



General Assembly

February Session, 2012

Governor's Bill No. 5018

LCO No. 547

*00547 _____ *

Referred to Committee on Commerce

Introduced by:

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

***AN ACT CONCERNING CONNECTICUT INNOVATIONS,
INCORPORATED, AND THE CONNECTICUT DEVELOPMENT
AUTHORITY.***

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

1 Section 1. (NEW) (*Effective from passage*) As used in sections 2 to 4,
2 inclusive, of this act, "authority" means the Connecticut Development
3 Authority established pursuant to section 32-11a of the general
4 statutes, as amended by this act, and "corporation" means Connecticut
5 Innovations, Incorporated, established pursuant to section 32-35 of the
6 general statutes, as amended by this act.

7 Sec. 2. (NEW) (*Effective July 1, 2012*) (1) In accordance with the
8 provisions of section 4-38d of the general statutes, which shall be
9 deemed applicable to the transfers provided for herein, all powers and
10 duties of the authority under the provisions of chapter 579 of the
11 general statutes, and under any other provisions of the general statutes
12 setting forth powers or duties of the authority, shall be transferred to

13 the corporation. On and after the effective date of this section, the
14 Connecticut Brownfields Redevelopment Authority, a subsidiary of
15 the authority created pursuant to subsection (l) of section 32-11a of the
16 general statutes, as amended by this act, shall be a subsidiary of the
17 corporation.

18 (2) All notes, bonds or other obligations issued by the authority for
19 the financing of any project or projects, including any general
20 obligation bonds of the authority, shall be in accordance with their
21 terms of full force and effect and valid and binding upon the
22 corporation as the successor to the authority, and with respect to any
23 resolution, contract, deed, trust agreement, mortgage, conditional sale
24 or loan agreement, pledge, security arrangement, commitment,
25 obligation or liability or other such document, public record, right,
26 remedy, special act or public act, obligation, liability or responsibility
27 pertaining thereto, the corporation shall be, and shall be deemed to be,
28 the successor to the authority. All properties, rights in land, buildings
29 and equipment and any funds, moneys, revenues and receipts or
30 assets of such authority pledged or otherwise securing any such notes,
31 bonds or other obligations shall belong to the corporation as successor
32 to the authority, subject to such pledges and other security
33 arrangements and to agreements with the holders of the outstanding
34 notes, bonds or other obligations. Any resolution with respect to the
35 issuance of bonds of the authority, and any other action taken by the
36 authority with respect to assisting in the financing of any project shall
37 be, or shall be deemed to be, a resolution of the corporation or an
38 action taken by the corporation subject only to any agreements with
39 the holders of outstanding notes, bonds or other obligations of such
40 authority.

41 (3) To carry out the purposes of the authority as defined in
42 subsection (t) of section 32-23a of the general statutes and the purposes
43 of the corporation as set forth in section 32-39 of the general statutes, as
44 amended by this act, the corporation shall have and may exercise all of
45 the powers of the authority set forth in chapter 579 of the general

46 statutes as of the effective date of this section and all of the powers of
47 the corporation set forth in chapter 581 of the general statutes.

48 (4) Whenever the term "Connecticut Development Authority" is
49 used or referred to in the general statutes, the term "Connecticut
50 Innovations, Incorporated" shall be substituted in lieu thereof.

51 (5) The procedures of the authority, adopted pursuant to section 1-
52 121 of the general statutes, shall remain in full force and effect with
53 respect to any matter before the corporation.

54 (6) Nothing in this act shall be deemed to limit the powers exercised
55 by the authority or the corporation before the effective date of this
56 section.

57 Sec. 3. (NEW) (*Effective from passage*) (a) From the effective date of
58 this section to July 1, 2012, the authority and the corporation may enter
59 into any agreements, including agreements with third parties, that are
60 necessary or convenient to facilitate the assignment to and assumption
61 by the corporation of the rights and responsibilities of the authority
62 pursuant to section 2 of this act, provided no consent of the third party
63 and no instrument of assumption or assignment shall be required to
64 give effect to the transfers provided in section 2 of this act.

65 (b) The authority shall provide to the corporation such professional
66 and clerical support, facilities, equipment and supplies during the
67 period from the passage of this section to July 1, 2012, as may be
68 necessary to prepare for and complete the transfers contemplated by
69 section 2 of this act.

70 Sec. 4. (NEW) (*Effective July 1, 2012*) (a) The corporation may form
71 one or more subsidiaries to carry out the public purposes of the
72 corporation and may transfer to any such subsidiary any moneys and
73 real or personal property of any kind or nature. Any such subsidiary
74 may be organized as a stock or nonstock corporation or a limited
75 liability company. Each such subsidiary shall have and may exercise

76 such powers of the corporation as are set forth in the resolution of the
77 corporation prescribing the purposes for which such subsidiary is
78 formed and such other powers provided to it by law.

79 (b) (1) Without limiting the authority of the corporation with respect
80 to establishing other subsidiaries pursuant to subsection (a) of this
81 section, the corporation may establish one or more subsidiaries to
82 stimulate, encourage and carry out the remediation, development and
83 financing of contaminated property within this state, in coordination
84 with the Department of Energy and Environmental Protection, and to
85 provide financial, developmental and environmental expertise to
86 others including, but not limited to, municipalities, interested in or
87 undertaking such remediation, development or financing which are
88 determined to be public purposes for which public funds may be
89 expended. The corporation may transfer to any such subsidiary any
90 moneys and real or personal property.

91 (2) Neither the Connecticut Brownfields Redevelopment Authority
92 nor any other subsidiary formed under this subsection may provide
93 for any bonded indebtedness of the state for the cost of any liability or
94 contingent liability for the remediation of contaminated real property
95 unless such indebtedness is specifically authorized by an act of the
96 General Assembly. Each such subsidiary may do all things necessary
97 or convenient to carry out the purposes of this subsection, section 12-
98 81r of the general statutes, subsection (h) of section 22a-133m of the
99 general statutes, subsection (a) of section 22a-133x of the general
100 statutes, sections 22a-133aa, 22a-133bb and 22a-133dd of the general
101 statutes, subsection (l) of section 22a-134a of the general statutes, and
102 sections 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
103 statutes, including, but not limited to, (A) solicit, receive and accept
104 aid, grants or contributions from any source of money, property or
105 labor or other things of value, to be held, used and applied to carry out
106 the purposes of this subsection, section 12-81r of the general statutes,
107 subsection (h) of section 22a-133m of the general statutes, subsection
108 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-

109 133bb and 22a-133dd of the general statutes, subsection (l) of section
110 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
111 23pp to 32-23rr, inclusive, of the general statutes, subject to the
112 conditions upon which such grants and contributions may be made,
113 including, but not limited to, gifts, grants or loans, from any
114 department, agency or quasi-public agency of the United States or the
115 state; (B) enter into agreements with persons upon such terms and
116 conditions as are consistent with the purposes of such subsidiary to
117 acquire or facilitate the remediation, development or financing of
118 contaminated real or personal property; (C) to acquire, take title, lease,
119 purchase, own, manage, hold and dispose of real and personal
120 property and lease, convey or deal in or enter into agreements with
121 respect to such property; (D) examine, inspect, rehabilitate, remediate
122 or improve real or personal property or engage others to do so on such
123 subsidiary's behalf, or enter into contracts therefor; (E) mortgage,
124 convey or dispose of its assets and pledge its revenues to secure any
125 borrowing, for the purpose of financing, refinancing, rehabilitating,
126 remediating, improving or developing its assets, provided each such
127 borrowing or mortgage shall be a special obligation of such subsidiary,
128 which obligation may be in the form of notes, bonds, bond anticipation
129 notes and other obligations issued by or to such subsidiary to the
130 extent permitted under sections 2 to 9, inclusive, of this act to fund and
131 refund the same and provide for the rights of the holders thereof, and
132 to secure the same by pledge of revenues, notes or other assets and
133 which shall be payable solely from the assets, revenues and other
134 resources of such subsidiary; (F) to create real estate investment trusts
135 or similar entities or to become a member of a limited liability
136 company or to become a partner in limited or general partnerships or
137 establish other contractual arrangements with private and public
138 sector entities as such subsidiary deems necessary to remediate,
139 develop or finance environmentally contaminated property in the
140 state; and (G) any other powers necessary or appropriate to carry out
141 the purposes of this subsection, subsection (h) of section 22a-133m of
142 the general statutes, subsection (a) of section 22a-133x of the general

143 statutes, sections 22a-133aa, 22a-133bb and 22a-133dd of the general
144 statutes, subsection (l) of section 22a-134a of the general statutes, and
145 sections 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, of the general
146 statutes. The board of directors, executive director, officers and staff of
147 the authority may serve as members of any advisory or other board
148 which may be established to carry out the purposes of this subsection,
149 subsection (h) of section 22a-133m of the general statutes, subsection
150 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-
151 133bb and 22a-133dd of the general statutes, subsection (l) of section
152 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
153 23pp to 32-23rr, inclusive, of the general statutes.

154 (c) Each subsidiary of the corporation shall be deemed a quasi-
155 public agency for purposes of chapter 12 of the general statutes and
156 shall have all the privileges, immunities, tax exemptions and other
157 exemptions of the corporation. Each such subsidiary shall be subject to
158 suit, provided its liability shall be limited solely to the assets, revenues
159 and resources of the subsidiary and without recourse to the general
160 funds, revenues, resources or any other assets of the corporation. Each
161 such subsidiary is authorized to assume or take title to property
162 subject to any existing lien, encumbrance or mortgage and to
163 mortgage, convey or dispose of its assets and pledge its revenues to
164 secure any borrowing, provided each such borrowing or mortgage
165 shall be a special obligation of the subsidiary, which obligation may be
166 in the form of bonds, bond anticipation notes and other obligations to
167 fund and refund the same and provide for the rights of the holders
168 thereof, and to secure the same by pledge or revenues, notes and other
169 assets and which shall be payable solely from the assets, revenues and
170 other resources of the subsidiary. The corporation may assign to a
171 subsidiary any rights, moneys or other assets it has under any
172 governmental program. No subsidiary of the corporation shall borrow
173 without the approval of the corporation.

174 (d) Each such subsidiary shall act through its board of directors, at
175 least one-half of which shall be members of the board of directors of

176 the corporation or their designees or officers or employees of the
177 corporation. A resolution of the corporation shall prescribe the
178 purposes for which each such subsidiary is formed.

179 (e) The provisions of section 1-125 of the general statutes, as
180 amended by this act, and this subsection shall apply to any officer,
181 director, designee or employee appointed as a member, director or
182 officer of any such subsidiary. Any such persons so appointed shall
183 not be personally liable for the debts, obligations or liabilities of any
184 such subsidiary as provided in said section 1-125. The subsidiary shall,
185 and the corporation may, save harmless and indemnify such officer,
186 director, designee or employee as provided by said section 1-125.

187 (f) The corporation, or such subsidiary, may take such actions as are
188 necessary to comply with the provisions of the Internal Revenue Code
189 of 1986, or any subsequent corresponding internal revenue code of the
190 United States, as amended from time to time, to qualify and maintain
191 any such subsidiary as a corporation exempt from taxation under said
192 code.

193 (g) The corporation may make loans to each such subsidiary from its
194 assets and the proceeds of its bonds, notes and other obligations,
195 provided the source and security for the repayment of such loans is
196 derived from the assets, revenues and resources of the subsidiary.

197 Sec. 5. Subsection (l) of section 1-79 of the 2012 supplement to the
198 general statutes is repealed and the following is substituted in lieu
199 thereof (*Effective July 1, 2012*):

200 (l) "Quasi-public agency" means [the Connecticut Development
201 Authority,] Connecticut Innovations, Incorporated, Connecticut Health
202 and Education Facilities Authority, Connecticut Higher Education
203 Supplemental Loan Authority, Connecticut Housing Finance
204 Authority, Connecticut Housing Authority, Connecticut Resources
205 Recovery Authority, Lower Fairfield County Convention Center
206 Authority, Capital City Economic Development Authority,

207 Connecticut Lottery Corporation, Connecticut Airport Authority,
208 Health Information Technology Exchange of Connecticut and
209 Connecticut Health Insurance Exchange.

210 Sec. 6. Section 1-120 of the 2012 supplement to the general statutes is
211 repealed and the following is substituted in lieu thereof (*Effective July*
212 *1, 2012*):

213 As used in sections 1-120 to 1-123, inclusive:

214 (1) "Quasi-public agency" means [the Connecticut Development
215 Authority,] Connecticut Innovations, Incorporated, Connecticut Health
216 and Educational Facilities Authority, Connecticut Higher Education
217 Supplemental Loan Authority, Connecticut Housing Finance
218 Authority, Connecticut Housing Authority, Connecticut Resources
219 Recovery Authority, Capital City Economic Development Authority,
220 Connecticut Lottery Corporation, Connecticut Airport Authority,
221 Health Information Technology Exchange of Connecticut and
222 Connecticut Health Insurance Exchange.

223 (2) "Procedure" means each statement, by a quasi-public agency, of
224 general applicability, without regard to its designation, that
225 implements, interprets or prescribes law or policy, or describes the
226 organization or procedure of any such agency. The term includes the
227 amendment or repeal of a prior regulation, but does not include,
228 unless otherwise provided by any provision of the general statutes, (A)
229 statements concerning only the internal management of any agency
230 and not affecting procedures available to the public, and (B) intra-
231 agency memoranda.

232 (3) "Proposed procedure" means a proposal by a quasi-public
233 agency under the provisions of section 1-121 for a new procedure or
234 for a change in, addition to or repeal of an existing procedure.

235 Sec. 7. Section 1-125 of the 2012 supplement to the general statutes is
236 repealed and the following is substituted in lieu thereof (*Effective July*

237 1, 2012):

238 The directors, officers and employees of [the Connecticut
239 Development Authority,] Connecticut Innovations, Incorporated,
240 Connecticut Higher Education Supplemental Loan Authority,
241 Connecticut Housing Finance Authority, Connecticut Housing
242 Authority, Connecticut Resources Recovery Authority, including ad
243 hoc members of the Connecticut Resources Recovery Authority,
244 Connecticut Health and Educational Facilities Authority, Capital City
245 Economic Development Authority, the Health Information Technology
246 Exchange of Connecticut, Connecticut Airport Authority, Connecticut
247 Lottery Corporation and Connecticut Health Insurance Exchange and
248 any person executing the bonds or notes of the agency shall not be
249 liable personally on such bonds or notes or be subject to any personal
250 liability or accountability by reason of the issuance thereof, nor shall
251 any director or employee of the agency, including ad hoc members of
252 the Connecticut Resources Recovery Authority, be personally liable for
253 damage or injury, not wanton, reckless, wilful or malicious, caused in
254 the performance of his or her duties and within the scope of his or her
255 employment or appointment as such director, officer or employee,
256 including ad hoc members of the Connecticut Resources Recovery
257 Authority. The agency shall protect, save harmless and indemnify its
258 directors, officers or employees, including ad hoc members of the
259 Connecticut Resources Recovery Authority, from financial loss and
260 expense, including legal fees and costs, if any, arising out of any claim,
261 demand, suit or judgment by reason of alleged negligence or alleged
262 deprivation of any person's civil rights or any other act or omission
263 resulting in damage or injury, if the director, officer or employee,
264 including ad hoc members of the Connecticut Resources Recovery
265 Authority, is found to have been acting in the discharge of his or her
266 duties or within the scope of his or her employment and such act or
267 omission is found not to have been wanton, reckless, wilful or
268 malicious.

269 Sec. 8. Subsection (b) of section 32-35 of the 2012 supplement to the

270 general statutes is repealed and the following is substituted in lieu
271 thereof (*Effective July 1, 2012*):

272 (b) The corporation shall be governed by a board of [fifteen]
273 seventeen directors. [Eight] Nine members shall be appointed by the
274 Governor, [at least] six of whom shall be knowledgeable, and have
275 favorable reputations for skill, knowledge and experience, in the
276 development of innovative [technology and technological processes]
277 start-up businesses, including, but not limited to, expertise in academic
278 research, technology transfer and application, the development of
279 technological invention and new enterprise development and three of
280 whom shall be knowledgeable, and have favorable reputations for
281 skill, knowledge and experience, in the field of financial lending or the
282 development of commerce, trade and business. [Three] Four members
283 shall be the Commissioner of Economic and Community
284 Development, the president of the Board of Regents for Higher
285 Education, the Treasurer and the Secretary of the Office of Policy and
286 Management, who shall serve ex officio and shall have all of the
287 powers and privileges of a member of the board of directors. Each ex-
288 officio member may designate his deputy or any member of his staff to
289 represent him at meetings of the corporation with full power to act and
290 vote in his behalf. Four members shall be appointed as follows: One by
291 the president pro tempore of the Senate, one by the minority leader of
292 the Senate, one by the speaker of the House of Representatives and one
293 by the minority leader of the House of Representatives. Each member
294 appointed by the Governor shall serve at the pleasure of the Governor
295 but no longer than the term of office of the Governor or until the
296 member's successor is appointed and qualified, whichever is longer.
297 Each member appointed by a member of the General Assembly shall
298 serve in accordance with the provisions of section 4-1a. A director shall
299 be eligible for reappointment. The Governor shall fill any vacancy for
300 the unexpired term of a member appointed by the Governor. The
301 appropriate legislative appointing authority shall fill any vacancy for
302 the unexpired term of a member appointed by such authority.

303 Sec. 9. (NEW) (*Effective July 1, 2012*) (a) (1) Wherever the term
304 "Connecticut Development Authority" is used in the following sections
305 of the general statutes, the term "Connecticut Innovations
306 Incorporated" shall be substituted in lieu thereof: 3-24d, 3-24f, 3-99d, 8-
307 134, 8-134a, 8-192, 8-192a, 8-240m, 13b-79w, 16-243v, 22a-134, 22a-173,
308 22a-259, 22a-264, 25-33a, 32-1l, 32-3, 32-4l, 32-5a, 32-6j, 32-9c, 32-9n, 32-
309 9cc, 32-9kk, 32-9ll, 32-9qq, 32-22b, 32-23d, 32-23l, 32-23o, 32-23q, 32-23r,
310 32-23s, 32-23t, 32-23v, 32-23x, 32-23z, 32-23aa, 32-23hh, 32-23qq, 32-
311 23ss, 32-23tt, 32-23yy, 32-23zz, 32-31a, 32-61, 32-68a, 32-141, 32-222, 32-
312 223, 32-227, 32-244, 32-244a, 32-261, 32-262, 32-263, 32-265, 32-266, 32-
313 285, 32-341, 32-477, 32-500, 32-503 and 32-609.

314 (2) Wherever the term "authority" is used in the following sections
315 of the general statutes, the term "corporation" shall be substituted in
316 lieu thereof: 32-14, 32-15, 32-16, 32-16a, 32-17a, 32-18, 32-19, 32-22, 32-
317 22a, 32-23a, 32-23d, 32-23e, 32-23f, 32-23g, 32-23h, 32-23i, 32-23j, 32-23o,
318 32-23p, 32-23q, 32-23r, 32-23s, 32-23v, 32-23x, 32-23y, 32-23z, 32-23bb,
319 32-23hh, 32-23ii, 32-23jj, 32-23kk, 32-23ll, 32-23qq, 32-23ss, 32-23tt, 32-
320 23uu, 32-23vv, 32-23yy, 32-23zz, 32-31a, 32-61, 32-62, 32-63, 32-64, 32-
321 65, 32-67, 32-68a, 32-261, 32-262, 32-263, 32-265, 32-267, 32-269, 32-270,
322 32-271, 32-272, 32-280, 32-282, 32-285, 32-341, 32-356, 32-500, 32-503, 32-
323 717 and 32-718.

324 (b) The Legislative Commissioners' Office shall, in codifying the
325 provisions of this section, make such technical, grammatical and
326 punctuation changes as are necessary to carry out the purposes of this
327 section.

328 Sec. 10. Subsection (b) of section 4-124ff of the 2012 supplement to
329 the general statutes is repealed and the following is substituted in lieu
330 thereof (*Effective July 1, 2012*):

331 (b) There is established a Council of Advisors on Strategies for the
332 Knowledge Economy to promote the formation of university-industry
333 partnerships, identify benchmarks for technology-based workforce
334 innovation and competitiveness and advise the award process (1) for

335 innovation challenge grants to public postsecondary schools and their
336 business partners, and (2) grants under section 4-124hh. The council
337 shall be chaired by the Commissioner of Economic and Community
338 Development and shall include the Secretary of the Office of Policy
339 and Management, the president of the Board of Regents for Higher
340 Education, the Labor Commissioner, the executive [directors] director
341 of Connecticut Innovations, Incorporated [and the Connecticut
342 Development Authority] and four representatives from the technology
343 industry, one of whom shall be appointed by the president pro
344 tempore of the Senate, one of whom shall be appointed by the speaker
345 of the House of Representatives, one of whom shall be appointed by
346 the minority leader of the Senate and one of whom shall be appointed
347 by the minority leader of the House of Representatives.

348 Sec. 11. Subdivision (42) of section 8-250 of the general statutes is
349 repealed and the following is substituted in lieu thereof (*Effective July*
350 *1, 2012*):

351 (42) To accept from the department: (A) Financial assistance, (B)
352 revenues or the right to receive revenues with respect to any program
353 under the supervision of the department, and (C) loan assets or equity
354 interests in connection with any program under the supervision of the
355 department; to make advances to and reimburse the department for
356 any expenses incurred or to be incurred by it in the delivery of such
357 assistance, revenues, rights, assets, interests or amounts; to enter into
358 agreements with the department for the delivery of services by the
359 authority in consultation with the department [, the Connecticut
360 Development Authority] and Connecticut Innovations, Incorporated,
361 to third parties which agreements may include provisions for payment
362 by the department to the authority for the delivery of such services;
363 and to enter into agreements with the department [or with the
364 Connecticut Development Authority] or Connecticut Innovations,
365 Incorporated, for the sharing of assistants, agents and other
366 consultants, professionals and employees, and facilities and other real
367 and personal property used in the conduct of the authority's affairs;

368 Sec. 12. Subsection (a) of section 32-1c of the general statutes is
369 repealed and the following is substituted in lieu thereof (*Effective July*
370 *1, 2012*):

371 (a) In addition to any other powers, duties and responsibilities
372 provided for in this chapter, chapter 131, chapter 579 and section 4-8
373 and subsection (a) of section 10-409, the commissioner shall have the
374 following powers, duties and responsibilities: (1) To administer and
375 direct the operations of the Department of Economic and Community
376 Development; (2) to report annually to the Governor, as provided in
377 section 4-60; (3) to conduct and administer the research and planning
378 functions necessary to carry out the purposes of said chapters and
379 sections; (4) to encourage and promote the development of industry
380 and business in the state and to investigate, study and undertake ways
381 and means of promoting and encouraging the prosperous
382 development and protection of the legitimate interest and welfare of
383 Connecticut business, industry and commerce, within and outside the
384 state; (5) to serve, ex officio as a director on the board of Connecticut
385 Innovations, Incorporated; (6) to serve as a member of the Committee
386 of Concern for Connecticut Jobs; (7) to promote and encourage the
387 location and development of new business in the state as well as the
388 maintenance and expansion of existing business and for that purpose
389 to cooperate with state and local agencies and individuals both within
390 and outside the state; (8) to plan and conduct a program of information
391 and publicity designed to attract tourists, visitors and other interested
392 persons from outside the state to this state and also to encourage and
393 coordinate the efforts of other public and private organizations or
394 groups of citizens to publicize the facilities and attractions of the state
395 for the same purposes; (9) to advise and cooperate with municipalities,
396 persons and local planning agencies within the state for the purpose of
397 promoting coordination between the state and such municipalities as
398 to plans and development; (10) by reallocating funding from other
399 agency accounts or programs, to assign adequate and available staff to
400 provide technical assistance to businesses in the state in exporting,
401 manufacturing and cluster-based initiatives and to provide guidance

402 and advice on regulatory matters; (11) [to provide all necessary staff,
403 services, accounting and office space and equipment required by the
404 Connecticut Development Authority subject to the provisions of
405 section 4b-23, where real estate acquisitions are involved; (12)] to aid
406 minority businesses in their development; [(13)] (12) to appoint such
407 assistants, experts, technicians and clerical staff, subject to the
408 provisions of chapter 67, as are necessary to carry out the purposes of
409 said chapters and sections; [(14)] (13) to employ other consultants and
410 assistants on a contract or other basis for rendering financial, technical
411 or other assistance and advice; [(15)] (14) to acquire or lease facilities
412 located outside the state subject to the provisions of section 4b-23;
413 [(16)] (15) to advise and inform municipal officials concerning
414 economic development and collect and disseminate information
415 pertaining thereto, including information about federal, state and
416 private assistance programs and services pertaining thereto; [(17)] (16)
417 to inquire into the utilization of state government resources and
418 coordinate federal and state activities for assistance in and solution of
419 problems of economic development and to inform and advise the
420 Governor about and propose legislation concerning such problems;
421 [(18)] (17) to conduct, encourage and maintain research and studies
422 relating to industrial and commercial development; [(19)] (18) to
423 prepare and review model ordinances and charters relating to these
424 areas; [(20)] (19) to maintain an inventory of data and information and
425 act as a clearinghouse and referral agency for information on state and
426 federal programs and services relative to the purpose set forth herein.
427 The inventory shall include information on all federal programs of
428 financial assistance for defense conversion projects and other projects
429 consistent with a defense conversion strategy and shall identify
430 businesses which would be eligible for such assistance and provide
431 notification to such business of such programs; [(21)] (20) to conduct,
432 encourage and maintain research and studies and advise municipal
433 officials about forms of cooperation between public and private
434 agencies designed to advance economic development; [(22)] (21) to
435 promote and assist the formation of municipal and other agencies

436 appropriate to the purposes of this chapter; [(23)] (22) to require notice
437 of the submission of all applications by municipalities and any agency
438 thereof for federal and state financial assistance for economic
439 development programs as relate to the purposes of this chapter; [(24)]
440 (23) with the approval of the Commissioner of Administrative
441 Services, to reimburse any employee of the department, including the
442 commissioner, for reasonable business expenses, including but not
443 limited to, mileage, travel, lodging, and entertainment of business
444 prospects and other persons to the extent necessary or advisable to
445 carry out the purposes of subdivisions (4), (7), (8) and (11) of this
446 subsection and other provisions of this chapter; [(25)] (24) to assist in
447 resolving solid waste management issues; [(26)] (25) (A) to serve as an
448 information clearinghouse for various public and private programs
449 available to assist businesses, (B) to identify specific micro businesses,
450 as defined in section 32-344, whose growth and success could benefit
451 from state or private assistance and contact such small businesses in
452 order to (i) identify their needs, (ii) provide information about public
453 and private programs for meeting such needs, including, but not
454 limited to, technical assistance, job training and financial assistance,
455 and (iii) arrange for the provision of such assistance to such businesses;
456 [(27)] (26) to enhance and promote the digital media and motion
457 picture industries in the state; [(28)] (27) by reallocating funding from
458 other agency accounts or programs, to develop a marketing campaign
459 that promotes Connecticut as a place of innovation; and [(29)] (28) by
460 reallocating funding from other agency accounts or programs, to
461 execute the steps necessary to implement the knowledge corridor
462 agreement with Massachusetts to promote the biomedical device
463 industry.

464 Sec. 13. Subsection (a) of section 32-1e of the general statutes is
465 repealed and the following is substituted in lieu thereof (*Effective July*
466 *1, 2012*):

467 (a) The Commissioner of Economic and Community Development,
468 in consultation with the Connecticut Resources Recovery Authority

469 and the Commissioner of Energy and Environmental Protection, shall
470 prepare a plan for the support and promotion of industries that use,
471 process or transport recycled materials. The plan shall outline ways
472 existing programs of the Department of Economic and Community
473 Development, the Connecticut Resources Recovery Authority and
474 agencies such as the Department of Energy and Environmental
475 Protection [, the Connecticut Development Authority] and Connecticut
476 Innovations, Incorporated will be used to promote such industries.

477 Sec. 14. Section 32-1k of the general statutes is repealed and the
478 following is substituted in lieu thereof (*Effective July 1, 2012*):

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

482 (1) "Department" means the Department of Economic and
483 Community Development;

484 (2) "Commissioner" means the Commissioner of Economic and
485 Community Development;

486 [(3) "CDA" means the Connecticut Development Authority, as
487 created under chapter 579;]

488 [(4)] (3) "CHFA" means the Connecticut Housing Finance Authority,
489 as created under chapter 134;

490 [(5)] (4) "CII" means Connecticut Innovations, Incorporated, as
491 created under chapter 581; and

492 [(6)] (5) "SHA" means the State Housing Authority as created under
493 section 8-244b.

494 Sec. 15. Subsection (a) of section 32-1o of the 2012 supplement to the
495 general statutes is repealed and the following is substituted in lieu
496 thereof (*Effective July 1, 2012*):

497 (a) On or before July 1, 2009, and every five years thereafter, the
498 Commissioner of Economic and Community Development, within
499 available appropriations, shall prepare an economic strategic plan for
500 the state in consultation with the Secretary of the Office of Policy and
501 Management, the Commissioners of Energy and Environmental
502 Protection and Transportation, the Labor Commissioner, the
503 chairperson of the Culture and Tourism Advisory Committee, the
504 executive directors of the Connecticut Housing Finance Authority, [the
505 Connecticut Development Authority,] Connecticut Innovations,
506 Incorporated, and the Connecticut Health and Educational Facilities
507 Authority, or their respective designees, and any other agencies the
508 Commissioner of Economic and Community Development deems
509 appropriate.

510 Sec. 16. Section 32-4h of the general statutes is repealed and the
511 following is substituted in lieu thereof (*Effective July 1, 2012*):

512 Not later than August 1, 1997, and annually thereafter, [the
513 chairperson of the board of directors of the Connecticut Development
514 Authority and] the chairperson of the board of directors of Connecticut
515 Innovations, Incorporated shall submit a report to the joint standing
516 committee of the General Assembly having cognizance of matters
517 relating to the Department of Economic and Community
518 Development, in accordance with the provisions of section 11-4a,
519 which details the amount of bond funds expended during the previous
520 fiscal year on each economic cluster in the state by the quasi-public
521 agency administered by such chairperson.

522 Sec. 17. Section 32-23e of the general statutes is repealed and the
523 following is substituted in lieu thereof (*Effective July 1, 2012*):

524 To accomplish the purposes of the [authority] corporation, as
525 defined in subsection (t) of section 32-23d, which are hereby
526 determined to be public purposes for which public funds may be
527 expended, and in addition to any other powers provided by law, the
528 [authority] corporation shall have power to: (1) Determine the location

529 and character of any project to be financed under the provisions of said
530 chapters and sections, provided any financial assistance shall be
531 approved in accordance with written procedures prepared pursuant to
532 subdivision (14) of this section; (2) purchase, receive, by gift or
533 otherwise, lease, exchange, or otherwise acquire, and construct,
534 reconstruct, improve, maintain, equip and furnish one or more
535 projects, including all real and personal property which the [authority]
536 corporation may deem necessary in connection therewith, and to enter
537 into a contract with a person therefor upon such terms and conditions
538 as the [authority] corporation shall determine to be reasonable,
539 including but not limited to reimbursement for the planning,
540 designing, financing, construction, reconstruction, improvement,
541 equipping, furnishing, operation and maintenance of the project and
542 any claims arising therefrom and establishment and maintenance of
543 reserve and insurance funds with respect to the financing of the
544 project; (3) insure any or all payments to be made by the borrower
545 under the terms of any agreement for the extension of credit or making
546 of a loan by the [authority] corporation in connection with any
547 economic development project to be financed, wholly or in part,
548 through the issuance of bonds or mortgage payments of any mortgage
549 which is given by a mortgagor to the mortgagee who has provided the
550 mortgage for an economic development project upon such terms and
551 conditions as the [authority] corporation may prescribe and as
552 provided herein, and the faith and credit of the state are pledged
553 thereto; (4) in connection with the insuring of payments of any
554 mortgage, request for its guidance a finding of the municipal planning
555 commission, or, if there is no planning commission, a finding of the
556 municipal officers, of the municipality in which the economic
557 development project is proposed to be located, or of the regional
558 planning agency of which such municipality is a member, as to the
559 expediency and advisability of the economic development project; (5)
560 sell or lease to any person, all or any portion of a project, purchase
561 from eligible financial institutions mortgages with respect to economic
562 development projects, purchase or repurchase its own bonds, and sell,

563 pledge or assign to any person any such bonds, mortgages, or other
564 loans, notes, revenues or assets of the [authority] corporation, or any
565 interest therein, for such consideration and upon such terms as the
566 [authority] corporation may determine to be reasonable; (6) mortgage
567 or otherwise encumber all or any portion of a project whenever it shall
568 find such action to be in furtherance of the purposes of said chapters
569 and sections; (7) enter into agreements with any person, including
570 prospective mortgagees and mortgagors, for the purpose of planning,
571 designing, constructing, acquiring, altering and financing projects,
572 providing liquidity or a secondary market for mortgages or other
573 financial obligations incurred with respect to facilities which would
574 qualify as a project under this chapter, purchasing loans made by
575 regional corporations under section 32-276, or for any other purpose in
576 furtherance of any other power of the [authority] corporation; (8) grant
577 options to purchase or renew a lease for any of its projects on such
578 terms as the [authority] corporation may determine to be reasonable;
579 (9) employ or retain attorneys, accountants and architectural,
580 engineering and financial consultants and such other employees and
581 agents and to fix their compensation and to employ the Connecticut
582 Development Credit Corporation on a cost basis as it shall deem
583 necessary to assist it in carrying out the purposes of said [authority]
584 corporation legislation; (10) borrow money or accept gifts, grants or
585 loans of funds, property or service from any source, public or private,
586 and comply, subject to the provisions of said [authority] corporation
587 legislation, with the terms and conditions thereof; (11) accept from a
588 federal agency loans, grants or loan guarantees or otherwise
589 participate in any loan, grant, loan guarantee or other financing or
590 economic or project development program of a federal agency in
591 furtherance of, and consistent with, the purposes of the [authority]
592 corporation, and enter into agreements with such agency respecting
593 any such loans, grants, loan guarantees or federal agency programs;
594 (12) provide tenant lease guarantees and performance guarantees,
595 invest in, extend credit or make loans to any person for the planning,
596 designing, financing, acquiring, constructing, reconstructing,

597 improving, expanding, continuing in operation, equipping and
598 furnishing of a project and for the refinancing of existing indebtedness
599 with respect to any facility or part thereof which would qualify as a
600 project in order to facilitate substantial improvements thereto, which
601 guarantees, investments, credits or loans may be secured by loan
602 agreements, lease agreements, installment sale agreements, mortgages,
603 contracts and all other instruments or fees and charges, upon such
604 terms and conditions as the [authority] corporation shall determine to
605 be reasonable in connection with such loans, including provision for
606 the establishment and maintenance of reserve and insurance funds and
607 in the exercise of powers granted in this section in connection with a
608 project for such person, to require the inclusion in any contract, loan
609 agreement or other instrument, such provisions for the construction,
610 use, operation and maintenance and financing of a project as the
611 [authority] corporation may deem necessary or desirable; (13) in
612 connection with any application for assistance under said [authority]
613 corporation legislation, or commitments therefor, to make and collect
614 such fees and charges as the [authority] corporation shall determine to
615 be reasonable; (14) adopt procedures, in accordance with the
616 provisions of section 1-121, to carry out the provisions of said
617 [authority] corporation legislation, which may give priority to
618 applications for financial assistance based upon the extent the project
619 will materially contribute to the economic base of the state by creating
620 or retaining jobs, providing increased wages or benefits to employees,
621 promoting the export of products or services beyond the boundaries of
622 the state, encouraging innovation in products or services, encouraging
623 defense-dependent business to diversify to nondefense production,
624 promoting standards of participation adopted by the Connecticut
625 partnership compact pursuant to section 33-374g of the general
626 statutes, revision of 1958, revised to 1991, or will otherwise enhance
627 existing activities that are important to the economic base of the state,
628 provided regulation-making proceedings commenced before January
629 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (15)
630 adopt an official seal and alter the same at pleasure; (16) maintain an

631 office at such place or places within the state as it may designate; (17)
632 sue and be sued in its own name and plead and be impleaded, service
633 of process in any action to be made by service upon the executive
634 director of said [authority] corporation either in hand or by leaving a
635 copy of the process at the office of the [authority] corporation with
636 some person having charge thereof; (18) employ such assistants, agents
637 and other employees as may be necessary or desirable for its purposes,
638 which employees shall be exempt from the classified service and shall
639 not be employees as defined in subsection (b) of section 5-270; establish
640 all necessary or appropriate personnel practices and policies, including
641 those relating to hiring, promotion, compensation, retirement and
642 collective bargaining, which need not be in accordance with chapter 68
643 and the [authority] corporation shall not be an employer as defined in
644 subsection (a) of section 5-270; contract for and engage appraisers of
645 industrial machinery and equipment, consultants and property
646 management services, and utilize the services of other governmental
647 agencies; (19) when it becomes necessary or feasible for the [authority]
648 corporation to safeguard itself from losses, acquire, purchase, manage
649 and operate, hold and dispose of real and personal property, take
650 assignments of rentals and leases and make and enter into all
651 contracts, leases, agreements and arrangements necessary or incidental
652 to the performance of its duties; (20) in order to further the purposes of
653 said [authority] corporation legislation, or to assure the payment of the
654 principal and interest on bonds or notes of the [authority] corporation
655 or to safeguard the mortgage insurance fund, purchase, acquire and
656 take assignments of notes, mortgages and other forms of security and
657 evidences of indebtedness, purchase, acquire, attach, seize, accept or
658 take title to any project by conveyance or, by foreclosure, and sell, lease
659 or rent any project for a use specified in said chapters and sections or
660 in this chapter; (21) adopt rules for the conduct of its business; (22)
661 invest any funds not needed for immediate use or disbursement,
662 including any funds held in reserve, in obligations issued or
663 guaranteed by the United States of America or the state of Connecticut
664 and in other obligations which are legal investments for savings banks

665 in this state; (23) do, or delegate, any and all things necessary or
666 convenient to carry out the purposes and to exercise the powers given
667 and granted in said [authority] corporation legislation; provided, in all
668 matters concerning the internal administrative functions of the
669 [authority] corporation which are funded by amounts appropriated by
670 the state to the [authority] corporation or to the department, the
671 procedures of the state relating to office space, supplies, facilities,
672 materials, equipment and professional services shall be followed, and
673 provided further, that in the acquisition by the [authority] corporation
674 of real estate involving the use of appropriated funds or bonds
675 supported by the full faith and credit of the state, the [authority]
676 corporation shall be subject to the provisions of section 4b-23; (24) to
677 accept from the department: (A) Financial assistance, (B) revenues or
678 the right to receive revenues with respect to any program under the
679 supervision of the department, and (C) loan assets or equity interests
680 in connection with any program under the supervision of the
681 department; to make advances to and reimburse the department for
682 any expenses incurred or to be incurred by it in the delivery of such
683 assistance, revenues, rights, assets or amounts; to enter into
684 agreements for the delivery of services by the [authority] corporation,
685 in consultation with the department [,] and the Connecticut Housing
686 Finance Authority, [and Connecticut Innovations, Incorporated,] to
687 third parties which agreements may include provisions for payment
688 by the department to the [authority] corporation for the delivery of
689 such services; and to enter into agreements with the department or
690 with the Connecticut Housing Finance Authority [or Connecticut
691 Innovations, Incorporated] for the sharing of assistants, agents and
692 other consultants, professionals and employees, and facilities and
693 other real and personal property used in the conduct of the
694 [authority's] corporation's affairs; and (25) to transfer to the
695 department: (A) Financial assistance, (B) revenues or the right to
696 receive revenues with respect to any program under the supervision of
697 the [authority] corporation, and (C) loan assets or equity interests in
698 connection with any program under the supervision of the [authority]

699 corporation, provided the transfer of such financial assistance,
700 revenues, rights, assets or interests is determined by the [authority]
701 corporation to be practicable, within the constraints and not
702 inconsistent with the fiduciary obligations of the [authority]
703 corporation imposed upon or established upon the [authority]
704 corporation by any provision of the general statutes, the [authority's]
705 corporation's bond resolutions or any other agreement or contract of
706 the authority and to have no adverse effect on the tax-exempt status of
707 any bonds of the [authority] corporation or the state.

708 Sec. 18. Subdivision (34) of section 32-39 of the 2012 supplement to
709 the general statutes is repealed and the following is substituted in lieu
710 thereof (*Effective July 1, 2012*):

711 (34) To accept from the department: (A) Financial assistance, (B)
712 revenues or the right to receive revenues with respect to any program
713 under the supervision of the department, and (C) loan assets or equity
714 interests in connection with any program under the supervision of the
715 department; to make advances to and reimburse the department for
716 any expenses incurred or to be incurred by it in the delivery of such
717 assistance, revenues, rights, assets, or interests; to enter into
718 agreements for the delivery of services by the corporation, in
719 consultation with the department [,] and the Connecticut Housing
720 Finance Authority, [and the Connecticut Development Authority,] to
721 third parties, which agreements may include provisions for payment
722 by the department to the corporation for the delivery of such services;
723 and to enter into agreements with the department or with the
724 [Connecticut Development Authority or] Connecticut Housing Finance
725 Authority for the sharing of assistants, agents and other consultants,
726 professionals and employees, and facilities and other real and personal
727 property used in the conduct of the corporation's affairs;

728 Sec. 19. Subdivision (1) of section 32-450 of the general statutes is
729 repealed and the following is substituted in lieu thereof (*Effective July*
730 *1, 2012*):

731 (1) "Awarding authority" means the Commissioner of Economic and
732 Community Development, the board of directors of [the Connecticut
733 Development Authority and the board of directors of] Connecticut
734 Innovations, Incorporated.

735 Sec. 20. Subdivision (1) of subsection (a) of section 32-462 of the
736 general statutes is repealed and the following is substituted in lieu
737 thereof (*Effective July 1, 2012*):

738 (1) "Agency" means the Department of Economic and Community
739 Development [, the Connecticut Development Authority] or
740 Connecticut Innovations, Incorporated.

741 Sec. 21. Section 32-479 of the general statutes is repealed and the
742 following is substituted in lieu thereof (*Effective July 1, 2012*):

743 Not later than July 1, 1996, the Commissioner of Economic and
744 Community Development, the Labor Commissioner [, the Connecticut
745 Development Authority] and Connecticut Innovations, Incorporated
746 shall jointly develop goals and objectives and quantifiable outcome
747 measures related to the percentage of financial assistance which is
748 being provided to high performance work organizations. The Labor
749 Commissioner [, the Connecticut Development Authority] and
750 Connecticut Innovations, Incorporated shall submit an annual report
751 concerning such goals, objectives and measures to the joint standing
752 committee of the General Assembly having cognizance of matters
753 relating to labor and public employees and the joint standing
754 committee having cognizance of matters relating to commerce.

755 Sec. 22. Section 32-480 of the general statutes is repealed and the
756 following is substituted in lieu thereof (*Effective July 1, 2012*):

757 The Department of Economic and Community Development, the
758 Labor Department [, the Connecticut Development Authority] and
759 Connecticut Innovations, Incorporated shall, when appropriate,
760 encourage persons, firms and corporations which contact said

761 departments or authorities for financial assistance to utilize high
762 performance work practices in their business operations.

763 Sec. 23. Subdivision (1) of section 32-700 of the general statutes is
764 repealed and the following is substituted in lieu thereof (*Effective July*
765 *1, 2012*):

766 (1) "Awarding authority" means the Commissioner of Economic and
767 Community Development, [the board of directors of the Connecticut
768 Development Authority,] the board of directors of Connecticut
769 Innovations, Incorporated, and the head of any other quasi-public
770 agency, as defined in section 1-120, as amended by this act, and any
771 state agency authorized to award state assistance, as defined in
772 subdivision (2) of this section.

773 Sec. 24. Subsection (a) of section 32-701 of the general statutes is
774 repealed and the following is substituted in lieu thereof (*Effective July*
775 *1, 2012*):

776 (a) The terms and conditions of any agreement for state assistance
777 under any program of the general statutes to a business entity
778 operated for profit administered by the Department of Economic and
779 Community Development [, Connecticut Development Authority] and
780 Connecticut Innovations, Incorporated, shall include provisions for (1)
781 specific goals for the creation and retention of full-time and part-time
782 jobs and for periodic reports by the recipient on progress in achieving
783 such goals if the primary purpose of the state assistance is job creation
784 or retention, and (2) a requirement that an applicant for any type of
785 state assistance, except grants and loans of a term of less than one year,
786 provide the agency with appropriate security for such financial
787 assistance, including, but not limited to, a letter of credit, a lien on real
788 property or a security interest in goods, equipment, inventory or other
789 property of any kind and that the recipient of such state assistance will
790 remain in substantial material compliance with state and federal law.

791 Sec. 25. Section 32-11a of the 2012 supplement to the general statutes

792 is repealed and the following is substituted in lieu thereof (*Effective July*
793 *1, 2012*):

794 (a) There is hereby created as a body politic and corporate,
795 constituting a public instrumentality and political subdivision of the
796 state created for the performance of an essential public and
797 governmental function, the Connecticut Development Authority
798 which is empowered to carry out the purposes of the authority, as
799 defined in subsection (t) of section 32-23d, which are hereby
800 determined to be public purposes for which public funds may be
801 expended. The Connecticut Development Authority shall not be
802 construed to be a department, institution or agency of the state.

803 (b) All notes, bonds or other obligations issued by the Connecticut
804 Development Authority or the Connecticut Development Commission
805 for the financing of any project or projects shall be in accordance with
806 their terms of full force and effect and valid and binding upon [the
807 authority] Connecticut Innovations, Incorporated, as the successor to
808 the Connecticut Development [Commission] Authority and with
809 respect to any resolution, contract, deed, trust agreement, mortgage,
810 conditional sale or loan agreement, commitment, obligation or liability
811 or other such document, public record, right, remedy, special act or
812 public act, obligation, liability or responsibility pertaining thereto, the
813 [authority] corporation shall be, and shall be deemed to be, the
814 successor to the Connecticut Development [Commission] Authority.
815 All properties, rights in land, buildings and equipment and any funds,
816 moneys, revenues and receipts or assets of such commission pledged
817 or otherwise securing any such notes, bonds or other obligations shall
818 belong to the [authority] corporation as successor to the Connecticut
819 Development [Commission] Authority, subject to such pledges and
820 other security arrangements and to agreements with the holders of the
821 outstanding notes, bonds or other obligations. Any resolution with
822 respect to the issuance of bonds of the commission for the purposes of
823 the act and any other action taken by the commission with respect to
824 assisting in the financing of any project shall be, or shall be deemed to

825 be, a resolution of the [authority] corporation or an action taken by the
826 [authority] corporation subject only to any agreements with the
827 holders of outstanding notes, bonds or other obligations of the
828 commission.

829 [(c) The board of directors of the authority shall consist of the
830 Commissioner of Economic and Community Development, the State
831 Treasurer and the Secretary of the Office of Policy and Management,
832 each serving ex officio, four members appointed by the Governor who
833 shall be experienced in the field of financial lending or the
834 development of commerce, trade and business and four members
835 appointed as follows: One by the president pro tempore of the Senate,
836 one by the minority leader of the Senate, one by the speaker of the
837 House of Representatives and one by the minority leader of the House
838 of Representatives. Each ex-officio member may designate a deputy or
839 any member of the agency staff to represent the member at meetings of
840 the authority with full powers to act and vote on the member's behalf.
841 The chairperson of the board shall be the Commissioner of Economic
842 and Community Development. The board shall annually elect one of
843 its members as vice chairperson. Each member appointed by the
844 Governor shall serve at the pleasure of the Governor but no longer
845 than the term of office of the Governor or until the member's successor
846 is appointed and qualified, whichever is longer. Each member
847 appointed by a member of the General Assembly shall serve in
848 accordance with the provisions of section 4-1a. Members shall receive
849 no compensation but shall be reimbursed for necessary expenses
850 incurred in the performance of their duties under the authority
851 legislation, as defined in subsection (hh) of section 32-23d. The
852 Governor shall fill any vacancy for the unexpired term of a member
853 appointed by the Governor. The appropriate legislative appointing
854 authority shall fill any vacancy for the unexpired term of a member
855 appointed by such authority. A member of the board shall be eligible
856 for reappointment. Any member of the board may be removed by the
857 Governor for misfeasance, malfeasance or wilful neglect of duty. Each
858 member of the authority before entering upon his or her duties shall

859 take and subscribe the oath or affirmation required by article XI,
860 section 1, of the State Constitution. A record of each such oath shall be
861 filed in the office of the Secretary of the State. Meetings of the board
862 shall be held at such times as shall be specified in the bylaws adopted
863 by the board and at such other time or times as the chairperson deems
864 necessary. The board is empowered to adopt bylaws and regulations
865 for putting into effect the provisions of said chapters and sections. Not
866 later than November first, annually, the authority shall submit a report
867 to the Commissioner of Economic and Community Development, the
868 Auditors of Public Accounts and the joint standing committees of the
869 General Assembly having cognizance of matters relating to the
870 Department of Economic and Community Development,
871 appropriations and capital bonding, which shall include the following
872 information with respect to new and outstanding financial assistance
873 provided by the authority during the twelve-month period ending on
874 June thirtieth next preceding the date of the report for each financial
875 assistance program administered by the authority: (1) A list of the
876 names, addresses and locations of all recipients of such assistance, (2)
877 for each recipient: (A) The business activities, (B) the North American
878 Industrial Classification System codes, (C) the gross revenues during
879 the recipient's most recent fiscal year if the recipient is an organization
880 that makes such information public in the normal course of business,
881 or, if the recipient does not make such information public in the
882 normal course of business, the gross revenue information shall be
883 provided for a recipient separately, using a system in which no
884 recipient is listed by name but each is given a separate identity in a
885 manner consistent with the provisions of subsection (a) of section 32-
886 244, (D) the number of employees at the time of application, (E)
887 whether the recipient is a minority or woman-owned business, (F) a
888 summary of the terms and conditions for the assistance, including the
889 type and amount of state financial assistance, job creation or retention
890 requirements, and anticipated wage rates, and (G) the amount of
891 investments from private and other nonstate sources that have been
892 leveraged by the assistance, (3) the economic benefit criteria used in

893 determining which applications have been approved or disapproved,
894 and (4) for each recipient of assistance on or after July 1, 1991, a
895 comparison between the number of jobs to be created, the number of
896 jobs to be retained and the average wage rates for each such category
897 of jobs, as projected in the recipient's application, versus the actual
898 number of jobs created, the actual number of jobs retained and the
899 average wage rates for each such category. The Governor and the
900 chairpersons and ranking members of the joint standing committees of
901 the General Assembly having cognizance of matters relating to the
902 Department of Economic and Community Development,
903 appropriations and capital bonding may, after a request to the
904 Connecticut Development Authority by any of said persons, examine,
905 in confidence, the detailed data, including the specific revenue data for
906 each recipient not listed by name, submitted pursuant to subparagraph
907 (C) of subdivision (2) of this subsection. The chairpersons and ranking
908 members of said committees may disclose such data to the members of
909 said committees, who shall also keep such data confidential. The
910 report shall also indicate the actual number of full-time jobs and the
911 actual number of part-time jobs in each such category and the benefit
912 levels for each such subcategory. In addition, the report shall state (A)
913 for each final application approved during the twelve-month period
914 covered by the report, (i) the date that the final application was
915 received by the authority, and (ii) the date of such approval; (B) for
916 each final application withdrawn during the twelve-month period
917 covered by the report, (i) the municipality in which the applicant is
918 located, (ii) the North American Industrial Classification System code
919 for the applicant, (iii) the date that the final application was received
920 by the authority, and (iv) the date of such withdrawal; (C) for each
921 final application disapproved during the twelve-month period covered
922 by the report, (i) the municipality in which the applicant is located, (ii)
923 the North American Industrial Classification System code for the
924 applicant, (iii) the date that the final application was received by the
925 authority, and (iv) the date of such disapproval; and (D) for each final
926 application on which no action has been taken by the applicant or the

927 agency in the twelve-month period covered by the report and for
928 which no report has been submitted under this subsection, (i) the
929 municipality in which the applicant is located, (ii) the North American
930 Industrial Classification System code for the applicant, and (iii) the
931 date that the final application was received by the authority. The
932 November first report shall include a summary of the activities of the
933 authority, including all activities to assist small businesses and
934 minority business enterprises, as defined in section 4a-60g, a complete
935 operating and financial statement and recommendations for legislation
936 to promote the purposes of the authority. The authority shall furnish
937 such additional reports upon the written request of any such
938 committee at such times and containing such information as the
939 committee may request. The accounts of the authority shall be subject
940 to annual audit by the state Auditors of Public Accounts. The authority
941 may cause an audit of its books and accounts to be made at least once
942 each fiscal year by certified public accountants. The powers of the
943 authority shall be vested in and exercised by not less than six of the
944 members of the board of directors then in office. Such number of
945 members shall constitute a quorum and the affirmative vote of a
946 majority of the members present at a meeting of the board shall be
947 necessary for any action taken by the authority. No vacancy in the
948 membership of the board shall impair the right to exercise all the rights
949 and perform all the duties of the authority. Any action taken by the
950 board under the provisions of said chapters and sections may be
951 authorized by resolution at any regular or special meeting, and each
952 such resolution shall take effect immediately and need not be
953 published or posted. The authority shall be exempt from the
954 provisions of section 4-9a.

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

958 (e) The board of directors of the authority shall adopt written
959 procedures, in accordance with the provisions of section 1-121, for: (1)

960 Adopting an annual budget and plan of operations, including a
961 requirement of board approval before the budget or plan may take
962 effect; (2) hiring, dismissing, promoting and compensating employees
963 of the authority, including an affirmative action policy and a
964 requirement of board approval before a position may be created or a
965 vacancy filled; (3) acquiring real and personal property and personal
966 services, including a requirement of board approval for any
967 nonbudgeted expenditure in excess of five thousand dollars; (4)
968 contracting for financial, legal, bond underwriting and other
969 professional services, including a requirement that the authority solicit
970 proposals at least once every three years for each such service which it
971 uses; (5) issuing and retiring bonds, bond anticipation notes and other
972 obligations of the authority; (6) awarding loans, grants and other
973 financial assistance, including eligibility criteria, the application
974 process and the role played by the authority's staff and board of
975 directors and including deadlines for the approval or disapproval of
976 applications for such assistance by the authority on and after July 1,
977 1996; and (7) the use of surplus funds to the extent authorized under
978 this chapter or other provisions of the general statutes.

979 (f) The board of directors of the authority shall appoint an executive
980 director who shall not be a member of the board and who shall serve at
981 the pleasure of the board and receive such compensation as shall be
982 fixed by the board. The executive director may but need not be the
983 deputy appointed under section 32-1d. He shall be the chief
984 administrative officer of the authority and shall direct and supervise
985 administrative affairs and technical activities in accordance with the
986 directives of the board. He shall perform such other duties as may be
987 directed by the board in carrying out the purposes of said chapters and
988 sections. The executive director shall be exempt from the classified
989 service. The executive director shall attend all meetings of the board,
990 keep a record of the proceedings of the board and shall maintain and
991 be custodian of all books, documents and papers filed with the
992 authority and of the minute book or journal of the authority and of its
993 official seal. He may cause copies to be made of all minutes and other

994 records and documents of the authority and may give certificates
995 under the official seal of the authority to the effect that such copies are
996 true copies, and all persons dealing with the authority may rely upon
997 such certificates.

998 (g) Each member of the board of directors of the authority shall
999 execute a surety bond in the penal sum of fifty thousand dollars, or, in
1000 lieu thereof, the chairman of the board shall execute a blanket position
1001 bond covering each member and the executive director and the
1002 employees of the authority, each surety bond to be conditioned upon
1003 the faithful performance of the duties of the office or offices covered, to
1004 be executed by a surety company authorized to transact business in
1005 this state as surety and to be approved by the Attorney General and
1006 filed in the office of the Secretary of the State. The cost of each such
1007 bond shall be paid by the authority.

1008 (h) Notwithstanding any provision of the law to the contrary, it
1009 shall not constitute a conflict of interest for a trustee, director, partner,
1010 officer, stockholder, proprietor, counsel or employee of any person, or
1011 for any other individual having a financial interest in any person, to
1012 serve as a member of the board of directors of the authority; provided
1013 such trustee, director, partner, officer, stockholder, proprietor, counsel,
1014 employee or individual shall file with the authority a record of his
1015 capacity with or interest in such person and abstain and absent himself
1016 from any deliberation, action and vote by the board in specific respect
1017 to such person.

1018 (i) The authority shall continue, as long as it shall have bonds or
1019 other obligations outstanding and until its existence is terminated by
1020 law. Upon the termination of the existence of the authority, all its
1021 rights and properties shall pass to and be vested in the state of
1022 Connecticut.

1023 (j) Neither members of the board of directors of the authority nor
1024 any person executing the notes and bonds shall be liable personally on
1025 the notes or bonds or be subject to any personal liability or

1026 accountability by reason of the issuance thereof.]

1027 (k) Repealed by P.A. 00-136, S. 9.

1028 [(l) (1) The authority may establish one or more subsidiaries to
1029 stimulate, encourage and carry out the remediation, development and
1030 financing of contaminated property within this state, in coordination
1031 with the Department of Energy and Environmental Protection, and to
1032 provide financial, development and environmental expertise to others
1033 including, but not limited to, municipalities, interested in or
1034 undertaking such remediation, development or financing which are
1035 determined to be public purposes for which public funds may be
1036 expended. Each subsidiary shall be deemed a quasi-public agency for
1037 purposes of chapter 12. The authority may transfer to any such
1038 subsidiary any moneys and real or personal property. Each such
1039 subsidiary shall have all the privileges, immunities, tax exemptions
1040 and other exemptions of the authority.

1041 (2) Each such subsidiary may sue and shall be subject to suit
1042 provided the liability of each such subsidiary shall be limited solely to
1043 the assets, revenues and resources of such subsidiary and without
1044 recourse to the general funds, revenues, resources or any other assets
1045 of the authority or any other subsidiary. No such subsidiary may
1046 provide for any bonded indebtedness of the state for the cost of any
1047 liability or contingent liability for the remediation of contaminated real
1048 property unless such indebtedness is specifically authorized by an act
1049 of the General Assembly. Each such subsidiary shall have the power to
1050 do all acts and things necessary or convenient to carry out the
1051 purposes of this subsection, section 12-81r, subsection (h) of section
1052 22a-133m, subsection (a) of section 22a-133x, sections 22a-133aa, 22a-
1053 133bb and 22a-133dd, subsection (l) of section 22a-134, and sections
1054 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, including, but not
1055 limited to, (i) solicit, receive and accept aid, grants or contributions
1056 from any source of money, property or labor or other things of value,
1057 to be held, used and applied to carry out the purposes of this

1058 subsection, section 12-81r, subsection (h) of section 22a-133m,
1059 subsection (a) of section 22a-133x, sections 22a-133aa, 22a-133bb and
1060 22a-133dd, subsection (l) of section 22a-134, and sections 22a-452f, 32-
1061 7e and 32-23pp to 32-23rr, inclusive, subject to the conditions upon
1062 which such grants and contributions may be made, including but not
1063 limited to, gifts, grants or loans, from any department, agency or
1064 quasi-public agency of the United States or the state; (ii) enter into
1065 agreements with persons upon such terms and conditions as are
1066 consistent with the purposes of such subsidiary to acquire or facilitate
1067 the remediation, development or financing of contaminated real or
1068 personal property; (iii) to acquire, take title, lease, purchase, own,
1069 manage, hold and dispose of real and personal property and lease,
1070 convey or deal in or enter into agreements with respect to such
1071 property; (iv) examine, inspect, rehabilitate, remediate or improve real
1072 or personal property or engage others to do so on such subsidiary's
1073 behalf, or enter into contracts therefor; (v) mortgage, convey or dispose
1074 of its assets and pledge its revenues in order to secure any borrowing,
1075 for the purpose of financing, refinancing, rehabilitating, remediating,
1076 improving or developing its assets, provided each such borrowing or
1077 mortgage shall be a special obligation of such subsidiary, which
1078 obligation may be in the form of notes, bonds, bond anticipation notes
1079 and other obligations issued by or to such subsidiary to the extent
1080 permitted under this chapter to fund and refund the same and provide
1081 for the rights of the holders thereof, and to secure the same by pledge
1082 of revenues, notes or other assets and which shall be payable solely
1083 from the assets, revenues and other resources of such subsidiary; (vi)
1084 to create real estate investment trusts or similar entities or to become a
1085 member of a limited liability company or to become a partner in
1086 limited or general partnerships or establish other contractual
1087 arrangements with private and public sector entities as such subsidiary
1088 deems necessary to remediate, develop or finance environmentally
1089 contaminated property in the state; and (vii) any other powers
1090 enumerated in subsection (e) of section 32-23 necessary or appropriate
1091 to carry out the purposes of this subsection, subsection (h) of section

1092 22a-133m, subsection (a) of section 22a-133x, sections 22a-133aa, 22a-
1093 133bb and 22a-133dd, subsection (l) of section 22a-134, and sections
1094 22a-452f, 32-7e, and 32-23pp to 32-23rr, inclusive. The board of
1095 directors, executive director, officers and staff of the authority may
1096 serve as members of any advisory or other board which may be
1097 established to carry out the purposes of this subsection, subsection (h)
1098 of section 22a-133m, subsection (a) of section 22a-133x, sections 22a-
1099 133aa, 22a-133bb and 22a-133dd, subsection (l) of section 22a-134, and
1100 sections 22a-452f, 32-7e, and 32-23pp to 32-23rr, inclusive.

1101 (3) Each such subsidiary shall act through its board of directors at
1102 least one-half of which shall be members of the board of directors of
1103 the authority or their designees or officers or employees of the
1104 authority. A resolution of the authority shall prescribe the purposes for
1105 which each such subsidiary is formed.

1106 (4) The provisions of section 1-125 and this subsection shall apply to
1107 any officer, director, designee, or employee appointed as a member,
1108 director, or officer of any such subsidiary. Neither any such persons so
1109 appointed nor the directors, officers or employees of the authority
1110 shall be personally liable for the debts, obligations, or liabilities of any
1111 such subsidiary as provided in said section 1-125. Each subsidiary shall
1112 and the authority may provide for the indemnification to protect, save
1113 harmless and indemnify such officer, director, designee or employee as
1114 provided by said section 1-125.

1115 (5) The authority or any such subsidiary may take such actions as
1116 are necessary to comply with the provisions of the Internal Revenue
1117 Code of 1986 or any subsequent corresponding internal revenue code
1118 of the United States, as from time to time amended, to qualify and
1119 maintain any such subsidiary as a corporation exempt from taxation
1120 under said Internal Revenue Code.

1121 (6) The authority may make loans or grants to, and may guarantee
1122 specified obligations of, any such subsidiary, following standard
1123 authority procedures, from the authority's assets and the proceeds of

1124 its bonds, notes, and other obligations, provided however, that the
1125 source and security, if any, for the repayment of any such loans or
1126 guarantees is derived from the assets, revenues and resources of such
1127 subsidiary.

1128 (7) Notwithstanding any other provisions of law, the Commissioner
1129 of Energy and Environmental Protection shall issue to the authority or
1130 any subsidiary a covenant not to sue, pursuant to section 22a-133aa or
1131 section 22a-133bb, as applicable, without fee, as otherwise required in
1132 subsection (c) of said section 22a-133aa for the remediation of a facility
1133 in accordance with an approved remediation plan.]

1134 Sec. 26. Section 32-23k of the general statutes is repealed and the
1135 following is substituted in lieu thereof (*Effective July 1, 2012*):

1136 The state of Connecticut does hereby pledge to and agree with the
1137 holders of any bonds and notes issued under the provisions of the
1138 authority legislation, as defined in subsection (hh) of section 32-23d,
1139 and with those parties who may enter into contracts with the
1140 Connecticut Development Authority or its successor agency,
1141 Connecticut Innovations, Incorporated, pursuant to the provisions of
1142 such authority legislation, that the state will not limit or alter the rights
1143 hereby vested in the authority or the corporation until such
1144 obligations, together with the interest thereon, are fully met and
1145 discharged and such contracts are fully performed on the part of the
1146 authority or the corporation, provided nothing contained herein shall
1147 preclude such limitation or alteration if and when adequate provision
1148 shall be made by law for the protection of the holders of such bonds
1149 and notes of the authority or the corporation or those entering into
1150 such contracts with the authority or the corporation. The authority or
1151 the corporation is authorized to include this pledge and undertaking
1152 for the state in such bonds and notes or contracts.

1153 Sec. 27. Section 32-23c of the general statutes is repealed. (*Effective*
1154 *July 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2012</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2012</i>	New section
Sec. 5	<i>July 1, 2012</i>	1-79(l)
Sec. 6	<i>July 1, 2012</i>	1-120
Sec. 7	<i>July 1, 2012</i>	1-125
Sec. 8	<i>July 1, 2012</i>	32-35(b)
Sec. 9	<i>July 1, 2012</i>	New section
Sec. 10	<i>July 1, 2012</i>	4-124ff(b)
Sec. 11	<i>July 1, 2012</i>	8-250(42)
Sec. 12	<i>July 1, 2012</i>	32-1c(a)
Sec. 13	<i>July 1, 2012</i>	32-1e(a)
Sec. 14	<i>July 1, 2012</i>	32-1k
Sec. 15	<i>July 1, 2012</i>	32-1o(a)
Sec. 16	<i>July 1, 2012</i>	32-4h
Sec. 17	<i>July 1, 2012</i>	32-23e
Sec. 18	<i>July 1, 2012</i>	32-39(34)
Sec. 19	<i>July 1, 2012</i>	32-450(1)
Sec. 20	<i>July 1, 2012</i>	32-462(a)(1)
Sec. 21	<i>July 1, 2012</i>	32-479
Sec. 22	<i>July 1, 2012</i>	32-480
Sec. 23	<i>July 1, 2012</i>	32-700(1)
Sec. 24	<i>July 1, 2012</i>	32-701(a)
Sec. 25	<i>July 1, 2012</i>	32-11a
Sec. 26	<i>July 1, 2012</i>	32-23k
Sec. 27	<i>July 1, 2012</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]