



Substitute House Bill No. 6823

Public Act No. 15-192

**AN ACT CONCERNING THE CONNECTICUT AIRPORT
AUTHORITY'S RECOMMENDATIONS REGARDING OPERATION
OF THE AUTHORITY, AIRPORT DEVELOPMENT ZONE
ADMINISTRATION AND THE AUTHORITY'S JURISDICTION OVER
AERONAUTICS IN THE STATE.**

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

Section 1. Subsection (n) of section 15-120bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(n) The executive director of the Connecticut Airport Authority shall establish an advisory committee to consult with on matters relating to Bradley International Airport and business related to said airport. The committee may consist of not more than six members, one of whom shall be appointed by the cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to transportation, and one of whom shall be appointed by the ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to transportation. The advisory committee shall consist of residents of and representatives of businesses located in the Bradley Airport development zone, as well as one or more representatives from western Massachusetts. Members of such advisory committee may attend public meetings of the

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Connecticut Airport Authority and monthly managers' meetings of the Connecticut Airport Authority.

Sec. 2. Section 15-120dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The board of directors of the authority shall adopt written procedures, in accordance with the provisions of section 1-121, for: (1) Adopting an annual budget and plan of operations, including a requirement of board approval before the budget or plan may take effect; (2) hiring, dismissing, promoting and compensating employees of the authority, including an affirmative action policy and a requirement of board approval before a position may be created or a vacancy filled; (3) acquiring real and personal property and personal services, including a requirement of board approval for any nonbudgeted expenditure in excess of five thousand dollars; (4) contracting for financial, legal, bond underwriting and other professional services, including a requirement that the authority solicit proposals at least once every three years for each such service which it uses; (5) issuing and retiring bonds, bond anticipation notes and other obligations of the authority; (6) awarding loans, grants and other financial assistance, including eligibility criteria, the application process and the role played by the authority's staff and board of directors; and (7) [the use of] using surplus funds to the extent authorized under sections 15-120aa to 15-120oo, inclusive, or other provisions of the general statutes.

(b) Notwithstanding the provisions of subdivision (3) of subsection (a) of this section, the board of directors may authorize the executive director to make nonbudgeted expenditures of up to five hundred thousand dollars without prior board approval (1) to restore operations at any airport owned or operated by the authority, if such airport or the equipment of such airport is damaged as a result of a natural disaster or incurs a substantial casualty loss that results in an

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unsafe condition, or (2) where the failure to act would result in a disruption of airport operations. Not later than twenty-four hours after the executive director makes such nonbudgeted expenditure, the executive director shall provide notification to the chairperson or vice chairperson of the board of the amount of, and reason for, such expenditure.

[(b)] (c) Each member of the board of directors of the authority shall execute a surety bond in the penal sum of fifty thousand dollars and the executive director shall execute a surety bond in the penal sum of one hundred thousand dollars, or, in lieu thereof, the chairperson of the board shall execute a blanket position bond covering each member, the executive director and the employees of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in this state as surety and to be approved by the Attorney General and filed in the office of the Secretary of the State. The cost of each such bond shall be paid by the authority.

Sec. 3. Subsection (a) of section 32-1m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than February 1, 2006, and annually thereafter, the Commissioner of Economic and Community Development shall submit a report to the Governor and the General Assembly, in accordance with the provisions of section 11-4a. Not later than thirty days after submission of the report to the Governor and the General Assembly, said commissioner shall post the report on the Department of Economic and Community Development's web site. Said report shall include, but not be limited to, the following information with regard to the activities of the Department of Economic and Community Development during the preceding state fiscal year:

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(1) A brief description and assessment of the state's economy during such year, utilizing the most recent and reasonably available data, and including:

(A) Connecticut employment by industry;

(B) Connecticut and national average unemployment;

(C) Connecticut gross state product, by industry;

(D) Connecticut productivity, by industry, compared to the national average;

(E) Connecticut manufacturing activity;

(F) Identification of economic and competitive conditions affecting Connecticut's industry sectors, problems resulting from these conditions and state efforts to address the problems;

(G) A brief summary of Connecticut's competitiveness as a place for business, which shall include, but not be limited to, an evaluation of (i) how the programs and policies of state government affect the state economy and state business environment, (ii) the ability of the state to retain and attract businesses, (iii) the steps taken by other states to improve the competitiveness of such states as places for business, and (iv) programs and policies the state could implement to improve the competitiveness of the state in order to encourage economic growth; and

(H) Any other economic information that the commissioner deems appropriate.

(2) A statement of the department's economic and community development objectives, measures of program success and standards for granting financial and nonfinancial assistance under programs administered by the department.

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(3) An analysis of the economic development portfolio of the department, including:

(A) A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance: (i) Business activities, (ii) standard industrial classification codes or North American industrial classification codes, (iii) number of full-time jobs and part-time jobs at the time of application, (iv) number of actual full-time jobs and actual part-time jobs during the preceding state fiscal year, (v) whether the recipient is a minority or woman-owned business, (vi) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance, job creation or retention requirements and anticipated wage rates, (vii) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, (viii) the extent to which employees of the recipient participate in health benefit plans offered by such recipient, (ix) the extent to which the recipient offers unique economic, social, cultural or aesthetic attributes to the municipality in which the recipient is located or to the state, and (x) the amount of state investment;

(C) A portfolio analysis, including (i) an analysis of the wages paid by recipients of financial assistance, (ii) the average portfolio wage, median portfolio wage, highest and lowest portfolio wage, (iii) portfolio wage data by industry, and (iv) portfolio wage data by municipality;

(D) An investment analysis, including (i) total portfolio value, (ii) total investment by industry, (iii) portfolio dollar per job average, (iv) portfolio leverage ratio, and (v) percentage of financial assistance which was provided to high performance work organizations in the preceding state fiscal year; and

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(E) An analysis of the estimated economic effects of the department's economic development investments on the state's economy, including (i) contribution to gross state product for the total economic development portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients of assistance are located, and (v) personal income.

(4) An analysis of the community development portfolio of the department, including:

(A) A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance: (i) Amount of state investment, (ii) a summary of the terms and conditions for the department's assistance, including the type and amount of state financial assistance, and (iii) the amount of investments from private and other nonstate sources that have been leveraged by such assistance;

(C) An investment analysis, including (i) total active portfolio value, (ii) total investments made in the preceding state fiscal year, (iii) total portfolio by municipality, (iv) total investments made in the preceding state fiscal year categorized by municipality, (v) total portfolio leverage ratio, and (vi) leverage ratio of the total investments made in the preceding state fiscal year; and

(D) An analysis of the estimated economic effects of the

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department's economic development investments on the state's economy, including (i) contribution to gross state product for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients are located, and (v) personal income.

(5) A summary of the department's economic and community development marketing efforts in the preceding state fiscal year, a summary of the department's business recruitment strategies and activities in such year, and a summary of the department's efforts to assist small businesses and minority business enterprises in such year.

(6) A summary of the department's international trade efforts in the preceding state fiscal year, and, to the extent possible, a summary of foreign direct investment that occurred in the state in such year.

(7) Identification of existing economic clusters, the formation of new economic clusters, the measures taken by the commissioner during the preceding state fiscal year to encourage the growth of economic clusters and the amount of bond funds expended by the department during the previous fiscal year on each economic cluster.

(8) (A) A summary of the department's brownfield-related efforts and activities within the Office of Brownfield Remediation and Development established pursuant to subsections (a) to (d), inclusive, of section 32-761 in the preceding state fiscal year, except for activity under the Special Contaminated Property Remediation and Insurance Fund program. Such efforts shall include, but not be limited to, (i) total portfolio investment in brownfield remediation projects, (ii) total

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investment in brownfield remediation projects in the preceding state fiscal year, (iii) total number of brownfield remediation projects, (iv) total number of brownfield remediation projects in the preceding state fiscal year, (v) total of reclaimed and remediated acreage, (vi) total of reclaimed and remediated acreage in the preceding state fiscal year, (vii) leverage ratio for the total portfolio investment in brownfield remediation projects, and (viii) leverage ratio for the total portfolio investment in brownfield remediation projects in the preceding state fiscal year. Such summary shall include a list of such brownfield remediation projects and, for each such project, the name of the developer and the location by street address and municipality and a tracking of all funds administered through or by said office;

(B) A summary of the department's efforts with regard to the Special Contaminated Property Remediation and Insurance Fund, including, but not limited to, (i) the number of applications received in the preceding state fiscal year, (ii) the number and amounts of loans made in such year, (iii) the names of the applicants for such loans, (iv) the average time period between submission of application and the decision to grant or deny the loan, (v) a list of the applications approved and the applications denied and the reasons for such denials, and (vi) for each project, the location by street address and municipality; and

(C) A summary of the department's efforts with regard to the dry cleaning grant program, established pursuant to section 12-263m, including, but not limited to, (i) information as to the number of applications received, (ii) the number and amounts of grants made since the inception of the program, (iii) the names of the applicants, (iv) the time period between submission of application and the decision to grant or deny the loan, (v) which applications were approved and which applications were denied and the reasons for any denials, and (vi) a recommendation as to whether the surcharge and

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grant program established pursuant to section 12-263m should continue.

(9) The following information concerning enterprise zones designated under section 32-70:

(A) A statement of the current goals for enterprise zones;

(B) A statement of the current performance standards to measure the progress of municipalities that have enterprise zones in attaining the goals for such zones;

(C) A report from each municipality that has an enterprise zone, which evaluates the progress of the municipality in meeting the performance standards established under section 32-70a; and

(D) An assessment of the performance of each enterprise zone based on information collected under subparagraph (C) of this subdivision.

(10) With regard to the grant program designated pursuant to sections 32-324a to 32-324e, inclusive, an assessment of program performance.

(11) With regard to the fuel diversification program designated pursuant to section 32-324g, an assessment of program performance.

(12) An assessment of the performance of the Connecticut qualified biodiesel producer incentive account grant program established pursuant to sections 32-324a to 32-324e, inclusive.

(13) An assessment of the performance of the fuel diversification grant program established pursuant to section 32-324g.

(14) A summary of the total social and economic impact of the department's efforts and activities in the areas of economic and community development, and an assessment of the department's

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performance in terms of meeting its stated goals and objectives.

(15) With regard to the Connecticut Credit Consortium established pursuant to section 32-9yy, a summary of the activity of such program, including, but not limited to, the number of loans and lines of credit applied for and approved, the size of the businesses, the amount of the loans or lines of credit, and the amount repaid to date.

(16) With regard to the office of the permit ombudsman, established pursuant to section 32-726:

(A) The names of applicants for expedited review;

(B) The date of request for expedited review;

(C) The basis upon which the applicant claimed eligibility for expedited review;

(D) State agencies that participated in the permit review process;

(E) The dates on which the permit was granted or denied via the expedited review process or the date the applicant was determined not to be eligible for expedited review; and

(F) If applicable, the reason the applicant was determined not to be eligible for the expedited review process.

(17) With regard to the Small Business Express program established pursuant to section 32-7g, data on (A) the number of small businesses that applied to the Small Business Express program, (B) the number of small businesses that received assistance under said program and the general categories of such businesses, (C) the amounts and types of assistance provided, (D) the total number of jobs on the date of application and the number proposed to be created or retained, and (E) the most recent employment figures of the small businesses receiving assistance.

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(18) With regard to airport development zones established pursuant to section 32-75d, as amended by this act, a summary of the economic and cost benefits of each zone and [, in consultation with the Connecticut Airport Authority,] any recommended revisions to any such zones.

Sec. 4. Subsection (d) of section 32-9p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) "Manufacturing facility" means any plant, building, other real property improvement, or part thereof, (1) which (A) is constructed or substantially renovated or expanded on or after July 1, 1978, in a distressed municipality, a targeted investment community as defined in section 32-222, an enterprise zone designated pursuant to section 32-70 or an airport development zone established pursuant to section 32-75d, as amended by this act, or (B) is acquired on or after July 1, 1978, in a distressed municipality, a targeted investment community as defined in section 32-222, an enterprise zone designated pursuant to said section 32-70 or an airport development zone established pursuant to section 32-75d, as amended by this act, by a business organization which is unrelated to and unaffiliated with the seller, after having been idle for at least one year prior to its acquisition and regardless of its previous use; (2) which is to be used for the manufacturing, processing or assembling of raw materials, parts or manufactured products, for research and development facilities directly related to manufacturing, for the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use, or, except as provided in this subsection, for warehousing and distribution or, (A) if located in an enterprise zone designated pursuant to said section 32-70, which is to be used by an establishment, an auxiliary or an operating unit of an establishment, which is an economic base business as defined in subsection (d) of section 32-222

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or has a North American Industrial Classification code of 114111 through 114210, 311111 through 339999, 482111 through 484230, 488310, 488320, 488991, 493120, 493130, 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298, 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910, 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712, 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513, 611519, 611710 or 624410 or any business that is part of an economic cluster, as defined in subsection (e) of section 32-222, or any establishment or auxiliary or operating unit thereof, as defined in the North American Industrial Classification System Manual, or (B) if located in an enterprise zone designated pursuant to said section 32-70, which is to be used by an establishment primarily engaged in supplying goods or services in the fields of computer hardware or software, computer networking, telecommunications or communications, or (C) if located in a municipality with an entertainment district designated under section 32-76 or established under section 2 of public act 93-311, is to be used in the production of entertainment products, including multimedia products, or as part of the airing, display or provision of live entertainment for stage or broadcast, including support services such as set manufacturers, scenery makers, sound and video equipment providers and manufacturers, stage and screen writers, providers of capital for the entertainment industry and agents for talent, writers, producers and music properties and technological infrastructure support including, but not limited to, fiber optics, necessary to support multimedia and other entertainment formats, except entertainment provided by or shown at a gambling or gaming facility or a facility whose primary business is the sale or serving of alcoholic beverages, or (D) if located in an airport development zone established pursuant to section 32-75d, as amended by this act, (i) which, for the Bradley Airport development zone, is to be used for the warehousing or motor freight distribution of goods transported by aircraft to or from an airport located in such zone, or (ii) in the opinion of the [Connecticut

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Airport Authority, in consultation with the] Commissioner of Economic and Community Development, may be dependent upon or directly related to such airport and which, except as provided in this subparagraph, is to be used for any other business service, excluding any service provided by an organization that has a North American Industrial Classification code of 237130, 441110 to 454390, inclusive, 532111, 532112 or 812930; and (3) for which the department [or authority, as applicable,] has issued an eligibility certificate in accordance with section 32-9r, as amended by this act. In the case of facilities which are acquired, the department [or the Connecticut Airport Authority, as applicable,] may waive the requirement of one year of idleness if it determines that, absent qualification as a manufacturing facility under subdivisions (59) and (60) of section 12-81, and sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p, there is a high likelihood that the facility will remain idle for one year. In the case of facilities located in an enterprise zone designated pursuant to said section 32-70, (A) the idleness requirement in subparagraph (B) of subdivision (1) of this subsection, for business organizations which over the six months preceding such acquisition have had an average total employment of between six and nineteen employees, inclusive, shall be reduced to a minimum of six months, and (B) the idleness requirement shall not apply to business organizations with an average total employment of five or fewer employees, provided no more than one eligibility certificate shall be issued under this subparagraph for the same facility within a three-year period. Of those facilities which are for warehousing and distribution, only those which are newly constructed or which represent an expansion of an existing facility qualify as manufacturing facilities. In the event that only a portion of a plant is acquired, constructed, renovated or expanded, only the portion acquired, constructed, renovated or expanded constitutes the manufacturing facility. A manufacturing facility which is leased may for the purposes of subdivisions (59) and (60) of section 12-81 and sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p, be treated in the

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same manner as a facility which is acquired if the provisions of the lease serve to further the purposes of subdivisions (59) and (60) of section 12-81 and sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p and demonstrate a substantial, long-term commitment by the occupant to use the manufacturing facility, including a contract for lease for an initial minimum term of five years with provisions for the extension of the lease at the request of the lessee for an aggregate term which shall not be less than ten years, or the right of the lessee to purchase the facility at any time after the initial five-year term, or both. For a facility located in an enterprise zone designated pursuant to said section 32-70, and occupied by a business organization with an average total employment of ten or fewer employees over the six-month period preceding acquisition, such contract for lease may be for an initial minimum term of three years with provisions for the extension of the lease at the request of the lessee for an aggregate term which shall not be less than six years, or the right of the lessee to purchase the facility at any time after the initial three-year term, or both, and may also include the right for the lessee to relocate to other space within the same enterprise zone, provided such space is under the same ownership or control as the originally leased space or if such space is not under such same ownership or control as the originally leased space, permission to relocate is granted by the lessor of such originally leased space, and such relocation shall not extend the duration of benefits granted under the original eligibility certificate. Except as provided in subparagraph (B) of subdivision (1) of this subsection, a manufacturing facility does not include any plant, building, other real property improvement or part thereof used or usable for such purposes which existed before July 1, 1978.

Sec. 5. Section 32-9r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person may apply to the department for a determination as

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to whether the facility described in an application qualifies as a manufacturing facility or service facility. [The department shall forward immediately any application concerning a facility located within an airport development zone established pursuant to section 32-75d, including an economic impact statement, to the Connecticut Airport Authority.] Applications for eligibility certificates are to be made on the forms and in the manner prescribed by the department. In evaluating each application the department may require the submission of all books, records, documents, drawings, specifications, certifications and other evidentiary items which it deems appropriate. No eligibility certificate shall be issued after March 1, 1991, for a manufacturing facility located in a distressed municipality which does not qualify as a targeted investment community unless the department has issued to the applicant a commitment letter for such facility prior to March 1, 1991. Notwithstanding the provisions of this subsection, an eligibility certificate may be issued by the department after March 1, 1991, for a qualified manufacturing facility acquired, constructed or substantially renovated in a distressed municipality provided the commissioner determines that such acquisition, construction or substantial renovation was initiated prior to March 1, 1991, and was legitimately induced by the prospect of assistance under section 12-217e and subdivisions (59) and (60) of section 12-81, respectively. The department may issue an eligibility certificate for a qualified manufacturing facility or a qualified service facility located in a targeted investment community upon determination by the commissioner (A) that the acquisition, construction or substantial renovation relating to the qualified manufacturing facility or qualified service facility in such community was induced by the prospect of assistance under section 12-217e and subdivisions (59) and (60) of section 12-81; and (B) the applicant demonstrates an economic need or there is an economic benefit to the state. [Notwithstanding the provisions of this subsection, on and after October 27, 2011, the Connecticut Airport Authority] The department shall issue an

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eligibility certificate for a qualified manufacturing facility located in an airport development zone established pursuant to section 32-75d, as amended by this act, and may issue an eligibility certificate for a facility described in subparagraph (D) of subdivision (2) of subsection (d) of section 32-9p, as amended by this act, upon determination by the [authority] department (i) that the acquisition, construction or substantial renovation relating to the qualified manufacturing facility or facility described in said subparagraph (D) in the airport development zone was induced by the prospect of assistance under section 12-217e and subdivisions (59) and (60) of section 12-81; (ii) the applicant demonstrates an economic need and there is an economic benefit to the state without causing an economic detriment to or conflict with an existing zone; and (iii) that the applicant serves an airport-related function or relies substantially on airport services. The department shall issue an eligibility certificate if the commissioner determines (1) that the manufacturing facility is located in an enterprise zone designated pursuant to section 32-70 and is a qualified manufacturing facility, or (2) that the facility is a plant, building, other real property improvement, or part thereof, which is located in a municipality with an entertainment district designated under section 32-76 or established under section 2 of public act 93-311, and which qualifies as a "manufacturing facility" under subsection (d) of section 32-9p, as amended by this act, in that it is to be used in the production of entertainment products, including multimedia products, or as part of the airing, display or provision of live entertainment for stage or broadcast, including support services such as set manufacturers, scenery makers, sound and video equipment providers and manufacturers, stage and screen writers, providers of capital for the entertainment industry and agents for talent, writers, producers and music properties and technological infrastructure support including, but not limited to, fiber optics, necessary to support multimedia and other entertainment formats, except entertainment provided by or shown at a gambling or gaming facility or a facility whose primary

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business is the sale or serving of alcoholic beverages.

(b) The department shall reach a determination as to the eligibility of a facility within a reasonable time period, but may postpone the determination to the extent required to verify to its satisfaction that there is a high likelihood that any proposed facility will actually be constructed, expanded, substantially renovated or acquired. Upon a favorable finding, the department shall issue to the applicant a certificate to the effect that the facility concerned is a manufacturing facility or a service facility and is eligible for assistance under section 12-217e and subdivisions (59) and (60) of section 12-81.

(c) Except as specified in subsection (d) of this section, upon an unfavorable determination the department shall issue a notice to the applicant to the effect that the facility concerned has been determined not to be a manufacturing facility or a service facility, together with a statement in reasonable detail as to the reasons for the unfavorable determination. Any aggrieved applicant shall be afforded an opportunity for a public hearing on the matter within thirty days following issuance of the notice. The department shall reconsider the application based upon the information presented at the public hearing and reaffirm or change its earlier determination within ten days of the hearing.

(d) Upon an unfavorable determination regarding an application concerning an airport development zone, the [Connecticut Airport Authority] department shall issue a notice to the applicant to the effect that the facility concerned has been determined not to be a manufacturing facility or a service facility, together with a statement in reasonable detail as to the reasons for the unfavorable determination. Any aggrieved applicant shall be afforded an opportunity for a public hearing on the matter within thirty days following issuance of the notice. The [authority] department shall reconsider the application based upon the information presented at the public hearing and

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reaffirm or change its earlier determination within ten days of the hearing.

(e) The decision of the department rendered pursuant to subsection (c) [of this section or of the authority rendered pursuant to subsection (d) of this section, as the case may be,] or (d) of this section to issue an eligibility certificate or to deny an application for the issuance of an eligibility certificate either upon the expiration of thirty days without a public hearing following an initial unfavorable determination or upon any reconsideration of the application pursuant to subsection (c) or (d) of this section is conclusive and final as to the matters thereby decided, and chapter 54 shall not apply to the administrative determinations authorized to be made by this section.

(f) Any person who claims a benefit under section 12-217e or subdivisions (59) and (60) of section 12-81 shall notify the department of any change in fact or circumstance which may bear upon the continued qualification as a manufacturing facility or a service facility for which an eligibility certificate has been issued. Upon receipt of such information or upon independent investigation, the department may revoke the eligibility certificate in the manner provided in subsection (c) of this section.

(g) The commissioner shall adopt regulations, in accordance with chapter 54, to carry out the provisions of this section. Such regulations shall provide that establishments in the category of business support services, as defined in subsection (b) of section 32-222, or manufacturing facilities, as defined in subsection (d) of section 32-9p, as amended by this act, may be eligible for a certificate if they are located in an enterprise zone.

Sec. 6. Section 32-75d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) There is established an airport development zone, which is comprised of the following census blocks as assigned on October 1, 2011, in the towns of Windsor Locks, Suffield, East Granby and Windsor:

090034701001022,	090034701003000,	090034701003001,
090034701003002,	090034701003003,	090034701003004,
090034701003005,	090034701003017,	090034701003018,
090034701003019,	090034701003020,	090034701003021,
090034701003025,	090034701003026,	090034735022009,
090034735022010,	090034735022011,	090034735022012,
090034735022013,	090034735025004,	090034735027000,
090034735029000,	090034735029001,	090034735029002,
090034735029003,	090034735029004,	090034735029006,
090034761009000,	090034761009010,	090034761009011,
090034761009012,	090034761009013,	090034762001023,
090034762001025,	090034762002009,	090034762002013,
090034763003004,	090034763009000,	090034763009001,
090034763009002,	090034763009003,	090034763009004,
090034763009005,	090034763009006,	090034763009007,
090034763009008,	090034763009009,	090034763009010,
090034763009011,	090034763009012,	090034763009013,
090034763009014,	090034763009015,	090034763009016,
090034763009017,	090034763009018,	090034763009020,
090034763009021,	090034763009022,	090034763009023,
090034763009024,	090034763009025,	090034763009026,
090034763009031,	090034763009033,	090034771014005,
090034771014011,	090034771014012,	090034771014013,
090034771014014,	090034771014017,	090034771014018,
090034771014019,	090034771014020,	090034771023025,
090034771023026,	090034771023027,	090034771023036,
090034701003006,	090034701003022,	090034701003023,
090034701005000,	090034761001039,	090034763009028.

(b) Notwithstanding subsection (a) of this section, the [Connecticut Airport Authority] Commissioner of Economic and Community Development may establish additional airport development zones surrounding any of the general aviation airports, as defined in section

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15-120aa, or any other airport within the duty, power and authority of the [authority] Connecticut Airport Authority, as defined in section 15-120cc, upon receipt from [the Commissioner of Economic and Community Development] one or more interested municipalities of a proposal recommending the establishment of such a zone.

(1) The commissioner shall [submit] consider any such proposal [to the authority] if the commissioner determines that the economic development benefits of establishing a new airport development zone outweigh the anticipated costs to the state and the affected municipalities. Any such proposal shall comply with the state plan of conservation and development adopted pursuant to chapter 297.

(2) A proposal submitted [by] to the commissioner shall include, but not be limited to, an identification of:

(A) The geographical scope of such proposed zone, including designation of all census blocks that [the commissioner proposes incorporating] are proposed to be incorporated into such zone, provided (i) each zone shall be in accordance with the applicable general aviation airport or other airport's master plan, and (ii) no zone shall extend beyond a two-mile radius of the applicable general aviation airport or other airport without approval of the General Assembly;

(B) The economic development benefits anticipated from the establishment of such zone, including the nature of business and industry that will be developed and the anticipated number of jobs created; and

(C) The anticipated costs of establishing such zone.

(3) The [authority] commissioner may modify the geographic scope of the proposed zone to improve, within the [authority's] commissioner's discretion, the balance between the anticipated

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economic benefit and the cost to the state and affected municipalities.

(4) The [authority] commissioner may approve the establishment of a new airport development zone, [upon a majority vote of a quorum of the members. Within five days of such approval, the authority shall submit a report to the commissioner identifying all census blocks comprising such approved zone. The zone shall be deemed established upon the approval of the authority.]

(5) An airport development zone established pursuant to this subsection shall not include the land on which any general aviation airport or other airport operates, including any state-owned or controlled land.

Sec. 7. Section 13b-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [commissioner] Connecticut Airport Authority shall have jurisdiction over aeronautics in the state with all the powers and duties prescribed in this title, in title 15, and as otherwise provided by law, except that the Commissioner of Transportation shall have jurisdiction over any takings of property connected with airports, as provided in sections 13b-42 to 13b-45, inclusive, as amended by this act.

(b) The [commissioner] Connecticut Airport Authority, acting through the executive director of the authority, shall have general responsibility for aeronautics in the state with all the powers and duties established under chapter 266, this chapter and as otherwise provided by law.

Sec. 8. Section 13b-39a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [Commissioner of Transportation] executive director of the Connecticut Airport Authority shall establish a program of registration

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for all aircraft in the state, in accordance with which the owner of any aircraft, as defined in subdivision (5) of section 15-34, as amended by this act, which is based or primarily used at any airport facility, heliport, air navigation facility, restricted landing area or seaplane base in a municipality within this state shall, not later than October 1, 1993, and annually thereafter, be required to register with the municipality in which such aircraft is based or primarily used, by filing an application form, or renewal thereof, and paying the appropriate registration fee, as provided for in section 12-71, this section and section 13b-39b, as amended by this act. The owner of any aircraft which is based or primarily used at any such air navigation facility or restricted landing area in this state shall register such aircraft not later than July 1, 1994, and annually thereafter not later than the first of October. Any aircraft shall be deemed to be based or primarily used in a municipality when in the normal course of its use, it leaves from and returns to or remains at one or more points within the municipality more often or longer than at any other single location outside of the municipality.

(b) The [Commissioner of Transportation] executive director, subject to the provisions of [chapter 54, shall adopt such regulations] section 1-121, shall adopt such rules and procedures as deemed necessary by said [commissioner] executive director to implement the provisions of section 12-71, this section and sections 13b-39b to 13b-39g, inclusive, as amended by this act.

Sec. 9. Section 13b-39b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [Department of Transportation] executive director shall prepare and distribute to each municipality in which aircraft are based or primarily used forms and decals for the registration of aircraft and the renewal of such registrations. The registration forms shall contain such information as the [Commissioner of Transportation] authority may

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prescribe, including, but not limited to, information concerning (1) the form and identity of ownership, including information as to whether such ownership is by an individual, partnership, corporation or other entity, (2) the type of aircraft, including the year of manufacture, the manufacturer, the model and the certified gross weight, (3) the Federal Aviation Certificate number and (4) the location at which such aircraft is based or primarily used in this state. Each municipality shall designate a municipal registration official who may be an official or employee of the municipality or of any airport facility, heliport or seaplane base located within the municipality, to perform the duties of registration of aircraft as set forth in sections 13b-39a to 13b-39g, inclusive, as amended by this act, and shall furnish, in writing, the name, address and telephone number of each such official. The municipality shall immediately notify the [commissioner] executive director upon any changes relative to the municipal registration official.

Sec. 10. Section 13b-39c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon receipt of the signed and certified registration form required and the requisite fee, as provided for in section 13b-39d, as amended by this act, the municipal registration official shall assign a registration number and provide the owner with a registration decal and certificate of registration. Such registration decal shall be displayed on the right side of the aircraft tail below the horizontal stabilizer. The number shall be maintained in a legible condition and shall be clearly visible and entirely unobscured. The certificate shall state the name of the owner, [his] the owner's address, a description of the aircraft, the expiration date of the certificate and such other information as the [commissioner] executive director may prescribe. [by regulation.] Such certificate shall be carried aboard the aircraft and shall be available for inspection upon the aircraft for which it is issued whenever the owner

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or any person authorized by [him] the owner is aboard such aircraft.

Sec. 11. Section 13b-39d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The owner shall pay a fee to the municipal registration official for each aircraft so numbered or registered in accordance with the following schedule:

Gross Weight (lbs.)	Fee
Less than 3,000	\$ 90.00
3,001 - 4,500	250.00
4,501 - 8,000	700.00
8,001 - 12,500	1,500.00
12,501 and over	2,500.00

Aircraft manufactured before 1946 shall pay the lesser of one hundred dollars or the fee as required on the basis of gross weight as set forth in this section. The [commissioner] executive director may establish, by [regulations] procedures adopted in accordance with the provisions of [chapter 54] section 1-121, a uniform schedule for the expiration and renewal of registrations and may prorate the fees in this section accordingly. Any person or firm that acquires ownership of an aircraft shall obtain a new registration in the name of such owner within thirty days of the date of such acquisition, provided no additional registration fee shall be payable in cases where one or more new ownership interests are being added to the registration or in cases of legal change of name of the registrant. All registrations shall be renewed within thirty days of the date of expiration as stated in the certificate. If a valid certificate or number decal is lost, mutilated or destroyed, the aircraft owner shall notify the municipal registration official within fifteen days, and such owner shall be issued a duplicate certificate or number decal upon payment of a fee of five dollars.

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Sec. 12. Section 13b-39g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each municipality which issues and renews registrations for aircraft in accordance with sections 13b-39a to 13b-39g, inclusive, as amended by this act, may retain for its own use and purposes, as a grant in lieu of property taxes, all revenue received from the receipt of aircraft registration fees. Each such participating municipality shall furnish the [commissioner] executive director with such reports concerning the total amount of fees received pursuant to sections 12-71 and 13b-39a to 13b-39g, inclusive, as amended by this act, the number of registrations issued, the names of registrants and the descriptions of aircraft registered.

Sec. 13. Section 13b-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any municipality, or any two or more municipalities jointly, may establish, maintain and operate an airport at any location within the state approved by the [commissioner] executive director of the Connecticut Airport Authority and by the municipality or municipalities within which such airport is to be established. [, and] The Commissioner of Transportation may take any land or interest therein necessary for such establishment at such location upon paying just compensation to the owner of such land or interest therein. The approval of the municipality shall be by vote of a town or borough and by vote of the city council of a city. Any municipality, or any two or more municipalities jointly, may expand or improve an airport, and may take any land or interest therein necessary for such expansion or improvement when, in the opinion of the commissioner, public convenience or safety requires, and when the approval of the municipality or municipalities in which such land is located has been legally obtained, upon paying just compensation to the owner of such land or interest therein. In case such municipality or municipalities

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cannot agree with such owner upon the amount of such compensation, the amount shall be determined in the manner prescribed in section 48-12. An appeal from the amount so determined shall not act as a stay of the taking of such land, provided no facility or land or interest therein held by a public service company for service to the public shall be so taken or removed unless, at the expense of the party seeking such taking or removal, an adequate and equal substitute approved by the Public Utilities Regulatory Authority shall first be provided.

Sec. 14. Section 13b-44 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The state may, [directly or indirectly] through the Connecticut Airport Authority, establish, maintain and operate, and may expand, an airport at any location within the state in the following manner. The [commissioner] executive director shall conduct and complete a study of the adequacy of existing airports, [which study may be based upon the study authorized under section 13b-16,] and shall determine the necessity for the establishment of additional airports or the expansion of existing airports. The [commissioner] executive director shall, within one year of the completion of such study, formulate and adopt a plan of development which shall incorporate the findings of such study, showing the necessity for such establishment or expansion. The plan of development shall specify the lands or interests in such lands the acquisition of which the [commissioner] executive director deems necessary for such establishment or expansion and a copy of such plan of development shall be filed in the office of the town clerk of each municipality in which such establishment or expansion is proposed.

(b) The [commissioner] executive director shall cause a public hearing to be held at the expense of the [department] authority in each municipality in which such lands or interests in such lands are located. At such hearing, the [commissioner] executive director shall present and explain the plan of development, and any persons who are

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opposed to such plan may be heard and may state their reasons for such opposition. Such hearing shall be held not earlier than thirty days after such plan has been filed in the office of the town clerk of the municipality. Notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in such municipality at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the second not less than two days before such hearing.

(c) Upon the completion of such hearing, the [commissioner] executive director shall consider all the evidence relevant to the proposed plan of development, and if the [commissioner] executive director determines that the airport establishment or expansion provided in the plan is necessary, shall make such changes or modifications in the plan as are in the public interest. The [commissioner] executive director shall file a copy of the revised plan, showing the changes or modifications made, in the office of the town clerk of the municipality and shall notify and send a copy of such revised plan to the chief executive officer or first selectman of such municipality. Such notice shall contain the request that the municipality approve the proposed establishment or expansion, which approval shall be by vote of a town or borough, and by vote of the city council of a city.

(d) If the municipality fails or neglects to act upon a request for approval within sixty days after the receipt of such request by its chief executive officer or first selectman, the municipality shall be deemed to have approved of such establishment or expansion. If the municipality by vote disapproves of the establishment or expansion, the [commissioner] executive director may, within thirty days following such vote, appeal to the superior court for the judicial district in which the municipality is located and the appeal shall be accorded a privileged status. The court shall, after hearing, determine whether the

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[commissioner] executive director has proven the necessity for the establishment or expansion of an airport within the municipality and the burden of proving such necessity shall be upon the [commissioner] executive director. If the court, after hearing, determines that the [commissioner] executive director has not sustained such burden of proof, the court shall enter judgment for, and may award reasonable costs to, the municipality. If the court, after hearing, determines that the [commissioner] executive director has sustained such burden of proof, the court may set aside the action of the municipality disapproving the establishment or expansion and may enter such order upon such terms and conditions as it deems appropriate to safeguard the rights of the parties and the public.

(e) After a plan has been legally approved, or its disapproval has been set aside by the Superior Court, the state, acting through the Commissioner of Transportation, may take any lands or interests in such lands contained in the plan upon paying just compensation to the owner. In case the state cannot agree with such owner on the amount of such compensation, the amount shall be determined in the manner prescribed in section 48-12. An appeal from the amount so determined shall not act as a stay of the taking of such land, provided no facility or land or interest in such land held by a public service company for service to the public shall be so taken or removed unless, at the expense of the state, an adequate and equal substitute approved by the Public Utilities Regulatory Authority shall first be provided.

Sec. 15. Section 13b-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Before exercising any of the powers conferred in sections 13b-43, as amended by this act, and 13b-44, as amended by this act, the [commissioner] executive director shall establish and publish in detailed form, available to the public, the standards the [commissioner] executive director has adopted and will apply in

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making a determination that public convenience and necessity require the taking by the Commissioner of Transportation of any parcel of land or interest in such land.

Sec. 16. Section 13b-46 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [commissioner] executive director may approve airports, heliports, restricted landing areas, and other air navigation facilities. Any municipality or person acquiring property for the purpose of constructing or establishing an airport, heliport or restricted landing area shall, prior to such acquisition, apply to the [commissioner] executive director for a certificate of approval of the site selected and the general purpose or purposes for which the property is to be acquired, to insure that the property and its use shall conform to minimum standards of safety and shall serve the public interest. Any proposed airport, heliport, restricted landing area or other air navigation facility at which more than thirty-six landings and takeoffs are expected to be made by aircraft in any year shall be approved by the [commissioner] executive director before it shall be licensed to be used or operated. The [commissioner] executive director shall make no charge for approval certificates of proposed property acquisition for airport, heliport or restricted landing area purposes.

(b) The [commissioner] executive director may license airports, heliports, restricted landing areas and other air navigation facilities and renew such licenses. When a certificate of approval of an airport, heliport or restricted landing area has been issued by the [commissioner, he] executive director, he or she may grant a license for operation and use. On and after July 1, 1995, the [commissioner] executive director shall charge a fee of one hundred fifty dollars for each license or renewal thereof. Each such license shall be effective for a period of three years from the date of issuance. Each licensee shall certify, on a form provided by the [commissioner] executive director,

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that the licensed facility shall comply with all applicable federal, state and local laws and regulations during the license period. Municipalities shall be exempt from the payment of any license fee in connection with airports owned or operated by such municipalities.

(c) No municipality or officer or employee thereof and no person shall operate an airport, heliport, restricted landing area or other air navigation facility for which approval has not been granted, and a license has not been issued, by the [commissioner] executive director. The provisions of this section shall not apply to any airport, heliport, restricted landing area or other air navigation facility owned by the federal government within this state.

(d) Any heliport in operation prior to October 1, 1985, shall be deemed licensed for operation and use and the [commissioner] executive director shall issue an original license for any such heliport upon the written request of the person who controls and operates such heliport. Such heliports shall be subject to the provisions of this chapter concerning the renewal or revocation of licenses, inspection and review of air navigation facilities and any other provision of this chapter except those concerning the initial approval or licensing of such facilities. Such heliports shall be subject to any [regulation] rule or procedure adopted by the [Commissioner of Transportation] authority in accordance with the provisions of this chapter except those concerning the initial approval or licensing of any air navigation facility.

Sec. 17. Section 13b-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In determining whether [he shall] to issue a certificate of approval or license for the use or operation of any proposed commercial use air navigation facility, the [commissioner] executive director of the Connecticut Airport Authority shall take into

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consideration (1) its proposed location, size and layout, (2) its relationship to any comprehensive plan for state-wide and nation-wide development, (3) the availability of areas suitable for safe future expansion, (4) the freedom of adjoining areas from obstructions based on a proper glide ratio, (5) the nature of the terrain and of the uses to which the proposed airport will be put, and (6) the possibilities for future development.

(b) In determining whether [he shall] to issue a certificate of approval or license for the use or operation of any proposed private use air navigation facility, the [commissioner] executive director shall take into consideration: (1) Its proposed location, size and layout; (2) the freedom of adjacent areas from obstructions based on a proper glide ratio; (3) the nature of the terrain and the uses to which the proposed air navigation facility will be put; (4) the type of equipment to be utilized and the flight experience of the operator; (5) the amount of noise to be produced at such facility; and (6) such other factors as [he] the executive director deems appropriate.

Sec. 18. Section 13b-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon receipt of any application for a certificate of approval of an airport, heliport or restricted landing area, or an original license to use or operate an airport, heliport, restricted landing area or other air navigation facility, the [commissioner] executive director shall send notice thereof by registered or certified mail to the chief executive officer or first selectman of the municipality or municipalities in which the proposed airport, heliport, restricted landing area or other air navigation facility is proposed to be located. If the applicant, or such municipality within fifteen days after receipt of such notice, requests a public hearing, the [commissioner] executive director shall set a time and place for such hearing in the municipality in which the proposed airport, heliport, restricted landing area or other air navigation facility

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is proposed to be situated, at which hearing interested parties shall have an opportunity to be heard. The [commissioner] executive director may hold a public hearing in any case where no such request is made. Notice of any such hearing shall be published by the [commissioner] executive director in a newspaper of general circulation in such municipality at least twice, the first publication to be at least fifteen days prior to the date of the hearing. Upon the conclusion of such hearing, the [commissioner] executive director shall consider all the relevant evidence and shall issue an order granting or denying such application, written notice of which shall be sent by registered or certified mail to the applicant and to the chief executive officer or the first selectman of the municipality or municipalities in which the proposed airport, heliport, restricted landing area or other air navigation facility is to be located. Orders issued pursuant to this section shall comply with the requirements of section 15-66, as amended by this act, and shall be subject to appeal as provided in section 15-67, as amended by this act.

Sec. 19. Section 13b-49 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director may revoke temporarily or permanently any certificate of approval or license upon a determination that an airport, heliport, restricted landing area or other navigation facility is not being maintained or used in accordance with the provisions of this chapter, or chapter 266, or any regulations adopted pursuant to said chapters.

Sec. 20. Section 13b-49a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than July thirty-first annually, the owner or operator of any airport, heliport, restricted landing area, seaplane base or other air navigation facility licensed under the provisions of section 13b-46, as

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amended by this act, shall submit to the [Commissioner of Transportation] executive director the following information with respect to an aircraft which is based or primarily used at such facility as of July first of such year: (1) The name and address of the owner thereof; (2) the type of aircraft; and (3) the Federal Aviation Aircraft Registration number. [Said commissioner] The executive director shall forward such information to the municipality in which an aircraft is based.

(b) The [commissioner] executive director, after notice and opportunity for hearing, may suspend or revoke the license of any such facility in the event the owner or operator thereof knowingly or intentionally fails to comply with the provisions of subsection (a) of this section.

Sec. 21. Section 13b-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [commissioner] executive director is authorized to cooperate with the government of the United States or any agency or department thereof in the acquisition, construction, improvement, maintenance and operation of airports, heliports, landing fields and other aeronautical facilities in this state where federal financial aid is received and to comply with the provisions of the laws of the United States and any regulations made thereunder for the expenditure of federal moneys upon such airports, heliports and facilities. The [commissioner] executive director is authorized to accept, receive and receipt for federal or other moneys for and on behalf of this state or any political subdivision thereof for the acquisition, construction, improvement, maintenance and operation of facilities within this state. All moneys accepted for disbursement by the [commissioner] executive director pursuant to this subsection shall be deposited in the state treasury and disbursed in accordance with the provisions of the respective grants.

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(b) Any municipality is authorized to accept, receive and receipt for federal moneys and other moneys, either public or private, for the acquisition, construction, enlargement, improvement, maintenance, equipment or operation of airports and other air navigation facilities and sites therefor and to comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such airports and facilities. No municipality shall submit to the administrator of civil aeronautics of the United States any project application under the provisions of Section 9(a) of Public Law 377, 79th Congress, or any amendment thereof, unless the project and the project application have been approved by the [commissioner] executive director.

(c) Any municipality is authorized to designate by ordinance the [commissioner] executive director as its agent to accept, receive and receipt for federal moneys in its behalf for airport purposes and to contract for the acquisition, construction, enlargement, improvement, maintenance, equipment or operation of such airports or other air navigation facilities, and may enter into an agreement with the [commissioner] executive director prescribing the terms and conditions of such agency in accordance with federal laws, rules and regulations and applicable laws of this state. Such moneys as are paid by the United States government shall be paid to such municipality under such terms and conditions as may be imposed by the United States in making such grant.

(d) All contracts for the acquisition, construction, enlargement, improvement, maintenance, equipment or operation of airports or other air navigation facilities, made by the municipality itself or through the [commissioner] executive director, shall be made pursuant to the laws of this state governing the making of like contracts; provided, where such acquisition, construction, improvement, enlargement, maintenance, equipment or operation is financed wholly

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or partly with federal moneys, the municipality, or the [commissioner] executive director as its agent, may let contracts in the manner prescribed by the federal authorities, acting under the laws of the United States, and any rules or regulations made thereunder, notwithstanding any other state law to the contrary.

(e) The [commissioner] executive director may render financial assistance by grant of funds to any municipality or municipalities acting jointly in the planning, acquisition, construction or improvement of an airport owned or controlled, or to be owned or controlled, by such municipality or municipalities, out of appropriations made by the General Assembly for such purposes. Such financial assistance may be furnished in connection with federal or other financial aid for the same purposes for not more than seventy-five per cent of the cost exclusive of federal aid. The [commissioner may, by regulation, establish procedure] executive director may establish procedures to be followed in granting funds under this subsection and may prescribe forms to be used in connection therewith.

(f) The [commissioner] executive director may, whenever [he] the executive director considers such assistance desirable or feasible, make available engineering and other technical services of the [department] executive director, with or without charge, to any municipality or owner of a commercial airport requesting such services in connection with the planning, acquisition, construction, improvement, maintenance or operation of airports or aeronautical facilities.

(g) Any town, city or borough may lease any airport or contract for any airport facilities or privileges from any person, firm or corporation, municipal or private, operating a municipal or private airport in any location which has been approved by the [commissioner] executive director.

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Sec. 22. Section 13b-50a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The following initiatives shall be established to preserve Connecticut's licensed privately owned, publicly used airports which have a paved runway and a minimum of five thousand operations per year: (1) The state shall have the right of first refusal to purchase, via fair market value and state property acquisition procedures, an airport, if that airport is threatened with sale or closure, for the express purpose of preserving the airport; (2) the [Commissioner of Transportation] executive director may acquire the development rights, based on fair market value for such rights, of such airports, provided the airport remains a public airport; (3) the state shall fund capital improvements to private airports, in which case the state shall participate in ninety per cent of the eligible costs and the balance by the sponsor, with budget and priorities to be determined by the [Department of Transportation] executive director, and engineering in accordance with Federal Aviation Administration Advisory Circulars; and (4) the establishment of a new airport zoning category for the airport's imaginary surfaces as defined by Federal Aviation Regulations and a program to mitigate noise in airport neighborhoods in which the noise exceeds applicable Federal Aviation Administration standards. Such program may be combined with existing energy conservation programs. Funding for such program shall be from available federal resources.

Sec. 23. Section 13b-50b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [Department of Transportation] Connecticut Airport Authority, in consultation with the Labor Department and the Department of Veterans' Affairs, shall, in administering the program established pursuant to subdivision (4) of section 13b-50a, as amended by this act, set aside not less than thirty per cent of the projects or contracts for

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such program for veterans with service in time of war, as defined in subsection (a) of section 27-103, except that for the purposes of this section, "service in time of war" shall not include time spent in training. To be eligible for such set aside, the contracting entity shall be a veteran certified in weatherization and insulation techniques through a training program funded by the American Recovery and Reinvestment Act of 2009, or a company that employs such certified veterans.

Sec. 24. Section 13b-50p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [Commissioner of Transportation] executive director of the Connecticut Airport Authority, upon receipt of a written complaint, in such form and containing such information as the [commissioner] executive director may require, from any person alleging that there have been repeated landings or takeoffs by aircraft from any real property not licensed as an airport, heliport, restricted landing area or other air navigation facility under the provisions of section 13b-46, as amended by this act, may require the owner of such property to keep records of all landings and takeoffs made by aircraft from such property for a period of one year. Upon receipt of such records the [commissioner] executive director shall, within ten days, forward them to the chief elected official of the municipality in which such area or facility is located. The provisions of this subsection shall not apply to any landing or takeoff made by military aircraft or an emergency medical service organization, any landing made for emergency purposes or to any landing or takeoff made at an annual special event or for agricultural purposes.

(b) The [Commissioner of Transportation shall adopt regulations in accordance with chapter 54] executive director shall adopt written procedures in accordance with the provisions of section 1-121 to implement the provisions of subsection (a) of this section. The

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[regulations] procedures shall include, but not be limited to, the type of information the property owner may be required to record, the procedures for transmitting such information to the [commissioner] executive director and standards for determining what constitutes an annual special event and agricultural purposes.

(c) Any person who violates any provision of this section or any regulation adopted pursuant to this section shall be fined not more than five hundred dollars.

(d) In addition to the fine imposed pursuant to subsection (c) of this section, a municipality may, by ordinance, establish a fine of not more than two hundred fifty dollars for violating any provision of this section.

Sec. 25. Section 15-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purpose of the laws of this state relating to aeronautics, the following words and phrases shall have the meanings herein given, unless the context otherwise requires:

(1) "Aeronautics" means transportation by aircraft; the operation, repair or maintenance of aircraft or aircraft engines except by a manufacturer, including the repair, packing and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair or maintenance of airports, heliports, restricted landing areas or other air navigation facilities, and air instruction.

(2) "Air instruction" means the imparting of aeronautical information by any aeronautics instructor or in or by any air school or flying club.

(3) "Air navigation" means the operation or navigation of aircraft in

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the air space over this state or upon any airport or restricted landing area within this state.

(4) "Air navigation facility" means any facility, other than one owned or controlled by the federal government, used in, available for use in or designed for use in, aid of air navigation, including airports, heliports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking-off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport, heliport or restricted landing area, and any combination of such facilities.

(5) "Aircraft" means any contrivance used or designed for navigation of or flight in air, including (A) airplanes, meaning power-driven fixed-wing aircraft, heavier than air, supported by the dynamic reaction of the air against their wings, (B) gliders, meaning heavier than air aircraft, the free flight of which does not depend principally upon a power-generating unit, and (C) rotorcraft, meaning power-driven aircraft, heavier than air, supported during flight by one or more rotors.

(6) "Airman" means any individual who engages, as the person in command, or as pilot, mechanic or member of the crew, in the navigation of aircraft while under way and (excepting any individual employed outside the United States, any individual employed by a manufacturer of aircraft, aircraft engines, propellers or appliances to perform duties as inspector or mechanic in connection therewith, and any individual performing inspection or mechanical duties in connection with aircraft owned or operated by him) any individual who is directly in charge of the inspection, maintenance, overhauling or repair of aircraft engines, propellers or appliances; and any individual who serves in the capacity of aircraft dispatcher or air-

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traffic control-tower operator.

(7) "Airport" means any area of land or water, except a restricted landing area, which is designed for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft, or for receiving or discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities, and all appurtenant rights-of-way.

(8) "Airport hazard" means any structure, object of natural growth or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at any airport, heliport or restricted landing area or is otherwise hazardous to such landing or taking-off.

(9) "Airport protection privileges" means easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of airports, heliports or restricted landing areas and other protection privileges the acquisition or control of which is necessary to insure safe approaches to the landing areas of airports, heliports and restricted landing areas and the safe and efficient operation thereof.

(10) "Careless, negligent or reckless operation" means the operation or piloting of any aircraft carelessly, negligently, recklessly or in such manner as to endanger the property, life or limb of any person, due regard being had to the proximity of other aircraft, the prevailing weather conditions and the territory being flown over.

(11) "Civil aircraft" means any aircraft other than a public aircraft.

(12) Repealed by 1972, P.A. 134, S. 6.

(13) ["Department" means the Department of Transportation of this state.] "Connecticut Airport Authority" or "authority" means the Connecticut Airport Authority established pursuant to chapter 267b.

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(14) ["Commissioner" means the Commissioner of Transportation of this state.] "Executive director" means the executive director of the Connecticut Airport Authority or his or her designee.

(15) "Flying club" means any person other than an individual which, neither for profit nor reward, owns, leases or uses one or more aircraft for the purpose of instruction or pleasure or both.

(16) "Manufacturer" means a person, partnership, association, limited liability company or corporation which, during the calendar year preceding application for registration, manufactured or assembled one or more aircraft for sale, or which proves to the satisfaction of the [commissioner] executive director that it intends in good faith to manufacture or assemble one or more aircraft for sale during the year immediately ensuing.

(17) "Municipality" means any city, town or borough or other subdivision of this state.

(18) "Navigable air space" means air space above the minimum altitudes of flight prescribed by the laws of this state or by [regulations of the commissioner] procedures of the authority consistent therewith.

(19) "Nonresident" means any person whose legal residence is outside this state.

(20) "Operation of aircraft" means the use of aircraft for the purpose of air navigation and includes the navigation or piloting of aircraft. Any person who causes or authorizes the operation of aircraft, whether with or without the right of legal control thereof, shall be deemed to be engaged in the operation of aircraft within the meaning of the statutes of this state.

(21) "Person" means any individual, firm, partnership, corporation, limited liability company, company, association, joint stock association

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or body politic and includes any trustee, receiver, assignee or other similar representative thereof.

(22) "Public aircraft" means an aircraft used exclusively in the service of any government or of any political subdivision thereof, including the government of any state, territory or possession of the United States, or the District of Columbia, but does not include any government-owned aircraft engaged in carrying persons or property for commercial purposes.

(23) "Restricted landing area" means any area of land or water or both, which is used or is made available for the landing and takeoff of aircraft, the use of which shall, except in case of emergency, be only as provided from time to time by the [commissioner] executive authority.

(24) Repealed by P.A. 85-130.

(25) Repealed by P.A. 77-614, S. 609, 610.

(26) Repealed by P.A. 77-614, S. 609, 610.

(27) "Heliport" means an area of defined dimensions, either at ground level or elevated on a structure, designated for the landing and [take off] takeoff of helicopters, which may be restricted solely for that purpose.

(28) "Ultra light aircraft" means (A) any aircraft which meets the criteria established by the Federal Aviation Administration, federal Air Regulation Part 103, or (B) any vehicle which: (i) Is used or intended to be used for manned operation by a single occupant in the air; (ii) is used or intended to be used for recreation or sport purposes only; (iii) has not been issued an airworthiness certificate by the government of the United States or any foreign government; and (iv) if unpowered, weighs less than one hundred fifty-five pounds or, if powered, weighs less than two hundred fifty-four pounds, empty weight, has a fuel

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capacity of no more than five U.S. gallons, is not capable of more than fifty-five knots calibrated air speed at full power in level flight and has a power-off stall speed which does not exceed twenty-four knots calibrated air speed.

Sec. 26. Section 15-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director of the Connecticut Airport Authority shall issue to any salaried aeronautics inspector [of the department,] credentials which shall be carried upon the person of such inspector while in the discharge of official duties.

Sec. 27. Section 15-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director may perform such acts, issue and amend such orders, and make and amend such reasonable general or special regulations and procedure and establish such minimum standards, consistent with the provisions of this chapter, as [he] the executive director deems necessary or appropriate, and which are commensurate with and for the purpose of protecting and insuring the general public interest and safety, the safety of persons receiving instruction concerning, or operating, using or traveling in, aircraft, and of persons and property on land or water, and to develop and promote aeronautics in this state. No regulation of the [commissioner] executive director shall apply to airports or other air navigation facilities owned by the federal government within this state.

Sec. 28. Section 15-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director may participate as party plaintiff or defendant, or as intervenor on behalf of the state or any municipality or citizen thereof, in any controversy having to do with

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any claimed encroachment by the federal government or any foreign state upon any state or individual rights pertaining to aeronautics.

Sec. 29. Section 15-44 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner and aeronautics inspectors of the department,] executive director, and aeronautics inspectors of the authority, and each state, county and municipal officer charged with the enforcement of state and municipal laws shall enforce and assist in the enforcement of this chapter and of all regulations made pursuant thereto, and of all other laws of this state relating to aeronautics.

Sec. 30. Section 15-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director may hold investigations, inquiries and hearings concerning matters covered by the provisions of this chapter, aircraft accidents or orders and regulations of the [commissioner] executive director.

Sec. 31. Section 15-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director is authorized to revoke or suspend temporarily or permanently the right to operate aircraft, when [he] the executive director determines that any aircraft is not airworthy, or that any airman is not qualified, has wilfully violated the provisions of this chapter or the regulations prescribed pursuant thereto or any other statute of this state relating to aeronautics, or any Act of Congress relating to aeronautics, or any rule or regulation promulgated pursuant thereto, or the statutes or rules or regulations of another state relating to aeronautics, is addicted to the use of narcotics or any other habit-forming drug or to the excessive use of intoxicating liquor, has made any false statement in any application for registration

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of a federal license certificate or permit or has been guilty of other conduct, acts or practices dangerous to the public safety and the safety of those engaged in aeronautics.

Sec. 32. Section 15-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The federal license, certificate or permit, and the evidence of registration in another state, if any, required for an airman shall be kept in the personal possession of the airman when he or she is operating within this state and shall be presented for inspection upon the demand of any passenger, any peace officer of this state, the [commissioner] executive director, any employee of the [department] authority or any manager or person in charge of any airport in this state upon which he or she lands. The federal aircraft license, certificate or permit, and the evidence of registration in another state, if any, required for aircraft shall be carried in every aircraft operating in this state at all times and shall be conspicuously posted therein where it may readily be seen by passengers or inspectors and shall be presented for inspection upon the demand of any passenger, any peace officer of this state, any official or employee of the [department] authority or any manager or person in charge of any airport in this state upon which it lands.

Sec. 33. Section 15-66 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

In any case in which the [commissioner] executive director of the Connecticut Airport Authority refuses to issue a certificate of approval of, or license or renewal of license for, an airport, restricted landing area, heliport or other air navigation facility, or in any case in which [he] the executive director issues any order requiring certain things to be done or revoking any license, [he] the executive director shall set forth [his] the reasons therefor and shall state the requirements to be

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met before such approval shall be given, license granted or order modified or changed. Any order made by the [commissioner] executive director pursuant to the provisions of this chapter shall be served upon the interested persons by registered or certified mail or in person. To carry out the provisions of this chapter, the [commissioner] executive director and any official or employee of the [department] authority and any state or municipal officer charged with the duty of enforcing this chapter may inspect and examine at reasonable hours any premises and the buildings and other structures thereon where airports, restricted landing areas, heliports, air schools, flying clubs or other air navigation facilities or aeronautical activities are operated or carried on. No provision of this section shall prohibit the [commissioner] executive director from suspending or revoking the right of any person to pilot, or the right to any operation of any aircraft within this state, for any cause that [he deems] is deemed sufficient, with or without a hearing. No appeal taken from the action of the [commissioner] executive director shall act as a stay of suspension or revocation except with [his] the executive director's consent and under such conditions as [he] the executive director may prescribe. No service of process shall be necessary in connection with any of the prescribed activities of the [commissioner] executive director. The term of any suspension or revocation shall commence upon notice thereof by the [commissioner] executive director.

Sec. 34. Section 15-67 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

An appeal may be taken from any decision of the [commissioner] executive director rendered under the provisions of this chapter. The procedure in such appeal shall be the same as that provided in section 14-134 concerning appeals from decisions by the Commissioner of Motor Vehicles. No appeal taken from the order of a court in a criminal case, involving the operation of an aircraft without permission of the

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owner, the piloting of an aircraft while under the influence of intoxicating liquor or drugs, reckless flying or evading responsibility for accidents or involving fatal accidents shall act as a stay to any action or order of the [commissioner] executive director.

Sec. 35. Section 15-71a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any pilot, whether resident or nonresident, of a civil aircraft involved in an accident resulting in personal injury or substantial damage to the aircraft shall immediately notify the [commissioner] executive director or the state police. If the pilot or pilots are incapacitated, any person who caused or authorized the operation of such aircraft at the time of the accident shall be responsible for giving such notification. A written report shall be filed with the [commissioner] executive director within fourteen calendar days on a form prescribed by the [commissioner] executive director. If requested by the [commissioner] executive director, a written report may also be required for an aircraft accident when the damage is less than substantial. The [commissioner] executive director may make an investigation of such accidents as he or she deems advisable or in lieu of a detailed investigation may accept a copy of the final report by a federal investigation agency.

Sec. 36. Section 15-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Where necessary in order to provide unobstructed air space for the landing and taking-off of aircraft, in case of airports, heliports and restricted landing areas acquired or operated by the [state, the commissioner] authority, the executive director or, if a taking is required, the Commissioner of Transportation, and, in case of municipal airports, the municipality, is granted authority to acquire, in the same manner as is provided for the acquisition of property for

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airport purposes, easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of the airports, heliports or restricted landing areas, and such other airport protection privileges as are necessary to insure safe approaches to the landing areas of such airports, heliports and restricted landing areas and the safe and efficient operation thereof. [He] The executive director or, if a taking is required, said commissioner, is empowered to acquire in the same manner the right of easement for a term of years or perpetually to place or maintain suitable marks for the daytime marking and suitable lights for the nighttime marking of airport hazards for the purpose of maintaining and repairing such lights and marks. No person shall build, rebuild or create or cause to be built, rebuilt or created any object, or plant, cause to be planted or permit to grow higher any tree or trees or other vegetation, which encroach upon any airport protection privileges acquired pursuant to the provisions of this section. Any such encroachment is declared to be a public nuisance and may be abated in the manner prescribed by law for the abatement of public nuisances, or the municipality in charge of the airport, heliport or restricted landing area for which airport protection privileges have been acquired as provided in this section may go upon the land of others and remove any such encroachment without being liable for damages in so doing. Before exercising any of the powers conferred herein, the [commissioner] executive director shall establish and publish in detailed form, available to the public, the standards which [he] the executive director has adopted and will apply in making [his] a determination that public convenience and necessity require the taking of any parcel of land or interest therein.

Sec. 37. Section 15-74 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [commissioner] executive director shall notify the owner or person responsible for the existence of any obstacle so located as to

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constitute a hazard to aerial navigation or to the efficient or safe use of any airport, requiring such owner or other person to remove such obstacle within such reasonable time as is fixed by said [commissioner] executive director. The owner or owners of such airport shall pay to the owner of such obstacle just compensation for such removal.

(b) In the case of an application for an approval or a license from the [commissioner] executive director for a commercial airport, if there is any obstacle at or near the landing area which would violate the minimum physical standards for commercial airports adopted by the [commissioner] executive director under section 15-41, as amended by this act, and the removal of such obstacle is a prerequisite for the approval or license, the [commissioner] executive director shall notify the owner or person responsible for the existence of the obstacle, requiring [him] such owner or person to remove it within such time as the [commissioner] executive director determines. The applicant for the approval or license shall pay the owner of the obstacle just compensation for its removal.

(c) Any person aggrieved by the action of said [commissioner] executive director in relation to the removal of an obstacle under subsection (a) or (b) of this section may appeal therefrom to the superior court for the judicial district within which such obstacle is located or to any judge thereof in vacation; but, if the ground of appeal is a disagreement as to the amount of such compensation, the removal of such obstacle shall not be delayed pending the determination of such amount.

Sec. 38. Section 15-74a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Terms used in this section and sections 15-74b, as amended by this act, and 15-74c, as amended by this act, shall be construed as follows, unless another meaning is expressed or is clearly apparent from the

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language or the context: "public service company" means "public service company" as defined by section 16-1; "public airport" means any state or municipality owned airport, heliport, restricted landing area or other air navigational facility or any facility licensed by the [Commissioner of Transportation] executive director of the Connecticut Airport Authority under section 13b-46, as amended by this act, except any privately owned airport, heliport, restricted landing area or air navigational facility unless the same has been on file with the Federal Aviation Administration for a period of at least two years and designated by it as a facility open to the public; "clear zone" means an area extending for up to one-half mile from the end of a runway on a public airport and designated by the [Commissioner of Transportation] executive director as a clear zone in accordance with regulations adopted by [him] the executive director.

Sec. 39. Section 15-74b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No public service company shall construct or maintain any overhead line or facility within the limits of a clear zone.

(b) (1) Immediately upon July 6, 1971, the [Commissioner of Transportation] executive director shall establish clear zones, in accordance with regulations adopted by [him] the executive director, for all public airport runways, and shall establish a list of priorities for the abatement or correction of encroachments thereon by public service companies. (2) Subject to the availability of funds, [said commissioner] the executive director shall from time to time order the relocation, removal or such other appropriate corrective action as [he] the executive director deems necessary to abate or correct such encroachments on clear zones.

(c) Where overhead lines already exist within the limits of an established clear zone the [Commissioner of Transportation] executive

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director shall reimburse the owner public service company for the cost of relocation, removal or other corrective measures approved by [him] the executive director. Funds required for the implementation of this section shall be appropriated from existing and future appropriations for state aid to airports in accordance with [regulations adopted by the Commissioner of Transportation] procedures adopted by the authority pursuant to section 1-121.

Sec. 40. Section 15-74c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No public service company shall erect, recable or reconstruct any overhead line or facility within one-half mile of any airport runway without written permission of the [Commissioner of Transportation] executive director.

Sec. 41. Section 15-75 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director may determine the charges or rental for the use of any properties and the charges for any service or accommodations under [his] the authority's control and the terms and conditions under which such properties may be used; provided the public shall not be deprived of its rightful, equal and uniform use of such property. The state shall have and the [commissioner] executive director may enforce liens as provided by law for repairs to or improvement or storage or care of any personal property.

Sec. 42. Section 15-76 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [commissioner] executive director, any employee of the [department] authority, any officer attached to an organized police department, any state police officer or any constable, within his or her precinct, upon discovery of any aircraft apparently abandoned,

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whether situated within or without any airport or landing field in this state, shall take such aircraft into custody and may cause the same to be taken to and stored in a suitable place. All charges necessarily incurred by such person in the performance of such duty shall be a lien upon such aircraft. The owner or keeper of any hangar or other place where such aircraft is stored shall have a lien upon the same for storage charges. If such aircraft has been so stored for a period of ninety days, such owner or keeper may sell the same at public auction for cash, at such owner's or keeper's place of business, and apply the avails of such sale toward the payment of such owner's or keeper's charges and the payment of any debt or obligation incurred by the person who placed the same in storage, provided such sale shall be advertised three times in a newspaper published or having a circulation in the town where such hangar or other place is located, such advertisement to commence at least five days before such sale; and, if the last place of abode of the owner of such aircraft is known to or may be ascertained by such hangar owner or keeper by the exercise of reasonable diligence, notice of the time and place of sale shall be given such owner by mailing such notice to the owner in a registered or certified letter, postage paid, at such last usual place of abode, at least five days before the time of sale. The proceeds of such sale, after deducting the amount due such hangar owner or keeper and all expenses connected with such sale, including the expenses of the officer who placed such aircraft in storage, shall be paid to the owner of such aircraft or the owner's legal representatives, if claimed by such owner or representatives, at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the state.

(b) If the owner of such aircraft placed in storage in accordance with the provisions of this section fails to claim such aircraft within sixty days, the owner of such hangar or other place of storage shall, within thirty days thereafter, send a written notice to the [commissioner]

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executive director, stating the make, type, engine number and identification number of such aircraft and the date such aircraft was left with [him] such owner for storage and by whom, which notice shall be placed on file by the [commissioner] executive director and shall be subject to public inspection. Any sale under the provisions of this section shall be void, unless the notice required by this section has been given to [said commissioner] the executive director.

Sec. 43. Section 15-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any nonresident of this state who is the operator or owner of any aircraft and who accepts the privileges extended by the laws of this state to nonresident operators and owners of aircraft of using its aviation facilities, or of having the same operated over, or who operates an airplane above or upon, the territorial limits of this state, shall, by such operation, be deemed to have appointed the [commissioner, his] executive director of the Connecticut Airport Authority, such operator or owner's agent and attorney for the service of process in any civil suit or proceeding instituted in the courts of this state against such operator or owner arising out of or by reason of any accident or collision, occurring within or above the state, in which such aircraft is involved. Such process shall be served by the officer to whom the same is directed upon the [commissioner] executive director by leaving at the office of [said commissioner] the executive director, at least twelve days before the return day of such process, a true and attested copy thereof, and by sending to the defendant at [his] such defendant's last-known address by registered or certified mail, postage prepaid, a like true and attested copy, with an endorsement thereon of the service upon said commissioner. The officer serving such process upon the [commissioner] executive director shall pay to [said commissioner] the executive director at the time of service a fee of five dollars, which fee shall be taxed as costs in the case. [Said

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commissioner] The executive director shall keep a record of each such process and the day and hour of the service thereof. [upon him.] This section shall extend the right of service of process upon nonresidents and shall not limit any existing provisions for the service of process. Such service shall be sufficient to confer jurisdiction of any such action upon the court to which such process is returnable, and such court may proceed to determine the issues in such action and render final judgment with or without any further action by such court concerning further order of notice to such operator or owner.

Sec. 44. Section 15-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [commissioner] executive director of the Connecticut Airport Authority is directed to formulate and adopt, and from time to time as may be necessary revise, an airport approach plan for each publicly-owned airport in the state. Each such plan shall indicate the circumstances in which structures or trees or both are or would be airport hazards, the area within which measures for the protection of the airport's aerial approaches should be taken and what the height limits and other objectives of such measures should be. In adopting or revising any such plan, the [commissioner] executive director shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain, the height of existing structures and trees above the level of the airport, the practicability of lowering or removing existing obstructions and all other material matters, and the [commissioner] executive director may obtain and consider the views of the agency of the federal government charged with the fostering of civil aeronautics as to the aerial approaches necessary to safe flying operations at the airport.

Sec. 45. Section 15-91 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Every municipality having within its territorial limits an area within which, according to an airport approach plan adopted by the [commissioner] executive director, measures should be taken for the protection of airport approaches, shall adopt, administer and enforce, under the police power and in the manner and upon the conditions hereinafter prescribed, airport zoning regulations applicable to such area, which regulations shall divide the area into zones and, within such zones, specify the land uses permitted, and regulate and restrict the height to which structures and trees may be erected or allowed to grow, as may be necessary to effectuate the [commissioner's] executive director's approach plan for the airport.

(b) If a municipality has adopted or adopts a general zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations adopted for the same area or portion thereof under this section may be incorporated in and made a part of such general zoning regulations and may be administered and enforced in connection therewith, but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted hereunder.

(c) Any zoning or other regulations applicable to any area within which, according to the airport approach plan adopted by the [commissioner] executive director, measures should be taken for the protection of airport approaches, including any airport zoning regulations adopted under this section and any zoning or other regulations dealing with the same or similar matters adopted under authority other than that conferred by this section, shall be consistent with, and conform to, the [commissioner's] executive director's approach plan for such area, and shall be amended from time to time as may be necessary to conform to any revision of the plan that may be made by the [commissioner] executive director.

(d) All airport zoning regulations adopted hereunder shall be reasonable, and none shall require the removal, lowering or other

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change or alteration of any structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in subsection (a) of section 15-93.

(e) If any municipality fails to adopt airport zoning regulations within a reasonable time, the [commissioner] executive director may, for the protection of public safety, adopt and from time to time as may be necessary amend or repeal such regulations for such municipality until airport zoning regulations herein provided for are adopted by such municipality.

Sec. 46. Subsection (d) of section 15-94 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Any municipality aggrieved by any zoning ordinance or regulation under the terms of sections 15-88 to 15-97, inclusive, as amended by this act, may appeal to the [commissioner] executive director without recourse to the board of appeals.

Sec. 47. Section 15-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person aggrieved by the action of a board of appeals acting under the provisions of subsection (c) of section 15-94, or any municipality aggrieved by the action of the [commissioner] executive director, may appeal therefrom as provided in section 8-8.

Sec. 48. Section 15-97 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person who violates any provision of sections 15-88 to 15-96, inclusive, or any regulation, order, zoning ordinance or ruling promulgated or made pursuant thereto, shall (1) for a first offense, be

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fined not more than two hundred fifty dollars, and (2) for any subsequent offense, be guilty of a class D misdemeanor. Each day a violation continues to exist shall constitute a separate offense. In addition, either the municipality within which the property is located or the [commissioner] executive director may institute, in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation thereof, or of airport zoning regulations adopted thereunder, or of any order or ruling made in connection with their administration or enforcement, and the court shall adjudge to the plaintiff such relief, by way of injunction, which may be mandatory, or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purpose of said sections and of the regulations adopted and orders and rulings made pursuant thereto.

Sec. 49. Section 15-103 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The [Commissioner of Transportation] executive director of the Connecticut Airport Authority shall provide for hearings upon request of any person who may be affected by [his] the executive director's orders or acts under the provisions of this chapter and may provide for a stay thereof until a hearing is had. Any person aggrieved by any order or act of the [commissioner] executive director hereunder may appeal therefrom in accordance with the provisions of section 4-183.

Sec. 50. Section 15-104 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The operator of any aircraft involved in an accident within this state in which any person is killed or injured or damage in excess of one thousand dollars is sustained to the property of any person, other than property owned by the owner or operator or in [his] such owner's or operator's care, custody or control or carried in or on the aircraft,

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shall immediately but not later than fourteen calendar days after the accident report the matter in writing to the [Commissioner of Transportation] executive director of the Connecticut Airport Authority. If the operator is physically incapable of making the report, the owner of the aircraft involved in the accident shall immediately but not later than fourteen calendar days after learning of the accident make the report. If neither the operator nor the owner is physically capable of making the report, then each passenger shall, within ten days after learning of the incapacity of the operator or owner, make the report. If the owner or operator dies as a result of the accident, the legal representative of the operator or owner shall make the report within ten days after [his] such representative's qualification. The state police shall notify the [commissioner thereof] executive director of the accident in writing immediately but not later than fourteen calendar days after learning of the accident.

(b) The report, the form of which shall be prescribed by the [commissioner] executive director, shall include information to enable the [commissioner] executive director to determine whether the requirements for the deposit of security under section 15-105, as amended by this act, are inapplicable by reason of the existence of insurance or other exceptions specified in this chapter. The [commissioner] executive director may rely upon the accuracy of the information until he or she has reason to believe that the information is erroneous.

(c) The operator and the owner shall furnish such additional information as the [commissioner] executive director may require.

Sec. 51. Section 15-105 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As promptly as practicable but not later than thirty days after receipt of an accident report as required in section 15-104, as amended

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by this act, the [commissioner] executive director shall determine by an order entered of record (1) the amount of security within the limits specified in section 15-106, as amended by this act, which [he] the executive director deems sufficient to satisfy any judgment for damages resulting from the accident which may be recovered against each owner or operator, and (2) the name and address of each claimant.

(b) As promptly as practicable but not later than thirty days after the entry of the order required by subsection (a) of this section, the [commissioner] executive director, unless there is deposited for the benefit of the owner or operator or both, as the case may be, security in the sum so determined by the [commissioner] executive director, upon ten days' notification shall suspend: (1) The operating privilege of the owner and of all aircraft owned by [him;] the owner; or (2) the operating privilege of the operator.

(c) The requirements as to security and suspension do not apply: (1) To the operator or the owner of the aircraft if the [commissioner] executive director determines upon satisfactory evidence that [he] the operator or owner is not charged with responsibility for the accident by the claimants, or to the operator of an aircraft involved in an accident in which no injury was caused to the person of anyone other than the operator, and no damage in excess of three hundred dollars was caused to property not owned, rented, occupied or used by such operator nor in his or her care, custody or control nor carried in or on the aircraft; (2) to the operator or owner of an aircraft if at the time of the accident the aircraft was stationary, without passengers thereon or boarding the aircraft or alighting therefrom and the aircraft was parked in an area legally used for aircraft parking with no engine running nor in the process of being started; (3) to the owner of an aircraft if at the time of the accident the aircraft was being operated, or was parked, without [his] the owner's permission, express or implied;

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(4) to the owner if there is in effect at the time of the accident an aircraft liability policy or bond with respect to the aircraft involved in the accident; (5) to the operator, if not the owner of the aircraft, if there is in effect at the time of the accident an aircraft liability policy or bond with respect to [his] the operator's operation of the aircraft involved in the accident; (6) to the operator or owner if his or her liability for damages resulting from such accident is covered by any other form of liability insurance policy or bond in effect at the time of the accident; (7) to any person qualifying as a self-insurer under section 15-108, as amended by this act, or to any person operating an aircraft for the self-insurer for whose acts the self-insurer is legally responsible; nor (8) after there is filed with the [commissioner] executive director satisfactory evidence that the person otherwise required to deposit security has (i) been released from liability; or (ii) been adjudicated not to be liable by judgment, or (iii) executed a written agreement with all claimants providing for payment of an agreed amount with respect to all claims for injuries or damages resulting from the accident.

(d) The requirements as to suspension may be waived by the [commissioner] executive director, in his or her discretion, if there is filed with the [commissioner] executive director by all claimants consent in writing that the person hereunder chargeable be allowed continuing operating privilege. If such waiver is granted by the [commissioner] executive director, it shall continue for six months from the date of the consent and thereafter unless the consent is revoked in writing.

(e) The [commissioner] executive director may take the actions authorized hereby or may modify or rescind the same at any time necessary to carry out the provisions of this chapter upon ten days' notification of the persons affected thereby.

Sec. 52. Section 15-107 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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Operating privileges suspended as provided in section 15-105, as amended by this act, shall not be restored or renewed until: (a) Security is deposited as required under section 15-105, as amended by this act; or (b) two years have elapsed following the date of such suspension and satisfactory evidence is filed with the [commissioner] executive director that during such period no action for damages arising out of the accident has been instituted; or (c) satisfactory evidence is filed with the [commissioner] executive director of a release from liability, or a judgment of nonliability as to all persons damaged or injured in the accident, or a written agreement executed with all claimants providing for payment of an agreed amount with respect to all claims for injuries and damages resulting from the accident. If there is a default in payment under such written agreement, then upon ten days' notification of the owner or operator, the [commissioner] executive director shall suspend the operating privilege of such person defaulting and the same shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under section 15-105, as amended by this act, in such amount as the [commissioner] executive director may then determine, within the limits provided in section 15-106, or (2) two years have elapsed following the time when such security was required upon default and during such period no action upon the agreement has been instituted in a court of this state; or (d) satisfactory evidence is filed with the [commissioner] executive director that any judgment against such person for damages resulting from the accident has been satisfied in full or that there has been paid thereon an amount equal to the applicable limits set forth in section 15-106; or (e) written consent thereto has been filed with the [commissioner] executive director by all claimants and the same is approved by the [commissioner in his] executive director in his or her discretion.

Sec. 53. Section 15-108 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Any person may at any time apply to the [commissioner] executive director for a certificate of self-insurance, whether or not there has occurred an accident as a result of which [he] such person might be affected by some other provision of this chapter.

(b) The [commissioner] executive director may issue a certificate of self-insurance when satisfied that the applicant is possessed and will continue to be possessed of ability to pay judgments against [him] the applicant within the limits provided in this chapter.

(c) Upon not less than ten days' notification of a self-insurer, the [commissioner] executive director may for reasonable cause cancel a certificate of self-insurance and shall cancel such certificate upon failure of a self-insurer to pay any judgment within thirty days.

Sec. 54. Section 15-109 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) When a nonresident's operating privilege is suspended pursuant to section 15-105, as amended by this act, or 15-107, as amended by this act, the [commissioner] executive director shall transmit a certified copy of the record of such action to the official or department regulating the operation of aircraft in the state in which the nonresident resides, if the law of the other state provides for action in relation thereto, similar to that provided for in subsection (b) of this section.

(b) Upon receipt of a certification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of an aircraft accident, under circumstances which would require the [commissioner] executive director to suspend a nonresident's operating privilege had the accident occurred in this state, the

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[commissioner] executive director, upon ten days' notification to the resident, shall suspend the right of such resident to operate any aircraft in this state if [he] such resident was the operator of an aircraft involved in the accident or if [he] such resident was the owner of an aircraft involved in the accident and was legally responsible for its operation and shall suspend the right of such owner to permit the operation of such aircraft in this state. The suspension shall continue until the resident furnishes evidence of his or her compliance with the security requirements of the law of the other state.

Sec. 55. Section 15-110 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The security required under this chapter shall be cash or securities permissible under state law as security for deposit of state funds and in such amount as the [commissioner] executive director may require but in no case in excess of the limits specified in section 15-106 in reference to the limits of a policy or bond. If at the time of the accident there is in effect a liability policy or a bond meeting the requisites of this chapter other than amount of coverage set forth in section 15-106, the [commissioner] executive director may consider such policy or bond in fixing the amount of security. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the State Treasurer, the person depositing it may, upon approval of the [commissioner] executive director, amend in writing the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; provided a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident. Interest and other income upon securities deposited as herein provided shall be paid or inure to the benefit of the person making the deposit.

(b) Upon ten days' notification of the parties concerned, the

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[commissioner] executive director may reduce or, within the limits specified in [sections] section 15-106, increase the amount of security ordered in any case if in [his] the executive director's discretion the amount ordered is excessive or insufficient. In case the security originally ordered has been deposited, the excess shall be returned to the depositor, notwithstanding the provisions of section 15-111, as amended by this act. Substitution of security shall be permitted.

Sec. 56. Section 15-111 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Security deposited in compliance with the requirements of this chapter shall be delivered to the [commissioner] executive director and shall be placed by [him] the executive director in the custody of the State Treasurer and shall be released only: [(a)] (1) Upon a certificate of the [commissioner] executive director in the payment of a judgment rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in a civil action begun not later than two years after the date of the accident or within two years after the date of deposit of any security under subdivision (1) of subsection (c) of section 15-107, as amended by this act, or in the payment of a settlement, agreed to by the depositor and all the claimants, of a claim or claims arising out of the accident; [(b)] (2) upon a certificate of the [commissioner] executive director issued after ten days' notification of all claimants upon evidence satisfactory to the [commissioner] executive director that all claims arising from such accident have been satisfied by either [(1)] (A) a release from liability, [or (2)] (B) a judgment of nonliability, [or (3)] (C) a written agreement in accordance with subdivision (8) of subsection (c) of section 15-105, as amended by this act, or (D) whenever after the expiration of two years from the time of the accident or from the date of deposit of any security under subdivision (1) of subsection (c) of section 15-107, as amended by this act, the [commissioner] executive director is given

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satisfactory evidence that there is no such action pending and that no judgment rendered in any such action is unpaid; [(c)] (3) upon the certificate of the [commissioner] executive director that other security, complying with subsection (a) of section 15-110, as amended by this act, and satisfactory in form, character and amount, has been deposited with it in lieu of the original security deposited hereunder.

Sec. 57. Section 15-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The records of and proceedings before the [commissioner] executive director and the State Treasurer shall be inadmissible in evidence and shall not be referred to at the trial of any civil action or criminal proceeding. Subject to the foregoing provisions, the [commissioner] executive director shall, upon written request, make available to persons whose legal rights may be affected thereby, information and material developed in the course of [his] the executive director's administration of this chapter.

Sec. 58. Section 15-115 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any owner or operator who knowingly refuses or fails to make any report of an accident as required in section 15-104, as amended by this act, shall be fined not more than one hundred dollars, and if any person is killed or injured in such accident, the [commissioner] executive director shall, in addition, suspend the operating privilege of the person failing to make such report, until such report is filed and for such further period not to exceed thirty days as the [commissioner] executive director may fix.

(b) Any owner or operator who knowingly makes a false statement or representation of a material fact in a report to or written instrument filed with the [commissioner] executive director shall be guilty of a

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class C misdemeanor.

Sec. 59. Section 15-120pp of the general statutes is repealed. (*Effective from passage*)

Approved July 2, 2015