2261 times as shall be specified in the by-laws adopted by the board and at
2262 such other time or times as the chairperson or a majority of the board
2263 deems necessary.

2264 (g) The board of directors of the authority shall adopt written
2265 procedures, in accordance with the provisions of section 1-121 of the
2266 general statutes, for: (1) Adopting an annual budget and plan of
2267 operations, including a requirement of board approval before the
2268 budget or plan may take effect; (2) hiring, promoting and
2269 compensating employees of the authority, including an affirmative
2270 action policy and a requirement of board approval before a position
2271 may be created; (3) purchasing, leasing or acquiring real and personal
2272 property and personal services, including a requirement of board
2273 approval for any nonbudgeted expenditure in excess of five thousand
2274 dollars; (4) contracting for financial, legal, bond underwriting and
2275 other professional services, including a requirement that the authority
2276 solicit proposals at least once every three years for each such service
2277 which it uses; (5) issuing and retiring bonds, bond anticipation notes
2278 and other obligations of the authority; (6) awarding loans, grants and
2279 other financial assistance, including eligibility criteria, the application
2280 process and the role played by the authority's staff and board of
2281 directors and including deadlines for the approval or disapproval of
2282 applications for such assistance by the authority; and (7) the use of
2283 surplus funds to the extent authorized under this section and sections

2284 42 to 49, inclusive, of this act.

2285 (h) Neither members of the board of directors of the authority nor
2286 any person executing the notes and bonds shall be liable personally on
2287 the notes or bonds or be subject to any personal liability or
2288 accountability by reason of the issuance thereof.

2289 (i) The powers of the authority shall be vested in and exercised by
2290 not less than seven of the members of the board of directors then in
2291 office. Such number of members shall constitute a quorum and the
2292 affirmative vote of a majority of the members present at a meeting of
2293 the board shall be necessary for any action taken by the authority. No
2294 vacancy in the membership of the board shall impair the right to
2295 exercise all the rights and perform all the duties of the authority. Any
2296 action taken by the board under the provisions of this section and
2297 sections 42 to 49, inclusive, of this act may be authorized by resolution
2298 at any regular or special meeting, and each such resolution shall take
2299 effect immediately and need not be published or posted. The authority
2300 shall be exempt from the provisions of section 4-9a of the general
2301 statutes.

2302 (j) The board of directors of the authority may delegate to three or
2303 more of its members such board powers and duties as it may deem
2304 proper. At least one of such members shall not be a state employee.

2305 (k) The authority shall continue as long as it shall have bonds or
2306 other obligations outstanding and until its existence is terminated by
2307 law. Upon the termination of the existence of the authority, all its
2308 rights and properties shall pass to and be vested in the state.

2309 (l) The authority shall be subject to examination by the State
2310 Treasurer. The accounts of the authority shall be subject to annual
2311 audits by the Auditors of Public Accounts.

2312 Sec. 42. (NEW) (*Effective July 1, 2011*) (a) The department head of the
2313 Connecticut Economic Development Authority shall be the executive
2314 director, who shall be appointed in accordance with the provisions of

2315 section 46 of this act, with the powers and duties prescribed in section
2316 46 of this act.

2317 (b) The Connecticut Economic Development Authority shall
2318 constitute a successor agency to the Department of Economic and
2319 Community Development in accordance with the provisions of
2320 sections 4-38d and 4-39 of the general statutes.

2321 (c) Wherever the term "Commissioner of Economic and Community
2322 Development" are used in the general statutes, the term "executive
2323 director of the Connecticut Economic Development Authority" shall be
2324 substituted in lieu thereof.

2325 (d) Any order or regulation of the Department of Economic and
2326 Community Development which is in force on July 1, 2011, shall
2327 continue in force and effect as an order or regulation of the
2328 Connecticut Economic Development Authority until amended,
2329 repealed or superseded pursuant to law. Where any order or
2330 regulation of said departments conflict, the executive director of the
2331 Connecticut Economic Development Authority may implement
2332 policies and procedures in accordance with section 1-121 of the general
2333 statutes consistent with the provisions of sections 41 to 49, inclusive, of
2334 this act and chapters 578, 579, 581, 584, 588*l*, 558n, 588r and 588u of the
2335 general statutes.

2336 Sec. 43. (NEW) (*Effective July 1, 2011*) (a) The purposes of the
2337 Connecticut Economic Development Authority shall be:

2338 (1) To support the economic, workforce and community
2339 development policies, programs, goals and strategies of the state;

2340 (2) To discharge the responsibilities of the authority under sections
2341 40 to 49, inclusive, of this act, chapters 578, 579, 581, 584, 588*l*, 588n,
2342 588r and 588u of the general statutes, and any other provisions of the
2343 general statutes or any public or special act setting forth or governing
2344 the powers and duties of the authority;

2345 (3) To stimulate and encourage the research and development of
2346 new technologies and products;

2347 (4) To encourage the creation and transfer of new technologies;

2348 (5) To assist existing businesses in adopting current and innovative
2349 technological processes;

2350 (6) To stimulate and provide services to industry that will advance
2351 the adoption and utilization of technology;

2352 (7) To achieve improvements in the quality of products and services;

2353 (8) To stimulate and encourage the development and operation of
2354 new and existing science parks and incubator facilities; and

2355 (9) To promote science, engineering, mathematics and other
2356 disciplines that are essential to the development and application of
2357 technology within the state by the infusion of financial aid for research,
2358 invention and innovation in situations in which such financial aid
2359 would not otherwise be reasonably available from commercial or other
2360 sources;

2361 (b) For the purposes of subsection (a) of this section, the authority
2362 shall have the following powers, in addition to any others provided by
2363 law:

2364 (1) To have perpetual succession as a body corporate and to adopt
2365 bylaws, policies and procedures for the regulation of its affairs and
2366 conduct of its businesses as provided by law;

2367 (2) To solicit, receive and accept aid, grants or contributions from
2368 any source of money, property or labor or other things of value, to be
2369 held, used and applied to carry out the purposes of the authority,
2370 subject to the conditions upon which such grants and contributions
2371 may be made, including, but not limited to, gifts or grants from any
2372 department or agency of the United States or the state;

2373 (3) To (A) employ such assistants, agents and other employees as
2374 may be necessary or desirable, which employees shall be exempt from
2375 the classified service and shall not be employees, as defined in
2376 subsection (b) of section 5-270 of the general statutes; (B) establish all
2377 necessary or appropriate personnel practices and policies, including
2378 those relating to hiring, promotion, compensation, retirement and
2379 collective bargaining, which need not be in accordance with chapter 68
2380 of the general statutes, and the authority shall not be an employer as
2381 defined in subsection (a) of section 5-270 of the general statutes; and
2382 (C) engage consultants, attorneys and appraisers as may be necessary
2383 or desirable to carry out its purposes in accordance with this section
2384 and chapters 578, 579, 581, 584, 588*l*, 588n, 588r and 588u of the general
2385 statutes;

2386 (4) To make and enter into all contracts and agreements necessary or
2387 incidental to the performance of its duties and the execution of its
2388 powers under this act;

2389 (5) To sue and be sued, plead and be impleaded, adopt a seal and
2390 alter the same at pleasure;

2391 (6) To maintain an office at such place or places within the state as it
2392 may designate;

2393 (7) To invest in, acquire, lease, purchase, own, manage, hold and
2394 dispose of real property and lease, convey or deal in or enter into
2395 agreements with respect to such property on any terms necessary or
2396 incidental to the carrying out of these purposes; provided, however, all
2397 such acquisitions of real property for the authority's own use with
2398 amounts appropriated by the state to the authority or with the
2399 proceeds of bonds supported by the full faith and credit of the state
2400 shall be subject to the approval of the Secretary of the Office of Policy
2401 and Management and the provisions of section 4b-23 of the general
2402 statutes;

2403 (8) To acquire, lease, purchase, own, manage, hold and dispose of
2404 personal property, and lease, convey or deal in or enter into

2405 agreements with respect to such property on any terms necessary or
2406 incidental to the carrying out of these purposes;

2407 (9) To account for and audit funds of the authority and funds of any
2408 recipients of financial aid from the authority;

2409 (10) With the approval of the State Treasurer, to invest any funds
2410 not needed for immediate use or disbursement, including any funds
2411 held in reserve, in obligations issued or guaranteed by the United
2412 States of America or this state and in other obligations which are legal
2413 investments for municipalities or retirement funds in this state;

2414 (11) To procure insurance against any loss in connection with its
2415 property and other assets in such amounts and from such insurers as it
2416 deems desirable;

2417 (12) To the extent permitted under its contract with other persons, to
2418 consent to any termination, modification, forgiveness or other change
2419 of any term of any contractual right, payment, royalty, contract or
2420 agreement of any kind to which the authority is a party;

2421 (13) In connection with any application for assistance under or
2422 commitments therefor, to make and collect such fees as the authority
2423 shall determine to be reasonable;

2424 (14) To hold patents, copyrights, trademarks, marketing rights,
2425 licenses, or any other evidences of protection or exclusivity as to any
2426 products as defined herein, issued under the laws of the United States
2427 or any state or any nation;

2428 (15) To borrow money or accept gifts, grants or loans of funds,
2429 property or service from any source, public or private, and comply,
2430 subject to the provisions of law, with the terms and conditions thereof;

2431 (16) To insure any or all payments to be made by the borrower
2432 under the terms of any agreement for the extension of credit or making
2433 of a loan by the authority in connection with any economic
2434 development project to be financed, wholly or in part, through the

2435 issuance of bonds or mortgage payments of any mortgage which is
2436 given by a mortgagor to the mortgagee who has provided the
2437 mortgage for an economic development project upon such terms and
2438 conditions as the authority may prescribe and as provided herein, and
2439 the faith and credit of the state are pledged thereto;

2440 (17) To request for its guidance, in connection with any project, a
2441 finding of the municipal planning commission, or, if there is no
2442 planning commission, a finding of the municipal officers of the
2443 municipality in which the economic development project is proposed
2444 to be located, or of the regional planning agency of which such
2445 municipality is a member, as to the expediency and advisability of the
2446 economic development project;

2447 (18) To advise the Governor, the General Assembly and the
2448 Commissioner of Higher Education on matters relating to economic
2449 development, finance, science, engineering and technology which may
2450 have an impact on state policies, programs, employers and residents,
2451 and on job creation and retention;

2452 (19) To do all acts and things necessary and convenient to carry out
2453 the purposes of sections 40 to 49, inclusive, of this act.

2454 Sec. 44. (NEW) (*Effective July 1, 2011*) The exercise of the powers
2455 vested in the Connecticut Economic Development Authority, and any
2456 subsidiary of such authority, shall constitute the performance of an
2457 essential governmental function and the authority shall not be
2458 required to pay any taxes or assessments upon or in respect of a
2459 project, or any property or moneys of the authority, levied by the state,
2460 any municipality or political subdivision or special district having
2461 taxing powers of the state.

2462 Sec. 45. (NEW) (*Effective July 1, 2011*) (a) (1) The Connecticut
2463 Economic Development Authority, established pursuant to section 41
2464 of this act, may form one or more subsidiaries to carry out the public
2465 purposes of the authority and may transfer to any such subsidiary any
2466 moneys and real or personal property of any kind or nature. Any such

2467 subsidiary may be organized as a stock or nonstock corporation or a
2468 limited liability company. Each such subsidiary shall have and may
2469 exercise such powers of the authority as are set forth in the resolution
2470 of the authority prescribing the purposes for which such subsidiary is
2471 formed and such other powers provided to it by law.

2472 (2) Each such subsidiary shall act through its board of directors, at
2473 least one-half of which shall be members of the board of directors of
2474 the authority, or their designees, or officers or employees of the
2475 authority. A resolution of the authority shall prescribe the purposes for
2476 which each such subsidiary is formed.

2477 (3) The provisions of section 1-125 of the general statutes, as
2478 amended by this act, and this subsection shall apply to any officer,
2479 director, designee or employee appointed as a member, director or
2480 officer of any such subsidiary. Any such persons so appointed shall
2481 not be personally liable for the debts, obligations or liabilities of any
2482 such subsidiary as provided in said section 1-125. The subsidiary shall,
2483 and the authority may, provide for the indemnification to protect, save
2484 harmless and indemnify such officer, director, designee or employee as
2485 provided by said section 1-125.

2486 (4) Each such subsidiary shall be deemed a quasi-public agency for
2487 purposes of chapter 12 of the general statutes and shall have all the
2488 privileges, immunities, tax exemptions and other exemptions of the
2489 authority, including the privileges, immunities, tax exemptions and
2490 other exemptions provided under the general statutes for special
2491 capital reserve funds. Each such subsidiary shall be subject to suit
2492 provided its liability shall be limited solely to the assets, revenues and
2493 resources of the subsidiary and without recourse to the general funds,
2494 revenues, resources or any other assets of the authority. Each such
2495 subsidiary is authorized to assume or take title to property subject to
2496 any existing lien, encumbrance or mortgage and to mortgage, convey
2497 or dispose of its assets and pledge its revenues in order to secure any
2498 borrowing, provided each such borrowing or mortgage shall be a
2499 special obligation of the subsidiary, which obligation may be in the

2500 form of bonds, bond anticipation notes and other obligations to the
2501 extent permitted under sections 40 to 49, inclusive, of this act to fund
2502 and refund the same and provide for the rights of the holders thereof,
2503 and to secure the same by pledge or revenues, notes and other assets
2504 and which shall be payable solely from the assets, revenues and other
2505 resources of the subsidiary. The authority shall have the power to
2506 assign to a subsidiary any rights, moneys or other assets it has under
2507 any governmental program including the nursing home loan program.
2508 No borrowing shall be undertaken by a subsidiary of the authority
2509 without the approval of the authority.

2510 (b) (1) The authority may establish one or more subsidiaries to
2511 stimulate, encourage and carry out the remediation, development and
2512 financing of contaminated property within this state, in coordination
2513 with the Department of Environmental Protection, and to provide
2514 financial, developmental and environmental expertise to others
2515 including, but not limited to, municipalities, interested in or
2516 undertaking such remediation, development or financing which are
2517 determined to be public purposes for which public funds may be
2518 expended. Each subsidiary shall be deemed a quasi-public agency for
2519 purposes of chapter 12 of the general statutes. The authority may
2520 transfer to any such subsidiary any moneys and real or personal
2521 property. Each such subsidiary shall have all the privileges,
2522 immunities, tax exemptions and other exemptions of the authority.

2523 (2) Each such subsidiary may sue and shall be subject to suit
2524 provided the liability of each such subsidiary shall be limited solely to
2525 the assets, revenues and resources of such subsidiary and without
2526 recourse to the general funds, revenues, resources or any other assets
2527 of the authority or any other subsidiary. No such subsidiary may
2528 provide for any bonded indebtedness of the state for the cost of any
2529 liability or contingent liability for the remediation of contaminated real
2530 property unless such indebtedness is specifically authorized by an act
2531 of the General Assembly. Each such subsidiary shall have the power to
2532 do all acts and things necessary or convenient to carry out the
2533 purposes of this subsection, section 12-81r of the general statutes, as

2534 amended by this act, subsection (h) of section 22a-133m of the general
2535 statutes, subsection (a) of section 22a-133x of the general statutes,
2536 sections 22a-133aa, 22a-133bb and 22a-133dd of the general statutes,
2537 subsection (l) of section 22a-134a of the general statutes, and sections
2538 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
2539 statutes, including, but not limited to, (A) solicit, receive and accept
2540 aid, grants or contributions from any source of money, property or
2541 labor or other things of value, to be held, used and applied to carry out
2542 the purposes of this subsection, section 12-81r of the general statutes,
2543 as amended by this act, subsection (h) of section 22a-133m of the
2544 general statutes, subsection (a) of section 22a-133x of the general
2545 statutes, sections 22a-133aa, 22a-133bb and 22a-133dd of the general
2546 statutes, subsection (l) of section 22a-134a of the general statutes, and
2547 sections 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
2548 statutes, subject to the conditions upon which such grants and
2549 contributions may be made, including, but not limited to, gifts, grants
2550 or loans, from any department, agency or quasi-public agency of the
2551 United States or this state; (B) enter into agreements with persons upon
2552 such terms and conditions as are consistent with the purposes of such
2553 subsidiary to acquire or facilitate the remediation, development or
2554 financing of contaminated real or personal property; (C) to acquire,
2555 take title, lease, purchase, own, manage, hold and dispose of real and
2556 personal property and lease, convey or deal in or enter into agreements
2557 with respect to such property; (D) examine, inspect, rehabilitate,
2558 remediate or improve real or personal property or engage others to do
2559 so on such subsidiary's behalf, or enter into contracts therefor; (E)
2560 mortgage, convey or dispose of its assets and pledge its revenues in
2561 order to secure any borrowing, for the purpose of financing,
2562 refinancing, rehabilitating, remediating, improving or developing its
2563 assets, provided each such borrowing or mortgage shall be a special
2564 obligation of such subsidiary, which obligation may be in the form of
2565 notes, bonds, bond anticipation notes and other obligations issued by
2566 or to such subsidiary to the extent permitted under sections 40 to 49,
2567 inclusive, of this act to fund and refund the same and provide for the
2568 rights of the holders thereof, and to secure the same by pledge of

2569 revenues, notes or other assets and which shall be payable solely from
2570 the assets, revenues and other resources of such subsidiary; (F) to
2571 create real estate investment trusts or similar entities or to become a
2572 member of a limited liability company or to become a partner in
2573 limited or general partnerships or establish other contractual
2574 arrangements with private and public sector entities as such subsidiary
2575 deems necessary to remediate, develop or finance environmentally
2576 contaminated property in the state; and (G) any other powers
2577 necessary or appropriate to carry out the purposes of this subsection,
2578 subsection (h) of section 22a-133m of the general statutes, subsection
2579 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-
2580 133bb and 22a-133dd of the general statutes, subsection (l) of section
2581 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
2582 23pp to 32-23rr, inclusive, of the general statutes. The board of
2583 directors, executive director, officers and staff of the authority may
2584 serve as members of any advisory or other board which may be
2585 established to carry out the purposes of this subsection, subsection (h)
2586 of section 22a-133m of the general statutes, subsection (a) of section
2587 22a-133x of the general statutes, sections 22a-133aa, 22a-133bb and 22a-
2588 133dd of the general statutes, subsection (l) of section 22a-134a of the
2589 general statutes, and sections 22a-452f, 32-7e and 32-23pp to 32-23rr,
2590 inclusive, of the general statutes.

2591 (c) Each such subsidiary shall act through its board of directors, at
2592 least one-half of which shall be members of the board of directors of
2593 the authority, or their designees, or officers or employees of the
2594 authority. A resolution of the authority shall prescribe the purposes for
2595 which each such subsidiary is formed.

2596 (d) The provisions of section 1-125 of the general statutes, as
2597 amended by this act, and this subsection shall apply to any officer,
2598 director, designee or employee appointed as a member, director or
2599 officer of any such subsidiary. Any such persons so appointed shall
2600 not be personally liable for the debts, obligations or liabilities of any
2601 such subsidiary as provided in section 1-125 of the general statutes, as
2602 amended by this act. The subsidiary shall, and the authority may,

2603 provide for the indemnification to protect, save harmless and
2604 indemnify such officer, director, designee or employee as provided by
2605 section 1-125 of the general statutes, as amended by this act.

2606 (e) The authority, or such subsidiary, may take such actions as are
2607 necessary to comply with the provisions of the Internal Revenue Code
2608 of 1986 or any subsequent corresponding internal revenue code of the
2609 United States, as from time to time amended, to qualify and maintain
2610 any such subsidiary as a corporation exempt from taxation under said
2611 internal revenue code.

2612 (f) The authority may make loans to each such subsidiary, following
2613 standard authority procedures, from its assets and the proceeds of its
2614 bonds, notes and other obligations, provided the source and security
2615 for the repayment of such loans is derived from the assets, revenues
2616 and resources of the subsidiary.

2617 Sec. 46. (NEW) (*Effective July 1, 2011*) (a) The board of directors of
2618 the Connecticut Economic Development Authority, established
2619 pursuant to section 41 of this act, shall appoint an executive director
2620 who shall not be a member of the board and such other officers as the
2621 board determines necessary. Such officers shall be exempt from
2622 classified service, serve at the pleasure of the board and receive such
2623 compensation as shall be fixed by the board.

2624 (b) The executive director shall direct and supervise administrative
2625 affairs and technical activities in accordance with the directives of the
2626 board. He or she shall perform such other duties as may be directed by
2627 the board in carrying out the purposes of sections 41 to 49, inclusive, of
2628 this act and chapters 578, 579, 581, 584, 588*l*, 588n, 588r and 588u of the
2629 general statutes. The executive director shall attend all meetings of the
2630 board, keep a record of the proceedings of the board and shall
2631 maintain and be custodian of all books, documents and papers filed
2632 with the authority and of the minute book or journal of the authority
2633 and of its official seal. He or she may cause copies to be made of all
2634 minutes and other records and documents of the authority and may

2635 give certificates under the official seal of the authority to the effect that
2636 such copies are true copies, and all persons dealing with the authority
2637 may rely upon such certificates.

2638 Sec. 47. (NEW) (*Effective July 1, 2011*) (a) Not later than November 1,
2639 2012, and annually thereafter, the Connecticut Economic Development
2640 Authority, established pursuant to section 41 of this act, shall submit a
2641 report, in accordance with the provisions of section 11-4a of the general
2642 statutes, to the Governor, the Auditors of Public Accounts and the joint
2643 standing committees of the General Assembly having cognizance of
2644 matters relating to commerce, appropriations and the budgets of state
2645 agencies and finance, revenue and capital bonding, which shall include
2646 the following information with respect to new and outstanding
2647 financial assistance provided by the authority during the twelve-
2648 month period ending on June thirtieth next preceding the date of the
2649 report for each financial assistance program administered by the
2650 authority: (1) A list of the names, addresses and locations of all
2651 recipients of such assistance, (2) for each recipient: (A) The business
2652 activities, (B) the North American Industry, Classification System
2653 codes, (C) the gross revenues during the recipient's most recent fiscal
2654 year, (D) the number of employees at the time of application, (E)
2655 whether the recipient is a minority or woman-owned business, (F) a
2656 summary of the terms and conditions for the assistance, including the
2657 type and amount of state financial assistance, job creation or retention
2658 requirements, and anticipated wage rates, and (G) the amount of
2659 investments from private and other nonstate sources that have been
2660 leveraged by the assistance, (3) the economic benefit criteria used in
2661 determining which applications have been approved or disapproved,
2662 and (4) for each recipient of assistance, a comparison between the
2663 number of jobs to be created, the number of jobs to be retained and the
2664 average wage rates for each such category of jobs, as projected in the
2665 recipient's application, versus the actual number of jobs created, the
2666 actual number of jobs retained and the average wage rates for each
2667 such category. The report shall also indicate the actual number of full-
2668 time jobs and the actual number of part-time jobs in each such category

2669 and the benefit levels for each such subcategory. In addition, the report
2670 shall state (i) for each final application approved during the twelve-
2671 month period covered by the report, (I) the date that the final
2672 application was received by the authority, and (II) the date of such
2673 approval; (ii) for each final application withdrawn during the twelve-
2674 month period covered by the report, (I) the municipality in which the
2675 applicant is located, (II) the North American Industry Classification
2676 System code for the applicant, (III) the date that the final application
2677 was received by the authority, and (IV) the date of such withdrawal;
2678 (iii) for each final application disapproved during the twelve-month
2679 period covered by the report, (I) the municipality in which the
2680 applicant is located, (II) the North American Industry Classification
2681 System code for the applicant, (III) the date that the final application
2682 was received by the authority, and (IV) the date of such disapproval;
2683 and (v) for each final application on which no action has been taken by
2684 the applicant or the agency in the twelve-month period covered by the
2685 report and for which no report has been submitted under this
2686 subsection, (I) the municipality in which the applicant is located, (II)
2687 the North American Industry Classification System code for the
2688 applicant, and (III) the date that the final application was received by
2689 the authority. The provisions of this subsection shall not apply to
2690 activities of the authority under the provisions of chapter 581 of the
2691 general statutes which shall continue to be reported on as provided in
2692 section 32-47a of the general statutes, as amended by this act.

2693 (b) The report described in subsection (a) of this section shall also
2694 include a summary of the activities of the authority, including all
2695 activities to assist small businesses and minority business enterprises,
2696 as defined in section 4a-60g of the general statutes, a complete
2697 operating and financial statement and recommendations for legislation
2698 to promote the purposes of the authority.

2699 Sec. 48. (NEW) (*Effective July 1, 2011*) (a) (1) In accordance with the
2700 provisions of section 4-38d of the general statutes, all powers and
2701 duties of the Connecticut Development Authority under the provisions
2702 of chapter 579 of the general statutes, shall be transferred to the

2703 Connecticut Economic Development Authority established pursuant to
2704 section 41 of this act. On and after July 1, 2011, the Connecticut
2705 Brownfields Redevelopment Authority, a subsidiary of the
2706 Connecticut Development Authority created pursuant to subsection (l)
2707 of section 32-11a of the general statutes, shall be a subsidiary of the
2708 Connecticut Economic Development Authority.

2709 (2) All notes, bonds or other obligations issued by the Connecticut
2710 Development Authority for the financing of any project or projects
2711 shall be in accordance with their terms of full force and effect and valid
2712 and binding upon the Connecticut Economic Development Authority
2713 as the successor to the Connecticut Development Authority and with
2714 respect to any resolution, contract, deed, trust agreement, mortgage,
2715 conditional sale or loan agreement, commitment, obligation or liability
2716 or other such document, public record, right, remedy, special act or
2717 public act, obligation, liability or responsibility pertaining thereto, the
2718 Connecticut Economic Development Authority shall be, and shall be
2719 deemed to be, the successor to the Connecticut Development
2720 Authority. All properties, rights in land, buildings and equipment and
2721 any funds, moneys, revenues and receipts or assets of such authority
2722 pledged or otherwise securing any such notes, bonds or other
2723 obligations shall belong to the Connecticut Economic Development
2724 Authority as successor to the Connecticut Development Authority,
2725 subject to such pledges and other security arrangements and to
2726 agreements with the holders of the outstanding notes, bonds or other
2727 obligations. Any resolution with respect to the issuance of bonds of
2728 Connecticut Development Authority for the purposes of sections 40 to
2729 49, inclusive, of this act and any other action taken by the Connecticut
2730 Economic Development Authority with respect to assisting in the
2731 financing of any project shall be, or shall be deemed to be, a resolution
2732 of the Connecticut Economic Development Authority or an action
2733 taken by the Connecticut Economic Development Authority subject
2734 only to any agreements with the holders of outstanding notes, bonds
2735 or other obligations of the authority.

2736 (3) Whenever the term "Connecticut Development Authority" is

2737 used or referred to in the general statutes, the term "Connecticut
2738 Economic Development Authority" shall be substituted in lieu thereof.

2739 (4) The procedures of the Connecticut Development Authority,
2740 adopted pursuant to section 1-121 of the general statutes, shall remain
2741 in full force and effect with respect to any other matter before the
2742 Connecticut Economic Development Authority.

2743 (b) (1) In accordance with the provisions of section 4-38d of the
2744 general statutes, all powers, duties and personnel of Connecticut
2745 Innovations, Incorporated, under the provisions of chapter 581 of the
2746 general statutes shall be transferred to the Connecticut Economic
2747 Development Authority established pursuant to section 41 of this act.
2748 All cash, notes, receivables, liabilities, appropriations, authorizations,
2749 allocations, and all other assets and properties of Connecticut
2750 Innovations, Incorporated, shall be transferred to the Connecticut
2751 Economic Development Authority. Such transfer shall not affect the
2752 validity, enforceability or binding nature of any contract or agreement
2753 for financial aid made by Connecticut Innovations, Incorporated,
2754 under the authorization of this act before July 1, 2011. On and after
2755 July 1, 2011, any and all subsidiaries of the Connecticut Innovations,
2756 Incorporated, shall be subsidiaries of the Connecticut Economic
2757 Development Authority.

2758 (2) All notes, bonds or other obligations issued by Connecticut
2759 Innovations, Incorporated for the financing of any project or projects
2760 shall be in accordance with their terms of full force and effect and valid
2761 and binding upon the Connecticut Economic Development Authority
2762 as the successor to Connecticut Innovations, Incorporated and with
2763 respect to any resolution, contract, deed, trust agreement, mortgage,
2764 conditional sale or loan agreement, commitment, obligation or liability
2765 or other such document, public record, right, remedy, special act or
2766 public act, obligation, liability or responsibility pertaining thereto, the
2767 Connecticut Economic Development Authority shall be, and shall be
2768 deemed to be, the successor to Connecticut Innovations, Incorporated.
2769 All properties, rights in land, buildings and equipment and any funds,

2770 moneys, revenues and receipts or assets of such commission pledged
2771 or otherwise securing any such notes, bonds or other obligations shall
2772 belong to the Connecticut Economic Development Authority as
2773 successor to Connecticut Innovations, Incorporated, subject to such
2774 pledges and other security arrangements and to agreements with the
2775 holders of the outstanding notes, bonds or other obligations. Any
2776 resolution with respect to the issuance of bonds of the Connecticut
2777 Economic Development Authority for the purposes of sections 40 to
2778 49, inclusive, of this act and any other action taken by the Connecticut
2779 Economic Development Authority with respect to assisting in the
2780 financing of any project shall be, or shall be deemed to be, a resolution
2781 of the Connecticut Economic Development Authority or an action
2782 taken by the Connecticut Economic Development Authority subject
2783 only to any agreements with the holders of outstanding notes, bonds
2784 or other obligations of the authority.

2785 (3) Whenever the term "Connecticut Innovations, Incorporated" is
2786 used or referred to in the general statutes, the term "Connecticut
2787 Economic Development Authority" shall be substituted in lieu thereof.

2788 (4) The procedures of Connecticut Innovations, Incorporated,
2789 adopted pursuant to section 1-121 of the general statutes, shall remain
2790 in full force and effect with respect to any matter arising under the
2791 provisions of chapter 581 of the general statutes.

2792 (c) Except as expressly provided in this act, nothing in this act shall
2793 be deemed to limit the powers exercised by the Connecticut
2794 Development Authority or Connecticut Innovations, Incorporated,
2795 before July 1, 2011.

2796 Sec. 49. (NEW) (*Effective July 1, 2011*) (a) During the period from July
2797 1, 2011, to September 30, 2011, the Connecticut Development Authority
2798 and Connecticut Innovations, Incorporated, may enter into any
2799 agreements with the Connecticut Economic Development Authority
2800 that are necessary to facilitate the assumption by the Connecticut
2801 Economic Development Authority of the responsibilities of

2802 Connecticut Innovations, Incorporated, pursuant to this section and
2803 sections 40 to 48, inclusive, of this act.

2804 (b) The Connecticut Development Authority and Connecticut
2805 Innovations, Incorporated, shall provide professional and clerical
2806 support, facilities, equipment and supplies to the Connecticut
2807 Economic Development Authority during the period from July 1, 2011,
2808 to September 30, 2011, inclusive.

2809 Sec. 50. Subsection (l) of section 1-79 of the general statutes is
2810 repealed and the following is substituted in lieu thereof (*Effective July*
2811 *1, 2011*):

2812 (l) "Quasi-public agency" means the **[**Connecticut Development
2813 Authority, Connecticut Innovations, Incorporated**]** Connecticut
2814 Economic Development Authority, Connecticut Health and Education
2815 Facilities Authority, Connecticut Higher Education Supplemental Loan
2816 Authority, Connecticut Housing Finance Authority, Connecticut
2817 Housing Authority, Connecticut Resources Recovery Authority, Lower
2818 Fairfield County Convention Center Authority, Capital City Economic
2819 Development Authority, Connecticut Lottery Corporation and Health
2820 Information Technology Exchange of Connecticut.

2821 Sec. 51. Subdivision (1) of section 1-120 of the general statutes is
2822 repealed and the following is substituted in lieu thereof (*Effective July*
2823 *1, 2011*):

2824 (1) "Quasi-public agency" means the Connecticut Economic
2825 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
2826 Connecticut Health and Educational Facilities Authority, Connecticut
2827 Higher Education Supplemental Loan Authority, Connecticut Housing
2828 Finance Authority, Connecticut Housing Authority, Connecticut
2829 Resources Recovery Authority, Capital City Economic Development
2830 Authority, Connecticut Lottery Corporation and Health Information
2831 Technology Exchange of Connecticut.

2832 Sec. 52. Section 1-124 of the general statutes is repealed and the

2833 following is substituted in lieu thereof (*Effective July 1, 2011*):

2834 (a) The Connecticut Economic Development Authority, the
2835 Connecticut Health and Educational Facilities Authority, the
2836 Connecticut Higher Education Supplemental Loan Authority, the
2837 Connecticut Housing Finance Authority, the Connecticut Housing
2838 Authority, the Connecticut Resources Recovery Authority, the Health
2839 Information Technology Exchange of Connecticut and the Capital City
2840 Economic Development Authority shall not borrow any money or
2841 issue any bonds or notes which are guaranteed by the state of
2842 Connecticut or for which there is a capital reserve fund of any kind
2843 which is in any way contributed to or guaranteed by the state of
2844 Connecticut until and unless such borrowing or issuance is approved
2845 by the State Treasurer or the Deputy State Treasurer appointed
2846 pursuant to section 3-12. The approval of the State Treasurer or said
2847 deputy shall be based on documentation provided by the authority
2848 that it has sufficient revenues to (1) pay the principal of and interest on
2849 the bonds and notes issued, (2) establish, increase and maintain any
2850 reserves deemed by the authority to be advisable to secure the
2851 payment of the principal of and interest on such bonds and notes, (3)
2852 pay the cost of maintaining, servicing and properly insuring the
2853 purpose for which the proceeds of the bonds and notes have been
2854 issued, if applicable, and (4) pay such other costs as may be required.

2855 (b) To the extent the Connecticut Economic Development Authority,
2856 **[**Connecticut Innovations, Incorporated,**]** Connecticut Higher
2857 Education Supplemental Loan Authority, Connecticut Housing
2858 Finance Authority, Connecticut Housing Authority, Connecticut
2859 Resources Recovery Authority, Connecticut Health and Educational
2860 Facilities Authority, the Health Information Technology Exchange of
2861 Connecticut or the Capital City Economic Development Authority is
2862 permitted by statute and determines to exercise any power to
2863 moderate interest rate fluctuations or enter into any investment or
2864 program of investment or contract respecting interest rates, currency,
2865 cash flow or other similar agreement, including, but not limited to,
2866 interest rate or currency swap agreements, the effect of which is to

2867 subject a capital reserve fund which is in any way contributed to or
2868 guaranteed by the state of Connecticut, to potential liability, such
2869 determination shall not be effective until and unless the State
2870 Treasurer or his or her deputy appointed pursuant to section 3-12 has
2871 approved such agreement or agreements. The approval of the State
2872 Treasurer or his or her deputy shall be based on documentation
2873 provided by the authority that it has sufficient revenues to meet the
2874 financial obligations associated with the agreement or agreements.

2875 Sec. 53. Section 1-125 of the general statutes is repealed and the
2876 following is substituted in lieu thereof (*Effective July 1, 2011*):

2877 The directors, officers and employees of the Connecticut Economic
2878 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
2879 Connecticut Higher Education Supplemental Loan Authority,
2880 Connecticut Housing Finance Authority, Connecticut Housing
2881 Authority, Connecticut Resources Recovery Authority, including ad
2882 hoc members of the Connecticut Resources Recovery Authority,
2883 Connecticut Health and Educational Facilities Authority, Capital City
2884 Economic Development Authority, the Health Information Technology
2885 Exchange of Connecticut and Connecticut Lottery Corporation and
2886 any person executing the bonds or notes of the agency shall not be
2887 liable personally on such bonds or notes or be subject to any personal
2888 liability or accountability by reason of the issuance thereof, nor shall
2889 any director or employee of the agency, including ad hoc members of
2890 the Connecticut Resources Recovery Authority, be personally liable for
2891 damage or injury, not wanton, reckless, wilful or malicious, caused in
2892 the performance of his or her duties and within the scope of his or her
2893 employment or appointment as such director, officer or employee,
2894 including ad hoc members of the Connecticut Resources Recovery
2895 Authority. The agency shall protect, save harmless and indemnify its
2896 directors, officers or employees, including ad hoc members of the
2897 Connecticut Resources Recovery Authority, from financial loss and
2898 expense, including legal fees and costs, if any, arising out of any claim,
2899 demand, suit or judgment by reason of alleged negligence or alleged
2900 deprivation of any person's civil rights or any other act or omission

2901 resulting in damage or injury, if the director, officer or employee,
2902 including ad hoc members of the Connecticut Resources Recovery
2903 Authority, is found to have been acting in the discharge of his or her
2904 duties or within the scope of his or her employment and such act or
2905 omission is found not to have been wanton, reckless, wilful or
2906 malicious.

2907 Sec. 54. Section 8-134 of the general statutes is repealed and the
2908 following is substituted in lieu thereof (*Effective July 1, 2011*):

2909 For the purpose of carrying out or administering a redevelopment
2910 plan or other functions authorized under this chapter, a municipality,
2911 acting by and through its redevelopment agency, is hereby authorized,
2912 subject only to the limitations and procedures set forth in this section,
2913 to issue from time to time bonds of the municipality which are payable
2914 solely from and secured by: (a) A pledge of and lien upon any or all of
2915 the income, proceeds, revenues and property of redevelopment
2916 projects, including the proceeds of grants, loans, advances or
2917 contributions from the federal government, the state or other source,
2918 including financial assistance furnished by the municipality or any
2919 other public body pursuant to section 8-135; (b) taxes or payments in
2920 lieu of taxes, or both, in whole or in part, allocated to and paid into a
2921 special fund of the municipality pursuant to the provisions of section
2922 8-134a; or (c) any combination of the methods in subsections (a) and (b)
2923 of this section. For the purposes of a specified project only, the
2924 **[**Connecticut Development Authority**]** <u>Connecticut Economic</u>
2925 <u>Development Authority</u> may, upon a resolution with respect to such
2926 project adopted by the legislative body of the municipality, issue and
2927 administer bonds which are payable solely or in part from and secured
2928 by the pledge and security provided for in this section subject to the
2929 general terms and provisions of law applicable to the issuance of
2930 bonds by the **[**Connecticut Development Authority**]** <u>Connecticut</u>
2931 <u>Economic Development Authority</u>, except that the provisions of
2932 subsection (b) of section 32-23j shall not apply. Any bonds payable and
2933 secured as provided in this section shall be authorized by a resolution
2934 adopted by the legislative body of the municipality, notwithstanding

2935 the provisions of any other statute, local law or charter governing the
2936 authorization and issuance of bonds generally by the municipality. No
2937 such resolution shall be adopted until after a public hearing has been
2938 held upon such authorization. Notice of such hearing shall be
2939 published not less than five days prior to such hearing in a newspaper
2940 having a general circulation in the municipality. Such bonds shall be
2941 issued and sold in such manner; bear interest at such rate or rates,
2942 including variable rates to be determined in such manner as set forth
2943 in the proceedings authorizing the issuance of the bonds; provide for
2944 the payment of interest on such dates, whether before or at maturity;
2945 be issued at, above or below par; mature at such time or times not
2946 exceeding forty years from their date in the case of bonds issued to
2947 finance housing and facilities related thereto or thirty years from their
2948 date in all other cases; have such rank or priority; be payable in such
2949 medium of payment; be issued in such form, including, without
2950 limitation, registered or book-entry form, carry such registration and
2951 transfer privileges and be made subject to purchase or redemption
2952 before maturity at such price or prices and under such terms and
2953 conditions, including the condition that such bonds be subject to
2954 purchase or redemption on the demand of the owner thereof; and
2955 contain such other terms and particulars as the legislative body of the
2956 municipality or the officers delegated such authority by the legislative
2957 body of the municipality body shall determine. The proceedings under
2958 which bonds are authorized to be issued may, subject to the provisions
2959 of the general statutes, contain any or all of the following: (1)
2960 Provisions respecting custody of the proceeds from the sale of the
2961 bonds and any bond anticipation notes, including any requirements
2962 that such proceeds be held separate from or not be commingled with
2963 other funds of the municipality; (2) provisions for the investment and
2964 reinvestment of bond proceeds until such proceeds are used to pay
2965 project costs and for the disposition of any excess bond proceeds or
2966 investment earnings thereon; (3) provisions for the execution of
2967 reimbursement agreements, or similar agreements, in connection with
2968 credit facilities, including, but not limited to, letters of credit or policies
2969 of bond insurance, remarketing agreements and agreements for the

2970 purpose of moderating interest rate fluctuations; (4) provisions for the
2971 collection, custody, investment, reinvestment and use of the pledged
2972 revenues or other receipts, funds or moneys pledged for payment of
2973 bonds as provided in this section; (5) provisions regarding the
2974 establishment and maintenance of reserves, sinking funds and any
2975 other funds and accounts as shall be approved by the legislative body
2976 of the municipality in such amounts as may be established by the
2977 legislative body of the municipality and the regulation and disposition
2978 thereof, including requirements that any such funds and accounts be
2979 held separate from or not be commingled with other funds of the
2980 municipality; (6) covenants for the establishment of maintenance
2981 requirements with respect to facilities and properties; (7) provisions for
2982 the issuance of additional bonds on a parity with bonds issued prior to
2983 the issuance of such additional bonds, including establishment of
2984 coverage requirements with respect to such bonds as herein provided;
2985 (8) provisions regarding the rights and remedies available to the bond
2986 owners, note owners or any trustee under any contract, loan
2987 agreement, document, instrument or trust indenture in case of a
2988 default, including the right to appoint a trustee to represent their
2989 interests upon occurrence of any event of default, as defined in any
2990 such default proceedings, provided that if any bonds or bond
2991 anticipation notes are secured by a trust indenture, the respective
2992 owners of such bonds or notes shall have no authority except as set
2993 forth in such trust indenture to appoint a separate trustee to represent
2994 them; and (9) other provisions or covenants of like or different
2995 character from the foregoing which are consistent with this section and
2996 which the legislative body of the municipality determines in such
2997 proceedings are necessary, convenient or desirable in order to better
2998 secure the bonds or bond anticipation notes, or will tend to make the
2999 bonds or bond anticipation notes more marketable, and which are in
3000 the best interests of the municipality. Any provisions which may be
3001 included in proceedings authorizing the issuance of bonds under this
3002 section may be included in an indenture of trust duly approved in
3003 accordance with this section which secures the bonds and any notes
3004 issued in anticipation thereof, and in such case the provisions of such

3005 indenture shall be deemed to be a part of such proceedings as though
3006 they were expressly included therein. Any pledge made by the
3007 municipality shall be valid and binding from the time when the pledge
3008 is made, and any revenues or other receipts, funds or moneys so
3009 pledged and thereafter received by the municipality shall be subject
3010 immediately to the lien of such pledge without any physical delivery
3011 thereof or further act. The lien of any such pledge shall be valid and
3012 binding as against all parties having claims of any kind in tort, contract
3013 or otherwise against the municipality, irrespective of whether such
3014 parties have notice of such lien. Neither the resolution nor any other
3015 instrument by which a pledge is created need be recorded. The
3016 legislative body of the municipality may enter into a trust indenture by
3017 and between the municipality and a corporate trustee, which may be
3018 any trust company or bank having the powers of a trust company
3019 within or without the municipality. Such trust indenture may contain
3020 such provisions for protecting and enforcing the rights and remedies
3021 of the bond owners and note owners as may be reasonable and proper
3022 and not in violation of law, including covenants setting forth the duties
3023 of the municipality in relation to the exercise of its powers pursuant to
3024 this section and the custody, safeguarding and application of all
3025 moneys. The municipality may provide by such trust indenture for the
3026 payment of the pledged revenues or other receipts, funds or moneys to
3027 the trustee under such trust indenture or to any other depository, and
3028 for the method of disbursement thereof, with such safeguards and
3029 restrictions as it may determine. All expenses incurred in carrying out
3030 such trust indenture may be treated as project costs. Such bonds shall
3031 not be included in computing the aggregate indebtedness of the
3032 municipality, provided, if such bonds are made payable, in whole or in
3033 part, from funds contracted to be advanced by the municipality, the
3034 aggregate amount of such funds not yet appropriated to such purpose
3035 shall be included in computing the aggregate indebtedness of the
3036 municipality. As used in this section, "bonds" means any bonds,
3037 including refunding bonds, notes, interim certificates, debentures or
3038 other obligations. For purposes of this section and section 8-134a,
3039 references to the **[**Connecticut Development Authority**]** Connecticut

3040 Economic Development Authority shall include any subsidiary of the
3041 [Connecticut Development Authority] Connecticut Economic
3042 Development Authority established pursuant to [subsection (l) of
3043 section 32-11a] section 41 of this act.

3044 Sec. 55. Subsection (w) of section 32-23d of the general statutes is
3045 repealed and the following is substituted in lieu thereof (*Effective July*
3046 *1, 2011*):

3047 (w) "Authority" means the [Connecticut Development Authority or
3048 its successor as established and created under section 32-11a]
3049 Connecticut Economic Development Authority.

3050 Sec. 56. Subdivision (3) of subsection (a) of section 32-23v of the
3051 general statutes is repealed and the following is substituted in lieu
3052 thereof (*Effective July 1, 2011*):

3053 (3) "Authority" means the [Connecticut Development Authority
3054 established under section 32-11a] Connecticut Economic Development
3055 Authority or its successor.

3056 Sec. 57. Subsection (a) of section 32-23x of the general statutes is
3057 repealed and the following is substituted in lieu thereof (*Effective July*
3058 *1, 2011*):

3059 (a) As used in this section:

3060 (1) "Affiliate" means a business concern which directly controls or is
3061 controlled by another business concern, or a third party which controls
3062 both business concerns;

3063 (2) "Authority" means the [Connecticut Development Authority
3064 established under section 32-11a] Connecticut Economic Development
3065 Authority or its successor;

3066 [(3) "Department" means the Department of Economic and
3067 Community Development or its successor agency;]

3068 [(4)] (3) "Enterprise zone" has the same meaning as provided in
3069 section 32-70;

3070 [(5)] (4) "Impacted business" means any person impacted by (A) a
3071 disaster caused by natural forces including, but not limited to, floods
3072 or hurricanes or (B) an economic emergency including, but not limited
3073 to, an existing or threatened major plant shutdown, business
3074 disruption from a major road or bridge repair project or other existing
3075 or potential economic emergency, provided such disaster or
3076 emergency described in subparagraph (A) or (B) of this subdivision is
3077 proclaimed as such by declaration of the [Commissioner of Economic
3078 and Community Development] executive director of the Connecticut
3079 Economic Development Authority, with the consent of the Secretary of
3080 the Office of Policy and Management, upon a determination by the
3081 [Commissioner of Economic and Community Development] executive
3082 director of the Connecticut Economic Development Authority that
3083 such disaster or emergency is of a magnitude that could materially
3084 affect the health or well-being of the citizens of the impacted area and
3085 that the financial assistance provided for under this section is
3086 necessary to assure timely and effective relief and restoration;

3087 [(6)] (5) "Loans" means loans and extensions of lines of credit;

3088 [(7)] (6) "Minority business enterprise" means any person who meets
3089 the criteria contained in section 4a-60g and who is receiving a state
3090 contract award;

3091 [(8)] (7) "Person" means any person or entity, including affiliates,
3092 engaged in a for-profit activity or activities in this state and who,
3093 except for an impacted business, is not an eligible borrower for
3094 assistance under the provisions of the Connecticut Growth Fund
3095 established under section 32-23v, as amended by this act;

3096 [(9)] (8) "Rate of interest" means the interest rate which the authority
3097 shall charge and collect on each loan made by the state under this
3098 section, which rate shall not exceed one per cent above the interest rate
3099 borne by the general obligation bonds of the state last issued prior to

3100 the date such loan is made, provided, such rate shall not exceed the
3101 maximum allowable under federal law;

3102 [(10)] (9) "Small contractor" means any person who is a contractor,
3103 subcontractor, manufacturer or service company who has been in
3104 business for at least one year prior to the date of its application for
3105 assistance under this section and whose gross revenues, including
3106 revenues of affiliates, did not exceed three million dollars in its most
3107 recently completed fiscal year prior to the date of its application for
3108 assistance under this section;

3109 [(11)] (10) "State or local development corporation" means any entity
3110 organized under the laws of this state which has the authority to
3111 promote and assist the growth and development of business concerns
3112 in the areas covered by their operations;

3113 [(12)] (11) "Targeted business" means a person located in an
3114 enterprise zone whose gross revenues did not exceed three million
3115 dollars in its most recently completed fiscal year prior to the date of its
3116 application for assistance under this section, or if such person has not
3117 been in business for at least one year prior to the date of such
3118 application, if the authority determines in its discretion that such
3119 person's gross revenues, including revenues of affiliates, are not likely
3120 to exceed three million dollars in its first fiscal year;

3121 [(13)] (12) "Water facilities" means (A) investor-owned water
3122 companies which supply water to at least twenty-five but less than ten
3123 thousand customers, (B) municipally-owned water companies, and (C)
3124 owners of privately and municipally-owned dams which the
3125 Commissioner of Environmental Protection has determined benefit the
3126 public.

3127 Sec. 58. Section 32-23hh of the general statutes is repealed and the
3128 following is substituted in lieu thereof (*Effective July 1, 2011*):

3129 As used in sections 32-23gg to 32-23*ll*, inclusive:

3130 (1) "Authority" means the **[**Connecticut Development Authority,
3131 created under section 32-11a**]** Connecticut Economic Development
3132 Authority;

3133 (2) "Executive director" means the executive director of the
3134 **[**Connecticut Development Authority**]** Connecticut Economic
3135 Development Authority;

3136 (3) "Financial assistance" means any and all forms of loans,
3137 extensions of credit, guarantees, equity investments or any other form
3138 of financing or refinancing to persons for the purchase, acquisition,
3139 construction, expansion, continued operation, reconstruction,
3140 financing, refinancing or placing in operation of an economic
3141 development project, including, but not limited to, fixed assets,
3142 working capital, equity participations and acquisitions, employee
3143 buyouts, refinancing, financial restructuring, and other purposes
3144 which the authority determines further the purposes of sections 32-
3145 23gg to 32-23*ll*, inclusive;

3146 (4) "Economic development project" means any project (A) which is
3147 to be used or occupied by any person for manufacturing, industrial,
3148 research or product warehousing or distribution purposes, or any
3149 combination thereof, and which the authority determines will tend to
3150 maintain or provide gainful employment, maintain or increase the tax
3151 base of the economy, or maintain, expand or diversify industry in the
3152 state, or for any other purpose which the authority determines will
3153 materially support the economic base of the state, by creating or
3154 retaining jobs, promoting the export of products or services beyond
3155 state boundaries, encouraging innovation in products or services, or
3156 otherwise contributing to, supporting or enhancing existing activities
3157 that are important to the economic base of the state, and (B) which is
3158 unable to obtain conventional financing in satisfactory amounts or on
3159 satisfactory terms in the sole judgment of the authority, or whose
3160 ability, in the judgment of the authority, to start, continue to operate,
3161 expand, or maintain operations or relocate to Connecticut, is
3162 dependent upon financial assistance;

3163 (5) "Person" means a person as defined in subsection (s) of section
3164 32-23d, as amended by this act; and

3165 (6) "Return on investment" means any and all forms of principal or
3166 interest payments, insurance premiums or guarantee fees, equity
3167 participations, options, warrants, debentures and any or all other
3168 forms of remuneration to the authority in return for any financial
3169 assistance provided or offered.

3170 Sec. 59. Section 32-23tt of the general statutes is repealed and the
3171 following is substituted in lieu thereof (*Effective July 1, 2011*):

3172 As used in section 32-23*ll*, this section, and sections 32-23uu,
3173 32-23vv and 32-235:

3174 (1) "Authority" means the **[**Connecticut Development Authority
3175 established under the provisions of this chapter**]** Connecticut
3176 Economic Development Authority;

3177 (2) "Educational upgrades" means (A) programs designed to
3178 increase the basic skills of workers and production workers including,
3179 but not limited to training, in written and oral communication,
3180 mathematics or science, or (B) training in innovative production
3181 methods and workplace oriented computer technical skills;

3182 (3) "Financial assistance" means grants, loans, loan guarantees or
3183 interest rate subsidies or any combination thereof;

3184 (4) "Manufacturing or economic base business" means a business
3185 defined under subsection (l) of section 32-222, as amended by this act;

3186 (5) "Production worker" means an employee of a manufacturer
3187 whose principal duties are located within the state, and consist of the
3188 assembly or construction of the manufacturer's product or a portion
3189 thereof; and

3190 (6) "Worker" means an employee of a manufacturing or economic-
3191 based business whose principal duties are located within the state.

3192 Sec. 60. Section 32-23yy of the general statutes is repealed and the
3193 following is substituted in lieu thereof (*Effective July 1, 2011*):

3194 (a) As used in this section, the following terms shall have the
3195 following meanings unless the context indicates another meaning and
3196 intent:

3197 (1) "Authority" means the **[**Connecticut Development Authority,
3198 created under section 32-11a**]** Connecticut Economic Development
3199 Authority, and any of its subsidiaries or affiliates;

3200 (2) "Executive director" means the executive director of the
3201 **[**Connecticut Development Authority**]** Connecticut Economic
3202 Development Authority;

3203 (3) "Financial assistance" means any and all forms of grants, loans,
3204 extensions of credit, guarantees, equity investments or other forms of
3205 financing or refinancing to persons for the purchase, acquisition,
3206 leasing, construction, expansion, continued operation, reconstruction,
3207 financing, refinancing or placing in operation of an information
3208 technology project, including, but not limited to, fixed assets, working
3209 capital, equity participations and acquisitions, employee buyouts,
3210 refinancing, lease guarantees, financial restructuring and other
3211 purposes which the authority determines further the purposes of this
3212 section. For purposes of this section financial assistance shall not be
3213 considered financial assistance under the provisions of section 32-462,
3214 as amended by this act;

3215 (4) "Information technology project" means an information
3216 technology project, as defined in section 32-23d, as amended by this
3217 act;

3218 (5) "Person" means a person, as defined in subsection (s) of section
3219 32-23d, as amended by this act;

3220 (6) "Return on investment" means any and all forms of principal or
3221 interest payments, guarantee fees, equity participations, options,

3222 warrants, debentures and any or all other forms of remuneration to the
3223 authority in return for any financial assistance provided or offered.

3224 (b) There is created within the authority the High-Technology
3225 Infrastructure Fund. The state, acting through the authority, may
3226 provide financial assistance from said fund that enables the
3227 development of information technology projects. Such financial
3228 assistance may be provided directly or in participation with any other
3229 financial institutions, funds or other persons or other sources of
3230 financing, public or private, and the authority may enter into any
3231 agreements or contracts it deems necessary or convenient in
3232 connection therewith. Payments of principal, interest or other forms of
3233 return on investment received by the authority shall be deposited in or
3234 held on behalf of said fund.

3235 (c) The authority may provide financial assistance in such amounts,
3236 in such form and under such terms and conditions as the authority
3237 shall prescribe, in written procedures adopted in accordance with
3238 section 1-121. Such procedures shall provide, in the case of financial
3239 assistance in a form other than a grant, for returns on investment as the
3240 authority deems appropriate to reflect the nature of the risk, provided
3241 a single project shall not receive an amount in excess of fifteen million
3242 dollars and shall not be for a term longer than thirty years.

3243 (d) The authority may take all reasonable steps and exercise all
3244 reasonable remedies necessary or desirable to protect the obligations
3245 or interests of the authority, including, but not limited to, the purchase
3246 or redemption in foreclosure proceedings, bankruptcy proceedings or
3247 in other judicial proceedings, of any property on which it holds a
3248 mortgage or other lien or in which it has an interest, and for such
3249 purposes and any other purposes provided in this section payment
3250 may be made from the High-Technology Infrastructure Fund upon
3251 certification by the executive director that payment is authorized
3252 under the provisions of this section, or other sections of the general
3253 statutes, applicable procedures or other programs of the authority.

3254 (e) Applicants for financial assistance shall pay the costs the
3255 authority deems reasonable and necessary incurred in processing
3256 applications made under this section, including application and
3257 commitment fees, closing costs or other costs. In carrying out the
3258 provisions of this section, any administrative expenses incurred by the
3259 authority, to the extent not paid by the borrower or from moneys
3260 appropriated to the authority for such purposes, may be paid from the
3261 High-Technology Infrastructure Fund.

3262 Sec. 61. Section 32-34 of the general statutes is repealed and the
3263 following is substituted in lieu thereof (*Effective July 1, 2011*):

3264 As used in this chapter, the following terms shall have the following
3265 meanings unless the context clearly indicates another meaning and
3266 intent:

3267 (1) **[**"Corporation" means Connecticut Innovations, Incorporated as
3268 created under section 32-35**]** "Authority" means the Connecticut
3269 Economic Development Authority;

3270 (2) "Entrepreneur" means any person who seeks to organize, operate
3271 and assume the risk for a business enterprise, or who organizes,
3272 operates and assumes the risk for a business enterprise;

3273 **[**(3) "Finance committee" means a committee or subcommittee
3274 organized by the corporation and having the authority to approve or
3275 deny applications for financial aid and to enter into agreements on
3276 behalf of the corporation to provide financial aid;**]**

3277 **[**(4)**]** (3) "Financial aid" means the infusion of capital to persons, in
3278 any form whatsoever, including, but not limited to, grants, loans,
3279 equity, leases, guarantees, royalty arrangements, other risk capital and
3280 other types of financial assistance;

3281 **[**(5)**]** (4) "Incubator facilities" means a building, structure or complex
3282 designed, constructed, renovated or developed to house and provide
3283 research and other services to assist small technology-based

3284 companies;

3285 [(6)] (5) "Invention" means any new product without regard to
3286 whether a patent has been or could be granted;

3287 [(7)] (6) "Person" means any individual, general or limited
3288 partnership, corporation, limited liability company, institution of
3289 higher education, governmental entity or joint venture conducting
3290 research into ideas with commercial potential or carrying on business,
3291 or proposing to carry on business, within the state which (A) in the
3292 case of an individual, general or limited partnership, corporation,
3293 limited liability company or joint venture, demonstrates to the
3294 corporation the inability (i) to obtain conventional financing in
3295 satisfactory amounts or on satisfactory terms or (ii) to locate or
3296 continue operations in the state without assistance as provided in this
3297 chapter, and (B) demonstrates to the corporation that any project for
3298 research into or the development of specific technologies, products,
3299 devices, techniques or procedures or the marketing of services based
3300 on the use of such technologies, products, devices, techniques or
3301 procedures for which assistance under this chapter, is sought, (i) will
3302 create new or retain existing jobs in the state, (ii) will result in an
3303 increase in the amount of goods or services exported from the state,
3304 (iii) will help to strengthen the economy of the state, or (iv) will
3305 promote the development and utilization of technology in the state;

3306 [(8)] (7) "Product" means any technology, device, technique, service
3307 or process, which is or may be exploitable commercially; such term
3308 shall not refer to pure research but shall be construed to apply to such
3309 technologies, products, devices, techniques, services or processes
3310 which have advanced beyond the theoretic stage and are readily
3311 capable of being, or have been, reduced to practice;

3312 [(9)] (8) "Research" means the scientific and engineering analysis,
3313 investigation, collection of ideas and inquiry into concepts, processes
3314 and techniques, the purpose of which is intended to result in a
3315 commercially feasible product, process or technique;

3316 [(10)] (9) "Seed venture" means a business or other entity in the early
3317 stage of development;

3318 [(11)] (10) "Technical peer review committee" means a committee,
3319 subcommittee or other entity organized by the corporation to provide
3320 advice and counsel concerning the technological, marketing and
3321 management feasibility of projects in connection with each application
3322 for financial and technical assistance;

3323 [(12)] (11) "Technology" means the conversion of basic scientific
3324 research into processes, techniques and products which may have
3325 commercial potential;

3326 [(13)] (12) "Advanced technology center" means a cooperative
3327 research center in a specified field of science and technology
3328 established and funded, subject to the requirements in sections 32-40a,
3329 32-40b and 32-40c, through an academic, industrial and governmental
3330 partnership for purposes of technological research with a direct
3331 relationship to economic development in the state;

3332 [(14)] (13) "Venture" means, without limitation, any contractual
3333 arrangement with any person whereby the corporation obtains rights
3334 from or in an invention or product or proceeds therefrom, or rights to
3335 obtain from any person any and all forms of equity instruments
3336 including, but not limited to, common and preferred stock, warrants,
3337 options, convertible debentures and similar types of instruments
3338 exercisable or convertible into capital stock, in exchange for the
3339 granting of financial aid to such person;

3340 [(15)] (14) "Venture lease" means a lease by the corporation to a
3341 technology company of any real or personal property, on such terms,
3342 including lease payments, lease term and purchase options, as the
3343 corporation shall determine;

3344 [(16)] (15) "Affiliate" means any person that directly or indirectly
3345 through one or more intermediaries, controls or is controlled by or is
3346 under common control with, another person, including, but not

3347 limited to, any corporation, general or limited partnership or limited
3348 liability company controlled, directly or indirectly, by such other
3349 person or the corporation, provided, in addition to other means of
3350 being controlled, a general or limited partnership or limited liability
3351 company shall be deemed to be controlled by the corporation if the
3352 corporation or one of its affiliates acts as a general partner or a
3353 manager of such general or limited partnership or limited liability
3354 company;

3355 **[**(17)**]** (16) "Capital initiative" means providing financial aid through
3356 one or more affiliates and raising the capital for such affiliates, in
3357 whole or in part, from sources other than the state;

3358 **[**(18)**]** (17) "Preseed financing" means financial aid provided for
3359 research and formulation of a concept;

3360 **[**(19)**]** (18) "Seed financing" means financial aid to an inventor or
3361 entrepreneur to assess the viability of a concept and to qualify for start-
3362 up financing to fund, including, but not limited to, product
3363 development, market research, management team building and,
3364 pending successful progress on such initial steps, business plan
3365 development;

3366 **[**(20)**]** (19) "Start-up financing" means financial aid to companies in
3367 the process of organizing as a business or that have been in operation
3368 for less than one year and (A) have completed product development
3369 and initial marketing but have not sold such product commercially,
3370 and (B) have established viability by performing market studies,
3371 assembling key management, developing a business plan and may also
3372 qualify for start-up financing by demonstrating viability by other
3373 means deemed appropriate by the corporation;

3374 **[**(21)**]** (20) "Early or first-stage financing" means financial aid to
3375 companies that have expended initial capital, developed and market-
3376 tested prototypes, and demonstrate that such funds are necessary to
3377 initiate full-scale manufacturing and sales;

3378 [(22)] (21) "Expansion financing" means financial aid to companies
3379 for market expansion or to enhance the fiscal position of a company in
3380 preceding a liquidity event including, but not limited to, an initial
3381 public offering or acquisition.

3382 Sec. 62. Section 32-39c of the general statutes is repealed and the
3383 following is substituted in lieu thereof (*Effective July 1, 2011*):

3384 (a) With respect to any affiliate created pursuant to section [32-39]
3385 28 of this act, liability shall be limited solely to the assets and revenues
3386 or other resources of any such affiliate and without recourse liability to
3387 [Connecticut Innovations, Incorporated] Connecticut Economic
3388 Development Authority, its other funds or any other assets of the
3389 [corporation] authority, except to the extent of any express written
3390 guarantees by the [corporation] authority or any investments made or
3391 committed to by the [corporation] authority.

3392 (b) The provisions of sections [32-47 and] 1-125, as amended by this
3393 act, and 32-47 shall apply to any officer, director, designee or employee
3394 serving at the request of the [corporation] authority as a member,
3395 director or officer or advisor of any such affiliate. Any such person so
3396 appointed shall not be personally liable for the debts, obligations or
3397 liabilities of any such affiliate as provided in [said] section 1-125, as
3398 amended by this act. Any affiliate shall and the [corporation] authority
3399 may provide the indemnification to protect, save harmless and
3400 indemnify such officer, director, designee or employee as provided in
3401 [said] section 1-125, as amended by this act.

3402 Sec. 63. Section 32-40 of the general statutes is repealed and the
3403 following is substituted in lieu thereof (*Effective July 1, 2011*):

3404 (a) All applications for financial aid shall be forwarded, together
3405 with an application fee prescribed by the [corporation] Connecticut
3406 Economic Development Authority, to the executive director of the
3407 [corporation] authority. Each such application shall be processed in
3408 accordance with the written procedures adopted by the [corporation]
3409 authority under subdivision (5) of subsection (d) of section 32-35. The

3410 [finance committee] board of directors of the [corporation] authority
3411 shall approve or deny each application recommended by the executive
3412 director. If the [finance committee] board of directors approves an
3413 application, [such committee] it may authorize the [corporation]
3414 authority to enter into an agreement or agreements on behalf of the
3415 [corporation] authority to provide financial aid to the applicant. The
3416 applicant shall be promptly notified of such action by the [corporation]
3417 authority.

3418 (b) In making the decision as to approval or denial of an application,
3419 the [finance committee] board of directors of the [corporation]
3420 authority shall give priority to those applicants (1) whose businesses
3421 are defense-dependent, or are located in municipalities which the
3422 [Commissioner of Economic and Community Development] authority
3423 has declared have been severely impacted by prime defense contract
3424 cutbacks pursuant to section 32-56, and (2) whose proposed research
3425 and development activity, technology, product or invention is to be
3426 used to convert all or a portion of the applicant's business to non-
3427 defense-related industrial or commercial activity, or to create a new
3428 non-defense-related industrial or commercial business. For purposes of
3429 this section, a defense-dependent business is any business that derives
3430 [over] more than fifty per cent of its gross income, generated from
3431 operations within the state, from prime defense contracts or from
3432 subcontracts entered into in connection with prime defense contracts, a
3433 significant portion of whose facilities and equipment are designed
3434 specifically for defense production and cannot be converted to
3435 nondefense uses without substantial investment.

3436 (c) All financial and credit information and all trade secrets
3437 contained in any application for financial aid submitted to the
3438 [corporation] authority or obtained by the [corporation] authority
3439 concerning any applicant, project, activity, technology, product or
3440 invention shall be exempt from the provisions of subsection (a) of
3441 section 1-210.

3442 Sec. 64. Section 32-41a of the general statutes is repealed and the

3443 following is substituted in lieu thereof (*Effective July 1, 2011*):

3444 (a) There is hereby created a "Connecticut Innovations [,
3445 Incorporated] Fund". Proceeds from the sale of bonds authorized by
3446 the State Bond Commission in accordance with [section] sections 32-41,
3447 as amended by this act, and [section] 32-41b, as amended by this act,
3448 shall be paid directly to the Treasurer of the state as agent of the
3449 [corporation] Connecticut Economic Development Authority and the
3450 Treasurer shall deposit all such amounts in the Connecticut
3451 Innovations [, Incorporated] Fund. The moneys in said fund shall be
3452 paid by checks signed by the Treasurer of the state or by his deputy
3453 appointed pursuant to section 3-12 on requisition of the executive
3454 director of the [corporation] authority or his designee.

3455 (b) Any funds or revenues of [Connecticut Innovations,
3456 Incorporated] the authority derived from application fees, royalty
3457 payments, investment income and loan repayments received by the
3458 [corporation] authority in connection with its programs shall be held,
3459 administered and invested by the [corporation] authority or deposited
3460 with and invested by any institution as may be designated by the
3461 [corporation] authority at its sole discretion and paid as the
3462 [corporation] authority shall direct. All moneys in such accounts shall
3463 be used and applied to carry out the purposes of the [corporation]
3464 authority. The [corporation] authority may make payments from such
3465 accounts to the Treasurer of the state for deposit in the Connecticut
3466 Innovations [, Incorporated] Fund for use in accordance with
3467 subsection (c) of this section.

3468 (c) The moneys in the Connecticut Innovations [, Incorporated]
3469 Fund (1) shall be used to carry out the purposes of the [corporation]
3470 authority and for the repayment of state bonds in such amounts as
3471 may be required by the State Bond Commission pursuant to [said
3472 section] sections 32-41, as amended by this act, and [section] 32-41b, as
3473 amended by this act, and (2) may be used as state matching funds for
3474 federal funds available to the state for defense conversion projects or
3475 other projects consistent with a defense conversion strategy.

3476 Sec. 65. Section 32-41b of the general statutes is repealed and the
3477 following is substituted in lieu thereof (*Effective July 1, 2011*):

3478 The State Bond Commission shall have power in accordance with
3479 the provisions of section 3-20 to authorize the issuance of bonds of the
3480 state in one or more series and in principal amounts not exceeding in
3481 the aggregate sixty-one million four hundred forty-five thousand six
3482 hundred dollars, to carry out the purposes of this section as follows: (1)
3483 Loans for the development and marketing of products in the high
3484 technology field within the state, not exceeding thirty-four million
3485 dollars; (2) royalty financing for start-up costs and product
3486 development costs of high technology products and procedures in the
3487 state, not exceeding seven million four hundred forty-five thousand six
3488 hundred dollars; and (3) financial aid for biotechnology and other high
3489 technology laboratories, facilities and equipment, not exceeding
3490 twenty million dollars. Any loans originated under subdivision (1) of
3491 this section shall bear interest at a rate to be determined in accordance
3492 with subsection (t) of said section 3-20. The principal and interest of
3493 said bonds shall be payable at such place or places as may be
3494 determined by the State Treasurer and shall bear such date or dates,
3495 mature at such time or times, bear interest at such rate or different or
3496 varying rates, be payable at such time or times, be in such
3497 denominations, be in such form with or without interest coupons
3498 attached, carry such registration and transfer privileges, be payable in
3499 such medium of payment and be subject to such terms of redemption
3500 with or without premium as, irrespective of the provisions of said
3501 section 3-20, may be provided by the authorization of the State Bond
3502 Commission or fixed in accordance therewith. The proceeds of the sale
3503 of said bonds, after deducting therefrom all expenses of issuance and
3504 sale, shall be paid to the Connecticut Innovations **[**, Incorporated**]** Fund
3505 created under section 32-41a<u>, as amended by this act</u>. When the State
3506 Bond Commission has acted to issue such bonds or a portion thereof,
3507 the Treasurer may, pending the issue of such bonds, issue, in the name
3508 of the state, temporary notes in anticipation of the money to be
3509 received from the sale of such bonds. In issuing the bonds authorized

3510 hereunder, the State Bond Commission may require repayment of such
3511 bonds by the corporation as shall seem desirable consistent with the
3512 purposes of this section and section 32-41a, as amended by this act.
3513 Such terms for repayment may include a forgiveness of interest, a
3514 holiday in the repayment of interest or principal or both.

3515 Sec. 66. Section 32-41i of the general statutes is repealed and the
3516 following is substituted in lieu thereof (*Effective July 1, 2011*):

3517 As used in sections 32-41g to 32-41o, inclusive:

3518 (1) "Act" means the Technology Deployment Act of 1993;

3519 (2) "Advanced available technology" means a technology or process
3520 that can be applied to a manufacturing operation without substantial
3521 modification;

3522 (3) "Technology deployment" means (A) activities that assist
3523 businesses in applying advanced available technologies in their
3524 existing operations, or (B) activities that assist businesses in the
3525 development and manufacture of new products derived from
3526 advanced available technologies;

3527 (4) **[**"Corporation" means Connecticut Innovations, Incorporated**]**
3528 "Authority" means the Connecticut Economic Development Authority
3529 or a subsidiary designated by said authority;

3530 (5) "Eligible institution" means an institution within the Connecticut
3531 State University System which is operating a technology deployment
3532 program on July 1, 1993;

3533 (6) "Eligible deployment research consortium" means a multitown,
3534 nonprofit coalition which is representative of the business, academic
3535 and government communities in an economically distressed area of the
3536 state which on or before July 1, 1993, is dependent upon labor
3537 intensive, less technologically advanced manufacturing;

3538 (7) "Eligible business consortium" means a nonprofit business-led

3539 consortium organized for the purpose of technology deployment in the
3540 fields of biotechnology, ergonomics, environmental and energy
3541 technologies or educational and job training technologies;

3542 (8) "Eligible grant recipient" means one or more state institutions of
3543 higher education or a nonprofit business-led consortium organized for
3544 the purpose of technology deployment in advanced materials, marine
3545 sciences, photonics, pharmaceutical and environmental technologies;

3546 (9) "Small and medium-sized business" means a manufacturing
3547 business with fewer than five hundred employees.

3548 Sec. 67. Section 32-41t of the general statutes is repealed and the
3549 following is substituted in lieu thereof (*Effective July 1, 2011*):

3550 As used in this section and section 32-41u, as amended by this act:

3551 (1) **[**"Corporation" means Connecticut Innovations, Incorporated as
3552 created under section 32-35**]** "Authority" means the Connecticut
3553 Economic Development Authority; and

3554 (2) "Eligible participant" means a member of the faculty or a
3555 researcher engaged in applied research and development at any
3556 Connecticut college or university that agrees to participate in a high
3557 technology research and development program established by the
3558 **[**corporation**]** authority.

3559 Sec. 68. Section 32-41u of the general statutes is repealed and the
3560 following is substituted in lieu thereof (*Effective July 1, 2011*):

3561 (a) There is established a high technology research and development
3562 program to be administered by the **[**corporation**]** authority for the
3563 purpose of promoting collaboration between businesses and colleges
3564 and universities in this state in advanced materials, aerospace,
3565 bioscience, energy and environmental systems, information
3566 technology, applied optics, microelectronics and other high technology
3567 fields. The **[**corporation**]** authority may accept applications to the
3568 program from eligible participants in a form and manner prescribed by

3569 the [corporation] authority.

3570 (b) In approving any application the [corporation] authority shall
3571 assess the collaborative nature of the proposal as well as scientific and
3572 economic factors, including, but not limited to, the following:

3573 (1) The formal participation in the proposal by businesses actively
3574 engaged in the commercial use of advanced materials, aerospace,
3575 bioscience, energy and environmental systems, information
3576 technology, applied optics, microelectronics and other high technology
3577 fields;

3578 (2) The likelihood that a proposal will result in the development or
3579 commercialization of high technology products or processes in this
3580 state; and

3581 (3) The likelihood that a proposal will result in long-term,
3582 sustainable economic growth for this state.

3583 (c) The [corporation] authority shall provide financial aid, as
3584 defined in subdivision [(4)] (3) of section 32-34, as amended by this act,
3585 to eligible participants whose proposals have been approved by the
3586 [corporation] authority as provided in subsections (a) and (b) of this
3587 section.

3588 (d) The [corporation] authority may establish other programs,
3589 including financial programs, in order to attract and retain residents
3590 with postsecondary education in science, engineering, mathematics
3591 and other disciplines that are essential or advisable to the development
3592 and application of technology.

3593 Sec. 69. Section 32-47a of the general statutes is repealed and the
3594 following is substituted in lieu thereof (*Effective July 1, 2011*):

3595 Not later than January first in each year, [Connecticut Innovations,
3596 Incorporated] the Connecticut Economic Development Authority shall
3597 submit a business plan containing a summary of its projected
3598 operations for the year to the joint standing committees of the General

3599 Assembly having cognizance of matters relating to [the Department of
3600 Economic and Community Development] economic development,
3601 appropriations and capital bonding. Not later than November first,
3602 annually, the [corporation] authority shall submit a report to [the
3603 Commissioner of Economic and Community Development,] the
3604 Auditors of Public Accounts and said joint standing committees, which
3605 shall include the following information with respect to new and
3606 outstanding financial assistance provided by the [corporation]
3607 authority during the twelve-month period ending on June thirtieth
3608 next preceding the date of the report for each financial assistance
3609 program administered by the [corporation] authority: (1) A list of the
3610 names, addresses and locations of all recipients of such assistance, (2)
3611 for each such recipient: (A) The business activities, (B) the Standard
3612 Industrial Classification Manual codes, (C) the gross revenues during
3613 the recipient's most recent fiscal year, if the recipient is an organization
3614 that makes such information public in the normal course of business,
3615 or, if the recipient does not make such information public in the
3616 normal course of business, the gross revenue information shall be
3617 provided for a recipient separately, using a system in which no
3618 recipient is listed by name but each is given a separate identity in a
3619 manner consistent with the provisions of subsection (c) of section 32-
3620 40, as amended by this act, (D) the number of employees at the time of
3621 application, (E) whether the recipient is a minority or woman-owned
3622 business, (F) a summary of the terms and conditions for the assistance,
3623 including the type and amount of state financial assistance, job
3624 creation or retention requirements, and anticipated wage rates, and (G)
3625 the amount of investments from private and other nonstate sources
3626 that have been leveraged by the assistance, (3) the economic benefit
3627 criteria used in determining which applications have been approved or
3628 disapproved, and (4) for each recipient of assistance on or after July 1,
3629 1991, a comparison between the number of jobs to be created, the
3630 number of jobs to be retained and the average wage rates for each such
3631 category of jobs, as projected in the recipient's application, versus the
3632 actual number of jobs created, the actual number of jobs retained and
3633 the average wage rates for each such category. The Governor and the

3634 chairpersons and ranking members of the joint standing committees of
3635 the General Assembly having cognizance of matters relating to finance,
3636 revenue and bonding and commerce may, after a request to
3637 [Connecticut Innovations, Incorporated] the Connecticut Economic
3638 Development Authority by any of said persons, examine, in
3639 confidence, the detailed data, including the specific revenue data for
3640 each identifiable business, submitted pursuant to subparagraph (C) of
3641 subdivision (2) of this section. The chairpersons and ranking members
3642 of said committees may disclose such data to the members of said
3643 committees, who shall also keep such data confidential. The report
3644 shall also indicate the actual number of full-time jobs and the actual
3645 number of part-time jobs in each such category and the benefit levels
3646 for each such subcategory. The November first report shall include a
3647 summary of the activities of the [corporation] authority, including all
3648 activities to assist small businesses and minority business enterprises,
3649 as defined in section 4a-60g, a complete operating and financial
3650 statement and recommendations for legislation to promote the
3651 purposes of the [corporation] authority. The [corporation] authority
3652 shall furnish such additional information upon the written request of
3653 any such committee at such times as the committee may request.

3654 Sec. 70. Section 10a-25b of the general statutes is repealed and the
3655 following is substituted in lieu thereof (*Effective July 1, 2011*):

3656 (a) The State Bond Commission may authorize the issuance of
3657 bonds of the state in one or more series in accordance with the
3658 provisions of sections 10a-25a to 10a-25g, inclusive, as amended by this
3659 act, but not in excess of the aggregate amount of twenty-two million
3660 five hundred thousand dollars.

3661 (b) The proceeds of the sale of said bonds, to the extent hereinafter
3662 stated, shall be used to encourage, promote, develop and assist high
3663 technology products and programs within Connecticut by infusion of
3664 financial assistance in situations when such financial aid would not
3665 otherwise reasonably be available from other sources as hereinafter
3666 stated: (1) For the State Board of Education: High technology

3667 equipment for programs in the vocational-technical schools, not
3668 exceeding two million dollars; (2) for **[**Connecticut Innovations,
3669 Incorporated**]** the Connecticut Economic Development Authority: (A)
3670 Matching funds for cooperative high technology research and
3671 development projects and programs, not exceeding nine million
3672 dollars; (B) financial aid, as defined in subdivision **[**(4)**]** (3) of section
3673 32-34, as amended by this act, to public institutions of higher education
3674 for high technology projects and programs, not exceeding eleven
3675 million five hundred thousand dollars.

3676 Sec. 71. Section 10a-25g of the general statutes is repealed and the
3677 following is substituted in lieu thereof (*Effective July 1, 2011*):

3678 Through **[**Connecticut Innovations, Incorporated**]** the Connecticut
3679 Economic Development Authority the state may provide financial aid,
3680 as defined in subdivision **[**(4)**]** (3) of section 32-34, as amended by this
3681 act, for the development of high technology projects and programs in
3682 accordance with the provisions of subdivision (2) of subsection (b) of
3683 section 10a-25b, as amended by this act. Such funding shall be made in
3684 accordance with written procedures adopted by **[**Connecticut
3685 Innovations, Incorporated**]** the Connecticut Economic Development
3686 Authority in accordance with the provisions of section 1-121. **[**Until
3687 June 30, 1996, Connecticut Innovations, Incorporated may use not
3688 more than three per cent of the total amount of any annual bond
3689 allocation for high technology projects and programs described in
3690 section 10a-25b or this section, for the administration and evaluation of
3691 such projects and programs.**]**

3692 Sec. 72. Section 32-41 of the general statutes is repealed and the
3693 following is substituted in lieu thereof (*Effective July 1, 2011*):

3694 The State Bond Commission shall have power in accordance with
3695 the provisions of section 3-20 to authorize the issuance of bonds of the
3696 state in one or more series and in principal amounts not exceeding in
3697 the aggregate forty-seven million eight hundred fifty-four thousand
3698 nine hundred dollars to carry out the purposes of sections 32-32 to 32-

3699 41, inclusive. The principal and interest of said bonds shall be payable
3700 at such place or places as may be determined by the State Treasurer
3701 and shall bear such date or dates, mature at such time or times, bear
3702 interest at such rate or different or varying rates, be payable at such
3703 time or times, be in such denominations, be in such form with or
3704 without interest coupons attached, carry such registration and transfer
3705 privileges, be payable in such medium of payment and be subject to
3706 such terms of redemption with or without premium as, irrespective of
3707 the provisions of said section 3-20, may be provided by the
3708 authorization of the State Bond Commission or fixed in accordance
3709 therewith. The proceeds of the sale of such bonds, after deducting
3710 therefrom all expenses of issuance and sale, shall be paid to the
3711 Connecticut Innovations **[**, Incorporated**]** Fund created under section
3712 32-41a, as amended by this act. When the State Bond Commission has
3713 acted to issue such bonds or a portion thereof, the Treasurer may,
3714 pending the issue of such bonds, issue, in the name of the state,
3715 temporary notes in anticipation of the money to be received from the
3716 sale of such bonds. In issuing the bonds authorized hereunder, the
3717 State Bond Commission may require repayment of such bonds by the
3718 corporation as shall seem desirable consistent with the purposes of
3719 sections 32-32 to 32-41, inclusive. Such terms for repayment may
3720 include a forgiveness of interest, a holiday in the repayment of interest
3721 or principal or both.

3722 Sec. 73. Subsection (f) of section 4-66a of the general statutes is
3723 repealed and the following is substituted in lieu thereof (*Effective July*
3724 *1, 2011*):

3725 (f) The Secretary of the Office of Policy and Management is
3726 authorized to do all things necessary to apply for and accept federal
3727 funds allotted or available to the state under any federal act or
3728 program which could support activities which the secretary is
3729 authorized to undertake. He shall administer such funds in accordance
3730 with state and federal law. The secretary, in consultation with the
3731 executive director of **[**Connecticut Innovations, Incorporated, or the
3732 Commissioner of Economic and Community Development, when

3733 applicable] the Connecticut Economic Development Authority, may
3734 apply for all federal funds available to the state for defense conversion
3735 projects and other projects consistent with a defense conversion
3736 strategy.

3737 Sec. 74. Subdivision (42) of section 8-250 of the general statutes is
3738 repealed and the following is substituted in lieu thereof (*Effective July*
3739 *1, 2011*):

3740 (42) To accept from the [department] Connecticut Economic
3741 Development Authority: (A) Financial assistance, (B) revenues or the
3742 right to receive revenues with respect to any program under the
3743 supervision of the [department] Connecticut Economic Development
3744 Authority, and (C) loan assets or equity interests in connection with
3745 any program under the supervision of the [department] Connecticut
3746 Economic Development Authority; to make advances to and reimburse
3747 the [department] Connecticut Economic Development Authority for
3748 any expenses incurred or to be incurred by it in the delivery of such
3749 assistance, revenues, rights, assets, interests or amounts; to enter into
3750 agreements with the [department] Connecticut Economic
3751 Development Authority for the delivery of services by the authority in
3752 consultation with the [department, the Connecticut Development
3753 Authority and Connecticut Innovations, Incorporated,] Connecticut
3754 Economic Development Authority to third parties which agreements
3755 may include provisions for payment by the [department to the
3756 authority for the delivery of such services] Connecticut Economic
3757 Development Authority; and to enter into agreements with the
3758 [department or with the Connecticut Development Authority or
3759 Connecticut Innovations, Incorporated,] Connecticut Economic
3760 Development Authority for the sharing of assistants, agents and other
3761 consultants, professionals and employees, and facilities and other real
3762 and personal property used in the conduct of the authority's affairs;

3763 Sec. 75. Subsection (a) of section 31-11aa of the general statutes is
3764 repealed and the following is substituted in lieu thereof (*Effective July*
3765 *1, 2011*):

3766 (a) The Connecticut Employment and Training Commission within
3767 the Office of Workforce Competitiveness shall produce, within
3768 available appropriations, a report on information technology
3769 workforce development, including a long-range strategic plan, that
3770 addresses Connecticut's workforce and research needs as they relate to
3771 information technology and electronic commerce. The commission
3772 shall work with the Commissioners of **[**Economic and Community
3773 Development,**]** Education and Higher Education and any business-
3774 related association or organization that the commission deems
3775 appropriate in creating a planning structure, no later than July 5, 2000,
3776 to develop the plan. The planning structure shall include
3777 representation from the Connecticut Employment and Training
3778 Commission, the General Assembly, the Departments of Education **[**,**]**
3779 and Higher Education, **[**and Economic and Community Development,
3780 Connecticut Innovations, Incorporated**]** the Connecticut Economic
3781 Development Authority, information technology and software
3782 companies, the Connecticut Business and Industry Association, the
3783 Connecticut Economic Resource Center, the Connecticut Technology
3784 Council, The University of Connecticut, the Connecticut State
3785 University System, the community-technical colleges, Charter Oak
3786 State College, the Connecticut Distance Learning Consortium, the
3787 Connecticut Conference of Independent Colleges and any other
3788 representatives including regional and state-wide business and
3789 technology associations the Connecticut Employment and Training
3790 Commission and commissioners deem necessary.

3791 Sec. 76. Section 32-1k of the general statutes is repealed and the
3792 following is substituted in lieu thereof (*Effective July 1, 2011*):

3793 As used in sections 8-244b to 8-244d, inclusive, this section and
3794 section 32-1*l*, the following terms shall have the following meanings
3795 unless the context clearly indicates another meaning and intent:

3796 (1) **[**"Department" means the Department of Economic and
3797 Community Development**]** "Authority" means the Connecticut
3798 Economic Development Authority;

3799 (2) [**"Commissioner" means the Commissioner of Economic and**
3800 **Community Development;]** "Executive director" means the executive
3801 director of the Connecticut Economic Development Authority; and

3802 [(3) "CDA" means the Connecticut Development Authority, as
3803 created under chapter 579;

3804 (4) "CHFA" means the Connecticut Housing Finance Authority, as
3805 created under chapter 134;

3806 (5) "CII" means Connecticut Innovations, Incorporated, as created
3807 under chapter 581; and]

3808 [(6)] (3) "SHA" means the State Housing Authority as created under
3809 section 8-244b.

3810 Sec. 77. Section 32-4h of the general statutes is repealed and the
3811 following is substituted in lieu thereof (*Effective July 1, 2011*):

3812 Not later than August 1, 1997, and annually thereafter, the
3813 [chairperson of the board of directors of the Connecticut Development
3814 Authority and the chairperson of the board of directors of Connecticut
3815 Innovations, Incorporated] executive director of the Connecticut
3816 Economic Development Authority shall submit a report to the joint
3817 standing committee of the General Assembly having cognizance of
3818 matters relating to [the Department of Economic and Community
3819 Development] economic development, in accordance with the
3820 provisions of section 11-4a, which details the amount of bond funds
3821 expended during the previous fiscal year on each economic cluster in
3822 the state by said authority. [by the quasi-public agency administered
3823 by such chairperson.]

3824 Sec. 78. Section 32-6k of the general statutes is repealed and the
3825 following is substituted in lieu thereof (*Effective July 1, 2011*):

3826 (a) Prior to entering into a grant, loan or assistance agreement for
3827 any project which is a major traffic generator within the meaning of
3828 section 14-311, the [Commissioner of Economic and Community

3829 Development and the executive directors of the Connecticut
3830 Development Authority and Connecticut Innovations, Incorporated, as
3831 the case may be,] executive director of the Connecticut Economic
3832 Development Authority shall submit an impact statement for each
3833 such project to the Connecticut Transportation Strategy Board,
3834 established pursuant to section 13b-57e, as amended by this act. Each
3835 impact statement shall (1) describe the project and its expected impact
3836 on the transportation system, (2) summarize whether or not such
3837 project conforms to the strategy adopted in accordance with section
3838 13b-57g, as amended by this act, and (3) include any other information
3839 the board may require to discharge its responsibilities under this
3840 subsection including, but not limited to, (A) the size of any facility
3841 proposed in connection with the project, (B) the hours of operation of
3842 such facility, (C) a projection of whether or not an increase in daily
3843 vehicle trips including truck traffic is likely to occur as a result of such
3844 project, and (D) the availability of public transportation to and from
3845 such facility. The board shall evaluate each such impact statement to
3846 determine whether such project conforms to such strategy and shall
3847 submit to said [commissioner and] executive [directors] director any
3848 findings and recommendations with respect to such project. Nothing
3849 in this subsection shall be construed as requiring any delay in the
3850 implementation of any such project.

3851 (b) The board shall, subject to the requirements of chapter 14,
3852 protect confidential information and trade secrets provided in
3853 connection with the review of any project pursuant to subsection (a) of
3854 this section.

3855 Sec. 79. Section 32-41v of the general statutes is repealed and the
3856 following is substituted in lieu thereof (*Effective July 1, 2011*):

3857 (a) As used in this section:

3858 (1) ["Corporation" means Connecticut Innovations, Incorporated]
3859 "Authority" means the Connecticut Economic Development Authority;
3860 and

3861 (2) "Fund" means the Connecticut New Opportunities Fund.

3862 (b) [Connecticut Innovations, Incorporated] The Connecticut
3863 Economic Development Authority shall establish a fund to be known
3864 as the Connecticut New Opportunities Fund, for the purpose of
3865 investing in seed stage and emerging growth companies in the state.
3866 The [corporation] authority, or a subsidiary created by the
3867 [corporation] authority for the purposes of this section, shall serve as
3868 general partner or managing member of the fund and shall determine
3869 whether the fund should be organized as a limited partnership or a
3870 limited liability company. The general partner or managing member of
3871 the fund shall be reimbursed from the fund for its management costs,
3872 which shall not exceed two per cent, annually, of the committed capital
3873 of the fund.

3874 (c) Investors in the fund may include pension funds, foundations
3875 and private entities. Such investors shall participate as limited partners
3876 or nonmanaging members of the fund. The committed capital of the
3877 fund shall not exceed fifty million dollars.

3878 (d) The moneys in the fund shall be invested as follows: (1) Not
3879 more than twenty-five per cent in seed stage companies, and (2) not
3880 more than seventy-five per cent in not more than twenty emerging
3881 growth companies. Not more than three million dollars shall be
3882 invested in any single seed stage or emerging growth company. Fund
3883 investments shall be in the form of equity or similar instruments. An
3884 emerging growth company may be eligible for an investment if the
3885 company projects high growth, has a strong management team, has
3886 current and prospective customers, has had difficulty raising early
3887 stage venture capital and is a strong market driver but is facing entry
3888 barriers.

3889 (e) The fund shall have a term of ten years, provided it may be
3890 extended for three one-year periods if necessary to complete
3891 liquidation of the fund's investments. Upon such liquidation, each
3892 investor shall be entitled to a return of the investment made, plus

3893 eighty per cent of all net realized gains of the fund. The state shall
3894 provide a first loss guarantee at the end of the tenth year, if needed, of
3895 not more than twenty-five million dollars. The state shall be entitled to
3896 ten per cent of all net realized gains of the fund and the general partner
3897 or managing member of the fund shall also be entitled to ten per cent
3898 of all such net realized gains.

3899 Sec. 80. Section 32-344 of the general statutes is repealed and the
3900 following is substituted in lieu thereof (*Effective July 1, 2011*):

3901 As used in this section and sections 32-345, as amended by this act,
3902 and 32-346:

3903 (1) "Business-led consortium" means a coalition or other group of
3904 entities, related by contractual or other arrangements, that (A) includes
3905 at least one Connecticut business and may include other businesses
3906 and nonprofit or public institutions, and (B) is led by a business for the
3907 purpose of technology development or commercialization;

3908 (2) **[**"Corporation" means Connecticut Innovations, Incorporated, as
3909 created under section 32-35**]** "Authority" means the Connecticut
3910 Economic Development Authority;

3911 (3) "Small business" means a corporation, limited liability company,
3912 partnership, sole proprietorship or individual, operating a business for
3913 profit, which employs five hundred or fewer employees, including
3914 employees employed in any subsidiary or affiliated corporation;

3915 (4) "Small business innovation research program" means the federal
3916 program established pursuant to the Small Business Innovation
3917 Development Act of 1982 (P.L. 97-219), as amended, which provides
3918 funds to small businesses to conduct innovative research which has
3919 potential commercial applications;

3920 (5) "Small business technology transfer program" means the federal
3921 program established pursuant to the Small Business Research and
3922 Development Enhancement Act of 1992 (P.L. 102-564), as amended,

3923 which provides funds to small businesses that collaborate with
3924 nonprofit research institutions to conduct innovative research which
3925 has potential commercial applications;

3926 (6) "Federal technology support program" means any program now
3927 or hereafter established by the government of the United States of
3928 America or any agency or instrumentality thereof, other than the small
3929 business innovation research program and small business technology
3930 transfer program that (A) is authorized to provide funding support for
3931 projects undertaken by businesses and business-led consortia for the
3932 development or commercialization of advanced technologies,
3933 including without limitation technologies applied or applicable to
3934 national defense, and (B) requires recipients to furnish a portion of the
3935 funds necessary to carry out such activities;

3936 (7) "Micro business" means a business entity, including its affiliates,
3937 that (A) is independently owned and operated, and (B) employs fewer
3938 than fifty full-time employees or has gross annual sales of less than
3939 five million dollars.

3940 Sec. 81. Subsection (e) of section 32-356 of the general statutes is
3941 repealed and the following is substituted in lieu thereof (*Effective July*
3942 *1, 2011*):

3943 (e) (1) There is established a Small Business Incubator Advisory
3944 Board. Said board shall consist of: (A) **[**The Commissioner of Economic
3945 and Community Development; (B) the president of the Connecticut
3946 Development Authority and**]** the executive director of **[**Connecticut
3947 Innovations, Incorporated**]** the Connecticut Economic Development
3948 Authority, or the executive director's designee, as an ex-officio
3949 nonvoting **[**members, or their designees**]** member; **[**(C)**]** (B) one
3950 member to be appointed by the Governor; **[**(D)**]** (C) two members with
3951 experience in the field of technology transfer and commercialization, to
3952 be appointed by the speaker of the House of Representatives; **[**(E)**]** (D)
3953 two members with experience in new product and market
3954 development, to be appointed by the president pro tempore of the

3955 Senate; [(F)] (E) one member to be appointed by the majority leader of
3956 the Senate; [(G)] (F) one member to be appointed by the majority
3957 leader of the House of Representatives; [(H)] (G) one member with
3958 experience in seed and early stage capital investment, to be appointed
3959 by the minority leader of the House of Representatives; and [(I)] (H)
3960 one member with experience in seed and early stage capital
3961 investment, to be appointed by the minority leader of the Senate. All
3962 initial appointments to said board shall be made not later than
3963 September 1, 2007.

3964 (2) The [Commissioner of Economic and Community Development]
3965 executive director of the Connecticut Economic Development
3966 Authority shall schedule the first meeting of said board not later than
3967 October 15, 2007. Thereafter, the board shall meet at least once
3968 annually to evaluate and recommend changes to the guidelines
3969 adopted pursuant to this section.

3970 Sec. 82. Section 32-450 of the general statutes is repealed and the
3971 following is substituted in lieu thereof (*Effective July 1, 2011*):

3972 As used in sections 32-450 to 32-457, inclusive:

3973 (1) "Awarding authority" means the [Commissioner of Economic
3974 and Community Development, the] board of directors of the
3975 [Connecticut Development Authority and the board of directors of
3976 Connecticut Innovations, Incorporated] Connecticut Economic
3977 Development Authority.

3978 (2) "Economic development financial assistance" means any grant,
3979 loan or loan guarantee, or combination thereof, or any tax credits
3980 approved pursuant to section 32-9t, provided to a business for the
3981 purpose of economic development.

3982 (3) "Employee representatives" means representatives of any
3983 certified or recognized bargaining agents for employees of a business.

3984 (4) "Threshold project" means (A) a project for which a business

3985 operating in the state and having twenty-five or more full-time
3986 employees in the state submits a request to an awarding authority for
3987 economic development financial assistance in the form of (i) a grant in
3988 the amount of two hundred fifty thousand dollars or more or (ii) a
3989 combination of a grant and a loan or loan guarantee, totaling two
3990 hundred fifty thousand dollars or more, or (B) a project for which a
3991 business operating in the state and having one hundred or more full-
3992 time employees in the state submits a request to an awarding authority
3993 for economic development financial assistance in the form of (i) a loan
3994 or a loan guarantee, in the amount of one million dollars or more, or
3995 (ii) a combination of a loan and a loan guarantee, totaling one million
3996 dollars or more.

3997 Sec. 83. Section 32-462 of the general statutes is repealed and the
3998 following is substituted in lieu thereof (*Effective July 1, 2011*):

3999 (a) As used in this section:

4000 (1) "Agency" means the **[**Department of Economic and Community
4001 Development, the Connecticut Development Authority or Connecticut
4002 Innovations, Incorporated**]** Connecticut Economic Development
4003 Authority.

4004 (2) "Financial assistance" means grants, loans, loan guarantees,
4005 contracts of insurance, investments, or combinations thereof, which are
4006 provided from the proceeds of bonds, notes or other obligations of the
4007 state or an agency which constitute a debt or liability of the state or
4008 which are secured by a special capital reserve fund payable from
4009 amounts appropriated or deemed appropriated from the General
4010 Fund.

4011 (3) "Applicant" means any eligible applicant seeking financial
4012 assistance from an agency for a business project. The term "applicant"
4013 shall not include any political subdivision of the state.

4014 (4) "Business project" means a business proposal undertaken by one
4015 or more applicants, but does not include housing unless undertaken in

4016 combination with another unrelated type of business.

4017 (5) "Biotechnology business project" means any commercial project
4018 to be used or occupied by any person to conduct laboratory activity
4019 relating to, or the research, development or manufacture of,
4020 biologically active molecules or devices that apply to, affect or analyze
4021 biological processes.

4022 (b) (1) No agency or agencies may award more than a total of ten
4023 million dollars of financial assistance during any two-year period to an
4024 applicant or for a business project unless such financial assistance is
4025 specifically authorized by an act of the General Assembly which has
4026 been enacted before, on or after July 1, 1994. (2) The provisions of
4027 subdivision (1) of this subsection shall not apply to any awards funded
4028 or to be funded by bonds authorized to be issued by the State Bond
4029 Commission before July 1, 1994.

4030 (c) Notwithstanding the provisions of subsection (b) of this section,
4031 no agency or agencies may award more than twenty million dollars of
4032 financial assistance for a biotechnology business project during any
4033 two-year period unless such financial assistance is specifically
4034 authorized by an act of the General Assembly which has been enacted
4035 before, on or after July 1, 2001.

4036 Sec. 84. Section 32-479 of the general statutes is repealed and the
4037 following is substituted in lieu thereof (*Effective July 1, 2011*):

4038 **[**Not later than July 1, 1996, the Commissioner of Economic and
4039 Community Development, the Labor Commissioner, the Connecticut
4040 Development Authority and Connecticut Innovations, Incorporated**]**
4041 <u>The Labor Commissioner and the executive director of the Connecticut</u>
4042 <u>Economic Development Authority</u> shall jointly develop goals and
4043 objectives and quantifiable outcome measures related to the
4044 percentage of financial assistance which is being provided to high
4045 performance work organizations. The Labor Commissioner **[**, the
4046 Connecticut Development Authority and Connecticut Innovations,
4047 Incorporated**]** <u>and the Connecticut Economic Development Authority</u>

4048 shall submit an annual report concerning such goals, objectives and
4049 measures to the joint standing committee of the General Assembly
4050 having cognizance of matters relating to labor and public employees
4051 and the joint standing committee having cognizance of matters relating
4052 to commerce.

4053 Sec. 85. Section 32-480 of the general statutes is repealed and the
4054 following is substituted in lieu thereof (*Effective July 1, 2011*):

4055 The **[**Department of Economic and Community Development, the**]**
4056 Labor Department **[**, the Connecticut Development Authority**]** and
4057 **[**Connecticut Innovations, Incorporated**]** the Connecticut Economic
4058 Development Authority shall, when appropriate, encourage persons,
4059 firms and corporations which contact said departments or authorities
4060 for financial assistance to utilize high performance work practices in
4061 their business operations.

4062 Sec. 86. Section 32-700 of the general statutes is repealed and the
4063 following is substituted in lieu thereof (*Effective July 1, 2011*):

4064 As used in sections 32-701 to 32-703, inclusive, as amended by this
4065 act, and this section:

4066 (1) "Awarding authority" means the **[**Commissioner of Economic
4067 and Community Development, the**]** board of directors of the
4068 **[**Connecticut Development Authority, the board of directors of
4069 Connecticut Innovations, Incorporated,**]** Connecticut Economic
4070 Development Authority and the head of any other quasi-public
4071 agency, as defined in section 1-120, as amended by this act, and any
4072 state agency authorized to award state assistance, as defined in
4073 subdivision (2) of this section.

4074 (2) "State assistance" means any grant, loan, loan guarantee or
4075 issuance of tax benefit not of general applicability for the purpose of
4076 economic development that is (A) made to a business entity operated
4077 for profit, and (B) in an amount greater than one million dollars or
4078 that, if added to any other such state assistance made to the same

4079 business entity during the preceding two years, would total greater
4080 than one million dollars.

4081 Sec. 87. Subsection (a) of section 32-701 of the general statutes is
4082 repealed and the following is substituted in lieu thereof (*Effective July*
4083 *1, 2011*):

4084 (a) The terms and conditions of any agreement for state assistance
4085 under any program of the general statutes to a business entity
4086 operated for profit administered by the **[**Department of Economic and
4087 Community Development, Connecticut Development Authority and
4088 Connecticut Innovations, Incorporated,**]** Connecticut Economic
4089 Development Authority shall include provisions for (1) specific goals
4090 for the creation and retention of full-time and part-time jobs and for
4091 periodic reports by the recipient on progress in achieving such goals if
4092 the primary purpose of the state assistance is job creation or retention,
4093 and (2) a requirement that an applicant for any type of state assistance,
4094 except grants and loans of a term of less than one year, provide the
4095 agency with appropriate security for such financial assistance,
4096 including, but not limited to, a letter of credit, a lien on real property or
4097 a security interest in goods, equipment, inventory or other property of
4098 any kind and that the recipient of such state assistance will remain in
4099 substantial material compliance with state and federal law.

4100 Sec. 88. Section 32-717 of the general statutes is repealed and the
4101 following is substituted in lieu thereof (*Effective July 1, 2011*):

4102 (a) The **[**Commissioner of Economic and Community Development,
4103 the chairperson of Connecticut Innovations, Incorporated, the**]**
4104 president of The University of Connecticut and the **[**chairperson**]**
4105 executive director of the Connecticut Economic Development
4106 Authority, or their respective designees, shall prepare, within available
4107 appropriations, and in consultation with the Connecticut
4108 Competitiveness Council, the Commissioner of Education, the
4109 Commissioner of Higher Education, the chancellor of the community-
4110 technical college system, the director of the Office of Workforce

4111 Competitiveness and any other agencies and leading technology-
4112 focused organizations deemed appropriate by the [Commissioner of
4113 Economic and Community Development] executive director of the
4114 Connecticut Economic Development Authority, recommendations for
4115 an implementation plan and budget to establish an Innovation
4116 Network that will include the following: (1) The creation of endowed
4117 chairs and the hiring of leading academic professionals in targeted
4118 fields based on core competencies to work at universities, state colleges
4119 and community colleges, in collaboration with other technology
4120 initiatives; (2) the focused and aggressive solicitation of and leveraged
4121 partnership with federal research funds; (3) increased corporate-
4122 sponsored research; (4) the establishment of at least one innovation
4123 accelerator, linked to universities and involving corporations and start-
4124 up enterprises focused on advanced technology and leveraging the
4125 efforts underway by the Connecticut Center for Advanced Technology
4126 in the Hartford area; (5) the strengthening of technology transfer and
4127 entrepreneurship activities at universities in the state; (6) incentives
4128 and financial support for collaborative research between universities
4129 and industry or federally sponsored technology centers; (7) the
4130 creation of linkages to angel networks; and (8) the creation of linkages
4131 to incubators in Connecticut. Said plan shall also include provisions for
4132 the utilization of existing resources, including, but not limited to,
4133 [Connecticut Innovations, Incorporated,] the Connecticut Economic
4134 Development Authority, The University of Connecticut and the Office
4135 of Workforce Competitiveness.

4136 (b) [Not later than January 1, 2006, the Commissioner of Economic
4137 and Community Development] The executive director of the
4138 Connecticut Economic Development Authority, in consultation with
4139 [the chairperson of Connecticut Innovations, Incorporated,] the
4140 president of The University of Connecticut, [and the chairperson of the
4141 Connecticut Development Authority,] shall develop an
4142 implementation plan for the Innovation Network, within available
4143 resources, and submit said plan and budget to the Governor and the
4144 joint standing committees of the General Assembly having cognizance

4145 of matters relating to economic development, education and labor, in
4146 accordance with the provisions of section 11-4a.

4147 Sec. 89. Section 32-718 of the general statutes is repealed and the
4148 following is substituted in lieu thereof (*Effective July 1, 2011*):

4149 The **[**Department of Economic and Community Development,
4150 Connecticut Innovations, Incorporated, The**]** University of
4151 Connecticut, the **[**Connecticut Development Authority**]** Connecticut
4152 Economic Development Authority and the Office of Workforce
4153 Competitiveness may use up to ten million dollars of their existing
4154 resources for plan implementation and to provide a catalyst for an
4155 additional forty million dollars of private investment. The plan for
4156 how these funds will be applied and how they will leverage the
4157 private money shall be presented to and approved by the State Bond
4158 Commission.

4159 Sec. 90. Subsection (d) of section 8-192 of the general statutes is
4160 repealed and the following is substituted in lieu thereof (*Effective July*
4161 *1, 2011*):

4162 (d) For the purposes of carrying out or administering a specified
4163 development plan authorized under this chapter, the **[**Connecticut
4164 Development Authority**]** Connecticut Economic Development
4165 Authority may, upon a resolution with respect to such project adopted
4166 by the legislative body of the municipality, issue and administer bonds
4167 which are payable solely or in part from and secured by the pledge
4168 and security provided for in subsection (a) of this section subject to the
4169 general terms and provisions of law applicable to the issuance of
4170 bonds by the **[**Connecticut Development Authority**]** Connecticut
4171 Economic Development Authority, except that the provisions of
4172 subsection (b) of section 32-23j shall not apply. For purposes of this
4173 section and section 8-192a, references to the **[**Connecticut Development
4174 Authority**]** Connecticut Economic Development Authority shall
4175 include any subsidiary of the **[**Connecticut Development Authority
4176 established pursuant to subsection (l) of section 32-11a**]** Connecticut

4177 Economic Development Authority.

4178 Sec. 91. Subsection (c) of section 25-33a of the general statutes is
4179 repealed and the following is substituted in lieu thereof (*Effective July*
4180 *1, 2011*):

4181 (c) Each grant made pursuant to subsection (a) of this section shall
4182 be authorized by the **[**Connecticut Development Authority**]**
4183 Connecticut Economic Development Authority or, if the authority so
4184 determines, by a committee of the authority consisting of the chairman
4185 and either one other member of the authority or its executive director.
4186 The **[**Connecticut Development Authority**]** Connecticut Economic
4187 Development Authority shall charge reasonable application and other
4188 fees to be applied to the administrative expenses incurred in carrying
4189 out the provisions of this section, to the extent such expenses are not
4190 paid by the authority. **[**or from moneys appropriated to the
4191 department.**]** Each such payment shall be made by the Treasurer upon
4192 certification by the **[**Commissioner of Economic and Community
4193 Development**]** executive director of the Connecticut Economic
4194 Development Authority that the payment is authorized under the
4195 provisions of this section under the applicable **[**rules and regulations of
4196 the department, and under the**]** terms and conditions established by
4197 the authority or the duly appointed committee thereof in authorizing
4198 the making of the grant.

4199 Sec. 92. Subsection (a) of section 32-1o of the general statutes is
4200 repealed and the following is substituted in lieu thereof (*Effective July*
4201 *1, 2011*):

4202 (a) On or before July 1, 2009, and every five years thereafter, the
4203 **[**Commissioner of Economic and Community Development, within
4204 available appropriations,**]** executive director of the Connecticut
4205 Economic Development Authority shall prepare an economic strategic
4206 plan for the state in consultation with the Secretary of the Office of
4207 Policy and Management, the Commissioners of Environmental
4208 Protection and Transportation, the Labor Commissioner, the executive

4209 directors of the Connecticut Housing Finance Authority, [the
4210 Connecticut Development Authority, Connecticut Innovations,
4211 Incorporated,] the Commission on Culture and Tourism and the
4212 Connecticut Health and Educational Facilities Authority, and the
4213 president of the Office of Workforce Competitiveness, or their
4214 respective designees, and any other agencies the [Commissioner of
4215 Economic and Community Development] executive director deems
4216 appropriate.

4217 (b) In developing the plan, the [Commissioner of Economic and
4218 Community Development] executive director of the Connecticut
4219 Economic Development Authority shall:

4220 (1) Ensure that the plan is consistent with (A) the text and locational
4221 guide map of the state plan of conservation and development adopted
4222 pursuant to chapter 297, (B) the long-range state housing plan adopted
4223 pursuant to section 8-37t, as amended by this act, and (C) the
4224 transportation strategy adopted pursuant to section 13b-57g, as
4225 amended by this act;

4226 (2) Consult regional councils of governments, regional planning
4227 organizations, regional economic development agencies, interested
4228 state and local officials, entities involved in economic and community
4229 development, stakeholders and business, economic, labor, community
4230 and housing organizations;

4231 (3) Consider (A) regional economic, community and housing
4232 development plans, and (B) applicable state and local workforce
4233 investment strategies;

4234 (4) Assess and evaluate the economic development challenges and
4235 opportunities of the state and against the economic development
4236 competitiveness of other states and regions; and

4237 (5) Host regional forums to provide for public involvement in the
4238 planning process.

4239 (c) The strategic plan required under this section shall include, but
4240 not be limited to, the following:

4241 (1) A review and evaluation of the economy of the state. Such
4242 review and evaluation shall include, but not be limited to, a sectoral
4243 analysis, housing market and housing affordability analysis, labor
4244 market and labor quality analysis, demographic analysis and historic
4245 trend analysis and projections;

4246 (2) A review and analysis of factors, issues and forces that impact or
4247 impede economic development and responsible growth in Connecticut
4248 and its constituent regions. Such factors, issues or forces shall include,
4249 but not be limited to, transportation, including, but not limited to,
4250 commuter transit, rail and barge freight, technology transfer,
4251 brownfield remediation and development, health care delivery and
4252 costs, early education, primary education, secondary and
4253 postsecondary education systems and student performance, business
4254 regulation, labor force quality and sustainability, social services costs
4255 and delivery systems, affordable and workforce housing cost and
4256 availability, land use policy, emergency preparedness, taxation,
4257 availability of capital and energy costs and supply;

4258 (3) Identification and analysis of economic clusters that are growing
4259 or declining within the state;

4260 (4) An analysis of targeted industry sectors in the state that (A)
4261 identifies those industry sectors that are of current or future
4262 importance to the growth of the state's economy and to its global
4263 competitive position, (B) identifies what those industry sectors need
4264 for continued growth, and (C) identifies those industry sectors' current
4265 and potential impediments to growth;

4266 (5) A review and evaluation of the economic development structure
4267 in the state, including, but not limited to, (A) a review and analysis of
4268 the past and current economic, community and housing development
4269 structures, budgets and policies, efforts and responsibilities of its
4270 constituent parts in Connecticut; and (B) an analysis of the

4271 performance of the current economic, community and housing
4272 development structure, and its individual constituent parts, in meeting
4273 its statutory obligations, responsibilities and mandates and their
4274 impact on economic development and responsible growth in
4275 Connecticut;

4276 (6) Establishment and articulation of a vision for Connecticut that
4277 identifies where the state should be in five, ten, fifteen and twenty
4278 years;

4279 (7) Establishment of clear and measurable goals and objectives for
4280 the state and regions, to meet the short and long-term goals established
4281 under this section and provide clear steps and strategies to achieve
4282 said goals and objectives, including, but not limited to, the following:
4283 (A) The promotion of economic development and opportunity, (B) the
4284 fostering of effective transportation access and choice including the use
4285 of airports and ports for economic development, (C) enhancement and
4286 protection of the environment, (D) maximization of the effective
4287 development and use of the workforce consistent with applicable state
4288 or local workforce investment strategy, (E) promotion of the use of
4289 technology in economic development, including access to high-speed
4290 telecommunications, and (F) the balance of resources through sound
4291 management of physical development;

4292 (8) Prioritization of goals and objectives established under this
4293 section;

4294 (9) Establishment of relevant measures that clearly identify and
4295 quantify (A) whether a goal and objective is being met at the state,
4296 regional, local and private sector level, and (B) cause and effect
4297 relationships, and provide a clear and replicable measurement
4298 methodology;

4299 (10) Recommendations on how the state can best achieve goals
4300 under the strategic plan and provide cost estimates for implementation
4301 of the plan and the projected return on investment for those areas;

4302 (11) A review and evaluation of the operation and efficacy of the
4303 urban jobs program established pursuant to sections 32-9i to 32-9*l*,
4304 inclusive, enterprise zones established pursuant to section 32-70,
4305 railroad depot zones established pursuant to section 32-75a, qualified
4306 manufacturing plants designated pursuant to section 32-75c,
4307 entertainment districts established pursuant to section 32-76 and
4308 enterprise corridor zones established pursuant to section 32-80. The
4309 review and evaluation of enterprise zones shall include an analysis of
4310 enterprise zones that have been expanded to include an area in a
4311 contiguous municipality or in which there are base or plant closures;
4312 and

4313 (12) Any other responsible growth information that the
4314 commissioner deems appropriate.

4315 (d) On or before July 1, 2009, and every five years thereafter, the
4316 **[**Commissioner of Economic and Community Development**]** executive
4317 director of the Connecticut Economic Development Authority shall
4318 submit an economic development strategic plan for the state to the
4319 Governor for approval. The Governor shall review and approve or
4320 disapprove such plan not more than sixty days after submission. The
4321 plan shall be effective upon approval by the Governor or sixty days
4322 after the date of submission.

4323 (e) Upon approval, the **[**commissioner**]** executive director shall
4324 submit the economic development strategic plan to the joint standing
4325 committees of the General Assembly having cognizance of matters
4326 relating to commerce, planning and development, appropriations and
4327 the budgets of state agencies and finance, revenue and bonding. Not
4328 later than thirty days after such submission, the **[**commissioner**]**
4329 executive director shall post the plan on the web site of the
4330 **[**Department of Economic and Community Development**]** Connecticut
4331 Economic Development Authority.

4332 (f) The **[**commissioner**]** executive director from time to time, may
4333 revise and update the strategic plan upon approval of the Governor.

4334 The [commissioner] executive director shall post any such revisions on
4335 the web site of the [Department of Economic and Community
4336 Development] Connecticut Economic Development Authority.

4337 Sec. 93. Section 32-5a of the general statutes is repealed and the
4338 following is substituted in lieu thereof (*Effective July 1, 2011*):

4339 The [Commissioner of Economic and Community Development and
4340 the] board of directors of the [Connecticut Development Authority]
4341 Connecticut Economic Development Authority shall require, as a
4342 condition of any financial assistance provided on and after June 23,
4343 1993, under any program administered by [the Department of
4344 Economic and Community Development or] such authority to any
4345 business organization, that such business organization: (1) Shall not
4346 relocate outside of the state for ten years after receiving such assistance
4347 or during the term of a loan or loan guarantee, whichever is longer,
4348 unless the full amount of the assistance is repaid to the state and a
4349 penalty equal to five per cent of the total assistance received is paid to
4350 the state and (2) shall, if the business organization relocates within the
4351 state during such period, offer employment at the new location to its
4352 employees from the original location if such employment is available.
4353 For the purposes of subdivision (1) of this section, the value of a
4354 guarantee shall be equal to the amount of the state's liability under the
4355 guarantee. As used in this section, "relocate" means the physical
4356 transfer of the operations of a business in its entirety or of any division
4357 of a business which independently receives any financial assistance
4358 from the state from the location such business or division occupied at
4359 the time it accepted the financial assistance to another location.
4360 Notwithstanding the provisions of this section, the [Commissioner of
4361 Economic and Community Development] executive director of the
4362 Connecticut Economic Development Authority shall adopt
4363 [regulations in accordance with chapter 54] written procedures in
4364 accordance with section 1-121 to establish the terms and conditions of
4365 repayment, including specifying the conditions under which
4366 repayment may be deferred, following a determination by the
4367 [commissioner] executive director of a legitimate hardship.

4368 Sec. 94. Section 32-6j of the general statutes is repealed and the
4369 following is substituted in lieu thereof (*Effective July 1, 2011*):

4370 In the assessment and provision of job training for employers, **[**the
4371 Commissioner of Economic and Community Development and**]** the
4372 executive director of the **[**Connecticut Development Authority**]**
4373 Connecticut Economic Development Authority shall request the
4374 assistance of the Labor Commissioner. Upon receipt of a request for job
4375 training pursuant to this section, the Labor Commissioner shall notify
4376 the chancellor of the regional community-technical colleges, or his
4377 designee, of such request. The chancellor, or his designee, shall
4378 determine if a training program exists or can be designed at a regional
4379 community-technical college to meet such training need and shall
4380 notify the Labor Commissioner of such determination. The Labor
4381 Commissioner shall to the extent possible make arrangements for the
4382 participation of the regional community-technical colleges, the
4383 Connecticut State University System, other institutions of higher
4384 education, other postsecondary institutions, adult education programs
4385 and state regional vocational-technical schools in implementing the
4386 program. Nothing in this section shall preclude the Labor
4387 Commissioner from considering or choosing other providers to meet
4388 such training need.

4389 Sec. 95. Section 32-9n of the general statutes is repealed and the
4390 following is substituted in lieu thereof (*Effective July 1, 2011*):

4391 (a) There is established **[**within the Department of Economic and
4392 Community Development**]** an Office of Small Business Affairs. Such
4393 office shall aid and encourage small business enterprises, particularly
4394 those owned and operated by minorities and other socially or
4395 economically disadvantaged individuals in Connecticut. As used in
4396 this section, minority means: (1) Black Americans, including all
4397 persons having origins in any of the Black African racial groups not of
4398 Hispanic origin; (2) Hispanic Americans, including all persons of
4399 Mexican, Puerto Rican, Cuban, Central or South American, or other
4400 Spanish culture or origin, regardless of race; (3) all persons having

4401 origins in the Iberian Peninsula, including Portugal, regardless of race;
4402 (4) women; (5) Asian Pacific Americans and Pacific islanders; or (6)
4403 American Indians and persons having origins in any of the original
4404 peoples of North America and maintaining identifiable tribal
4405 affiliations through membership and participation or community
4406 identification.

4407 (b) Said Office of Small Business Affairs shall: (1) Administer at least
4408 one regional office of the small business development center program
4409 within the [Department of Economic and Community Development]
4410 Connecticut Economic Development Authority; (2) coordinate, with
4411 the director of the small business development center program, the
4412 flow of information within the technical and management assistance
4413 program within the [Department of Economic and Community
4414 Development] Connecticut Economic Development Authority; (3)
4415 encourage the Connecticut Economic Development Authority to grant
4416 loans to small businesses, particularly those owned and operated by
4417 minorities and other socially or economically disadvantaged
4418 individuals; (4) coordinate and serve as a liaison between all federal,
4419 state, regional and municipal agencies and programs affecting small
4420 business affairs; (5) administer any business management training
4421 program established under section 32-352 or section 32-355 as the
4422 [Commissioner of Economic and Community Development] executive
4423 director of the Connecticut Economic Development Authority may
4424 determine; (6) provide a single point of contact for small businesses
4425 seeking financial and technical assistance from the state and quasi-
4426 public agencies; (7) coordinate all state funded revolving loan funds
4427 used to assist small businesses; and (8) establish, [in cooperation with
4428 the Commissioner of Economic and Community Development, and]
4429 within available appropriations, an informational web page with a list
4430 and links to all small business resources available and post them in a
4431 conspicuous place on the [department's] authority's web site. The
4432 office shall update this information on its web site on at least a
4433 quarterly basis.

4434 (c) On or after February 1, 2011, the Office of Small Business Affairs

4435 shall compile a summary of all small business activities and programs
4436 available and incorporate such summary into the report required
4437 pursuant to section 32-1m, as amended by this act.

4438 Sec. 96. Subsection (d) of section 32-9cc of the general statutes is
4439 repealed and the following is substituted in lieu thereof (*Effective July*
4440 *1, 2011*):

4441 (d) The Department of Environmental Protection **[**, the Connecticut
4442 Development Authority**]** and the Department of Public Health shall
4443 each designate one or more staff members to act as a liaison between
4444 their offices and the Office of Brownfield Remediation and
4445 Development. The Commissioners of **[**Economic and Community
4446 Development,**]** Environmental Protection and Public Health and the
4447 executive director of the **[**Connecticut Development Authority**]**
4448 Connecticut Economic Development Authority shall enter into a
4449 memorandum of understanding concerning each entity's
4450 responsibilities with respect to the Office of Brownfield Remediation
4451 and Development. The Office of Brownfield Remediation and
4452 Development may develop and recruit two volunteers from the private
4453 sector, including a person from the Connecticut chapter of the National
4454 Brownfield Association, with experience in different aspects of
4455 brownfield remediation and development. Said volunteers may assist
4456 the Office of Brownfield Remediation and Development in achieving
4457 the goals of this section.

4458 Sec. 97. Section 32-61 of the general statutes is repealed and the
4459 following is substituted in lieu thereof (*Effective July 1, 2011*):

4460 As used in this chapter, "authority" means the **[**Connecticut
4461 Development Authority created under subsection (a) of section 32-11a**]**
4462 Connecticut Economic Development Authority; "executive director"
4463 means the executive director of the **[**Connecticut Development
4464 Authority appointed pursuant to subsection (d) of section 32-11a**]**
4465 Connecticut Economic Development Authority; "project" means a
4466 project as defined in subsection (d) of section 32-23d; "insurance fund"

4467 means the Revenue Bond Mortgage Insurance Fund created under
4468 section 32-62; "eligible financial institution" means an eligible financial
4469 institution as defined in section 32-65; "state" means the state of
4470 Connecticut; and "loan" means loans, notes, bonds or other forms of
4471 indebtedness related to the financing or refinancing of a project by the
4472 authority or an eligible financial institution, or any participation or
4473 other interest therein, however evidenced, or any pool or portion of the
4474 foregoing.

4475 Sec. 98. Subsection (a) of section 32-141 of the general statutes is
4476 repealed and the following is substituted in lieu thereof (*Effective July*
4477 *1, 2011*):

4478 (a) (1) The total amount of private activity bonds which may be
4479 issued by state issuers in the calendar year commencing January 1,
4480 2001, under the state ceiling in effect for such year, shall be allocated as
4481 follows: (A) **[**Sixty**]** Seventy-five per cent to the **[**Connecticut Housing
4482 Finance Authority; (B) fifteen per cent to the Connecticut Development
4483 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
4484 (B) twenty-five per cent to municipalities and political subdivisions,
4485 departments, agencies, authorities and other bodies of municipalities,
4486 the Connecticut Higher Education Supplemental Loan Authority and
4487 for contingencies.

4488 (2) The total amount of private activity bonds which may be issued
4489 by state issuers in the calendar year commencing January 1, 2007, and
4490 each calendar year thereafter, under the state ceiling in effect for each
4491 such year, shall be allocated as follows: (A) **[**Sixty**]** Seventy-two and
4492 one-half per cent to the **[**Connecticut Housing Finance Authority; (B)
4493 twelve and one-half per cent to the Connecticut Development
4494 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
4495 (B) twenty-seven and one-half per cent to municipalities and political
4496 subdivisions, departments, agencies, authorities and other bodies of
4497 municipalities and the Connecticut Higher Education Supplemental
4498 Loan Authority, then to the Connecticut Student Loan Foundation and
4499 then for contingencies. At least ten per cent of bonds allocated under

4500 subparagraph (A) of this subdivision shall be used for multifamily
4501 residential housing in the calendar year commencing January 1, 2008.
4502 In each calendar year commencing January 1, 2009, fifteen per cent of
4503 such bonds shall be used for multifamily residential housing.

4504 (3) The board of directors of the Connecticut **[**Housing Finance**]**
4505 Economic Development Authority shall undertake a review and
4506 analysis of the multifamily housing goals and programs of the
4507 authority to determine the extent to which the authority can increase
4508 the production of multifamily housing and promote its preservation,
4509 including production of multifamily housing that serves households
4510 with incomes less than fifty per cent of the area median income and
4511 households with incomes less than twenty-five per cent of the area
4512 median income. Such review and analysis shall include, but not be
4513 limited to, the use of private activity bonds in conjunction with four
4514 per cent federal tax credits. The board of directors of the authority
4515 shall report its findings and recommendations to the joint standing
4516 committee of the General Assembly having cognizance of matters
4517 relating to planning and development and to the select committee on
4518 housing not later than January 1, 2008.

4519 Sec. 99. Section 32-227 of the general statutes is repealed and the
4520 following is substituted in lieu thereof (*Effective July 1, 2011*):

4521 (a) For the purpose of carrying out or administering a municipal or
4522 business development project, (1) a municipality, acting by and
4523 through its implementing agency, may, subject to the limitations and
4524 procedures set forth in this section, issue from time to time bonds of
4525 the municipality, and (2) the **[**Connecticut Development Authority**]**
4526 Connecticut Economic Development Authority may, upon a resolution
4527 adopted by the legislative body of the municipality, issue from time to
4528 time bonds which, in either case, are payable solely or in part from and
4529 secured by: (A) A pledge of and lien upon any or all of the income,
4530 proceeds, revenues and property of development projects, including
4531 the proceeds of grants, loans, advances or contributions from the
4532 federal government, the state or other source, including financial

4533 assistance furnished by the municipality or any other public body
4534 pursuant to sections 32-220 to 32-234, inclusive; (B) taxes or payments
4535 in lieu of taxes, or both, in whole or in part, allocated to and paid into a
4536 special fund of the municipality or the **[**Connecticut Development
4537 Authority**]** Connecticut Economic Development Authority pursuant to
4538 the provisions of subsection (c) of this section; or (C) any combination
4539 of the methods in subparagraphs (A) and (B) of this subdivision. Any
4540 bonds payable and secured as provided in this subsection shall be
4541 authorized by, and the appropriation of the proceeds thereof approved
4542 by and subject to, a resolution adopted by the legislative body of the
4543 municipality, notwithstanding the provisions of any other statute, local
4544 law or charter governing the authorization and issuance of bonds and
4545 the appropriation of the proceeds thereof generally by the
4546 municipality. No such resolution shall be adopted until after a public
4547 hearing has been held upon such authorization. Notice of such hearing
4548 shall be published not less than five days prior to such hearing in a
4549 newspaper having a general circulation in the municipality. Any such
4550 bonds of a municipality or the **[**Connecticut Development Authority**]**
4551 Connecticut Economic Development Authority shall be issued and
4552 sold in such manner; bear interest at such rate or rates, including
4553 variable rates; provide for the payment of interest on such dates,
4554 whether before or at maturity; be issued at, above or below par;
4555 mature at such time or times not exceeding thirty years from their
4556 date; have such rank or priority; be payable in such medium of
4557 payment; be issued in such form, including, without limitation,
4558 registered or book-entry form; carry such registration and transfer
4559 privileges and be made subject to purchase or redemption before
4560 maturity at such price or prices and under such terms and conditions,
4561 including the condition that such bonds be subject to purchase or
4562 redemption on the demand of the owner thereof; and contain such
4563 other terms and particulars as the legislative body of the municipality
4564 or the officers delegated such authority by the legislative body of the
4565 municipality shall determine. Any such bonds of the **[**Connecticut
4566 Development Authority**]** Connecticut Economic Development
4567 Authority shall be issued and sold in the manner and subject to the

4568 general terms and provisions of law applicable to issuance of bonds by
4569 the [Connecticut Development Authority] Connecticut Economic
4570 Development Authority, except that the provisions of subsection (b) of
4571 section 32-23j shall not apply. The proceedings under which bonds are
4572 authorized to be issued may, subject to the provisions of indenture or
4573 to any other depository agreement, provide for the method of
4574 disbursement thereof, with such safeguards and restrictions as it may
4575 determine. Any pledge made by the municipality or the [Connecticut
4576 Development Authority] Connecticut Economic Development
4577 Authority for bonds issued as provided in this subsection shall be
4578 valid and binding from the time when the pledge is made, and any
4579 revenues or other receipts, funds or moneys so pledged and thereafter
4580 received by the municipality or the [Connecticut Development
4581 Authority] Connecticut Economic Development Authority shall be
4582 subject to the lien of such pledge without any physical delivery thereof
4583 or further act. The lien of any such pledge shall be valid and binding as
4584 against all parties having claims of any kind in tort, contract or
4585 otherwise against the municipality or [Connecticut Development
4586 Authority] the Connecticut Economic Development Authority,
4587 irrespective of whether such parties have notice of such lien. Neither
4588 the resolution nor any other instrument by which a pledge is created
4589 need be recorded. All expenses incurred in carrying out such financing
4590 may be treated as project costs. Such bonds shall not be included in
4591 computing the aggregate indebtedness of the municipality, provided,
4592 if such bonds are made payable, in whole or in part, from funds
4593 contracted to be advanced by the municipality, the aggregate amount
4594 of such funds not yet appropriated to such purpose shall be included
4595 in computing the aggregate indebtedness of the municipality. As used
4596 in this section, "bonds" means any bonds, including refunding bonds,
4597 notes, temporary notes, interim certificates, debentures or other
4598 obligations. Temporary notes issued in accordance with this subsection
4599 in anticipation of the receipt of the proceeds of bond issues may be
4600 issued for a period of not more than five years, and notes issued for a
4601 shorter period of time may be renewed by the issue of other notes,
4602 provided the period from the date of the original notes to the maturity

4603 of the last notes issued in renewal thereof shall not exceed five years.
4604 For purposes of this section, references to the Connecticut
4605 Development Authority shall include any subsidiary of the
4606 [Connecticut Development Authority established pursuant to
4607 subsection (l) of section 32-11a] Connecticut Economic Development
4608 Authority.

4609 (b) For the purpose of carrying out or administering a municipal or
4610 business development project, a municipality or its implementing
4611 agency may accept grants, advances, loans or other financial assistance
4612 from the federal government, the state or other source and may do any
4613 and all things necessary or desirable to secure such financial aid. To
4614 assist any project located in the area in which it is authorized to act,
4615 any public body, including the state, or any city, town, borough,
4616 authority, district, subdivision or agency of the state, may, upon such
4617 terms as it determines, furnish service or facilities, provide property,
4618 lend or contribute funds, and take any other action of a character
4619 which it is authorized to perform for other purposes. To obtain funds
4620 for the temporary and definitive financing of any project, a
4621 municipality or implementing agency may, in addition to other action
4622 authorized under this act or other law, issue its general obligation
4623 bonds, notes, temporary notes or other obligations secured by a pledge
4624 of the municipality's full faith and credit. Such bonds, notes,
4625 temporary notes and other obligations shall be authorized in
4626 accordance with the requirements for the authorization of such
4627 obligations generally by the municipality and the authorization,
4628 issuance and sale thereof shall be subject to the limitations contained in
4629 the general statutes, including provisions on the limitation of the
4630 aggregate indebtedness of the municipality. Notwithstanding the
4631 provisions of sections 7-264, 7-378 and 7-378a, and any other public or
4632 special act or charter or bond ordinance or bond resolution which
4633 limits the issuance or renewal of temporary notes issued in
4634 anticipation of the receipt of the proceeds of bond issues to a period of
4635 time of less than five years from the date of the original notes or
4636 requires a reduction in the principal amount of such notes or renewal

4637 notes prior to the fifth anniversary of the date of the original notes,
4638 such temporary notes may be issued for a period of not more than five
4639 years, and notes issued for a shorter period of time may be renewed by
4640 the issue of other notes, provided the period from the date of the
4641 original notes to the maturity of the last notes issued in renewal
4642 thereof shall not exceed five years.

4643 (c) Any development plan authorized under sections 32-220 to 32-
4644 234, inclusive, or any proceedings authorizing the issuance of bonds
4645 under said sections may contain a provision that taxes, if any,
4646 identified in such plan or such authorizing proceedings and levied
4647 upon taxable real or personal property, or both, in a project each year
4648 or payments in lieu of such taxes authorized pursuant to chapter 114,
4649 or both, by or for the benefit of any one or more municipalities,
4650 districts or other public taxing agencies, as the case may be, shall be
4651 divided as follows: (1) In each fiscal year that portion of the taxes or
4652 payments in lieu of taxes, or both, which would be produced by
4653 applying the then current tax rate of each of the taxing agencies to the
4654 total sum of the assessed value of the taxable property in the project on
4655 the effective date of such adoption or the date of such authorizing
4656 proceedings, as the case may be, or on any date between such two
4657 dates which is identified in such proceedings, shall be allocated to and
4658 when collected shall be paid into the funds of the respective taxing
4659 agencies in the same manner as taxes by or for said taxing agencies on
4660 all other property are paid; and (2) that portion of the assessed taxes or
4661 the payments in lieu of taxes, or both, each fiscal year in excess of the
4662 amount referred to in subdivision (1) of this subsection shall be
4663 allocated to and when collected shall be paid into a special fund of the
4664 municipality or the **[**Connecticut Development Authority**]** Connecticut
4665 Economic Development Authority to be used in each fiscal year, first
4666 to pay the principal of and interest due in such fiscal year on loans,
4667 moneys advanced to, or indebtedness, whether funded, refunded,
4668 assumed, or otherwise, incurred by such municipality or the
4669 **[**Connecticut Development Authority**]** Connecticut Economic
4670 Development Authority to finance or refinance in whole or in part,

4671 such project, and then, at the option of the municipality or the
4672 [Connecticut Development Authority] Connecticut Economic
4673 Development Authority, to purchase bonds issued for the project
4674 which has generated the tax increments or payments in lieu of taxes
4675 and then, at the option of the municipality or the [Connecticut
4676 Development Authority] Connecticut Economic Development
4677 Authority, to reimburse the provider of or reimbursement party with
4678 respect to any guarantee, letter of credit, policy of bond insurance,
4679 funds deposited in a debt service reserve fund, funds deposited as
4680 capitalized interest or other credit enhancement device used to secure
4681 payment of debt service on any bonds, notes or other indebtedness
4682 issued pursuant to this section to finance or refinance such project, to
4683 the extent of any payments of debt service made therefrom. Unless and
4684 until the total assessed valuation of the taxable property in a project
4685 exceeds the total assessed value of the taxable property in such project
4686 as shown by the last assessment list referred to in subdivision (1) of
4687 this subsection, all of the taxes levied and collected and all of the
4688 payments in lieu of taxes due and collected upon the taxable property
4689 in such project shall be paid into the funds of the respective taxing
4690 agencies. When such loans, advances, and indebtedness, if any, and
4691 interest thereof, and such debt service reimbursement to the provider
4692 of or reimbursement party with respect to such credit enhancement,
4693 have been paid in full, all moneys thereafter received from taxes or
4694 payments in lieu of taxes, or both, upon the taxable property in such
4695 development project shall be paid into the funds of the respective
4696 taxing agencies in the same manner as taxes on all other property are
4697 paid.

4698 (d) Notwithstanding the provisions of subsection (a) or (b) of this
4699 section and any other public or special act or charter or bond ordinance
4700 or bond resolution which limits the renewal of temporary notes issued
4701 pursuant to said subsections in anticipation of the receipt of the
4702 proceeds of bond issues to five years from the date of the original
4703 notes, any municipality may renew temporary notes in accordance
4704 with the provisions of this section for an additional period of not more

4705 than four years from the end of such five-year period. The officers or
4706 board authorized to issue the bonds or determine the particulars of the
4707 bonds may adopt a resolution authorizing the renewal of temporary
4708 notes for such additional period under the following conditions: (1) All
4709 project grant payments and bond sale proceeds received shall be
4710 promptly applied toward project costs or toward payment of such
4711 temporary notes as the same shall become due and payable or shall be
4712 deposited in trust for such purposes; (2) no later than the end of each
4713 period of twelve months after the end of such five-year period a
4714 portion of such temporary notes equal to at least one-twentieth of the
4715 municipality's estimated cost of the project shall be retired from funds
4716 other than project grants or land sale proceeds or note proceeds; (3) the
4717 interest on all temporary notes renewed after such five-year period
4718 shall be paid from funds other than project grants or land sale
4719 proceeds or note proceeds; (4) the principal amount of each bond issue
4720 when sold shall be reduced by the amounts spent under subdivision
4721 (2) of this section, and the principal of such bonds shall be paid in
4722 annual installments commencing no later than one year from the date
4723 of issue; and (5) the maximum authorized term of the bonds when sold
4724 shall be reduced by not less than the number of months from the end
4725 of such five-year period to the date of issue. Any anticipated federal or
4726 state project grants or land sale proceeds may be used in computing
4727 the municipality's cost of the project. Any municipality in which such
4728 resolution is passed shall include in its annual budget or shall
4729 otherwise appropriate sufficient funds to make the payments required
4730 by subdivisions (2) and (3) of this subsection.

4731 Sec. 100. Section 32-244 of the general statutes is repealed and the
4732 following is substituted in lieu thereof (*Effective July 1, 2011*):

4733 (a) All data and other information received by the **[**Department of
4734 Economic and Community Development, the Connecticut
4735 Development Authority**]** Connecticut Economic Development
4736 Authority or any implementing agency, as defined in section 32-222, as
4737 amended by this act, or any advisory board or committee of the
4738 department, authority or agency, from any person in connection with

4739 an application for, or the provision of, financial assistance, which
4740 consists of the following, shall be deemed, for purposes of a public
4741 records request pursuant to the Freedom of Information Act, as
4742 defined in section 1-200, made to the [Department of Economic and
4743 Community Development, the Connecticut Development Authority]
4744 Connecticut Economic Development Authority or any such
4745 implementing agency, advisory board or committee, to be information
4746 described in subdivision (5) of subsection (b) of section 1-210: (1)
4747 Actual trade secrets or information that a person intends to become a
4748 trade secret, (2) material that a person intends to patent, (3) patented
4749 material, (4) marketing or business plans, (5) plans for new products or
4750 services, (6) reports of customer orders or sales or other documents
4751 that would disclose names and addresses of customers or potential
4752 customers, (7) information concerning the financial condition or
4753 personal affairs of any individual, (8) financial statements or
4754 projections, (9) sales or earnings forecasts, (10) capital or strategic
4755 plans, (11) information regarding research and development, (12) tax
4756 returns, or (13) other commercial, credit or financial information with
4757 respect to the financial condition or business operations of an applicant
4758 for or recipient of financial assistance which is of a type not
4759 customarily made available to the public.

4760 (b) The enumeration in this section of particular types of data and
4761 information shall not be construed to limit the possible applicability of
4762 subdivision (5) of subsection (b) of section 1-210 to other data or
4763 information not so enumerated.

4764 Sec. 101. Section 32-244a of the general statutes is repealed and the
4765 following is substituted in lieu thereof (*Effective July 1, 2011*):

4766 All information contained in any application for financial assistance
4767 submitted to the [Department of Economic and Community
4768 Development or the Connecticut Development Authority] Connecticut
4769 Economic Development Authority prior to October 1, 2000, and all
4770 information with respect to any person or project, including all
4771 financial, credit and proprietary information, obtained by the

4772 [Department of Economic and Community Development or the
4773 Connecticut Development Authority] Connecticut Economic
4774 Development Authority prior to October 1, 2000, or on or after October
4775 1, 2000, pursuant to the requirements of an agreement entered into
4776 prior to October 1, 2000, shall be exempt from the provisions of
4777 subsection (a) of section 1-210.

4778 Sec. 102. Subsection (k) of section 32-261 of the general statutes is
4779 repealed and the following is substituted in lieu thereof (*Effective July*
4780 *1, 2011*):

4781 (k) As used in this section, the following terms shall have the
4782 following meanings unless the context indicates another meaning and
4783 intent:

4784 (1) "Authority" means the [Connecticut Development Authority
4785 created under subsection (a) of section 32-23d] Connecticut Economic
4786 Development Authority;

4787 (2) "Eligible financial institution" shall have the same meaning as
4788 "eligible financial institution", as defined in subsection (e) of section 32-
4789 23d;

4790 (3) "Loans" means loans, notes, bonds and all other forms of debt
4791 financing or extensions of credit, secured or unsecured, including
4792 loans for working capital purposes;

4793 (4) "Other investments" means (A) any and all forms of equity
4794 financing made by the authority or an eligible financial institution, (B)
4795 any participation or other interest in such equity financing, however
4796 evidenced, or (C) any pool or portfolio of, or position in, loans, such
4797 equity financing or any combination thereof;

4798 (5) "Person" means a person, as defined in subsection (s) of section
4799 32-23d; and

4800 (6) "State" means the state of Connecticut.

4801 Sec. 103. Subsection (b) of section 32-262 of the general statutes is
4802 repealed and the following is substituted in lieu thereof (*Effective July*
4803 *1, 2011*):

4804 (b) The proceeds of the sale of said bonds, to the extent of the
4805 amount stated in subsection (a) of this section, shall be used by the
4806 **[**Department of Economic and Community Development to make
4807 grants to the Connecticut Development Authority**]** Connecticut
4808 Economic Development Authority for deposit in the Investment and
4809 Loan Guaranty Fund to be used for the purpose of section 32-261, as
4810 amended by this act. **[**The terms and conditions of said grants shall be
4811 governed in accordance with a grant contract between the department
4812 and the authority.**]**

4813 Sec. 104. Section 32-9kk of the general statutes is repealed and the
4814 following is substituted in lieu thereof (*Effective July 1, 2011*):

4815 (a) As used in subsections (b) to (k), inclusive, of this section:

4816 (1) "Brownfield" means any abandoned or underutilized site where
4817 redevelopment and reuse has not occurred due to the presence or
4818 potential presence of pollution in the buildings, soil or groundwater
4819 that requires remediation before or in conjunction with the restoration,
4820 redevelopment and reuse of the property;

4821 (2) **[**"Commissioner" means the Commissioner of Economic and
4822 Community Development**]** "Executive director" means the executive
4823 director of the Connecticut Economic Development Authority;

4824 (3) **[**"Department" means the Department of Economic and
4825 Community Development**]** "Authority" means the Connecticut
4826 Economic Development Authority;

4827 (4) "Eligible applicant" means any municipality, a for-profit or
4828 nonprofit organization or entity, a local or regional economic
4829 development entity acting on behalf of a municipality or any
4830 combination thereof;

4831 (5) "Financial assistance" means grants, extensions of credit, loans or
4832 loan guarantees, participation interests in loans made to eligible
4833 applicants by the [Connecticut Development Authority] Connecticut
4834 Economic Development Authority or combinations thereof;

4835 (6) "Municipality" means a town, city, consolidated town and city or
4836 consolidated town and borough;

4837 (7) "Eligible brownfield project" means the foreclosure,
4838 investigation, assessment, remediation and development of a
4839 brownfield undertaken pursuant to this subsection and subsections (b)
4840 to (k), inclusive, of this section;

4841 (8) "Project area" means the area within which a brownfield
4842 development project is located;

4843 (9) "Real property" means land, buildings and other structures and
4844 improvements thereto, subterranean or subsurface rights, any and all
4845 easements, air rights and franchises of any kind or nature;

4846 (10) "State" means the state of Connecticut; and

4847 (11) "Eligible grant recipients" means municipalities, economic
4848 development authorities, regional economic development authorities,
4849 or qualified nonprofit community and economic development
4850 corporations.

4851 (b) Subject to the availability of funds, the [Commissioner of
4852 Economic and Community Development] executive director may, in
4853 consultation with the Commissioner of Environmental Protection,
4854 provide financial assistance pursuant to subsections (e) and (f) of this
4855 section in support of eligible brownfield projects, as defined in
4856 subdivision (7) of subsection (a) of this section.

4857 (c) An eligible applicant, as defined in subdivision (4) of subsection
4858 (a) of this section, shall submit an application for financial assistance to
4859 the [Commissioner of Economic and Community Development]
4860 executive director on forms provided by said [commissioner] executive

4861 director and with such information said [commissioner] executive
4862 director deems necessary, including, but not limited to: (1) A
4863 description of the proposed project; (2) an explanation of the expected
4864 benefits of the project in relation to the purposes of subsections (a) to
4865 (i), inclusive, of this section; (3) information concerning the financial
4866 and technical capacity of the eligible applicant to undertake the
4867 proposed project; (4) a project budget; (5) a description of the condition
4868 of the property involved including the results of any environmental
4869 assessment of the property; and (6) the names of any persons known to
4870 be liable for the remediation of the property.

4871 (d) The [commissioner] executive director may approve, reject or
4872 modify any application properly submitted. In reviewing an
4873 application and determining the type and amount of financial
4874 assistance, if any, to be provided, the [commissioner] executive
4875 director shall consider the following criteria: (1) The availability of
4876 funds; (2) the estimated costs of assessing and remediating the site, if
4877 known; (3) the relative economic condition of the municipality; (4) the
4878 relative need of the eligible project for financial assistance; (5) the
4879 degree to which financial assistance is necessary as an inducement to
4880 the eligible applicant to undertake the project; (6) the public health and
4881 environmental benefits of the project; (7) relative economic benefits of
4882 the project to the municipality, the region and the state, including, but
4883 not limited to, the extent to which the project will likely result in a
4884 contribution to the municipality's tax base and the retention and
4885 creation of jobs; (8) the time frame in which the contamination
4886 occurred; (9) the relationship of the applicant to the person or entity
4887 that caused the contamination; (10) the length of time the property has
4888 been abandoned; (11) the taxes owed and the projected revenues that
4889 may be restored to the community; (12) the type of financial assistance
4890 requested pursuant to this section; and (13) such other criteria as the
4891 [commissioner] executive director may establish consistent with the
4892 purposes of subsection (a) to (k), inclusive, of this section.

4893 (e) (1) There is established a remedial action and redevelopment
4894 municipal grant program to be administered by the [Department of

4895 Economic and Community Development] authority for the purpose of
4896 providing financial assistance in the form of grants to eligible grant
4897 recipients. Eligible grant recipients may use grant funds for any
4898 development project, including manufacturing, retail, residential,
4899 municipal, educational, parks, community centers and mixed-use
4900 development, and the project's associated costs, including (A) soil,
4901 groundwater and infrastructure investigation, (B) assessment, (C)
4902 remediation, (D) abatement, (E) hazardous materials or waste disposal,
4903 (F) long-term groundwater or natural attenuation monitoring, (G)
4904 environmental land use restrictions, (H) attorneys' fees, (I) planning,
4905 engineering and environmental consulting, and (J) building and
4906 structural issues, including demolition, asbestos abatement,
4907 polychlorinated biphenyls removal, contaminated wood or paint
4908 removal, and other infrastructure remedial activities.

4909 (2) The [Commissioner of Economic and Community Development]
4910 executive director shall award grants on a competitive basis, based at a
4911 minimum on an annual request for applications, [the first of which
4912 shall be issued on October 1, 2008, and the following] to be issued on
4913 June first each year, with awards being made by the following January
4914 first. The [commissioner] executive director, at the [commissioner's]
4915 executive director's discretion, may increase the frequency of requests
4916 for applications and awards depending upon the number of applicants
4917 and the availability of funding.

4918 (3) A grant awarded pursuant to this section shall not exceed four
4919 million dollars. If the eligible costs exceed four million dollars, the
4920 [commissioner] executive director may request and seek funding
4921 through other state programs.

4922 (4) If the eligible grant recipient develops and sells the property,
4923 such applicant shall return any money received pursuant to this
4924 subsection, to the brownfield remediation and development account
4925 established pursuant to subsection (l) of this section, minus twenty per
4926 cent, which such eligible grant recipient shall retain to cover costs of
4927 oversight, administration, development and, if applicable, lost tax

4928 revenue.

4929 (5) Any eligible grant recipient shall be immune from liability to the
4930 extent provided in subsection (a) of section 32-9ee.

4931 (6) The eligible grant recipient may make low-interest loans to a
4932 redeveloper, if the future reuse is known and an agreement with the
4933 redeveloper is in place and the private party is a coapplicant. Loan
4934 principal and interest payments shall be returned to the brownfield
4935 remediation and development account established pursuant to
4936 subsection (l) of this section, minus twenty per cent of the principal,
4937 which the eligible grant recipient shall retain. If the eligible grant
4938 recipient provides a loan, such loan may be secured by a state or
4939 municipal lien on the property.

4940 (7) Any eligible grant recipients that provide a loan pursuant to
4941 subdivision (6) of this subsection shall require the loan recipient to
4942 enter a voluntary program pursuant to section 22a-133x or 22a-133y
4943 with the Commissioner of Environmental Protection for brownfield
4944 remediation. The **[**commissioner**]** executive director may use not more
4945 than five per cent of eligible grant or loan proceeds for reasonable
4946 administrative expenses.

4947 (8) Notwithstanding section 22a-134a, the eligible grant recipient
4948 may acquire and convey its interest in the property without such
4949 recipient or the subsequent purchaser incurring liability, including any
4950 such liability incurred pursuant to section 22a-134a, provided the
4951 property was remediated pursuant to section 22a-133x or 22a-133y or
4952 pursuant to an order issued by the Commissioner of Environmental
4953 Protection and such remediation was performed in accordance with
4954 the standards adopted pursuant to section 22a-133k as determined by
4955 said commissioner or, if authorized by said commissioner, verified by
4956 a licensed environmental professional unless such verification has
4957 been rejected by said commissioner subsequent to an audit conducted
4958 by said commissioner and provided the subsequent purchaser has no
4959 direct or related liability for the site conditions.

4960 (f) (1) The [Department of Economic and Community Development]
4961 authority shall develop a targeted brownfield development loan
4962 program to provide financial assistance in the form of low-interest
4963 loans to eligible applicants who are potential brownfield purchasers
4964 who have no direct or related liability for the site conditions and
4965 eligible applicants who are existing property owners who (A) are
4966 currently in good standing and otherwise compliant with the
4967 Department of Environmental Protection's regulatory programs, (B)
4968 demonstrate an inability to fund the investigation and cleanup
4969 themselves, and (C) cannot retain or expand jobs due to the costs
4970 associated with the investigating and remediating of the
4971 contamination.

4972 (2) The [commissioner] executive director shall provide low-interest
4973 loans to eligible applicants who are purchasers or existing property
4974 owners pursuant to this section who seek to develop property for
4975 purposes of retaining or expanding jobs in the state or for developing
4976 housing to serve the needs of first-time home buyers. Loans shall be
4977 available to manufacturing, retail, residential or mixed-use
4978 developments, expansions or reuses. The [commissioner] executive
4979 director shall provide loans based upon project merit and viability, the
4980 economic and community development opportunity, municipal
4981 support, contribution to the community's tax base, number of jobs,
4982 past experience of the applicant, compliance history and ability to pay.

4983 (3) Any loan recipient who is a brownfields purchaser and who (A)
4984 receives a loan in excess of thirty thousand dollars, or (B) uses loan
4985 proceeds to perform a Phase II environmental investigation, shall be
4986 subject to section 22a-134a or shall enter a voluntary program for
4987 remediation of the property with the Department of Environmental
4988 Protection. Any loan recipient who is an existing property owner shall
4989 enter a voluntary program with the Department of Environmental
4990 Protection.

4991 (4) Loans made pursuant to this subsection shall have such terms
4992 and conditions and shall be subject to such eligibility, loan approval

4993 and criteria, as determined by the [commissioner] executive director.
4994 Such conditions shall include, but not be limited to, performance
4995 requirements and commitments to maintain or retain jobs. Loan
4996 repayment shall coincide with the restoration of the site to a
4997 productive use or the completion of the expansion. Such loans shall be
4998 for a period not to exceed twenty years.

4999 (5) If the property is sold before loan repayment, the loan is payable
5000 upon closing, with interest, unless the [commissioner] executive
5001 director agrees otherwise. The [commissioner] executive director may
5002 carry the loan forward as an encumbrance to the purchaser with the
5003 same terms and conditions as the original loan.

5004 (6) Loans made pursuant to this subsection may be used for any
5005 purpose, including the present or past costs of investigation,
5006 assessment, remediation, abatement, hazardous materials or waste
5007 disposal, long-term groundwater or natural attenuation monitoring,
5008 costs associated with an environmental land use restriction, attorneys'
5009 fees, planning, engineering and environmental consulting costs, and
5010 building and structural issues, including demolition, asbestos
5011 abatement, polychlorinated biphenyls removal, contaminated wood or
5012 paint removal, and other infrastructure remedial activities.

5013 (7) For any loan made pursuant to this subsection that is greater
5014 than fifty thousand dollars, the applicant shall submit a redevelopment
5015 plan that describes how the property will be used or reused for
5016 commercial, industrial or mixed-use development and how it will
5017 result in jobs and private investment in the community. For any
5018 residential development loan pursuant to this subsection, the
5019 developer shall agree that the development will provide the housing
5020 needs reasonable and appropriate for first-time home buyers or recent
5021 college graduates looking to remain in this state.

5022 (8) The loan program established pursuant to this subsection shall
5023 be available to all qualified new and existing property owners.
5024 Recipients who use loans for commercial, industrial or mixed-use

5025 development shall agree to retain or add jobs, during the term of the
5026 loan, unless otherwise agreed to by the [Department of Economic and
5027 Community Development, the Connecticut Development Authority]
5028 Connecticut Economic Development Authority and the Connecticut
5029 Brownfield Redevelopment Authority. The residential developer shall
5030 agree to retire the loan upon sale of the units unless the development
5031 will be apartments.

5032 (9) Each loan recipient pursuant to this subsection may be eligible
5033 for up to two million dollars per year for up to two years, subject to
5034 agency underwriting and reasonable and customary requirements to
5035 assure performance. If additional funds are needed, the
5036 [Commissioner of Economic and Community Development] executive
5037 director may recommend that the project be funded through the State
5038 Bond Commission.

5039 (g) The [Commissioner of Economic and Community Development]
5040 executive director shall approve applications submitted in accordance
5041 with subsection (c) of this section before awarding any financial
5042 assistance to an eligible applicant or purchasing any participation
5043 interest in a loan made by the [Connecticut Development Authority]
5044 Connecticut Economic Development Authority for the benefit of an
5045 eligible applicant. Notwithstanding any other provision of this section,
5046 if the applicant's request for financial assistance involves the
5047 [department] authority purchasing a participation interest in a loan
5048 made by the [Connecticut Development Authority] authority, such
5049 authority may submit such application and other information as is
5050 required of eligible applicants under subsection (c) of this section on
5051 behalf of such eligible applicant and no further application shall be
5052 required of such eligible applicant. No financial assistance shall exceed
5053 fifty per cent of the total project cost, provided in the case of (1)
5054 planning or site evaluation projects, and (2) financial assistance to any
5055 project in a targeted investment community, such assistance shall not
5056 exceed ninety per cent of the project cost. Upon approval of the
5057 [commissioner] executive director, a nonstate share of the total project
5058 cost, if any, may be satisfied entirely or partially from noncash

5059 contributions, including contributions of real property, from private
5060 sources or, to the extent permitted by federal law, from moneys
5061 received by the municipality under any federal grant program.

5062 (h) Financial assistance may be made available for (1) site
5063 investigation and assessment, (2) planning and engineering, including,
5064 but not limited to, the reasonable cost of environmental consultants,
5065 laboratory analysis, investigatory and remedial contractors, architects,
5066 attorneys' fees, feasibility studies, appraisals, market studies and
5067 related activities, (3) the acquisition of real property, provided
5068 financial assistance for such acquisition shall not exceed fair market
5069 value as appraised as if clean, (4) the construction of site and
5070 infrastructure improvements related to the site remediation, (5)
5071 demolition, asbestos abatement, hazardous waste removal, PCB
5072 removal and related infrastructure remedial activities, (6) remediation,
5073 groundwater monitoring, including, but not limited to, natural
5074 attenuation groundwater monitoring and costs associated with filing
5075 an environmental land use restriction, (7) environmental insurance,
5076 and (8) other reasonable expenses the **[**commissioner**]** executive
5077 director determines are necessary or appropriate for the initiation,
5078 implementation and completion of the project. The **[**department**]**
5079 authority may purchase participation interests in loans made by the
5080 **[**Connecticut Development Authority**]** Connecticut Economic
5081 Development Authority for the foregoing purposes.

5082 (i) The **[**commissioner**]** executive director may establish the terms
5083 and conditions of any financial assistance provided pursuant to
5084 subsections (a) to (k), inclusive, of this section. The **[**commissioner**]**
5085 executive director may make any stipulation in connection with an
5086 offer of financial assistance the **[**commissioner**]** executive director
5087 deems necessary to implement the policies and purposes of such
5088 sections, including, but not limited to the following: (1) Providing
5089 assurances that the eligible applicant will discharge its obligations in
5090 connection with the project; and (2) requiring that the eligible
5091 applicant provide the **[**department**]** authority with appropriate
5092 security for such financial assistance, including, but not limited to, a

5093 letter of credit, a lien on real property or a security interest in goods,
5094 equipment, inventory or other property of any kind.

5095 (j) The [commissioner] executive director may use any available
5096 funds for financial assistance under the provisions of subsections (a) to
5097 (k), inclusive, of this section.

5098 (k) Whenever funds are used pursuant to subsections (a) to (k),
5099 inclusive, of this section for purposes of environmental assessments or
5100 remediation of a brownfield, the Commissioner of Environmental
5101 Protection may seek reimbursement of the costs and expenses incurred
5102 by requesting the Attorney General to bring a civil action to recover
5103 such costs and expenses from any party responsible for such pollution
5104 provided no such action shall be brought separately from any action to
5105 recover costs and expenses incurred by the Commissioner of
5106 Environmental Protection in pursuing action to contain, remove or
5107 mitigate any pollution on such site. The costs and expenses recovered
5108 may include, but shall not be limited to, (1) the actual cost of
5109 identifying, evaluating, planning for and undertaking the remediation
5110 of the site; (2) any administrative costs not exceeding ten per cent of
5111 the actual costs; (3) the costs of recovering the reimbursement; and (4)
5112 interest on the actual costs at a rate of ten per cent a year from the date
5113 such expenses were paid. The defendant in any civil action brought
5114 pursuant to this subsection shall have no cause of action or claim for
5115 contribution against any person with whom the Commissioner of
5116 Environmental Protection has entered into a covenant not to sue
5117 pursuant to sections 22a-133aa and 22a-133bb with respect to pollution
5118 on or emanating from the property that is the subject of said civil
5119 action. Funds recovered pursuant to this section shall be deposited in
5120 the brownfield remediation and development account established
5121 pursuant to subsections (l) to (o), inclusive, of this section. The
5122 provisions of this subsection shall be in addition to any other remedies
5123 provided by law.

5124 (l) There is established a separate nonlapsing account within the
5125 General Fund to be known as the "brownfield remediation and

5126 development account". There shall be deposited in the account: (1) The
5127 proceeds of bonds issued by the state for deposit into said account and
5128 used in accordance with this section; (2) repayments of assistance
5129 provided pursuant to subsection (c) of section 22a-133u; (3) interest or
5130 other income earned on the investment of moneys in the account; (4)
5131 funds recovered pursuant to subsection (i) of this section; and (5) all
5132 funds required by law to be deposited in the account. Repayment of
5133 principal and interest on loans made pursuant to subsections (a) to (k),
5134 inclusive, of this section shall be credited to such account and shall
5135 become part of the assets of the account. Any balance remaining in
5136 such account at the end of any fiscal year shall be carried forward in
5137 the account for the fiscal year next succeeding.

5138 (m) All moneys received in consideration of financial assistance,
5139 including payments of principal and interest on any loans, shall be
5140 credited to the account. At the discretion of the **[**Commissioner of
5141 Economic and Community Development**]** executive director and
5142 subject to the approval of the Secretary of the Office of Policy and
5143 Management, any federal, private or other moneys received by the
5144 state in connection with projects undertaken pursuant to subsections
5145 (a) to (k), inclusive, of this section shall be credited to the assets of the
5146 account.

5147 (n) Notwithstanding any provision of **[**law**]** the general statutes,
5148 proceeds from the sale of bonds available pursuant to subdivision (1)
5149 of subsection (b) of section 4-66c, as amended by this act, may, with the
5150 approval of the Governor and the State Bond Commission, be used to
5151 capitalize the brownfield remediation and development account
5152 created by subsections (l) to (o), inclusive, of this section.

5153 (o) The **[**commissioner**]** executive director may, with the approval of
5154 the Secretary of the Office of Policy and Management, provide
5155 financial assistance pursuant to subsections (a) to (k), inclusive, of this
5156 section from the account established under subsection (l) to (o),
5157 inclusive, of this section.

5158 Sec. 105. Section 32-61 of the general statutes is repealed and the
5159 following is substituted in lieu thereof (*Effective July 1, 2011*):

5160 As used in this chapter, "authority" means the **[**Connecticut
5161 Development Authority created under subsection (a) of section 32-11a**]**
5162 Connecticut Economic Development Authority; "executive director"
5163 means the executive director of the **[**Connecticut Development
5164 Authority appointed pursuant to subsection (d) of section 32-11a**]**
5165 Connecticut Economic Development Authority; "project" means a
5166 project as defined in subsection (d) of section 32-23d, as amended by
5167 this act; "insurance fund" means the Revenue Bond Mortgage
5168 Insurance Fund created under section 32-62; "eligible financial
5169 institution" means an eligible financial institution as defined in section
5170 32-65; "state" means the state of Connecticut; and "loan" means loans,
5171 notes, bonds or other forms of indebtedness related to the financing or
5172 refinancing of a project by the authority or an eligible financial
5173 institution, or any participation or other interest therein, however
5174 evidenced, or any pool or portion of the foregoing.

5175 Sec. 106. Section 8-68j of the general statutes is repealed and the
5176 following is substituted in lieu thereof (*Effective July 1, 2011*):

5177 (a) As used in this section:

5178 (1) **[**"Commissioner" means the Commissioner of Economic and
5179 Community Development**]** "Executive director" means the executive
5180 director of the Connecticut Economic Development Authority;

5181 (2) "Connecticut **[**Housing Finance**]** Economic Development
5182 Authority" means the authority **[**created**]** established and operating
5183 pursuant to the provisions of **[**chapter 134**]** section 41 of this act;

5184 (3) "Financially distressed development" means a housing
5185 development owned by a housing authority and subject to an asset
5186 that was transferred **[**from the Department of Economic and
5187 Community Development**]** to the Connecticut **[**Housing Finance**]**
5188 Economic Development Authority pursuant to section 8-37u, as

5189 amended by this act, or subdivision (3) of section 32-11; and

5190 (4) "Housing authority" means a local housing authority owning a
5191 financially distressed development.

5192 (b) Notwithstanding any provision of the general statutes, a housing
5193 authority may, with the approval of the **[**Commissioner of Economic
5194 and Community Development**]** executive director, quit claim or
5195 otherwise transfer its interest in a financially distressed development
5196 to the Connecticut **[**Housing Finance**]** Economic Development
5197 Authority. The **[**commissioner**]** executive director may grant such
5198 approval upon an express finding that: (1) The housing authority is
5199 financially unable to maintain the development; (2) there is no
5200 reasonable prospect that the housing authority will be able to maintain
5201 the property in the future; (3) the housing authority has requested to
5202 transfer the development; and (4) the Connecticut **[**Housing Finance**]**
5203 Economic Development Authority is prepared to accept the transfer.

5204 Sec. 107. Section 8-78 of the general statutes is repealed and the
5205 following is substituted in lieu thereof (*Effective July 1, 2011*):

5206 The aggregate amount of all bonds and notes issued by the state
5207 pursuant to subsection (a) of section 8-80 to meet its obligations under
5208 assistance agreements for moderate rental housing projects entered
5209 into by it shall not exceed the sum of (1) one hundred sixty-nine
5210 million one hundred thirty-two thousand four hundred thirty-five
5211 dollars, exclusive of any notes or bonds, the avails of which shall be
5212 used for the purpose of refunding outstanding notes or bonds issued
5213 for said purposes, and (2) twenty-eight million dollars, provided the
5214 proceeds of such bonds and notes issued pursuant to the authorization
5215 in subdivision (2) of this section shall be made available for use only
5216 with respect to moderate rental housing projects. In considering
5217 housing projects for use of the bond proceeds, the **[**Department of
5218 Economic and Community Development**]** Connecticut Economic
5219 Development Authority shall attempt to capture all federal Section 8
5220 subsidies, for family, elderly, and congregate housing units available

5221 to the [Department of Economic and Community Development,
5222 Connecticut Housing Finance Authority] authority or from other
5223 sources; encourage the construction or rehabilitation of multifamily
5224 rental projects which meet the Mortgage and Revenue Bond Tax Act of
5225 1980 criteria for moderate income; and utilize any other federal
5226 subsidy programs for low and moderate income housing which may
5227 become available now or in the future, provided the state bonds can be
5228 adequately secured and the intent of this section can be assured. The
5229 [Department of Economic and Community Development] authority
5230 may also enter into joint loan participations with other financing
5231 sources in order to maximize the number of housing units produced
5232 for the amount allocated.

5233 Sec. 108. Section 8-119*ll* of the general statutes is repealed and the
5234 following is substituted in lieu thereof (*Effective July 1, 2011*):

5235 Annually, the [Department of Economic and Community
5236 Development in consultation with the Connecticut Housing Finance]
5237 Connecticut Economic Development Authority shall conduct a
5238 comprehensive assessment of current and future needs for rental
5239 assistance under section 8-119kk for housing projects for the state's
5240 elderly and disabled. Not later than April 1, 2006, the results of the first
5241 such analysis shall be presented to the select committee of the General
5242 Assembly having cognizance of matters relating to housing, in
5243 accordance with section 11-4a. Any analyses submitted after April 1,
5244 2006, shall be incorporated into the report required pursuant to section
5245 32-1m, as amended by this act.

5246 Sec. 109. Section 8-206 of the general statutes is repealed and the
5247 following is substituted in lieu thereof (*Effective July 1, 2011*):

5248 (a) The [Commissioner of Economic and Community Development]
5249 executive director of the Connecticut Economic Development
5250 Authority shall (1) administer and direct the operations of the
5251 [Department of Economic and Community Development] authority;
5252 (2) advise and inform municipal officials, local housing authorities, the

5253 Connecticut Housing Authority, public development agencies and
5254 other agencies and groups about housing, redevelopment, urban
5255 renewal and community development and shall collect and
5256 disseminate information pertaining thereto, including information
5257 about federal, state and private assistance programs and services
5258 pertaining thereto; (3) inquire into the utilization of state government
5259 resources, coordinate federal and state activities for assistance in and
5260 solution of problems of housing, redevelopment, urban renewal and
5261 community development and shall inform and advise the Governor
5262 about and propose legislation concerning such problems; (4) conduct,
5263 encourage and maintain research and studies relating to housing,
5264 redevelopment, urban renewal and community development
5265 problems; (5) prepare and review model ordinances and charters
5266 relating to these areas; (6) maintain an inventory of data and
5267 information and act as a clearing house and referral agency for
5268 information on state and federal programs and services relative to
5269 housing and community development; (7) conduct, encourage and
5270 maintain research and studies and advise municipal officials
5271 concerning forms of intergovernmental cooperation and cooperation
5272 between public and private agencies designed to advance programs of
5273 housing, redevelopment, urban renewal and community development;
5274 (8) promote and assist the formation of local housing authorities and
5275 other agencies or organizations appropriate to the purposes of this
5276 chapter; and (9) inform the public regarding the rights and obligations
5277 of landlords and tenants as provided in chapters 830, 831 and 832 and
5278 respond to any inquiries from the public on such matters.

5279 (b) The commissioner may determine the qualifications of personnel
5280 or consultants to be engaged in connection with the provision of any
5281 state assistance or administration provided by the **[**Department of
5282 Economic and Community Development**]** Connecticut Economic
5283 Development Authority.

5284 (c) The **[**Commissioner of Economic and Community Development**]**
5285 executive director of the Connecticut Economic Development
5286 Authority may make available technical and financial assistance and

5287 advisory services to any municipality, municipal agency, local housing
5288 authority, human resource development agency, regional planning
5289 agency, regional council of elected officials, regional council of
5290 governments, housing sponsor, prospective housing sponsor or other
5291 appropriate agency, or the Connecticut Housing Authority, for any
5292 activity pertinent to the development, preservation, repair or
5293 rehabilitation of housing or for urban renewal, redevelopment or
5294 community development activities as defined in chapter 130, provided
5295 any financial assistance to a regional planning agency, regional council
5296 of governments or a regional council of elected officials shall have the
5297 prior approval of the Secretary of the Office of Policy and
5298 Management, or his designee. Financial, technical or advisory
5299 assistance shall be rendered upon such contractual arrangements as
5300 may be agreed upon by the commissioner and any such municipality,
5301 agency, authority, council or sponsor in accordance with their
5302 respective needs.

5303 (d) The **[**Commissioner of Economic and Community Development**]**
5304 executive director of the Connecticut Economic Development
5305 Authority is authorized to do all things necessary to apply for, qualify
5306 for and accept any federal funds made available or allotted under any
5307 federal act for any activities which may be pertinent to the purposes of
5308 this chapter and chapters 128, 129, 130, 135 and 136 and said
5309 **[**commissioner**]** director shall administer any such funds allotted to the
5310 department in accordance with federal law. The **[**commissioner**]**
5311 executive director may enter into contracts with the federal
5312 government concerning the use and repayment of such funds under
5313 any such federal act, the prosecution of the work under any such
5314 contract and the establishment of and disbursement from a separate
5315 account in which federal and state funds estimated to be required for
5316 plan preparation or other eligible activities under such federal act shall
5317 be kept. Said account shall not be a part of the General Fund of the
5318 state or any subdivision of the state. Unless otherwise required by
5319 federal law or regulation, any federal housing assistance funding made
5320 available at the state level shall be allocated in accordance with the

5321 housing plan prepared pursuant to the provisions of section 8-37t, as
5322 amended by this act. Such allocation shall, to the maximum extent
5323 possible, reflect the types and distribution of housing needs in all parts
5324 of the state and the resources required by the [department, the
5325 Connecticut Housing Finance Authority] authority or other
5326 appropriate agencies to meet those needs.

5327 (e) The powers and duties enumerated in this section shall be in
5328 addition to and shall not limit any other powers or duties of the
5329 [Commissioner of Economic and Community Development] executive
5330 director of the Connecticut Economic Development Authority
5331 contained in any other [law] provision of the general statutes.

5332 Sec. 110. Subsection (b) of section 8-216c of the general statutes is
5333 repealed and the following is substituted in lieu thereof (*Effective July*
5334 *1, 2011*):

5335 (b) The [Commissioner of Economic and Community Development]
5336 executive director of the Connecticut Economic Development
5337 Authority shall establish a pilot program of financial assistance in the
5338 form of loans, deferred loans and grants-in-aid to nonprofit
5339 corporations for not more than five developments of rental, mutual or
5340 limited equity cooperative housing for low and moderate income
5341 persons and families. Financial assistance provided under this section
5342 shall be on such terms and conditions as prescribed by the
5343 [commissioner] executive director and shall be in an amount equal to
5344 one hundred per cent of the cost incurred for the acquisition of land
5345 and buildings, construction and any other costs determined by the
5346 [commissioner] executive director to be reasonable and necessary.
5347 Financial assistance shall be for permanent financing only and shall
5348 not be used for construction financing. Any development receiving
5349 financial assistance under this section shall not be eligible for
5350 construction financing under any program operated by the
5351 [Department of Economic and Community Development or the]
5352 Connecticut [Housing Finance] Economic Development Authority.
5353 Financial assistance shall be released upon (1) completion of a

5354 development in accordance with plans and specifications approved by
5355 the [commissioner] executive director and final inspection by the
5356 [commissioner] executive director, (2) issuance of a certificate of
5357 occupancy by the building official of the municipality in which the
5358 housing is located, and (3) the signing of leases for eighty per cent of
5359 the units in the development. The [commissioner] executive director
5360 may enter into an agreement with a nonprofit corporation for financial
5361 assistance under this section upon approval of the development by the
5362 State Bond Commission. Applicants receiving financial assistance
5363 under this section may retain not more than ten per cent of such
5364 assistance as a developer's administrative fee. The [commissioner]
5365 executive director, upon request of the developer of an approved
5366 development, may advance financial assistance to reimburse such
5367 developer for costs incurred prior to a construction loan closing,
5368 provided such costs were included in the development budget
5369 approved by the [commissioner] executive director. Any loan or
5370 deferred loans made under this program shall bear interest at a rate
5371 not exceeding three per cent per annum and shall be for a term of not
5372 less than twenty-five but not more than forty years.

5373 Sec. 111. Section 8-240m of the general statutes is repealed and the
5374 following is substituted in lieu thereof (*Effective July 1, 2011*):

5375 [(a)] The state, acting by and through the [Commissioner of
5376 Economic and Community Development] Connecticut Economic
5377 Development Authority, may provide financial assistance, including,
5378 without limitation financial assistance in the form of grants, loans and
5379 the purchase of capital stock, for the program established pursuant to
5380 subsection (a) of section 8-240k, upon the execution of a financial
5381 assistance agreement containing such terms and conditions as the
5382 [Commissioner of Economic and Community Development] executive
5383 director of the Connecticut Economic Development Authority shall
5384 deem necessary and appropriate to fulfill the purposes of sections 8-
5385 240k to 8-240n, inclusive. Notwithstanding the provisions of section 4-
5386 66c, as amended by this act, the [Commissioner of Economic and
5387 Community Development] executive director of the Connecticut

5388 Economic Development Authority may provide such financial
5389 assistance from the proceeds of bonds authorized for the **[**Department
5390 of Economic and Community Development**]** Connecticut Economic
5391 Development Authority pursuant to said section 4-66c.

5392 **[**(b) The Connecticut Development Authority may provide financial
5393 assistance, including, without limitation, financial assistance in the
5394 form of grants, loans and the purchase of capital stock, for the program
5395 established pursuant to subsection (a) of section 8-240k, upon the
5396 execution of a financial assistance agreement containing such terms
5397 and conditions as the Connecticut Development Authority shall deem
5398 necessary and appropriate to fulfill the purposes of sections 8-240k to
5399 8-240n, inclusive.

5400 (c) The Connecticut Housing Finance Authority may provide
5401 financial assistance, including, without limitation, financial assistance
5402 in the form of grants, loans and the purchase of capital stock, for the
5403 program established pursuant to subsection (a) of section 8-240k, upon
5404 the execution of a financial assistance agreement containing such terms
5405 and conditions as the Connecticut Housing Finance Authority shall
5406 deem necessary and appropriate to fulfill the purposes of sections 8-
5407 240k to 8-240n, inclusive.**]**

5408 Sec. 112. Section 8-243 of the general statutes is repealed and the
5409 following is substituted in lieu thereof (*Effective July 1, 2011*):

5410 The following terms shall have the following meanings unless the
5411 context clearly indicates another meaning and intent:

5412 (a) "Act" means this chapter as amended from time to time;

5413 (b) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5414 Development Authority as **[**created**]** established under section **[**8-244**]**
5415 41 of this act;

5416 (c) "Housing", "housing project" or "project" means a work or
5417 undertaking having as its primary purpose the provision of safe and

5418 adequate housing and related facilities for low and moderate income
5419 families and persons, and includes existing dwelling units for low and
5420 moderate income families and persons, notwithstanding that said
5421 housing provides other dwelling accommodations in addition to the
5422 primary purpose of providing dwelling accommodations for low and
5423 moderate income families and persons;

5424 (d) "Related facilities" means commercial, office, health, welfare,
5425 administrative, recreational, community and service facilities
5426 incidental and pertinent to housing as determined by the authority;

5427 (e) "Rents", "rentals" or "carrying charges" means the charges,
5428 excluding security deposits and down payments, paid for occupancy
5429 of housing financed or assisted under this chapter, whether such
5430 housing is owned or operated on a landlord-tenant or home ownership
5431 basis or as a condominium or a cooperative;

5432 (f) "Project cost" means the sum total of all costs incurred in the
5433 development of a housing project, which are approved by the
5434 authority as reasonable and necessary, including, but not limited to (1)
5435 costs of land acquisition and any buildings thereon; (2) costs of site
5436 preparation, demolition and development; (3) architectural,
5437 engineering, legal, authority and other fees and charges paid or
5438 payable in connection with the planning, execution and financing of
5439 the project; (4) cost of necessary studies, surveys, plans and permits; (5)
5440 insurance, interest, financing, tax and assessment costs and other
5441 operating and carrying costs during construction; (6) cost of
5442 construction or reconstruction, and fixtures and equipment related to
5443 such construction or reconstruction; (7) cost of land improvements; (8)
5444 necessary expenses in connection with the initial occupancy of the
5445 project; (9) a reasonable profit or fee to the builder and developer; (10)
5446 an allowance established by the authority for working capital,
5447 replacement and contingency reserves, and reserves for any
5448 anticipated operating deficits during the first two years of occupancy;
5449 (11) the cost of such other items, including tenant relocation, as the
5450 authority shall deem to be reasonable and necessary for the

5451 development of the project, less any and all net rents and other net
5452 revenues received from the operation of the real and personal property
5453 on the project site during construction;

5454 (g) "Development costs" means the costs approved by the authority
5455 as appropriate expenditures which may be incurred prior to initial
5456 disbursement of mortgage loan proceeds, including, but not limited to:
5457 (1) Payments for options to purchase properties for the proposed
5458 project, deposits on contracts of purchase or, with the prior approval of
5459 the authority, payments for the purchase of such properties; (2) legal,
5460 organizational and marketing expenses, including payment of
5461 attorneys' and consultants' fees, project management and clerical staff
5462 salaries, office rent and other incidental expenses; (3) payment of fees
5463 for preliminary feasibility studies and advances for planning,
5464 architectural and engineering work and land surveys and soil tests; (4)
5465 expenses of surveys as to need and market analyses; (5) necessary
5466 application and other fees to federal, state and local government
5467 agencies; and (6) such other expenses as the authority may deem
5468 appropriate to effectuate the purposes of this chapter;

5469 (h) "Low and moderate income families and persons" means
5470 families and persons who lack the amount of income necessary as
5471 determined by the authority, to rent or purchase safe and adequate
5472 housing without special financial assistance not reasonably available.
5473 The income limits for the admission of such families and persons to
5474 housing built or financed or assisted under this chapter shall be
5475 established by this authority;

5476 (i) "Assisted mortgage financing" means a below market interest
5477 rate mortgage insured or purchased, or a loan made, by the Secretary
5478 of the United States Department of Housing and Urban Development;
5479 a market interest rate mortgage insured or purchased, or a loan made,
5480 in combination with, or as augmented by, a program of rent
5481 supplements, interest subsidies or interest reduction payments,
5482 leasing, contributions or grants, or other programs now or hereafter
5483 authorized by federal law to serve low and moderate income families

5484 and persons; a mortgage loan made or insured pursuant to this
5485 chapter; or any combination of such loans, mortgage insurance or
5486 other assistance;

5487 (j) "Mortgage" means a mortgage deed, deed of trust, or other
5488 instrument which shall constitute a lien, whether first or second, on
5489 real estate or on a leasehold under a lease having a remaining term, at
5490 the time such mortgage is acquired, which does not expire for at least
5491 that number of years beyond the maturity date of the obligation
5492 secured by such mortgage as is equal to the number of years remaining
5493 until the maturity date of such obligation. As used in this subsection, a
5494 lease of a lot in a mobile manufactured home park which is indefinitely
5495 renewable pursuant to subsection (b) of section 21-70 shall satisfy the
5496 leasehold requirement, provided such lease is acceptable to a third
5497 party mortgage insurer and the authority receives an acceptable
5498 mortgage insurance policy;

5499 (k) "First mortgage" means such classes of first liens as are
5500 commonly given to secure loans on, or the unpaid purchase price of,
5501 real estate under the laws of the state, together with appropriate credit
5502 instruments;

5503 (l) "Mortgagee" means the original lender under the mortgage or
5504 participants therein, and their successors and assigns;

5505 (m) "Mortgagor" or "eligible mortgagor" means (1) a nonprofit
5506 corporation incorporated pursuant to chapter 602 or any predecessor
5507 statutes thereto, having as one of its purposes the construction,
5508 rehabilitation, ownership or operation of housing, and having articles
5509 of incorporation approved by the authority in accordance with the
5510 provisions of this chapter; (2) any business corporation incorporated
5511 pursuant to chapter 601 or any predecessor statutes thereto, having as
5512 one of its purposes the construction, rehabilitation, ownership or
5513 operation of housing, and having articles of incorporation approved by
5514 the authority in accordance with the provisions of this chapter; (3) any
5515 partnership, limited partnership, joint venture, trust or association

5516 having as one of its purposes the construction, rehabilitation,
5517 ownership or operation of housing, and having basic documents of
5518 organization approved by the authority in accordance with the
5519 provisions of this chapter; (4) a housing authority established pursuant
5520 to chapter 128; (5) a family or person approved by the authority as
5521 qualified to own, construct, rehabilitate, manage and maintain housing
5522 under a mortgage loan made or insured by the authority under the
5523 provisions of this chapter; or (6) a municipal developer; and includes
5524 the successors and assigns of the mortgagor;

5525 (n) "Mortgage payments" means periodic payments called for by a
5526 mortgage, and may include, but is not limited to, interest, installments
5527 of principal, taxes and assessments, mortgage insurance premiums and
5528 hazard insurance premiums;

5529 (o) "Aggregate family income" means the total family income of all
5530 members of a family, from whatever source derived, including but not
5531 limited to pension, annuity, retirement and social security benefits,
5532 provided there may be excluded from income, as the authority by
5533 regulation may determine, (1) reasonable allowances for dependents,
5534 (2) reasonable allowances for medical expenses, (3) all or any
5535 proportionate part of the earnings of gainfully employed minors or
5536 family members other than the chief wage earner, (4) income not
5537 received regularly and (5) other expenses;

5538 (p) "Earned surplus" shall have the same meaning as in generally
5539 accepted accounting standards;

5540 (q) "Municipality" means any city, town or borough in the state;

5541 (r) "Lending institution" means any bank, trust company, savings
5542 bank, savings and loan association or credit union, whether chartered
5543 by the United States of America or this state, and any insurance
5544 company authorized to do business in this state, and any mortgage
5545 banking firm approved by the authority;

5546 (s) "Tenant" means the occupant of any housing financed or assisted

5547 by the authority under this chapter;

5548 (t) "Second mortgage" means any class of second liens ranking
5549 immediately after a first mortgage on the same property, without any
5550 intervening liens, as are commonly given to secure loans on real estate,
5551 or the unpaid purchase price of real estate under the laws of the state,
5552 together with appropriate credit instruments, provided such second
5553 mortgage, unless granted pursuant to the exercise of powers granted
5554 to the authority under the provisions of the general statutes, is insured
5555 by an agency of the federal government or by such other entity as the
5556 authority shall determine is financially able to insure or guarantee
5557 repayment in the event of default by the mortgagor;

5558 (u) "Person" means any person, including individuals, limited
5559 liability companies, firms, partnerships, associations, public or private,
5560 organized or existing under the laws of the state or, any other state if
5561 qualified to do business in the state;

5562 (v) "Urban area" means any targeted area, as defined in Section 143
5563 of the Internal Revenue Code of 1986, or any subsequent
5564 corresponding internal revenue code of the United States, as from time
5565 to time amended;

5566 (w) "Urban area mortgage" means a mortgage securing a
5567 construction or a permanent loan to any person for the purpose of
5568 purchasing, refinancing, constructing or rehabilitating any residential
5569 building in an urban area, including related facilities, such as
5570 commercial, offices, health, welfare, administration, recreational,
5571 community and service facilities incidental and pertinent thereto as
5572 determined by the authority, but need not be a first lien upon the
5573 mortgaged property;

5574 (x) "Municipal developer" means a municipality, as defined in
5575 subsection (q) of this section, which has not declared by resolution a
5576 need for a housing authority pursuant to section 8-40, acting by and
5577 through its legislative body, except that in any town in which a town
5578 meeting or representative town meeting is the legislative body,

5579 "municipal developer" means the board of selectmen if such board is
5580 authorized to act as the municipal developer by the town meeting or
5581 representative town meeting; and

5582 (y) "Employer-assisted housing" means (1) housing that is, in whole
5583 or in part, owned, acquired, developed or managed by employers, or
5584 on behalf of employers, for the benefit of employees in the state or (2)
5585 assistance offered by employers to employees in the purchase or lease
5586 of residential property in the state. **[**;**]**

5587 **[**(z) "Department" means the Department of Economic and
5588 Community Development.**]**

5589 Sec. 113. Subsection (a) of section 8-252a of the general statutes is
5590 repealed and the following is substituted in lieu thereof (*Effective July*
5591 *1, 2011*):

5592 (a) The Connecticut Housing Finance Authority, or any successor
5593 authority, is authorized to issue bonds secured by a pledge of principal
5594 and interest payments and other revenues to be received by the state
5595 with respect to any loans made by the state under any bond-financed
5596 housing program, as defined in section 8-37qq. Except as otherwise
5597 provided in this section, the issuance of such bonds shall be governed
5598 by the provisions of section 8-252, as amended by this act. Such bonds
5599 may be guaranteed by the authority, which guarantee may be a
5600 general obligation of the authority. Such bonds whether or not a
5601 general obligation of the authority may be secured by revenues or
5602 other assets of the authority which are not subject to the lien of the
5603 general housing mortgage program bond resolution of the authority
5604 adopted September 27, 1972, as amended, or subject to a lien created
5605 by any other existing bond resolution of the authority. The state, acting
5606 through the State Treasurer, is authorized to pledge such principal and
5607 interest payments and other revenues, and to make such agreements,
5608 covenants and representations as may be required for issuance of the
5609 bonds. The provisions of subdivision (3) of section 32-1*l* shall not apply
5610 to any pledge under this section, nor to any transfer of revenues to the

5611 Connecticut Housing Finance Authority, or any successor authority, or
5612 to a trustee incident to the issuance of bonds under this section, but
5613 such a pledge or transfer of revenues from bond-financed state
5614 housing programs, as defined in section 8-37qq, to the Connecticut
5615 Housing Finance Authority, or any successor authority, or to a trustee
5616 incident to the issuance of bonds under this section is hereby
5617 authorized. Any pledges made pursuant to this section shall be valid
5618 and binding from the time such pledge is made, and are not subject to
5619 further appropriation by the state. The proceeds of any bonds issued
5620 pursuant to this section shall, after payment of all costs of issuance and
5621 sale, including, without limitation, the costs of credit facilities and the
5622 establishment of any reserves as security for such bonds, be deposited
5623 in the General Fund.

5624 Sec. 114. Section 8-265o of the general statutes is repealed and the
5625 following is substituted in lieu thereof (*Effective July 1, 2011*):

5626 As used in this section and sections 8-265p to 8-265v, inclusive:

5627 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5628 Development Authority as **[**created**]** established under section **[**8-244**]**
5629 41 of this act;

5630 (2) "Mortgage" means a mortgage deed or other instrument which
5631 constitutes a first or second consensual lien on one, two or three-family
5632 owner-occupied residential real property, including single-family units
5633 in a common interest community, located in this state;

5634 (3) "Mortgagee" means mortgage lenders authorized to originate
5635 mortgage loans in this state; and

5636 (4) "Mortgagor" means the owner-occupant of one, two or three-
5637 family residential real property located in this state who is also the
5638 borrower under a mortgage encumbering such real property.

5639 Sec. 115. Subsection (b) of section 8-265w of the general statutes is
5640 repealed and the following is substituted in lieu thereof (*Effective July*

5641 *1, 2011*):

5642 (b) The proceeds of the sale of said bonds, to the extent of the
5643 amount stated in subsection (a) of this section, shall be used by the
5644 **[**Department of Economic and Community Development for the
5645 purpose of (1) a grant to the**]** Connecticut **[**Housing Finance**]** Economic
5646 Development Authority for the purposes of sections 8-265o to 8-265v,
5647 inclusive, as amended by this act, and **[**(2)**]** for loans or deferred loans
5648 by the **[**Department of Economic and Community Development**]**
5649 Connecticut Economic Development Authority pursuant to sections 8-
5650 283 to 8-289, inclusive. Any proceeds authorized or allocated by the
5651 commission for loans or deferred loans pursuant to sections 8-283 to 8-
5652 289, inclusive, shall not be deemed to be authorized, allocated or
5653 available for the purposes of sections 8-265o to 8-265v, inclusive, as
5654 amended by this act.

5655 Sec. 116. Section 8-265cc of the general statutes is repealed and the
5656 following is substituted in lieu thereof (*Effective July 1, 2011*):

5657 As used in sections 8-265cc to 8-265kk, inclusive:

5658 (1) "Aggregate family income" means the total income of persons
5659 residing in the same household as the mortgagor and any other
5660 resident of the household declared by the mortgagor as a dependent
5661 for federal tax purposes, from whatever source derived, including, but
5662 not limited to, pensions, annuities, retirement benefits and Social
5663 Security benefits, provided the authority may exclude from income (A)
5664 reasonable allowances for dependents, (B) reasonable allowances for
5665 medical expenses, (C) all or any part of the earnings of gainfully
5666 employed minors or family members other than the chief wage earner,
5667 (D) income not regularly received, and (E) such other expenses as the
5668 authority may allow;

5669 (2) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5670 Development Authority **[**created**]** established under section **[**8-244**]** 41
5671 of this act;

5672 (3) "Mortgage" means a mortgage deed or other instrument which
5673 constitutes a first or second consensual lien on one-to-four family
5674 owner-occupied residential real property located in this state,
5675 including, but not limited to, a single-family unit in a common interest
5676 community;

5677 (4) "Mortgagee" means the original lender under a mortgage, or its
5678 agents, successors, or assigns;

5679 (5) "Mortgagor" means the owner-occupant of a one-to-four family
5680 residential real property located in this state, including, but not limited
5681 to, a single family unit in a common interest community, who is also
5682 the borrower under a mortgage encumbering such real property;

5683 (6) "Housing expense" means the sum of the mortgagor's monthly
5684 maintenance expense in a common interest community, utility
5685 expense, heating expense, hazard insurance payment, taxes and
5686 required mortgage payment, including escrows;

5687 (7) "Financial hardship due to circumstances beyond the
5688 mortgagor's control" means a significant reduction of aggregate family
5689 household income or increase in expenses which reasonably cannot be
5690 or could not have been alleviated by the liquidation of assets by the
5691 mortgagor as determined by the Connecticut **[**Housing Finance**]**
5692 Economic Development Authority, including, but not limited to, a
5693 reduction resulting from (A) (i) unemployment or underemployment
5694 of one or more of the mortgagors; (ii) a loss, reduction or delay in
5695 receipt of such federal, state or municipal benefits as Social Security,
5696 supplemental security income, public assistance and government
5697 pensions; (iii) a loss, reduction or delay in receipt of such private
5698 benefits as pension, disability, annuity or retirement benefits; (iv)
5699 divorce or a loss of support payments; (v) disability, illness or death of
5700 a mortgagor; or (B) (i) a significant increase in the dollar amount of the
5701 periodic payments required by the mortgage; (ii) an unanticipated rise
5702 in housing expenses; or (iii) expenses related to the disability, illness or
5703 death of a member of the mortgagor's family, but does not include

5704 expenses related to the accumulation of credit or installment debt
5705 incurred for recreational or nonessential items prior to the occurrence
5706 of the alleged circumstances beyond the mortgagor's control in an
5707 amount that would have caused the mortgagor's total debt service to
5708 exceed sixty per cent of aggregate family income at that time;

5709 (8) "Consumer credit counseling agency" means a nonprofit
5710 corporation or governmental agency located in this state which has
5711 been designated by the authority to provide homeowners' emergency
5712 mortgage assistance program counseling. A qualified consumer credit
5713 counseling agency must either be certified as a housing counseling
5714 agency by the federal Department of Housing and Urban
5715 Development or otherwise determined accepted by the authority;

5716 (9) "Foreclosure mediation program" means the foreclosure
5717 mediation program established by section 49-31m; and

5718 (10) "Periodic payments" means principal, interest, taxes, insurance
5719 and, if applicable, condominium fees.

5720 Sec. 117. Subsections (a) and (b) of section 8-265oo of the general
5721 statutes are repealed and the following is substituted in lieu thereof
5722 (*Effective July 1, 2011*):

5723 (a) As used in this section:

5724 (1) "Authority" means the Connecticut **[**Housing Finance**]** <u>Economic</u>
5725 <u>Development</u> Authority as **[**created**]** <u>established</u> under section **[**8-244**]**
5726 <u>41 of this act</u>;

5727 (2) "Mortgage" means a mortgage deed or other instrument that
5728 constitutes a first consensual lien on one, two or three-family owner-
5729 occupied residential real property located in this state;

5730 (3) "Mortgagee" means mortgage lenders authorized to originate
5731 mortgage loans in this state; and

5732 (4) "Mortgagor" means the owner-occupant of one, two or three-

5733 family residential real property located in this state who is also the
5734 borrower under a mortgage encumbering such real property.

5735 (b) It being in the public interest for the state to extend mortgage
5736 guarantees to mortgage lending institutions to provide refinancing for
5737 mortgage loans when the decline of home values has precluded such
5738 lending, the Connecticut **[**Housing Finance**]** Economic Development
5739 Authority shall establish and administer a program of loan guarantees
5740 to work in conjunction with loan programs established by secondary
5741 market investors to allow mortgagees to refinance residential
5742 mortgage loans when a decrease in the appraised value of the real
5743 property securing the mortgage might otherwise preclude such
5744 lending. The authority shall adopt procedures in accordance with the
5745 provisions of section 1-121 no later than January 1, 2000, to carry out
5746 the provisions of this section. Such procedures may establish a fee for
5747 such mortgage guarantee.

5748 Sec. 118. Section 8-265rr of the general statutes is repealed and the
5749 following is substituted in lieu thereof (*Effective July 1, 2011*):

5750 (a) As used in this section, "authority" means the Connecticut
5751 **[**Housing Finance**]** Economic Development Authority **[**created**]**
5752 established under section **[**8-244**]** 41 of this act.

5753 (b) The authority is authorized to continue to develop and
5754 implement a program for home mortgage refinancing for homeowners
5755 with fixed or adjustable rate mortgages as an additional purpose
5756 pursuant to the provisions of subdivision (32) of section 8-250. Such
5757 program shall (1) include making mortgage loans to borrowers who
5758 (A) are deemed eligible by the authority, and (B) purchase foreclosed
5759 or abandoned properties or properties conveyed by deed in lieu of
5760 foreclosure or short sale; or (2) be undertaken by the authority
5761 consistent with and subject to its contractual obligations to its
5762 bondholders in an initial amount of forty million dollars under terms
5763 and conditions determined by the authority.

5764 Sec. 119. Subdivision (1) of subsection (a) of section 8-265ss of the

5765 general statutes is repealed and the following is substituted in lieu
5766 thereof (*Effective July 1, 2011*):

5767 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5768 Development Authority **[**created**]** established under section **[**8-244**]** 41
5769 of this act;

5770 Sec. 120. Section 8-284 of the general statutes is repealed and the
5771 following is substituted in lieu thereof (*Effective July 1, 2011*):

5772 As used in this chapter:

5773 (a) "Eligible family or person" means a family or person who lacks
5774 the amount of income necessary, to purchase safe and adequate
5775 housing without special financial assistance;

5776 (b) **[**"Commissioner" means the Commissioner of Economic and
5777 Community Development;**]** "Executive director" means the executive
5778 director of the Connecticut Economic Development Authority; and

5779 (c) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5780 Development Authority. **[**; and**]**

5781 **[**(d) "Department" means the Department of Economic and
5782 Community Development.**]**

5783 Sec. 121. Section 8-336 of the general statutes is repealed and the
5784 following is substituted in lieu thereof (*Effective July 1, 2011*):

5785 After June 8, 1982, neither the state nor any political subdivision
5786 thereof, nor any municipality or any political subdivision thereof, nor
5787 any department, agency, authority or other body of the state or any
5788 municipality, other than the Connecticut Housing Finance Authority,
5789 or any successor authority, shall issue bonds for the purpose of
5790 providing mortgages for single-family homes, as defined in the federal
5791 Mortgage Subsidy Bond Tax Act, Pub. L. 96-499, Title XI, Subtitle A, 94
5792 Stat 2669, except that the following amounts may be issued prior to
5793 October 1, 1983: (1) By the towns and cities of the state, as allocated

5794 and authorized by the [Commissioner of Economic and Community
5795 Development] executive director of the Connecticut Economic
5796 Development Authority and the Governor, thirty million dollars; (2) by
5797 the state pursuant to section 8-288, ten million dollars; and (3) by the
5798 state pursuant to section 16a-40c, ten million dollars. Any amount
5799 which may be issued by any entity other than the Connecticut Housing
5800 Finance Authority, or any successor authority, pursuant to this section
5801 may be issued by said authority if such amount is not issued by such
5802 other entity by October 1, 1983.

5803 Sec. 122. Section 8-336m of the general statutes is repealed and the
5804 following is substituted in lieu thereof (*Effective July 1, 2011*):

5805 As used in this section the following terms shall have the following
5806 meanings, unless the context clearly indicates a different meaning or
5807 intent:

5808 (1) "Authority" means the Connecticut [Housing Finance] Economic
5809 Development Authority.

5810 (2) ["Commissioner" means the Commissioner of Economic and
5811 Community Development] "Executive director" means the executive
5812 director of the Connecticut Economic Development Authority.

5813 [(3) "Department" means the Department of Economic and
5814 Community Development.]

5815 [(4)] (3) "Eligible applicant" means: (A) A nonprofit entity; (B) a
5816 municipality; (C) a housing authority; (D) a business corporation
5817 incorporated pursuant to chapter 601 or any predecessor statutes
5818 thereto or authorized to do business pursuant to said chapter 601
5819 having as one of its purposes the construction, financing, acquisition,
5820 rehabilitation or operation of affordable housing, and having a
5821 certificate or articles of incorporation approved by the commissioner;
5822 (E) any partnership, limited partnership, limited liability company,
5823 joint venture, sole proprietorship, trust or association having as one of
5824 its purposes the construction, financing, acquisition, rehabilitation or

5825 operation of affordable housing; (F) the Connecticut [Housing Finance]
5826 Economic Development Authority; (G) a municipal developer; (H) any
5827 community development financial institution; or (I) any combination
5828 thereof.

5829 [(5)] (4) "Housing", "housing development" or "development" means
5830 a work or undertaking having as its primary purpose the provision of
5831 safe, well-designed and adequate housing and related facilities for low
5832 and moderate income families and persons and includes existing
5833 housing for low and moderate income families and persons and
5834 housing whose primary purpose is to provide dwelling
5835 accommodations for low and moderate income families and persons
5836 but has dwelling accommodations for others.

5837 [(6)] (5) "Housing Trust Fund" or "fund" means the Housing Trust
5838 Fund created under section 8-336o.

5839 [(7)] (6) "Housing Trust Fund program" or "program" means the
5840 housing trust fund program developed and administered under
5841 section 8-336p.

5842 [(8)] (7) "Low and moderate income families and persons" means
5843 families and persons whose income falls within the income levels set
5844 by the commissioner pursuant to regulations adopted under
5845 subsection (a) of section 8-336q, as amended by this act, except that the
5846 commissioner may establish income levels up to and including one
5847 hundred twenty per cent of the area median income, as determined by
5848 the United States Department of Housing and Urban Development.

5849 [(9)] (8) "Municipal developer" means a municipality acting by and
5850 through its legislative body, except that in any town in which a town
5851 meeting or representative town meeting is the legislative body,
5852 "municipal developer" means the board of selectmen if such board is
5853 authorized to act as the municipal developer by the town meeting or
5854 representative town meeting.

5855 [(10)] (9) "Secretary" means the Secretary of the Office of Policy and

5856 Management.

5857 **[**(11)**]** (10) "State Bond Commission" means the commission
5858 established under section 3-20.

5859 **[**(12)**]** (11) "Treasurer" means the State Treasurer and includes each
5860 successor in office or authority.

5861 Sec. 123. Section 8-336q of the general statutes is repealed and the
5862 following is substituted in lieu thereof (*Effective July 1, 2011*):

5863 (a) The **[**commissioner**]** executive director of the Connecticut
5864 Economic Development Authority, in consultation with the Treasurer
5865 **[**,**]** and the Secretary of the Office of Policy and Management **[**and the
5866 Connecticut Housing Finance Authority**]** and after consideration of the
5867 recommendations of the committee established by subsection (b) of
5868 this section, shall establish **[**regulations and**]** criteria for rating various
5869 proposals for funds under the Housing Trust Fund program. **[**The
5870 regulations**]** Such criteria shall be **[**adopted pursuant to chapter 54 and**]**
5871 posted on the **[**department's**]** authority's web site.

5872 (b) There shall be a Housing Trust Fund Program Advisory
5873 Committee. Said committee shall meet at least semiannually and shall
5874 advise the **[**commissioner**]** executive director on (1) the administration,
5875 management and objectives of the Housing Trust Fund program; and
5876 (2) the development of **[**regulations,**]** procedures and rating criteria for
5877 the program. The committee shall be appointed by the **[**commissioner**]**
5878 executive director, in consultation with the Treasurer and the secretary
5879 and shall include the chairpersons and ranking members of the joint
5880 standing committee of the General Assembly having cognizance of
5881 matters relating to planning and development, and the select
5882 committee of the General Assembly having cognizance of matters
5883 relating to housing and representatives from each of the following: (A)
5884 The nonprofit housing development community; (B) the for-profit
5885 housing development community; (C) a housing authority; (D) a
5886 community development financial institution; (E) the Connecticut
5887 Housing Finance Authority; (F) a state-wide housing organization; (G)

5888 an elected or appointed official of a municipality with a population of
5889 less than fifty thousand; (H) an elected or appointed official of a
5890 municipality with a population between fifty thousand and one
5891 hundred thousand; (I) an elected or appointed official of a
5892 municipality with a population in excess of one hundred thousand;
5893 and (J) the employers of the state, which may be satisfied by the
5894 appointment of a representative from a state business and industry
5895 association or regional chambers of commerce.

5896 **[**(c) The commissioner may adopt regulations, in accordance with
5897 the provisions of chapter 54, to carry out the provisions of sections 8-
5898 336m to 8-336q, inclusive.**]**

5899 **[**(d)**]** (c) The **[**commissioner**]** executive director may request, inspect
5900 and audit reports, books and records and any other financial or
5901 project-related information with respect to eligible applicants that
5902 receive financial assistance, including, without limitation, resident or
5903 employment information, financial and operating statements and
5904 audits. The commissioner may investigate the accuracy and
5905 completeness of such reports, books and records.

5906 **[**(e)**]** (d) Whenever financial assistance is provided pursuant to
5907 section 8-336p, the **[**commissioner**]** executive director may take all
5908 reasonable steps and exercise all available remedies necessary or
5909 desirable to protect the obligations or interests of the state, including,
5910 but not limited to, amending any term or condition of a contract or
5911 agreement, provided such amendment is allowed or agreed to
5912 pursuant to such contract or agreement, or purchasing or redeeming,
5913 pursuant to foreclosure proceedings, bankruptcy proceedings or in
5914 other judicial proceedings, any property on which such commissioner
5915 or the department holds a mortgage or other lien, or in which the
5916 **[**commissioner**]** executive director or the **[**department**]** authority has an
5917 interest.

5918 Sec. 124. Subsection (b) of section 8-385 of the general statutes is
5919 repealed and the following is substituted in lieu thereof (*Effective July*

5920 *1, 2011*):

5921 (b) The Housing Advisory Committee shall: (1) Advise the General
5922 Assembly, the Governor **[**, the Commissioner of Economic and
5923 Community Development**]** and the Connecticut **[**Housing Finance**]**
5924 Economic Development Authority on matters relating to housing
5925 programs and policies; (2) provide legislative recommendations
5926 relating to housing matters to **[**the Commissioner of Economic and
5927 Community Development,**]** the Connecticut **[**Housing Finance**]**
5928 Economic Development Authority and the General Assembly; (3)
5929 monitor the housing-related activities of the regional planning
5930 agencies under chapter 127; and (4) promote coordination on housing
5931 matters among state agencies.

5932 Sec. 125. Subdivision (1) of subsection (a) of section 8-400 of the
5933 general statutes is repealed and the following is substituted in lieu
5934 thereof (*Effective July 1, 2011*):

5935 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5936 Development Authority as **[**created**]** established under section **[**8-244**]**
5937 41 of this act;

5938 Sec. 126. Section 17a-54a of the general statutes is repealed and the
5939 following is substituted in lieu thereof (*Effective July 1, 2011*):

5940 The Commissioner of Children and Families, in collaboration with
5941 the Commissioners of **[**Economic and Community Development,**]**
5942 Social Services, Developmental Services and Public Health, the
5943 Secretary of the Office of Policy and Management and the executive
5944 director of the Connecticut **[**Housing Finance**]** Economic Development
5945 Authority, shall establish a pilot project to provide affordable housing
5946 and support services to families with children who have one or more
5947 serious, chronic medical conditions and have ongoing, significant
5948 health care service needs.

5949 Sec. 127. Section 17a-485c of the general statutes is repealed and the
5950 following is substituted in lieu thereof (*Effective July 1, 2011*):

5951 (a) The Commissioner of Mental Health and Addiction Services, in
5952 collaboration with the Commissioners of Social Services [,] and
5953 Children and Families [and Economic and Community Development]
5954 and the Connecticut [Housing Finance] Economic Development
5955 Authority, shall establish a Supportive Housing Initiative to provide
5956 additional units of affordable housing and support services to eligible
5957 persons. The Supportive Housing Initiative shall be implemented in
5958 two phases with the first phase to be known as the Supportive
5959 Housing Pilots Initiative and the second phase to be known as the
5960 Next Steps Initiative.

5961 (b) The Supportive Housing Pilots Initiative shall provide up to six
5962 hundred fifty additional units of affordable housing and support
5963 services to eligible households, as defined in section 17a-484a, and to
5964 persons with serious mental health needs who are community-
5965 supervised offenders supervised by the executive or judicial branch.
5966 Such housing shall be permanent supportive housing or transitional
5967 living programs, and the permanent supportive housing may include
5968 both individuals and families with special needs and individuals and
5969 families without such needs.

5970 (c) The Next Steps Initiative shall provide up to one thousand
5971 additional units of affordable housing and support services to: (1)
5972 Eligible households, as defined in section 17a-484a; (2) families who
5973 are eligible under the state plan for the federal temporary assistance
5974 for needy families program; (3) adults who are eighteen to twenty-
5975 three years of age, inclusive, and who are homeless, or at risk for
5976 becoming homeless because they are transitioning from foster care or
5977 other residential programs; and (4) persons with serious mental health
5978 needs who are community-supervised offenders supervised by the
5979 executive or judicial branch. Such housing shall be permanent
5980 supportive housing and may include both individuals and families
5981 with special needs and individuals and families without such needs.

5982 (d) The Connecticut [Housing Finance] Economic Development
5983 Authority shall issue one or more requests for proposals by persons or

5984 entities interested in participating in such initiative with priority given
5985 to applicants that include organizations deemed qualified to provide
5986 services by the Departments of Mental Health and Addiction Services,
5987 Social Services and Children and Families. The Connecticut **[**Housing
5988 Finance**]** Economic Development Authority shall review and
5989 underwrite projects developed under the Supportive Housing
5990 Initiative. For purposes of this subsection, "state assistance" means a
5991 payment by the state of actual debt service, comprised of principal,
5992 interest, interest rate swap payments, liquidity fees, letter of credit fees,
5993 trustee fees, and other similar bond-related expenses.

5994 Sec. 128. Section 17b-347e of the general statutes is repealed and the
5995 following is substituted in lieu thereof (*Effective July 1, 2011*):

5996 (a) The Commissioner of Social Services, in collaboration with the
5997 **[**Commissioner of Economic and Community Development and the**]**
5998 Connecticut **[**Housing Finance**]** Economic Development Authority,
5999 shall establish a demonstration project to provide subsidized assisted
6000 living services, as defined in section 19-13-D105 of the regulations of
6001 Connecticut state agencies, for persons residing in affordable housing,
6002 as defined in section 8-39a. The demonstration project shall be
6003 conducted in at least three municipalities to be determined by the
6004 Commissioner of Social Services. The demonstration project shall be
6005 limited to a maximum of three hundred subsidized dwelling units.
6006 Applicants for such subsidized assisted living services shall be subject
6007 to the same eligibility requirements as the Connecticut home care
6008 program for the elderly pursuant to section 17b-342.

6009 (b) Not later than January 1, 1999, the Commissioner of Social
6010 Services shall enter into a memorandum of understanding with the
6011 **[**Commissioner of Economic and Community Development and the**]**
6012 Connecticut **[**Housing Finance**]** Economic Development Authority.
6013 Such memorandum of understanding shall specify that (1) the
6014 Department of Social Services apply for a Medicaid waiver to secure
6015 federal financial participation to fund assisted living services, establish
6016 a process to select nonprofit and for-profit providers and determine

6017 the number of dwelling units in the demonstration project, (2) the
6018 [Department of Economic and Community Development] Connecticut
6019 Economic Development Authority provide rental subsidy certificates
6020 pursuant to section 8-402, as amended by this act, or rental assistance
6021 pursuant to section 8-119kk, and (3) the Connecticut [Housing Finance]
6022 Economic Development Authority provide second mortgage loans for
6023 housing projects for which the authority has provided financial
6024 assistance in the form of a loan secured by a first mortgage pursuant to
6025 section 8-403, as amended by this act, for the demonstration project.
6026 Not later than July 1, 1999, the Connecticut [Housing Finance]
6027 Economic Development Authority shall issue a request for proposals
6028 for persons or entities interested in participating in the demonstration
6029 project.

6030 (c) Nothing in this section shall be construed to prohibit a
6031 combination of unsubsidized dwelling units and subsidized dwelling
6032 units under the demonstration project within the same facility.
6033 Notwithstanding the provisions of section 8-402, as amended by this
6034 act, the [Department of Economic and Community Development]
6035 Connecticut Economic Development Authority may set the rental
6036 subsidy at any percentage of the annual aggregate family income and
6037 define aggregate family income and eligibility for subsidies in a
6038 manner consistent with such demonstration project.

6039 Sec. 129. Subsection (a) of section 21-84a of the general statutes is
6040 repealed and the following is substituted in lieu thereof (*Effective July*
6041 *1, 2011*):

6042 (a) There is established, within the Department of Consumer
6043 Protection, a Mobile Manufactured Home Advisory Council composed
6044 of [fifteen] fourteen members as follows: One member of the
6045 Connecticut Real Estate Commission [, one employee of the
6046 Department of Economic and Community Development] and one
6047 employee of the Connecticut [Housing Finance] Economic
6048 Development Authority to be appointed by the Governor; an attorney-
6049 at-law specializing in mobile manufactured home matters to be

6050 appointed by the speaker of the House of Representatives; one town
6051 planner and one representative of the banking industry to be
6052 appointed by the Governor; three mobile manufactured home park
6053 owners, one to be appointed by the Governor, one to be appointed by
6054 the minority leader of the Senate and one to be appointed by the
6055 minority leader of the House of Representatives; a representative of
6056 the mobile manufactured home industry to be appointed by the
6057 majority leader of the House of Representatives; three mobile
6058 manufactured home park tenants or representatives of such tenants,
6059 each from different geographic areas of the state, one to be appointed
6060 by the Governor, one to be appointed by the president pro tempore of
6061 the Senate and one to be appointed by the majority leader of the
6062 Senate; a senior citizen, who is either a resident of a mobile
6063 manufactured home park or a representative of other senior citizens
6064 who reside in mobile manufactured home parks, and a representative
6065 of the Housing Advisory Committee to be appointed by the Governor.
6066 The mobile manufactured home park owners and the representative of
6067 the mobile manufactured home industry shall be appointed from a list
6068 submitted to the appointing authorities by the Connecticut
6069 Manufactured Housing Association or its successor, if such
6070 organization or successor exists. The mobile manufactured home park
6071 tenants or tenant representatives and the senior citizen shall be
6072 appointed from a list submitted to the appointing authorities by the
6073 Connecticut Manufactured Home Owners Alliance or its successor, if
6074 such organization or successor exists. The Governor shall appoint a
6075 chairperson from among the members of the council. Members shall
6076 serve for a term coterminous with the term of the Governor or until
6077 their successors are appointed, whichever is later. Any vacancy shall
6078 be filled by the appointing authority for the position which has become
6079 vacant. Members of the council shall not be compensated for their
6080 services. Any council member who fails to attend three consecutive
6081 meetings or who fails to attend fifty per cent of all meetings held
6082 during any calendar year shall be deemed to have resigned from office.

6083 Sec. 130. Section 32-1m of the general statutes is repealed and the

6084 following is substituted in lieu thereof (*Effective July 1, 2011*):

6085 (a) Not later than February 1, 2006, and annually thereafter, the
6086 **[**Commissioner of Economic and Community Development**]** executive
6087 director of the Connecticut Economic Development Authority shall
6088 submit a report to the Governor and the General Assembly, in
6089 accordance with the provisions of section 11-4a. Not later than thirty
6090 days after submission of the report to the Governor and the General
6091 Assembly, said **[**commissioner**]** director shall post the report on the
6092 **[**Department of Economic and Community Development's**]** authority's
6093 web site. Said report shall include, but not be limited to, the following
6094 information with regard to the activities of the **[**Department of
6095 Economic and Community Development**]** Connecticut Economic
6096 Development Authority during the preceding state fiscal year:

6097 (1) A brief description and assessment of the state's economy during
6098 such year, utilizing the most recent and reasonably available data, and
6099 including:

6100 (A) Connecticut employment by industry;

6101 (B) Connecticut and national average unemployment;

6102 (C) Connecticut gross state product, by industry;

6103 (D) Connecticut productivity, by industry, compared to the national
6104 average;

6105 (E) Connecticut manufacturing activity;

6106 (F) Identification of economic and competitive conditions affecting
6107 Connecticut's industry sectors, problems resulting from these
6108 conditions and state efforts to address the problems;

6109 (G) A brief summary of Connecticut's competitiveness as a place for
6110 business, which shall include, but not be limited to, an evaluation of (i)
6111 how the programs and policies of state government affect the state
6112 economy and state business environment, (ii) the ability of the state to

6113 retain and attract businesses, (iii) the steps taken by other states to
6114 improve the competitiveness of such states as places for business, and
6115 (iv) programs and policies the state could implement to improve the
6116 competitiveness of the state in order to encourage economic growth;
6117 and

6118 (H) Any other economic information that the [commissioner]
6119 executive director deems appropriate.

6120 (2) A statement of the [department's] authority's economic and
6121 community development objectives, measures of program success and
6122 standards for granting financial and nonfinancial assistance under
6123 programs administered by the [department] authority.

6124 (3) An analysis of the economic development portfolio of the
6125 [department] authority, including:

6126 (A) A list of the names, addresses and locations of all recipients of
6127 the [department's] authority's assistance;

6128 (B) The following information concerning each recipient of such
6129 assistance: (i) Business activities, (ii) standard industrial classification
6130 codes or North American industrial classification codes, (iii) number of
6131 full-time jobs and part-time jobs at the time of application, (iv) number
6132 of actual full-time jobs and actual part-time jobs during the preceding
6133 state fiscal year, (v) whether the recipient is a minority or woman-
6134 owned business, (vi) a summary of the terms and conditions for the
6135 assistance, including the type and amount of state financial assistance,
6136 job creation or retention requirements and anticipated wage rates, (vii)
6137 the amount of investments from private and other nonstate sources
6138 that have been leveraged by the assistance, (viii) the extent to which
6139 employees of the recipient participate in health benefit plans offered
6140 by such recipient, (ix) the extent to which the recipient offers unique
6141 economic, social, cultural or aesthetic attributes to the municipality in
6142 which the recipient is located or to the state, and (x) the amount of
6143 state investment;

6144 (C) A portfolio analysis, including (i) an analysis of the wages paid
6145 by recipients of financial assistance, (ii) the average portfolio wage,
6146 median portfolio wage, highest and lowest portfolio wage, (iii)
6147 portfolio wage data by industry, and (iv) portfolio wage data by
6148 municipality;

6149 (D) An investment analysis, including (i) total portfolio value, (ii)
6150 total investment by industry, (iii) portfolio dollar per job average, (iv)
6151 portfolio leverage ratio, and (v) percentage of financial assistance
6152 which was provided to high performance work organizations in the
6153 preceding state fiscal year; and

6154 (E) An analysis of the estimated economic effects of the
6155 [department's] authority's economic development investments on the
6156 state's economy, including (i) contribution to gross state product for
6157 the total economic development portfolio and for any investment
6158 activity occurring in the preceding state fiscal year, (ii) direct and
6159 indirect employment created by the investments for the total portfolio
6160 and for any investment activity occurring in the preceding state fiscal
6161 year, (iii) productivity of recipients of financial assistance as a result of
6162 the [department's] authority's investment occurring in the preceding
6163 state fiscal year, (iv) directly or indirectly increased property values in
6164 the municipalities in which the recipients of assistance are located, and
6165 (v) personal income.

6166 (4) An analysis of the community development portfolio of the
6167 [department] authority, including:

6168 (A) A list of the names, addresses and locations of all recipients of
6169 the [department's] authority's assistance;

6170 (B) The following information concerning each recipient of such
6171 assistance: (i) Amount of state investment, (ii) a summary of the terms
6172 and conditions for the department's assistance, including the type and
6173 amount of state financial assistance, and (iii) the amount of
6174 investments from private and other nonstate sources that have been
6175 leveraged by such assistance;

6176 (C) An investment analysis, including (i) total active portfolio value,
6177 (ii) total investments made in the preceding state fiscal year, (iii) total
6178 portfolio by municipality, (iv) total investments made in the preceding
6179 state fiscal year categorized by municipality, (v) total portfolio
6180 leverage ratio, and (vi) leverage ratio of the total investments made in
6181 the preceding state fiscal year; and

6182 (D) An analysis of the estimated economic effects of the
6183 [department's] authority's economic development investments on the
6184 state's economy, including (i) contribution to gross state product for
6185 the total portfolio and for any investment activity occurring in the
6186 preceding state fiscal year, (ii) direct and indirect employment created
6187 by the investments for the total portfolio and for any investment
6188 activity occurring in the preceding state fiscal year, (iii) productivity of
6189 recipients of financial assistance as a result of the [department's]
6190 authority's investment occurring in the preceding state fiscal year, (iv)
6191 directly or indirectly increased property values in the municipalities in
6192 which the recipients are located, and (v) personal income.

6193 (5) A summary of the [department's] authority's economic and
6194 community development marketing efforts in the preceding state fiscal
6195 year, a summary of the [department's] authority's business recruitment
6196 strategies and activities in such year, and a summary of the
6197 [department's] authority's efforts to assist small businesses and
6198 minority business enterprises in such year.

6199 (6) A summary of the [department's] authority's international trade
6200 efforts in the preceding state fiscal year, and, to the extent possible, a
6201 summary of foreign direct investment that occurred in the state in such
6202 year.

6203 (7) Identification of existing economic clusters, the formation of new
6204 economic clusters, the measures taken by the [commissioner] executive
6205 director during the preceding state fiscal year to encourage the growth
6206 of economic clusters and the amount of bond funds expended by the
6207 [department] authority during the previous fiscal year on each

6208 economic cluster.

6209 (8) (A) A summary of the [department's] authority's brownfield-
6210 related efforts and activities within the Office of Brownfield
6211 Remediation and Development established pursuant to subsections (a)
6212 to (f), inclusive, of section 32-9cc, as amended by this act, in the
6213 preceding state fiscal year, except for activity under the Special
6214 Contaminated Property Remediation and Insurance Fund program.
6215 Such efforts shall include, but not be limited to, (i) total portfolio
6216 investment in brownfield remediation projects, (ii) total investment in
6217 brownfield remediation projects in the preceding state fiscal year, (iii)
6218 total number of brownfield remediation projects, (iv) total number of
6219 brownfield remediation projects in the preceding state fiscal year, (v)
6220 total of reclaimed and remediated acreage, (vi) total of reclaimed and
6221 remediated acreage in the preceding state fiscal year, (vii) leverage
6222 ratio for the total portfolio investment in brownfield remediation
6223 projects, and (viii) leverage ratio for the total portfolio investment in
6224 brownfield remediation projects in the preceding state fiscal year. Such
6225 summary shall include a list of such brownfield remediation projects
6226 and, for each such project, the name of the developer and the location
6227 by street address and municipality and a tracking of all funds
6228 administered through or by said office;

6229 (B) A summary of the [department's] authority's efforts with regard
6230 to the Special Contaminated Property Remediation and Insurance
6231 Fund, including, but not limited to, (i) the number of applications
6232 received in the preceding state fiscal year, (ii) the number and amounts
6233 of loans made in such year, (iii) the names of the applicants for such
6234 loans, (iv) the average time period between submission of application
6235 and the decision to grant or deny the loan, (v) a list of the applications
6236 approved and the applications denied and the reasons for such
6237 denials, and (vi) for each project, the location by street address and
6238 municipality; and

6239 (C) A summary of the [department's] authority's efforts with regard
6240 to the dry cleaning grant program, established pursuant to section 12-

6241 263m, including, but not limited to, (i) information as to the number of
6242 applications received, (ii) the number and amounts of grants made
6243 since the inception of the program, (iii) the names of the applicants,
6244 (iv) the time period between submission of application and the
6245 decision to grant or deny the loan, (v) which applications were
6246 approved and which applications were denied and the reasons for any
6247 denials, and (vi) a recommendation as to whether the surcharge and
6248 grant program established pursuant to section 12-263m should
6249 continue.

6250 (9) The following information concerning enterprise zones
6251 designated under section 32-70:

6252 (A) A statement of the current goals for enterprise zones;

6253 (B) A statement of the current performance standards to measure
6254 the progress of municipalities that have enterprise zones in attaining
6255 the goals for such zones;

6256 (C) A report from each municipality that has an enterprise zone,
6257 which evaluates the progress of the municipality in meeting the
6258 performance standards established under section 32-70a; and

6259 (D) An assessment of the performance of each enterprise zone based
6260 on information collected under subparagraph (C) of this subdivision.

6261 (10) With regard to the grant program designated pursuant to
6262 sections 32-324a to 32-324e, inclusive, an assessment of program
6263 performance.

6264 (11) With regard to the fuel diversification program designated
6265 pursuant to section 32-324g, an assessment of program performance.

6266 (12) With regard to the **[**department's**]** <u>authority's</u> housing-
6267 development-related functions and activities:

6268 (A) A brief description and assessment of the state's housing market
6269 during the preceding state fiscal year, utilizing the most recent and

6270 reasonably available data, and including, but not limited to, (i) a brief
6271 description of the significant characteristics of such market, including
6272 supply, demand and condition and cost of housing, and (ii) any other
6273 information that the [commissioner] executive director deems
6274 appropriate;

6275 (B) A comprehensive assessment of current and future needs for
6276 rental assistance under section 8-119kk for housing projects for the
6277 elderly and disabled; [, in consultation with the Connecticut Housing
6278 Finance Authority;]

6279 (C) An analysis of the progress of the public and private sectors
6280 toward meeting housing needs in the state, using building permit data
6281 from the United States Census Bureau and demolition data from
6282 Connecticut municipalities;

6283 (D) A list of municipalities that meet the affordable housing criteria
6284 set forth in subsection (k) of section 8-30g, pursuant to [regulations]
6285 procedures that the [Commissioner of Economic and Community
6286 Development] executive director shall adopt [pursuant to the
6287 provisions of chapter 54] in accordance with section 1-121. For the
6288 purpose of determining the percentage required by subsection (k) of
6289 said section 8-30g, the [commissioner] executive director shall use as
6290 the denominator the number of dwelling units in the municipality, as
6291 reported in the most recent United States decennial census; and

6292 (E) A statement of the [department's] authority's housing
6293 development objectives, measures of program success and standards
6294 for granting financial and nonfinancial assistance under programs
6295 administered by said [commissioner] director.

6296 (13) A presentation of the state-funded housing development
6297 portfolio of the [department] authority, including:

6298 (A) A list of the names, addresses and locations of all recipients of
6299 such assistance; and

6300 (B) For each such recipient, (i) a summary of the terms and
6301 conditions for the assistance, including the type and amount of state
6302 financial assistance, (ii) the amount of investments from private and
6303 other nonstate sources that have been leveraged by the assistance, (iii)
6304 the number of new units to be created and the number of units to be
6305 preserved at the time of the application, and (iv) the number of actual
6306 new units created and number of units preserved.

6307 (14) An analysis of the state-funded housing development portfolio
6308 of the **[**department**]** authority, including:

6309 (A) An investment analysis, including the (i) total active portfolio
6310 value, (ii) total investment made in the preceding state fiscal year, (iii)
6311 portfolio dollar per new unit created, (iv) estimated dollars per new
6312 unit created for projects receiving an assistance award in the preceding
6313 state fiscal year, (v) portfolio dollars per unit preserved, (vi) estimated
6314 dollar per unit preserved for projects receiving an assistance award in
6315 the preceding state fiscal year, (vii) portfolio leverage ratio, and (viii)
6316 leverage ratio for housing development investments made in the
6317 preceding state fiscal year; and

6318 (B) A production and preservation analysis, including (i) the total
6319 number of units created, itemized by municipality, for the total
6320 portfolio and projects receiving an assistance award in the preceding
6321 state fiscal year, (ii) the total number of elderly units created for the
6322 total portfolio and for projects receiving an assistance award in the
6323 preceding state fiscal year, (iii) the total number of family units created
6324 for the total portfolio and for projects receiving an assistance award in
6325 the preceding state fiscal year, (iv) the total number of units preserved,
6326 itemized by municipality, for the total portfolio and projects receiving
6327 an assistance award in the preceding state fiscal year, (v) the total
6328 number of elderly units preserved for the total portfolio and for
6329 projects receiving an assistance award in the preceding state fiscal
6330 year, (vi) the total number of family units preserved for the total
6331 portfolio and for projects receiving an assistance award in the
6332 preceding state fiscal year, (vii) an analysis by income group of

6333 households served by the [department's] authority's housing
6334 construction, substantial rehabilitation, purchase and rental assistance
6335 programs, for each housing development, if applicable, and for each
6336 program, including number of households served under each program
6337 by race and data for all households, and (viii) a summary of the
6338 [department's] authority's efforts in promoting fair housing choice and
6339 racial and economic integration, including data on the racial
6340 composition of the occupants and persons on the waiting list of each
6341 housing project that is assisted under any housing program
6342 established by the general statutes or a special act or that is supervised
6343 by the [department] authority, provided no information shall be
6344 required to be disclosed by any occupant or person on a waiting list for
6345 the preparation of such summary. As used in this subparagraph,
6346 "elderly units" means dwelling units for which occupancy is restricted
6347 by age, and "family units" means dwelling units for which occupancy
6348 is not restricted by age.

6349 (15) An economic impact analysis of the [department's] authority's
6350 housing development efforts and activities, including, but not limited
6351 to:

6352 (A) The contribution of such efforts and activities to the gross state
6353 product;

6354 (B) The direct and indirect employment created by the investments
6355 for the total housing development portfolio and for any investment
6356 activity for such portfolio occurring in the preceding state fiscal year;
6357 and

6358 (C) Personal income in the state.

6359 (16) With regard to the Housing Trust Fund and Housing Trust
6360 Fund program, as those terms are defined in section 8-336m:

6361 (A) Activities for the prior fiscal year of the Housing Trust Fund and
6362 the Housing Trust Fund program; and

6363 (B) The efforts of the [department] authority to obtain private
6364 support for the Housing Trust Fund and the Housing Trust Fund
6365 program.

6366 (17) With regard to the [department's] authority's energy
6367 conservation loan program:

6368 (A) The number of loans or deferred loans made during the
6369 preceding fiscal year under each component of such program and the
6370 total amount of the loans or deferred loans made during such fiscal
6371 year under each such component;

6372 (B) A description of each step of the loan or deferred loan
6373 application and review process;

6374 (C) The location of each loan or deferred loan application intake site
6375 for such program;

6376 (D) The average time period for the processing of loan or deferred
6377 loan applications during such fiscal year; and

6378 (E) The total administrative expenses of such program for such
6379 fiscal year.

6380 (18) An assessment of the performance of the Connecticut qualified
6381 biodiesel producer incentive account grant program established
6382 pursuant to sections 32-324a to 32-324e, inclusive.

6383 (19) An assessment of the performance of the fuel diversification
6384 grant program established pursuant to section 32-324g.

6385 (20) A summary of the total social and economic impact of the
6386 [department's] authority's efforts and activities in the areas of
6387 economic, community and housing development, and an assessment
6388 of the department's performance in terms of meeting its stated goals
6389 and objectives.

6390 (21) With regard to the Connecticut Credit Consortium established

6391 pursuant to section 32-9yy, a summary of the activity of such program,
6392 including, but not limited to, the number of loans and lines of credit
6393 applied for and approved, the size of the businesses, the amount of the
6394 loans or lines of credit, and the amount repaid to date.

6395 (22) With regard to the office of the permit ombudsman, established
6396 pursuant to section 32-726:

6397 (A) The names of applicants for expedited review;

6398 (B) The date of request for expedited review;

6399 (C) The basis upon which the applicant claimed eligibility for
6400 expedited review;

6401 (D) State agencies that participated in the permit review process;

6402 (E) The dates on which the permit was granted or denied via the
6403 expedited review process or the date the applicant was determined not
6404 to be eligible for expedited review; and

6405 (F) If applicable, the reason the applicant was determined not to be
6406 eligible for the expedited review process.

6407 (b) Any annual report that is required from the **[**department**]**
6408 authority by any provision of the general statutes shall be incorporated
6409 into the annual report provided pursuant to subsection (a) of this
6410 section.

6411 Sec. 131. Section 32-23e of the general statutes is repealed and the
6412 following is substituted in lieu thereof (*Effective July 1, 2011*):

6413 To accomplish the purposes of the authority, as defined in
6414 subsection (t) of section 32-23d, which are hereby determined to be
6415 public purposes for which public funds may be expended, and in
6416 addition to any other powers provided by law, the authority shall have
6417 power to: (1) Determine the location and character of any project to be
6418 financed under the provisions of said chapters and sections, provided

6419 any financial assistance shall be approved in accordance with written
6420 procedures prepared pursuant to subdivision (14) of this section; (2)
6421 purchase, receive, by gift or otherwise, lease, exchange, or otherwise
6422 acquire, and construct, reconstruct, improve, maintain, equip and
6423 furnish one or more projects, including all real and personal property
6424 which the authority may deem necessary in connection therewith, and
6425 to enter into a contract with a person therefor upon such terms and
6426 conditions as the authority shall determine to be reasonable, including
6427 but not limited to reimbursement for the planning, designing,
6428 financing, construction, reconstruction, improvement, equipping,
6429 furnishing, operation and maintenance of the project and any claims
6430 arising therefrom and establishment and maintenance of reserve and
6431 insurance funds with respect to the financing of the project; (3) insure
6432 any or all payments to be made by the borrower under the terms of
6433 any agreement for the extension of credit or making of a loan by the
6434 authority in connection with any economic development project to be
6435 financed, wholly or in part, through the issuance of bonds or mortgage
6436 payments of any mortgage which is given by a mortgagor to the
6437 mortgagee who has provided the mortgage for an economic
6438 development project upon such terms and conditions as the authority
6439 may prescribe and as provided herein, and the faith and credit of the
6440 state are pledged thereto; (4) in connection with the insuring of
6441 payments of any mortgage, request for its guidance a finding of the
6442 municipal planning commission, or, if there is no planning
6443 commission, a finding of the municipal officers, of the municipality in
6444 which the economic development project is proposed to be located, or
6445 of the regional planning agency of which such municipality is a
6446 member, as to the expediency and advisability of the economic
6447 development project; (5) sell or lease to any person, all or any portion
6448 of a project, purchase from eligible financial institutions mortgages
6449 with respect to economic development projects, purchase or
6450 repurchase its own bonds, and sell, pledge or assign to any person any
6451 such bonds, mortgages, or other loans, notes, revenues or assets of the
6452 authority, or any interest therein, for such consideration and upon
6453 such terms as the authority may determine to be reasonable; (6)

6454 mortgage or otherwise encumber all or any portion of a project
6455 whenever it shall find such action to be in furtherance of the purposes
6456 of said chapters and sections; (7) enter into agreements with any
6457 person, including prospective mortgagees and mortgagors, for the
6458 purpose of planning, designing, constructing, acquiring, altering and
6459 financing projects, providing liquidity or a secondary market for
6460 mortgages or other financial obligations incurred with respect to
6461 facilities which would qualify as a project under this chapter,
6462 purchasing loans made by regional corporations under section 32-276,
6463 or for any other purpose in furtherance of any other power of the
6464 authority; (8) grant options to purchase or renew a lease for any of its
6465 projects on such terms as the authority may determine to be
6466 reasonable; (9) employ or retain attorneys, accountants and
6467 architectural, engineering and financial consultants and such other
6468 employees and agents and to fix their compensation and to employ the
6469 Connecticut Development Credit Corporation on a cost basis as it shall
6470 deem necessary to assist it in carrying out the purposes of said
6471 authority legislation; (10) borrow money or accept gifts, grants or loans
6472 of funds, property or service from any source, public or private, and
6473 comply, subject to the provisions of said authority legislation, with the
6474 terms and conditions thereof; (11) accept from a federal agency loans,
6475 grants or loan guarantees or otherwise participate in any loan, grant,
6476 loan guarantee or other financing or economic or project development
6477 program of a federal agency in furtherance of, and consistent with, the
6478 purposes of the authority, and enter into agreements with such agency
6479 respecting any such loans, grants, loan guarantees or federal agency
6480 programs; (12) provide tenant lease guarantees and performance
6481 guarantees, invest in, extend credit or make loans to any person for the
6482 planning, designing, financing, acquiring, constructing, reconstructing,
6483 improving, expanding, continuing in operation, equipping and
6484 furnishing of a project and for the refinancing of existing indebtedness
6485 with respect to any facility or part thereof which would qualify as a
6486 project in order to facilitate substantial improvements thereto, which
6487 guarantees, investments, credits or loans may be secured by loan
6488 agreements, lease agreements, installment sale agreements, mortgages,

6489 contracts and all other instruments or fees and charges, upon such
6490 terms and conditions as the authority shall determine to be reasonable
6491 in connection with such loans, including provision for the
6492 establishment and maintenance of reserve and insurance funds and in
6493 the exercise of powers granted in this section in connection with a
6494 project for such person, to require the inclusion in any contract, loan
6495 agreement or other instrument, such provisions for the construction,
6496 use, operation and maintenance and financing of a project as the
6497 authority may deem necessary or desirable; (13) in connection with
6498 any application for assistance under said authority legislation, or
6499 commitments therefor, to make and collect such fees and charges as
6500 the authority shall determine to be reasonable; (14) adopt procedures,
6501 in accordance with the provisions of section 1-121, to carry out the
6502 provisions of said authority legislation, which may give priority to
6503 applications for financial assistance based upon the extent the project
6504 will materially contribute to the economic base of the state by creating
6505 or retaining jobs, providing increased wages or benefits to employees,
6506 promoting the export of products or services beyond the boundaries of
6507 the state, encouraging innovation in products or services, encouraging
6508 defense-dependent business to diversify to nondefense production,
6509 promoting standards of participation adopted by the Connecticut
6510 partnership compact pursuant to section 33-374g of the general
6511 statutes, revision of 1958, revised to 1991, or will otherwise enhance
6512 existing activities that are important to the economic base of the state,
6513 provided regulation-making proceedings commenced before January
6514 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (15)
6515 adopt an official seal and alter the same at pleasure; (16) maintain an
6516 office at such place or places within the state as it may designate; (17)
6517 sue and be sued in its own name and plead and be impleaded, service
6518 of process in any action to be made by service upon the executive
6519 director of said authority either in hand or by leaving a copy of the
6520 process at the office of the authority with some person having charge
6521 thereof; (18) employ such assistants, agents and other employees as
6522 may be necessary or desirable for its purposes, which employees shall
6523 be exempt from the classified service and shall not be employees as

6524 defined in subsection (b) of section 5-270; establish all necessary or
6525 appropriate personnel practices and policies, including those relating
6526 to hiring, promotion, compensation, retirement and collective
6527 bargaining, which need not be in accordance with chapter 68 and the
6528 authority shall not be an employer as defined in subsection (a) of
6529 section 5-270; contract for and engage appraisers of industrial
6530 machinery and equipment, consultants and property management
6531 services, and utilize the services of other governmental agencies; (19)
6532 when it becomes necessary or feasible for the authority to safeguard
6533 itself from losses, acquire, purchase, manage and operate, hold and
6534 dispose of real and personal property, take assignments of rentals and
6535 leases and make and enter into all contracts, leases, agreements and
6536 arrangements necessary or incidental to the performance of its duties;
6537 (20) in order to further the purposes of said authority legislation, or to
6538 assure the payment of the principal and interest on bonds or notes of
6539 the authority or to safeguard the mortgage insurance fund, purchase,
6540 acquire and take assignments of notes, mortgages and other forms of
6541 security and evidences of indebtedness, purchase, acquire, attach,
6542 seize, accept or take title to any project by conveyance or, by
6543 foreclosure, and sell, lease or rent any project for a use specified in said
6544 chapters and sections or in this chapter; (21) adopt rules for the
6545 conduct of its business; (22) invest any funds not needed for immediate
6546 use or disbursement, including any funds held in reserve, in
6547 obligations issued or guaranteed by the United States of America or
6548 the state of Connecticut and in other obligations which are legal
6549 investments for savings banks in this state; (23) do, or delegate, any
6550 and all things necessary or convenient to carry out the purposes and to
6551 exercise the powers given and granted in said authority legislation;
6552 provided, in all matters concerning the internal administrative
6553 functions of the authority which are funded by amounts appropriated
6554 by the state to the authority, **[**or to the department,**]** the procedures of
6555 the state relating to office space, supplies, facilities, materials,
6556 equipment and professional services shall be followed, and provided
6557 further, that in the acquisition by the authority of real estate involving
6558 the use of appropriated funds or bonds supported by the full faith and

6559 credit of the state, the authority shall be subject to the provisions of
6560 section 4b-23; (24) to accept from the **[**department**]** state: (A) Financial
6561 assistance, (B) revenues or the right to receive revenues with respect to
6562 any program under the supervision of the **[**department**]** authority, and
6563 (C) loan assets or equity interests in connection with any program
6564 under the supervision of the **[**department**]** authority; to make advances
6565 to and reimburse the **[**department**]** state for any expenses incurred or
6566 to be incurred by it in the delivery of such assistance, revenues, rights,
6567 assets or amounts; to enter into agreements for the delivery of services
6568 by the authority, in consultation with **[**the department, the Connecticut
6569 Housing Finance Authority and Connecticut Innovations,
6570 Incorporated**]** state agencies, to third parties which agreements may
6571 include provisions for payment by the **[**department**]** state to the
6572 authority for the delivery of such services; and to enter into
6573 agreements with **[**the department or with the Connecticut Housing
6574 Finance Authority or Connecticut Innovations, Incorporated**]** state
6575 agencies for the sharing of assistants, agents and other consultants,
6576 professionals and employees, and facilities and other real and personal
6577 property used in the conduct of the authority's affairs; and (25) to
6578 transfer to the **[**department**]** state: (A) Financial assistance, (B)
6579 revenues or the right to receive revenues with respect to any program
6580 under the supervision of the authority, and (C) loan assets or equity
6581 interests in connection with any program under the supervision of the
6582 authority, provided the transfer of such financial assistance, revenues,
6583 rights, assets or interests is determined by the authority to be
6584 practicable, within the constraints and not inconsistent with the
6585 fiduciary obligations of the authority imposed upon or established
6586 upon the authority by any provision of the general statutes, the
6587 authority's bond resolutions or any other agreement or contract of the
6588 authority and to have no adverse effect on the tax-exempt status of any
6589 bonds of the authority or the state.

6590 Sec. 132. Section 49-31k of the general statutes is repealed and the
6591 following is substituted in lieu thereof (*Effective July 1, 2011*):

6592 As used in this section and sections 49-31*l* to 49-31o, inclusive:

6593 (1) "Mortgagor" means the owner-occupant of one-to-four family
6594 residential real property located in this state who is also the borrower
6595 under a mortgage encumbering such residential real property, which is
6596 the primary residence of such owner-occupant;

6597 (2) "Residential real property" means a one-to-four family dwelling
6598 occupied as a residence by a mortgagor;

6599 (3) "Mortgagee" means the original lender or servicer under a
6600 mortgage, or its successors or assigns, who is the holder of any
6601 mortgage on residential real property securing a loan made primarily
6602 for personal, family or household purposes that is the subject of a
6603 foreclosure action;

6604 (4) "Authority" means the Connecticut **[**Housing Finance**]** Economic
6605 Development Authority **[**created**]** established under section **[**8-244**]** 41
6606 of this act; and

6607 (5) "Mortgage assistance programs" means the mortgage assistance
6608 programs developed and implemented by the authority in accordance
6609 with sections 8-265cc to 8-265kk, inclusive, as amended by this act, 8-
6610 265rr and 8-265ss, as amended by this act.

6611 Sec. 133. Subsection (o) of section 8-252 of the general statutes is
6612 repealed and the following is substituted in lieu thereof (*Effective July*
6613 *1, 2011*):

6614 (o) The authority is authorized and empowered, from time to time,
6615 for the purposes and upon the findings set forth in section **[**8-242**]** 43 of
6616 this act, to issue bonds, notes or other obligations the interest on which
6617 may be includable under the Internal Revenue Code of 1986 or any
6618 subsequent corresponding internal revenue code of the United States,
6619 as from time to time amended, in the gross income of the holder or
6620 holders of such bonds, notes or other obligations to the same extent
6621 and in the same manner that interest on bills, bonds, notes or other
6622 obligations of the United States is includable in the gross income of the
6623 holders or holders thereof under said Internal Revenue Code; the state

6624 hereby consents to such inclusion only for the bonds, notes and other
6625 obligations of the authority authorized by this subsection. Such taxable
6626 bonds, notes or other obligations of the authority may be issued
6627 pursuant to this subsection by the authority for the purpose of
6628 financing the purchase, construction, rehabilitation or refinancing of
6629 new or existing multifamily rental developments and common interest
6630 ownership communities or land, upon a finding and determination by
6631 the board of directors, based on reasonable information, that such
6632 financing or refinancing is not readily available and that it is
6633 appropriate and in the public interest.

6634 Sec. 134. Subdivision (17) of section 8-250 of the general statutes is
6635 repealed and the following is substituted in lieu thereof (*Effective July*
6636 *1, 2011*):

6637 (17) To sue and be sued, plead and be impleaded, provided nothing
6638 in section **[**8-244 or**]** 8-253 shall be so construed as to permit an
6639 attachment of or garnishment against any of the funds or assets of the
6640 authority prior to final judgment, adopt a seal and alter the same at
6641 pleasure, and maintain an office at such place or places within the state
6642 as it may designate;

6643 Sec. 135. Section 4-5 of the general statutes is repealed and the
6644 following is substituted in lieu thereof (*Effective July 1, 2011*):

6645 As used in sections 4-6, 4-7 and 4-8, the term "department head"
6646 means Secretary of the Office of Policy and Management,
6647 Commissioner of Administrative Services, Commissioner of Revenue
6648 Services, Banking Commissioner, Commissioner of Children and
6649 Families, Commissioner of Consumer Protection, Commissioner of
6650 Correction, **[**Commissioner of Economic and Community
6651 Development,**]** State Board of Education, Commissioner of Emergency
6652 Management and Homeland Security, Commissioner of
6653 Environmental Protection, Commissioner of Agriculture,
6654 Commissioner of Public Health, Insurance Commissioner, Labor
6655 Commissioner, Liquor Control Commission, Commissioner of Mental

6656 Health and Addiction Services, Commissioner of Public Safety,
6657 Commissioner of Social Services, Commissioner of Developmental
6658 Services, Commissioner of Motor Vehicles, Commissioner of
6659 Transportation, Commissioner of Public Works, Commissioner of
6660 Veterans' Affairs, Chief Information Officer, the chairperson of the
6661 Public Utilities Control Authority, the executive director of the Board
6662 of Education and Services for the Blind, the executive director of the
6663 Connecticut Commission on Culture and Tourism, and the executive
6664 director of the Office of Military Affairs. As used in sections 4-6 and 4-
6665 7, "department head" also means the Commissioner of Education.

6666 Sec. 136. Section 4-38c of the general statutes is repealed and the
6667 following is substituted in lieu thereof (*Effective July 1, 2011*):

6668 There shall be within the executive branch of state government the
6669 following departments: Office of Policy and Management, Department
6670 of Administrative Services, Department of Revenue Services,
6671 Department of Banking, Department of Agriculture, Department of
6672 Children and Families, Department of Consumer Protection,
6673 Department of Correction, **[**Department of Economic and Community
6674 Development,**]** State Board of Education, Department of Emergency
6675 Management and Homeland Security, Department of Environmental
6676 Protection, Department of Public Health, Board of Governors of
6677 Higher Education, Insurance Department, Labor Department,
6678 Department of Mental Health and Addiction Services, Department of
6679 Developmental Services, Department of Public Safety, Department of
6680 Social Services, Department of Transportation, Department of Motor
6681 Vehicles, Department of Veterans' Affairs, Department of Public
6682 Works and Department of Public Utility Control.

6683 Sec. 137. Section 4-66c of the general statutes is repealed and the
6684 following is substituted in lieu thereof (*Effective July 1, 2011*):

6685 (a) For the purposes of subsection (b) of this section, the State Bond
6686 Commission shall have power, from time to time to authorize the
6687 issuance of bonds of the state in one or more series and in principal

6688 amounts not exceeding in the aggregate one billion one hundred fifty-
6689 nine million four hundred eighty-seven thousand five hundred forty-
6690 four dollars. All provisions of section 3-20, or the exercise of any right
6691 or power granted thereby, which are not inconsistent with the
6692 provisions of this section, are hereby adopted and shall apply to all
6693 bonds authorized by the State Bond Commission pursuant to this
6694 section, and temporary notes in anticipation of the money to be
6695 derived from the sale of any such bonds so authorized may be issued
6696 in accordance with said section 3-20 and from time to time renewed.
6697 Such bonds shall mature at such time or times not exceeding twenty
6698 years from their respective dates as may be provided in or pursuant to
6699 the resolution or resolutions of the State Bond Commission authorizing
6700 such bonds. None of said bonds shall be authorized except upon a
6701 finding by the State Bond Commission that there has been filed with it
6702 a request for such authorization, which is signed by or on behalf of the
6703 Secretary of the Office of Policy and Management and states such
6704 terms and conditions as said commission in its discretion may require.
6705 Said bonds issued pursuant to this section shall be general obligations
6706 of the state and the full faith and credit of the state of Connecticut are
6707 pledged for the payment of the principal of and interest on said bonds
6708 as the same become due, and accordingly as part of the contract of the
6709 state with the holders of said bonds, appropriation of all amounts
6710 necessary for punctual payment of such principal and interest is
6711 hereby made, and the Treasurer shall pay such principal and interest
6712 as the same become due.

6713 (b) (1) The proceeds of the sale of said bonds, to the extent
6714 hereinafter stated, shall be used, subject to the provisions of
6715 subsections (c) and (d) of this section, for the purpose of redirecting,
6716 improving and expanding state activities which promote community
6717 conservation and development and improve the quality of life for
6718 urban residents of the state as hereinafter stated: (A) For the
6719 **[**Department of Economic and Community Development**]** Connecticut
6720 Economic Development Authority: Economic and community
6721 development projects, including administrative costs incurred by the

6722 [Department of Economic and Community Development] Connecticut
6723 Economic Development Authority, not exceeding sixty-seven million
6724 five hundred ninety-one thousand six hundred forty-two dollars, one
6725 million dollars of which shall be used for a grant to the development
6726 center program and the nonprofit business consortium deployment
6727 center approved pursuant to section 32-411; (B) for the Department of
6728 Transportation: Urban mass transit, not exceeding two million dollars;
6729 (C) for the Department of Environmental Protection: Recreation
6730 development and solid waste disposal projects, not exceeding one
6731 million nine hundred ninety-five thousand nine hundred two dollars;
6732 (D) for the Department of Social Services: Child day care projects,
6733 elderly centers, shelter facilities for victims of domestic violence,
6734 emergency shelters and related facilities for the homeless,
6735 multipurpose human resource centers and food distribution facilities,
6736 not exceeding thirty-nine million one hundred thousand dollars,
6737 provided four million dollars of said authorization shall be effective
6738 July 1, 1994; (E) for the [Department of Economic and Community
6739 Development] Connecticut Economic Development Authority:
6740 Housing projects, not exceeding three million dollars; (F) for the Office
6741 of Policy and Management: (i) Grants-in-aid to municipalities for a
6742 pilot demonstration program to leverage private contributions for
6743 redevelopment of designated historic preservation areas, not
6744 exceeding one million dollars; (ii) grants-in-aid for urban development
6745 projects including economic and community development,
6746 transportation, environmental protection, public safety, children and
6747 families and social services projects and programs, including, in the
6748 case of economic and community development projects administered
6749 on behalf of the Office of Policy and Management by the [Department
6750 of Economic and Community Development] Connecticut Economic
6751 Development Authority, administrative costs incurred by the
6752 [Department of Economic and Community Development] Connecticut
6753 Economic Development Authority, not exceeding one billion forty-four
6754 million eight hundred thousand dollars.

6755 (2) (A) Five million dollars of the grants-in-aid authorized in

6756 subparagraph (F)(ii) of subdivision (1) of this subsection may be made
6757 available to private nonprofit organizations for the purposes described
6758 in said subparagraph (F)(ii). (B) Twelve million dollars of the grants-in-
6759 aid authorized in subparagraph (F)(ii) of subdivision (1) of this
6760 subsection may be made available for necessary renovations and
6761 improvements of libraries. (C) Five million dollars of the grants-in-aid
6762 authorized in subparagraph (F)(ii) of subdivision (1) of this subsection
6763 shall be made available for small business gap financing. (D) Ten
6764 million dollars of the grants-in-aid authorized in subparagraph (F)(ii)
6765 of subdivision (1) of this subsection may be made available for regional
6766 economic development revolving loan funds. (E) One million four
6767 hundred thousand dollars of the grants-in-aid authorized in
6768 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
6769 available for rehabilitation and renovation of the Black Rock Library in
6770 Bridgeport. (F) Two million five hundred thousand dollars of the
6771 grants-in-aid authorized in subparagraph (F)(ii) of subdivision (1) of
6772 this subsection shall be made available for site acquisition, renovation
6773 and rehabilitation for the Institute for the Hispanic Family in Hartford.
6774 (G) Three million dollars of the grants-in-aid authorized in
6775 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
6776 available for the acquisition of land and the development of
6777 commercial or retail property in New Haven. (H) Seven hundred fifty
6778 thousand dollars of the grants-in-aid authorized in subparagraph
6779 (F)(ii) of subdivision (1) of this subsection shall be made available for
6780 repairs and replacement of the fishing pier at Cummings Park in
6781 Stamford.

6782 (c) Any proceeds from the sale of bonds authorized pursuant to
6783 subsections (a) and (b) of this section or of temporary notes issued in
6784 anticipation of the moneys to be derived from the sale of such bonds
6785 may be used to fund grants-in-aid to municipalities or the grant-in-aid
6786 programs of said departments <u>or authority</u>, including, but not limited
6787 to, financial assistance and expenses authorized under chapters 128,
6788 129, 130, 133, 136 and 298, and section 16a-40a, provided any such
6789 program shall be implemented in an eligible municipality or is for

6790 projects in other municipalities which the State Bond Commission
6791 determines will help to meet the goals set forth in section 4-66b. For the
6792 purposes of this section, "eligible municipality" means a municipality
6793 which is economically distressed within the meaning of subsection (b)
6794 of section 32-9p, which is classified as an urban center in any plan
6795 adopted by the General Assembly pursuant to section 16a-30, which is
6796 classified as a public investment community within the meaning of
6797 subdivision (9) of subsection (a) of section 7-545, or in which the State
6798 Bond Commission determines that the project in question will help
6799 meet the goals set forth in section 4-66b. Notwithstanding the
6800 provisions of this subsection, proceeds from the sale of bonds pursuant
6801 to this section may, with the approval of the State Bond Commission,
6802 be used for transit-oriented development projects, as defined in section
6803 13b-79o, in any municipality.

6804 (d) Any economic development project eligible for assistance under
6805 this section may include but not be limited to: (1) The construction or
6806 rehabilitation of commercial, industrial and mixed use structures; and
6807 (2) the construction, reconstruction or repair of roads, accessways and
6808 other site improvements. The **[**state, acting by and in the discretion of
6809 the Commissioner of Economic and Community Development,**]**
6810 executive director of the Connecticut Economic Development
6811 Authority may enter into a contract for state financial assistance for
6812 any eligible economic or community development project in the form
6813 of a grant-in-aid. Any grant-in-aid shall be in an amount not in excess
6814 of the cost of the project for which the grant is made as determined and
6815 approved by the **[**Commissioner of Economic and Community
6816 Development**]** executive director. Before entering into a grant-in-aid
6817 contract the **[**Commissioner of Economic and Community
6818 Development**]** executive director of the Connecticut Economic
6819 Development Authority shall have approved an application submitted
6820 on forms provided by the **[**commissioner**]** executive director. No
6821 project shall be undertaken until the **[**Commissioner of Economic and
6822 Community Development**]** executive director of the Connecticut
6823 Economic Development Authority approves the plans, specifications

6824 and estimated costs. The [commissioner] executive director may adopt
6825 such [regulations] procedures, in accordance with [chapter 54] section
6826 1-121, as are necessary for the implementation of this section.

6827 (e) Notwithstanding any provision of the general statutes to the
6828 contrary, whenever the [Department of Economic and Community
6829 Development] Connecticut Economic Development Authority or the
6830 Office of Policy and Management is authorized by the general statutes
6831 to assess, collect or fund administrative expenses or service charges or
6832 otherwise recover costs or expenses incurred by the state in carrying
6833 out the provisions of any economic or community development project
6834 or program administered by the [Department of Economic and
6835 Community Development] Connecticut Economic Development
6836 Authority, except in the case of administrative oversight charges
6837 described in section 8-37tt amounts so assessed, collected or funded by
6838 the state may be used to pay any administrative expenses of the
6839 [Department of Economic and Community Development] Connecticut
6840 Economic Development Authority and shall not be required to be used
6841 to pay expenses related to a particular project or program.

6842 Sec. 138. Subsection (a) of section 4-67r of the general statutes is
6843 repealed and the following is substituted in lieu thereof (*Effective July*
6844 *1, 2011*):

6845 (a) There is created a Connecticut Progress Council. The council
6846 shall consist of the following members: The Lieutenant Governor, the
6847 Secretary of the Office of Policy and Management, the Commissioners
6848 of Social Services, Transportation [,] and Education; [and Economic
6849 and Community Development;] the president pro tempore of the
6850 Senate, the speaker of the House of Representatives, the minority
6851 leader of the Senate, the minority leader of the House of
6852 Representatives, the majority leader of the Senate and the majority
6853 leader of the House of Representatives, or their designees; the
6854 chairpersons and ranking members of the joint standing committee of
6855 the General Assembly having cognizance of matters relating to
6856 planning and development; a representative of a nonprofit municipal

6857 research organization, a representative of a state-sponsored economic
6858 advisory body, a representative of a major labor organization, a
6859 representative of a manufacturing concern, a representative of a
6860 service-related business and a representative of a financial service
6861 company, one appointed by the president pro tempore of the Senate,
6862 one by the speaker of the House of Representatives, one by the
6863 majority leader of the Senate, one by the majority leader of the House
6864 of Representatives, one by the minority leader of the Senate and one by
6865 the minority leader of the House of Representatives and six members
6866 appointed by the Governor, one representing medical services, one a
6867 major public or private university, one a major nonprofit organization,
6868 one a state employees' bargaining unit, one an environmental
6869 organization and one a business research organization. The first
6870 meeting of the council shall be called on or before November 1, 1993,
6871 by the Secretary of the Office of Policy and Management. The council
6872 shall elect a chairman from its members at the first meeting.

6873 Sec. 139. Subsection (a) of section 4-67x of the general statutes is
6874 repealed and the following is substituted in lieu thereof (*Effective July*
6875 *1, 2011*):

6876 (a) There shall be a Child Poverty and Prevention Council consisting
6877 of the following members or their designees: The Secretary of the
6878 Office of Policy and Management, the president pro tempore of the
6879 Senate, the speaker of the House of Representatives, the minority
6880 leader of the Senate and the minority leader of the House of
6881 Representatives, the Commissioners of Children and Families, Social
6882 Services, Correction, Developmental Services, Mental Health and
6883 Addiction Services, Transportation, Public Health **[**,**]** and Education,
6884 **[**and Economic and Community Development,**]** the Labor
6885 Commissioner, the Chief Court Administrator, the chairperson of the
6886 Board of Governors of Higher Education, the Child Advocate, the
6887 chairperson of the Children's Trust Fund Council and the executive
6888 directors of the Commission on Children and the Commission on
6889 Human Rights and Opportunities. The Secretary of the Office of Policy
6890 and Management, or the secretary's designee, shall be the chairperson

6891 of the council. The council shall (1) develop and promote the
6892 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
6893 number of children living in poverty in the state by fifty per cent, and
6894 (2) within available appropriations, establish prevention goals and
6895 recommendations and measure prevention service outcomes in
6896 accordance with this section in order to promote the health and well-
6897 being of children and families.

6898 Sec. 140. Subsection (a) of section 4-124z of the general statutes is
6899 repealed and the following is substituted in lieu thereof (*Effective July*
6900 *1, 2011*):

6901 (a) The Office of Workforce Competitiveness, the Labor
6902 Commissioner, the Commissioners of **[**Economic and Community
6903 Development,**]** Education and Social Services, the Secretary of the
6904 Office of Policy and Management and the Chancellor of the regional
6905 community-technical colleges, in consultation with the superintendent
6906 of the vocational-technical school system and one member of industry
6907 representing each of the economic clusters identified by the
6908 **[**Commissioner of Economic and Community Development**]** executive
6909 director of the Connecticut Economic Development Authority
6910 pursuant to section 32-1m, as amended by this act, shall (1) review,
6911 evaluate and, as necessary, recommend improvements for certification
6912 and degree programs offered by the vocational-technical school system
6913 and the community-technical college system to ensure that such
6914 programs meet the employment needs of business and industry, and
6915 (2) develop strategies to strengthen the linkage between skill standards
6916 for education and training and the employment needs of business and
6917 industry.

6918 Sec. 141. Subsection (b) of section 4-124ff of the general statutes is
6919 repealed and the following is substituted in lieu thereof (*Effective July*
6920 *1, 2011*):

6921 (b) There is established a Council of Advisors on Strategies for the
6922 Knowledge Economy to promote the formation of university-industry

6923 partnerships, identify benchmarks for technology-based workforce
6924 innovation and competitiveness and advise the award process (1) for
6925 innovation challenge grants to public postsecondary schools and their
6926 business partners, and (2) grants under section 4-124hh. The council
6927 shall be chaired by the director of the Office of Workforce
6928 Competitiveness and shall include the Secretary of the Office of Policy
6929 and Management, the **[**Commissioners of Economic and Community
6930 Development and**]** Commissioner of Higher Education, the Labor
6931 Commissioner, the executive **[**directors**]** director of **[**Connecticut
6932 Innovations, Incorporated and**]** the Connecticut Economic
6933 Development Authority and four representatives from the technology
6934 industry, one of whom shall be appointed by the president pro
6935 tempore of the Senate, one of whom shall be appointed by the speaker
6936 of the House of Representatives, one of whom shall be appointed by
6937 the minority leader of the Senate and one of whom shall be appointed
6938 by the minority leader of the House of Representatives.

6939 Sec. 142. Subsection (a) of section 4-124uu of the general statutes is
6940 repealed and the following is substituted in lieu thereof (*Effective July*
6941 *1, 2011*):

6942 (a) The Office of Workforce Competitiveness, in consultation with
6943 the Labor Commissioner, the **[**Commissioners**]** Commissioner of
6944 Education **[**and Economic and Community Development,**]** and the
6945 Connecticut Commission on Culture and Tourism, shall establish a
6946 program that is designed to develop a trained workforce for the film
6947 industry in the state. Such program shall have three components: (1)
6948 An unpaid intern training program for high school and college
6949 students; (2) a production assistant training program open to any state
6950 resident; and (3) a workforce training program that would include
6951 classroom training, on-set training and a mentor program.

6952 Sec. 143. Subsection (c) of section 4-168a of the general statutes is
6953 repealed and the following is substituted in lieu thereof (*Effective July*
6954 *1, 2011*):

6955 (c) Prior to the adoption of any proposed regulation that may have
6956 an adverse impact on small businesses, each agency shall notify the
6957 **[**Department of Economic and Community Development**]** Connecticut
6958 Economic Development Authority and the joint standing committee of
6959 the General Assembly having cognizance of matters relating to
6960 commerce of its intent to adopt the proposed regulation. Said
6961 **[**department**]** authority and committee shall advise and assist agencies
6962 in complying with the provisions of this section.

6963 Sec. 144. Subsection (a) of section 4d-90 of the general statutes is
6964 repealed and the following is substituted in lieu thereof (*Effective July*
6965 *1, 2011*):

6966 (a) There is established a Geospatial Information Systems Council
6967 consisting of the following members, or their designees: (1) The
6968 Secretary of the Office of Policy and Management; (2) the
6969 Commissioners of Environmental Protection, **[**Economic and
6970 Community Development,**]** Transportation, Public Safety, Public
6971 Health, Public Works, Agriculture, Emergency Management and
6972 Homeland Security and Social Services; (3) the Chief Information
6973 Officer of the Department of Information Technology; (4) the
6974 Chancellor of the Connecticut State University System; (5) the
6975 president of The University of Connecticut; (6) the Executive Director
6976 of the Connecticut Siting Council; (7) one member who is a user of
6977 geospatial information systems appointed by the president pro
6978 tempore of the Senate representing a municipality with a population of
6979 more than sixty thousand; (8) one member who is a user of geospatial
6980 information systems appointed by the minority leader of the Senate
6981 representing a regional planning agency; (9) one member who is a user
6982 of geospatial information systems appointed by the Governor
6983 representing a municipality with a population of less than sixty
6984 thousand but more than thirty thousand; (10) one member who is a
6985 user of geospatial information systems appointed by the speaker of the
6986 House of Representatives representing a municipality with a
6987 population of less than thirty thousand; (11) one member appointed by
6988 the minority leader of the House of Representatives who is a user of

6989 geospatial information systems; (12) the chairperson of the Public
6990 Utilities Control Authority; (13) the Adjutant General of the Military
6991 Department; and (14) any other persons the council deems necessary
6992 appointed by the council. The Governor shall select the chairperson
6993 from among the members. The chairperson shall administer the affairs
6994 of the council. Vacancies shall be filled by appointment by the
6995 authority making the appointment. Members shall receive no
6996 compensation for their services on said council, but shall be
6997 reimbursed for necessary expenses incurred in the performance of
6998 their duties. Said council shall hold one meeting each calendar quarter
6999 and such additional meetings as may be prescribed by council rules. In
7000 addition, special meetings may be called by the chairperson or by any
7001 three members upon delivery of forty-eight hours written notice to
7002 each member.

7003 Sec. 145. Section 7-136e of the general statutes is repealed and the
7004 following is substituted in lieu thereof (*Effective July 1, 2011*):

7005 (a) A municipality which, pursuant to section 7-136d, has
7006 authorized the establishment of a foreign trade zone, shall submit a
7007 copy of the application for the privilege of operating such foreign trade
7008 zone to the regional planning agency for the area of operation within
7009 which such municipality is located and the Departments of **[**Economic
7010 and Community Development,**]** Environmental Protection and
7011 Transportation for their comments on the advisability of establishment
7012 of such zone. Such comments shall be prepared within ninety days of
7013 receipt of the application from the municipality.

7014 (b) The Departments of **[**Economic and Community Development,**]**
7015 Environmental Protection and Transportation shall submit their
7016 advisory comments to the municipality and to the board established by
7017 said federal Foreign-Trade Zones Act.

7018 Sec. 146. Section 7-136f of the general statutes is repealed and the
7019 following is substituted in lieu thereof (*Effective July 1, 2011*):

7020 Upon compliance with the provisions of sections 7-136d and 7-136e,

7021 as amended by this act, and after receipt of the advisory comments
7022 prepared by the Departments of [Economic and Community
7023 Development,] Environmental Protection and Transportation, a
7024 municipality may apply to the board, established by said federal
7025 Foreign-Trade Zones Act for a grant of the privilege of establishing,
7026 operating and maintaining a foreign trade zone.

7027 Sec. 147. Section 8-13x of the general statutes is repealed and the
7028 following is substituted in lieu thereof (*Effective July 1, 2011*):

7029 [Within available appropriations, the Commissioner of Economic
7030 and Community Development] The executive director of the
7031 Connecticut Economic Development Authority, in consultation with
7032 the Secretary of the Office of Policy and Management, may make
7033 grants to nonprofit housing assistance or nonprofit housing
7034 development organizations in order to support technical assistance
7035 planning, predevelopment, development, construction and
7036 management of housing developments. The [commissioner] executive
7037 director may adopt [regulations] procedures, in accordance with the
7038 provisions of [chapter 54] section 1-121, to implement the provisions of
7039 this section.

7040 Sec. 148. Subdivision (2) of subsection (a) of section 8-23 of the
7041 general statutes is repealed and the following is substituted in lieu
7042 thereof (*Effective July 1, 2011*):

7043 (2) If a plan is not amended decennially, the chief elected official of
7044 the municipality shall submit a letter to the Secretary of the Office of
7045 Policy and Management and the Commissioners of Transportation [,]
7046 and Environmental Protection [and Economic and Community
7047 Development] that explains why such plan was not amended. A copy
7048 of such letter shall be included in each application by the municipality
7049 for discretionary state funding submitted to any state agency.

7050 Sec. 149. Section 8-37z of the general statutes is repealed and the
7051 following is substituted in lieu thereof (*Effective July 1, 2011*):

7052 **[**(a)**]** The **[**Commissioner of Economic and Community
7053 Development**]** executive director of the Connecticut Economic
7054 Development Authority shall ensure that the involuntary displacement
7055 of persons and families residing in any single-family or multifamily
7056 dwelling, which displacement occurs in connection with any housing
7057 or community development project or economic development project
7058 receiving state financial assistance under any program administered
7059 by the **[**commissioner**]** executive director under the general statutes, is
7060 reduced to the minimum level consistent with achieving the objectives
7061 of such program. The **[**commissioner**]** executive director shall require,
7062 as a condition of any contract for state financial assistance under the
7063 provisions of any such program, that the project for which such
7064 financial assistance is provided (1) will not cause the temporary or
7065 permanent displacement of persons and families residing in any
7066 single-family or multifamily dwelling, or (2) will cause only the
7067 minimum level of such displacement which cannot be avoided due to
7068 the nature of the project. The **[**commissioner**]** executive director shall
7069 ensure that all steps necessary to provide any relocation assistance
7070 available under chapter 135 to persons and families unavoidably
7071 displaced as a result of any state assisted housing or community
7072 development project or economic development project have been
7073 taken before granting final approval of any financial assistance for
7074 such project.

7075 **[**(b) The Commissioner of Economic and Community Development
7076 shall adopt regulations, in accordance with the provisions of chapter
7077 54, to carry out the purposes of this section.**]**

7078 Sec. 150. Section 8-37yy of the general statutes is repealed and the
7079 following is substituted in lieu thereof (*Effective July 1, 2011*):

7080 (a) The **[**Department of Economic and Community Development**]**
7081 Connecticut Economic Development Authority shall, in consultation
7082 with the State-Assisted Housing Sustainability Advisory Committee,
7083 established pursuant to section 8-37zz, as amended by this act,
7084 establish and maintain the State-Assisted Housing Sustainability Fund

7085 for the purpose of the preservation of eligible housing. The moneys of
7086 the fund shall be available to the [department] authority to provide
7087 financial assistance to the owners of eligible housing for the
7088 maintenance, repair, rehabilitation, and modernization of eligible
7089 housing and for other activities consistent with preservation of eligible
7090 housing, including, but not limited to, (1) emergency repairs to abate
7091 actual or imminent emergency conditions that would result in the loss
7092 of habitable housing units, (2) major system repairs or upgrades,
7093 including, but not limited to, repairs or upgrades to roofs, windows,
7094 mechanical systems and security, (3) reduction of vacant units, (4)
7095 remediation or abatement of hazardous materials, including lead, (5)
7096 increases in development mobility and sensory impaired accessibility
7097 in units, common areas and accessible routes, (6) relocation costs and
7098 alternative housing for not more than sixty days, necessary because of
7099 the failure of a major building system, and (7) a comprehensive
7100 physical needs assessment. Financial assistance shall be awarded to
7101 applicants consistent with standards and criteria adopted in
7102 consultation with the recommendations of the State-Assisted Housing
7103 Sustainability Advisory Committee.

7104 (b) [In each of the fiscal years ending June 30, 2008, and June 30,
7105 2009, the department may expend not more than seven hundred fifty
7106 thousand dollars from the fund for reasonable administrative costs
7107 related to the operation of the fund, including the expenses of the
7108 State-Assisted Housing Sustainability Advisory Committee, the
7109 development of analytic tools and research concerning the capital and
7110 operating needs of eligible housing for the purpose of advising the
7111 General Assembly on policy regarding eligible housing and the study
7112 required by section 107 of public act 07-4 of the June special session.
7113 Thereafter,] On and after July 1, 2011, the [department] authority shall
7114 prepare an administrative budget which shall be effective upon the
7115 approval of [said committee] the State-Assisted Housing Sustainability
7116 Advisory Committee.

7117 (c) [(1)] The [department] authority shall adopt [regulations] written
7118 procedures, in accordance with [chapter 54] section 1-121, to

7119 implement the provisions of this section and sections 8-37xx, 8-37zz, as
7120 amended by this act, and 8-37aaa. Such [regulations] procedures shall
7121 establish (A) guidelines for grants and loans, and (B) a process for
7122 certifying an emergency condition in not more than forty-eight hours
7123 and for committing emergency funds, including costs of resident
7124 relocation, if necessary, not more than five business days after
7125 application by the owner of eligible housing for emergency repair
7126 financial assistance. The guidelines under subparagraph (A) of this
7127 subdivision shall provide for deferred payment of principal and
7128 interest upon approval of the committee.

7129 [(2) The department shall adopt written policies and procedures to
7130 implement such provisions while in the process of adopting such
7131 policies and procedures in regulation form, and the commissioner shall
7132 print a notice of intention to adopt the regulations in the Connecticut
7133 Law Journal not later than twenty days prior to implementing such
7134 policies and procedures. The department shall submit final regulations
7135 to implement said sections to the legislative regulation review
7136 committee not later than October 1, 2009. Policies and procedures
7137 implemented pursuant to this subdivision shall be valid until the time
7138 final regulations are effective.]

7139 (d) In reviewing applications and providing financial assistance
7140 under this section, the [department] authority, in consultation with the
7141 State-Assisted Housing Sustainability Advisory Committee, shall
7142 consider the long term viability of the eligible housing and the
7143 likelihood that financial assistance will assure such long term viability.
7144 As used in this section, "viability" includes, but is not limited to,
7145 continuous habitability and adequate operating cash flow to maintain
7146 the existing physical plant and any capital improvements and to
7147 provide basic services required under the lease and otherwise required
7148 by local codes and ordinances.

7149 (e) On or before February 1, 2009, and annually thereafter, the
7150 [department] authority, in consultation with the State-Assisted
7151 Housing Sustainability Advisory Committee, shall submit a report on

7152 the operation of the fund, for the previous calendar year, to the
7153 General Assembly, in accordance with section 11-4a. The report shall
7154 include an analysis of the distribution of funds and an evaluation of
7155 the performance of said fund and may include recommendations for
7156 modification to the program.

7157 Sec. 151. Subsection (b) of section 8-37zz of the general statutes is
7158 repealed and the following is substituted in lieu thereof (*Effective July*
7159 *1, 2011*):

7160 (b) The committee shall meet at least quarterly and shall advise the
7161 **[**Commissioner of Economic and Community Development and the
7162 Connecticut Housing Finance**]** Connecticut Economic Development
7163 Authority on the administration, management, procedures and
7164 objectives of the financial assistance provided pursuant to section 8-
7165 37yy, as amended by this act, including, but not limited to, the
7166 establishment of criteria, priorities and procedures for such financial
7167 assistance and the adoption of regulations pursuant to section 8-37yy,
7168 as amended by this act.

7169 Sec. 152. Section 8-37mmm of the general statutes is repealed and
7170 the following is substituted in lieu thereof (*Effective July 1, 2011*):

7171 (a) For purposes of this section, "visitable housing" means one-to-
7172 four family residential construction that includes three basic
7173 architectural features to allow persons with disabilities to easily visit:
7174 (1) Interior doorways that provide a minimum thirty-two inch wide
7175 unobstructed opening, (2) an accessible means of egress, as defined in
7176 Appendix A to 28 CFR Part 36, and (3) a full or half bathroom on the
7177 first floor that is compliant with the provisions of the Americans with
7178 Disabilities Act of 1990, as amended, 42 USC 12101.

7179 (b) The **[**Department of Economic and Community Development, in
7180 consultation with the Connecticut Housing Finance Authority,**]**
7181 Connecticut Economic Development Authority may establish a
7182 program to encourage the development of visitable housing in the
7183 state. The program shall (1) provide a single point of contact for any

7184 person seeking financial or technical assistance from the state to
7185 construct visitable housing, (2) identify financial incentives for
7186 developers who construct visitable housing, and (3) include public
7187 education about such housing. The [department] authority shall
7188 submit a report on the status of the program, in accordance with
7189 section 11-4a, to the joint standing committee of the General Assembly
7190 having cognizance of matters relating to housing not later than
7191 October 1, 2012.

7192 (c) The [Department of Economic and Community Development]
7193 Connecticut Economic Development Authority shall establish, within
7194 available appropriations, an informational web page in a conspicuous
7195 place on such [department's] authority's Internet web site with a list of
7196 links to available visitable housing resources.

7197 Sec. 153. Section 8-119m of the general statutes is repealed and the
7198 following is substituted in lieu thereof (*Effective July 1, 2011*):

7199 (a) The [Commissioner of Economic and Community Development]
7200 executive director of the Connecticut Economic Development
7201 Authority and the Commissioner of Social Services shall establish a
7202 joint pilot program to provide for the development and operation of
7203 congregate housing and congregate housing projects, as defined in
7204 section 8-119e, in which, at a minimum, (1) residents pay no more than
7205 sixty per cent of their income to live and receive meals in such
7206 housing, (2) residents receive three meals per day and (3) such housing
7207 contains a single kitchen facility and a central dining area. The
7208 [commissioners] executive director and commissioner may provide
7209 technical assistance and the [Commissioner of Economic and
7210 Community Development] executive director may provide financial
7211 assistance in the form of grants-in-aid or loans for such development
7212 and operation under the program. Any grant-in-aid or loan shall be
7213 awarded in accordance with such terms and conditions as the
7214 [Commissioner of Economic and Community Development] executive
7215 director may prescribe. The pilot program shall provide such
7216 assistance for no more than two congregate housing projects located in

7217 different municipalities.

7218 (b) The Commissioner of **[**Economic and Community Development**]**
7219 Social Services, in consultation with the **[**Commissioner of Social
7220 Services**]** executive director, shall adopt regulations, in accordance
7221 with the provisions of chapter 54, to carry out the purposes of this
7222 section. The regulations shall establish the criteria for awarding grants-
7223 in-aid and loans authorized under this section, and the terms and
7224 conditions of such grants and loans.

7225 Sec. 154. Section 8-273 of the general statutes is repealed and the
7226 following is substituted in lieu thereof (*Effective July 1, 2011*):

7227 (a) In order to promote uniform and effective administration of
7228 relocation assistance and land acquisition of state agencies, the
7229 Commissioner of Transportation and **[**Commissioner of Economic and
7230 Community Development**]** executive director of the Connecticut
7231 Economic Development Authority shall consult together on the
7232 establishment of regulations and procedures for the implementation of
7233 such projects and programs.

7234 (b) The Commissioner of Transportation is authorized to establish
7235 for transportation projects such regulations and the **[**Commissioner of
7236 Economic and Community Development**]** executive director of the
7237 Connecticut Economic Development Authority for all other state
7238 agency programs and projects such **[**regulations and**]** procedures as
7239 each may determine to be necessary to assure (1) that the payments
7240 and assistance authorized by this chapter shall be administered in a
7241 manner which is fair and reasonable, and as uniform as practicable; (2)
7242 that a displaced person who makes proper application for a payment
7243 authorized for such person by this chapter shall be paid promptly after
7244 a move or, in hardship cases, be paid in advance; and (3) that any
7245 person aggrieved by a determination as to eligibility for a payment
7246 authorized by this chapter, or the amount of a payment, may have his
7247 application reviewed by the Commissioner of Transportation for
7248 transportation projects and by the **[**Commissioner of Economic and

7249 Community Development] executive director of the Connecticut
7250 Economic Development Authority for any other state agency program
7251 or project.

7252 (c) The Commissioner of Transportation is authorized to establish
7253 for transportation projects such other regulations and procedures and
7254 the [Commissioner of Economic and Community Development]
7255 executive director of the Connecticut Economic Development
7256 Authority such other procedures for all other state agency programs
7257 and projects, [such other regulations and procedures,] consistent with
7258 the provisions of this chapter, as each deems necessary or appropriate
7259 to carry out this chapter.

7260 Sec. 155. Section 8-401 of the general statutes is repealed and the
7261 following is substituted in lieu thereof (*Effective July 1, 2011*):

7262 Upon preliminary approval by the State Bond Commission
7263 pursuant to the provisions of section 3-20, the state, acting by and
7264 through the [Commissioner of Economic and Community
7265 Development] executive director of the Connecticut Economic
7266 Development Authority, may [enter into a contract with the authority
7267 to] provide for state financial assistance in the form of grants-in-aid or
7268 deferred loans to housing projects financed by the authority through
7269 the means of a loan secured by a first mortgage; provided, any such
7270 financial assistance to be funded with proceeds of bonds authorized by
7271 public or special acts effective on or after July 1, 1995, shall be
7272 provided as set forth in this section. Commencing October 1, 1995,
7273 upon preliminary approval of the State Bond Commission pursuant to
7274 the provisions of section 3-20, the state, acting by and through the
7275 [department] authority may [provide a grant-in-aid to the authority for
7276 purposes of permitting the authority to] extend state financial
7277 assistance to a developer or mortgagor of the authority in the form of
7278 grants-in-aid or deferred loans to housing projects financed by the
7279 authority through means of a loan secured by a first mortgage. Such
7280 grants or deferred loans made to a developer under this section shall
7281 be for construction or rehabilitation of developments containing rental

7282 units. The total amount of such grants or deferred loans awarded to a
7283 single project shall not exceed an amount equal to one-half of the cost
7284 of the project divided by the number of rental units in the project
7285 multiplied by the number of low-income units in the project. The total
7286 number of low-income units in any project receiving financial
7287 assistance under this section shall be not less than twenty per cent and,
7288 for projects receiving assistance prior to October 1, 1995, and for
7289 projects receiving assistance from the proceeds of bonds authorized by
7290 public or special acts effective prior to July 1, 1995, shall not be more
7291 than forty per cent of the total number of rental units in the project. No
7292 project receiving financial assistance under this section shall contain
7293 less than twenty-five rental units. Any grant or deferred loan awarded
7294 under this section shall be used to reduce the cost of the project. Loan
7295 repayments shall be paid to the State Treasurer and deposited in the
7296 General Fund.

7297 Sec. 156. Section 8-402 of the general statutes is repealed and the
7298 following is substituted in lieu thereof (*Effective July 1, 2011*):

7299 The state, acting by and through the **[**Department of Economic and
7300 Community Development**]** executive director of the Connecticut
7301 Economic Development Authority, may enter into a contract with the
7302 **[**authority,**]** developer **[**,**]** or mortgagor of the authority **[**and the
7303 authority may enter into a contract with a developer or mortgagor of
7304 the authority**]** to provide state financial assistance in the form of rental
7305 subsidy certificates for each low-income unit in the project. Any
7306 commitment to provide such subsidy shall be an obligation of the
7307 **[**state or the**]** authority, as the case may be, for a period of not less than
7308 fifteen years, and the amount of such subsidy shall be equal to the
7309 difference between the amount of rent plus an allowance for heat and
7310 utilities not included in the rent approved by the **[**commissioner or the**]**
7311 authority, **[**as the case may be,**]** and thirty per cent of the annual
7312 aggregate family income of the tenant residing in the low-income unit
7313 for each such unit on an annual basis. The rent charged for a low-
7314 income unit may not be increased without the approval of the
7315 **[**commissioner or the**]** authority. **[**, as the case may be.**]** The annual

7316 aggregate family income of a tenant for the year prior to the occupancy
7317 of a low-income unit by the tenant shall not exceed fifty per cent of the
7318 area median income, adjusted for family size, as determined by the
7319 **[**commissioner or**]** the authority. **[**, as the case may be.**]** If such annual
7320 aggregate family income after occupancy exceeds seventy per cent of
7321 the area median income, adjusted for family size, the unit occupied by
7322 the tenant will no longer be considered a low-income unit and the next
7323 available unit will be rented to a tenant with an aggregate family
7324 income of less than fifty per cent of the area median income, adjusted
7325 for family size. No tenant residing in a project will receive financial
7326 assistance through a rental subsidy certificate under this section if the
7327 aggregate family income of the tenant in the prior year exceeds sixty
7328 per cent of the area median income, adjusted for family size.

7329 Sec. 157. Section 8-403 of the general statutes is repealed and the
7330 following is substituted in lieu thereof (*Effective July 1, 2011*):

7331 Upon preliminary approval by the State Bond Commission
7332 pursuant to the provisions of section 3-20, the state, acting by and
7333 through the **[**Department of Economic and Community Development
7334 may enter into a contract with the**]** authority, **[**to**]** may provide state
7335 financial assistance to a mortgagor of the authority in the form of a
7336 loan secured by a second mortgage for any housing project for which
7337 the authority has provided financial assistance in the form of a loan
7338 secured by a first mortgage; provided any such financial assistance to
7339 be funded with proceeds of bonds authorized by public or special acts
7340 effective on or after July 1, 1995, shall be provided as follows:
7341 Commencing October 1, 1995, upon preliminary approval of the State
7342 Bond Commission pursuant to the provisions of section 3-20, the state,
7343 acting by and through the **[**Department of Economic and Community
7344 Development**]** authority, may provide a grant-in-aid to **[**the authority,
7345 for purposes of permitting the authority to extend state financial
7346 assistance to**]** the developer or mortgagor of the authority in the form
7347 of a loan secured by a second mortgage for any housing project for
7348 which the authority has provided financial assistance in the form of a
7349 loan secured by a first mortgage. Such loan shall be made for the

7350 purpose of providing additional financing for the project. Any loan
7351 made under this section shall bear interest payable quarterly on the
7352 first days of January, April, July and October for the preceding
7353 calendar quarter, or at such other times as are determined by the
7354 authority at a rate determined by the State Bond Commission under
7355 subsection (t) of section 3-20 and shall be repayable in such
7356 installments as may be determined by the **[**commissioner or the**]**
7357 authority, **[**as the case may be,**]** within fifty years from the date of
7358 completion of the project. Loan repayments shall be paid to the State
7359 Treasurer and deposited in the General Fund.

7360 Sec. 158. Section 8-404 of the general statutes is repealed and the
7361 following is substituted in lieu thereof (*Effective July 1, 2011*):

7362 Any contract for financial assistance awarded under sections 8-400
7363 to 8-405, inclusive, which is funded with proceeds of bonds of the state
7364 authorized by public or special acts effective prior to July 1, 1995, or
7365 which is funded prior to October 1, 1995, shall, and any other contract
7366 may contain the requirement that the **[**state or the**]** authority **[**, as the
7367 case may be,**]** shall receive, in exchange for any such assistance, a
7368 financial participation in the project. Such financial participation shall
7369 be in a proportion which shall not be less than the proportion that the
7370 number of low-income units in the project bears to the total rental
7371 units in the project. Any sale of the project, any interest in the project
7372 or any of its units shall require the approval of the **[**Commissioner of
7373 Economic and Community Development or the**]** authority **[**, as the case
7374 may be,**]** and shall be made upon such terms and conditions as the
7375 **[**commissioner or the**]** authority **[**, as the case may be,**]** may approve.

7376 Sec. 159. Subsection (a) of section 10-20d of the general statutes is
7377 repealed and the following is substituted in lieu thereof (*Effective July*
7378 *1, 2011*):

7379 (a) The Commissioner of Education, in consultation with the Labor
7380 Commissioner and the **[**Commissioners of Economic and Community
7381 Development and**]** <u>Commissioner of</u> Higher Education, shall, within

7382 the limits of available appropriations, provide grants to postsecondary
7383 institutions, regional workforce development boards, regional
7384 educational service centers and other appropriate agencies and
7385 organizations to support the development of educators administering
7386 programs leading to a Connecticut career certificate pursuant to
7387 section 10-20a.

7388 Sec. 160. Subdivision (3) of subsection (a) of section 10-416 of the
7389 general statutes is repealed and the following is substituted in lieu
7390 thereof (*Effective July 1, 2011*):

7391 (3) "Nonprofit corporation" means a nonprofit corporation
7392 incorporated pursuant to chapter 602 or any predecessor statutes
7393 thereto, having as one of its purposes the construction, rehabilitation,
7394 ownership or operation of housing and having articles of incorporation
7395 approved by the **[**Commissioner of Economic and Community
7396 Development**]** the executive director of the Connecticut Economic
7397 Development Authority in accordance with **[**regulations**]** procedures
7398 adopted pursuant to section 8-79a or 8-84;

7399 Sec. 161. Subsections (e) and (f) of section 10-416b of the general
7400 statutes are repealed and the following is substituted in lieu thereof
7401 (*Effective July 1, 2011*):

7402 (e) Prior to beginning any rehabilitation work on a certified historic
7403 structure, the owner shall submit (1) (A) a rehabilitation plan to the
7404 commission for a determination of whether or not such rehabilitation
7405 work meets the standards developed under the provisions of
7406 subsections (b) to (d), inclusive, of this section, and (B) if such
7407 rehabilitation work is planned to be undertaken in phases, a complete
7408 description of each such phase, with anticipated schedules for
7409 completion, (2) an estimate of the qualified rehabilitation expenditures,
7410 and (3) for projects pursuant to subdivision (2) of subsection (f) of this
7411 section, (A) the number of units of affordable housing, as defined in
7412 section 8-39a, to be created, (B) the proposed rents or sale prices of
7413 such units, and (C) the median income for the municipality where the

7414 project is located. In the case of a project pursuant to subdivision (2) of
7415 subsection (f) of this section the owner shall submit a copy of data
7416 required under subdivision (3) of this subsection to the **[**Department of
7417 Economic and Community Development**]** Connecticut Economic
7418 Development Authority.

7419 (f) If the commission certifies that the rehabilitation plan conforms
7420 to the standards developed under the provisions of subsections (b) to
7421 (d), inclusive, of this section, the commission shall reserve for the
7422 benefit of the owner an allocation for a tax credit equivalent to (1)
7423 twenty-five per cent of the projected qualified rehabilitation
7424 expenditures, or (2) for rehabilitation plans submitted pursuant to
7425 subsection (e) of this section on or after June 14, 2007, thirty per cent of
7426 the projected qualified rehabilitation expenditures if (A) at least twenty
7427 per cent of the units are rental units and qualify as affordable housing,
7428 as defined in section 8-39a, or (B) at least ten per cent of the units are
7429 individual homeownership units and qualify as affordable housing, as
7430 defined in section 8-39a. No tax credit shall be allocated for the
7431 purposes of this subdivision unless an applicant has submitted to the
7432 commission a certificate from the **[**Department of Economic and
7433 Community Development**]** Connecticut Economic Development
7434 Authority pursuant to subsections (l) and (m) of this section
7435 confirming that the project complies with affordable housing
7436 requirements under section 8-39a.

7437 Sec. 162. Subdivision (2) of subsection (a) of section 10a-11b of the
7438 general statutes is repealed and the following is substituted in lieu
7439 thereof (*Effective July 1, 2011*):

7440 (2) The following persons shall serve as ex-officio nonvoting
7441 members on the commission: (A) The Commissioners of Higher
7442 Education **[**,**]** and Education **[**and Economic and Community
7443 Development,**]** and the Labor Commissioner, or their designees; (B) the
7444 chairpersons of the boards of trustees and the chief executive officers
7445 of each constituent unit of the state system of higher education, or their
7446 designees; (C) the chairperson of the board and president of the

7447 Connecticut Conference of Independent Colleges, or their designees;
7448 (D) the director of the Office of Workforce Competitiveness, or the
7449 director's designee; (E) the chairpersons and ranking members of the
7450 joint standing committee of the General Assembly having cognizance
7451 of matters relating to higher education and employment advancement;
7452 and (F) the Secretary of the Office of Policy and Management, or the
7453 secretary's designee.

7454 Sec. 163. Section 10a-12a of the general statutes is repealed and the
7455 following is substituted in lieu thereof (*Effective July 1, 2011*):

7456 There shall be a Technical Education Coordinating Council. The
7457 council shall consist of the following members: The chairpersons and
7458 ranking members of the joint standing committees of the General
7459 Assembly having cognizance of matters relating to education and
7460 commerce, or their designees; the **[**Commissioners**]** Commissioner of
7461 Higher Education **[**and Economic and Community Development**]** and
7462 the Labor Commissioner or their designees; the chief executive officers
7463 of each constituent unit of the state system of higher education, or their
7464 designees; the president of the Connecticut Conference of Independent
7465 Colleges; the superintendent of the vocational-technical school system;
7466 one member who is a teacher at a regional vocational-technical school
7467 designated by the exclusive representative of the vocational-technical
7468 school teachers' bargaining unit; two members who are parents of
7469 students enrolled in vocational-technical schools designated by the
7470 vocational-technical schools parents' association; one member
7471 representing each of the economic clusters identified pursuant to
7472 section 32-1m designated by the Commissioner of Economic and
7473 Community Development; one member designated by the Connecticut
7474 Business and Industry Association; one member designated by the
7475 Manufacturing Assistance Council; and one member designated by the
7476 Connecticut Technology Council. The cochairpersons of the joint
7477 standing committee of the General Assembly having cognizance of
7478 matters relating to education, or their designees, shall jointly convene a
7479 meeting of the council not later than October 1, 1998. The council shall
7480 meet at least six times a year to review and evaluate the coordinated

7481 delivery of technical and technological education to meet the
7482 employment needs of business and industry. The council shall also
7483 explore ways to: (1) Encourage students to pursue technical careers,
7484 including the development or expansion of alternative training
7485 methods that may improve the delivery and accessibility of vocational-
7486 technical training; (2) ensure a successful transition for students from
7487 the regional vocational-technical schools to post secondary education;
7488 and (3) improve public awareness regarding manufacturing careers.
7489 On or before January 1, 1999, and annually thereafter, the
7490 Commissioner of Education shall report, in accordance with section 11-
7491 4a, to the joint standing committees of the General Assembly having
7492 cognizance of matters relating to education and commerce on the
7493 activities of the council in the prior year.

7494 Sec. 164. Subdivision (2) of subsection (a) of section 10a-19i of the
7495 general statutes is repealed and the following is substituted in lieu
7496 thereof (*Effective July 1, 2011*):

7497 (2) "Job relating to green technology" means a job in which green
7498 technology is employed and may include the occupation codes
7499 identified as green jobs by the United States Bureau of Labor Statistics
7500 and those codes identified by the Labor Department **[**and the
7501 Department of Economic and Community Development**]** for such
7502 purposes;

7503 Sec. 165. Subdivision (2) of section 10a-55d of the general statutes is
7504 repealed and the following is substituted in lieu thereof (*Effective July*
7505 *1, 2011*):

7506 (2) "Green jobs" means jobs in which green technology is employed
7507 and may include the occupation codes identified as green jobs by the
7508 United States Bureau of Labor Statistics and any codes identified as
7509 green jobs by the Labor Department. **[**and the Department of Economic
7510 and Community Development.**]**

7511 Sec. 166. Section 10a-72c of the general statutes is repealed and the
7512 following is substituted in lieu thereof (*Effective July 1, 2011*):

7513 There is established a council to advise the Board of Trustees of the
7514 Community-Technical Colleges in the performance of its statutory
7515 functions relating to technical and technological education. The council
7516 shall consist of: (1) The **[**Commissioner of Economic and Community
7517 Development and the**]** Labor Commissioner, (2) one technical or
7518 technological education faculty member from each of the community-
7519 technical colleges appointed by the chief executive officer of each such
7520 institution, (3) one technical or technological education student from
7521 each of the community-technical colleges elected by the student body
7522 of each such institution.

7523 Sec. 167. Section 10a-103 of the general statutes is repealed and the
7524 following is substituted in lieu thereof (*Effective July 1, 2011*):

7525 There shall continue to be a Board of Trustees for The University of
7526 Connecticut to consist of twenty-one persons, twelve to be appointed
7527 by the Governor, who shall reflect the state's geographic, racial and
7528 ethnic diversity; two to be elected by the university alumni; two to be
7529 elected by the students enrolled at the institutions under the
7530 jurisdiction of said board; and five members ex officio. On or before
7531 July 1, 1983, the Governor shall appoint members to the board as
7532 follows: Four members for a term of two years from said date; four
7533 members for a term of four years from said date; and four members for
7534 a term of six years from said date. Thereafter, the Governor shall
7535 appoint trustees of said university to succeed those appointees whose
7536 terms expire, and each trustee so appointed shall hold office for a
7537 period of six years from the first day of July in the year of his or her
7538 appointment, provided two of the trustees appointed for terms
7539 commencing July 1, 1995, and their successors shall be alumni of the
7540 university, one of the trustees appointed for a term commencing July 1,
7541 1997, and his or her successors shall be such alumni and one of the
7542 members appointed for a term commencing July 1, 1999, and his or her
7543 successors shall be such alumni. The Commissioner of Agriculture, the
7544 Commissioner of Education **[**, the Commissioner of Economic and
7545 Community Development**]** and the chairperson of The University of
7546 Connecticut Health Center Board of Directors shall be, ex officio,

7547 members of the board of trustees. The Governor shall be, ex officio,
7548 president of said board. The graduates of all of the schools and
7549 colleges of said university shall, prior to September first in the odd-
7550 numbered years, elect one trustee, who shall be a graduate of the
7551 institution and who shall hold office for four years from the first day of
7552 September succeeding his or her election. Not less than two or more
7553 than four nominations for each such election shall be made by the
7554 alumni association of said university, provided no person who has
7555 served as an alumni trustee for the two full consecutive terms
7556 immediately prior to the term for which such election is to be held
7557 shall be nominated for any such election. Such election shall be
7558 conducted by mail prior to September first under the supervision of a
7559 canvassing board consisting of three members, one appointed by the
7560 board of trustees, one by the board of directors of the alumni
7561 association of the university and one by the president of the university.
7562 No ballot in such election shall be opened until the date by which
7563 ballots must be returned to the canvassing board. In such election, all
7564 graduates shall be entitled to vote by signed ballots which have been
7565 circulated to them by mail and which shall be returned by mail.
7566 Vacancies occurring by death or resignation of either of such alumni
7567 trustees shall be filled for the unexpired portion of the term by special
7568 election, if such unexpired term is for more than eighteen months.
7569 When the unexpired term is eighteen months or less, such vacancy
7570 shall be filled by appointment by the board of directors of said alumni
7571 association. On or before November 1, 1975, the students of The
7572 University of Connecticut shall, in such manner as the board of
7573 trustees of said university shall determine, elect two trustees, each of
7574 whom shall be enrolled as a full-time student of said university at the
7575 time of his or her election. One such member shall be elected for a term
7576 of one year from November 1, 1975, and one for a term of two years
7577 from said date. Prior to July first, annually, such students shall, in
7578 accordance with this section and in such manner as the board shall
7579 determine, elect one member of said board, who shall be so enrolled at
7580 said university at the time of his or her election and who shall serve for
7581 a term of two years from July first in the year of his or her election. The

7582 student member elected to fill the term expiring on June 30, 2003, and
7583 such elected member's successors shall be enrolled as full-time
7584 undergraduate students at a school or college of the university and
7585 shall be elected by the undergraduate students of the schools and
7586 colleges of the university. The student member elected to fill the term
7587 expiring on June 30, 2004, and such elected member's successors shall
7588 be enrolled as a full-time student in the School of Law, the School of
7589 Medicine, the School of Dentistry, the School of Social Work, or as a
7590 graduate student of a school or college of the university, and shall be
7591 elected by the students of the School of Law, the School of Medicine,
7592 the School of Dentistry, the School of Social Work and the graduate
7593 students of the schools and colleges of the university. Any vacancies in
7594 the elected membership of said board shall, except as otherwise
7595 provided in this section, be filled by special election for the balance of
7596 the unexpired term.

7597 Sec. 168. Subdivisions (59) and (60) of section 12-81 of the general
7598 statutes are repealed and the following is substituted in lieu thereof
7599 (*Effective July 1, 2011*):

7600 (59) (a) Any manufacturing facility, as defined in section 32-9p,
7601 acquired, constructed, substantially renovated or expanded on or after
7602 July 1, 1978, in a distressed municipality, as defined in said section or
7603 in a targeted investment community, as defined in section 32-222, <u>as</u>
7604 <u>amended by this act,</u> or in an enterprise zone designated pursuant to
7605 section 32-70 and for which an eligibility certificate has been issued by
7606 the **[**Department of Economic and Community Development**]**
7607 <u>Connecticut Economic Development Authority</u>, and any
7608 manufacturing plant designated by the **[**Commissioner of Economic
7609 and Community Development**]** <u>executive director of the Connecticut</u>
7610 <u>Economic Development Authority</u> under subsection (a) of section 32-
7611 75c as follows: To the extent of eighty per cent of its valuation for
7612 purposes of assessment in each of the five full assessment years
7613 following the assessment year in which the acquisition, construction,
7614 renovation or expansion of the manufacturing facility is completed,
7615 except that a manufacturing facility having a standard industrial

7616 classification code of 2833 or 2834 and having at least one thousand
7617 full-time employees, as defined in subsection (f) of section 32-9j, shall
7618 be eligible to have the assessment period extended for five additional
7619 years upon approval of the [commissioner] executive director, in
7620 accordance with all applicable [regulations] procedures, provided such
7621 full-time employees have not been relocated from another facility in
7622 the state operated by the same eligible applicant;

7623 (b) Any service facility, as defined in section 32-9p, acquired,
7624 constructed, substantially renovated or expanded on or after July 1,
7625 1996, and for which an eligibility certificate has been issued by the
7626 [Department of Economic and Community Development] Connecticut
7627 Economic Development Authority, as follows: (i) In the case of an
7628 investment of twenty million dollars or more but not more than thirty-
7629 nine million dollars in the service facility, to the extent of forty per cent
7630 of its valuation for purposes of assessment in each of the five full
7631 assessment years following the assessment year in which the
7632 acquisition, construction, renovation or expansion of the service
7633 facility is completed; (ii) in the case of an investment of more than
7634 thirty-nine million dollars but not more than fifty-nine million dollars
7635 in the service facility, to the extent of fifty per cent of its valuation for
7636 purposes of assessment in each of the five full assessment years
7637 following the assessment year in which the acquisition, construction,
7638 renovation or expansion of the service facility is completed; (iii) in the
7639 case of an investment of more than fifty-nine million dollars but not
7640 more than seventy-nine million dollars in the service facility, to the
7641 extent of sixty per cent of its valuation for purposes of assessment in
7642 each of the five full assessment years following the assessment year in
7643 which the acquisition, construction, renovation or expansion of the
7644 service facility is completed; (iv) in the case of an investment of more
7645 than seventy-nine million dollars but not more than ninety million
7646 dollars in the service facility, to the extent of seventy per cent of its
7647 valuation for purposes of assessment in each of the five full assessment
7648 years following the assessment year in which the acquisition,
7649 construction, renovation or expansion of the service facility is

7650 completed; or (v) in the case of an investment of more than ninety
7651 million dollars in the service facility, to the extent of eighty per cent of
7652 its valuation for purposes of assessment in each of the five full
7653 assessment years following the assessment year in which the
7654 acquisition, construction, renovation or expansion of the service
7655 facility is completed, except that any financial institution, as defined in
7656 subsection (b) of section 32-236, having at least four thousand qualified
7657 employees, as determined in accordance with an agreement pursuant
7658 to subsection (c) of section 32-236, shall be eligible to have the
7659 assessment period extended for five additional years upon approval of
7660 the [commissioner] executive director, in accordance with all
7661 applicable [regulations] procedures, provided such full-time
7662 employees have not been relocated from another facility in the state
7663 operated by the same eligible applicant. In no event shall the definition
7664 of qualified employee be more favorable to the employer than the
7665 definition provided in section 32-236;

7666 (c) The completion date of a manufacturing facility, manufacturing
7667 plant or a service facility will be determined by the [Department of
7668 Economic and Community Development] Connecticut Economic
7669 Development Authority taking into account the issuance of occupancy
7670 certificates and such other factors as it deems relevant. In the case of a
7671 manufacturing facility, manufacturing plant or a service facility which
7672 consists of a constructed, renovated or expanded portion of an existing
7673 plant, the assessed valuation of the facility or manufacturing plant is
7674 the difference between the assessed valuation of the plant prior to its
7675 being improved and the assessed valuation of the plant upon
7676 completion of the improvements. In the case of a manufacturing
7677 facility, manufacturing plant or a service facility which consists of an
7678 acquired portion of an existing plant, the assessed valuation of the
7679 facility or manufacturing plant is the assessed valuation of the portion
7680 acquired. This exemption shall be applicable during each such
7681 assessment year regardless of any change in the ownership or
7682 occupancy of the facility or manufacturing plant. If during any such
7683 assessment year, however, any facility for which an eligibility

7684 certificate has been issued ceases to qualify as a manufacturing facility,
7685 manufacturing plant or a service facility, the entitlement to the
7686 exemption allowed by this subdivision shall terminate for the
7687 assessment year following the date on which the qualification ceases,
7688 and there shall not be a pro rata application of the exemption. Any
7689 person who desires to claim the exemption provided in this
7690 subdivision shall file annually with the assessor or board of assessors
7691 in the distressed municipality, targeted investment community or
7692 enterprise zone designated pursuant to section 32-70 in which the
7693 manufacturing facility or service facility is located, on or before the
7694 first day of November, written application claiming such exemption on
7695 a form prescribed by the Secretary of the Office of Policy and
7696 Management. Failure to file such application in this manner and form
7697 within the time limit prescribed shall constitute a waiver of the right to
7698 such exemption for such assessment year, unless an extension of time
7699 is allowed pursuant to section 12-81k, and upon payment of the
7700 required fee for late filing;

7701 (60) (a) (1) Machinery and equipment which represents an addition
7702 to the assessment or grand list of the municipality in which this
7703 exemption is claimed and is installed in any manufacturing facility, as
7704 defined in section 32-9p, which facility is or has been constructed, or
7705 substantially renovated or expanded on or after July 1, 1978, in a
7706 distressed municipality or targeted investment community or
7707 enterprise zone designated pursuant to section 32-70 and for which an
7708 eligibility certificate has been issued by the **[**Department of Economic
7709 and Community Development**]** Connecticut Economic Development
7710 Authority, concurrently with and directly attributable to such
7711 construction, renovation or expansion, (2) machinery and equipment
7712 which represents an addition to the assessment or grand list of the
7713 municipality in which this exemption is claimed and is installed, or
7714 machinery and equipment existing, in any manufacturing facility, as
7715 defined in section 32-9p, which facility is or has been acquired on or
7716 after July 1, 1978, in a distressed municipality, targeted investment
7717 community or enterprise zone designated pursuant to section 32-70

7718 and for which an eligibility certificate has been issued by the
7719 [Department of Economic and Community Development] Connecticut
7720 Economic Development Authority, and (3) machinery and equipment
7721 acquired and installed on or after October 1, 1986, in a manufacturing
7722 facility that is or has at one time been certified as eligible for the
7723 exemption under this subparagraph in accordance with section 32-9r,
7724 and which continues to be used for manufacturing purposes, provided
7725 such machinery and equipment is installed in conjunction with an
7726 expansion program that satisfies the requirements for a manufacturing
7727 facility, as defined in section 32-9p, and is contiguous to and represents
7728 an increase in square feet of floor space of not less than fifty per cent of
7729 the floor space in the certified manufacturing facility, as follows: To the
7730 extent of eighty per cent of its valuation for purposes of assessment in
7731 each of the five full assessment years for which the manufacturing
7732 facility in which it is installed qualifies for an exemption under
7733 subdivision (59) of this section, except that a facility having a code
7734 classification 2833 or 2834 in the Standard Industrial Code
7735 Classification Manual, United States Office of Management and
7736 Budget, 1987 edition, wherein at least one thousand new full-time
7737 employees, as defined in subsection (f) of section 32-9j, are employed,
7738 shall be eligible to have the assessment period under this subdivision
7739 extended for five additional years upon approval of the
7740 [commissioner] executive director, provided the [commissioner]
7741 executive director approves an extension of the assessment period
7742 under subdivision (59) of this section for said facility;

7743 Sec. 169. Subdivisions (59) and (60) of section 12-81 of the general
7744 statutes, as amended by sections 2 and 3 of public act 10-98, are
7745 repealed and the following is substituted in lieu thereof (*Effective*
7746 *October 1, 2011*):

7747 (59) (a) Any manufacturing facility, as defined in section 32-9p,
7748 acquired, constructed, substantially renovated or expanded on or after
7749 July 1, 1978, in a distressed municipality, as defined in said section, in
7750 a targeted investment community, as defined in section 32-222, in an
7751 enterprise zone designated pursuant to section 32-70 or in an airport

7752 development zone established pursuant to section 32-75d and for
7753 which an eligibility certificate has been issued by the [Department of
7754 Economic and Community Development] Connecticut Economic
7755 Development Authority, and any manufacturing plant designated by
7756 the [Commissioner of Economic and Community Development]
7757 executive director of the Connecticut Economic Development
7758 Authority under subsection (a) of section 32-75c as follows: To the
7759 extent of eighty per cent of its valuation for purposes of assessment in
7760 each of the five full assessment years following the assessment year in
7761 which the acquisition, construction, renovation or expansion of the
7762 manufacturing facility is completed, except that a manufacturing
7763 facility having a standard industrial classification code of 2833 or 2834
7764 and having at least one thousand full-time employees, as defined in
7765 subsection (f) of section 32-9j, shall be eligible to have the assessment
7766 period extended for five additional years upon approval of the
7767 [commissioner] executive director, in accordance with all applicable
7768 [regulations] procedures, provided such full-time employees have not
7769 been relocated from another facility in the state operated by the same
7770 eligible applicant;

7771 (b) Any service facility, as defined in section 32-9p, acquired,
7772 constructed, substantially renovated or expanded on or after July 1,
7773 1996, and for which an eligibility certificate has been issued by the
7774 [Department of Economic and Community Development] Connecticut
7775 Economic Development Authority, as follows: (i) In the case of an
7776 investment of twenty million dollars or more but not more than thirty-
7777 nine million dollars in the service facility, to the extent of forty per cent
7778 of its valuation for purposes of assessment in each of the five full
7779 assessment years following the assessment year in which the
7780 acquisition, construction, renovation or expansion of the service
7781 facility is completed; (ii) in the case of an investment of more than
7782 thirty-nine million dollars but not more than fifty-nine million dollars
7783 in the service facility, to the extent of fifty per cent of its valuation for
7784 purposes of assessment in each of the five full assessment years
7785 following the assessment year in which the acquisition, construction,

7786 renovation or expansion of the service facility is completed; (iii) in the
7787 case of an investment of more than fifty-nine million dollars but not
7788 more than seventy-nine million dollars in the service facility, to the
7789 extent of sixty per cent of its valuation for purposes of assessment in
7790 each of the five full assessment years following the assessment year in
7791 which the acquisition, construction, renovation or expansion of the
7792 service facility is completed; (iv) in the case of an investment of more
7793 than seventy-nine million dollars but not more than ninety million
7794 dollars in the service facility, to the extent of seventy per cent of its
7795 valuation for purposes of assessment in each of the five full assessment
7796 years following the assessment year in which the acquisition,
7797 construction, renovation or expansion of the service facility is
7798 completed; or (v) in the case of an investment of more than ninety
7799 million dollars in the service facility, to the extent of eighty per cent of
7800 its valuation for purposes of assessment in each of the five full
7801 assessment years following the assessment year in which the
7802 acquisition, construction, renovation or expansion of the service
7803 facility is completed, except that any financial institution, as defined in
7804 section 12-217u, having at least four thousand qualified employees, as
7805 determined in accordance with an agreement pursuant to subdivision
7806 (3) of subsection (n) of section 12-217u, shall be eligible to have the
7807 assessment period extended for five additional years upon approval of
7808 the **[**commissioner**]** executive director, in accordance with all
7809 applicable **[**regulations**]** procedures, provided such full-time
7810 employees have not been relocated from another facility in the state
7811 operated by the same eligible applicant. In no event shall the definition
7812 of qualified employee be more favorable to the employer than the
7813 definition provided in section 12-217u;

7814 (c) The completion date of a manufacturing facility, manufacturing
7815 plant or a service facility will be determined by the **[**Department of
7816 Economic and Community Development**]** Connecticut Economic
7817 Development Authority taking into account the issuance of occupancy
7818 certificates and such other factors as it deems relevant. In the case of a
7819 manufacturing facility, manufacturing plant or a service facility which

7820 consists of a constructed, renovated or expanded portion of an existing
7821 plant, the assessed valuation of the facility or manufacturing plant is
7822 the difference between the assessed valuation of the plant prior to its
7823 being improved and the assessed valuation of the plant upon
7824 completion of the improvements. In the case of a manufacturing
7825 facility, manufacturing plant or a service facility which consists of an
7826 acquired portion of an existing plant, the assessed valuation of the
7827 facility or manufacturing plant is the assessed valuation of the portion
7828 acquired. This exemption shall be applicable during each such
7829 assessment year regardless of any change in the ownership or
7830 occupancy of the facility or manufacturing plant. If during any such
7831 assessment year, however, any facility for which an eligibility
7832 certificate has been issued ceases to qualify as a manufacturing facility,
7833 manufacturing plant or a service facility, the entitlement to the
7834 exemption allowed by this subdivision shall terminate for the
7835 assessment year following the date on which the qualification ceases,
7836 and there shall not be a pro rata application of the exemption. Any
7837 person who desires to claim the exemption provided in this
7838 subdivision shall file annually with the assessor or board of assessors
7839 in the distressed municipality, targeted investment community,
7840 enterprise zone designated pursuant to section 32-70 or in the town
7841 within the airport development zone established pursuant to section
7842 32-75d in which the manufacturing facility or service facility is located,
7843 on or before the first day of November, written application claiming
7844 such exemption on a form prescribed by the Secretary of the Office of
7845 Policy and Management. Failure to file such application in this manner
7846 and form within the time limit prescribed shall constitute a waiver of
7847 the right to such exemption for such assessment year, unless an
7848 extension of time is allowed pursuant to section 12-81k, and upon
7849 payment of the required fee for late filing;

7850 (60) (a) (1) Machinery and equipment which represents an addition
7851 to the assessment or grand list of the municipality in which this
7852 exemption is claimed and is installed in any manufacturing facility, as
7853 defined in section 32-9p, which facility is or has been constructed, or

7854 substantially renovated or expanded on or after July 1, 1978, in a
7855 distressed municipality, targeted investment community, enterprise
7856 zone designated pursuant to section 32-70 or in an airport
7857 development zone established pursuant to section 32-75d and for
7858 which an eligibility certificate has been issued by the **[**Department of
7859 Economic and Community Development**]** Connecticut Economic
7860 Development Authority, concurrently with and directly attributable to
7861 such construction, renovation or expansion, (2) machinery and
7862 equipment which represents an addition to the assessment or grand
7863 list of the municipality in which this exemption is claimed and is
7864 installed, or machinery and equipment existing, in any manufacturing
7865 facility, as defined in section 32-9p, which facility is or has been
7866 acquired on or after July 1, 1978, in a distressed municipality, targeted
7867 investment community, enterprise zone designated pursuant to section
7868 32-70 or in an airport development zone established pursuant to
7869 section 32-75d and for which an eligibility certificate has been issued
7870 by the **[**Department of Economic and Community Development**]**
7871 Connecticut Economic Development Authority, and (3) machinery and
7872 equipment acquired and installed on or after October 1, 1986, in a
7873 manufacturing facility that is or has at one time been certified as
7874 eligible for the exemption under this subparagraph in accordance with
7875 section 32-9r, and which continues to be used for manufacturing
7876 purposes, provided such machinery and equipment is installed in
7877 conjunction with an expansion program that satisfies the requirements
7878 for a manufacturing facility, as defined in section 32-9p, and is
7879 contiguous to and represents an increase in square feet of floor space
7880 of not less than fifty per cent of the floor space in the certified
7881 manufacturing facility, as follows: To the extent of eighty per cent of its
7882 valuation for purposes of assessment in each of the five full assessment
7883 years for which the manufacturing facility in which it is installed
7884 qualifies for an exemption under subdivision (59) of this section,
7885 except that a facility having a code classification 2833 or 2834 in the
7886 Standard Industrial Code Classification Manual, United States Office
7887 of Management and Budget, 1987 edition, wherein at least one
7888 thousand new full-time employees, as defined in subsection (f) of

7889 section 32-9j, are employed, shall be eligible to have the assessment
7890 period under this subdivision extended for five additional years upon
7891 approval of the **[**commissioner**]** executive director, provided the
7892 **[**commissioner**]** executive director approves an extension of the
7893 assessment period under subdivision (59) of this section for said
7894 facility;

7895 (b) (1) Machinery and equipment which represents an addition to
7896 the assessment or grand list of the municipality in which this
7897 exemption is claimed and is installed in any service facility, as defined
7898 in section 32-9p, which facility is or has been constructed, or
7899 substantially renovated or expanded on or after July 1, 1996, and for
7900 which an eligibility certificate has been issued by the **[**Department of
7901 Economic and Community Development**]** Connecticut Economic
7902 Development Authority, concurrently with and directly attributable to
7903 such construction, renovation or expansion, (2) machinery and
7904 equipment which represents an addition to the assessment or grand
7905 list of the municipality in which this exemption is claimed and is
7906 installed, or machinery and equipment existing, in any service facility,
7907 as defined in section 32-9p, which facility is or has been acquired on or
7908 after July 1, 1996, and for which an eligibility certificate has been
7909 issued by the **[**department**]** authority, and (3) machinery and
7910 equipment acquired and installed on or after July 1, 1996, in a service
7911 facility that is or has at one time been certified as eligible for the
7912 exemption under this subparagraph in accordance with section 32-9r
7913 and which continues to be used for service purposes, provided such
7914 machinery and equipment is installed in conjunction with an
7915 expansion program that satisfies the requirements for a service facility,
7916 as defined in section 32-9p, and is contiguous to and represents an
7917 increase in square feet of floor space of not less than fifty per cent of
7918 the floor space in the certified service facility, as follows: (i) In the case
7919 of an investment of twenty million dollars or more but not more than
7920 thirty-nine million dollars in the service facility, to the extent of forty
7921 per cent of its valuation for purposes of assessment in each of the five
7922 full assessment years for which the service facility in which it is

7923 installed qualifies for an exemption under subdivision (59) of this
7924 section; (ii) in the case of an investment of more than thirty-nine
7925 million dollars but not more than fifty-nine million dollars in the
7926 service facility, to the extent of fifty per cent of its valuation for
7927 purposes of assessment in each of the five full assessment years for
7928 which the service facility in which it is installed qualifies for an
7929 exemption under subdivision (59) of this section; (iii) in the case of an
7930 investment of more than fifty-nine million dollars but not more than
7931 seventy-nine million dollars in the service facility, to the extent of sixty
7932 per cent of its valuation for purposes of assessment in each of the five
7933 full assessment years for which the service facility in which it is
7934 installed qualifies for an exemption under subdivision (59) of this
7935 section; (iv) in the case of an investment of more than seventy-nine
7936 million dollars but not more than ninety million dollars in the service
7937 facility, to the extent of seventy per cent of its valuation for purposes of
7938 assessment in each of the five full assessment years for which the
7939 service facility in which it is installed qualifies for an exemption under
7940 subdivision (59) of this section; or (v) in the case of an investment of
7941 more than ninety million dollars in the service facility, to the extent of
7942 eighty per cent of its valuation for purposes of assessment in each of
7943 the five full assessment years for which the service facility in which it
7944 is installed qualifies for an exemption under subdivision (59) of this
7945 section, except that any financial institution, as defined in section 12-
7946 217u, having at least four thousand qualified employees, as
7947 determined in accordance with an agreement pursuant to subdivision
7948 (3) of subsection (n) of section 12-217u, <u>as amended by this act,</u> shall be
7949 eligible to have the assessment period extended for five additional
7950 years upon approval of the commissioner, in accordance with all
7951 applicable regulations, provided such full-time employees have not
7952 been relocated from another facility in the state operated by the same
7953 eligible applicant. In no event shall the definition of qualified
7954 employee be more favorable to the employer than the definition
7955 provided in section 12-217u<u>, as amended by this act</u>;

7956 (c) This exemption shall terminate for the assessment year next

7957 following if the manufacturing facility or service facility in which such
7958 machinery and equipment is installed no longer qualifies for an
7959 exemption under said subdivision (59), and there shall not be a pro
7960 rata application of the exemption of such machinery and equipment in
7961 the assessment year of such termination. Any person who desires to
7962 claim the exemption provided in this subdivision shall file annually
7963 with the assessor or board of assessors in the distressed municipality,
7964 targeted investment community, enterprise zone designated pursuant
7965 to section 32-70 or the town in the airport development zone
7966 established pursuant to section 32-75d in which the manufacturing
7967 facility or service facility is located, on or before the first day of
7968 November, written application claiming such exemption on a form
7969 prescribed by the Secretary of the Office of Policy and Management.
7970 Failure to file such application in this manner and form within the time
7971 limit prescribed shall constitute a waiver of the right to such
7972 exemption for such assessment year, unless an extension of time is
7973 allowed pursuant to section 12-81k, and upon payment of the required
7974 fee for late filing. This exemption shall not apply to rolling stock.

7975 Sec. 170. Subdivision (70) of section 12-81 of the general statutes is
7976 repealed and the following is substituted in lieu thereof (*Effective July*
7977 *1, 2011*):

7978 (70) (A) New machinery and equipment used directly in the
7979 manufacturing of goods or products and acquired through purchase
7980 by any business organization or any affiliate of such business
7981 organization as part of a technological upgrading of the manufacturing
7982 process at a location in a distressed municipality, targeted investment
7983 community, as defined in section 32-222, <u>as amended by this act,</u> or
7984 enterprise zone designated pursuant to section 32-70, and for which an
7985 eligibility certificate has been issued by the **[**Department of Economic
7986 and Community Development**]** <u>Connecticut Economic Development</u>
7987 <u>Authority</u>, which business organization (i) is engaged in the
7988 manufacturing, processing or assembling of raw materials, parts or
7989 manufactured products, (ii) has been in continuous operation in the
7990 state for a period not less than five years prior to claiming the

7991 exemption provided in this subdivision, (iii) had gross receipts in an
7992 amount less than twenty million dollars in the year prior to claiming
7993 the exemption provided in this subdivision, including receipts of any
7994 affiliates of the business organization, and (iv) has incurred costs in
7995 acquiring such machinery and equipment not less than the greater of
7996 (I) two hundred thousand dollars, or (II) two hundred per cent of the
7997 business organization's and affiliate's average expenditure for the
7998 acquisition of machinery and equipment used directly in the
7999 manufacturing of goods or products at the location in the distressed
8000 municipality, targeted investment community or enterprise zone
8001 designated pursuant to section 32-70 during the three years prior to
8002 claiming the exemption provided in this subdivision, as follows: To the
8003 extent of fifty per cent of its valuation for purposes of assessment in
8004 each of the five full assessment years following the assessment year in
8005 which such machinery and equipment is acquired;

8006 (B) Any person who desires to claim the exemption provided in this
8007 subdivision shall file annually with the assessor or board of assessors
8008 in the distressed municipality, targeted investment community or
8009 enterprise zone designated pursuant to section 32-70 in which the
8010 business organization is located, on or before the first day of
8011 November, written application claiming such exemption on a form
8012 prescribed by the Secretary of the Office of Policy and Management.
8013 Failure to file such application in this manner and form within the time
8014 limit prescribed shall constitute a waiver of the right to such
8015 exemption for such assessment year, unless an extension of time is
8016 allowed pursuant to section 12-81k, and upon payment of the required
8017 fee for late filing. No person shall be eligible to receive the exemption
8018 provided in this subdivision if such exemption is sought for machinery
8019 and equipment located in a manufacturing facility, as defined in
8020 subsection (d) of section 32-9p, currently receiving assistance under
8021 subdivisions (59) and (60) of this section, and no person shall receive
8022 such exemption for eligible machinery or equipment at each location in
8023 a distressed municipality, targeted investment community or
8024 enterprise zone designated pursuant to section 32-70 more than once in

8025 any continuous five-year period;

8026 (C) The state and the municipality and district shall hold a security
8027 interest, as defined in subdivision (35) of subsection (b) of section 42a-
8028 1-201, in any machinery or equipment which is exempt from taxation
8029 pursuant to this subdivision, in an amount equal to the tax revenue
8030 reimbursed or lost, as the case may be, which shall be subordinate to
8031 any purchase money security interest, as defined in section 42a-9-103a.
8032 Such security interest shall be enforceable against the taxpayer for a
8033 period of five years after the last assessment year in which such
8034 exemption was received in any case in which the business organization
8035 ceases all business operations or moves its business operations entirely
8036 out of this state. Any assessor who has granted an exemption under
8037 this subdivision shall provide written notification to the secretary of
8038 the cessation of such operations or the move of such operations
8039 entirely out of this state. Such notification may be made at any time
8040 after the October first of the last assessment year in which such
8041 exemption is granted and before the September thirtieth that is five
8042 years after the conclusion of said assessment year. Upon receiving such
8043 notification and complying with the provisions of section 12-35a, the
8044 state shall have a lien upon the machinery or equipment situated in
8045 this state and owned by the person that ceased all business operations
8046 or moved such operations entirely out of this state. Notwithstanding
8047 the provisions of section 12-35a, the total amount of the reimbursement
8048 made by the state for the property tax exemptions granted to the
8049 person under the provisions of this subdivision, shall be deemed to be
8050 the amount of the tax which such person failed to pay.
8051 Notwithstanding said section 12-35a, the information required to be
8052 included in the notice of lien for said tax shall be as follows: (i) The
8053 owner of the property upon which the lien is claimed, (ii) the business
8054 address or residence address of such owner, (iii) the specific property
8055 claimed to be subject to such lien, (iv) the location of such property at
8056 the time it was last made tax-exempt pursuant to this subdivision, (v)
8057 the total amount of the reimbursement made by the state for the
8058 property tax exemptions granted to such owner under the provisions

8059 of this subdivision, and (vi) the tax period or periods for which such
8060 lien is claimed. If more than one agency of the state perfects such a
8061 notice of lien on the same day, the priority of such liens shall be
8062 determined by the time of day such liens were perfected, and if
8063 perfected at the same time, the lien for the highest amount shall have
8064 priority. In addition to the other remedies provided in this subdivision,
8065 the Attorney General, upon request of the secretary, may bring a civil
8066 action in a court of competent jurisdiction to recover the amount of tax
8067 revenue reimbursed by the state from any person who received an
8068 exemption under this subdivision;

8069 Sec. 171. Subsection (c) of section 12-81r of the general statutes is
8070 repealed and the following is substituted in lieu thereof (*Effective July*
8071 *1, 2011*):

8072 (c) A municipality shall notify the Commissioner of Environmental
8073 Protection **[**, the Commissioner of Economic and Community
8074 Development**]** and the Secretary of the Office of Policy and
8075 Management not later than thirty days after granting any abatement or
8076 forgiveness of taxes or any fixed assessment under subsection (a) of
8077 this section. Such notice shall provide the owner or purchaser's name,
8078 as the case may be, and the address of the property.

8079 Sec. 172. Subsection (f) of section 12-217e of the general statutes, as
8080 amended by section 4 of public act 10-98, is repealed and the following
8081 is substituted in lieu thereof (*Effective October 1, 2011*):

8082 (f) The **[**Commissioner of Economic and Community Development**]**
8083 executive director of the Connecticut Economic Development
8084 Authority shall, upon request, provide a copy of the applicable
8085 eligibility certificate to the Commissioner of Revenue Services.

8086 Sec. 173. Subsection (a) of section 12-217z of the general statutes is
8087 repealed and the following is substituted in lieu thereof (*Effective July*
8088 *1, 2011*):

8089 (a) There is established a Business Tax Credit and Tax Policy Review

8090 Committee which shall be comprised of the following members: (1)
8091 The chairpersons and ranking members of the joint standing
8092 committee of the General Assembly having cognizance of matters
8093 relating to finance, revenue and bonding, or their designees; (2) one
8094 member appointed by each of the following: The Governor, the
8095 president pro tempore of the Senate, the speaker of the House of
8096 Representatives, the majority leader of the Senate, the majority leader
8097 of the House of Representatives, the minority leader of the House of
8098 Representatives and the minority leader of the Senate; and (3) the
8099 **[**Commissioners**]** Commissioner of Revenue Services **[**and Economic
8100 and Community Development**]** and the Labor Commissioner, or their
8101 designees.

8102 Sec. 174. Section 12-217jj of the general statutes is repealed and the
8103 following is substituted in lieu thereof (*Effective July 1, 2011*):

8104 (a) As used in this section:

8105 (1) "Commissioner" means the Commissioner of Revenue Services.

8106 (2) **[**"Department" means the Department of Economic and
8107 Community Development**]** "Authority" means the Connecticut
8108 Economic Development Authority.

8109 (3) (A) "Qualified production" means entertainment content created
8110 in whole or in part within the state, including motion pictures;
8111 documentaries; long-form, specials, mini-series, series, sound
8112 recordings, videos and music videos and interstitials television
8113 programming; interactive television; interactive games; videogames;
8114 commercials; any format of digital media, including an interactive web
8115 site, created for distribution or exhibition to the general public; and
8116 any trailer, pilot, video teaser or demo created primarily to stimulate
8117 the sale, marketing, promotion or exploitation of future investment in
8118 either a product or a qualified production via any means and media in
8119 any digital media format, film or videotape, provided such program
8120 meets all the underlying criteria of a qualified production.

8121 (B) "Qualified production" shall not include any ongoing television
8122 program created primarily as news, weather or financial market
8123 reports, a production featuring current events, sporting events, an
8124 awards show or other gala event, a production whose sole purpose is
8125 fundraising, a long-form production that primarily markets a product
8126 or service, a production used for corporate training or in-house
8127 corporate advertising or other similar productions, or any production
8128 for which records are required to be maintained under 18 USC 2257
8129 with respect to sexually explicit content.

8130 (4) "Eligible production company" means a corporation, partnership,
8131 limited liability company, or other business entity engaged in the
8132 business of producing qualified productions on a one-time or ongoing
8133 basis, and qualified by the Secretary of the State to engage in business
8134 in the state.

8135 (5) "Production expenses or costs" means all expenditures clearly
8136 and demonstrably incurred in the state in the preproduction,
8137 production or postproduction costs of a qualified production,
8138 including:

8139 (A) Expenditures incurred in the state in the form of either
8140 compensation or purchases including production work, production
8141 equipment not eligible for the infrastructure tax credit provided in
8142 section 12-217kk, <u>as amended by this act,</u> production software,
8143 postproduction work, postproduction equipment, postproduction
8144 software, set design, set construction, props, lighting, wardrobe,
8145 makeup, makeup accessories, special effects, visual effects, audio
8146 effects, film processing, music, sound mixing, editing, location fees,
8147 soundstages and any and all other costs or services directly incurred in
8148 connection with a state-certified qualified production;

8149 (B) Expenditures for distribution, including preproduction,
8150 production or postproduction costs relating to the creation of trailers,
8151 marketing videos, commercials, point-of-purchase videos and any and
8152 all content created on film or digital media, including the duplication

8153 of films, videos, CDs, DVDs and any and all digital files now in
8154 existence and those yet to be created for mass consumer consumption;
8155 the purchase, by a company in the state, of any and all equipment
8156 relating to the duplication or mass market distribution of any content
8157 created or produced in the state by any digital media format which is
8158 now in use and those formats yet to be created for mass consumer
8159 consumption; and

8160 (C) "Production expenses or costs" does not include the following:
8161 (i) On and after January 1, 2008, compensation in excess of fifteen
8162 million dollars paid to any individual or entity representing an
8163 individual, for services provided in the production of a qualified
8164 production and on or after January 1, 2010, compensation subject to
8165 Connecticut personal income tax in excess of twenty million dollars
8166 paid in the aggregate to any individuals or entities representing
8167 individuals, for star talent provided in the production of a qualified
8168 production; (ii) media buys, promotional events or gifts or public
8169 relations associated with the promotion or marketing of any qualified
8170 production; (iii) deferred, leveraged or profit participation costs
8171 relating to any and all personnel associated with any and all aspects of
8172 the production, including, but not limited to, producer fees, director
8173 fees, talent fees and writer fees; (iv) costs relating to the transfer of the
8174 production tax credits; (v) any amounts paid to persons or businesses
8175 as a result of their participation in profits from the exploitation of the
8176 qualified production; and (vi) any expenses or costs relating to an
8177 independent certification, as required by subsection (g) of this section,
8178 or as the **[**department**]** authority may otherwise require, pertaining to
8179 the amount of production expenses or costs set forth by an eligible
8180 production company in its application for a production tax credit.

8181 (6) "Sound recording" means a recording of music, poetry or
8182 spoken-word performance, but does not include the audio portions of
8183 dialogue or words spoken and recorded as part of a motion picture,
8184 video, theatrical production, television news coverage or athletic event.

8185 (7) "State-certified qualified production" means a qualified

8186 production produced by an eligible production company that (A) is in
8187 compliance with regulations adopted pursuant to subsection (k) of this
8188 section, (B) is authorized to conduct business in this state, and (C) has
8189 been approved by the **[**department**]** authority as qualifying for a
8190 production tax credit under this section.

8191 (8) "Interactive web site" means a web site, the production costs of
8192 which (A) exceed five hundred thousand dollars per income year, and
8193 (B) is primarily (i) interactive games or end user applications, or (ii)
8194 animation, simulation, sound, graphics, story lines or video created or
8195 repurposed for distribution over the Internet. An interactive web site
8196 does not include a web site primarily used for institutional, private,
8197 industrial, retail or wholesale marketing or promotional purposes, or
8198 which contains obscene content.

8199 (9) "Post-certification remedy" means the recapture, disallowance,
8200 recovery, reduction, repayment, forfeiture, decertification or any other
8201 remedy that would have the effect of reducing or otherwise limiting
8202 the use of a tax credit provided by this section.

8203 (10) "Compensation" means base salary or wages and does not
8204 include bonus pay, stock options, restricted stock units or similar
8205 arrangements.

8206 (b) The **[**Department of Economic and Community Development**]**
8207 Connecticut Economic Development Authority shall administer a
8208 system of tax credit vouchers within the resources, requirements and
8209 purposes of this section for eligible production companies producing a
8210 state-certified qualified production in the state.

8211 (1) For income years commencing on or after January 1, 2006, but
8212 prior to January 1, 2010, any eligible production company incurring
8213 production expenses or costs in excess of fifty thousand dollars shall be
8214 eligible for a credit against the tax imposed under chapter 207 or this
8215 chapter equal to thirty per cent of such production expenses or costs.

8216 (2) For income years commencing on or after January 1, 2010, (A)

8217 any eligible production company incurring production expenses or
8218 costs of not less than one hundred thousand dollars, but not more than
8219 five hundred thousand dollars, shall be eligible for a credit against the
8220 tax imposed under chapter 207 or this chapter equal to ten per cent of
8221 such production expenses or costs, (B) any such company incurring
8222 such expenses or costs of more than five hundred thousand dollars,
8223 but not more than one million dollars, shall be eligible for a credit
8224 against the tax imposed under chapter 207 or this chapter equal to
8225 fifteen per cent of such production expenses or costs, and (C) any such
8226 company incurring such expenses or costs of more than one million
8227 dollars shall be eligible for a credit against the tax imposed under
8228 chapter 207 or this chapter equal to thirty per cent of such production
8229 expenses or costs.

8230 (c) No eligible production company incurring an amount of
8231 production expenses or costs that qualifies for such credit shall be
8232 eligible for such credit unless on or after January 1, 2010, such
8233 company conducts (1) not less than twenty-five per cent of principal
8234 photography days within the state, or (2) expends not less than fifty
8235 per cent of postproduction costs within the state, or (3) expends not
8236 less than one million dollars of postproduction costs within the state.

8237 (d) (1) For income years commencing on or after January 1, 2009, but
8238 prior to January 1, 2010, fifty per cent of production expenses or costs
8239 shall be counted toward such credit when incurred outside the state
8240 and used within the state, and one hundred per cent of such expenses
8241 or costs shall be counted toward such credit when incurred within the
8242 state and used within the state.

8243 (2) For income years commencing on or after January 1, 2010, no
8244 expenses or costs incurred outside the state and used within the state
8245 shall be eligible for a credit, and one hundred per cent of such
8246 expenses or costs shall be counted toward such credit when incurred
8247 within the state and used within the state.

8248 (e) On and after July 1, 2006, and for income years commencing on

8249 or after January 1, 2006, any credit allowed pursuant to this subsection
8250 may be sold, assigned or otherwise transferred, in whole or in part, to
8251 one or more taxpayers, provided no credit, after issuance, may be sold,
8252 assigned or otherwise transferred, in whole or in part, more than three
8253 times.

8254 (f) On and after July 1, 2006, and for income years commencing on
8255 or after January 1, 2006, all or part of any such credit allowed under
8256 this subsection shall be claimed against the tax imposed under chapter
8257 207 or this chapter for the income year in which the production
8258 expenses or costs were incurred, or in the three immediately
8259 succeeding income years. Any production tax credit allowed under
8260 this subsection shall be nonrefundable.

8261 (g) (1) An eligible production company shall apply to the
8262 **[**department**]** authority for a tax credit voucher on an annual basis, but
8263 not later than ninety days after the first production expenses or costs
8264 are incurred in the production of a qualified production, and shall
8265 provide with such application such information as the **[**department**]**
8266 authority may require to determine such company's eligibility to claim
8267 a credit under this section. No production expenses or costs may be
8268 listed more than once for purposes of the tax credit voucher pursuant
8269 to this section, or pursuant to section 12-217kk, as amended by this act,
8270 or 12-217*ll*, as amended by this act, and if a production expense or cost
8271 has been included in a claim for a credit, such production expense or
8272 cost may not be included in any subsequent claim for a credit.

8273 (2) Not later than ninety days after the end of the annual period, or
8274 after the last production expenses or costs are incurred in the
8275 production of a qualified production, an eligible production company
8276 shall apply to the **[**department**]** authority for a production tax credit
8277 voucher, and shall provide with such application such information and
8278 independent certification as the **[**department**]** authority may require
8279 pertaining to the amount of such company's production expenses or
8280 costs. Such independent certification shall be provided by an audit
8281 professional chosen from a list compiled by the **[**department**]**

8282 authority. If the [department] authority determines that such company
8283 is eligible to be issued a production tax credit voucher, the
8284 [department] authority shall enter on the voucher the amount of
8285 production expenses or costs that has been established to the
8286 satisfaction of the [department] authority and the amount of such
8287 company's credit under this section. The [department] authority shall
8288 provide a copy of such voucher to the commissioner, upon request.

8289 (3) The [department] authority shall charge a reasonable
8290 administrative fee sufficient to cover the [department's] authority's
8291 costs to analyze applications submitted under this section.

8292 (h) If an eligible production company sells, assigns or otherwise
8293 transfers a credit under this section to another taxpayer, the transferor
8294 and transferee shall jointly submit written notification of such transfer
8295 to the [department] authority not later than thirty days after such
8296 transfer. If such transferee sells, assigns or otherwise transfers a credit
8297 under this section to a subsequent transferee, such transferee and such
8298 subsequent transferee shall jointly submit written notification of such
8299 transfer to the [department] authority not later than thirty days after
8300 such transfer. The notification after each transfer shall include the
8301 credit voucher number, the date of transfer, the amount of such credit
8302 transferred, the tax credit balance before and after the transfer, the tax
8303 identification numbers for both the transferor and the transferee, and
8304 any other information required by the [department] authority. Failure
8305 to comply with this subsection will result in a disallowance of the tax
8306 credit until there is full compliance on the part of the transferor and
8307 the transferee, and for a second or third transfer, on the part of all
8308 subsequent transferors and transferees. The [department] authority
8309 shall provide a copy of the notification of assignment to the
8310 commissioner upon request.

8311 (i) Any eligible production company that submits information to the
8312 [department] authority that it knows to be fraudulent or false shall, in
8313 addition to any other penalties provided by law, be liable for a penalty
8314 equal to the amount of such company's credit entered on the

8315 production tax credit certificate issued under this section.

8316 (j) No tax credits transferred pursuant to this section shall be subject
8317 to a post-certification remedy, and the [department] authority and the
8318 commissioner shall have no right, except in the case of possible
8319 material misrepresentation or fraud, to conduct any further or
8320 additional review, examination or audit of the expenditures or costs
8321 for which such tax credits were issued. The sole and exclusive remedy
8322 of the [department] authority and the commissioner shall be to seek
8323 collection of the amount of such tax credits from the entity that
8324 committed the fraud or misrepresentation.

8325 (k) The [department] commissioner, in consultation with the
8326 [commissioner] authority, shall adopt regulations, in accordance with
8327 the provisions of chapter 54, as may be necessary for the
8328 administration of this section.

8329 Sec. 175. Section 12-217kk of the general statutes is repealed and the
8330 following is substituted in lieu thereof (*Effective July 1, 2011*):

8331 (a) As used in this section:

8332 (1) "Commissioner" means the Commissioner of Revenue Services.

8333 (2) ["Department" means the Department of Economic and
8334 Community Development] "Authority" means the Connecticut
8335 Economic Development Authority.

8336 (3) "Infrastructure project" means a capital project to provide basic
8337 buildings, facilities or installations needed for the functioning of the
8338 digital media and motion picture industry in this state.

8339 (4) "State-certified project" means an infrastructure project
8340 undertaken in this state by an entity that (A) is in compliance with
8341 regulations adopted pursuant to subsection (e) of this section, (B) is
8342 authorized to conduct business in this state, (C) is not in default on a
8343 loan made by the state or a loan guaranteed by the state, nor has ever
8344 declared bankruptcy under which an obligation of the entity to pay or

8345 repay public funds was discharged as a part of such bankruptcy, and
8346 (D) has been approved by the [department] authority as qualifying for
8347 an infrastructure tax credit under this section.

8348 (5) "Post-certification remedy" means the recapture, disallowance,
8349 recovery, reduction, repayment, forfeiture, decertification or any other
8350 remedy that would have the effect of reducing or otherwise limiting
8351 the use of a tax credit provided by this section.

8352 (b) (1) (A) For income years commencing prior to January 1, 2010,
8353 there shall be allowed a state-certified project credit against the tax
8354 imposed under chapter 207 or this chapter to any taxpayer that invests
8355 in a state-certified project. Such credit may be in the following
8356 amounts: (i) For state-certified projects costing greater than fifteen
8357 thousand dollars and less than one hundred fifty thousand dollars,
8358 each taxpayer may be allowed a tax credit of ten per cent of the
8359 investment made by such taxpayer; (ii) for state-certified projects
8360 costing one hundred fifty thousand dollars or more, but less than one
8361 million dollars, each taxpayer may be allowed a tax credit of fifteen per
8362 cent of the investment made by such taxpayer; and (iii) for state-
8363 certified projects costing one million dollars or more, each taxpayer
8364 may be allowed a tax credit of twenty per cent of the investment made
8365 by such taxpayer.

8366 (B) For income years commencing on or after January 1, 2010, there
8367 shall be allowed a state-certified project credit against the tax imposed
8368 under chapter 207 or this chapter to any taxpayer that invests three
8369 million dollars or more in a state-certified project in an amount equal
8370 to twenty per cent of the investment made by such taxpayer.

8371 (2) Eligible expenditures pursuant to this section shall include the
8372 following: All expenditures for a capital project to provide buildings,
8373 facilities or installations, whether a capital lease or purchase, together
8374 with necessary equipment for a film, video, television, digital
8375 production facility or digital animation production facility; project
8376 development, including design, professional consulting fees and

8377 transaction costs; development, preproduction, production, post-
8378 production and distribution equipment and system access; and fixtures
8379 and other equipment.

8380 (3) Any credit allowed pursuant to this section may be sold,
8381 assigned or otherwise transferred, in whole or in part, to one or more
8382 taxpayers, and such taxpayers may sell, assign or otherwise transfer, in
8383 whole or in part, such credit. Any taxpayer holding such credit may
8384 claim such credit only for the income year in which expenditures were
8385 made by the taxpayer for the infrastructure project.

8386 (4) Any credit allowed pursuant to this section shall be claimed
8387 against the tax imposed under chapter 207 or this chapter. If the
8388 amount of the credit allowable under this section exceeds the sum of
8389 any taxes due from a taxpayer, any such excess amount of the credit
8390 allowable under this section may be taken in any of the three
8391 immediately succeeding income years.

8392 (5) Any tax credit earned under this section shall be nonrefundable.

8393 (c) (1) An entity undertaking an infrastructure project shall apply to
8394 the **[**department**]** authority for an eligibility certificate not later than
8395 ninety days after the first expenses or costs are incurred, and shall
8396 provide with such application such information as the **[**department**]**
8397 authority may require to determine such infrastructure project's
8398 eligibility as a state-certified project.

8399 (2) Each application for an eligibility certificate shall include: (A) A
8400 detailed description of the infrastructure project; (B) a preliminary
8401 budget; (C) estimated completion date; and (D) such other information
8402 as the **[**department**]** authority may require. The **[**department**]** authority
8403 may require an independent audit of all project costs and expenditures
8404 prior to certification. If the **[**department**]** authority determines that
8405 such project is eligible to be a state-certified project, the **[**department**]**
8406 authority shall indicate the amount of costs or expenditures that has
8407 been established to the satisfaction of the **[**department**]** authority, and
8408 issue to such entity a tax credit certification letter for investors

8409 indicating the amount of tax credits available under this section. The
8410 [department] authority shall provide a copy of such letter to the
8411 commissioner, upon request.

8412 (3) Prior to the issuance of a state-certified project tax credit voucher
8413 to a taxpayer based upon the tax credit certification letter issued
8414 pursuant to subdivision (2) of this subdivision, the entity undertaking
8415 such infrastructure project shall provide the [department] authority
8416 with a description of the progress on such project and an estimated
8417 completion date. The [department] authority may require an
8418 independent audit of all project costs and expenditures prior to
8419 issuance of such tax credit voucher to a taxpayer. No such tax credit
8420 voucher may be issued prior to such time as such state-certified project
8421 is shown to be one hundred per cent complete.

8422 (4) The [department] authority shall charge a reasonable
8423 administrative fee sufficient to cover the [department's] authority's
8424 costs to analyze applications submitted under this section.

8425 (d) If a taxpayer sells, assigns or otherwise transfers a credit under
8426 this section to another taxpayer, the transferor and transferee shall
8427 jointly submit written notification of such transfer to the [department]
8428 authority not later than thirty days after such transfer. The notification
8429 shall include the credit certificate number, the date of transfer, the
8430 amount of such credit transferred, the tax credit balance before and
8431 after the transfer, the tax identification numbers for both the transferor
8432 and the transferee and any other information required by the
8433 commissioner. After the initial issuance of a tax credit, such credit may
8434 be sold, assigned or otherwise transferred not more than three times.
8435 Failure to comply with this subsection will result in a disallowance of
8436 the tax credit until there is full compliance on both the part of the
8437 transferor and the transferee, and all subsequent transferors and
8438 transferees. The [department] authority shall provide a copy of the
8439 notification of assignment to the commissioner upon request.

8440 (e) No tax credits transferred pursuant to this section shall be

8441 subject to a post-certification remedy, and the **[**department**]** authority
8442 and the commissioner shall have no right, except in the case of possible
8443 material misrepresentation or fraud, to conduct any further or
8444 additional review, examination or audit of the expenditures or costs
8445 for which such tax credits were issued. The sole and exclusive remedy
8446 of the **[**department**]** authority and the commissioner shall be to seek
8447 collection of the amount of such tax credits from the entity that
8448 committed the fraud or misrepresentation.

8449 (f) The **[**department**]** commissioner, in consultation with the
8450 **[**commissioner**]** authority, shall adopt regulations, in accordance with
8451 the provisions of chapter 54, as may be necessary for the
8452 administration of this section.

8453 Sec. 176. Section 12-217*ll* of the general statutes is repealed and the
8454 following is substituted in lieu thereof (*Effective July 1, 2011*):

8455 (a) As used in this section:

8456 (1) "Commissioner" means the Commissioner of Revenue Services.

8457 (2) **[**"Department" means the Department of Economic and
8458 Community Development**]** "Authority" means the Connecticut
8459 Economic Development Authority.

8460 (3) "Digital animation production company" means a corporation,
8461 partnership, limited liability company or other business entity engaged
8462 exclusively in digital animation production activity on an ongoing
8463 basis, and that is qualified by the Secretary of the State to engage in
8464 business in the state.

8465 (4) "State-certified digital animation production company" means a
8466 digital animation production company that (A) maintains studio
8467 facilities located within the state at which digital animation production
8468 activities are conducted, (B) employs at least two hundred full-time
8469 employees within the state, (C) is in compliance with regulations
8470 adopted pursuant to subsection (h) of this section, and (D) has been

8471 certified by the [department] authority.

8472 (5) "Digital animation production activity" means the creation,
8473 development and production of computer-generated animation
8474 content for distribution or exhibition to the general public, but not for
8475 the production of any material for which records are required to be
8476 maintained under 18 USC 2257 with respect to sexually explicit
8477 content.

8478 (6) "Full-time employee" means an employee required to work at
8479 least thirty-five hours or more per week, and who is not a temporary
8480 or seasonal employee.

8481 (7) "Post-certification remedy" means the recapture, disallowance,
8482 recovery, reduction, repayment, forfeiture, decertification or any other
8483 remedy that would have the effect of reducing or otherwise limiting
8484 the use of a tax credit provided by this section.

8485 (8) "Production expenses or costs" means all expenditures clearly
8486 and demonstrably incurred in the state in the development,
8487 preproduction, production or postproduction costs of a digital
8488 animation production activity, including:

8489 (A) Expenditures for optioning or purchase of any intellectual
8490 property including, but not limited to, books, scripts, music or
8491 trademarks relating to the development or purchase of a script,
8492 screenplay or format, to the extent that such expenditures are less than
8493 thirty-five per cent of the production expenses or costs incurred by a
8494 digital animation production company in any income year. Such
8495 expenses or costs shall include all expenditures generally associated
8496 with the optioning or purchase of intellectual property, including
8497 option money, agent fees and attorney fees relating to the transaction,
8498 but shall not include any and all deferrals, deferments, profit
8499 participation or recourse or nonrecourse loans which the digital
8500 animation production company may negotiate in order to obtain the
8501 rights to the intellectual property;

8502 (B) Expenditures incurred in the form of either compensation or
8503 purchases including production work, production equipment not
8504 eligible for the infrastructure tax credit provided in section 12-217kk,
8505 as amended by this act, production software, postproduction work,
8506 postproduction equipment, postproduction software, set design, set
8507 construction, props, lighting, wardrobe, makeup, makeup accessories,
8508 special effects, visual effects, audio effects, actors, voice talent, film
8509 processing, music, sound mixing, editing, location fees, soundstages,
8510 rent, utilities, insurance, administrative support, systems support, all
8511 reasonably-related expenses in connection with digital animation
8512 production activity, and any and all other costs or services directly
8513 incurred in the state in connection with a state-certified digital
8514 animation production company;

8515 (C) Expenditures for distribution, including preproduction,
8516 production or postproduction costs relating to the creation of trailers,
8517 marketing videos, short films, commercials, point-of-purchase videos
8518 and any and all content created on film or digital media, including the
8519 duplication of films, videos, CDs, DVDs and any and all digital files
8520 now in existence and those yet to be created for mass consumer
8521 consumption; the purchase, by a company in the state, of any and all
8522 equipment relating to the duplication or mass market distribution of
8523 any content created or produced in the state by any digital media
8524 format which is now in use and those formats yet to be created for
8525 mass consumer consumption; and

8526 (D) "Production expenses or costs" does not include the following:
8527 (i) Compensation in excess of fifteen million dollars paid to any
8528 individual or entity representing an individual, for services provided
8529 in a digital animation production activity and, on or after January 1,
8530 2010, compensation subject to Connecticut personal income tax in
8531 excess of twenty million dollars paid in the aggregate to any
8532 individuals or entities representing individuals, for star talent
8533 provided in a digital animation production activity; (ii) media buys,
8534 promotional events or gifts or public relations associated with the
8535 promotion or marketing of any digital animation production activity;

8536 (iii) deferred, leveraged or profit participation costs relating to any and
8537 all personnel associated with any and all aspects of the production,
8538 including, but not limited to, producer fees, director fees, talent fees
8539 and writer fees; (iv) costs relating to the transfer of the digital
8540 animation tax credits; (v) any amounts paid to persons or businesses as
8541 a result of their participation in profits from the exploitation of the
8542 digital animation production activity; and (vi) any expenses or costs
8543 relating to an independent certification, as required by subsection (c)
8544 of this section, or as the **[**department**]** authority may otherwise require,
8545 pertaining to the amount of production expenses or costs set forth by a
8546 state-certified digital animation company in its application for a digital
8547 animation tax credit.

8548 (b) (1) The **[**Department of Economic and Community
8549 Development**]** Connecticut Economic Development Authority shall
8550 administer a system of tax credit vouchers within the resources,
8551 requirements and purposes of this section for digital animation
8552 production companies undertaking digital animation production
8553 activity in the state.

8554 (A) For income years commencing on or after January 1, 2007, but
8555 prior to January 1, 2010, any state-certified digital animation
8556 production company incurring production expenses or costs in excess
8557 of fifty thousand dollars shall be eligible for a credit against the tax
8558 imposed under chapter 207 or this chapter, equal to thirty per cent of
8559 such production expenses or costs.

8560 (B) For income years commencing on or after January 1, 2010, (i) any
8561 state-certified digital animation production company incurring
8562 production expenses or costs of not less than one hundred thousand
8563 dollars, but not more than five hundred thousand dollars, shall be
8564 eligible for a credit against the tax imposed under chapter 207 or this
8565 chapter equal to ten per cent of such production expenses or costs, (ii)
8566 any such company incurring such expenses or costs of more than five
8567 hundred thousand dollars, but not more than one million dollars, shall
8568 be eligible for a credit against the tax imposed under chapter 207 or

8569 this chapter equal to fifteen per cent of such production expenses or
8570 costs, and (iii) any such company incurring such expenses or costs of
8571 more than one million dollars shall be eligible for a credit against the
8572 tax imposed under chapter 207 or this chapter equal to thirty per cent
8573 of such production expenses or costs.

8574 (2) Any credit allowed pursuant to this section may be sold,
8575 assigned or otherwise transferred, in whole or in part, to one or more
8576 taxpayers, provided no credit, after issuance, may be sold, assigned or
8577 otherwise transferred, in whole or in part, more than three times.

8578 (3) All or part of any credit allowed pursuant to this section shall be
8579 claimed against the tax imposed under chapter 207 or this chapter, for
8580 the income year in which the production expenses or costs were
8581 incurred, or in the three immediately succeeding income years. Any
8582 digital animation tax credit allowed under this section shall be
8583 nonrefundable.

8584 (4) Any digital animation production company receiving a digital
8585 animation tax credit pursuant to this section shall not be eligible to
8586 apply for or receive a tax credit pursuant to section 12-217jj, as
8587 amended by this act.

8588 (c) (1) Not more frequently than twice during the income year of a
8589 state-certified digital animation production company, such company
8590 may apply to the [department] authority for a digital animation tax
8591 credit voucher, and shall provide with such application such
8592 information and independent certification as the [department]
8593 authority may require pertaining to the amount of such company's
8594 production expenses or costs incurred during the period for which
8595 such application is made. Such independent certification shall be
8596 provided by an audit professional chosen from a list compiled by the
8597 [department] authority. If the [department] authority determines that
8598 the company is eligible to be issued a tax credit voucher, the
8599 [department] authority shall enter on the voucher the amount of
8600 production expenses and costs incurred during the period for which

8601 the voucher is issued and the amount of tax credits issued pursuant to
8602 such voucher. The [department] authority shall provide a copy of such
8603 voucher to the commissioner upon request.

8604 (2) The [department] authority shall charge a reasonable
8605 administrative fee sufficient to cover the [department's] authority's
8606 costs to analyze applications submitted under this section.

8607 (d) If a state-certified digital animation production company sells,
8608 assigns or otherwise transfers a credit under this section to another
8609 taxpayer, the transferor and transferee shall jointly submit written
8610 notification of such transfer to the [department] authority not later
8611 than thirty days after such transfer. If such transferee sells, assigns or
8612 otherwise transfers a credit under this section to a subsequent
8613 transferee, such transferee and such subsequent transferee shall jointly
8614 submit written notification of such transfer to the [department]
8615 authority not later than thirty days after such transfer. The notification
8616 after each transfer shall include the credit voucher number, the date of
8617 transfer, the amount of such credit transferred, the tax credit balance
8618 before and after the transfer, the tax identification numbers for both
8619 the transferor and the transferee, and any other information required
8620 by the [department] authority. Failure to comply with this subsection
8621 will result in a disallowance of the tax credit until there is full
8622 compliance on the part of the transferor and the transferee, and for a
8623 second or third transfer, on the part of all subsequent transferors and
8624 transferees. The [department] authority shall provide a copy of the
8625 notification of assignment to the commissioner upon request.

8626 (e) Any state-certified digital animation production company that
8627 submits information to the department that it knows to be fraudulent
8628 or false shall, in addition to any other penalties provided by law, be
8629 liable for a penalty equal to the amount of such company's credit
8630 entered on the digital animation tax credit certificate issued under this
8631 section.

8632 (f) No tax credits transferred pursuant to this section shall be subject

8633 to a post-certification remedy, and the [department] authority and the
8634 commissioner shall have no right, except in the case of possible
8635 material misrepresentation or fraud, to conduct any further or
8636 additional review, examination or audit of the expenditures or costs
8637 for which such tax credits were issued. The sole and exclusive remedy
8638 of the [department] authority and the commissioner shall be to seek
8639 collection of the amount of such tax credits from the entity that
8640 committed the fraud or misrepresentation.

8641 (g) The aggregate amount of all tax credits which may be reserved
8642 by the [department] authority pursuant to this section shall not exceed
8643 fifteen million dollars in any one fiscal year.

8644 (h) The [department] commissioner, in consultation with the
8645 [commissioner] authority, shall adopt regulations, in accordance with
8646 the provisions of chapter 54, as may be necessary for the
8647 administration of this section.

8648 Sec. 177. Subdivision (5) of subsection (a) of section 12-217mm of the
8649 general statutes is repealed and the following is substituted in lieu
8650 thereof (*Effective July 1, 2011*):

8651 (5) "Enterprise zone" means an area in a municipality designated by
8652 the [Commissioner of Economic and Community Development]
8653 executive director of the Connecticut Economic Development
8654 Authority as an enterprise zone in accordance with the provisions of
8655 section 32-70;

8656 Sec. 178. Section 13b-31c of the general statutes is repealed and the
8657 following is substituted in lieu thereof (*Effective July 1, 2011*):

8658 The Commissioner of Transportation, in consultation with the
8659 [Commissioners] Commissioner of Environmental Protection, [and
8660 Economic and Community Development,] may designate state
8661 highways or portions thereof as scenic roads. Any alteration of a scenic
8662 road shall maintain the character of such road when so designated, if
8663 practical.

8664 Sec. 179. Section 13b-31e of the general statutes is repealed and the
8665 following is substituted in lieu thereof (*Effective July 1, 2011*):

8666 The Commissioner of Transportation, in consultation with the
8667 **[**Commissioners**]** Commissioner of Environmental Protection, **[**and
8668 Economic and Community Development,**]** shall adopt regulations in
8669 accordance with the provisions of chapter 54 setting forth special
8670 maintenance and improvement standards for scenic roads which shall
8671 include provisions for widening of the right-of-way or traveled portion
8672 of the highway and for guardrails, paving, changes of grade,
8673 straightening and removal of stone walls or mature trees. In adopting
8674 such regulations the commissioner shall consider the protection of
8675 historic and natural features of scenic roads.

8676 Sec. 180. Subsection (a) of section 13b-38a of the general statutes is
8677 repealed and the following is substituted in lieu thereof (*Effective July*
8678 *1, 2011*):

8679 (a) The Department of Transportation shall assist all employers in
8680 the state who employ or provide parking facilities for one hundred or
8681 more employees in one location, in establishing a commuter, trip-to-
8682 work program. The Department of Transportation, working in
8683 coordination with the Office of Policy and Management **[**,**]** and the
8684 Department of Environmental Protection, **[**and the Department of
8685 Economic and Community Development,**]** shall provide to such
8686 employers information for commuting to work, which information
8687 shall include, but not be limited to, the following: (1) Schedules and
8688 types of available modes of public transportation in the employer's
8689 region; (2) maps and listings of state commuter parking lot locations;
8690 (3) estimates of cost savings to individual employees where
8691 determinable; (4) sources of available federal and state funds,
8692 including subsidies, to aid in the implementation of employee
8693 commuter, trip-to-work programs; (5) available tax incentives to
8694 employers for participation in such program; (6) lists of state, regional
8695 and local officials operating transit districts, who may assist the
8696 employer in such a program; and (7) literature, posters, pamphlets and

8697 cost savings charts. All employers in the state who employ or provide
8698 parking facilities to one hundred or more employees in one location,
8699 who wish to participate in a commuter, trip-to-work program, shall
8700 submit to the Department of Transportation on forms provided by the
8701 commissioner, the work schedules, residence addresses and usual
8702 mode of transportation of their employees. Following an employer's
8703 request for a commuter, trip-to-work program, the department, in
8704 conjunction with any other state agency having jurisdiction, shall
8705 render necessary assistance in the implementation of the program.
8706 Based upon information received from the employer and in the order
8707 received, the Department of Transportation shall furnish to such
8708 employers a proposed commuter, trip-to-work program for their
8709 employees. Said program shall include at no cost to the employer: (A)
8710 A computer matching of employees for potential carpool, vanpool and
8711 buspool services; (B) technical assistance to the employer in
8712 implementing carpools, vanpools and buspools and utilizing existing
8713 transit systems at the employer's work location.

8714 Sec. 181. Subsection (a) of section 13b-51a of the general statutes is
8715 repealed and the following is substituted in lieu thereof (*Effective July*
8716 *1, 2011*):

8717 (a) There shall be in the Department of Transportation a Connecticut
8718 Maritime Commission which shall consist of **[**fifteen**]** <u>fourteen</u>
8719 members, as follows: (1) The Commissioners of Transportation **[**,
8720 Economic and Community Development**]** and Environmental
8721 Protection, the Secretary of the Office of Policy and Management and
8722 the chairman of the Transportation Strategy Board, established
8723 pursuant to section 13b-57e, <u>as amended by this act,</u> or their respective
8724 designees; (2) four members appointed by the Governor; and (3) one
8725 member each appointed by the president pro tempore of the Senate,
8726 the speaker of the House of Representatives, the majority leader of the
8727 Senate, the minority leader of the Senate, the majority leader of the
8728 House of Representatives and the minority leader of the House of
8729 Representatives. All appointed members shall serve for terms
8730 coterminous with their appointing authority and until their successor

8731 is appointed and has qualified. Vacancies on said commission shall be
8732 filled for the remainder of the term in the same manner as original
8733 appointments.

8734 Sec. 182. Subdivision (2) of subsection (b) of section 13b-57d of the
8735 general statutes is repealed and the following is substituted in lieu
8736 thereof (*Effective July 1, 2011*):

8737 (2) "Economic development plan" means a comprehensive plan
8738 describing (A) existing economic development projects, and (B)
8739 proposed economic development projects for which a letter of
8740 commitment has been issued by the **[**Department of Economic and
8741 Community Development**]** Connecticut Economic Development
8742 Authority; and

8743 Sec. 183. Subdivision (3) of subsection (a) of section 13b-57e of the
8744 general statutes is repealed and the following is substituted in lieu
8745 thereof (*Effective July 1, 2011*):

8746 (3) The Commissioners of Transportation, Environmental Protection
8747 **[**, Economic and Community Development**]** and Public Safety, and the
8748 Secretary of the Office of Policy and Management, or their respective
8749 designees.

8750 Sec. 184. Subsection (f) of section 13b-57e of the general statutes is
8751 repealed and the following is substituted in lieu thereof (*Effective July*
8752 *1, 2011*):

8753 (f) The Secretary of the Office of Policy and Management shall be
8754 responsible for staff support for the board. The secretary may utilize
8755 the staff of said office and, in consultation with the responsible agency
8756 head, the Department of Transportation **[**, the Department of Economic
8757 and Community Development,**]** or any other state agency for that
8758 purpose. Within available appropriations, the board may hire
8759 consultants with approval by the secretary, and such consultants shall
8760 be procured through the Office of Policy and Management or the
8761 Department of Transportation, as determined by the secretary.

8762 Sec. 185. Subsection (j) of section 13b-57g of the general statutes is
8763 repealed and the following is substituted in lieu thereof (*Effective July*
8764 *1, 2011*):

8765 (j) Not later than January 1, 2007, and quadrennially thereafter, the
8766 board shall review and, if necessary, revise the strategy adopted
8767 pursuant to subsection (a) of this section. A report describing any
8768 revisions and the reasons for such revisions shall be submitted to the
8769 Governor and, pursuant to section 11-4a, the General Assembly. Such
8770 report shall include a prioritized list of projects which the board, in
8771 consultation with the commissioner, determines are necessary to
8772 implement the recommended strategy, including the estimated capital
8773 and operating costs and time frame of such projects, and completion
8774 schedule for all projects. Not later than January 31, 2007, and
8775 quadrennially thereafter, the joint standing committees of the General
8776 Assembly having cognizance of matters relating to transportation,
8777 finance, revenue and bonding and planning and development and the
8778 chairpersons and ranking members of the joint standing committee
8779 having cognizance of matters relating to commerce shall meet with the
8780 **[**Commissioners**]** Commissioner of Transportation, **[**and Economic and
8781 Community Development,**]** the Secretary of the Office of Policy and
8782 Management, the chairperson of the Transportation Strategy Board
8783 and such other persons as they deem appropriate to consider the
8784 report required by this subsection.

8785 Sec. 186. Section 13b-79s of the general statutes is repealed and the
8786 following is substituted in lieu thereof (*Effective July 1, 2011*):

8787 The Secretary of the Office of Policy and Management shall (1) in
8788 consultation with the Commissioners of Transportation **[**, Economic
8789 and Community Development**]** and Environmental Protection, ensure
8790 the coordination of state and regional transportation planning with
8791 other state planning efforts, including, but not limited to, economic
8792 development and housing plans; (2) coordinate interagency policy and
8793 initiatives concerning transportation; (3) in consultation with the
8794 Commissioner of Transportation, evaluate transportation initiatives

8795 and proposed expenditures; and (4) coordinate staff and consultant
8796 services for the Transportation Strategy Board.

8797 Sec. 187. Subsection (b) of section 13b-79z of the general statutes is
8798 repealed and the following is substituted in lieu thereof (*Effective July*
8799 *1, 2011*):

8800 (b) During the month of December of each year, the joint standing
8801 committees of the General Assembly having cognizance of matters
8802 relating to transportation, finance, revenue and bonding and planning
8803 and development shall meet with the **[**Commissioners**]** Commissioner
8804 of Transportation **[**and Economic and Community Development**]** and
8805 the Secretary of the Office of Policy and Management and such other
8806 persons as they deem appropriate to consider the report required by
8807 subsection (a) of this section.

8808 Sec. 188. Subsection (b) of section 14-11c of the general statutes is
8809 repealed and the following is substituted in lieu thereof (*Effective July*
8810 *1, 2011*):

8811 (b) The Motor Carrier Advisory Council shall consist of the
8812 following voting members: The Commissioners of Transportation,
8813 Motor Vehicles, Public Safety, Revenue Services **[**, Economic and
8814 Community Development**]** and Environmental Protection, or their
8815 designees, and any other commissioner of a state agency, or such
8816 commissioner's designee, invited to participate. The Commissioner of
8817 Motor Vehicles or the commissioner's designee shall organize and
8818 serve as chairperson of the council. The council shall only make
8819 recommendations or take actions by a unanimous vote of all members
8820 present and voting. The council may make recommendations as the
8821 council deems appropriate to the United States Congress, the Governor
8822 or the General Assembly.

8823 Sec. 189. Subsection (b) of section 15-101mm of the general statutes
8824 is repealed and the following is substituted in lieu thereof (*Effective July*
8825 *1, 2011*):

8826 (b) The Bradley Board of Directors shall consist of **[**seven**]** six
8827 members, appointed as follows: The Commissioner of Transportation,
8828 **[**and the Commissioner of Economic and Community Development,
8829 each**]** serving ex-officio, a representative appointed by the speaker of
8830 the House of Representatives from the Connecticut Transportation
8831 Strategy Board, created by section 13b-57e, as amended by this act, a
8832 representative appointed by the minority leader of the House of
8833 Representatives from among the members of the Bradley International
8834 Community Advisory Board, as created by section 15-101pp and three
8835 private sector members appointed as follows: (A) The Governor shall
8836 appoint one member, who shall be the chairperson, and whose first
8837 term shall expire on June 30, 2005, (B) the president pro tempore of the
8838 Senate shall appoint one member whose first term shall expire on June
8839 30, 2005, (C) the minority leader of the Senate shall appoint one
8840 member whose first term shall expire on June 30, 2005. The term of
8841 office of each successor shall be four years.

8842 Sec. 190. Subsection (d) of section 16-19e of the general statutes is
8843 repealed and the following is substituted in lieu thereof (*Effective July*
8844 *1, 2011*):

8845 (d) The Commissioner of Environmental Protection, **[**the
8846 Commissioner of Economic and Community Development,**]** the
8847 Connecticut Siting Council and the Office of Policy and Management
8848 shall be made parties to each proceeding on a rate amendment
8849 proposed by a gas, electric or electric distribution company based
8850 upon an alleged need for increased revenues to finance an expansion
8851 of capital equipment and facilities, and shall participate in such
8852 proceedings to the extent necessary.

8853 Sec. 191. Subsection (h) of section 16-50j of the general statutes is
8854 repealed and the following is substituted in lieu thereof (*Effective July*
8855 *1, 2011*):

8856 (h) Prior to commencing any hearing pursuant to section 16-50m,
8857 the council shall consult with and solicit written comments from the

8858 Department of Environmental Protection, the Department of Public
8859 Health, the Council on Environmental Quality, the Department of
8860 Agriculture, the Department of Public Utility Control, the Office of
8861 Policy and Management **[**, the Department of Economic and
8862 Community Development**]** and the Department of Transportation. In
8863 addition, the Department of Environmental Protection shall have the
8864 continuing responsibility to investigate and report to the council on all
8865 applications which prior to October 1, 1973, were within the
8866 jurisdiction of said Department of Environmental Protection with
8867 respect to the granting of a permit. Copies of such comments shall be
8868 made available to all parties prior to the commencement of the
8869 hearing. Subsequent to the commencement of the hearing, said
8870 departments and council may file additional written comments with
8871 the council within such period of time as the council designates. All
8872 such written comments shall be made part of the record provided by
8873 section 16-50o. Said departments and council shall not enter any
8874 contract or agreement with any party to the proceedings or hearings
8875 described in this section or section 16-50p, that requires said
8876 departments or council to withhold or retract comments, refrain from
8877 participating in or withdraw from said proceedings or hearings.

8878 Sec. 192. Subsection (a) of section 16-261a of the general statutes is
8879 repealed and the following is substituted in lieu thereof (*Effective July*
8880 *1, 2011*):

8881 (a) There is established an interagency task force to study electric
8882 and magnetic fields. The task force shall determine the appropriate
8883 role of the state in addressing the potential problems associated with
8884 electric and magnetic fields and may make recommendations to the
8885 General Assembly regarding any legislation which it deems
8886 appropriate. The task force shall consist of (1) the Commissioner of
8887 Public Health or his designee; (2) the Commissioner of Environmental
8888 Protection or his designee; (3) **[**the Commissioner of Economic and
8889 Community Development or his designee; (4)**]** the Secretary of the
8890 Office of Policy and Management or his designee; **[**(5)**]** (4) the
8891 chairperson of the Public Utilities Control Authority or his designee;

8892 and **[**(6)**]** (5) the chairman of the Connecticut Siting Council or his
8893 designee.

8894 Sec. 193. Subsection (b) of section 16a-14a of the general statutes is
8895 repealed and the following is substituted in lieu thereof (*Effective July*
8896 *1, 2011*):

8897 (b) The secretary shall adopt regulations in accordance with chapter
8898 54 **[**, in consultation with the Commissioner of Economic and
8899 Community Development,**]** to govern the operation of any such grant
8900 program and to define small businesses, or specific categories thereof,
8901 which are eligible for such grants. Priority shall be accorded to the
8902 development of small scale technology applicable to residential
8903 dwellings and municipal facilities.

8904 Sec. 194. Section 16a-35c of the general statutes is repealed and the
8905 following is substituted in lieu thereof (*Effective July 1, 2011*):

8906 (a) As used in this section and sections 16a-35d to 16a-35g, inclusive:

8907 (1) "Funding" includes any form of assurance, guarantee, grant
8908 payment, credit, tax credit or other assistance, including a loan, loan
8909 guarantee, or reduction in the principal obligation of or rate of interest
8910 payable on a loan or a portion of a loan;

8911 (2) "Growth-related project" means any project which includes (A)
8912 the acquisition of real property when the acquisition costs are in excess
8913 of one hundred thousand dollars, except the acquisition of open space
8914 for the purposes of conservation or preservation; (B) the development
8915 or improvement of real property when the development costs are in
8916 excess of one hundred thousand dollars; (C) the acquisition of public
8917 transportation equipment or facilities when the acquisition costs are in
8918 excess of one hundred thousand dollars; or (D) the authorization of
8919 each state grant, any application for which is not pending on July 1,
8920 2006, for an amount in excess of one hundred thousand dollars, for the
8921 acquisition or development or improvement of real property or for the
8922 acquisition of public transportation equipment or facilities, except the

8923 following: (i) Projects for maintenance, repair, additions or renovations
8924 to existing facilities, acquisition of land for telecommunications towers
8925 whose primary purpose is public safety, parks, conservation and open
8926 space, and acquisition of agricultural, conservation and historic
8927 easements; (ii) funding by the [Department of Economic and
8928 Community Development] Connecticut Economic Development
8929 Authority for any project financed with federal funds used to purchase
8930 or rehabilitate existing single or multi-family housing or projects
8931 financed with the proceeds of revenue bonds if the [Commissioner of
8932 Economic and Community Development] executive director of the
8933 Connecticut Economic Development Authority determines that
8934 application of this section and sections 16a-35d and 16a-35e (I) conflicts
8935 with any provision of federal or state law applicable to the issuance or
8936 tax-exempt status of the bonds or any provision of any trust agreement
8937 between the [Department of Economic and Community Development]
8938 Connecticut Economic Development Authority and any trustee, or (II)
8939 would otherwise prohibit financing of an existing project or financing
8940 provided to cure or prevent any default under existing financing; (iii)
8941 projects that the [Commissioner of Economic and Community
8942 Development] executive director of the Connecticut Economic
8943 Development Authority determines promote fair housing choice and
8944 racial and economic integration as described in section 8-37cc; (iv)
8945 projects at an existing facility needed to comply with state
8946 environmental or health laws or regulations adopted thereunder; (v)
8947 school construction projects funded by the Department of Education
8948 under chapter 173; (vi) libraries; (vii) municipally owned property or
8949 public buildings used for government purposes; and (viii) any other
8950 project, funding or other state assistance not included under
8951 subparagraphs (A) to (D), inclusive, of this subdivision.

8952 (3) "Priority funding area" means the area of the state designated
8953 under subsection (b) of this section.

8954 (b) The Secretary of the Office of Policy and Management, in
8955 consultation with the Commissioners of [Economic and Community
8956 Development,] Environmental Protection, Public Works, Agriculture,

8957 Transportation, the executive director of the Connecticut Economic
8958 Development Authority, the chairman of the Transportation Strategy
8959 Board, the regional planning agencies in the state and any other
8960 persons or entities the secretary deems necessary shall develop
8961 recommendations for delineation of the boundaries of priority funding
8962 areas in the state and for revisions thereafter. In making such
8963 recommendations the secretary shall consider areas designated as
8964 regional centers, growth areas, neighborhood conservation areas and
8965 rural community centers on the state plan of conservation and
8966 development, redevelopment areas, distressed municipalities, as
8967 defined in section 32-9p; targeted investment communities, as defined
8968 in section 32-222; public investment communities, as defined in section
8969 7-545, enterprise zones, designated by the [Commissioner of Economic
8970 and Community Development] executive director of the Connecticut
8971 Economic Development Authority under section 32-70, as amended by
8972 this act, corridor management areas identified in the state plan of
8973 conservation and development and the principles of the
8974 Transportation Strategy Board approved under section 13b-57h. The
8975 secretary shall submit the recommendations to the Continuing
8976 Legislative Committee on State Planning and Development established
8977 pursuant to section 4-60d for review when the state plan of
8978 conservation and development is submitted to such committee in
8979 accordance with section 16a-29. The committee shall report its
8980 recommendations to the General Assembly at the time said state plan
8981 is submitted to the General Assembly under section 16a-30. The
8982 boundaries shall become effective upon approval of the General
8983 Assembly.

8984 Sec. 195. Section 16a-35h of the general statutes is repealed and the
8985 following is substituted in lieu thereof (*Effective July 1, 2011*):

8986 The [Commissioners] Commissioner of Environmental Protection
8987 [and Economic and Community Development] shall, in consultation
8988 with the Secretary of the Office of Policy and Management and the
8989 executive director of the Connecticut Economic Development
8990 Authority, establish a pilot program to identify and evaluate

8991 brownfield sites in priority funding areas designated pursuant to
8992 section 16a-35c, as amended by this act. Said [commissioners]
8993 commissioner and executive director will work with state and local
8994 agencies as a coordinated team to identify all necessary permits and
8995 approvals for development, conduct outreach to solicit development
8996 proposals, and coordinate to review all requests for funding and
8997 permit approvals.

8998 Sec. 196. Subsections (f) and (g) of section 16a-38 of the general
8999 statutes are repealed and the following is substituted in lieu thereof
9000 (*Effective July 1, 2011*):

9001 (f) The [Commissioner of Economic and Community Development]
9002 executive director of the Connecticut Economic Development
9003 Authority and the Secretary of the Office of Policy and Management
9004 shall jointly establish and publish energy performance standards for
9005 buildings constructed as part of state-owned and state-financed
9006 housing projects and establish standards for life-cycle cost analyses for
9007 such projects. In establishing such standards, the [commissioner]
9008 executive director and secretary shall consider (1) the coordination,
9009 positioning and solar orientation of the project on its situs, (2) the
9010 amount of glazing, degree of sun shading and direction of exposure,
9011 (3) the levels of insulation incorporated into the design, (4) the variable
9012 occupancy and operating conditions of the facility, (5) all architectural
9013 features which affect energy consumption, and (6) the design and
9014 location of all heating, cooling, hot water and electrical systems.

9015 (g) Notwithstanding any provision in this section concerning the
9016 review of life-cycle cost analyses by the Commissioner of Public
9017 Works, a life-cycle cost analysis of a major capital project prepared for
9018 the Department of Housing shall be reviewed by the [Commissioner of
9019 Economic and Community Development] executive director of the
9020 Connecticut Economic Development Authority and the Secretary of
9021 the Office of Policy and Management to determine if such analysis is in
9022 compliance with the life-cycle cost analyses standards established for
9023 such project under subsection (f) of this section.

9024 Sec. 197. Subsection (a) of section 16a-41 of the general statutes is
9025 repealed and the following is substituted in lieu thereof (*Effective July*
9026 *1, 2011*):

9027 (a) Any public or private agency or organization administering an
9028 energy assistance program which is funded or administered, in whole
9029 or in part, by the state shall take simultaneous applications from
9030 applicants for all energy assistance programs and energy conservation
9031 loan, grant, audit or service programs which that agency or
9032 organization administers and for which an applicant may be eligible
9033 and shall provide the applicants with written summaries of all such
9034 programs administered by other agencies and organizations and for
9035 which an applicant may be eligible. Any public or private agency or
9036 organization administering an energy conservation loan, grant, audit
9037 or service program or renewable resources loan, grant or service
9038 program which is funded or administered, in whole or in part, by the
9039 state shall provide applicants with written summaries of all other such
9040 programs in the state for which an applicant may be eligible. The
9041 Department of Social Services, in consultation with the **[**Department of
9042 Economic and Community Development and the**]** Department of
9043 Public Utility Control, shall adopt regulations in accordance with the
9044 provisions of chapter 54 to carry out the purposes of this subsection.
9045 Such regulations shall, without limitation, set forth requirements for
9046 the form and content of the summaries. The Department of Social
9047 Services shall be responsible for collecting and disseminating
9048 information on all such programs in the state to agencies and
9049 organizations administering the programs.

9050 Sec. 198. Subsection (a) of section 17a-3 of the general statutes is
9051 repealed and the following is substituted in lieu thereof (*Effective July*
9052 *1, 2011*):

9053 (a) The department shall plan, create, develop, operate or arrange
9054 for, administer and evaluate a comprehensive and integrated
9055 state-wide program of services, including preventive services, for
9056 children and youths whose behavior does not conform to the law or to

9057 acceptable community standards, or who are mentally ill, including
9058 deaf and hearing impaired children and youths who are mentally ill,
9059 emotionally disturbed, substance abusers, delinquent, abused,
9060 neglected or uncared for, including all children and youths who are or
9061 may be committed to it by any court, and all children and youths
9062 voluntarily admitted to, or remaining voluntarily under the
9063 supervision of, the commissioner for services of any kind. Services
9064 shall not be denied to any such child or youth solely because of other
9065 complicating or multiple disabilities. The department shall work in
9066 cooperation with other child-serving agencies and organizations to
9067 provide or arrange for preventive programs, including, but not limited
9068 to, teenage pregnancy and youth suicide prevention, for children and
9069 youths and their families. The program shall provide services and
9070 placements that are clinically indicated and appropriate to the needs of
9071 the child or youth. In furtherance of this purpose, the department
9072 shall: (1) Maintain the Connecticut Juvenile Training School and other
9073 appropriate facilities exclusively for delinquents; (2) develop a
9074 comprehensive program for prevention of problems of children and
9075 youths and provide a flexible, innovative and effective program for the
9076 placement, care and treatment of children and youths committed by
9077 any court to the department, transferred to the department by other
9078 departments, or voluntarily admitted to the department; (3) provide
9079 appropriate services to families of children and youths as needed to
9080 achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to
9081 17a-49, inclusive, and 17a-51; (4) establish incentive paid work
9082 programs for children and youths under the care of the department
9083 and the rates to be paid such children and youths for work done in
9084 such programs and may provide allowances to children and youths in
9085 the custody of the department; (5) be responsible to collect, interpret
9086 and publish statistics relating to children and youths within the
9087 department; (6) conduct studies of any program, service or facility
9088 developed, operated, contracted for or supported by the department in
9089 order to evaluate its effectiveness; (7) establish staff development and
9090 other training and educational programs designed to improve the
9091 quality of departmental services and programs, provided no social

9092 worker trainee shall be assigned a case load prior to completing
9093 training, and may establish educational or training programs for
9094 children, youths, parents or other interested persons on any matter
9095 related to the promotion of the well-being of children, or the
9096 prevention of mental illness, emotional disturbance, delinquency and
9097 other disabilities in children and youths; (8) develop and implement
9098 aftercare and follow-up services appropriate to the needs of any child
9099 or youth under the care of the department; (9) establish a case audit
9100 unit to monitor each area office's compliance with regulations and
9101 procedures; (10) develop and maintain a database listing available
9102 community service programs funded by the department; (11) provide
9103 outreach and assistance to persons caring for children whose parents
9104 are unable to do so by informing such persons of programs and
9105 benefits for which they may be eligible; and (12) collect data sufficient
9106 to identify the housing needs of children served by the department
9107 and share such data with the **[**Department of Economic and
9108 Community Development**]** Connecticut Economic Development
9109 Authority.

9110 Sec. 199. Subsection (b) of section 17a-485a of the general statutes is
9111 repealed and the following is substituted in lieu thereof (*Effective July*
9112 *1, 2011*):

9113 (b) The Commissioners of Mental Health and Addiction Services,
9114 Children and Families, **[**Economic and Community Development,**]**
9115 Education, Correction, Public Health and Social Services, the Secretary
9116 of the Office of Policy and Management and the Chief Court
9117 Administrator shall provide such information, including, but not
9118 limited to, information regarding needs assessments, program reviews
9119 and program revenues and expenses, and make such
9120 recommendations for expenditures from the account established under
9121 section 17a-485, as may be requested by the board.

9122 Sec. 200. Subsection (a) of section 17a-485b of the general statutes is
9123 repealed and the following is substituted in lieu thereof (*Effective July*
9124 *1, 2011*):

9125 (a) There is established a Community Mental Health Strategy Board.
9126 The voting members of the board shall be appointed as follows: (1)
9127 Two members by the Governor; (2) two members by the president pro
9128 tempore of the Senate; (3) two members by the speaker of the House of
9129 Representatives; (4) one member by the majority leader of the Senate;
9130 (5) one member by the majority leader of the House of Representatives;
9131 (6) two members by the minority leader of the Senate; (7) two members
9132 by the minority leader of the House of Representatives; (8) the
9133 Commissioner of Children and Families; and (9) the Commissioner of
9134 Mental Health and Addiction Services, who shall serve as chairperson.
9135 The Secretary of the Office of Policy and Management, the Chief Court
9136 Administrator and the Commissioners of **[**Economic and Community
9137 Development,**]** Education, Correction, Public Health and Social
9138 Services, or their designees, shall serve as nonvoting ex-officio
9139 members of the board. Board members shall serve without
9140 compensation but shall be reimbursed for their necessary expenses. All
9141 initial appointments to the board shall be made not later than
9142 September 1, 2001. The Commissioner of Mental Health and Addiction
9143 Services shall convene the first meeting of the board not later than
9144 September 15, 2001.

9145 Sec. 201. Subsection (c) of section 17b-337 of the general statutes is
9146 repealed and the following is substituted in lieu thereof (*Effective July*
9147 *1, 2011*):

9148 (c) The Long-Term Care Planning Committee shall consist of: (1)
9149 The chairpersons and ranking members of the joint standing and select
9150 committees of the General Assembly having cognizance of matters
9151 relating to human services, public health, elderly services and
9152 long-term care; (2) the Commissioner of Social Services, or the
9153 commissioner's designee; (3) one member of the Office of Policy and
9154 Management appointed by the Secretary of the Office of Policy and
9155 Management; (4) one member from the Department of Social Services
9156 appointed by the Commissioner of Social Services; (5) two members
9157 from the Department of Public Health appointed by the Commissioner
9158 of Public Health, one of whom is from the Office of Health Care Access

9159 division of the department; (6) **[**one member from the Department of
9160 Economic and Community Development appointed by the
9161 Commissioner of Economic and Community Development; (7)**]** one
9162 member from the Department of Developmental Services appointed by
9163 the Commissioner of Developmental Services; **[**(8)**]** (7) one member
9164 from the Department of Mental Health and Addiction Services
9165 appointed by the Commissioner of Mental Health and Addiction
9166 Services; **[**(9)**]** (8) one member from the Department of Transportation
9167 appointed by the Commissioner of Transportation; **[**(10)**]** (9) one
9168 member from the Department of Children and Families appointed by
9169 the Commissioner of Children and Families; and **[**(11)**]** (10) the
9170 executive director of the Office of Protection and Advocacy for Persons
9171 with Disabilities or the executive director's designee. The committee
9172 shall convene no later than ninety days after June 4, 1998. Any vacancy
9173 shall be filled by the appointing authority. The chairperson shall be
9174 elected from among the members of the committee. The committee
9175 shall seek the advice and participation of any person, organization or
9176 state or federal agency it deems necessary to carry out the provisions
9177 of this section.

9178 Sec. 202. Section 17b-733 of the general statutes is repealed and the
9179 following is substituted in lieu thereof (*Effective July 1, 2011*):

9180 The Department of Social Services shall be the lead agency for child
9181 day care services in Connecticut. The department shall: (1) Identify,
9182 annually, existing child day care services and maintain an inventory of
9183 all available services; (2) provide technical assistance to corporations
9184 and private agencies in the development and expansion of child day
9185 care services for families at all income levels, including families of their
9186 employees and clients; (3) study and identify funding sources available
9187 for child day care including federal funds and tax benefits; (4) study
9188 the cost and availability of liability insurance for child day care
9189 providers; (5) provide, in conjunction with the Departments of
9190 Education and Higher Education, ongoing training for child day care
9191 providers including preparing videotaped workshops and distributing
9192 them to cable stations for broadcast on public access stations, and seek

9193 private donations to fund such training; (6) encourage child day care
9194 services to obtain accreditation; (7) develop a range of financing
9195 options for child care services, including the use of a tax-exempt bond
9196 program, a loan guarantee program and establishing a direct revolving
9197 loan program; (8) promote the colocation of child day care and school
9198 readiness programs pursuant to section 4b-31; (9) establish a
9199 performance-based evaluation system; (10) develop for
9200 recommendation to the Governor and the General Assembly measures
9201 to provide incentives for the private sector to develop and support
9202 expanded child day care services; (11) provide, within available funds
9203 and in conjunction with the temporary family assistance program as
9204 defined in section 17b-680, child day care to public assistance
9205 recipients; (12) develop and implement, with the assistance of the
9206 Child Day Care Council and the Departments of Public Health, Social
9207 Services, Education, Higher Education, Children and Families,
9208 **[**Economic and Community Development**]** and Consumer Protection, a
9209 state-wide coordinated child day care and early childhood education
9210 training system (A) for child day care centers, group day care homes
9211 and family day care homes that provide child day care services, and
9212 (B) that makes available to such providers and their staff, within
9213 available appropriations, scholarship assistance, career counseling and
9214 training, advancement in career ladders, as defined in section 4-124bb,
9215 through seamless articulation of levels of training, program
9216 accreditation support and other initiatives recommended by the
9217 Departments of Social Services, Education and Higher Education; (13)
9218 plan and implement a unit cost reimbursement system for state-
9219 funded child day care services such that, on and after January 1, 2008,
9220 any increase in reimbursement shall be based on a requirement that
9221 such centers meet the staff qualifications, as defined in subsection (b)
9222 of section 10-16p; (14) develop, within available funds, initiatives to
9223 increase compensation paid to child day care providers for educational
9224 opportunities, including, but not limited to, (A) incentives for
9225 educational advancement paid to persons employed by child day care
9226 centers receiving state or federal funds, and (B) support for the
9227 establishment and implementation by the Labor Commissioner of

9228 apprenticeship programs for child day care workers pursuant to
9229 sections 31-22m to 31-22q, inclusive, which programs shall be jointly
9230 administered by labor and management trustees; (15) evaluate the
9231 effectiveness of any initiatives developed pursuant to subdivision (14)
9232 of this section in improving staff retention rates and the quality of
9233 education and care provided to children; and (16) report annually to
9234 the Governor and the General Assembly on the status of child day care
9235 in Connecticut. Such report shall include (A) an itemization of the
9236 allocation of state and federal funds for child care programs; (B) the
9237 number of children served under each program so funded; (C) the
9238 number and type of such programs, providers and support personnel;
9239 (D) state activities to encourage partnership between the public and
9240 private sectors; (E) average payments issued by the state for both part-
9241 time and full-time child care; (F) range of family income and
9242 percentages served within each range by such programs; and (G) age
9243 range of children served.

9244 Sec. 203. Subdivision (3) of subsection (f) of section 21-70 of the
9245 general statutes is repealed and the following is substituted in lieu
9246 thereof (*Effective July 1, 2011*):

9247 (3) Except as otherwise provided in subdivision (5) of this
9248 subsection, **[**within**]** <u>not later than</u> one hundred twenty days after the
9249 notice provided for in subdivision (2) of this subsection has been
9250 mailed, any association representing twenty-five per cent or more of
9251 the units in the park, including an association formed after the
9252 issuance of the notice, may notify the owner of the park that it is
9253 interested in purchasing the mobile manufactured home park. A copy
9254 of such notice may be filed on the land records of the town in which
9255 the mobile manufactured home park is located. If such notice is given,
9256 except as otherwise provided in subdivision (5) of this subsection, the
9257 association shall have three hundred sixty-five days after the notice
9258 required in subdivision (2) of this subsection has been given to
9259 purchase the park through negotiation or the method set forth in
9260 subdivision (4) of this subsection. Upon the request of the association,
9261 the **[**Department of Economic and Community Development**]**

9262 Connecticut Economic Development Authority shall assist the
9263 association in developing financing for the purchase of the park.

9264 Sec. 204. Subsection (a) of section 22-11e of the general statutes is
9265 repealed and the following is substituted in lieu thereof (*Effective July*
9266 *1, 2011*):

9267 (a) There shall be an Interagency Aquaculture Coordinating
9268 Committee comprised of the Departments of Agriculture **[**,**]** and
9269 Environmental Protection **[**, and Economic and Community
9270 Development**]** to provide for the development and enhancement of
9271 aquaculture in this state. The Commissioner of Agriculture shall serve
9272 as chairperson of said committee and shall convene the committee as
9273 often as he deems necessary.

9274 Sec. 205. Subsection (a) of section 22-26c of the general statutes is
9275 repealed and the following is substituted in lieu thereof (*Effective July*
9276 *1, 2011*):

9277 (a) There shall be a Connecticut Farm Wine Development Council
9278 which shall be within the Department of Agriculture for
9279 administrative purposes only. Said council shall consist of **[**thirteen**]**
9280 twelve members as follows: The **[**Commissioners**]** Commissioner of
9281 Agriculture, **[**and Economic and Community Development,**]** the dean
9282 of the College of Agriculture and Natural Resources of The University
9283 of Connecticut and the directors of the Storrs Agricultural Experiment
9284 Station and the Connecticut Agricultural Experiment Station, or their
9285 respective designees; and eight members engaged in the wine
9286 production industry in this state, appointed as follows: Two members
9287 appointed by the Governor, and one member each appointed by the
9288 president pro tempore of the Senate, the speaker of the House of
9289 Representatives and the majority and minority leaders of the House of
9290 Representatives and the Senate.

9291 Sec. 206. Subsection (a) of section 22-26cc of the general statutes is
9292 repealed and the following is substituted in lieu thereof (*Effective July*
9293 *1, 2011*):

9294 (a) There is established within the Department of Agriculture a
9295 program to solicit, from owners of agricultural land, offers to sell the
9296 development rights to such land and to inform the public of the
9297 purposes, goals and provisions of this chapter. The commissioner, with
9298 the approval of the State Properties Review Board, shall have the
9299 power to acquire or accept as a gift, on behalf of the state, the
9300 development rights of any agricultural land, if offered by the owner.
9301 Notice of the offer shall be filed in the land records wherein the
9302 agricultural land is situated. If ownership of any land for which
9303 development rights have been offered is transferred, the offer shall be
9304 effective until the subsequent owner revokes the offer in writing. The
9305 state conservation and development plan established pursuant to
9306 section 16a-24 shall be applied as an advisory document to the
9307 acquisition of development rights of any agricultural lands. The factors
9308 to be considered by the commissioner in deciding whether or not to
9309 acquire such rights shall include, but not be limited to, the following:
9310 (1) The probability that the land will be sold for nonagricultural
9311 purposes; (2) the current productivity of such land and the likelihood
9312 of continued productivity; (3) the suitability of the land as to soil
9313 classification and other criteria for agricultural use; (4) the degree to
9314 which such acquisition would contribute to the preservation of the
9315 agricultural potential of the state; (5) any encumbrances on such land;
9316 (6) the cost of acquiring such rights; and (7) the degree to which such
9317 acquisition would mitigate damage due to flood hazards. Ownership
9318 by a nonprofit organization authorized to hold land for conservation
9319 and preservation purposes of land which prior to such ownership
9320 qualified for the program established pursuant to this section shall not
9321 be deemed to diminish the probability that the land will be sold for
9322 nonagricultural purposes. After a preliminary evaluation of such
9323 factors by the Commissioner of Agriculture, he shall obtain and review
9324 one or more fee appraisals of the property selected in order to
9325 determine the value of the development rights of such property. The
9326 commissioner shall notify the Department of Transportation, **[**the
9327 Department of Economic and Community Development,**]** the
9328 Department of Environmental Protection and the Office of Policy and

9329 Management that such property is being appraised. Any appraisal of
9330 the value of such land obtained by the owner and performed in a
9331 manner approved by the commissioner shall be considered by the
9332 commissioner in making such determination. The value of
9333 development rights for all purposes of this section shall be the
9334 difference between the value of the property for its highest and best
9335 use and its value for agricultural purposes as determined by the
9336 commissioner. The use or presence of pollutants or chemicals in the
9337 soil shall not be deemed to diminish the agricultural value of the land
9338 or to prohibit the commissioner from acquiring the development rights
9339 to such land. The commissioner may purchase development rights for
9340 a lesser amount provided he complies with all factors for acquisition
9341 specified in this subsection and in any implementing regulations. In
9342 determining the value of the property for its highest and best use,
9343 consideration shall be given but not limited to sales of comparable
9344 properties in the general area, use of which was unrestricted at the
9345 time of sale.

9346 Sec. 207. Subsection (a) of section 22-26jj of the general statutes is
9347 repealed and the following is substituted in lieu thereof (*Effective July*
9348 *1, 2011*):

9349 (a) The Commissioner of Agriculture, with the approval of the State
9350 Properties Review Board, may acquire by purchase or accept as a gift,
9351 on behalf of the state, the fee simple title of any agricultural real
9352 property and any personal property related to such real property,
9353 including, but not limited to, machinery, equipment, fixtures and
9354 livestock. The state conservation and development plan established
9355 pursuant to chapter 297 shall be used as an advisory document in
9356 connection with acquisition of such property. The commissioner, in
9357 deciding whether or not to acquire such property, shall consider all of
9358 the factors stated in section 22-26cc<u>, as amended by this act,</u> and shall
9359 further consider the likelihood of subsequent sale of such property by
9360 the department for agricultural purposes, subject to the state's
9361 retention of development rights. After a preliminary evaluation of such
9362 factors, the Commissioner of Agriculture shall obtain and review one

9363 or more fee appraisals of the property in order to determine the value
9364 of such property. Each such appraisal shall include an itemization of
9365 (1) the total value of the land, (2) the value of the land as agricultural
9366 land, (3) the value of the development rights of the land, and (4) the
9367 value of any related personal property proposed to be included in any
9368 sale. The commissioner shall give notice of any such appraisal to the
9369 Departments of Transportation **[**, Economic and Community
9370 Development**]** and Environmental Protection and the Office of Policy
9371 and Management. Any such appraisal may be obtained by the owner
9372 of the property and, if performed in a manner approved by the
9373 commissioner, shall be considered by the commissioner in making
9374 such determination. The commissioner may purchase such property
9375 for a lesser price than any price suggested by any such appraisal
9376 provided all considerations for acquisition specified in this subsection
9377 are taken into account. In determining the value of the property,
9378 consideration shall be given to sales of comparable properties in the
9379 general vicinity.

9380 Sec. 208. Subsection (a) of section 22-54s of the general statutes is
9381 repealed and the following is substituted in lieu thereof (*Effective July*
9382 *1, 2011*):

9383 (a) Notwithstanding the provisions of section 4-9a, on or before the
9384 fifteenth day of the month after the issuance of a market order the
9385 commissioner shall appoint an Apple Marketing Board consisting of
9386 six apple producers **[**,**]** <u>and</u> a member of the general public<u>.</u> **[**and the
9387 Commissioner of Economic and Community Development, or his
9388 designee, who shall be a nonvoting member of the board.**]** The
9389 members who are apple producers shall be appointed from
9390 nominations submitted by the Connecticut Pomological Society or any
9391 apple producer. Three of the apple producers shall be from the area
9392 west of the Connecticut River and three shall be from the area east of
9393 said river. The commissioner shall also appoint three alternate
9394 members of the commission, one from the area west of the Connecticut
9395 River, one from the area east of said river and one who is a member of
9396 the general public. Alternates may attend all meetings of the board. If a

9397 regular member of the board from an area is absent, the chairperson
9398 may designate the alternate from such area to act. The members shall
9399 serve terms of three years, provided of the members first appointed,
9400 two members, one from each district, shall serve for a term of one year;
9401 two members, one from each district shall serve for a term of two
9402 years, and two members, one from each district, shall serve for a term
9403 of three years. The alternates and the member representing the general
9404 public shall be appointed for terms of three years. Members of the
9405 board shall receive no compensation for their services but shall be
9406 reimbursed for necessary expenses in the performance of their duties.
9407 Such expenses shall be paid from money collected by the
9408 commissioner in accordance with the provisions of section 22-54r. At
9409 its first meeting the board shall elect a chairperson and such other
9410 officers as it deems necessary. Four members who are apple producers
9411 and the member representing the general public shall constitute a
9412 quorum.

9413 Sec. 209. Section 22-63 of the general statutes is repealed and the
9414 following is substituted in lieu thereof (*Effective July 1, 2011*):

9415 There shall continue to be a Marketing Authority within the
9416 Department of Agriculture. The authority shall continue to have and
9417 exercise the powers and duties authorized for it by this chapter. Such
9418 authority shall consist of eleven members. The authority shall be
9419 composed of one public member from each congressional district of
9420 the state, two at-large public members **[**,**]** <u>and</u> the Commissioner of
9421 Agriculture or his designee<u>.</u> **[**, and the Commissioner of Economic and
9422 Community Development or his designee.**]** The Governor shall
9423 appoint three members of the authority and the president pro tempore
9424 of the Senate, the Senate minority leader, the speaker of the House of
9425 Representatives and the minority leader of the House of
9426 Representatives shall each appoint one member. In addition, the
9427 Governor shall appoint two members of the authority who shall be
9428 tenants of the Hartford market facility. Any vacancy in the
9429 membership of said authority shall be filled by appointment for the
9430 unexpired portion of the term. The name of the authority shall be

9431 "Connecticut Marketing Authority". The members of the authority
9432 shall serve without compensation, but their necessary expenses
9433 incurred in the performance of their duties shall be paid by the state.
9434 Any member absent from three consecutive meetings shall be deemed
9435 to have resigned. Notwithstanding any provision of the general
9436 statutes, the terms of all appointed members of the authority serving
9437 before and on January 1, 2004, shall expire on said date. Not later than
9438 January 1, 2004, new members shall be appointed to the authority in
9439 accordance with the provisions of this section and such members shall
9440 begin serving on said date and shall complete the terms of their
9441 predecessors.

9442 Sec. 210. Section 22-455 of the general statutes is repealed and the
9443 following is substituted in lieu thereof (*Effective July 1, 2011*):

9444 There is established a Connecticut Seafood Advisory Council to
9445 assist in the promotion of Connecticut seafood products and examine
9446 market opportunities. The advisory council shall consist of one
9447 freshwater fish producer appointed by the Governor, two finfish,
9448 shellfish or lobster harvesters or representatives of harvester
9449 organizations appointed one each by the speaker and majority leader
9450 of the House of Representatives, two finfish, shellfish or lobster
9451 processors or representatives of processor organizations appointed one
9452 each by the minority leaders of the Senate and House of
9453 Representatives, one retailer serving restaurants or representing a
9454 restaurant organization appointed by the president pro tempore of the
9455 Senate, one member at-large appointed by the majority leader of the
9456 Senate, and **[**four**]** <u>three</u> nonvoting members one of whom shall
9457 represent the Department of Environmental Protection, **[**one the
9458 Department of Economic and Community Development and**]** one the
9459 Department of Agriculture and one the Sea Grant Program at The
9460 University of Connecticut. The advisory council shall be within the
9461 Department of Agriculture.

9462 Sec. 211. Section 22a-6r of the general statutes is repealed and the
9463 following is substituted in lieu thereof (*Effective July 1, 2011*):

9464 On or before July 1, 1997, and annually thereafter, the commissioner
9465 shall submit to the Governor and the joint standing committees of the
9466 General Assembly having cognizance of matters relating to
9467 environment **[**and the Department of Economic and Community
9468 Development**]** and economic development a report on the permitting
9469 efforts of the Department of Environmental Protection in the preceding
9470 state fiscal year. Such report shall include, but not be limited to: An
9471 identification of revenues received from permit application fees and
9472 any revenues derived from the processing of such applications as set
9473 forth in this chapter and the department's appropriation from the
9474 General Fund for permitting activities; the number and amount of
9475 permit applications received; the number of permit decisions issued
9476 and the number of permits pending; the number and amount of permit
9477 application fees refunded; the number of permit applications requiring
9478 alternative timely action schedules pursuant to section 22a-6q; and a
9479 summary of the significant improvements the department has made in
9480 its permitting programs.

9481 Sec. 212. Section 22a-27s of the general statutes is repealed and the
9482 following is substituted in lieu thereof (*Effective July 1, 2011*):

9483 (a) There is established the Face of Connecticut Steering Committee,
9484 which shall be within the Department of Environmental Protection for
9485 administrative purposes only. Such committee shall direct the
9486 expenditure of any funds deposited in the Face of Connecticut account
9487 created under section 22a-27t. The committee shall consist of the
9488 Commissioner of Environmental Protection, **[**the Commissioner of
9489 Economic and Community Development, or the commissioner's
9490 designee,**]** the Commissioner of Agriculture, the executive director of
9491 the Connecticut Commission on Culture and Tourism, the Secretary of
9492 the Office of Policy and Management and ten members as follows: (1)
9493 A representative of a local organization involved in historic
9494 preservation, appointed by the speaker of the House of
9495 Representatives; (2) a representative of a nonprofit organization
9496 involved in farmland preservation, appointed by the president pro
9497 tempore of the Senate; (3) a representative of a local or regional

9498 nonprofit organization involved in the preservation of open space,
9499 appointed by the majority leader of the House of Representatives; (4) a
9500 representative of a water company actively involved in land
9501 preservation, appointed by the majority leader of the Senate; (5) a
9502 representative of the agricultural industry, appointed by the minority
9503 leader of the House of Representatives; (6) a representative of a state-
9504 wide nonprofit involved in the preservation of open space, appointed
9505 by the minority leader of the Senate; (7) a representative of a state-wide
9506 nonprofit organization involved in historic preservation, appointed by
9507 the Governor; (8) a representative of an organization involved with
9508 community redevelopment, appointed by the Governor; (9) a
9509 representative of the legislative Brownfields Task Force, appointed by
9510 the speaker of the House of Representatives; and (10) a representative
9511 of the environmental law section of the Connecticut Bar Association
9512 who is involved with brownfields remediation, appointed by the
9513 president pro tempore of the Senate.

9514 (b) All initial appointments to the committee shall be made not later
9515 than September 1, 2008. The term of each appointed member of the
9516 steering committee shall be coterminous with the term of the
9517 appointing authority or until a successor is chosen, whichever is later.
9518 The Commissioner of Environmental Protection shall serve as the
9519 chairperson of the committee for the two years following the
9520 appointment of the committee, followed first by the Commissioner of
9521 Agriculture for two years and subsequently by the executive director
9522 of the Connecticut Commission on Culture and Tourism for two years.
9523 **[**and subsequently by the Commissioner of Economic and Community
9524 Development or said commissioner's designee for two years.**]** Such
9525 rotation shall repeat every two years thereafter in the order specified in
9526 this subsection, except that if there is a vacancy in one of said
9527 positions, one of the other commissioners or the executive director
9528 may serve as chairperson until the vacancy is filled.

9529 (c) The committee shall meet quarterly.

9530 Sec. 213. Subsection (e) of section 22a-119 of the general statutes is

9531 repealed and the following is substituted in lieu thereof (*Effective July*
9532 *1, 2011*):

9533 (e) Prior to commencing any hearing pursuant to this section the
9534 council shall consult with and solicit written comments from the
9535 Departments of Environmental Protection, Public Health, Public
9536 Utility Control, **[**Economic and Community Development,**]** Public
9537 Safety and Transportation, the Office of Policy and Management and
9538 the Council on Environmental Quality. Copies of comments submitted
9539 by such agencies shall be available to all parties prior to
9540 commencement of the public hearing. Agencies consulted may file
9541 additional comments within thirty days of the conclusion of the
9542 hearing and such additional comments shall be a part of the record.

9543 Sec. 214. Section 22a-172 of the general statutes is repealed and the
9544 following is substituted in lieu thereof (*Effective July 1, 2011*):

9545 The Commissioner of Transportation **[**and the Commissioner of
9546 Economic and Community Development**]** shall consult with the
9547 commissioner on plans for the location of highways and for industrial
9548 development with respect to the effect of such plans on the incidence
9549 of air pollution in the state.

9550 Sec. 215. Subsection (c) of section 22a-241 of the general statutes is
9551 repealed and the following is substituted in lieu thereof (*Effective July*
9552 *1, 2011*):

9553 (c) There is established an advisory council to advise the
9554 Commissioner of Environmental Protection on implementation of the
9555 municipal solid waste recycling program. The advisory council may
9556 study any issue related to recycling, including composting and
9557 packaging. In any such study the advisory council may consult with
9558 persons with specific information related to the study. If it deems it
9559 appropriate, the advisory council shall recommend a list of materials
9560 that should be banned in the state. The advisory council shall consist
9561 of: The Secretary of the Office of Policy and Management, or his
9562 designee; **[**the Commissioner of Economic and Community

9563 Development, or his designee;] the Commissioner of Administrative
9564 Services, or his designee; the Commissioner of Transportation, or his
9565 designee; the chairman of the Connecticut Resources Recovery
9566 Authority, or his designee; one person appointed by the Connecticut
9567 Conference of Municipalities; one person appointed by the Council of
9568 Small Towns; one person representing a municipality having a
9569 population of not more than ten thousand to be appointed by the
9570 minority leader of the Senate, one person representing a municipality
9571 having a population of more than ten thousand but not more than fifty
9572 thousand to be appointed by the minority leader of the House of
9573 Representatives, one person representing a municipality having a
9574 population of more than fifty thousand but not more than one
9575 hundred thousand to be appointed by the president pro tempore of the
9576 Senate, one person representing a municipality having a population of
9577 more than one hundred thousand to be appointed by the speaker of
9578 the House of Representatives; two members of the public, one of
9579 whom shall be appointed by the majority leader of the House of
9580 Representatives and one of whom shall be appointed by the majority
9581 leader of the Senate; two persons representing recycling industries, one
9582 of whom shall be appointed by the speaker of the House of
9583 Representatives and one by the minority leader of the House of
9584 Representatives; two persons representing the packaging industry, one
9585 of whom shall be appointed by the speaker of the House of
9586 Representatives and one of whom shall be appointed by the president
9587 pro tempore of the Senate; a trash hauler to be appointed by the
9588 speaker of the House of Representatives; one person representing an
9589 industry using recycled material, to be appointed by the president pro
9590 tempore of the Senate; one person representing an environmental
9591 organization to be appointed by the speaker of the House of
9592 Representatives; one person representing business and industry to be
9593 appointed by the minority leader of the House of Representatives, and
9594 a regional recycling coordinator to be appointed by the minority leader
9595 of the Senate, the cochairmen and ranking members of the joint
9596 standing committee of the General Assembly having cognizance of
9597 matters relating to the environment and four members of the General

9598 Assembly to be appointed as follows: One by the speaker of the House
9599 of Representatives, one by the president pro tempore of the Senate, one
9600 by the minority leader of the House of Representatives and one by the
9601 majority leader of the House of Representatives. The members of the
9602 task force shall elect a chairman, who shall be one of the members
9603 appointed by the speaker of the House of Representatives or by the
9604 president pro tempore of the Senate.

9605 Sec. 216. Subsection (d) of section 22a-371 of the general statutes is
9606 repealed and the following is substituted in lieu thereof (*Effective July*
9607 *1, 2011*):

9608 (d) Upon notifying the applicant in accordance with subsection (c)
9609 of this section that the application is complete, the commissioner shall
9610 immediately provide notice of the application and a concise
9611 description of the proposed diversion to the Governor, the Attorney
9612 General, the speaker of the House of Representatives, the president pro
9613 tempore of the Senate, the Secretary of the Office of Policy and
9614 Management, the **[**Commissioners**]** Commissioner of Public Health,
9615 **[**and Economic and Community Development,**]** the chairperson of the
9616 Public Utilities Control Authority, chief executive officer and chairmen
9617 of the conservation commission and wetlands agency of the
9618 municipality or municipalities in which the proposed diversion will
9619 take place or have effect, and to any person who has requested notice
9620 of such activities.

9621 Sec. 217. Subsection (a) of section 23-10i of the general statutes is
9622 repealed and the following is substituted in lieu thereof (*Effective July*
9623 *1, 2011*):

9624 (a) The Commissioner of Environmental Protection, in consultation
9625 with the **[**Commissioner of Economic and Community Development
9626 and the**]** State Historic Commission, shall develop criteria and
9627 guidelines for the designation of heritage parks consisting of sites in a
9628 region linked by a common social, historical or economic theme.
9629 Thereafter, in accordance with such criteria and guidelines, the

9630 Commissioner of Environmental Protection may designate the
9631 boundaries, name and theme of any such park, as well as any physical
9632 sites to be included. Any designation shall be consistent with the plan
9633 for development of outdoor recreation and other natural resources
9634 authorized under section 22a-21 and shall be made after consideration
9635 of the significance of the heritage of the sites to be included and the
9636 economic benefit to the state from such designation. Sites designated
9637 for inclusion in a heritage park shall not be required to be contiguous
9638 to one another and need not be owned by the state.

9639 Sec. 218. Subsections (g) and (h) of section 25-68d of the general
9640 statutes are repealed and the following is substituted in lieu thereof
9641 (*Effective July 1, 2011*):

9642 (g) The provisions of this section shall not apply to any proposal by
9643 the Department of Transportation or the **[**Department of Economic and
9644 Community Development**]** Connecticut Economic Development
9645 Authority for a project within a drainage basin of less than one square
9646 mile.

9647 (h) The provisions of subsections (a) to (d), inclusive, and (f) and (g)
9648 of this section shall not apply to the following critical activities above
9649 the one-hundred-year flood elevation that involve state funded
9650 housing reconstruction, rehabilitation or renovation, provided the state
9651 agency that provides funding for such activity certifies that it complies
9652 with the provisions of the National Flood Insurance Program and the
9653 requirements of this subsection: (1) Projects involving the renovation
9654 or rehabilitation of existing housing on the **[**Department of Economic
9655 and Community Development's**]** Connecticut Economic Development
9656 Authority's most recent affordable housing appeals list; (2)
9657 construction of minor structures to an existing building for the
9658 purpose of providing handicapped accessibility pursuant to the State
9659 Building Code; (3) construction of open decks attached to residential
9660 structures, properly anchored in accordance with the State Building
9661 Code; (4) the demolition and reconstruction of existing housing for
9662 persons and families of low and moderate income, provided there is

9663 no increase in the number of dwelling units and (A) such
9664 reconstruction is limited to the footprint of the existing foundation of
9665 the building or buildings used for such purpose, or which could be
9666 used for such purpose subsequent to reconstruction, or (B) such
9667 reconstruction is on a parcel of land where the elevation of such land is
9668 above the one-hundred-year flood elevation, provided there is no
9669 placement of fill within an adopted Federal Emergency Management
9670 Agency flood zone.

9671 Sec. 219. Subsection (c) of section 25-102qq of the general statutes is
9672 repealed and the following is substituted in lieu thereof (*Effective July*
9673 *1, 2011*):

9674 (c) If the commissioner undertakes to establish such a program, he
9675 shall establish a River Protection Advisory Committee to assist him in
9676 developing the river protection program. **[**The committee shall consist
9677 of the following members whose terms shall expire on October 1, 1992:
9678 (1) The Commissioners of Public Health, Transportation, Economic
9679 and Community Development and Agriculture, the Secretary of the
9680 Office of Policy and Management, the director of the Connecticut
9681 Commission on Culture and Tourism, and the State Archaeologist, or
9682 their designees; and (2) two members representing the business
9683 community, two members representing public service companies,
9684 seven members representing environmental and recreational
9685 organizations, four members representing river protection
9686 organizations, one member representing municipalities with a river or
9687 river segment within their borders, two members representing
9688 regional planning agencies, three members representing related
9689 professional practices and one member representing the public, which
9690 members shall be appointed by the commissioner.**]** On and after
9691 October 1, 1992, the committee's membership shall consist of: (1) The
9692 Commissioners of Public Health, Transportation **[**, Economic and
9693 Community Development**]** and Agriculture, the Secretary of the Office
9694 of Policy and Management, the director of the Connecticut
9695 Commission on Culture and Tourism, and the State Archaeologist, or
9696 their designees; and (2) one member representing the business

9697 community, and one member representing a related professional
9698 practice appointed by the Governor; one member representing an
9699 environmental or recreational organization, one member representing
9700 a river protection organization and one member representing a related
9701 professional practice appointed by the president pro tempore of the
9702 Senate; one member representing an environmental or recreational
9703 organization, one member representing a river protection organization
9704 and one member representing a related professional practice
9705 appointed by the speaker of the House of Representatives; one
9706 member representing an environmental or recreational organization,
9707 one member representing a municipality with a river or river segment
9708 within its borders and one member representing the business
9709 community appointed by the majority leader of the Senate; two
9710 members representing an environmental or recreational organization,
9711 one member representing a river protection organization and one
9712 member representing a public service company appointed by the
9713 minority leader of the Senate; one member representing an
9714 environmental or recreational organization, one member representing
9715 a public service company and one member representing a regional
9716 planning agency appointed by the majority leader of the House of
9717 Representatives; one member representing an environmental or
9718 recreational organization, one member representing a river protection
9719 organization, one member of the public and one member representing
9720 a regional planning agency appointed by the minority leader of the
9721 House of Representatives.

9722 Sec. 220. Section 31-3c of the general statutes is repealed and the
9723 following is substituted in lieu thereof (*Effective July 1, 2011*):

9724 The Labor Commissioner, with the approval of the **[**Commissioners**]**
9725 Commissioner of **[**Economic and Community Development and**]**
9726 Education, shall establish a customized job training program for
9727 preemployment and postemployment job training for the purpose of
9728 meeting the labor requirements of manufacturing or economic base
9729 businesses, as defined in subsection (l) of section 32-222, as amended
9730 by this act, and shall implement such job training program. Such job

9731 training program shall include training designed to increase the basic
9732 skills of employees, including, but not limited to, training in written
9733 and oral communication, mathematics or science, or training in
9734 technical and technological skills. The Labor Commissioner shall use
9735 funds appropriated to the Labor Department for vocational and
9736 manpower training in carrying out such job training program, except
9737 that not more than four per cent of such funds may be used to pay the
9738 cost of its administration. Upon receipt of a request for job training
9739 pursuant to this section, the Labor Commissioner shall notify the
9740 chancellor of the regional community-technical colleges, or his
9741 designee, of such request. The chancellor, or his designee, shall
9742 determine if a training program exists or can be designed at a regional
9743 community-technical college to meet such training need and shall
9744 notify the Labor Commissioner of such determination. The Labor
9745 Commissioner shall to the extent possible make arrangements for the
9746 participation of the regional community-technical colleges, the
9747 Connecticut State University System, other institutions of higher
9748 education, other postsecondary institutions, adult education programs,
9749 opportunities industrialization centers and state regional
9750 vocational-technical schools in implementing the program. Nothing in
9751 this section shall preclude the Labor Commissioner from considering
9752 or choosing other providers to meet such training need. Nothing in
9753 this section shall preclude an employer from considering or choosing
9754 other providers to meet the training needs of such employer, provided
9755 the Labor Commissioner approves such employer's use of such other
9756 providers. For the period from July 1, 1996, to June 30, 1999, the Labor
9757 Commissioner, or his designee, the chancellor of the
9758 community-technical colleges and the chairpersons of the joint
9759 standing committee of the General Assembly having cognizance of
9760 matters relating to education shall meet semiannually to review
9761 actions taken pursuant to this section and section 32-6j, as amended by
9762 this act.

9763 Sec. 221. Subdivision (3) of subsection (b) of section 31-3w of the
9764 general statutes is repealed and the following is substituted in lieu

9765 thereof (*Effective July 1, 2011*):

9766 (3) Consult with the **[**Commissioner of Economic and Community
9767 Development**]** executive director of the Connecticut Economic
9768 Development Authority to ensure coordination of service delivery to
9769 employers;

9770 Sec. 222. Subdivision (2) of subsection (a) of section 31-11cc of the
9771 general statutes is repealed and the following is substituted in lieu
9772 thereof (*Effective July 1, 2011*):

9773 (2) The ex-officio nonvoting members shall consist of the following
9774 members, or their designees: The Commissioners of Correction,
9775 Education, Higher Education **[**, Economic and Community
9776 Development**]** and Social Services, the Labor Commissioner, the
9777 director of the Office of Workforce Competitiveness, the Secretary of
9778 the Office of Policy and Management, the chancellor of the regional
9779 community-technical colleges and the State Librarian.

9780 Sec. 223. Subsection (b) of section 31-11dd of the general statutes is
9781 repealed and the following is substituted in lieu thereof (*Effective July*
9782 *1, 2011*):

9783 (b) The Office of Workforce Competitiveness, in accordance with
9784 subsection (c) of section 4-124w, may request other state agencies,
9785 including, but not limited to, the Departments of Education, Higher
9786 Education **[**, Economic and Community Development**]** and Social
9787 Services, the Labor Department, and the Board of Trustees of the
9788 Community-Technical Colleges to provide information, reports and
9789 other assistance to the board in carrying out its duties, pursuant to
9790 subsection (a) of this section and sections 31-11cc, as amended by this
9791 act, and 31-11ee, and to the Connecticut Employment and Training
9792 Commission in carrying out its duties pursuant to subsection (d) of
9793 this section.

9794 Sec. 224. Subsection (b) of section 31-362g of the general statutes is
9795 repealed and the following is substituted in lieu thereof (*Effective July*

9796 *1, 2011*):

9797 (b) Each defense contractor which (1) performs one or more defense
9798 contracts in this state, the combined value of which exceeds one
9799 million dollars in any one year, and (2) after October 1, 1994, is the
9800 recipient of state assistance or other funds from the **[**Department of
9801 Economic and Community Development**]** Connecticut Economic
9802 Development Authority shall establish an alternative use committee.
9803 The committee shall consist of representatives of employees and
9804 employers. The employees of such contractor who are represented by a
9805 collective bargaining organization shall be represented on such
9806 committee by a representative of such organization. The employees of
9807 such contractor who are not represented by a collective bargaining
9808 organization shall designate a person to serve as their representative.
9809 The committee may invite representatives of the community to
9810 participate in committee meetings. The committee shall prepare a plan
9811 to reduce or eliminate the dependence of the contractor on defense
9812 contracts. The plan shall include: (A) Alternative products that are
9813 feasible to produce and marketable; and (B) retraining resources
9814 needed to produce such products in order to avoid dislocation of the
9815 current workforce. The Labor Commissioner shall adopt regulations
9816 pursuant to chapter 54 to administer the establishment and
9817 composition of alternate use committees and the committee's duty to
9818 establish plans pursuant to this subsection.

9819 Sec. 225. Subsection (a) of section 31-386 of the general statutes is
9820 repealed and the following is substituted in lieu thereof (*Effective July*
9821 *1, 2011*):

9822 When used in this chapter, unless the context otherwise requires:

9823 (a) **[**"Commissioners" means the Commissioner of Economic and
9824 Community Development and the**]** "Commissioner" means the Labor
9825 Commissioner;

9826 Sec. 226. Section 31-389 of the general statutes is repealed and the
9827 following is substituted in lieu thereof (*Effective July 1, 2011*):

9828 (a) The state, acting by and in the discretion of the [commissioners]
9829 Labor Commissioner and the executive director of the Connecticut
9830 Economic Development Authority, and with the approval of the
9831 Secretary of the Office of Policy and Management, may enter into a
9832 contract with an eligible municipality for state financial assistance for
9833 any eligible emergency municipal public works employment project in
9834 the form of a grant to such eligible municipality. Any such grant shall
9835 be in an amount not in excess of the cost of the project for which such
9836 grant is made, as determined and approved by the Labor
9837 Commissioner, [and the Commissioners of Economic and Community
9838 Development] the executive director of the Connecticut Economic
9839 Development Authority and the Commissioner of Administrative
9840 Services. In accordance with any such contract, the state may make
9841 temporary advances to such municipality for the cost of such project.

9842 (b) Before entering into such contract the [commissioners] Labor
9843 Commissioner and the executive director of the Connecticut Economic
9844 Development Authority shall have approved an application submitted
9845 by such municipality on forms provided by the [commissioners] Labor
9846 Commissioner and the executive director of the Connecticut Economic
9847 Development Authority.

9848 (c) No such project shall be undertaken until the [commissioners]
9849 Labor Commissioner and the executive director of the Connecticut
9850 Economic Development Authority have approved the plans,
9851 specifications and estimated costs.

9852 Sec. 227. Section 31-390 of the general statutes is repealed and the
9853 following is substituted in lieu thereof (*Effective July 1, 2011*):

9854 (a) The Labor Commissioner, the executive director of the
9855 Connecticut Economic Development Authority and the
9856 [Commissioners of Economic and Community Development and]
9857 Commissioner of Public Works shall have the right of inspection of
9858 any such project at any time.

9859 (b) The Labor Commissioner, the executive director of the

9860 Connecticut Economic Development Authority and the
9861 [Commissioners of Economic and Community Development and]
9862 Commissioner of Public Works and the Secretary of the Office of
9863 Policy and Management are authorized to make orders, establish
9864 guidelines and, except for the executive director, adopt regulations
9865 under the provisions of chapter 54 with respect to the implementation
9866 of this chapter.

9867 (c) At the request of the [commissioners] Labor Commissioner and
9868 the executive director of the Connecticut Economic Development
9869 Authority, any agency or department of the executive branch shall
9870 advise and assist the [commissioners] Labor Commissioner and the
9871 executive director of the Connecticut Economic Development
9872 Authority in the implementation of this chapter.

9873 Sec. 228. (NEW) (*Effective from passage*) (a) For the purposes of this
9874 section, (1) "state employee" means any employee in the executive,
9875 legislative or judicial branch of state government, whether in the
9876 classified or unclassified service and whether full or part-time and any
9877 employee of a quasi-public agency, (2) "salary" has the same meaning
9878 as in section 5-154 of the general statutes, and (3) "pay card" means a
9879 card issued by an employer or its payroll service provider to its
9880 employee that is linked to a payroll card account and credited with the
9881 employee's wages at the close of a pay period.

9882 (b) Unless otherwise requested by the employee, the Comptroller
9883 shall make any payment of salary to a state employee by electronic
9884 direct deposit to the account in a bank, Connecticut credit union or
9885 federal credit union of such state employee that will agree to accept
9886 such payment, or by pay card.

9887 Sec. 229. (NEW) (*Effective July 1, 2011*) (a) As used in this section,
9888 "pay card" means a card (1) issued by the state or its payroll service
9889 provider to a recipient, and (2) linked to a payroll card account and
9890 credited with the recipient's pension payment at the close of a pay
9891 period.

9892 (b) Unless otherwise requested by the recipient, any pension
9893 payment made under (1) the retirement system administered by the
9894 Connecticut State Employees Retirement Commission pursuant to
9895 chapter 66 of the general statutes, (2) an alternate retirement program
9896 authorized by said commission, or (3) the Connecticut teacher's
9897 retirement system established under section 10-183c of the general
9898 statutes, shall be made by electronic direct deposit to the recipient's
9899 account in a bank, Connecticut credit union or federal credit union that
9900 will agree to accept such payment, or by pay card.

9901 Sec. 230. (NEW) (*Effective from passage*) Any compensation payable
9902 under chapter 568 of the general statutes to any employee of the state
9903 or to any dependents of any employee of the state, excluding any
9904 payments made to a provider under section 31-294d of the general
9905 statutes, shall be made by electronic direct deposit to the account in a
9906 bank, Connecticut credit union or federal credit union of such
9907 employee or such dependent that will agree to accept such deposit or
9908 by pay card, as defined in section 228 of this act.

9909 Sec. 231. Section 3-119a of the general statutes is repealed and the
9910 following is substituted in lieu thereof (*Effective from passage*):

9911 (a) The Comptroller shall develop, implement and maintain a
9912 comprehensive retirement data base system and shall regularly consult
9913 and inform the State Employees Retirement Commission concerning
9914 the system.

9915 (b) The Comptroller, in conjunction with the Commissioner of
9916 Administrative Services, shall develop, implement and maintain a
9917 state-wide time and attendance system. The system shall be integrated
9918 with the central payroll system and compatible with the development
9919 of the comprehensive retirement data base system.

9920 <u>(c) On or before July 1, 2011, each agency shall implement and</u>
9921 <u>maintain its employee time and attendance system in an electronic</u>
9922 <u>format that is compatible with the state-wide time and attendance</u>
9923 <u>system developed pursuant to subsection (b) of this section.</u>

9924 Sec. 232. (NEW) (*Effective from passage*) The state shall furnish a
9925 record of hours worked and gross earnings as described in section 31-
9926 13a of the general statutes, as amended by this act, in electronic format,
9927 to each employee, unless the employee requests to receive such record
9928 in writing.

9929 Sec. 233. Section 31-13a of the general statutes is repealed and the
9930 following is substituted in lieu thereof (*Effective from passage*):

9931 **[**With**]** Except as provided in section 232 of this act, with each wage
9932 payment each employer shall furnish to each employee in writing a
9933 record of hours worked, the gross earnings showing straight time and
9934 overtime as separate entries, itemized deductions and net earnings,
9935 except that the furnishing of a record of hours worked and the
9936 separation of straight time and overtime earnings shall not apply in the
9937 case of any employee with respect to whom the employer is
9938 specifically exempt from the keeping of time records and the payment
9939 of overtime under the Connecticut Minimum Wage Act or the Fair
9940 Labor Standards Act.

9941 Sec. 234. Subsection (a) of section 31-71b of the general statutes is
9942 repealed and the following is substituted in lieu thereof (*Effective from*
9943 *passage*):

9944 (a) **[**Each**]** Except as provided in section 228 of this act, each
9945 employer, by himself, his agent or representative, shall pay weekly all
9946 moneys due each employee on a regular pay day, designated in
9947 advance by the employer, in cash, by negotiable checks or, upon an
9948 employee's written request, by credit to such employee's account in
9949 any bank which has agreed with the employer to accept such wage
9950 deposits.

9951 Sec. 235. Section 2-27 of the general statutes is repealed and the
9952 following is substituted in lieu thereof (*Effective from passage*):

9953 Copies of each bill for an act reported favorably by a committee
9954 shall be printed in sufficient numbers, as determined by the clerks of

9955 the House and Senate, for use by the General Assembly. A greater
9956 number of copies of any bill shall be printed upon order of either
9957 legislative commissioner. **[**Seven copies of each printed bill shall be
9958 reserved for the use of the Secretary of the State who shall bind and
9959 distribute volumes thereof as follows: One to the State Library, one to
9960 the law library of Yale University, one to the library of The University
9961 of Connecticut and one to the law library of The University of
9962 Connecticut, one to the Wesleyan University library, one to the Library
9963 of Congress and one to the library of Quinnipiac College.**]**

9964 Sec. 236. Section 2-7 of the general statutes is repealed and the
9965 following is substituted in lieu thereof (*Effective from passage*):

9966 (a) Whenever the Governor, the members of the General Assembly
9967 or the president pro tempore of the Senate and the speaker of the
9968 House of Representatives call a special session of the General
9969 Assembly, the Secretary of the State shall give notice thereof by
9970 mailing a true copy of the call of such special session, by first class
9971 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
9972 House of Representatives and of the Senate at his or her address as it
9973 appears upon the records of said secretary not less than ten nor more
9974 than fifteen days prior to the date of convening of such special session
9975 or by causing a true copy of the call to be delivered to each member by
9976 a state marshal, constable, state policeman or indifferent person at least
9977 twenty-four hours prior to the time of convening of such special
9978 session.

9979 (b) Whenever the Secretary of the State is required to reconvene the
9980 General Assembly pursuant to article third of the amendments to the
9981 Constitution of Connecticut, said secretary shall give notice thereof by
9982 mailing a true copy of the call of such reconvened session, by first class
9983 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
9984 House of Representatives and of the Senate at his or her address as it
9985 appears upon the records of said secretary not less than five days prior
9986 to the date of convening of such reconvened session or by causing a
9987 true copy of the call to be delivered to each member by a state marshal,

9988 constable, state policeman or indifferent person at least twenty-four
9989 hours prior to the time of convening of such reconvened session.

9990 Sec. 237. Subsection (d) of section 16-2 of the general statutes is
9991 repealed and the following is substituted in lieu thereof (*Effective from*
9992 *passage*):

9993 (d) The commissioners of the authority shall serve full time and
9994 shall make full public disclosure of their assets, liabilities and income
9995 at the time of their appointment, and thereafter each member of the
9996 authority shall make such disclosure on or before July thirtieth of each
9997 year of such member's term, and shall file such disclosure with the
9998 **[**office of the Secretary of the State**]** Office of State Ethics. Each
9999 commissioner shall receive annually a salary equal to that established
10000 for management pay plan salary group seventy-five by the
10001 Commissioner of Administrative Services, except that the chairperson
10002 shall receive annually a salary equal to that established for
10003 management pay plan salary group seventy-seven.

10004 Sec. 238. Section 33-608 of the general statutes is repealed and the
10005 following is substituted in lieu thereof (*Effective October 1, 2011*):

10006 (a) A document shall satisfy the requirements of this section, and of
10007 any other section that adds to or varies from these requirements, to be
10008 entitled to filing by the Secretary of the State.

10009 (b) Sections 33-600 to 33-998, inclusive, as amended by this act, shall
10010 require or permit filing the document in the office of the Secretary of
10011 the State.

10012 (c) The document shall contain the information required by sections
10013 33-600 to 33-998, inclusive, as amended by this act. It may contain
10014 other information as well.

10015 (d) The document shall be typewritten or printed or, if electronically
10016 transmitted, in a format that can be retrieved or reproduced in
10017 typewritten or printed form.

10018 (e) The document shall be in the English language. A corporate
10019 name need not be in English if written in English letters or Arabic or
10020 Roman numerals, and the certificate of existence required of foreign
10021 corporations need not be in English if accompanied by a reasonably
10022 authenticated English translation.

10023 (f) The document shall be executed: (1) By the chairman of the board
10024 of directors of a domestic or foreign corporation, by its president or by
10025 another of its officers; (2) if directors have not been selected or the
10026 corporation has not been formed, by an incorporator; or (3) if the
10027 corporation is in the hands of a receiver, trustee or other court-
10028 appointed fiduciary, by that fiduciary.

10029 (g) The person executing the document shall sign it and state
10030 beneath or opposite such person's signature such person's name and
10031 the capacity in which such person signs. The document may but need
10032 not contain a corporate seal, attestation, acknowledgment or
10033 verification.

10034 (h) If the Secretary of the State has prescribed a mandatory form for
10035 the document under section 33-609, the document shall be in or on the
10036 prescribed form.

10037 (i) The document shall be delivered to the office of the Secretary of
10038 the State for filing. **[**Delivery may be made by electronic transmission if
10039 and to the extent permitted by the Secretary of the State.**]** If the
10040 document is filed in typewritten or printed form and not electronically
10041 transmitted, the Secretary of the State may require one exact or
10042 conformed copy to be delivered with the document, except as
10043 provided in sections 33-662 and 33-928.

10044 (j) When the document is delivered to the office of the Secretary of
10045 the State for filing, the correct filing fee, and any franchise tax, license
10046 fee or penalty required to be paid therewith by sections 33-600 to 33-
10047 998, inclusive, <u>as amended by this act,</u> or other law must be paid or
10048 provision for payment made in a manner permitted by the Secretary of
10049 the State.

10050 (k) When any document is required or permitted to be filed or
10051 recorded as provided in sections 33-600 to 33-998, inclusive, as
10052 amended by this act, the Secretary of the State may, in the Secretary of
10053 the State's discretion, for good cause, permit a photostatic or other
10054 photographic copy of such document to be filed or recorded in lieu of
10055 the original instrument. Such filing or recording shall have the same
10056 force and effect as if the original instrument had been so filed or
10057 recorded.

10058 (l) As used in this subsection, "filed document" means a document
10059 filed with the Secretary of the State under any provision of sections 33-
10060 600 to 33-998, inclusive, as amended by this act, except sections 33-920
10061 to 33-937, inclusive, as amended by this act, and section 33-953, as
10062 amended by this act, and "plan" means a plan of merger or share
10063 exchange. Whenever a provision of sections 33-600 to 33-998, inclusive,
10064 as amended by this act, permits any of the terms of a plan or filed
10065 document to be dependent on facts objectively ascertainable outside
10066 the plan or filed document, the following provisions apply:

10067 (1) The manner in which the facts will operate upon the terms of the
10068 plan or filed document shall be set forth in the plan or filed document;

10069 (2) The facts may include, but are not limited to (A) any of the
10070 following that is available in a nationally recognized news or
10071 information medium either in print or electronically: Statistical or
10072 market indices, market prices of any security or group of securities,
10073 interest rates, currency exchange rates, or similar economic or financial
10074 data, (B) a determination or action by any person or body, including
10075 the corporation or any other party to a plan or filed document, or (C)
10076 the terms of, or actions taken under, an agreement to which the
10077 corporation is a party, or any other agreement or document;

10078 (3) The following provisions of a plan or filed document may not be
10079 made dependent on facts outside the plan or filed document: (A) The
10080 name and address of any person required in a filed document; (B) the
10081 registered office of any entity required in a filed document; (C) the

10082 registered agent of any entity required in a filed document; (D) the
10083 number of authorized shares and designation of each class or series of
10084 shares; (E) the effective date of a filed document; and (F) any required
10085 statement in a filed document of the date on which the underlying
10086 transaction was approved or the manner in which such approval was
10087 given; and

10088 (4) If a provision of a filed document is made dependent on a fact
10089 ascertainable outside of the filed document, and such fact is not
10090 ascertainable by reference to a source described in subparagraph (A) of
10091 subdivision (2) of this subsection or a document that is a matter of
10092 public record, or the affected shareholders have not received notice of
10093 the fact from the corporation, then the corporation shall file with the
10094 Secretary of the State a certificate of amendment setting forth the fact
10095 promptly after the time when the fact referred to is first ascertainable
10096 or thereafter changes. Certificates of amendment under this
10097 subdivision are deemed to be authorized by the authorization of the
10098 original plan or filed document to which they relate and may be filed
10099 by the corporation without further action by the board of directors or
10100 the shareholders.

10101 (m) The Secretary of the State may require or permit the filing by
10102 electronic transmission or by employing new technology as it is
10103 developed of any document that is required by law or regulation
10104 adopted under sections 33-600 to 33-998, inclusive, as amended by this
10105 act, to be filed with the Secretary of the State.

10106 Sec. 239. Section 33-953 of the general statutes is repealed and the
10107 following is substituted in lieu thereof (*Effective October 1, 2011*):

10108 (a) Each domestic corporation, except banks, trust companies,
10109 insurance or surety companies, savings and loan associations and
10110 public service companies, as defined in section 16-1, and each foreign
10111 corporation authorized to transact business in this state, shall file an
10112 annual report with the Secretary of the State as prescribed in this
10113 section.

10114 (b) The first annual report of a domestic corporation shall be filed
10115 within thirty days after its organization meeting. **[**Subsequent**]** On and
10116 after October 1, 2011, subsequent annual reports of such domestic
10117 corporation and annual reports of each foreign corporation authorized
10118 to transact business in this state shall be filed **[**at such times as may be
10119 provided by regulations adopted by the Secretary of the State in
10120 accordance with chapter 54, provided the Secretary of the State may
10121 require any corporation to file an annual report according to reporting
10122 schedules established by the secretary so as to effect staggered filing of
10123 all such reports**]** by electronic transmission on or after October first
10124 and prior to January first. Upon request of a corporation, the Secretary
10125 of the State may grant an exemption from the requirement to file an
10126 annual report by electronic transmission if the corporation does not
10127 have the capability to file by electronic transmission or make payment
10128 in an authorized manner by electronic means or if other good cause is
10129 shown.

10130 (c) Each annual report shall set forth as of a date which complies
10131 with subsection (d) of this section and which is specified in such
10132 report: (1) The name of the corporation; (2) the principal office of the
10133 corporation or, in the case of a foreign corporation (A) the address of
10134 the principal office of the foreign corporation in the state under the
10135 laws of which it is incorporated, (B) the address of the executive offices
10136 of the foreign corporation, and (C) the address of the principal office of
10137 the foreign corporation in this state, if any; **[**and**]** (3) the electronic mail
10138 address, if any, of the corporation; and (4) the names and respective
10139 business and residence addresses of the directors and officers of the
10140 corporation, except that if good cause is shown, the Secretary of the
10141 State may accept business addresses in lieu of business and residence
10142 addresses of the directors and officers of the corporation. For the
10143 purposes of this subsection, a showing of good cause shall include, but
10144 not be limited to, a showing that public disclosure of the residence
10145 addresses of the corporation's directors and officers may expose the
10146 personal security of such directors and officers to significant risk.

10147 (d) The date specified in the annual report pursuant to subsection

10148 (c) of this section shall (1) not be later than the date of filing the report,
10149 and (2) not be earlier than the latest date preceding the date of filing on
10150 which any change of circumstances occurred which would affect the
10151 statements of fact required in the report.

10152 (e) Each annual report shall be accompanied by the required filing
10153 fee. The report shall be executed as set forth in section 33-608, as
10154 amended by this act. The Secretary of the State shall **[**mail**]** deliver to
10155 each domestic corporation at its principal office or electronic mail
10156 address, as shown by his records, and to each foreign corporation
10157 authorized to transact business in this state at its executive offices or
10158 electronic mail address, as last shown by his records, **[**a form
10159 prescribed by him for the annual report**]** notice that the annual report
10160 is due, but failure to receive such **[**form**]** notice shall not relieve a
10161 corporation of the requirement of filing the report as provided in this
10162 section.

10163 Sec. 240. Section 33-1004 of the general statutes is repealed and the
10164 following is substituted in lieu thereof (*Effective October 1, 2011*):

10165 (a) A document shall satisfy the requirements of this section, and of
10166 any other section that adds to or varies from these requirements, to be
10167 entitled to filing by the Secretary of the State.

10168 (b) Sections 33-1000 to 33-1290, inclusive, as amended by this act,
10169 shall require or permit filing the document in the office of the Secretary
10170 of the State.

10171 (c) The document shall contain the information required by sections
10172 33-1000 to 33-1290, inclusive, as amended by this act. It may contain
10173 other information as well.

10174 (d) The document shall be typewritten or printed or, if electronically
10175 transmitted, in a format that can be retrieved or reproduced in
10176 typewritten or printed form.

10177 (e) The document shall be in the English language. A corporate

10178 name need not be in English if written in English letters or Arabic or
10179 Roman numerals, and the certificate of existence required of foreign
10180 corporations need not be in English if accompanied by a reasonably
10181 authenticated English translation.

10182 (f) The document shall be executed: (1) By the chairman of the board
10183 of directors of a domestic or foreign corporation, by its president or by
10184 another of its officers; (2) if directors have not been selected or the
10185 corporation has not been formed, by an incorporator; or (3) if the
10186 corporation is in the hands of a receiver, trustee or other court-
10187 appointed fiduciary, by that fiduciary.

10188 (g) The person executing the document shall sign it and state
10189 beneath or opposite such person's signature such person's name and
10190 the capacity in which such person signs. The document may but need
10191 not contain a corporate seal, attestation, acknowledgment or
10192 verification.

10193 (h) If the Secretary of the State has prescribed a mandatory form for
10194 the document under section 33-1005, the document shall be in or on
10195 the prescribed form.

10196 (i) The document shall be delivered to the office of the Secretary of
10197 the State for filing. **[**Delivery may be made by electronic transmission if
10198 and to the extent permitted by the Secretary of the State.**]** If the
10199 document is filed in typewritten or printed form and not electronically
10200 transmitted, the Secretary of the State may require one exact or
10201 conformed copy to be delivered with the document, except as
10202 provided in sections 33-1052 and 33-1218.

10203 (j) When the document is delivered to the office of the Secretary of
10204 the State for filing, the correct filing fee, and any franchise tax, license
10205 fee or penalty required to be paid therewith by sections 33-1000 to 33-
10206 1290, inclusive, <u>as amended by this act,</u> or other law, must be paid or
10207 provision for payment made in a manner permitted by the Secretary of
10208 the State.

10209 (k) When any document is required or permitted to be filed or
10210 recorded as provided in sections 33-1000 to 33-1290, inclusive, as
10211 amended by this act, the Secretary of the State may, in the Secretary of
10212 the State's discretion, for good cause, permit a photostatic or other
10213 photographic copy of such document to be filed or recorded in lieu of
10214 the original instrument. Such filing or recording shall have the same
10215 force and effect as if the original instrument had been so filed or
10216 recorded.

10217 (l) The Secretary of the State may require or permit the filing by
10218 electronic transmission or by employing new technology as it is
10219 developed of any document that is required by law or regulation
10220 adopted under sections 33-1000 to 33-1290, inclusive, as amended by
10221 this act, to be filed with the Secretary of the State.

10222 Sec. 241. Section 33-1243 of the general statutes is repealed and the
10223 following is substituted in lieu thereof (*Effective October 1, 2011*):

10224 (a) Each domestic corporation, except banks, trust companies,
10225 insurance or surety companies, savings and loan associations, credit
10226 unions, public service companies, as defined in section 16-1, cemetery
10227 associations and incorporated church or religious corporations, and
10228 each foreign corporation authorized to conduct affairs in this state, and
10229 except corporations formed before January 1, 1961, which under the
10230 law in effect on December 31, 1960, were not required to file an annual
10231 report, shall file an annual report with the Secretary of the State as
10232 prescribed in this section.

10233 (b) The first annual report of a domestic corporation shall be filed
10234 within thirty days after its organization meeting. **[**Subsequent**]** On and
10235 after October 1, 2011, subsequent annual reports of such domestic
10236 corporation and annual reports of each foreign corporation authorized
10237 to conduct affairs in this state shall be filed **[**at such times as may be
10238 provided by regulations adopted by the Secretary of the State in
10239 accordance with chapter 54, provided the Secretary of the State may
10240 require any corporation to file an annual report according to reporting

10241 schedules established by the secretary so as to effect staggered filing of
10242 all such reports] by electronic transmission on or after October first
10243 and prior to January first. Upon request of a corporation, the Secretary
10244 of the State may grant an exemption from the requirement to file an
10245 annual report by electronic transmission if the corporation does not
10246 have the capability to file by electronic transmission or make payment
10247 in an authorized manner by electronic means or if other good cause is
10248 shown.

10249 (c) Each annual report shall set forth as of a date which complies
10250 with subsection (d) of this section and which is specified in such
10251 report: (1) The name of the corporation and, in the case of a foreign
10252 corporation, the state under the laws of which it is incorporated; (2) the
10253 principal office of the corporation or, in the case of a foreign
10254 corporation (A) the address of the principal office of the foreign
10255 corporation in the state under the laws of which it is incorporated, (B)
10256 the address of the executive offices of the foreign corporation, and (C)
10257 the address of the principal office of the foreign corporation in this
10258 state, if any; [and] (3) the electronic mail address, if any, of the
10259 corporation; and (4) the names and respective business and residence
10260 addresses of the directors and officers of the corporation, except that if
10261 good cause is shown, the Secretary of the State may accept business
10262 addresses in lieu of business and residence addresses of the directors
10263 and officers of the corporation. For the purposes of this subsection, a
10264 showing of good cause shall include, but not be limited to, a showing
10265 that public disclosure of the residence addresses of the corporation's
10266 directors and officers may expose the personal security of such
10267 directors and officers to significant risk.

10268 (d) The date specified in the annual report pursuant to subsection
10269 (c) of this section shall (1) not be later than the date of filing the report,
10270 and (2) not be earlier than the latest date preceding the date of filing on
10271 which any change of circumstances occurred which would affect the
10272 statements of fact required in the report.

10273 (e) Each annual report shall be accompanied by the required filing

10274 fee. The report shall be executed as set forth in section 33-1004, as
10275 amended by this act. The Secretary of the State shall [mail] deliver to
10276 each domestic corporation at its principal office or electronic mail
10277 address, as shown by his records, and to each foreign corporation
10278 authorized to conduct affairs in this state at its executive offices or
10279 electronic mail address, as last shown by his records, [a form
10280 prescribed by him for the annual report] notice that the annual report
10281 is due, but failure to receive such [form] notice shall not relieve a
10282 corporation of the requirement of filing the report as provided in this
10283 section.

10284 Sec. 242. Section 34-9 of the general statutes is repealed and the
10285 following is substituted in lieu thereof (*Effective October 1, 2011*):

10286 As used in this chapter, unless the context otherwise requires:

10287 (1) "Address" means location as described by the full street number,
10288 if any, street, city or town, state or country and not a mailing address
10289 such as a post office box.

10290 (2) "Certificate of limited partnership" means the certificate referred
10291 to in section 34-10 and the certificate as amended or restated.

10292 (3) "Consolidation" means a business combination pursuant to
10293 section 34-33b.

10294 (4) "Contribution" means any cash, property, services rendered, or a
10295 promissory note or other binding obligation to contribute cash or
10296 property or to perform services, which a partner contributes to a
10297 limited partnership in his capacity as a partner.

10298 (5) "Deliver" or "delivery" means any method of delivery used in
10299 conventional commercial practice including delivery by hand, mail,
10300 commercial delivery and electronic transmission.

10301 (6) "Document" includes anything delivered to the office of the
10302 Secretary of the State for filing under sections 34-9 to 34-38u, inclusive,
10303 as amended by this act.

10304 (7) "Electronic transmission" or "electronically transmitted" means
10305 any process of communication not directly involving the physical
10306 transfer of paper that is suitable for the retention, retrieval and
10307 reproduction of information by the recipient.

10308 [(5)] (8) "Event of withdrawal of a general partner" means an event
10309 that causes a person to cease to be a general partner as provided in
10310 section 34-28.

10311 [(6)] (9) "Foreign limited partnership" means a partnership formed
10312 under the laws of any state other than this state and having as partners
10313 one or more general partners and one or more limited partners.

10314 [(7)] (10) "General partner" means a person who has been admitted
10315 to a limited partnership as a general partner in accordance with the
10316 partnership agreement and named in the certificate of limited
10317 partnership as a general partner.

10318 [(8)] (11) "Interests" means the proprietary interests in an other
10319 entity.

10320 [(9)] (12) "Limited partner" means a person who has been admitted
10321 to a limited partnership as a limited partner in accordance with the
10322 partnership agreement.

10323 [(10)] (13) "Limited partnership" and "domestic limited partnership"
10324 means a partnership formed by two or more persons under the
10325 provisions of this chapter and having one or more general partners
10326 and one or more limited partners.

10327 [(11)] (14) "Merger" means a business combination pursuant to
10328 section 34-33a.

10329 [(12)] (15) "Organizational documents" means the basic document or
10330 documents that create, or determine the internal governance of, an
10331 other entity.

10332 [(13)] (16) "Other entity" means any association or legal entity, other

10333 than a domestic or foreign limited partnership, organized to conduct
10334 business, including, but not limited to, a corporation, general
10335 partnership, limited liability partnership, limited liability company,
10336 joint venture, joint stock company, business trust, statutory trust and
10337 real estate investment trust.

10338 **[**(14)**]** (17) "Partner" means a limited or general partner.

10339 **[**(15)**]** (18) "Partnership agreement" means any valid agreement,
10340 written or oral, of the partners as to the affairs of a limited partnership
10341 and the conduct of its business.

10342 **[**(16)**]** (19) "Partnership interest" means a partner's share of the
10343 profits and losses of a limited partnership and the right to receive
10344 distributions of partnership assets.

10345 **[**(17)**]** (20) "Party to a consolidation" means any domestic or foreign
10346 limited partnership or other entity that will consolidate under a plan of
10347 consolidation.

10348 **[**(18)**]** (21) "Party to a merger" means any domestic or foreign limited
10349 partnership or other entity that will merge under a plan of merger.

10350 **[**(19)**]** (22) "Person" means a natural person, partnership, limited
10351 partnership, foreign limited partnership, trust, estate, association,
10352 limited liability company or corporation.

10353 **[**(20)**]** (23) "Plan of merger" means a plan entered into pursuant to
10354 section 34-33a.

10355 **[**(21)**]** (24) "Plan of consolidation" means a plan entered into
10356 pursuant to section 34-33b.

10357 (25) "Sign" or "signature" includes any manual, facsimile, conformed
10358 or electronic signature.

10359 **[**(22)**]** (26) "State" means a state, territory, or possession of the United
10360 States, the District of Columbia or the Commonwealth of Puerto Rico.

10361 **[**(23)**]** (27) "Survivor" means, in a merger or consolidation, the
10362 limited partnership or other entity into which one or more other
10363 limited partnerships or other entities are merged or consolidated.

10364 Sec. 243. Section 34-10b of the general statutes is repealed and the
10365 following is substituted in lieu thereof (*Effective October 1, 2011*):

10366 (a) A signed copy of the certificate of limited partnership and of any
10367 certificates of amendment or cancellation or of any judicial decree of
10368 amendment or cancellation or of any certificate of merger or
10369 consolidation, or notice or any other document permitted or required
10370 to be filed pursuant to this chapter for a limited partnership, shall be
10371 delivered to the Secretary of the State. A person who executes a
10372 certificate as an agent or fiduciary need not exhibit evidence of his
10373 authority as a prerequisite to filing. Unless the Secretary of the State
10374 finds that any certificate does not conform to law, upon receipt of all
10375 filing fees required by law he shall:

10376 (1) Endorse on each copy the word "Filed" and the day, month and
10377 year of the filing thereof; and

10378 (2) File a signed copy in his office.

10379 (b) Upon the filing of a certificate of amendment or judicial decree
10380 of amendment in the office of the Secretary of the State, the certificate
10381 of limited partnership shall be amended as set forth therein, and upon
10382 the effective date of a certificate of cancellation, or a judicial decree
10383 thereof or a certificate of merger or consolidation which acts as a
10384 certificate of cancellation, the certificate of limited partnership is
10385 cancelled.

10386 (c) When any document is required or permitted to be filed or
10387 recorded as provided in sections 34-9 to 34-38u, inclusive, as amended
10388 by this act, the Secretary of the State may, in the Secretary of the State's
10389 discretion, for good cause, permit a photostatic or other photographic
10390 copy of such document to be filed or recorded in lieu of the original
10391 instrument. Such filing or recording shall have the same force and

10392 effect as if the original instrument had been so filed or recorded.

10393 (d) The Secretary of the State may require or permit the filing by
10394 electronic transmission or by employing new technology as it is
10395 developed of any document that is required by law or regulation
10396 adopted under sections 34-9 to 34-38u, inclusive, as amended by this
10397 act, to be filed with the Secretary of the State.

10398 Sec. 244. Section 34-13e of the general statutes is repealed and the
10399 following is substituted in lieu thereof (*Effective October 1, 2011*):

10400 (a) On and after January 1, 1996, each limited partnership shall file
10401 an annual report with the Secretary of the State that shall be due upon
10402 the anniversary of the formation of the limited partnership. On and
10403 after October 1, 2011, each limited partnership shall file an annual
10404 report by electronic transmission on or after October first and prior to
10405 January first. Upon request of a limited partnership, the Secretary of
10406 the State may grant an exemption from the requirement to file an
10407 annual report by electronic transmission if the limited partnership
10408 does not have the capability to file by electronic transmission or make
10409 payment in an authorized manner by electronic means or if other good
10410 cause is shown.

10411 (b) Each annual report shall set forth: (1) The name of the limited
10412 partnership; [and] (2) the address of the office of the limited
10413 partnership required to be maintained by section 34-13b; and (3) the
10414 electronic mail address, if any, of the limited partnership.

10415 (c) Each annual report shall be executed in accordance with section
10416 34-10a and be accompanied by the filing fee established in section 34-
10417 38n. The Secretary of the State shall [mail] deliver to each limited
10418 partnership at [its] the address of the office required to be maintained
10419 by section 34-13b or its electronic mail address, as shown by his
10420 records, [a form prescribed by him for the annual report] notice that
10421 the annual report is due, but failure to receive such [form] notice shall
10422 not relieve a limited partnership of the requirement of filing the report
10423 as provided in this section.

10424 Sec. 245. Section 34-38s of the general statutes is repealed and the
10425 following is substituted in lieu thereof (*Effective October 1, 2011*):

10426 (a) On and after January 1, 1996, each foreign limited partnership
10427 registered to transact business in this state shall file an annual report
10428 with the Secretary of the State that shall be due upon the anniversary
10429 of the registration of such foreign limited partnership pursuant to
10430 section 34-38g. On and after October 1, 2011, each foreign limited
10431 partnership shall file an annual report by electronic transmission on or
10432 after October first and prior to January first. Upon request of a foreign
10433 limited partnership, the Secretary of the State may grant an exemption
10434 from the requirement to file an annual report by electronic
10435 transmission if the foreign limited partnership does not have the
10436 capability to file by electronic transmission or make payment in an
10437 authorized manner by electronic means or if other good cause is
10438 shown.

10439 (b) Each annual report shall set forth: (1) The name of the foreign
10440 limited partnership and, if different, the name under which such
10441 foreign limited partnership transacts business in this state; **[**, and**]** (2)
10442 the address of the office required to be maintained in the state or other
10443 jurisdiction of the foreign limited partnership's organization by the
10444 laws of that state or jurisdiction or, if not so required, the address of its
10445 principal office; and (3) the electronic mail address, if any, of the
10446 foreign limited partnership.

10447 (c) Each annual report shall be executed in accordance with section
10448 34-10a and be accompanied by the filing fee established in section 34-
10449 38n. The Secretary of the State shall **[**mail**]** deliver to each foreign
10450 limited partnership at its principal office or its electronic mail address,
10451 as last shown by his records, **[**a form prescribed by him for the annual
10452 report**]** notice that the annual report is due, but failure to receive such
10453 **[**form**]** notice shall not relieve a foreign limited partnership of the
10454 requirement of filing the report as provided in this section.

10455 Sec. 246. Section 34-101 of the general statutes is repealed and the

10456 following is substituted in lieu thereof (*Effective October 1, 2011*):

10457 As used in sections 34-100 to 34-242, inclusive, as amended by this
10458 act, unless the context otherwise requires:

10459 (1) "Address" means a location as described by the full street
10460 number, if any, street, city or town, state or county and not a mailing
10461 address such as a post office box.

10462 (2) "Articles of organization" means articles filed under section 34-
10463 121, and those articles as amended or restated.

10464 (3) "Corporation" means a corporation formed under the laws of this
10465 state or a foreign corporation.

10466 (4) "Court" includes every court having jurisdiction in the case.

10467 (5) "Deliver" or "delivery" means any method of delivery used in
10468 conventional commercial practice including delivery by hand, mail,
10469 commercial delivery and electronic transmission.

10470 (6) "Document" includes anything delivered to the office of the
10471 Secretary of the State for filing under sections 34-100 to 34-242,
10472 inclusive, as amended by this act.

10473 **[**(5)**]** (7) "Electronic transmission" or "electronically transmitted"
10474 means any process of communication not directly involving the
10475 physical transfer of paper that is suitable for the retention, retrieval
10476 and reproduction of information by the recipient. **[**and which does not
10477 directly involve the physical transfer of paper.**]**

10478 **[**(6)**]** (8) "Event of dissociation" means an event that causes a person
10479 to cease to be a member, as provided in section 34-180.

10480 **[**(7)**]** (9) "Foreign corporation" means a corporation formed under
10481 the laws of any state other than this state or under the laws of any
10482 foreign country.

10483 **[**(8)**]** (10) "Foreign limited liability company" means an entity that is:

10484 (A) Organized under the laws of a state other than the laws of this state
10485 or under the laws of any foreign country; (B) organized under a statute
10486 pursuant to which an entity denominated as a limited liability
10487 company may be formed that affords to each of its members limited
10488 liability with respect to the liabilities of the entity; and (C) is not
10489 required to be registered or organized under any statute of this state
10490 other than sections 34-100 to 34-242, inclusive, as amended by this act.

10491 [(9)] (11) "Foreign limited partnership" means a limited partnership
10492 formed under the laws of any state other than this state or under the
10493 laws of any foreign country.

10494 [(10)] (12) "Limited liability company" or "domestic limited liability
10495 company" means an organization having one or more members that is
10496 formed under sections 34-100 to 34-242, inclusive, as amended by this
10497 act.

10498 [(11)] (13) "Limited liability company membership interest" or
10499 "interest" or "interest in the limited liability company" means a
10500 member's share of the profits and losses of the limited liability
10501 company and a member's right to receive distributions of the limited
10502 liability company's assets, unless otherwise provided in the operating
10503 agreement.

10504 [(12)] (14) "Limited partnership" means a limited partnership
10505 formed under the laws of this state or a foreign limited partnership.

10506 [(13)] (15) "Manager" or "managers" means, with respect to a limited
10507 liability company that has set forth in its articles of organization that it
10508 is to be managed by managers, the person or persons designated in
10509 accordance with section 34-140.

10510 [(14)] (16) "Member" or "members" means a person or persons who
10511 have been admitted to membership in a limited liability company as
10512 provided in section 34-179 and who have not disassociated from the
10513 limited liability company as provided in section 34-180.

10514 [(15)] (17) "Operating agreement" means any agreement, written or
10515 oral, as to the conduct of the business and affairs of a limited liability
10516 company, which is binding upon all of the members.

10517 [(16)] (18) "Organizational documents" means the basic document or
10518 documents that create, or determine the internal governance of, an
10519 other entity.

10520 [(17)] (19) "Organizer" or "organizers" means any member or
10521 members or any other person or persons who files or file the articles of
10522 organization as provided in section 34-120.

10523 [(18)] (20) "Other entity" means any association or legal entity, other
10524 than a domestic or foreign limited liability company, organized to
10525 conduct business, including, but not limited to, a corporation, general
10526 partnership, limited liability partnership, limited partnership, joint
10527 venture, joint stock company, business trust, statutory trust and real
10528 estate investment trust.

10529 [(19)] (21) "Party to a consolidation" means any domestic or foreign
10530 limited liability company or other entity that will consolidate under a
10531 plan of consolidation.

10532 [(20)] (22) "Party to a merger" means any domestic or foreign limited
10533 liability company or other entity that will merge under a plan of
10534 merger.

10535 [(21)] (23) "Person" means an individual, a general partnership, a
10536 limited partnership, a domestic or foreign limited liability company, a
10537 trust, an estate, an association, a corporation or any other legal or
10538 commercial entity.

10539 [(22)] (24) "Plan of merger" or "plan of consolidation" means a plan
10540 entered into pursuant to section 34-195.

10541 [(23)] (25) "Professional service" means any type of service to the
10542 public that requires that members of a profession rendering such
10543 service obtain a license or other legal authorization as a condition

10544 precedent to the rendition thereof, limited to the professional services
10545 rendered by dentists, natureopaths, chiropractors, physicians and
10546 surgeons, doctors of dentistry, physical therapists, occupational
10547 therapists, podiatrists, optometrists, nurses, nurse-midwives,
10548 veterinarians, pharmacists, architects, professional engineers, or jointly
10549 by architects and professional engineers, landscape architects, real
10550 estate brokers, insurance producers, certified public accountants and
10551 public accountants, land surveyors, psychologists, attorneys-at-law,
10552 licensed marital and family therapists, licensed professional
10553 counselors, licensed or certified alcohol and drug counselors and
10554 licensed clinical social workers.

10555 **[**(24)**]** (26) "Sign" or "signature" includes any manual, facsimile, **[**or**]**
10556 conformed or electronic signature.

10557 **[**(25)**]** (27) "State" means a state, territory or possession of the United
10558 States, the District of Columbia or the Commonwealth of Puerto Rico.

10559 **[**(26)**]** (28) "Survivor" means, in a merger or consolidation, the
10560 limited liability company or other entity into which one or more other
10561 limited liability companies or other entities are merged or
10562 consolidated.

10563 Sec. 247. Section 34-106 of the general statutes is repealed and the
10564 following is substituted in lieu thereof (*Effective October 1, 2011*):

10565 (a) Each limited liability company shall file an annual report with
10566 the Secretary of the State which report shall be due upon the
10567 anniversary of the filing of a limited liability company's articles of
10568 organization pursuant to section 34-120. On and after October 1, 2011,
10569 each limited liability company shall file an annual report by electronic
10570 transmission on or after October first and prior to January first. Upon
10571 request of a limited liability company, the Secretary of the State may
10572 grant an exemption from the requirement to file an annual report by
10573 electronic transmission if (1) the limited liability company does not
10574 have the capability to file by electronic transmission or make payment
10575 in an authorized manner by electronic means, or (2) other good cause

10576 is shown.

10577 (b) Such reporting requirement shall commence on or after January
10578 1, 1995, and continue annually thereafter.

10579 (c) Each annual report shall set forth: (1) The name of the limited
10580 liability company; (2) the limited liability company's current principal
10581 office address; [and] (3) the electronic mail address, if any, of the
10582 limited liability company; and (4) the name and respective business
10583 and residence addresses of a manager or a member of the limited
10584 liability company, except that if good cause is shown, the Secretary of
10585 the State may accept a business address in lieu of the business and
10586 residence addresses of such manager or member. For the purposes of
10587 this subsection and subsection (d) of this section, a showing of good
10588 cause shall include, but not be limited to, a showing that public
10589 disclosure of the residence address of the manager or member of the
10590 limited liability company may expose the personal security of such
10591 manager or member to significant risk.

10592 (d) If the manager or member named in a limited liability
10593 company's most current annual report pursuant to subsection (c) of
10594 this section is replaced for such purpose by another manager or
10595 member after the limited liability company has filed such annual
10596 report, but not later than thirty days preceding the month during
10597 which the limited liability company's next annual report becomes due,
10598 the limited liability company shall file with the Secretary of the State
10599 an interim notice of change of manager or member that sets forth: (1)
10600 The name of the limited liability company; and (2) the name, title and
10601 respective business and residence addresses of the new manager or
10602 member and the name and title of the former manager or member,
10603 except that if good cause is shown, the Secretary of the State may
10604 accept a business address in lieu of the business and residence
10605 addresses of the new manager or member. Any such change of
10606 manager or member that occurs within the thirty-day period preceding
10607 the month during which the limited liability company's next annual
10608 report becomes due shall be reflected in such next annual report.

10609 (e) Each annual report shall be executed in accordance with section
10610 34-109 and be accompanied by the filing fee established in section 34-
10611 112. The Secretary of the State shall **[**mail**]** deliver to each limited
10612 liability company at its principal office or electronic mail address, as
10613 shown on his records, **[**a form prescribed by him for the annual report**]**
10614 notice that the annual report is due, but failure to receive such **[**form**]**
10615 notice shall not relieve a limited liability company of the requirement
10616 of filing the report as provided in this section.

10617 Sec. 248. Section 34-110 of the general statutes is repealed and the
10618 following is substituted in lieu thereof (*Effective October 1, 2011*):

10619 (a) The original signed copy of the articles of organization or any
10620 other document required to be filed pursuant to sections 34-100 to 34-
10621 242, inclusive, as amended by this act, shall be delivered to the
10622 Secretary of the State. The articles of organization or any other
10623 document required to be filed shall be typewritten or printed or, if
10624 **[**authorized by the Secretary of the State,**]** electronically transmitted, in
10625 a format that can be retrieved or reproduced in typewritten or printed
10626 form. Unless the Secretary of the State determines that the document
10627 does not conform to the filing provisions of said sections, the Secretary
10628 of the State shall, when all required filing fees have been paid: (1)
10629 Endorse on each signed document "filed" and the date and time of its
10630 acceptance for filing; and (2) retain the signed document in the
10631 Secretary of the State's files.

10632 (b) When any document is required or permitted to be filed or
10633 recorded as provided in sections 34-100 to 34-242, inclusive, as
10634 amended by this act, the Secretary of the State may, in the Secretary of
10635 the State's discretion, for good cause, permit a photostatic or other
10636 photographic copy of such document to be filed or recorded in lieu of
10637 the original instrument. Such filing or recording shall have the same
10638 force and effect as if the original instrument had been so filed or
10639 recorded.

10640 (c) The Secretary of the State may require or permit the filing by

10641 electronic transmission or by employing new technology as it is
10642 developed of any document that is required by law or regulation
10643 adopted under sections 34-100 to 34-242, inclusive, as amended by this
10644 act, to be filed with the Secretary of the State.

10645 **[**(c)**]** (d) If the Secretary of the State determines that the document
10646 does not conform to the filing provisions of sections 34-100 to 34-242,
10647 inclusive, as amended by this act, or is not accompanied by all fees
10648 required by law, the document shall not be filed and the Secretary of
10649 the State shall return the document to the person originally submitting
10650 it.

10651 Sec. 249. Section 34-229 of the general statutes is repealed and the
10652 following is substituted in lieu thereof (*Effective October 1, 2011*):

10653 (a) A foreign limited liability company registered to transact
10654 business in this state shall file an annual report in the office of the
10655 Secretary of the State which report shall be due upon the anniversary
10656 of such foreign limited liability company's registration pursuant to
10657 section 34-223. On and after October 1, 2011, each foreign limited
10658 liability company shall file an annual report by electronic transmission
10659 on or after October first and prior to January first. Upon request of a
10660 foreign limited liability company, the Secretary of the State may grant
10661 an exemption from the requirement to file an annual report by
10662 electronic transmission if the foreign limited liability company does
10663 not have the capability to file by electronic transmission or make
10664 payment in an authorized manner by electronic means or if other good
10665 cause is shown.

10666 (b) Such reporting requirement shall commence on and after
10667 January 1, 1995, and continue annually thereafter.

10668 (c) Each annual report shall set forth: (1) The name of the foreign
10669 limited liability company and, if different, the name under which such
10670 foreign limited liability company transacts business in this state; (2) the
10671 address of the office required to be maintained in the state or other
10672 jurisdiction of the foreign limited liability company's organization by

10673 the laws of that state or jurisdiction or, if not so required, the address
10674 of its principal office; **[**and**]** (3) the electronic mail address, if any, of the
10675 foreign limited liability company; and (4) the name and respective
10676 business and residence addresses of a manager or a member of the
10677 foreign limited liability company, except that if good cause is shown,
10678 the Secretary of the State may accept a business address in lieu of the
10679 business and residence addresses of such manager or member. For the
10680 purposes of this subsection and subsection (d) of this section, a
10681 showing of good cause shall include, but not be limited to, a showing
10682 that public disclosure of the residence address of the manager or
10683 member of the foreign limited liability company may expose the
10684 personal security of such manager or member to significant risk.

10685 (d) If the manager or member named in a foreign limited liability
10686 company's most current annual report pursuant to subsection (c) of
10687 this section is replaced for such purpose by another manager or
10688 member after the foreign limited liability company has filed such
10689 annual report, but not later than thirty days preceding the month
10690 during which the foreign limited liability company's next annual
10691 report becomes due, the foreign limited liability company shall file
10692 with the Secretary of the State an interim notice of change of manager
10693 or member that sets forth: (1) The name of the foreign limited liability
10694 company; and (2) the name, title and respective business and residence
10695 addresses of the new manager or member and the name and title of the
10696 former manager or member, except that if good cause is shown, the
10697 Secretary of the State may accept a business address in lieu of the
10698 business and residence addresses of the new manager or member. Any
10699 such change of manager or member that occurs within the thirty-day
10700 period preceding the month during which the foreign limited liability
10701 company's next annual report becomes due shall be reflected in such
10702 next annual report.

10703 (e) Each annual report shall be executed in accordance with section
10704 34-109 and be accompanied by the filing fee established in section 34-
10705 112. The Secretary of the State shall **[**mail**]** deliver to each foreign
10706 limited liability company at its principal office or electronic mail

10707 address, as shown on his records, [a form prescribed by him for the
10708 annual report] notice that the annual report is due, but failure to
10709 receive such [form] notice shall not relieve a foreign limited liability
10710 company of the requirement of filing the report as provided in this
10711 section.

10712 Sec. 250. Section 34-301 of the general statutes is repealed and the
10713 following is substituted in lieu thereof (*Effective October 1, 2011*):

10714 As used in sections 34-300 to [34-399] 34-434, inclusive, as amended
10715 by this act:

10716 (1) "Business" includes every trade, occupation and profession.

10717 (2) "Debtor in bankruptcy" means a person who is the subject of: (A)
10718 An order for relief under Title 11 of the United States Code or a
10719 comparable order under a successor statute of general application; or
10720 (B) a comparable order under federal, state or foreign law governing
10721 insolvency.

10722 (3) "Deliver" or "delivery" means any method of delivery used in
10723 conventional commercial practice including delivery by hand, mail,
10724 commercial delivery and electronic transmission.

10725 [(3)] (4) "Distribution" means a transfer of money or other property
10726 from a partnership to a partner in the partner's capacity as a partner or
10727 to the partner's transferee.

10728 (5) "Document" includes anything delivered to the office of the
10729 Secretary of the State for filing under sections 34-300 to 34-434,
10730 inclusive, as amended by this act.

10731 (6) "Electronic transmission" or "electronically transmitted" means
10732 any process of communication not directly involving the physical
10733 transfer of paper that is suitable for the retention, retrieval and
10734 reproduction of information by the recipient.

10735 [(4)] (7) "Foreign registered limited liability partnership" includes a

10736 partnership formed pursuant to an agreement governed by the laws of
10737 any state other than this state and registered or denominated as a
10738 registered limited liability partnership or limited liability partnership
10739 under the laws of such other state.

10740 **[**(5)**]** (8) "Interests" means the proprietary interests in an other entity.

10741 **[**(6)**]** (9) "Merger" means a business combination pursuant to section
10742 34-388.

10743 **[**(7)**]** (10) "Organizational documents" means the basic document or
10744 documents that create, or determine the internal governance of, an
10745 other entity.

10746 **[**(8)**]** (11) "Other entity" means any association or legal entity, other
10747 than a domestic or foreign partnership, organized to conduct business,
10748 including, but not limited to, a corporation, limited partnership,
10749 limited liability partnership, limited liability company, joint venture,
10750 joint stock company, business trust, statutory trust and real estate
10751 investment trust.

10752 **[**(9)**]** (12) "Partnership" means an association of two or more persons
10753 to carry on as co-owners a business for profit formed under section 34-
10754 314, predecessor law or comparable law of another jurisdiction, and
10755 includes for all purposes of the laws of this state a registered limited
10756 liability partnership.

10757 **[**(10)**]** (13) "Partnership agreement" means the agreement, whether
10758 written, oral or implied, among the partners concerning the
10759 partnership, including amendments to the partnership agreement.

10760 **[**(11)**]** (14) "Partnership at will" means a partnership in which the
10761 partners have not agreed to remain partners until the expiration of a
10762 definite term or the completion of a particular undertaking.

10763 **[**(12)**]** (15) "Partnership interest" or "partner's interest in the
10764 partnership" means all of a partner's interests in the partnership,
10765 including the partner's transferable interest and all management and

10766 other rights.

10767 [(13)] (16) "Party to a merger" means any domestic or foreign
10768 partnership or other entity that will merge under a plan of merger.

10769 [(14)] (17) "Person" means an individual, corporation, limited
10770 liability company, business trust, estate, trust, partnership, association,
10771 joint venture, government, governmental subdivision, agency or
10772 instrumentality, or any other legal or commercial entity.

10773 [(15)] (18) "Plan of merger" means a plan entered into pursuant to
10774 section 34-388.

10775 [(16)] (19) "Property" means all property, real, personal or mixed,
10776 tangible or intangible, or any interest therein.

10777 [(17)] (20) "Registered limited liability partnership" includes a
10778 partnership formed pursuant to an agreement governed by the laws of
10779 this state, registered under section 34-419, and complying with sections
10780 34-406 and 34-420, as amended by this act.

10781 (21) "Sign" or "signature" includes any manual, facsimile, conformed
10782 or electronic signature.

10783 [(18)] (22) "State" means a state of the United States, the District of
10784 Columbia, the Commonwealth of Puerto Rico or any territory or
10785 insular possession subject to the jurisdiction of the United States.

10786 [(19)] (23) "Statement" means a statement of partnership authority
10787 under section 34-324, a statement of denial under section 34-325, a
10788 statement of dissociation under section 34-365, a statement of
10789 dissolution under section 34-376, a statement of merger under section
10790 34-390, or an amendment or cancellation of any of the foregoing.

10791 [(20)] (24) "Survivor" in a merger means the partnership or other
10792 entity into which one or more other partnerships or other entities are
10793 merged or consolidated. A survivor of a merger may preexist the
10794 merger or be created by the merger.

10795 **[**(21)**]** (25) "Transfer" includes an assignment, conveyance, lease,
10796 mortgage, deed and encumbrance.

10797 Sec. 251. Section 34-411 of the general statutes is repealed and the
10798 following is substituted in lieu thereof (*Effective October 1, 2011*):

10799 (a) The original signed copy of a certificate of limited liability
10800 partnership of a registered limited liability partnership or the
10801 certificate of authority of a foreign registered limited liability
10802 partnership or of any other document required to be filed pursuant to
10803 sections 34-300 to 34-434, inclusive, as amended by this act, shall be
10804 delivered to the Secretary of the State. Unless the Secretary of the State
10805 determines that the documents do not conform to the filing provisions
10806 of said sections, he shall, when all required filing fees have been paid:
10807 (1) Endorse on each signed original "filed" and the date and time of its
10808 acceptance for filing; and (2) retain the signed original in his files.

10809 (b) When any document is required or permitted to be filed or
10810 recorded as provided in sections 34-300 to 34-434, inclusive, as
10811 amended by this act, the Secretary of the State may, in the Secretary of
10812 the State's discretion, for good cause, permit a photostatic or other
10813 photographic copy of such document to be filed or recorded in lieu of
10814 the original instrument. Such filing or recording shall have the same
10815 force and effect as if the original instrument had been so filed or
10816 recorded.

10817 (c) The Secretary of the State may require or permit the filing by
10818 electronic transmission or by employing new technology as it is
10819 developed of any document that is required by law or regulation
10820 adopted under sections 34-300 to 34-434, inclusive, as amended by this
10821 act, to be filed with the Secretary of the State.

10822 **[**(b)**]** (d) If the Secretary of the State determines that the documents
10823 do not conform to the filing provisions of sections 34-300 to 34-434,
10824 inclusive, as amended by this act, or are not accompanied by all fees
10825 required by law, the documents shall not be filed and the Secretary of
10826 the State shall return the documents to the person originally

10827 submitting them.

10828 Sec. 252. Section 34-420 of the general statutes is repealed and the
10829 following is substituted in lieu thereof (*Effective October 1, 2011*):

10830 (a) Each registered limited liability partnership shall file an annual
10831 report with the Secretary of the State, which report shall be due upon
10832 the anniversary of the filing of a certificate of limited liability
10833 partnership pursuant to section 34-419. On and after October 1, 2011,
10834 each registered limited liability partnership shall file an annual report
10835 by electronic transmission on or after October first and prior to January
10836 first. Upon request of a registered limited liability partnership, the
10837 Secretary of the State may grant an exemption from the requirement to
10838 file an annual report by electronic transmission if the registered limited
10839 liability partnership does not have the capability to file by electronic
10840 transmission or make payment in an authorized manner by electronic
10841 means or if other good cause is shown.

10842 (b) Such reporting requirement shall commence on or after January
10843 1, 1997, and continue annually thereafter.

10844 (c) Each annual report shall set forth: (1) The name of the registered
10845 limited liability partnership; **[**, and**]** (2) the registered limited liability
10846 partnership's current principal office address; and (3) the electronic
10847 mail address, if any, of the registered limited liability partnership.

10848 (d) Each annual report shall be executed in accordance with section
10849 34-410 and be accompanied by the filing fee established in section 34-
10850 413. The Secretary of the State shall **[**mail**]** deliver to each registered
10851 limited liability partnership at its principal office or electronic mail
10852 address, as shown on his records, **[**a form prescribed by him for the
10853 annual report**]** notice that the annual report is due, but failure to
10854 receive such **[**form**]** notice shall not relieve a registered limited liability
10855 partnership of the requirement of filing the report as provided in this
10856 section.

10857 Sec. 253. Section 34-431 of the general statutes is repealed and the

10858 following is substituted in lieu thereof (*Effective October 1, 2011*):

10859 (a) A foreign registered limited liability partnership authorized to
10860 transact business in this state shall file an annual report in the office of
10861 the Secretary of the State which report shall be due upon the
10862 anniversary of such foreign registered limited liability partnership's
10863 certificate of authority pursuant to section 34-429, as amended by this
10864 act. On and after October 1, 2011, each foreign registered limited
10865 liability partnership shall file an annual report by electronic
10866 transmission on or after October first and prior to January first. Upon
10867 request of a foreign registered limited liability partnership, the
10868 Secretary of the State may grant an exemption from the requirement to
10869 file an annual report by electronic transmission if the foreign registered
10870 limited liability partnership does not have the capability to file by
10871 electronic transmission or make payment in an authorized manner by
10872 electronic means or if other good cause is shown.

10873 (b) Such reporting requirement shall commence on and after
10874 January 1, 1997, and continue annually thereafter.

10875 (c) Each annual report shall set forth: (1) The name of the foreign
10876 registered limited liability partnership and, if different, the name
10877 under which such foreign registered limited liability partnership
10878 transacts business in this state; **[**and**]** (2) the address of the office
10879 required to be maintained in the state or other jurisdiction of the
10880 foreign registered limited liability partnership's organization by the
10881 laws of that state or jurisdiction or, if not so required, the address of its
10882 principal office; and (3) the electronic mail address, if any, of the
10883 foreign registered limited liability partnership.

10884 (d) Each annual report shall be executed in accordance with section
10885 34-410, and be accompanied by the filing fee established in section 34-
10886 413. The Secretary of the State shall **[**mail**]** deliver to each foreign
10887 registered limited liability partnership at its principal office or
10888 electronic mail address, as shown on his records, **[**a form prescribed by
10889 him for the annual report**]** notice that the annual report is due, but

10890 failure to receive such [form] notice shall not relieve a foreign
10891 registered limited liability partnership of the requirement of filing the
10892 report as provided in this section.

10893 Sec. 254. Section 34-501 of the general statutes is repealed and the
10894 following is substituted in lieu thereof (*Effective October 1, 2011*):

10895 For purposes of sections 34-500 to 34-547, inclusive, as amended by
10896 this act:

10897 (1) "Beneficial owner" means any owner of a beneficial interest in a
10898 statutory trust. Beneficial ownership shall be determined and
10899 evidenced, whether by means of registration, the issuance of
10900 certificates or otherwise, in accordance with the applicable provisions
10901 of the governing instrument of the statutory trust.

10902 (2) "Statutory trust" or "domestic statutory trust" means an
10903 unincorporated association which (A) is created by a trust instrument
10904 under which property is or will be held, managed, administered,
10905 controlled, invested, reinvested or operated, or business or
10906 professional activities are carried on or will be carried on, by a trustee
10907 or trustees for the benefit of such person or persons as are or may
10908 become entitled to a beneficial interest in the trust property, including
10909 but not limited to a trust of the type known at common law as a
10910 "business trust" or "Massachusetts trust" or "grantor trust", or a trust
10911 qualifying as a real estate investment trust under Section 856 et seq., of
10912 the United States Internal Revenue Code of 1986, or any subsequent
10913 corresponding internal revenue code of the United States, as from time
10914 to time amended, or a trust qualifying as a real estate mortgage
10915 investment conduit under Section 860D of the United States Internal
10916 Revenue Code of 1986, or any subsequent corresponding internal
10917 revenue code of the United States, as from time to time amended, and
10918 (B) files a certificate of trust pursuant to section 34-503, as amended by
10919 this act. Any such association organized before or after October 1, 1997,
10920 shall be a statutory trust and a separate legal entity.

10921 (3) "Document" includes anything delivered to the office of the

10922 Secretary of the State for filing under sections 34-500 to 34-547,
10923 inclusive, as amended by this act.

10924 [(3)] (4) "Foreign statutory trust" means any business trust,
10925 association or similar entity which is not organized under the laws of
10926 this state.

10927 [(4)] (5) "Governing instrument" means a trust instrument which
10928 creates a statutory trust and provides for the governance of the affairs
10929 of the statutory trust and the conduct of its business. A governing
10930 instrument: (A) May provide that a person shall become a beneficial
10931 owner and shall become bound by the governing instrument if such
10932 person, or a representative authorized by such person orally, in
10933 writing or by other action such as payment for a beneficial interest,
10934 complies with the conditions for becoming a beneficial owner set forth
10935 in the governing instrument or any other writing and acquires a
10936 beneficial interest; and (B) may consist of one or more agreements,
10937 instruments or other writings and may refer to or incorporate bylaws
10938 containing provisions relating to the business of the statutory trust, the
10939 conduct of its affairs and its rights or powers or the rights or powers of
10940 its trustees, beneficial owners, agents or employees.

10941 [(5)] (6) "Other business entity" means a corporation, a limited
10942 liability company, a general or limited partnership, a limited liability
10943 partnership, a common law trust or any other unincorporated
10944 business.

10945 [(6)] (7) "Person" means a natural person, partnership, limited
10946 partnership, limited liability partnership, limited liability company,
10947 trust, estate, association, corporation, custodian, nominee or any other
10948 individual or entity in its own or any representative capacity.

10949 (8) "Sign" or "signature" includes any manual, facsimile, conformed
10950 or electronic signature.

10951 [(7)] (9) "Trustee" means the person or persons appointed as a
10952 trustee in accordance with the governing instrument of a statutory

10953 trust and may include one or more of the beneficial owners of the
10954 statutory trust.

10955 Sec. 255. Section 34-503 of the general statutes is repealed and the
10956 following is substituted in lieu thereof (*Effective October 1, 2011*):

10957 (a) Every statutory trust shall file **[**the original,**]** a signed copy of its
10958 certificate of trust with the office of the Secretary of the State. The
10959 certificate of trust shall set forth:

10960 (1) A name of the statutory trust that satisfies the requirements of
10961 section 34-506;

10962 (2) The future effective date, which shall be a date certain, of
10963 effectiveness of the certificate if it is not to be effective upon the filing
10964 of the certificate;

10965 (3) The principal office address of the statutory trust;

10966 (4) The appointment of a statutory agent for service of process, as
10967 required by section 34-507; and

10968 (5) Any other information the trustees determine to include therein.

10969 (b) (1) A certificate of trust may be amended by filing a certificate of
10970 amendment thereto with the office of the Secretary of the State. The
10971 certificate of amendment shall set forth: (A) The name of the statutory
10972 trust; (B) the date of filing of the **[**original**]** initial certificate of trust; (C)
10973 the amendment to the certificate; and (D) the future effective date,
10974 which shall be a date certain, of effectiveness of the certificate if it is
10975 not to be effective upon the filing of the certificate.

10976 (2) A certificate of trust may be amended at any time for any
10977 purpose as the trustees may determine, provided the certificate of trust
10978 as amended contains those provisions that are required by law to be
10979 contained in a certificate of trust at the time of making the amendment.

10980 (c) (1) A certificate of trust may be restated by integrating into a

10981 single instrument all of the provisions of the certificate of trust which
10982 are then in effect and operative as a result of there having been
10983 theretofore filed one or more certificates of amendment pursuant to
10984 subsection (b) of this section, and the certificate of trust may be
10985 amended or further amended by the filing of a restated certificate of
10986 trust. The restated certificate of trust shall be specifically designated as
10987 such in its heading and shall set forth: (A) The present name of the
10988 statutory trust and, if it has been changed, the name under which the
10989 statutory trust was originally formed; (B) the date of filing of the
10990 [original] initial certificate of trust; (C) the information required to be
10991 included pursuant to subsection (a) of this section; (D) the future
10992 effective date, which shall be a date certain, of effectiveness of the
10993 restated certificate of trust if it is not to be effective upon the filing of
10994 the restated certificate of trust; and (E) any other information the
10995 trustees determine to include therein.

10996 (2) A certificate of trust may be restated at any time for any purpose
10997 as the trustees may determine.

10998 (d) A certificate of trust shall be cancelled upon the completion of
10999 winding up of the statutory trust and its termination. A certificate of
11000 cancellation shall be filed in the office of the Secretary of the State and
11001 set forth: (1) The name of the statutory trust; (2) the date of filing of the
11002 [original] initial certificate of trust; (3) the reason for filing the
11003 certificate of cancellation; (4) the future effective date, which shall be a
11004 date certain, of cancellation if it is not to be effective upon the filing of
11005 the certificate; and (5) any other information the trustees determine to
11006 include therein.

11007 (e) When any document is required or permitted to be filed or
11008 recorded as provided in sections 34-500 to 34-547, inclusive, as
11009 amended by this act, the Secretary of the State may, in the Secretary of
11010 the State's discretion, for good cause, permit a photostatic or other
11011 photographic copy of such document to be filed or recorded in lieu of
11012 the original instrument. Such filing or recording shall have the same
11013 force and effect as if the original instrument had been so filed or

11014 recorded.

11015 [(e)] (f) Unless the office of the Secretary of the State determines that
11016 a document filed with it pursuant to this section does not conform to
11017 law, it shall, when all required filing fees have been paid, endorse on
11018 each signed [original of such] document the word "Filed" and the date
11019 and time of its acceptance for filing and retain the [original] signed
11020 document in its files.

11021 Sec. 256. Section 34-429 of the general statutes is repealed and the
11022 following is substituted in lieu thereof (*Effective October 1, 2011*):

11023 Before transacting business in this state, a foreign registered limited
11024 liability partnership shall file a certificate of authority with the
11025 Secretary of the State executed by a person with authority to do so
11026 under the laws of the state or other jurisdiction where it is registered as
11027 a registered limited liability partnership. The certificate of authority
11028 shall set forth: (1) The name of the partnership and, if different, the
11029 name under which it proposes to transact business in this state, either
11030 of which shall conform to the requirements of section 34-406; (2) the
11031 state or other jurisdiction where it is registered as a registered limited
11032 liability partnership and the date of its registration; (3) the name and
11033 address of the agent in this state for service of process required to be
11034 maintained by section 34-408 and an acceptance of such appointment
11035 signed by the agent appointed; (4) the address of the office required to
11036 be maintained in the state or other jurisdiction of its organization by
11037 the laws of that state or jurisdiction or, if not so required, of the
11038 principal office of the partnership; (5) a representation that the
11039 partnership is a "foreign registered limited liability partnership" as
11040 defined in [subdivision (4) of] section 34-301, as amended by this act;
11041 (6) a brief statement of the business in which the partnership engages;
11042 and (7) any other matters the partnership may determine to include.

11043 Sec. 257. Section 34-531 of the general statutes is repealed and the
11044 following is substituted in lieu thereof (*Effective October 1, 2011*):

11045 Before transacting business in this state, a foreign statutory trust

11046 shall register with the Secretary of the State. In order to register, a
11047 foreign statutory trust shall submit to the Secretary of the State an
11048 original signed copy of an application for registration as a foreign
11049 statutory trust executed by a person with authority to do so under the
11050 laws of the state or other jurisdiction of its formation. The application
11051 shall set forth: (1) The name of the foreign statutory trust and, if
11052 different, the name under which it proposes to transact business in this
11053 state; (2) the state or other jurisdiction where formed, and date of its
11054 organization; (3) the name and address of the agent in this state for
11055 service of process on the foreign statutory trust required to be
11056 maintained by section 34-532 and an acceptance of such appointment
11057 signed by the agent appointed if other than the Secretary of the State;
11058 (4) the address of the office required to be maintained in the state or
11059 other jurisdiction of its organization by the laws of that state or
11060 jurisdiction or, if not so required, of the principal office of the foreign
11061 statutory trust; (5) a representation that the foreign statutory trust is a
11062 "foreign statutory trust" as defined in **[**subdivision (3) of**]** section 34-
11063 501, as amended by this act; and (6) the character of the business which
11064 the statutory trust intends to transact in this state.

11065 Sec. 258. (NEW) (*Effective from passage*) Notwithstanding any
11066 provision of the general statutes, each state agency shall modify its
11067 forms to ask for the electronic mail address of all clients, licensees or
11068 other persons routinely contacted by such agency and such agency
11069 may notify such clients, licensees or other persons using the electronic
11070 mail address provided rather than posting such notification by mail.

11071 Sec. 259. (NEW) (*Effective from passage*) On and after the effective
11072 date of this section, the Comptroller shall pay any vendor who receives
11073 more than one hundred payments per year, money that is owed by the
11074 state to such vendor, by electronic direct deposit to the account in a
11075 bank, Connecticut credit union or federal credit union of such vendor
11076 designated by such vendor.

11077 Sec. 260. (*Effective from passage*) The Comptroller shall evaluate
11078 current billing and payment methods of the state to determine where

11079 opportunities exist for the state to convert to electronic billing or
11080 payment and, not later than three months after the effective date of this
11081 section, shall report such opportunities to the joint standing committee
11082 of the General Assembly having cognizance of matters relating to
11083 government administration in accordance with the provisions of
11084 section 11-4a of the general statutes.

11085 Sec. 261. Section 1 of public act 09-206 is repealed and the following
11086 is substituted in lieu thereof (*Effective from passage*):

11087 (a) The Commissioners of Social Services and Administrative
11088 Services and the Comptroller, in consultation with the Commissioner
11089 of Public Health and the Insurance Commissioner, shall develop a plan
11090 to (1) implement and maintain a prescription drug purchasing
11091 program and procedures to aggregate or negotiate the purchase of
11092 pharmaceuticals for pharmaceutical programs benefiting state-
11093 administered general assistance, HUSKY Plan, Part B, Charter Oak
11094 Health Plan and ConnPACE recipients, inmates of the Department of
11095 Correction, and persons eligible for coverage under the group
11096 hospitalization and medical and surgical insurance plans procured
11097 under section 5-259 of the general statutes, <u>as amended by this act,</u> and
11098 (2) have the state join an existing multistate Medicaid pharmaceutical
11099 purchasing pool. Such plan shall determine the feasibility of subjecting
11100 some or all of the component programs set forth in subdivision (1) of
11101 this subsection to the preferred drug lists adopted pursuant to section
11102 17b-274d of the general statutes, <u>as amended by this act</u>.

11103 (b) The Commissioner of Social Services shall submit the plan
11104 authorized by subsection (a) of this section, including (1) a timetable
11105 for its implementation, (2) anticipated costs or savings resulting from
11106 its implementation and maintenance, (3) a timetable for achievement of
11107 any such savings, and (4) proposed legislative recommendations
11108 necessary to implement such plan to the joint standing committees of
11109 the General Assembly having cognizance of matters relating to
11110 <u>government administration,</u> public health and human services, not
11111 later than **[**December 31, 2009**]** <u>ninety days after the effective date of</u>

11112 this section, in accordance with the provisions of section 11-4a of the
11113 general statutes. The commissioner shall submit to the Centers for
11114 Medicare and Medicaid Services any proposed Medicaid state plan
11115 amendment that may be required to implement the provisions of such
11116 plan.

11117 Sec. 262. Section 5-259 of the general statutes is repealed and the
11118 following is substituted in lieu thereof (*Effective July 1, 2011*):

11119 (a) The Comptroller, with the approval of the Attorney General and
11120 of the Insurance Commissioner, shall arrange and procure a group
11121 hospitalization and medical and surgical insurance plan or plans for
11122 (1) state employees, (2) members of the General Assembly who elect
11123 coverage under such plan or plans, (3) participants in an alternate
11124 retirement program who meet the service requirements of section
11125 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
11126 under section 5-144 or from any state-sponsored retirement system,
11127 except the teachers' retirement system and the municipal employees
11128 retirement system, (5) judges of probate and Probate Court employees,
11129 (6) the surviving spouse, and any dependent children until they reach
11130 the age of eighteen, of a state police officer, a member of an organized
11131 local police department, a firefighter or a constable (A) who performs
11132 criminal law enforcement duties, (B) who dies **[**before, on or after June
11133 26, 2003,**]** as the result of injuries received while acting within the
11134 scope of such officer's or firefighter's or constable's employment and
11135 not as the result of illness or natural causes, and (C) whose surviving
11136 spouse and dependent children are not otherwise eligible for a group
11137 hospitalization and medical and surgical insurance plan, (7) employees
11138 of the Capital City Economic Development Authority established by
11139 section 32-601, and (8) the surviving spouse and dependent children of
11140 any employee of a municipality who dies on or after October 1, 2000,
11141 as the result of injuries received while acting within the scope of such
11142 employee's employment and not as the result of illness or natural
11143 causes, and whose surviving spouse and dependent children are not
11144 otherwise eligible for a group hospitalization and medical and surgical
11145 insurance plan. For purposes of this subdivision, "employee" means

11146 any regular employee or elective officer receiving pay from a
11147 municipality, "municipality" means any town, city, borough, school
11148 district, taxing district, fire district, district department of health,
11149 probate district, housing authority, regional work force development
11150 board established under section 31-3k, flood commission or authority
11151 established by special act or regional planning agency. For purposes of
11152 subdivision (6) of this subsection, "firefighter" means any person who
11153 is regularly employed and paid by any municipality for the purpose of
11154 performing firefighting duties for a municipality on average of not less
11155 than thirty-five hours per week. The minimum benefits to be provided
11156 by such plan or plans shall be substantially equal in value to the
11157 benefits that each such employee or member of the General Assembly
11158 could secure in such plan or plans on an individual basis on the
11159 preceding first day of July. The state shall pay for each such employee
11160 and each member of the General Assembly covered by such plan or
11161 plans the portion of the premium charged for such member's or
11162 employee's individual coverage and seventy per cent of the additional
11163 cost of the form of coverage and such amount shall be credited to the
11164 total premiums owed by such employee or member of the General
11165 Assembly for the form of such member's or employee's coverage under
11166 such plan or plans. On and after January 1, 1989, the state shall pay for
11167 anyone receiving benefits from any such state-sponsored retirement
11168 system one hundred per cent of the portion of the premium charged
11169 for such member's or employee's individual coverage and one
11170 hundred per cent of any additional cost for the form of coverage. The
11171 balance of any premiums payable by an individual employee or by a
11172 member of the General Assembly for the form of coverage shall be
11173 deducted from the payroll by the State Comptroller. The total
11174 premiums payable shall be remitted by the Comptroller to the
11175 insurance company or companies or nonprofit organization or
11176 organizations providing the coverage. The amount of the state's
11177 contribution per employee for a health maintenance organization
11178 option shall be equal, in terms of dollars and cents, to the largest
11179 amount of the contribution per employee paid for any other option
11180 that is available to all eligible state employees included in the health

11181 benefits plan, but shall not be required to exceed the amount of the
11182 health maintenance organization premium.

11183 (b) The Comptroller shall develop, in consultation with the
11184 Commissioner of Social Services, a plan for the Comptroller to jointly
11185 procure prescription drugs for (1) persons identified in subsection (a)
11186 of this section, who are eligible to participate in the group
11187 hospitalization and medical and surgical insurance plan, and (2)
11188 persons who have been determined by the Commissioner of Social
11189 Services to be eligible for medical assistance benefits under programs
11190 including, but not limited to: (A) Medicaid; (B) the HUSKY Plan, Part
11191 A and Part B; (C) the HUSKY Plus programs; (D) ConnPACE; (E) the
11192 Charter Oak Health Plan; and (F) the Connecticut AIDS drug
11193 assistance program. The Comptroller shall implement such plan not
11194 later than July 1, 2012.

11195 **[**(b)**]** (c) The insurance coverage procured under subsection (a) of
11196 this section for active state employees, employees of the Connecticut
11197 Institute for Municipal Studies, anyone receiving benefits from any
11198 such state-sponsored retirement system and members of the General
11199 Assembly, who are over sixty-five years of age, may be modified to
11200 reflect benefits available to such employees or members pursuant to
11201 Social Security and medical benefits programs administered by the
11202 federal government, provided any payments required to secure such
11203 benefits administered by the federal government shall be paid by the
11204 Comptroller either directly to the employee or members or to the
11205 agency of the federal government authorized to collect such payments.

11206 **[**(c)**]** (d) On October 1, 1972, the Comptroller shall continue to afford
11207 payroll deduction services for employees participating in existing
11208 authorized plans covering state employees until such time as the
11209 employee elects in writing to be covered by the plan authorized by
11210 subsection (a) of this section.

11211 **[**(d)**]** (e) Notwithstanding the provisions of subsection (a) of this
11212 section, the state shall pay for a member of any such state-sponsored

11213 retirement system, or a participant in an alternate retirement program
11214 who meets the service requirements of section 5-162 or subsection (a)
11215 of section 5-166, and who begins receiving benefits from such system
11216 or program on or after November 1, 1989, eighty per cent of the
11217 portion of the premium charged for his individual coverage and eighty
11218 per cent of any additional cost for his form of coverage. Upon the
11219 death of any such member, any surviving spouse of such member who
11220 begins receiving benefits from such system shall be eligible for
11221 coverage under this section and the state shall pay for any such spouse
11222 eighty per cent of the portion of the premium charged for his
11223 individual coverage and eighty per cent of any additional cost for his
11224 form of coverage.

11225 **[**(e)**]** (f) Notwithstanding the provisions of subsection (a) of this
11226 section, (1) vending stand operators eligible for membership in the
11227 state employee's retirement system pursuant to section 5-175a, shall be
11228 eligible for coverage under the group hospitalization and medical and
11229 surgical insurance plans procured under this section, provided the cost
11230 for such operators' insurance coverage shall be paid by the Board of
11231 Education and Services for the Blind from vending machine income
11232 pursuant to section 10-303, and (2) blind persons employed in
11233 workshops, established pursuant to section 10-298a, on December 31,
11234 2002, shall be eligible for coverage under the group hospitalization and
11235 medical and surgical insurance plans procured under this section,
11236 provided the cost for such persons' insurance coverage shall be paid by
11237 the Board of Education and Services for the Blind. General workers
11238 employed in positions by the Department of Developmental Services
11239 as self-advocates, not to exceed eleven employees, shall be eligible for
11240 sick leave, in accordance with section 5-247, vacation and personal
11241 leave, in accordance with section 5-250, and holidays, in accordance
11242 with section 5-254.

11243 **[**(f)**]** (g) The Comptroller, with the approval of the Attorney General
11244 and of the Insurance Commissioner, shall arrange and procure a group
11245 hospitalization and medical and surgical insurance plan or plans for
11246 any person who adopts a child from the state foster care system, any

11247 person who has been a foster parent for the Department of Children
11248 and Families for six months or more, a parent in a permanent family
11249 residence for six months or more, and any dependent of such adoptive
11250 parent, foster parent or parent in a permanent family residence who
11251 elects coverage under such plan or plans. The Comptroller may also
11252 arrange for inclusion of such person and any such dependent in an
11253 existing group hospitalization and medical and surgical insurance plan
11254 offered by the state. Any adoptive parent, foster parent or a parent in a
11255 permanent family residence and any dependent who elects coverage
11256 shall pay one hundred per cent of the premium charged for such
11257 coverage directly to the insurer, provided such adoptive parent, foster
11258 parent or parent and all such dependents shall be included in such
11259 group hospitalization and medical and surgical insurance plan. A
11260 person and his dependents electing coverage pursuant to this
11261 subsection shall be eligible for such coverage until no longer an
11262 adoptive parent, a foster parent or a parent in a permanent family
11263 residence. An adoptive parent shall be eligible for such coverage until
11264 the adopted child reaches the age of eighteen or, if the child has not
11265 completed a secondary education program, until such child reaches
11266 the age of twenty-one. As used in this section "dependent" means a
11267 spouse or natural or adopted child if such child is wholly or partially
11268 dependent for support upon the adoptive parent, foster parent or
11269 parent in a permanent family residence.

11270 **[**(g)**]** (h) Notwithstanding the provisions of subsection (a) of this
11271 section, the Probate Court Administration Fund established in
11272 accordance with section 45a-82, shall pay for each probate judge and
11273 each probate court employee not more than one hundred per cent of
11274 the portion of the premium charged for the judge's or employee's
11275 individual coverage and not more than fifty per cent of any additional
11276 cost for the judge's or employee's form of coverage. The remainder of
11277 the premium for such coverage shall be paid by the probate judge or
11278 probate court employee to the State Treasurer. Payment shall be
11279 credited by the State Treasurer to the fund established by section 45a-
11280 82. The total premiums payable shall be remitted by the Probate Court

11281 Administrator directly to the insurance company or companies or
11282 nonprofit organization or organizations providing the coverage. The
11283 Probate Court Administrator shall issue regulations governing group
11284 hospitalization and medical and surgical insurance pursuant to
11285 subsection (b) of section 45a-77.

11286 [(h)] (i) For the purpose of subsection [(g)] (h) of this section,
11287 "probate judge" or "judge" means a duly elected probate judge who
11288 works in such judge's capacity as a probate judge at least twenty hours
11289 per week, on average, on a quarterly basis and certifies to that fact on
11290 forms provided by and filed with the Probate Court Administrator, on
11291 or before the fifteenth day of April, July, October and January, for the
11292 preceding calendar quarter; and "probate court employee" or
11293 "employee" means a person employed by a probate court for at least
11294 twenty hours per week.

11295 [(i)] (j) The Comptroller may provide for coverage of employees of
11296 municipalities, nonprofit corporations, community action agencies and
11297 small employers and individuals eligible for a health coverage tax
11298 credit, retired members or members of an association for personal care
11299 assistants under the plan or plans procured under subsection (a) of this
11300 section, provided: (1) Participation by each municipality, nonprofit
11301 corporation, community action agency, small employer, eligible
11302 individual, retired member or association for personal care assistants
11303 shall be on a voluntary basis; (2) where an employee organization
11304 represents employees of a municipality, nonprofit corporation,
11305 community action agency or small employer, participation in a plan or
11306 plans to be procured under subsection (a) of this section shall be by
11307 mutual agreement of the municipality, nonprofit corporation,
11308 community action agency or small employer and the employee
11309 organization only and neither party may submit the issue of
11310 participation to binding arbitration except by mutual agreement if
11311 such binding arbitration is available; (3) no group of employees shall
11312 be refused entry into the plan by reason of past or future health care
11313 costs or claim experience; (4) rates paid by the state for its employees
11314 under subsection (a) of this section are not adversely affected by this

11315 subsection; (5) administrative costs to the plan or plans provided
11316 under this subsection shall not be paid by the state; (6) participation in
11317 the plan or plans in an amount determined by the state shall be for the
11318 duration of the period of the plan or plans, or for such other period as
11319 mutually agreed by the municipality, nonprofit corporation,
11320 community action agency, small employer, retired member or
11321 association for personal care assistants and the Comptroller; and (7)
11322 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
11323 shall be construed as requiring a participating insurer or health care
11324 center to issue individual policies to individuals eligible for a health
11325 coverage tax credit. The coverage provided under this section may be
11326 referred to as the "Municipal Employee Health Insurance Plan". The
11327 Comptroller may arrange and procure for the employees and eligible
11328 individuals under this subsection health benefit plans that vary from
11329 the plan or plans procured under subsection (a) of this section.
11330 Notwithstanding any provision of part V of chapter 700c, the coverage
11331 provided under this subsection may be offered on either a fully
11332 underwritten or risk-pooled basis at the discretion of the Comptroller.
11333 For the purposes of this subsection, (A) "municipality" means any
11334 town, city, borough, school district, taxing district, fire district, district
11335 department of health, probate district, housing authority, regional
11336 work force development board established under section 31-3k,
11337 regional emergency telecommunications center, tourism district
11338 established under section 32-302, flood commission or authority
11339 established by special act, regional planning agency, transit district
11340 formed under chapter 103a, or the Children's Center established by
11341 number 571 of the public acts of 1969; (B) "nonprofit corporation"
11342 means (i) a nonprofit corporation organized under 26 USC 501 that has
11343 a contract with the state or receives a portion of its funding from a
11344 municipality, the state or the federal government, or (ii) an
11345 organization that is tax exempt pursuant to 26 USC 501(c)(5); (C)
11346 "community action agency" means a community action agency, as
11347 defined in section 17b-885; (D) "small employer" means a small
11348 employer, as defined in subparagraph (A) of subdivision (4) of section
11349 38a-564; (E) "eligible individuals" or "individuals eligible for a health

11350 coverage tax credit" means individuals who are eligible for the credit
11351 for health insurance costs under Section 35 of the Internal Revenue
11352 Code of 1986, or any subsequent corresponding internal revenue code
11353 of the United States, as from time to time amended, in accordance with
11354 the Pension Benefit Guaranty Corporation and Trade Adjustment
11355 Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F)
11356 "association for personal care assistants" means an organization
11357 composed of personal care attendants who are employed by recipients
11358 of service (i) under the home-care program for the elderly under
11359 section 17b-342, (ii) under the personal care assistance program under
11360 section 17b-605a, (iii) in an independent living center pursuant to
11361 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for
11362 individuals with acquired brain injury as described in section 17b-
11363 260a; and (G) "retired members" means individuals eligible for a
11364 retirement benefit from the Connecticut municipal employees'
11365 retirement system.

11366 **[**(j)**]** (k) (1) Notwithstanding any provision of law to the contrary,
11367 the existing rights and obligations of state employee organizations and
11368 the state employer under current law and contract shall not be
11369 impaired by the provisions of this section. (2) Other conditions of entry
11370 for any group into the plan or plans procured under subsection (a) of
11371 this section shall be determined by the Comptroller upon the
11372 recommendation of a coalition committee established pursuant to
11373 subsection (f) of section 5-278, except for such conditions referenced in
11374 subsection **[**(g)**]** (h) of this section. (3) Additional determinations by the
11375 Comptroller on (A) issues generated by any group's actual or
11376 contemplated participation in the plan or plans, (B) modifications to
11377 the terms and conditions of any group's continued participation, (C)
11378 related matters shall be made upon the recommendation of such
11379 committee. (4) Notwithstanding any provision of law to the contrary, a
11380 municipal employer and an employee organization may upon mutual
11381 agreement reopen a collective bargaining agreement for the exclusive
11382 purpose of negotiating on the participation by such municipal
11383 employer or employee organization in the plan or plans offered under

11384 the provisions of this section.

11385 [(k)] (l) The Comptroller shall submit annually to the General
11386 Assembly a review of the coverage of employees of municipalities,
11387 nonprofit corporations, community action agencies, small employers
11388 under subsection [(i)] (j) of this section and eligible individuals under
11389 subsection [(i)] (j) of this section beginning February 1, 2004.

11390 [(l)] (m) (1) Effective July 1, 1996, any deputies or special deputies
11391 appointed pursuant to section 6-37 of the general statutes, revision of
11392 1958, revised to 1999, or section 6-43, shall be allowed to participate in
11393 the plan or plans procured by the Comptroller pursuant to subsection
11394 (a) of this section. Such participation shall be voluntary and the
11395 participant shall pay the full cost of the coverage under such plan.

11396 (2) Effective December 1, 2000, any state marshal shall be allowed to
11397 participate in the plan or plans procured by the Comptroller pursuant
11398 to subsection (a) of this section. Such participation shall be voluntary
11399 and the participant shall pay the full cost of the coverage under such
11400 plan.

11401 (3) Effective December 1, 2000, any judicial marshal shall be allowed
11402 to participate in the plan or plans procured by the Comptroller
11403 pursuant to subsection (a) of this section. Such participation shall be
11404 voluntary and the participant shall pay the full cost of the coverage
11405 under such plan unless and until the judicial marshals participate in
11406 the plan or plans procured by the Comptroller under this section
11407 through collective bargaining negotiations pursuant to subsection (f) of
11408 section 5-278.

11409 [(m)] (n) (1) Notwithstanding any provision of the general statutes,
11410 the Comptroller shall begin procedures to convert the group
11411 hospitalization and medical and surgical insurance plans set forth in
11412 subsection (a) of this section, including any prescription drug plan
11413 offered in connection with or in addition to such insurance plans, to
11414 self-insured plans, except that any dental plan offered in connection
11415 with or in addition to such self-insured plans may be fully insured.

11416 (2) The Comptroller may enter into contracts with third-party
11417 administrators to provide administrative services only for the self-
11418 insured plans set forth in subdivision (1) of this subsection. Any such
11419 third-party administrator shall be required under such contract to
11420 charge such third-party administrator's lowest available rate for such
11421 services.

11422 (3) (A) (i) The Comptroller shall offer nonstate public employers the
11423 option to purchase prescription drugs for their employees, employees'
11424 dependents and retirees under the purchasing authority of the state
11425 pursuant to section 1 of public act 09-206, as amended by this act,
11426 subject to the provisions of subparagraph (E) of this subdivision.

11427 (ii) For purposes of this subdivision, "nonstate public employer"
11428 means (I) a municipality or other political subdivision of the state,
11429 including a board of education, quasi-public agency or public library,
11430 as defined in section 11-24a, or (II) the Teachers' Retirement Board.

11431 (B) The Comptroller shall establish procedures to determine (i) the
11432 eligibility requirements for, (ii) the enrollment procedures for, (iii) the
11433 duration of, (iv) requirements regarding payment for, and (v) the
11434 procedures for withdrawal from and termination of, the purchasing of
11435 prescription drugs for nonstate public employers under subparagraph
11436 (A) of this subdivision.

11437 (C) The Comptroller may offer to nonstate public employers that
11438 choose to purchase prescription drugs pursuant to subparagraph (A)
11439 of this subdivision the option to purchase stop loss coverage from an
11440 insurer at a rate negotiated by the Comptroller.

11441 (D) Two or more nonstate public employers may join together for
11442 the purpose of purchasing prescription drugs for their employees,
11443 employees' dependents and retirees. Such arrangement shall not
11444 constitute a multiple employer welfare arrangement, as defined in
11445 Section 3 of the Employee Retirement Income Security Act of 1974, as
11446 amended from time to time.

11447 (E) (i) The Comptroller shall offer nonstate public employers the
11448 option to purchase prescription drugs through the plan set forth in the
11449 State Employees' Bargaining Agent Coalition's collective bargaining
11450 agreement with the state only if the Health Care Cost Containment
11451 Committee, established in accordance with the ratified agreement
11452 between the state and said coalition pursuant to subsection (f) of
11453 section 5-278, has indicated in writing to the Comptroller that allowing
11454 such nonstate public employers such option is consistent with said
11455 coalition's collective bargaining agreement.

11456 (ii) Such writing shall not be required if the Comptroller establishes
11457 a separate prescription drugs purchasing plan for nonstate public
11458 employers.

11459 (iii) Nonstate public employers that purchase prescription drugs
11460 pursuant to this subdivision shall pay the full cost of their own claims
11461 and prescription drugs.

11462 Sec. 263. Subsection (b) of section 38a-472d of the general statutes is
11463 repealed and the following is substituted in lieu thereof (*Effective July*
11464 *1, 2011*):

11465 (b) The information on the department's Internet web site shall
11466 reference the availability and general eligibility requirements of (1)
11467 programs administered by the Department of Social Services,
11468 including, but not limited to, the Medicaid program, the HUSKY Plan,
11469 Part A and Part B, and the state-administered general assistance
11470 program, (2) health insurance coverage provided by the Comptroller
11471 under subsection **[**(i)**]** (j) of section 5-259, as amended by this act, (3)
11472 health insurance coverage available under comprehensive health care
11473 plans issued pursuant to part IV of this chapter, and (4) other health
11474 insurance coverage offered through local, state or federal agencies or
11475 through entities licensed in this state. The commissioner shall update
11476 the information on the web site at least quarterly.

11477 Sec. 264. Subsection (b) of section 38a-556a of the general statutes is
11478 repealed and the following is substituted in lieu thereof (*Effective July*

11479 *1, 2011*):

11480 (b) Said association shall, in consultation with the Insurance
11481 Commissioner and the Healthcare Advocate, develop, within available
11482 appropriations, a web site, telephone number or other method to serve
11483 as a clearinghouse for information about individual and small
11484 employer health insurance policies and health care plans that are
11485 available to consumers in this state, including, but not limited to, the
11486 Medicaid program, the HUSKY Plan, state-administered general
11487 assistance, the Charter Oak Health Plan set forth in section 17b-311, the
11488 Municipal Employee Health Insurance Plan set forth in subsection **[**(i)**]**
11489 (j) of section 5-259, as amended by this act, and any individual or small
11490 employer health insurance policies or health care plans an insurer,
11491 health care center or other entity chooses to list with the Connecticut
11492 Clearinghouse.

11493 Sec. 265. Subdivision (22) of section 38a-567 of the general statutes is
11494 repealed and the following is substituted in lieu thereof (*Effective July*
11495 *1, 2011*):

11496 (22) (A) With respect to plans or arrangements issued pursuant to
11497 subsection **[**(i)**]** (j) of section 5-259, as amended by this act, at the option
11498 of the Comptroller, the premium rates charged or offered to small
11499 employers purchasing health insurance shall not be subject to this
11500 section, provided (i) the plan or plans offered or issued cover such
11501 small employers as a single entity and cover not less than three
11502 thousand employees on the date issued, (ii) each small employer is
11503 charged or offered the same premium rate with respect to each
11504 employee and dependent, and (iii) the plan or plans are written on a
11505 guaranteed issue basis.

11506 (B) With respect to plans or arrangements issued by an association
11507 group plan, at the option of the administrator of the association group
11508 plan, the premium rates charged or offered to small employers
11509 purchasing health insurance shall not be subject to this section,
11510 provided (i) the plan or plans offered or issued cover such small

11511 employers as a single entity and cover not less than three thousand
11512 employees on the date issued, (ii) each small employer is charged or
11513 offered the same premium rate with respect to each employee and
11514 dependent, and (iii) the plan or plans are written on a guaranteed issue
11515 basis. In addition, such association group (I) shall be a bona fide group
11516 as set forth in the Employee Retirement and Security Act of 1974, (II)
11517 shall not be formed for the purposes of fictitious grouping, as defined
11518 in section 38a-827, and (III) shall not issue any plan that shall cause
11519 undue disruption in the insurance marketplace, as determined by the
11520 commissioner.

11521 Sec. 266. Subdivision (5) of section 45a-34 of the general statutes is
11522 repealed and the following is substituted in lieu thereof (*Effective July*
11523 *1, 2011*):

11524 (5) "Judge" means a judge of probate, except that, with respect to a
11525 judge first elected for a term beginning on or after January 5, 2011,
11526 judge means a person who holds the office of judge of probate and
11527 works in such judge's capacity as a judge of probate for at least one
11528 thousand hours per year as determined pursuant to information filed
11529 by the judge of probate with the Probate Court Administrator
11530 pursuant to subsection **[**(h)**]** (i) of section 5-259, as amended by this act;

11531 Sec. 267. Subsection (a) of section 17b-256 of the general statutes is
11532 repealed and the following is substituted in lieu thereof (*Effective July*
11533 *1, 2011*):

11534 (a) The Commissioner of Social Services may administer, within
11535 available appropriations, a program providing payment for the cost of
11536 drugs prescribed by a physician for the treatment of acquired
11537 immunodeficiency syndrome or human immunodeficiency virus. The
11538 Comptroller shall be responsible for the procurement of such drugs.
11539 The **[**commissioner**]** Commissioner of Social Services, in consultation
11540 with the Commissioner of Public Health, shall determine specific
11541 drugs to be covered and may implement a pharmacy lock-in
11542 procedure for the program. The Commissioner of Social Services shall

11543 adopt regulations, in accordance with the provisions of chapter 54, to
11544 carry out the purposes of this section. The commissioner may
11545 implement the program while in the process of adopting regulations,
11546 provided notice of intent to adopt the regulations is published in the
11547 Connecticut Law Journal within twenty days of implementation. The
11548 regulations may include eligibility for all persons with acquired
11549 immunodeficiency syndrome or human immunodeficiency virus
11550 whose income is below four hundred per cent of the federal poverty
11551 level. Subject to federal approval, the commissioner may, within
11552 available federal resources, maintain existing insurance policies for
11553 eligible clients, including, but not limited to, coverage of costs
11554 associated with such policies, that provide a full range of human
11555 immunodeficiency virus treatments and access to comprehensive
11556 primary care services as determined by the commissioner and as
11557 provided by federal law, and may provide payment, determined by
11558 the commissioner, for (1) drugs and nutritional supplements
11559 prescribed by a physician that prevent or treat opportunistic diseases
11560 and conditions associated with acquired immunodeficiency syndrome
11561 or human immunodeficiency virus; (2) ancillary supplies related to the
11562 administration of such drugs; and (3) laboratory tests ordered by a
11563 physician. On and after May 26, 2006, any person who previously
11564 received insurance assistance under the program established pursuant
11565 to section 17b-255 of the general statutes, revision of 1958, revised to
11566 2005, shall continue to receive such assistance until the expiration of
11567 the insurance coverage, provided such person continues to meet
11568 program eligibility requirements established in accordance with this
11569 subsection. On or before March 1, 2007, and annually thereafter, the
11570 Commissioner of Social Services shall report, in accordance with
11571 section 11-4a, to the joint standing committees of the General
11572 Assembly having cognizance of matters relating to human services,
11573 public health and appropriations and the budgets of state agencies on
11574 the projected availability of funds for the program established
11575 pursuant to this section.

11576 Sec. 268. (NEW) (*Effective July 1, 2011*) The Comptroller shall, in

11577 consultation with the Commissioner of Social Services, contract with a
11578 pharmacy benefits manager or a single entity qualified to deliver
11579 comprehensive health care services, in accordance with subsection 17b-
11580 266 of the general statutes, to provide prescription drug coverage to
11581 medical assistance recipients receiving services in a managed care
11582 setting.

11583 Sec. 269. Section 17b-274a of the general statutes is repealed and the
11584 following is substituted in lieu thereof (*Effective July 1, 2011*):

11585 The **[**Commissioner of Social Services may**]** Comptroller shall
11586 establish maximum allowable costs to be paid under the Medicaid,
11587 state-administered general assistance, ConnPACE and Connecticut
11588 AIDS drug assistance programs for generic prescription drugs **[**based
11589 on, but not limited to,**]** which shall be equal to the actual acquisition
11590 costs. **[**The department shall implement and maintain a procedure to
11591 review and update the maximum allowable cost list at least annually,
11592 and shall report annually to the joint standing committee of the
11593 General Assembly having cognizance of matters relating to
11594 appropriations and the budgets of state agencies on its activities
11595 pursuant to this section.**]**

11596 Sec. 270. Subsection (l) of section 17b-274d of the general statutes is
11597 repealed and the following is substituted in lieu thereof (*Effective July*
11598 *1, 2011*):

11599 (l) The **[**Commissioner of Social Services may**]** Comptroller shall, in
11600 consultation with the Commissioner of Social Services, contract with a
11601 pharmacy benefits **[**organization**]** manager or a single entity qualified
11602 to negotiate with pharmaceutical manufacturers for supplemental
11603 rebates, available pursuant to 42 USC 1396r-8(c), for the purchase of
11604 drugs listed on the preferred drug lists established pursuant to
11605 subsection (e) of this section.

11606 Sec. 271. Subsection (a) of section 17b-280 of the general statutes is
11607 repealed and the following is substituted in lieu thereof (*Effective July*
11608 *1, 2011*):

11609 (a) The state shall reimburse for all legend drugs provided under
11610 the Medicaid, state-administered general assistance, ConnPACE and
11611 Connecticut AIDS drug assistance programs at the **[**lower of (1) the
11612 rate established by the Centers for Medicare and Medicaid Services as
11613 the federal acquisition cost, (2) the average wholesale price minus
11614 fourteen per cent, or (3) an equivalent percentage as established under
11615 the Medicaid state plan**]** actual cost of procurement by the
11616 Comptroller. The commissioner shall also establish a professional fee
11617 of two dollars and ninety cents for each prescription to be paid to
11618 licensed pharmacies for dispensing drugs to Medicaid, state-
11619 administered general assistance, ConnPACE and Connecticut AIDS
11620 drug assistance recipients in accordance with federal regulations; and
11621 **[**on and after September 4, 1991,**]** payment for legend and nonlegend
11622 drugs provided to Medicaid recipients shall be based upon the actual
11623 package size dispensed. **[**Effective October 1, 1991, reimbursement**]**
11624 Reimbursement for over-the-counter drugs for such recipients shall be
11625 limited to those over-the-counter drugs and products published in the
11626 Connecticut Formulary, or the cross reference list, issued by the
11627 commissioner. The cost of all over-the-counter drugs and products
11628 provided to residents of nursing facilities, chronic disease hospitals,
11629 and intermediate care facilities for the mentally retarded shall be
11630 included in the facilities' per diem rate. Notwithstanding the
11631 provisions of this subsection, no dispensing fee shall be issued for a
11632 prescription drug dispensed to a ConnPACE or Medicaid recipient
11633 who is a Medicare Part D beneficiary when the prescription drug is a
11634 Medicare Part D drug, as defined in Public Law 108-173, the Medicare
11635 Prescription Drug, Improvement, and Modernization Act of 2003.

11636 Sec. 272. Section 17b-491 of the general statutes is repealed and the
11637 following is substituted in lieu thereof (*Effective July 1, 2011*):

11638 (a) There shall be a "Connecticut Pharmaceutical Assistance
11639 Contract to the Elderly and the Disabled Program" which shall be
11640 within the Department of Social Services. The program shall consist of
11641 payments by the state to pharmacies **[**for the reasonable**]** at a rate equal
11642 to the actual cost of procurement by the Comptroller for prescription

11643 drugs dispensed to eligible persons minus a copayment charge. The
11644 pharmacy shall collect the copayment charge from the eligible person
11645 at the time of each purchase of prescription drugs, and shall not waive,
11646 discount or rebate in whole or in part such amount. The copayment for
11647 each prescription shall not exceed sixteen dollars and twenty-five
11648 cents.

11649 (b) On January 1, 2002, and annually thereafter, the commissioner
11650 shall increase the income limits established in subsection (a) of this
11651 section that set the appropriate participant copayment by the increase
11652 in the annual inflation adjustment in Social Security income, if any.
11653 Each such adjustment shall be determined to the nearest one hundred
11654 dollars.

11655 **[**(c) Notwithstanding the provisions of subsection (a) of this section,
11656 effective September 15, 1991, payment by the state to a pharmacy
11657 under the program may be based on the price paid directly by a
11658 pharmacy to a pharmaceutical manufacturer for drugs dispensed
11659 under the program minus the copayment charge, plus the dispensing
11660 fee, if the direct price paid by the pharmacy is lower than the
11661 reasonable cost of such drugs.**]**

11662 **[**(d)**]** (c) **[**Effective September 15, 1991, reimbursement**]**
11663 Reimbursement to a pharmacy for prescription drugs dispensed under
11664 the program shall be based upon actual package size costs of drugs
11665 purchased by the pharmacy in units larger than or smaller than one
11666 hundred.

11667 **[**(e)**]** (d) Participation by a pharmaceutical manufacturer shall
11668 require that the department shall receive a rebate from the
11669 pharmaceutical manufacturer for prescriptions covered under the
11670 program and for prescriptions covered by the department pursuant to
11671 subsection (c) of section 17b-265e. Rebate amounts for brand name
11672 prescription drugs shall be equal to those under the Medicaid
11673 program. Rebate amounts for generic prescription drugs shall be
11674 established by the commissioner, provided such amounts may not be

11675 less than those under the Medicaid program. A participating
11676 pharmaceutical manufacturer shall make quarterly rebate payments to
11677 the department for the total number of dosage units of each form and
11678 strength of a prescription drug which the department reports as
11679 reimbursed to providers of prescription drugs, provided such
11680 payments shall not be due until thirty days following the
11681 manufacturer's receipt of utilization data from the department
11682 including the number of dosage units reimbursed to providers of
11683 prescription drugs during the quarter for which payment is due. The
11684 department may enter into contracts for supplemental rebates for
11685 drugs that are on a preferred drug list or formulary established by the
11686 department.

11687 **[**(f)**]** (e) All prescription drugs of a pharmaceutical manufacturer
11688 that participates in the program pursuant to subsection **[**(e)**]** (d) of this
11689 section shall be subject to prospective drug utilization review. Any
11690 prescription drug of a manufacturer that does not participate in the
11691 program shall not be reimbursable, unless the department determines
11692 the prescription drug is essential to program participants.

11693 Sec. 273. (*Effective from passage*) The Secretary of the Office of Policy
11694 and Management, in consultation with the Commissioners of Public
11695 Health, Developmental Services, Children and Families, Mental Health
11696 and Addiction Services and Social Services, shall evaluate all existing
11697 purchase of service contracts and devise a system to consolidate such
11698 contracts in order to permit private providers to contract with the
11699 agencies of said commissioners using fewer contracts. Not later than
11700 three months after the effective date of this section, the secretary shall
11701 submit the findings of such study and any recommendations for
11702 legislation to the joint standing committee of the General Assembly
11703 having cognizance of matters relating to government administration in
11704 accordance with the provisions of section 11-4a of the general statutes.

11705 Sec. 274. (*Effective from passage*) The Secretary of the Office of Policy
11706 and Management shall review all existing personal service agreements
11707 of state agencies with a term of three years or more to determine

11708 whether such agreements are a good value to the state, and, to
11709 determine such value, the secretary shall assume a preference for
11710 fewer long-term contracts, restrictions on contract amendments,
11711 greater outside evaluation of need and greater use of contingency
11712 contracting. After such review, the secretary shall recommend changes
11713 to contracting practices with the goal of achieving a ten per cent
11714 savings in costs to the state for all personal service agreements in the
11715 aggregate. Not later than three months after the effective date of this
11716 section, the secretary shall submit a report containing the secretary's
11717 findings and recommendations as a result of such review to the joint
11718 standing committee of the General Assembly having cognizance of
11719 matters relating to government administration in accordance with the
11720 provisions of section 11-4a of the general statutes.

11721 Sec. 275. Section 4a-60b of the general statutes is repealed and the
11722 following is substituted in lieu thereof (*Effective from passage*):

11723 (a) For the purposes of this section:

11724 (1) "Reverse auction" means an on-line bidding process in which
11725 qualified bidders or qualified proposers, anonymous to each other,
11726 submit bids or proposals to provide goods, services or supplies
11727 pursuant to an invitation to bid or request for proposals; **[**and**]**

11728 (2) "Contracting agency" means a state agency with statutory
11729 authority to award contracts for goods, services or supplies, or a
11730 political subdivision of the state or school district; and

11731 (3) "Services" means any (A) laundry and cleaning service, (B) pest
11732 control service, (C) janitorial service, (D) security service, (E) rental,
11733 repair or maintenance of equipment, machinery or other personal
11734 property owned by the state, a political subdivision of the state or a
11735 school district, (F) advertising, (G) photostating, (H) mimeographing,
11736 or (I) other service arrangements, other than construction or
11737 construction management services, where such services are provided
11738 by persons other than employees of the state, a political subdivision of
11739 the state or a school district.

11740 (b) Notwithstanding any provision of the general statutes,
11741 whenever a contracting agency determines that the use of a reverse
11742 auction is advantageous to the contracting agency and will ensure a
11743 competitive contract award, the contracting agency may use a reverse
11744 auction to award a contract for goods, services or supplies, in
11745 accordance with any applicable requirement of the general statutes
11746 and policies of the contracting agency. The contracting agency may
11747 contract with a third party to prepare and manage any such reverse
11748 auction.

11749 Sec. 276. (NEW) (*Effective from passage*) (a) All state agencies shall
11750 use modern procurement practices in their routine purchasing in order
11751 to achieve a ten per cent reduction in the cost of contracting for the
11752 state. Such practices shall include, but not be limited to, reverse
11753 auctions as described in section 4a-60b of the general statutes, as
11754 amended by this act, job-order contracting, on-line submission of bids,
11755 membership in purchasing cooperatives, as described in section 4a-53
11756 of the general statutes, performance-based contracting and
11757 contingency contracting.

11758 (b) The Department of Administrative Services shall establish
11759 guidelines concerning such modern procurement practices for state
11760 agencies and shall post such guidelines on the Internet web site of the
11761 department.

11762 (c) For the purposes of this section, "job-order contracting" means a
11763 method of contracting where the competitively bid contract uses a set
11764 of customized, prepriced, common construction tasks contained in a
11765 catalog and sets parameters such as the types of work that can be done,
11766 location of the work, design criteria and maximum amount of work to
11767 be awarded; "performance-based contracting" means a method of
11768 contracting where the agency states the result it wants achieved and
11769 allows contractors to make bids detailing their proposed solutions or
11770 methods of achieving the result and where the agency is charged with
11771 developing clear ways to measure the result as well as the contractors'
11772 performance over the course of the contract; and "contingency

11773 contracting" means a method of contracting where the contractor is
11774 paid on a percentage basis of the savings or revenue collected by the
11775 agency that is attributable to the contract.

11776 Sec. 277. (*Effective from passage*) Not later than ninety days after the
11777 effective date of this section, the Commissioner of Social Services shall
11778 submit a report, in accordance with the provisions of section 11-4a of
11779 the general statutes, to the joint standing committee of the General
11780 Assembly having cognizance of matters relating to government
11781 administration concerning the return of unused prescription drugs by
11782 long-term care facilities to vendor pharmacies in accordance with
11783 section 17b-363a of the general statutes. Such report shall include, but
11784 not be limited to: (1) The name of each long-term care facility that the
11785 commissioner has notified of a failure to comply with the provisions of
11786 section 17b-363a of the general statutes and the amount of each penalty
11787 assessed by the commissioner pursuant to subsection (f) of section 17b-
11788 363a of the general statutes; (2) the total number of long-term care
11789 facilities that the commissioner has reason to suspect have failed to
11790 comply with the provisions of section 17b-363a of the general statutes
11791 and the reasons that a long-term care facility may have failed to
11792 comply with such provisions; (3) a description of efforts made by the
11793 commissioner to increase compliance with the provisions of section
11794 17b-363a of the general statutes; and (4) recommendations for
11795 increasing compliance with section 17b-363a of the general statutes.

11796 Sec. 278. (NEW) (*Effective from passage*) Not later than ninety days
11797 after the effective date of this section, the Commissioner of Social
11798 Services shall develop and implement a plan to (1) increase by not less
11799 than five per cent the usage of generic substitute prescription drug
11800 products by recipients of benefits under the state's medical assistance
11801 programs, and (2) lower the amount the state pays for generic
11802 substitute prescription drug products for recipients of benefits under
11803 the state's medical assistance programs to an amount not more than
11804 the national average paid by states for generic substitute prescription
11805 drug products under the Medicaid program. Such plan shall include,
11806 but not be limited to, a description of policy changes to be

11807 implemented that will reduce the number of brand name drugs for
11808 which prior authorization is granted by the Department of Social
11809 Services or an independent pharmacy consultant acting on behalf of
11810 the department. Not later than September 1, 2011, the commissioner
11811 shall submit such plan to the joint standing committee of the General
11812 Assembly having cognizance of matters relating to government
11813 administration in accordance with the provisions of section 11-4a of
11814 the general statutes.

11815 Sec. 279. (*Effective from passage*) The Department of Social Services'
11816 pharmacy program personnel shall direct the drug utilization review
11817 board to study (1) the average number of drug prescriptions issued,
11818 annually, to each recipient of benefits under the state's medical
11819 assistance programs, (2) the reasons for the high number of such drug
11820 prescriptions, as compared with the number of such drug prescriptions
11821 issued in other states, and (3) recommendations concerning the
11822 issuance of such drug prescriptions. Not later than ninety days after
11823 the effective date of this section, the Commissioner of Social Services
11824 shall report, in accordance with the provisions of section 11-4a of the
11825 general statutes, to the joint standing committee of the General
11826 Assembly having cognizance of matters relating to government
11827 administration concerning the findings of the drug utilization review
11828 board.

11829 Sec. 280. (*Effective from passage*) The Department of Veterans' Affairs
11830 shall enter into a memorandum of understanding with the Department
11831 of Mental Health and Addiction Services to (1) permit the Department
11832 of Mental Health and Addiction Services to send quarterly electronic
11833 reports to the Department of Veterans' Affairs containing lists of clients
11834 of the Department of Mental Health and Addiction Services deemed
11835 by said department to be eligible for, or to be currently receiving
11836 benefits from, said department and the federal Department of
11837 Veterans' Affairs, (2) require the Department of Veterans' Affairs to
11838 further research the eligibility of the clients contained in such lists for
11839 state or federal benefits, and (3) require the Department of Veterans'
11840 Affairs to report to the Department of Mental Health and Addiction

11841 Services on the status of such benefits.

11842 Sec. 281. (*Effective from passage*) (a) The Commissioner of Social
11843 Services shall adopt a long-term care rebalancing strategy that (1)
11844 meets the objectives of the State Balancing Incentive Payments
11845 Program established in the Patient Protection and Affordable Care Act,
11846 P.L. 111-148, and (2) establishes a goal to reduce the state nursing
11847 home bed ratio to the national nursing home bed ratio by 2017. For
11848 purposes of this section, "nursing home bed ratio" means the number
11849 of nursing home beds per one thousand residents sixty-five years of
11850 age and older.

11851 (b) Not later than January 1, 2012, the commissioner shall report, in
11852 accordance with the provisions of section 11-4a of the general statutes,
11853 to the joint standing committees of the General Assembly having
11854 cognizance of matters relating to aging, human services and public
11855 health on such strategy and make recommendations to such
11856 committees on any legislative changes that may be required to meet
11857 the objectives of said State Balancing Incentive Payments Program and
11858 to reduce the state nursing home bed ratio.

11859 Sec. 282. (*Effective July 1, 2011*) The Department of Revenue Services
11860 shall increase the number of auditors and collection and enforcement
11861 personnel employed by the department from the number employed by
11862 the department on June 30, 2011.

11863 Sec. 283. Section 16a-4d of the general statutes is repealed and the
11864 following is substituted in lieu thereof (*Effective from passage*):

11865 (a) If, in the exercise of the Secretary of the Office of Policy and
11866 Management's powers pursuant to this title, the secretary finds that the
11867 use of a certain technology, product or process would promote energy
11868 conservation, energy efficiency or renewable energy technology, the
11869 secretary **[**may**]** <u>shall</u> direct a state agency to test such technology,
11870 product or process by using it in the operations of such agency on a
11871 trial basis. The purpose of such test program shall be to validate the
11872 effectiveness of such technology, product or process in reducing

11873 energy usage and costs or reducing dependence on fossil fuels or green
11874 house gas emissions. No agency shall undertake such testing of any
11875 technology, product or process unless the business manufacturing or
11876 marketing the technology, product or process demonstrates that (1) the
11877 use of such technology, product or process by the state agency will not
11878 adversely affect safety, (2) a certified independent third party or
11879 accredited laboratory has found that the technology, product or
11880 process reduces energy consumption and cost, and (3) the technology,
11881 product or process is presently available for commercial sale and
11882 distribution or has potential for commercialization not later than two
11883 years following the completion of any test program by a state agency
11884 pursuant to this section.

11885 (b) If the secretary finds that using such technology, product or
11886 process would be feasible in the operations of a state agency and
11887 would not have any detrimental effect on such operations, the
11888 secretary, notwithstanding the requirements of chapter 58, **[**may**]** shall
11889 direct a state agency to accept delivery of such technology, product or
11890 process and to undertake such a test program. Any costs associated
11891 with the acquisition and use of such technology, product or process by
11892 the testing agency for the test period shall be borne by the
11893 manufacturer, the marketer or any investor or participant in such
11894 business. The acquisition of any technology, product or process for
11895 purposes of the test program established pursuant to this subsection or
11896 subsection (a) of this section shall not be deemed to be a purchase
11897 under the provisions of state procurement law. The manufacturer, the
11898 marketer or any investor or participant in such business shall maintain
11899 records related to such test program, as required by the secretary. All
11900 proprietary information derived from such test program shall be
11901 exempt from the provisions of subsection (a) of section 1-210.

11902 (c) If the secretary determines that the test program sufficiently
11903 demonstrates that the technology, product or process reduces energy
11904 usage and costs or reduces dependence on fossil fuels or green house
11905 gas emissions, the testing agency **[**may**]** shall request that the
11906 Commissioner of Administrative Services (1) procure such technology

11907 for use by **[**any or**]** all appropriate state agencies, and (2) make such
11908 procurement pursuant to subsection (b) of section 4a-58.

11909 Sec. 284. (NEW) (*Effective July 1, 2011*) Not later than July 1, 2012, the
11910 Secretary of the Office of Policy and Management and the
11911 Commissioner of Public Works shall establish a pilot program under
11912 which the secretary and commissioner select an existing state facility
11913 or complex of facilities to be covered by an energy performance
11914 contract with a private vendor. The secretary and commissioner shall
11915 submit reports on the results of the program to the joint standing
11916 committee of the General Assembly having cognizance of matters
11917 relating to government administration and to the Governor in
11918 accordance with section 11-4a of the general statutes. Such reports
11919 shall be submitted not later than three months after the effective date
11920 of the contract and annually thereafter until the final report is
11921 submitted. The final report shall be submitted not later than three
11922 months after the termination of the contract.

11923 Sec. 285. (NEW) (*Effective July 1, 2011*) The Secretary of the Office of
11924 Policy and Management shall achieve (1) for the fiscal year ending
11925 June 30, 2012, a ten per cent reduction in energy costs for the agencies
11926 in the executive branch from such costs for such agencies for the fiscal
11927 year ending June 30, 2010, and (2) for the fiscal year ending June 30,
11928 2023, a thirty per cent reduction in such costs for such agencies from
11929 such costs for such agencies for the fiscal year ending June 30, 2010.
11930 Such percentage reductions in costs may be achieved as a bottom-line
11931 number spread across all such agencies. The secretary may employ any
11932 method to reduce such energy costs, including, but not limited to, (A)
11933 training in facility management in a certification program that
11934 provides the knowledge to increase the energy efficiency of a building,
11935 (B) using the Renewable Energy Investment fund created under
11936 section 16-245n of the general statutes, (C) using any energy efficiency
11937 fund that results from a partnership of the state's public utilities, (D)
11938 entering into an energy performance contract under section 284 of this
11939 act, and (E) participation in the program under section 16a-4d of the
11940 general statutes, as amended by this act. The secretary shall report, not

11941 later than July 1, 2012, and annually thereafter, until the final report is
11942 filed on or before July 1, 2023, on the energy costs reduction achieved
11943 under this section, in accordance with the provisions of section 11-4a of
11944 the general statutes, to the joint standing committee of the General
11945 Assembly having cognizance of matters relating to government
11946 administration and to the Governor.

11947 Sec. 286. (*Effective from passage*) (a) For the purposes of this section,
11948 "lean techniques" means a method of improving administrative
11949 processes that (1) is based upon a focus on a customer service
11950 perspective that seeks to optimize value delivered to the public, (2)
11951 involves employees, the regulated community and the public in
11952 continual improvements and the finding of solutions, (3) uses a
11953 continual improvement framework that emphasizes rapid
11954 implementation rather than lengthy planning, (4) seeks to reduce the
11955 complexity of the process, and (5) uses metrics and visual controls to
11956 improve decision-making and problem solving.

11957 (b) There is established the Lean Government Steering Committee to
11958 develop a plan to implement lean techniques in state agencies. The
11959 Governor shall appoint five members of the business community who
11960 have experience with lean techniques as follows: One member from
11961 the banking industry, one member from the service sector, one
11962 member from the manufacturing sector, one member from the
11963 healthcare industry and one member from a collective bargaining unit.
11964 A representative from the Connecticut Center for Advanced
11965 Technology shall be a nonvoting member of said committee.

11966 (c) All appointments to the committee shall be made not later than
11967 thirty days after the effective date of this section. Any vacancy shall be
11968 filled by the appointing authority.

11969 (d) The Secretary of the Office of Policy and Management, or a
11970 designee, shall serve as the chairperson of the committee. Such
11971 chairperson shall schedule the first meeting of the committee, which
11972 shall be held not later than thirty days after the effective date of this

11973 section.

11974 (e) The Connecticut Center for Advanced Technology shall assist
11975 said committee to develop a plan for the implementation of lean
11976 techniques in state agencies, including, but not limited to, which
11977 agencies should implement lean techniques first, which processes
11978 should be made more efficient, a method for such implementation and
11979 the goals of such implementation.

11980 (f) Not later than sixty days after the effective date of this section,
11981 the committee shall submit a report on its findings and
11982 recommendations to the Governor, the speaker of the House of
11983 Representatives, the president pro tempore of the Senate and the joint
11984 standing committee of the General Assembly having cognizance of
11985 matters relating to government administration, in accordance with the
11986 provisions of section 11-4a of the general statutes.

11987 Sec. 287. (*Effective from passage*) Not later than ninety days after the
11988 effective date of this section, the Commissioner of Social Services shall
11989 apply for a Medicaid waiver, pursuant to Section 1915(c) of the Social
11990 Security Act, in order to provide home and community-based services
11991 for elderly and disabled persons receiving benefits under the Medicaid
11992 program. The commissioner shall take such action as is necessary to
11993 consolidate all Medicaid waivers under which home and community-
11994 based services are provided to elderly and disabled persons, as
11995 permitted by federal law.

11996 Sec. 288. (NEW) (*Effective July 1, 2011*) (a) The Commissioner of
11997 Social Services shall direct that the department's Aging Services
11998 Division and Bureau of Rehabilitation Services establish a state-wide
11999 single point of entry system for individuals seeking long-term care.
12000 The goals of the single point of entry system shall be to (1) permit any
12001 individual seeking long-term care services in the state to obtain the
12002 same information on long-term care services from any one of the
12003 entities designated as a single point of entry agency pursuant to
12004 subsection (b) of this section, and (2) promote consumer choice of long-

12005 term care options.

12006 (b) The Aging Services Division and the Bureau of Rehabilitation
12007 Services, in consultation with the Long-Term Care Advisory Council
12008 and members of the public, shall designate state-wide service areas for
12009 the establishment of single point of entry agencies and shall designate
12010 a center for independent living, as defined in section 17b-613 of the
12011 general statutes, and an area agency on aging as single point of entry
12012 agencies for each of the state-wide service areas.

12013 (c) Each center for independent living and area agency on aging
12014 designated a single point of entry agency pursuant to subsection (b) of
12015 this section shall:

12016 (1) Work collaboratively in the operation of the single point of entry
12017 system;

12018 (2) Provide all individuals seeking information on long-term care,
12019 including individuals who pay privately for such care, with
12020 information on all long-term care options and services available in the
12021 state, including community and home-based care and nursing home
12022 care;

12023 (3) Assess an individual's eligibility for long-term care services and
12024 programs in the state, including Medicaid and other public programs
12025 and services offered by private and nonprofit organizations, through a
12026 comprehensive, uniform screening process;

12027 (4) Assist individuals in obtaining a timely determination of
12028 eligibility from the Department of Social Services for publicly funded
12029 long-term care services and programs;

12030 (5) Assist individuals in developing a long-term care support plan
12031 that is person-centered throughout the process; and

12032 (6) Implement quality assurance standards and procedures.

12033 (d) The directors of the Aging Services Division and the Bureau of

12034 Rehabilitation Services may establish additional requirements, criteria
12035 and standards for the operation of agencies designated as single point
12036 of entry agencies. Said directors shall implement a quality assurance
12037 program to measure the performance of such designated agencies. Any
12038 designated entity that fails to meet the requirements and standards in
12039 subsection (c) of this section, or any additional criteria or quality
12040 assurance measures established under this subsection, may be subject
12041 to termination as a single point of entry agency.

12042 Sec. 289. Section 17b-367 of the general statutes is repealed and the
12043 following is substituted in lieu thereof (*Effective July 1, 2011*):

12044 The Office of Policy and Management, **[**within existing budgetary
12045 resources and**]** in consultation with the **[**Select Committee on Aging**]**
12046 joint standing committee of the General Assembly having cognizance
12047 of matters relating to aging, the Commission on Aging, personnel
12048 designated by the Commissioner of Social Services who administer the
12049 CHOICES health insurance assistance program, personnel who
12050 administer the single point of entry system established in section 288
12051 of this act and the Long-Term Care Advisory Council, shall develop
12052 and maintain a single consumer-oriented Internet web site that
12053 provides comprehensive information on long-term care options that
12054 are available in Connecticut and information on the single point of
12055 entry system established pursuant to section 288 of this act. The web
12056 site shall also include direct links and referral information regarding
12057 long-term care resources, including private and nonprofit
12058 organizations offering advice, counseling and legal services.

12059 Sec. 290. (*Effective from passage*) The Secretary of the Office of Policy
12060 and Management shall direct an employee of the Policy and Planning
12061 Division of the Office of Policy and Management to coordinate, within
12062 available appropriations, the implementation of the goals and
12063 recommendations continued in the most recent long-term care plan
12064 submitted to the General Assembly pursuant to section 17b-337 of the
12065 general statutes, as amended by this act, in the fiscal year ending June
12066 30, 2012.

12067 Sec. 291. Subsection (b) of section 17b-3 of the general statutes is
12068 repealed and the following is substituted in lieu thereof (*Effective from*
12069 *passage*):

12070 (b) (1) The Commissioner of Social Services is authorized to do all
12071 things necessary to apply for, qualify for and accept any federal funds
12072 made available or allotted under any federal act for social service
12073 development, or any other projects, programs or activities which may
12074 be established by federal law, for any of the purposes or activities
12075 related thereto, and said commissioner shall administer any such
12076 funds allotted to the department in accordance with federal law. The
12077 commissioner may enter into contracts with the federal government
12078 concerning the use and repayment of such funds under any such
12079 federal act, the prosecution of the work under any such contract and
12080 the establishment of and disbursement from a separate account in
12081 which federal and state funds estimated to be required for plan
12082 preparation or other eligible activities under such federal act shall be
12083 kept. Said account shall not be a part of the General Fund of the state
12084 or any subdivision of the state.

12085 (2) The Commissioner of Social Services shall designate an
12086 employee of the Department of Social Services to act as a federal
12087 revenue ombudsman. Such employee shall be responsible for ensuring
12088 that the department takes advantage of opportunities to obtain or
12089 increase federal funding for programs administered by the
12090 department.

12091 Sec. 292. (NEW) (*Effective from passage*) The Commissioner of Social
12092 Services shall place a recipient of benefits under the Medicaid program
12093 on suspension status upon receipt of notice that such recipient has
12094 been incarcerated in a state-operated correctional facility, provided
12095 such recipient shall remain otherwise eligible for benefits under the
12096 Medicaid program. Upon release of such recipient from such
12097 correctional facility, the commissioner shall remove the suspension
12098 status, provided such recipient is eligible to receive Medicaid benefits
12099 at the time such recipient is released from the correctional facility.

12100 Sec. 293. Sections 3-81 and 3-84 of the general statutes are repealed.
12101 (*Effective from passage*)

12102 Sec. 294. Sections 7-169h, 7-169i, 7-173 to 7-175, inclusive, 7-176 to 7-
12103 183, inclusive, 7-185, 8-37i, 8-37k, 8-37r, 8-37uu, 8-37ww, 8-45b, 8-206a,
12104 8-239a, 8-244, 8-418, 12-569b, 32-1b, 32-1d, 32-1e, 32-9c, 32-11a, 32-35
12105 and 32-39 of the 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*	New section
Sec. 3	*July 1, 2011*	New section
Sec. 4	*July 1, 2011*	1-83(a)
Sec. 5	*July 1, 2011*	1-84(d)
Sec. 6	*July 1, 2011*	12-3b
Sec. 7	*July 1, 2011*	12-557b
Sec. 8	*July 1, 2011*	12-557c
Sec. 9	*July 1, 2011*	12-557d
Sec. 10	*July 1, 2011*	12-557e
Sec. 11	*July 1, 2011*	12-562
Sec. 12	*July 1, 2011*	12-569
Sec. 13	*July 1, 2011*	12-574
Sec. 14	*July 1, 2011*	12-575
Sec. 15	*July 1, 2011*	12-577
Sec. 16	*July 1, 2011*	12-586f
Sec. 17	*July 1, 2011*	12-586g
Sec. 18	*July 1, 2011*	12-802
Sec. 19	*July 1, 2011*	12-806b
Sec. 20	*July 1, 2011*	22-410
Sec. 21	*July 1, 2011*	22-412
Sec. 22	*July 1, 2011*	29-7c
Sec. 23	*July 1, 2011*	30-39
Sec. 24	*July 1, 2011*	30-59a
Sec. 25	*July 1, 2011*	31-51y
Sec. 26	*July 1, 2011*	53-278a
Sec. 27	*July 1, 2011*	53-278c(d)
Sec. 28	*July 1, 2011*	7-169
Sec. 29	*July 1, 2011*	7-185a

Sec. 30	*July 1, 2011*	7-169a
Sec. 31	*July 1, 2011*	7-171
Sec. 32	*July 1, 2011*	7-172
Sec. 33	*July 1, 2011*	7-184
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