AN ACT CONCERNING THE TERMS OF THE BOARD OF TRUSTEES OF THE CONNECTICUT TRUST FOR HISTORIC PRESERVATION AND CONSTRUCTION INVOLVING HISTORIC STRUCTURES.

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

Section 1. Section 3 of special act 75-93, as amended by special act 85-42, is amended to read as follows (Effective from passage):

(a) The affairs of the trust shall be under the general direction of a board of trustees which, prior to the annual meeting in April, 1986, shall be composed of twenty-one members. The first board shall be selected as follows: Three members shall be appointed by the governor, one of whom shall serve for one year, one for two years, and one for three years. Eighteen members shall be elected by the incorporators herein named, six of whom shall serve for one year, six for two years, and six for three years. Thereafter, and until the annual meeting in April, 1986, the governor shall annually appoint one member for a term of three years and the board of trustees shall elect six members for terms of three years to replace those members whose
terms of office expire. Any vacancy which occurs shall be filled for the unexpired portion of the term by the same authority that made the original appointment. [A trustee having served two consecutive terms of office shall not be eligible for appointment or election to the board of trustees except after the lapse of one year, provided a member of the original board of trustees may serve two consecutive terms in addition to and immediately following such trustee's original term.] At the first meeting of the board of trustees, and at its annual meeting thereafter, the board of trustees shall select from its members a chairman and a vice chairman who shall respectively serve for a term of one year or until their successors shall have been elected and duly qualified. Said annual meeting shall be held during the month of April. If the office of any trustee elected by the board of trustees shall become vacant for any cause, the remaining trustees shall elect a successor to fill the unexpired term of such trustee. If the office of any trustee appointed by the governor shall become vacant for any cause, the governor shall select a successor to fill the unexpired term of such trustee. Trustees shall serve without compensation.

(b) Upon the election of new trustees at the annual meeting in April, 1986, the board of trustees shall be composed of thirty-three members. All members appointed or elected pursuant to subsection (a) of this section shall continue to be members for the term for which they were appointed or elected, except that such terms shall end upon the election of new trustees at the third annual meeting following the meeting at which their terms began. The board of trustees shall, at the annual meeting in April 1986, elect twelve additional members for terms beginning at said meeting, four of whom shall serve until the annual meeting of April, 1987, four of whom shall serve until the annual meeting of April, 1988, and four of whom shall serve until the annual meeting of April, 1989. Thereafter, the governor shall annually appoint one member for a term which shall end upon the election of new trustees at the third annual meeting following the annual meeting at which the term for which such member was appointed began, and the board of trustees shall elect ten members for terms which shall end
at the completion of the election of new trustees at the third annual
meeting following the annual meeting at which such members were
elected to replace those members whose terms of office expire. [A
trustee having served two consecutive terms of office shall not be
eligible for appointment or election to the board of trustees until the
annual meeting next following the end of the trustee's term.] At its
annual meeting, which shall be held during the month of April, the
board of trustees shall select from its members a chairman and a vice
chairman who shall respectively serve for a term to end at the next
annual meeting or until their successors shall have been elected and
duly qualified. If the office of any trustee elected by the board of
trustees shall become vacant for any cause, the remaining trustees shall
elect a successor to fill the unexpired term of such trustee. If the office
of any trustee appointed by the governor shall become vacant for any
cause, the governor shall select a successor to fill the unexpired term of
such trustee. Trustees shall serve without compensation.

Sec. 2. (NEW) (Effective October 1, 2019) As used in this section,
"historic structure" has the same meaning as "historic structures and
landmarks" in section 10-410 of the general statutes and "distressed
municipality" has the same meaning as provided in section 32-9p of
the general statutes. Any new construction plan or project of a private
or municipal entity alone or in combination that proposes to rebuild,
remove, demolish, move or raze a historic structure that is located in
(1) an opportunity zone designated pursuant to Public Law 115-97,
and (2) a town having a population of less than thirty thousand which
has been determined to be a distressed municipality for the ten
consecutive years immediately prior to such proposal, shall be exempt
from the provisions of subdivision (2) of subsection (c) of section 10-
409 of the general statutes, as amended by this act, and section 22a-19a
of the general statutes, as amended by this act, if such structure has
been continuously vacant for at least such ten-year period.

Sec. 3. Section 10-409 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2019):
(a) With respect to historical preservation, there is established within the Department of Economic and Community Development a Historic Preservation Council. The Historic Preservation Council shall consist of twelve members to be appointed by the Governor. On or before January fifth in the even-numbered years, the Governor shall appoint six members for terms of four years each to replace those whose terms expire. One of such members shall be the State Historian and one shall be the State Archaeologist. Members shall be appointed in accordance with the provisions of section 4-9a. No member shall serve for more than two consecutive full terms. Any member who fails to attend three consecutive meetings or who fails to attend fifty percent of all meetings held during any calendar year shall be deemed to have resigned from office. The Governor shall biennially designate one member of the council to be chairperson. The Governor shall fill any vacancy for any unexpired portion of the term and may remove any member as provided by section 4-12. No compensation shall be received by the members of the council but they shall be reimbursed for their necessary expenses.

(b) The Department of Economic and Community Development may, with the advice of the Historic Preservation Council, (1) study and investigate historic structures and landmarks in this state and encourage and recommend the development, preservation and marking of such historic structures and landmarks found to have educational, recreational and historical significance; (2) prepare, adopt and maintain standards for a state register of historic places; (3) update and keep current the state historic preservation plan; (4) administer the State Register of Historic Places Program; (5) assist owners of historic structures in seeking federal or other aid for historic preservation and related purposes; (6) recommend to the General Assembly the placing and maintaining of suitable markers, memorials or monuments or other edifices to designate historic structures and landmarks found to have historical significance; (7) make recommendations to the General Assembly regarding the development and preservation of historic structures and landmarks owned by the state; (8) maintain a program
of historical, architectural, and archaeological research and
development including surveys, excavation, scientific recording,
interpretation and publication of the historical, architectural,
archaeological and cultural resources of the state; (9) cooperate with
promotional, patriotic, educational and research groups and
associations, with local, state and national historical societies,
associations and commissions, with agencies of the state and its
political subdivisions and with the federal government, in promoting
and publicizing the historical heritage of Connecticut; (10) formulate
standards and criteria to guide the several municipalities in the
evaluation, delineation and establishment of historic districts; (11)
cooperate with the State Building Inspector, the Codes and Standards
Committee and other building officials and render advisory opinions
and prepare documentation regarding the application of the State
Building Code to historic structures and landmarks if requested by
owners of historic structures and landmarks, the State Building
Inspector, the Codes and Standards Committee or other building
officials; (12) review planned state and federal actions to determine
their impact on historic structures and landmarks; (13) operate the
Henry Whitfield House of Guilford, otherwise known as the Old Stone
House, the Prudence Crandall Museum, Old New-Gate Prison and
Copper Mine and the Eric Sloane Museum and Kent Iron Furnace as
state historical museums and, in its discretion, charge a fee for
admission to said museums and account for and deposit the same as
provided in section 4-32; (14) provide technical and financial assistance
to carry out the purposes of this section and sections 10-410 to 10-416,
inclusive; (15) adopt regulations in accordance with the provisions of
chapter 54 for the preservation of sacred sites and archaeological sites;
and (16) inventory state lands to identify sacred sites and
archaeological sites. The department shall study the feasibility of
establishing a state museum of Connecticut history at an appropriate
existing facility.

(c) The Historic Preservation Council shall [(A)] (1) review and
approve or disapprove requests by owners of historic properties on
which the department holds preservation easements to perform rehabilitation work on sacred sites and archaeological sites; [(B)] (2) request the assistance of the Attorney General to prevent the unreasonable destruction of historic properties pursuant to the provisions of section 22a-19a, as amended by this act; and [(C)] (3) place and maintain suitable markers, memorials or monuments to designate sites or places found to have historic significance. The council shall meet monthly. The Connecticut Trust for Historic Preservation may provide technical assistance to the council.

[(b)] (d) Notwithstanding the provisions of this section or section 1-210, the Department of Economic and Community Development may withhold from disclosure to the public information relating to the location of archaeological sites under consideration for listing by the department or those listed on the National Register of Historic Places or the state register of historic places whenever the department determines that disclosure of specific information would create a risk of destruction or harm to such sites. The provisions of this subsection shall not apply to any such site unless the person who reported or discovered such site has submitted a written statement to the department requesting that no disclosure be made. Upon receipt of such statement, the department may withhold such information from disclosure until the July first next succeeding such receipt. Such person may request that a period of nondisclosure be extended by submitting such statements prior to July first of any year.

[(c)] (e) The Historic Preservation Council of the Department of Economic and Community Development shall develop a model ballot form to be mailed by clerks of municipalities on the question of creation of historic districts or districts as provided for in section 7-147a to 7-147k, inclusive.

Sec. 4. Section 22a-9 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

The commissioner shall act as the official agent of the state in all
matters affecting the purposes of this title and sections 2-20a, 5-238a, subsection (c) of section 7-131a, sections 7-131e, 7-131f, subsection (a) of section 7-131g, sections 7-131i, 7-131l, [subsection] subsections (a) to (c), inclusive, of section 10-409, as amended by this act, subdivisions (51) and (52) of section 12-81, subdivisions (21) and (22) of section 12-412, subsections (a) and (b) of section 13a-94, sections 13a-142a, 13b-56, 13b-57, 14-100b, 14-164c, chapter 268, sections 16a-103, 22-91c, 22-91e, subsections (b) and (c) of section 22a-148, section 22a-150, subdivisions (2) and (3) of section 22a-151, sections 22a-153, 22a-154, 22a-155, 22a-158, chapter 446c, sections 22a-295, 22a-300, 22a-308, 22a-416, chapters 446h to 446k, inclusive, chapters 447 and 448, sections 23-35, 23-37a, 23-41, chapter 462, section 25-34, chapter 477, subsection (b) of section 25-128, subsection (a) of section 25-131, chapters 490 and 491 and sections 26-257, 26-297, 26-303 and 47-46a, under any federal laws now or hereafter to be enacted and as the official agent of any municipality, district, region or authority or other recognized legal entity in connection with the grant or advance of any federal or other funds or credits to the state or through the state, to its political subdivisions.

Sec. 5. Subsection (a) of section 32-1c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(a) In addition to any other powers, duties and responsibilities provided for in this chapter, chapter 131, chapter 579 and section 4-8 and [subsection] subsections (a) to (c), inclusive, of section 10-409, as amended by this act, the commissioner shall have the following powers, duties and responsibilities: (1) To administer and direct the operations of the Department of Economic and Community Development; (2) to report annually to the Governor, as provided in section 4-60; (3) to conduct and administer the research and planning functions necessary to carry out the purposes of said chapters and sections; (4) to encourage and promote the development of industry and business in the state and to investigate, study and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of
Connecticut business, industry and commerce, within and outside the state; (5) to serve, ex officio as a director on the board of Connecticut Innovations, Incorporated; (6) to serve as a member of the Committee of Concern for Connecticut Jobs; (7) to promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose to cooperate with state and local agencies and individuals both within and outside the state; (8) to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the state to this state and also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state for the same purposes; (9) to advise and cooperate with municipalities, persons and local planning agencies within the state for the purpose of promoting coordination between the state and such municipalities as to plans and development; (10) by reallocating funding from other agency accounts or programs, to assign adequate and available staff to provide technical assistance to businesses in the state in exporting, manufacturing and cluster-based initiatives and to provide guidance and advice on regulatory matters; (11) to aid minority businesses in their development; (12) to appoint such assistants, experts, technicians and clerical staff, subject to the provisions of chapter 67, as are necessary to carry out the purposes of said chapters and sections; (13) to employ other consultants and assistants on a contract or other basis for rendering financial, technical or other assistance and advice; (14) to acquire or lease facilities located outside the state subject to the provisions of section 4b-23; (15) to advise and inform municipal officials concerning economic development and collect and disseminate information pertaining thereto, including information about federal, state and private assistance programs and services pertaining thereto; (16) to inquire into the utilization of state government resources and coordinate federal and state activities for assistance in and solution of problems of economic development and to inform and advise the Governor about and propose legislation concerning such problems; (17) to conduct, encourage and maintain
research and studies relating to industrial and commercial
development; (18) to prepare and review model ordinances and
charters relating to these areas; (19) to maintain an inventory of data
and information and act as a clearinghouse and referral agency for
information on state and federal programs and services relative to the
purpose set forth herein. The inventory shall include information on all
federal programs of financial assistance for defense conversion projects
and other projects consistent with a defense conversion strategy and
shall identify businesses which would be eligible for such assistance
and provide notification to such business of such programs; (20) to
conduct, encourage and maintain research and studies and advise
municipal officials about forms of cooperation between public and
private agencies designed to advance economic development; (21) to
promote and assist the formation of municipal and other agencies
appropriate to the purposes of this chapter; (22) to require notice of the
submission of all applications by municipalities and any agency
thereof for federal and state financial assistance for economic
development programs as relate to the purposes of this chapter; (23)
with the approval of the Commissioner of Administrative Services, to
reimburse any employee of the department, including the
commissioner, for reasonable business expenses, including but not
limited to, mileage, travel, lodging, and entertainment of business
prospects and other persons to the extent necessary or advisable to
carry out the purposes of subdivisions (4), (7), (8) and (11) of this
subsection and other provisions of this chapter; (24) to assist in
resolving solid waste management issues; (25) (A) to serve as an
information clearinghouse for various public and private programs
available to assist businesses, (B) to identify specific micro businesses,
as defined in section 32-344, whose growth and success could benefit
from state or private assistance and contact such small businesses in
order to (i) identify their needs, (ii) provide information about public
and private programs for meeting such needs, including, but not
limited to, technical assistance, job training and financial assistance,
and (iii) arrange for the provision of such assistance to such businesses;
(26) to enhance and promote the digital media and motion picture
industries in the state; (27) by reallocating funding from other agency accounts or programs, to develop a marketing campaign that promotes Connecticut as a place of innovation; and (28) by reallocating funding from other agency accounts or programs, to execute the steps necessary to implement the knowledge corridor agreement with Massachusetts to promote the biomedical device industry.

Sec. 6. Subsection (f) of section 32-23f of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(f) The principal of and interest on bonds or notes issued by the corporation may be secured by a pledge of any revenues and receipts of the corporation derived from any project and may be additionally secured by a mortgage or deed of trust covering all or any part of a project, including any additions, improvements, extensions to or enlargements of any projects thereafter made. Such bonds or notes may also be secured by a pledge or assignment of a loan agreement, conditional sale agreement or agreement of sale or by an assignment of the lease of any project for the construction and acquisition of which said bonds or notes are issued and by an assignment of the revenues and receipts derived by the corporation from such project. The payments of principal and interest on such bonds or notes may be additionally secured by a pledge of any other property, revenues, moneys, or funds available to the corporation for such purpose. The resolution authorizing the issuance of any such bonds or notes and any such mortgage or deed of trust or lease or loan agreement, conditional sale agreement or agreement of sale or credit agreement may contain agreements and provisions respecting the establishment of reserves to secure such bonds or notes, the maintenance and insurance of the projects covered thereby, the fixing and collection of rents for any portion thereof leased by the corporation to others or the sums to be paid under any conditional sale agreement or agreement of sale entered into by the corporation with others, the creation and maintenance of special funds from such revenues and the rights and remedies available in the event of default, the vesting in a trustee or
trustees of such property, rights, powers and duties in trust as the
corporation may determine, which may include any or all of the rights,
powers and duties of any trustee appointed by the holders of any
bonds and notes and limiting or abrogating the right of the holders of
any bonds and notes of the corporation to appoint a trustee under this
chapter, chapter 578 and [subsection] subsections (a) to (c), inclusive,
of section 10-409, as amended by this act, or limiting the rights, powers
and duties of such trustee; provision for a trust agreement by and
between the corporation and a corporate trust which may be any trust
company or bank having the powers of a trust company within or
without the state, which agreement may provide for the pledging or
assigning of any revenues or assets or income from assets to which or
in which the corporation has any rights or interest, and may further
provide for such other rights and remedies exercisable by the trustee
as may be proper for the protection of the holders of any bonds or
notes and not otherwise in violation of law, and such agreement may
provide for the restriction of the rights of any individual holder of
bonds or notes of the corporation and may contain any further
provisions which are reasonable to delineate further the respective
rights, duties, safeguards, responsibilities and liabilities of the
corporation; persons and collective holders of bonds or notes of the
corporation and the trustee; and covenants to do or refrain from doing
such acts and things as may be necessary or convenient or desirable in
order to better secure any bonds or notes of the corporation, or which,
in the discretion of the corporation, will tend to make any bonds or
notes to be issued more marketable notwithstanding that such
covenants, acts or things may not be enumerated herein; and any other
matters of like or different character, which in any way affect the
security or protection of the bonds or notes, all as the corporation shall
dem advisable and not in conflict with the provisions hereof. Each
pledge, agreement, mortgage and deed of trust made for the benefit or
security of any of the bonds or notes of the corporation shall be in
effect until the principal of and interest on the bonds or notes for the
benefit of which the same were made have been fully paid, or until
provision has been made for payment in the manner provided in the
resolution or resolutions authorizing their issuance. Any pledge made
in respect of such bonds or notes shall be valid and binding from the
time when the pledge is made; the revenues, money or property so
pledged and thereafter received by the corporation shall immediately
be subject to the lien of such pledge without any physical delivery
thereof or further act; and the lien of any such pledge shall be valid
and binding as against all parties having claims of any kind in tort,
contract or otherwise against the corporation irrespective of whether
such parties have notice thereof. Neither the resolution, trust indenture
nor any other instrument by which a pledge is created need be
recorded. The resolution authorizing the issuance of such bonds or
notes may provide for the enforcement of any such pledge or security
in any lawful manner. The corporation may elect to have the
provisions of title 42a, the Connecticut uniform commercial code,
apply to any pledge made by or to the corporation to secure its bonds
or notes by filing a financing statement with respect to the security
interest created by the pledge and, in such case, the financing
statement shall be filed as if the debtor were located in this state.

This act shall take effect as follows and shall amend the following
sections:

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<tr>
<th>Section 1</th>
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<th>SA 75-93, Sec. 3</th>
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<tr>
<td>Sec. 2</td>
<td>October 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 3</td>
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<td>10-409</td>
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<td>Sec. 4</td>
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<td>22a-9</td>
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<td>Sec. 5</td>
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Statement of Purpose:
To remove the term limit restriction for members of the board of
trustees of the Connecticut Trust for Historic Preservation and to
exempt certain plans for new construction that involve a historic
structure from provisions concerning the assessment of court costs
against the plaintiff.

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