



# Senate

General Assembly

**File No. 362**

January Session, 2021

Substitute Senate Bill No. 936

*Senate, April 8, 2021*

The Committee on Commerce reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING REVISIONS TO CERTAIN ECONOMIC AND COMMUNITY DEVELOPMENT-RELATED STATUTES.***

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

1 Section 1. Section 10-321q of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a State Historic Preservation Review Board,  
4 which board shall serve as and have the powers, duties and  
5 responsibilities of the board established pursuant to 36 CFR S. 61.4  
6 (1978). Said board shall consist of ten members. The members shall be  
7 appointed by the State Historic Preservation Officer designated  
8 pursuant to 36 CFR S. 61.2 (1978), and shall serve for a term of [one year  
9 from July first of each year] three years, except that one-half of members  
10 appointed between July 1, 2021, and June 30, 2022, shall serve a term of  
11 two years, as determined by the State Historic Preservation Officer.  
12 Members may serve additional terms if reappointed by the State  
13 Historic Preservation Officer.

14 (b) The legislative body of each municipality may appoint a  
15 municipal preservation board, which shall consist of not less than five  
16 nor more than nine members. The members of such municipal board  
17 shall serve from the date of their original appointment until the next  
18 succeeding June thirtieth, and shall thereafter be appointed for a term of  
19 one year from July first of each year.

20 (c) The State Historic Preservation Officer shall notify the municipal  
21 preservation board or, if there is no board, the chief executive officer of  
22 the municipality, at least [sixty] thirty days prior to the scheduled  
23 consideration by the State Historic Preservation Review Board of the  
24 nomination of property in such municipality to the National Register of  
25 Historic Places. The notification shall be accompanied by all information  
26 on the nomination that is provided to the members of the State Historic  
27 Preservation Review Board for their consideration, which information  
28 shall be available for public inspection. The municipal board may hold  
29 a public hearing in the municipality on the nomination of any parcel of  
30 real property at least fifteen days prior to the scheduled meeting of the  
31 State Historic Preservation Review Board on such matter and may make  
32 recommendations to the State Historic Preservation Review Board on  
33 the nomination of districts containing two or more parcels of real  
34 property located in such municipality. Notice of the time, place and  
35 subject matter of the hearing shall be published at least once in a  
36 newspaper of general circulation in the municipality not more than  
37 fifteen nor less than seven days prior to such hearing. A copy of the  
38 notice shall be sent to the State Historic Preservation Officer at least ten  
39 days prior to such hearing. The State Historic Preservation Officer or  
40 [his] said officer's designee [shall] may attend the hearing to testify on  
41 such nomination and to explain the consequences of listing in the  
42 National Register of Historic Places. In preparing its recommendation  
43 on the nomination, the municipal board shall consider whether the  
44 properties being proposed for nomination meet the criteria for listing in  
45 the National Register of Historic Places, as set forth in 36 CFR S. [60.6  
46 (1978)] 60.4, and may consider such other matters as it deems  
47 appropriate. The municipal board shall submit its recommendation, if  
48 any, with the reasons for the recommendation, to the state board not

49 later than seven days prior to the scheduled consideration of the  
50 nomination by the State Historic Preservation Review Board. The State  
51 Historic Preservation Review Board shall consider the  
52 recommendations of a municipal board, if any, before acting on a  
53 nomination if such written recommendation is received by the State  
54 Historic Preservation Officer not later than seven days prior to the  
55 scheduled consideration of the nomination by the State Historic  
56 Preservation Review Board. Failure of the municipal board to present  
57 such recommendation shall not prevent the State Historic Preservation  
58 Review Board from acting on any nomination.

59 Sec. 2. Section 22a-19a of the general statutes is repealed and the  
60 following is substituted in lieu thereof (*Effective from passage*):

61 The provisions of sections 22a-15 to 22a-19, inclusive, shall be  
62 applicable to the unreasonable destruction of historic structures and  
63 landmarks of the state, which shall be those properties (1) listed or  
64 under consideration for listing as individual units on the National  
65 Register of Historic Places (16 USC 470a, as amended) or (2) which are a  
66 part of a district listed or under consideration for listing on said national  
67 register and which have been determined by the State Historic  
68 Preservation Review Board to contribute to the historic significance of  
69 such district. If the plaintiff in any such action cannot make a prima facie  
70 showing that the conduct of the defendant, acting alone or in  
71 combination with others, has or is likely unreasonably to destroy the  
72 public trust in such historic structures or landmarks, the court shall tax  
73 all costs for the action to the plaintiff.

74 Sec. 3. Section 12-263m of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective from passage*):

76 (a) As used in this section: (1) "Eligible dry cleaning establishment"  
77 means any place of business engaged in the cleaning of clothing or other  
78 fabrics using tetrachlorethylene, Stoddard solvent or other chemicals,  
79 (2) "gross receipts at retail" means the total amount accruing from dry  
80 cleaning services, valued in money, without any deduction for the cost  
81 of the materials used, labor or service cost or any other expense, and (3)

82 "eligible applicant" means (A) a business owner or operator of an  
83 eligible dry cleaning establishment, [or] (B) an owner of property that is  
84 or that was occupied by an eligible dry cleaning establishment, or (C) a  
85 certifying party, as defined in section 22a-134, of property that is or that  
86 was occupied by an eligible dry cleaning establishment.

87 (b) (1) There shall be paid to the Commissioner of Revenue Services  
88 by each dry cleaning establishment a surcharge of one per cent of its  
89 gross receipts at retail for any dry cleaning service performed on or after  
90 January 1, 1995. Each dry cleaning establishment shall register with the  
91 Commissioner of Revenue Services on forms prescribed by the  
92 commissioner. Each dry cleaning establishment that is registered with  
93 the commissioner shall renew its registration with the commissioner on  
94 October 1, 2015, and annually thereafter, in such manner as the  
95 commissioner may prescribe. The commissioner shall send a  
96 nonrenewal notice by first class mail to each dry cleaning establishment  
97 that fails to renew its registration in accordance with the provisions of  
98 this subsection. No dry cleaning establishment may engage in or  
99 transact business as a dry cleaning establishment unless it is registered  
100 with the commissioner in accordance with the provisions of this  
101 subsection.

102 (2) (A) Any dry cleaning establishment that fails to register with the  
103 commissioner in accordance with the provisions of this subsection shall  
104 pay a penalty of one thousand dollars, which penalty shall not be subject  
105 to waiver.

106 (B) Any dry cleaning establishment that fails to renew its registration  
107 within forty-five days after a nonrenewal notice was sent pursuant to  
108 subdivision (1) of this subsection shall pay a penalty of two hundred  
109 dollars, which the commissioner may waive in the manner set forth in  
110 section 12-3a, when it is proven to the commissioner's satisfaction that  
111 the failure to register was due to reasonable cause and was not  
112 intentional or due to neglect. No penalty may be assessed under this  
113 subparagraph more than once during any registration period.

114 (3) Each dry cleaning establishment shall submit a return quarterly to

115 the Commissioner of Revenue Services, applicable with respect to the  
116 calendar quarter beginning January 1, 1995, and each calendar quarter  
117 thereafter, on or before the last day of the month immediately following  
118 the end of each such calendar quarter, on a form prescribed by the  
119 commissioner, together with payment of the quarterly surcharge  
120 determined and payable in accordance with the provisions of this  
121 section. Whenever such surcharge is not paid when due, a penalty of ten  
122 per cent of the amount due or fifty dollars, whichever is greater, shall be  
123 imposed, and such surcharge shall bear interest at the rate of one per  
124 cent per month or fraction thereof until the same is paid. The  
125 Commissioner of Revenue Services shall cause copies of a form  
126 prescribed for submitting returns as required under this section to be  
127 distributed to persons subject to the surcharge. Failure to receive such  
128 form shall not be construed to relieve anyone subject to the surcharge  
129 under this section from the obligations of submitting a return, together  
130 with payment of such surcharge within the time required. The  
131 provisions of sections 12-548 to 12-554, inclusive, and sections 12-555a  
132 and 12-555b shall apply to the provisions of this section in the same  
133 manner and with the same force and effect as if the language of said  
134 sections 12-548 to 12-554, inclusive, and sections 12-555a and 12-555b  
135 had been incorporated in full into this section and had expressly  
136 referred to the surcharge imposed under this section, except to the  
137 extent that any such provision is inconsistent with a provision of this  
138 section and except that the term "tax" shall be read as "dry cleaning  
139 establishment surcharge".

140 (4) Any moneys received by the state pursuant to this section shall be  
141 deposited into the account established pursuant to subsection (c) of this  
142 section.

143 (c) There is established an account within the General Fund to be  
144 known as the "dry cleaning establishment remediation account". Said  
145 account shall contain any moneys required by law to be deposited in the  
146 account. Any balance remaining in the account at the end of any fiscal  
147 year shall be carried forward in the account for the fiscal year next  
148 succeeding. The account shall be used by the Department of Economic

149 and Community Development for grants made to (1) owners or  
150 operators of eligible dry cleaning establishments, [or] (2) owners of  
151 property on which an eligible dry cleaning establishment has been in  
152 operation for at least a year prior to the [approval] submission of the  
153 application or was previously operated for at least a year prior to such  
154 [approval] submission, or (3) certifying parties of property on which an  
155 eligible dry cleaning establishment has been in operation for at least one  
156 year prior to the submission of the application or was previously  
157 operated for at least one year prior to such submission.

158 (d) The state, acting through the Commissioner of Economic and  
159 Community Development, shall use the dry cleaning establishment  
160 remediation account to provide grants to eligible applicants for the  
161 purposes of the containment and removal or mitigation of  
162 environmental pollution resulting from the discharge, spillage,  
163 uncontrolled loss, seepage or filtration of chemical liquids or solid,  
164 liquid or gaseous products or hazardous wastes on or at the site of an  
165 eligible dry cleaning establishment, environmental site assessments  
166 relating to such pollution or for measures undertaken to prevent such  
167 pollution which are approved by the Commissioner of Energy and  
168 Environmental Protection. In order to qualify for a grant under the  
169 provisions of this section an eligible applicant [must] shall demonstrate  
170 to the satisfaction of the Commissioner of Economic and Community  
171 Development that (1) the eligible dry cleaning establishment is using or  
172 previously used, tetrachlorethylene or Stoddard solvent or other  
173 chemicals for the purpose of cleaning clothes or other fabrics, (2) the  
174 eligible dry cleaning establishment has been doing business or did  
175 business at the site for a period of at least one year prior to the  
176 submission date or approval date of the application for assistance under  
177 this section, (3) the eligible dry cleaning establishment or owner of  
178 property is not in arrears with regard to any tax levied by the state or  
179 any political subdivision of the state and the dry cleaning surcharge  
180 imposed by subsection (b) of this section, and (4) the eligible applicant  
181 is not in arrears with regard to any tax levied by the state or any political  
182 subdivision of the state. Any funds disbursed as a grant under this  
183 section shall not be subject to attachment in the satisfaction of any

184 judgment against the recipient of such grant in any civil action.

185 (e) Notwithstanding the terms of any grant made under this section,  
186 an eligible applicant shall bear all the costs of such pollution that are less  
187 than ten thousand dollars. Each eligible applicant that submits an  
188 application on or after October 1, 2021, shall demonstrate to the  
189 satisfaction of the Commissioner of Economic and Community  
190 Development that such applicant can match any grant provided by said  
191 commissioner, up to ten thousand dollars, before such applicant  
192 receives any grant. The Commissioner of Economic and Community  
193 Development may provide a grant of up to three hundred thousand  
194 dollars to the eligible applicant where the eligible applicant has  
195 provided said commissioner with documentation satisfactory to said  
196 commissioner that the services for which payment is sought have been  
197 [or will be] completed. No eligible applicant shall receive more than  
198 three hundred thousand dollars per eligible dry cleaning establishment.  
199 In addition, the dry cleaning establishment remediation account may be  
200 used (1) to provide grants to the Department of Energy and  
201 Environmental Protection for expenditures made investigating dry  
202 cleaning establishments, (2) to provide potable water whenever  
203 necessary, [and] (3) to conduct environmental site assessments, and (4)  
204 for legal services relating to the disbursement of funds from the account.

205 (f) Requests for grants shall be made to the Commissioner of  
206 Economic and Community Development when the commissioner  
207 announces a request for applications. The frequency of requests for  
208 applications shall be at the discretion of the Commissioner of Economic  
209 and Community Development. Any eligible applicant seeking a grant  
210 shall provide documentation supporting the need for the grant.

211 (g) Any dry cleaning establishment which unlawfully or intentionally  
212 discharges or spills any chemical liquids or solid, liquid or gaseous  
213 products or hazardous wastes shall not be eligible for a grant from the  
214 account.

215 (h) The Commissioner of Economic and Community Development  
216 shall establish procedures for distribution of the grants and shall adopt

217 criteria to carry out the provisions of this section. Such criteria shall  
218 specify (1) who may apply for grants; (2) how establishments, whether  
219 owned or leased, will be determined to be eligible for grants; (3) the costs  
220 for which grants may be made; and (4) a method for ensuring timely  
221 payment of funds to grant recipients.

222 Sec. 4. Section 3-110f of the general statutes is repealed and the  
223 following is substituted in lieu thereof (*Effective from passage*):

224 The Commissioner of Economic and Community Development [,  
225 with recommendations of the Culture and Tourism Advisory  
226 Committee,] shall designate, every three years, a state poet laureate. The  
227 commissioner may fill any vacancy by appointment for the unexpired  
228 portion of the term vacated.

229 Sec. 5. Subsection (c) of section 4-9a of the general statutes is repealed  
230 and the following is substituted in lieu thereof (*Effective from passage*):

231 (c) Notwithstanding any provision of law, the term of each member  
232 of each board and commission within the executive branch, except the  
233 State Board of Education, the Board of Regents for Higher Education,  
234 the Commission on Human Rights and Opportunities, the State  
235 Elections Enforcement Commission, the State Properties Review Board,  
236 the Citizen's Ethics Advisory Board, the Commission on Medicolegal  
237 Investigations, the Psychiatric Security Review Board, the Commission  
238 on Fire Prevention and Control, the E 9-1-1 Commission, [the Culture  
239 and Tourism Advisory Committee,] and the board of trustees of each  
240 constituent unit of the state system of higher education, commencing on  
241 or after July 1, 1979, shall be coterminous with the term of the Governor  
242 or until a successor is chosen, whichever is later.

243 Sec. 6. Subsection (a) of section 4b-60 of the general statutes is  
244 repealed and the following is substituted in lieu thereof (*Effective from  
245 passage*):

246 (a) There shall be a State Commission on Capitol Preservation and  
247 Restoration to consist of twelve members to be appointed as follows:



248 Two members shall be appointed by the Governor, two by the speaker  
249 of the House of Representatives, two by the president pro tempore of  
250 the Senate, one by the House minority leader, one by the Senate  
251 minority leader, two members of the Joint Committee on Legislative  
252 Management, one appointed by each of the chairmen of said committee,  
253 and one member of the [Culture and Tourism Advisory Committee]  
254 Historic Preservation Council appointed by its chairperson. The  
255 Commissioner of Administrative Services, or the commissioner's  
256 designee, shall be an ex-officio member of the commission and shall  
257 attend its meetings. Vacancies on the commission shall be filled by the  
258 original appointing authority for the unexpired portion of the term. The  
259 members shall serve without compensation for their services but shall  
260 be reimbursed for their actual and necessary expenses incurred in the  
261 performance of their duties. The commission shall meet at least  
262 quarterly, and more often on the call of the chairman or on the written  
263 request of a majority of the members. The commission may designate  
264 subcommittees to carry out its functions. Any member who fails to  
265 attend three consecutive meetings or fails to attend fifty per cent of all  
266 meetings held during any calendar year shall be deemed to have  
267 resigned.

268 Sec. 7. Subsection (a) of section 4b-66a of the general statutes is  
269 repealed and the following is substituted in lieu thereof (*Effective from*  
270 *passage*):

271 (a) There is established a Connecticut Capitol Center Commission.  
272 The commission shall consist of (1) the Secretary of the Office of Policy  
273 and Management, or the secretary's designee; (2) the Commissioner of  
274 Administrative Services, or the commissioner's designee; (3) the  
275 Commissioner of Economic and Community Development, or the  
276 commissioner's designee; (4) the chairperson of the [Culture and  
277 Tourism Advisory Committee] Historic Preservation Council, or the  
278 chairperson's designee; (5) one member appointed by the speaker of the  
279 House of Representatives; (6) one member appointed by the president  
280 pro tempore of the Senate; (7) one member appointed by the majority  
281 leader of the House of Representatives; (8) one member appointed by

282 the majority leader of the Senate; (9) one member appointed by the  
283 minority leader of the House of Representatives; (10) one member  
284 appointed by the minority leader of the Senate; (11) the chairperson of  
285 the Hartford Commission on the City Plan; (12) one member appointed  
286 by the mayor of the city of Hartford; and (13) one member from the  
287 South Downtown Neighborhood Revitalization Committee.

288 Sec. 8. Subsection (b) of section 10a-111a of the general statutes is  
289 repealed and the following is substituted in lieu thereof (*Effective from*  
290 *passage*):

291 (b) The State Historian shall: (1) [Be a member of the Culture and  
292 Tourism Advisory Committee, established pursuant to section 10-393,  
293 (2) edit] Edit or supervise the editing and publication of the public  
294 records of the state, [(3)] (2) provide information and advice to members  
295 of the government at all levels, [(4)] (3) assist the State Board of  
296 Education in efforts to promote the teaching of history in schools and  
297 teacher preparation programs, [(5)] (4) respond to requests for advice  
298 from historical societies, [(6)] (5) respond to requests for information on  
299 the state's history, [(7)] (6) make public appearances and addresses on  
300 the state's history, [(8)] (7) prepare bibliographies and other research  
301 aids relating to the history of the state, and [(9)] (8) promote by  
302 appropriate informative and educational programs the celebration or  
303 commemoration of significant historical events.

304 Sec. 9. Subsection (b) of section 11-6a of the general statutes is  
305 repealed and the following is substituted in lieu thereof (*Effective from*  
306 *passage*):

307 (b) There is established an advisory committee to advise the State  
308 Library Board with respect to the policies, collections, programs,  
309 activities and operations of the Raymond E. Baldwin Museum of  
310 Connecticut History and Heritage. The advisory committee shall consist  
311 of eight members as follows: The [executive director of the Culture and  
312 Tourism Advisory Committee] chairperson of the Historic Preservation  
313 Council, or the chairperson's designee; the executive director of the  
314 Connecticut Historical Society; the State Historian; and five persons

315 appointed by the Governor, three of whom shall be experienced  
316 museum professionals.

317 Sec. 10. Subsection (b) of section 12-376d of the general statutes is  
318 repealed and the following is substituted in lieu thereof (*Effective from*  
319 *passage*):

320 (b) There shall be appointed, as part of the Department of Economic  
321 and Community Development, an advisory panel to consider the  
322 proposed acceptance of any such work of art. The advisory panel shall  
323 prepare a written statement as to acceptance or rejection of any such  
324 work of art for the purposes of this section. In each instance, said panel  
325 shall consist of eleven members, including the chairperson of the  
326 [Culture and Tourism Advisory Committee] Connecticut Arts Council  
327 and two generally acknowledged experts as to the particular type of  
328 visual art work under consideration, as determined by said chairperson,  
329 with such appointments to be made by said chairperson and approved  
330 by the [Culture and Tourism Advisory Committee] Connecticut Arts  
331 Council. In addition, said advisory panel shall include eight members  
332 of the General Assembly, with two of such members appointed by the  
333 president pro tempore of the Senate, one of such members appointed by  
334 the majority leader of the Senate, one of such members appointed by the  
335 minority leader of the Senate, two of such members appointed by the  
336 speaker of the House of Representatives, one of such members  
337 appointed by the majority leader of the House of Representatives and  
338 one of such members appointed by the minority leader of the House of  
339 Representatives.

340 Sec. 11. Subsection (a) of section 22a-27s of the general statutes is  
341 repealed and the following is substituted in lieu thereof (*Effective from*  
342 *passage*):

343 (a) There is established the Face of Connecticut Steering Committee,  
344 which shall be within the Department of Energy and Environmental  
345 Protection for administrative purposes only. Such committee shall  
346 direct the expenditure of any funds deposited in the Face of Connecticut  
347 account created under section 22a-27t. The committee shall consist of the

348 Commissioner of Energy and Environmental Protection, the  
349 Commissioner of Economic and Community Development, or the  
350 commissioner's designee, the Commissioner of Agriculture, [the  
351 chairperson of the Culture and Tourism Advisory Committee] a  
352 member of the Connecticut Tourism Council, appointed by its  
353 chairperson, the Secretary of the Office of Policy and Management and  
354 ten members as follows: (1) A representative of a local organization  
355 involved in historic preservation, appointed by the speaker of the House  
356 of Representatives; (2) a representative of a nonprofit organization  
357 involved in farmland preservation, appointed by the president pro  
358 tempore of the Senate; (3) a representative of a local or regional  
359 nonprofit organization involved in the preservation of open space,  
360 appointed by the majority leader of the House of Representatives; (4) a  
361 representative of a water company actively involved in land  
362 preservation, appointed by the majority leader of the Senate; (5) a  
363 representative of the agricultural industry, appointed by the minority  
364 leader of the House of Representatives; (6) a representative of a state-  
365 wide nonprofit involved in the preservation of open space, appointed  
366 by the minority leader of the Senate; (7) a representative of a state-wide  
367 nonprofit organization involved in historic preservation, appointed by  
368 the Governor; (8) a representative of an organization involved with  
369 community redevelopment, appointed by the Governor; (9) a  
370 representative of the legislative Brownfields Task Force, appointed by  
371 the speaker of the House of Representatives; and (10) a representative  
372 of the environmental law section of the Connecticut Bar Association  
373 who is involved with brownfields remediation, appointed by the  
374 president pro tempore of the Senate.

375 Sec. 12. Subsection (a) of section 32-10 of the general statutes is  
376 repealed and the following is substituted in lieu thereof (*Effective from*  
377 *passage*):

378 (a) On or before July 1, 2015, and every four years thereafter, the  
379 Commissioner of Economic and Community Development, within  
380 available appropriations, shall prepare an economic development  
381 strategic plan for the state in consultation with the Secretary of the Office

382 of Policy and Management, the Commissioners of Energy and  
383 Environmental Protection and Transportation, the Labor  
384 Commissioner, [the chairperson of the Culture and Tourism Advisory  
385 Committee,] the executive directors of the Connecticut Housing Finance  
386 Authority and the Connecticut Health and Educational Facilities  
387 Authority, and the chief executive officer of Connecticut Innovations,  
388 Incorporated, or their respective designees, and any other agencies the  
389 Commissioner of Economic and Community Development deems  
390 appropriate.

391 Sec. 13. Section 32-6t of the general statutes is repealed and the  
392 following is substituted in lieu thereof (*Effective from passage*):

393 On or before October 1, 2012, the Commissioner of Economic and  
394 Community Development, in consultation with the [Culture and  
395 Tourism Advisory Committee] State Historian, shall develop a program  
396 to designate locations in the state with cultural, educational or historical  
397 significance as "Connecticut Treasures". Such program shall promote  
398 locations designated as Connecticut Treasures or state-owned and  
399 operated museums, and shall integrate existing programs of the  
400 Department of Economic and Community Development and [Culture  
401 and Tourism Advisory Committee] the State Historian in the promotion  
402 of such locations to adults and children. Such program shall include a  
403 "Connecticut Treasures Passport", which shall provide free or reduced  
404 admission to locations designated as Connecticut Treasures and all  
405 state-owned and operated museums for children younger than eighteen  
406 years of age who are accompanied by an adult.

407 Sec. 14. Section 32-1m of the general statutes is repealed and the  
408 following is substituted in lieu thereof (*Effective from passage*):

409 (a) Not later than February first, annually, the Commissioner of  
410 Economic and Community Development shall submit a report to the  
411 Governor, the Auditors of Public Accounts and the joint standing  
412 committees of the General Assembly having cognizance of matters  
413 relating to appropriations and the budgets of state agencies, finance,  
414 revenue and bonding and commerce, in accordance with the provisions

415 of section 11-4a. Not later than thirty days after submission of the report,  
416 said commissioner shall post the report on the Department of Economic  
417 and Community Development's web site. Such report shall include, but  
418 not be limited to, the following information with regard to the activities  
419 of the Department of Economic and Community Development, [and to  
420 business assistance or] business assistance programs administered by  
421 Connecticut Innovations, Incorporated and tax incentive programs not  
422 administered by the department, during the preceding state fiscal year:

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

426 (A) Connecticut employment by industry;

427 (B) Connecticut and national average unemployment; and

428 (C) Connecticut gross state product, by industry.

429 (2) An analysis of the economic development portfolio of the  
430 department, including, but not limited to, each business assistance or  
431 incentive program, including any business tax credit or abatement  
432 program, grant, loan, forgivable loan or other form of assistance,  
433 enacted for the purpose of improving economic development. The  
434 analysis shall include:

435 (A) The Internet web site address of the state's open data portal and  
436 an indication of where the name, address and location of each recipient  
437 of the department's assistance is published on the site along with the  
438 following information concerning each recipient: (i) Business activities,  
439 (ii) standard industrial classification codes or North American industrial  
440 classification codes, (iii) whether the recipient is a minority or woman-  
441 owned business, (iv) a summary of the terms and conditions for the  
442 assistance, including the type and amount of state financial assistance  
443 and job creation or retention requirements, (v) the amount of  
444 investments from private and other nonstate sources that have been  
445 leveraged by the assistance, and (vi) the amount of state investment;

446 (B) A portfolio analysis, including an analysis of the wages paid by  
447 recipients of financial assistance by industry;

448 (C) An investment analysis, including (i) total portfolio value, (ii)  
449 total investment by industry, (iii) portfolio dollar per job average, (iv)  
450 portfolio leverage ratio;

451 (D) An overview of the business assistance and incentive programs  
452 administered by the department and an analysis of their estimated  
453 economic impact on the state's economy. The analysis shall include, for  
454 each business assistance or incentive program for which such data is  
455 available, the number of new jobs created, the borrowing cost to the  
456 state and the estimated impact of such program on annual state  
457 revenues;

458 (E) An analysis of whether the statutory and programmatic goals of  
459 each business or incentive program are being met, with obstacles to such  
460 goals identified, if possible;

461 (F) (i) Recommendations as to whether any existing business  
462 assistance or incentive program should be continued, modified or  
463 repealed and the basis or bases for such recommendations, and (ii) any  
464 recommendations for additional data collection by the state to better  
465 inform future evaluations of such programs; and

466 (G) The methodologies and assumptions used in carrying out the  
467 analyses under this subdivision.

468 (3) An analysis of the community development portfolio of the  
469 department, including:

470 (A) The Internet web site address of the state's open data portal and  
471 an indication of where the name, address and location of each recipient  
472 of the department's assistance is published on the site along with the  
473 following information concerning each recipient: (i) Amount of state  
474 investment, (ii) a summary of the terms and conditions for the  
475 department's assistance, including the type and amount of state  
476 financial assistance, and (iii) the amount of investments from private

477 and other nonstate sources that have been leveraged by such assistance;  
478 and

479 (B) An investment analysis, including (i) total active portfolio value,  
480 (ii) total investments made in the preceding state fiscal year, and (iii)  
481 total portfolio leverage ratio.

482 [(4) An analysis of each business assistance or incentive program,  
483 including any business tax credit or abatement program, grant, loan,  
484 forgivable loan or other form of assistance, enacted for the purpose of  
485 improving economic development, that (A) (i) had ten or more  
486 recipients of assistance in the preceding state fiscal year, or (ii) credited,  
487 abated or distributed more than one million dollars in the preceding  
488 state fiscal year, and (B) is not administered by the department. The  
489 analysis shall include:

490 (i) An overview of the business assistance or incentive program and  
491 an analysis of its estimated economic effects on the state's economy,  
492 including, for each program where such data is available, the number of  
493 new jobs created and the estimated impact of such program on annual  
494 state revenues;

495 (ii) An analysis of whether the statutory and programmatic goals of  
496 each business assistance or incentive program are being met, with  
497 obstacles to such goals identified, if possible;

498 (iii) Recommendations as to whether any such existing business  
499 assistance or incentive program should be continued, modified or  
500 repealed and the basis or bases for such recommendations, and any  
501 recommendations for additional data collection by the state to better  
502 inform future evaluations of such programs; and

503 (iv) The methodologies and assumptions used in carrying out the  
504 analysis under this subdivision.]

505 [(5)] (4) A summary of the department's international trade efforts in  
506 the preceding state fiscal year, and, to the extent possible, a summary of  
507 foreign direct investment that occurred in the state in such year.



508 [(6)] (5) A summary of the total social and economic impact of the  
509 department's efforts and activities in the areas of economic and  
510 community development, and an assessment of the department's  
511 performance in terms of meeting its stated goals and objectives.

512 [(7)] (6) With regard to the Small Business Express program  
513 established pursuant to section 32-7g, data on (A) the number of small  
514 businesses that applied to the Small Business Express program, (B) the  
515 number of small businesses that received assistance under said program  
516 and the general categories of such businesses, (C) the amounts and types  
517 of assistance provided, (D) the total number of jobs on the date of  
518 application and the number proposed to be created or retained, and (E)  
519 the most recent employment figures of the small businesses receiving  
520 assistance.

521 [(8)] (7) With regard to airport development zones established  
522 pursuant to section 32-75d, a summary of the economic and cost benefits  
523 of each zone and any recommended revisions to any such zones.

524 [(9)] (8) An overview of the department's activities related to tourism,  
525 the arts and historic preservation.

526 [(10)] (9) An overview of the department's activities concerning  
527 digital media, motion pictures and related production activity, and an  
528 analysis of the use of the film production tax credit established under  
529 section 12-217jj, the entertainment industry infrastructure tax credit  
530 established under section 12-217kk and the digital animation  
531 production tax credit established under section 12-217ll, including the  
532 amount of any tax credit issued under said sections and the total amount  
533 of production expenses or costs incurred in the state by the taxpayer  
534 who was issued such a tax credit.

535 [(11)] (10) A summary of the department's and the office of the permit  
536 ombudsman's brownfield-related efforts and activities in the preceding  
537 fiscal year.

538 [(12)] (11) A summary of the department's dry cleaning establishment

539 remediation account activities in the preceding fiscal year.

540 (b) Any annual report that is required from the department by any  
541 provision of the general statutes shall be incorporated into the annual  
542 report submitted pursuant to subsection (a) of this section.

543 (c) [On or before March 1, 2018, and annually thereafter] Not later  
544 than sixty days after the submission of a report by the Auditors of Public  
545 Accounts pursuant to section 2-90c, as amended by this act, the joint  
546 standing committees of the General Assembly having cognizance of  
547 matters relating to appropriations and the budgets of state agencies,  
548 finance, revenue and bonding and commerce shall hold, individually or  
549 jointly, one or more public hearings on such report and the analyses  
550 included in the annual report under subdivisions (2) and (4) of  
551 subsection (a) of this section.

552 Sec. 15. Section 31-362b of the general statutes is repealed and the  
553 following is substituted in lieu thereof (*Effective from passage*):

554 The Commissioner of Economic and Community Development shall:  
555 (1) Evaluate existing and potential job skills needed for Connecticut  
556 business and industry; (2) coordinate and recommend improvements in  
557 vocational educational programs in order to match vocational programs  
558 with job needs; (3) encourage work-study programs in industry and  
559 more scholarships funded by employers, unions and government; (4)  
560 encourage retraining programs for the underemployed and  
561 unemployed in order to provide a guaranteed work force; and (5)  
562 evaluate and make recommendations for executive and legislative  
563 action to improve programs regarding job innovation and development.  
564 [The commissioner shall make a report of his findings and  
565 recommendations to the Governor and General Assembly not later than  
566 February 15, 1980, and annually thereafter.]

567 Sec. 16. Subsections (a) and (b) of section 10-392 of the general statutes  
568 are repealed and the following is substituted in lieu thereof (*Effective*  
569 *from passage*):

570 (a) The General Assembly finds and declares that culture, history, the  
571 arts and the digital media and motion picture and tourism industries  
572 contribute significant value to the vitality, quality of life and economic  
573 health of Connecticut. The Connecticut Trust for Historic Preservation  
574 shall operate in conjunction with the Department of Economic and  
575 Community Development for purposes of joint strategic planning,  
576 annual reporting on appropriations and fiscal reporting. The  
577 department shall enhance and promote culture, history, the arts and the  
578 tourism and digital media and motion picture industries in Connecticut.

579 (b) The department shall:

580 (1) Market and promote Connecticut as a destination for leisure and  
581 business travelers through the development and implementation of a  
582 strategic state-wide marketing plan and provision of visitor services to  
583 enhance the economic impact of the tourism industry;

584 (2) Promote the arts;

585 (3) Recognize, protect, preserve and promote historic resources;

586 (4) Interpret and present Connecticut's history and culture;

587 (5) Promote Connecticut as a location in which to produce digital  
588 media and motion pictures and to establish and conduct business  
589 related to the digital media and motion picture industries to enhance  
590 these industries' economic impact in the state;

591 (6) Establish a uniform financial reporting system and forms to be  
592 used by each regional tourism district, established under section 10-397,  
593 in the preparation of the annual budget submitted to the General  
594 Assembly; and

595 (7) Integrate funding and programs whenever possible; and

596 (8) On or before January 1, 2012, and biennially thereafter, develop  
597 and submit to the Governor and the General Assembly, in accordance  
598 with section 11-4a, a strategic plan to implement subdivisions (1) to (5),

599 inclusive, of this subsection.]

600 Sec. 17. Section 10-397 of the general statutes is repealed and the  
601 following is substituted in lieu thereof (*Effective from passage*):

602 (a) There are established three regional tourism districts, each of  
603 which shall promote and market districts as regional leisure and  
604 business traveler destinations to stimulate economic growth. The  
605 districts shall be as follows:

606 (1) The eastern regional district, which shall consist of Ashford,  
607 Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia,  
608 Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton,  
609 Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New  
610 London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret,  
611 Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington,  
612 Thompson, Union, Voluntown, Waterford, Willington, Windham and  
613 Woodstock;

614 (2) The central regional district, which shall consist of Andover,  
615 Avon, Berlin, Bethany, Bloomfield, Bolton, Branford, Canton, Cheshire,  
616 Chester, Clinton, Cromwell, Deep River, Durham, East Granby, East  
617 Haddam, East Hampton, East Hartford, East Haven, East Windsor,  
618 Ellington, Enfield, Essex, Farmington, Glastonbury, Granby, Guilford,  
619 Haddam, Hamden, Hartford, Hebron, Killingworth, Madison,  
620 Manchester, Marlborough, Meriden, Middlefield, Middletown, Milford,  
621 New Britain, New Haven, Newington, North Branford, North Haven,  
622 Old Saybrook, Orange, Plainville, Portland, Rocky Hill, Simsbury,  
623 Somers, South Windsor, Southington, Stafford, Suffield, Tolland,  
624 Vernon, Wallingford, West Hartford, West Haven, Westbrook,  
625 Wethersfield, Windsor, Windsor Locks and Woodbridge; and

626 (3) The western regional district, which shall consist of Ansonia,  
627 Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgeport, Bridgewater,  
628 Bristol, Brookfield, Burlington, Canaan, Colebrook, Cornwall, Danbury,  
629 Darien, Derby, Easton, Fairfield, Goshen, Greenwich, Hartland,  
630 Harwinton, Kent, Litchfield, Middlebury, Monroe, Morris, Naugatuck,

631 New Fairfield, New Hartford, New Milford, New Canaan, Newtown,  
632 Norfolk, North Canaan, Norwalk, Oxford, Plymouth, Prospect,  
633 Redding, Ridgefield, Roxbury, Salisbury, Seymour, Sharon, Shelton,  
634 Sherman, Southbury, Stamford, Stratford, Thomaston, Torrington,  
635 Trumbull, Warren, Washington, Waterbury, Watertown, Weston,  
636 Westport, Wilton, Winchester, Wolcott and Woodbury.

637 (b) Each regional tourism district shall be overseen by a board of  
638 directors consisting of one representative from each municipality within  
639 the district, appointed by the legislative body of the municipality and,  
640 where the legislative body is a town meeting, by the board of selectmen.  
641 Any such member of a board of directors shall serve for a term of three  
642 years. In addition, the board of directors may appoint up to twenty-one  
643 persons representing tourism interests within the district to serve on the  
644 board. No board member shall be deemed a state employee for serving  
645 on said board. All appointments to the board of directors shall be  
646 reported to the Commissioner of Economic and Community  
647 Development.

648 (c) The provisions of the Freedom of Information Act, as defined in  
649 section 1-200, shall apply to each regional tourism district.

650 (d) Each tourism district shall adopt a charter and bylaws governing  
651 its operation.

652 (e) Each regional tourism district shall (1) comply with uniform  
653 standards for accounting and reporting expenditures that are  
654 established by the Department of Economic and Community  
655 Development in accordance with section 10-392, as amended by this act,  
656 and are based on industry accounting standards developed by the  
657 International Association of Convention and Visitor Bureaus or other  
658 national organizations related to tourism, and (2) on or before January  
659 first of each year, submit to the department, the Office of Policy and  
660 Management and the Office of Fiscal Analysis an independent audit in  
661 accordance with the provisions of sections 4-230 to 4-236, inclusive.

662 (f) Each regional tourism district shall solicit and may accept private

663 funds for the promotion of tourism within its towns and cities and shall  
664 coordinate its activities with any private nonprofit tourist association  
665 within the district and within this state, that promotes tourism industry  
666 businesses in this state, in order to foster cooperation in the promotion  
667 of such businesses. Any funds received by a regional tourism district  
668 may be deposited in the account established in section 10-395 or in an  
669 account established by such tourism district to receive such funds.

670 [(g) The central regional district office shall be located within the  
671 department.]

672 [(h)] (g) The commissioner shall, within available appropriations,  
673 distribute tourism funding evenly among the three tourism districts. At  
674 the end of each fiscal year, commencing with the fiscal year ending June  
675 30, 2021, each regional tourism district shall return any unexpended  
676 funds to the Department of Economic and Community Development.  
677 The commissioner shall use such funds to support state-wide  
678 marketing.

679 [(i)] (h) Each regional tourism district may establish and administer a  
680 matching grant program for any tourism industry business, tourism  
681 destination, or not-for-profit arts and culture organization that has  
682 received private funds for the marketing of such business, destination,  
683 organization or regional tourism district. Such grants shall be used for  
684 the marketing of such business, destination, organization or regional  
685 tourism district.

686 Sec. 18. Subsection (a) of section 10-408b of the general statutes is  
687 repealed and the following is substituted in lieu thereof (*Effective October*  
688 *1, 2021*):

689 (a) In accordance with subdivision (4) of section 10-400, the  
690 Connecticut Arts Council is authorized to establish and manage a  
691 nonprofit foundation, the Connecticut Arts Council Foundation. [and  
692 shall serve as the board of directors of such foundation.] The board of  
693 directors of said foundation shall consist of sixteen members as follows:

694 (1) Five appointed by the Governor for a term of four years, one of  
695 whom shall be the head of a state-wide arts organization;

696 (2) One appointed by the speaker of the House of Representatives for  
697 a term of three years;

698 (3) One appointed by the president pro tempore of the Senate for a  
699 term of three years;

700 (4) One appointed by the majority leader of the House of  
701 Representatives for a term of three years;

702 (5) One appointed by the majority leader of the Senate for a term of  
703 three years;

704 (6) One appointed by the minority leader of the House of  
705 Representatives for a term of three years;

706 (7) One appointed by the minority leader of the Senate for a term of  
707 three years;

708 (8) The Commissioner of Economic and Community Development,  
709 who shall be an ex-officio, voting member;

710 (9) Three appointed by the Commissioner of Economic and  
711 Community Development for a term of three years; and

712 (10) An employee of the Department of Economic and Community  
713 Development responsible for arts and culture, who shall be designated  
714 by the Commissioner of Economic and Community Development and  
715 be an ex-officio, nonvoting member.

716 Sec. 19. Subsection (b) of section 10-409 of the general statutes is  
717 repealed and the following is substituted in lieu thereof (*Effective from*  
718 *passage*):

719 (b) Notwithstanding the provisions of this section or section 1-210,  
720 the Department of Economic and Community Development may  
721 withhold from disclosure to the public information relating to the

722 location of archaeological sites under consideration for listing by the  
723 department or those listed on the National Register of Historic Places or  
724 the state register of historic places whenever the department determines  
725 that disclosure of specific information would create a risk of destruction  
726 or harm to such sites. [The provisions of this subsection shall not apply  
727 to any such site unless the person who reported or discovered such site  
728 has submitted a written statement to the department requesting that no  
729 disclosure be made. Upon receipt of such statement, the department  
730 may withhold such information from disclosure until the July first next  
731 succeeding such receipt. Such person may request that a period of  
732 nondisclosure be extended by submitting such statements prior to July  
733 first of any year.]

734 Sec. 20. Section 32-5a of the general statutes is repealed and the  
735 following is substituted in lieu thereof (*Effective from passage*):

736 The Commissioner of Economic and Community Development and  
737 the board of directors of Connecticut Innovations, Incorporated shall  
738 require, as a condition of any financial assistance provided on and after  
739 June 23, 1993, under any program administered by the Department of  
740 Economic and Community Development or such corporation to any  
741 business organization, except for a business organization that receives  
742 any such financial assistance in an amount not more than fifty thousand  
743 dollars and is an eligible small business, as defined in section 31-3pp, or  
744 under any assistance program that is funded entirely by the federal  
745 government, in which case the commissioner may require, that such  
746 business organization: (1) Shall not relocate outside of the state for ten  
747 years after receiving such assistance or during the term of a loan or loan  
748 guarantee, whichever is longer, unless the full amount of the assistance  
749 is repaid to the state and a penalty equal to five per cent of the total  
750 assistance received is paid to the state, except that this subdivision shall  
751 not be applicable to financial assistance by the corporation in the form  
752 of an equity investment or other financial assistance, including a  
753 convertible or seed loan, with predominantly equity characteristics, and  
754 (2) shall, if the business organization relocates within the state during  
755 such period, offer employment at the new location to its employees from



756 the original location if such employment is available. For the purposes  
757 of subdivision (1) of this section, the value of a guarantee shall be equal  
758 to the amount of the state's liability under the guarantee. As used in this  
759 section, "relocate" means the physical transfer of a substantial portion,  
760 as determined by the Commissioner of Economic and Community  
761 Development, of the operations of a business or any division of a  
762 business that independently receives any financial assistance from the  
763 state from the location such business or division occupied at the time it  
764 accepted the financial assistance to another location. Notwithstanding  
765 the provisions of this section, the Commissioner of Economic and  
766 Community Development shall adopt regulations in accordance with  
767 chapter 54 to establish the terms and conditions of repayment, including  
768 specifying the conditions under which repayment may be deferred,  
769 following a determination by the commissioner of a legitimate hardship.

770 Sec. 21. Subdivision (2) of section 32-600 of the general statutes is  
771 repealed and the following is substituted in lieu thereof (*Effective from*  
772 *passage*):

773 (2) "Capital city project" means any or all of the following: (A) A  
774 convention center project as defined in subdivision (3) of this section;  
775 (B) a downtown higher education center; (C) the civic center and  
776 coliseum complex; (D) the development of the infrastructure and  
777 improvements to the riverfront; (E) (i) the creation of up to three  
778 thousand downtown housing units through rehabilitation and new  
779 construction, and (ii) the demolition or redevelopment of vacant  
780 buildings; (F) the addition to downtown parking capacity; (G)  
781 development and redevelopment; and (H) the promotion of and  
782 attraction to in-state professional and amateur sports and sporting  
783 events. [in consultation with the Sports Advisory Board established  
784 under section 10-425.] All capital city projects shall be located or  
785 constructed and operated in the capital city economic development  
786 district, as defined in subdivision (7) of this section, provided any  
787 project undertaken pursuant to subparagraph (G) of this subdivision  
788 may be located anywhere in the town and city of Hartford, any project  
789 undertaken pursuant to subparagraph (D) or (E) (ii) of this subdivision

790 may be located anywhere in the town and city of Hartford or town of  
791 East Hartford, and any project undertaken pursuant to subparagraph  
792 (H) of this subdivision may be located anywhere in the state.

793 Sec. 22. Section 23-100 of the general statutes is repealed and the  
794 following is substituted in lieu thereof (*Effective from passage*):

795 As used in sections 23-101, 23-102, as amended by this act, [32-6a,] 32-  
796 9qq, 32-327 and 32-228, "greenway" means a corridor of open space that  
797 (1) may protect natural resources, preserve scenic landscapes and  
798 historical resources or offer opportunities for recreation or  
799 nonmotorized transportation, (2) may connect existing protected areas  
800 and provide access to the outdoors, (3) may be located along a defining  
801 natural feature, such as a waterway, along a man-made corridor,  
802 including an unused right-of-way, traditional trail routes or historic  
803 barge canals or (4) may be a greenspace along a highway or around a  
804 village.

805 Sec. 23. Subsection (b) of section 23-102 of the general statutes is  
806 repealed and the following is substituted in lieu thereof (*Effective from*  
807 *passage*):

808 (b) The duties of the council shall be: (1) To advise and assist in the  
809 coordination of state agencies, municipalities, regional planning  
810 organizations, as defined in section 4-124i, and private citizens in  
811 voluntarily planning and implementing a system of greenways; (2) to  
812 operate a greenways help center to advise state agencies, municipalities,  
813 regional planning organizations, as defined in section 4-124i, and  
814 private citizens in the technical aspects of planning, designing and  
815 implementing greenways, including advice on securing state, federal  
816 and nongovernmental grants; (3) to establish criteria for designation of  
817 greenways; (4) to maintain an inventory of greenways in the state which  
818 shall include the location of greenways transportation projects which  
819 have received grants under sections 23-101, [32-6a,] 32-9qq and 32-328;  
820 (5) to advise the Commissioner of Economic and Community  
821 Development on the distribution of grants for greenways transportation  
822 projects pursuant to sections [32-6a,] 32-9qq and 32-328; and (6) to

823 advise the Commissioner of Energy and Environmental Protection on  
824 the distribution of grants pursuant to section 23-101.

825 Sec. 24. Subsection (b) of section 32-1s of the general statutes is  
826 repealed and the following is substituted in lieu thereof (*Effective from*  
827 *passage*):

828 (b) Any order or regulation of the Connecticut Commission on  
829 Culture and Tourism, which is in force on July 1, 2011, shall continue in  
830 force and effect as an order or regulation of the Department of Economic  
831 and Community Development until amended, repealed or superseded  
832 pursuant to law. Where any order or regulation of said commission or  
833 said department conflicts, the Commissioner of Economic and  
834 Community Development may implement policies and procedures  
835 consistent with the provisions of this section and sections 3-110f, as  
836 amended by this act, 3-110h, 3-110i, 4-9a, as amended by this act, 4-66aa,  
837 4-89, 4b-53, 4b-60, as amended by this act, 4b-64, 4b-66a, as amended by  
838 this act, 5-198, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-  
839 37lll, 10-382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10-  
840 392, as amended by this act, [10-393,] 10-394, 10-395, 10-396, 10-397, as  
841 amended by this act, 10-397a, 10-399, 10-400, 10-401, 10-402, 10-403, 10-  
842 404, 10-405, 10-406, 10-408, 10-409, as amended by this act, 10-410, 10-  
843 411, 10-412, 10-413, 10-414, 10-415, 10-416, 10-416a, 10-416b, [10-425,]  
844 10a-111a, as amended by this act, 10a-112, 10a-112b, 10a-112g, 11-6a, as  
845 amended by this act, 12-376d, as amended by this act, 13a-252, 19a-315b,  
846 19a-315c, 22a-1d, 22a-19b, 22a-27s, as amended by this act, 29-259, [32-  
847 6a,] 32-11a and 32-35 while in the process of adopting the policy or  
848 procedure in regulation form, provided notice of intention to adopt  
849 regulations is printed in the Connecticut Law Journal not later than  
850 twenty days after implementation. The policy or procedure shall be  
851 valid until the time final regulations are effective.

852 Sec. 25. Subsection (c) of section 2-90c of the general statutes is  
853 repealed and the following is substituted in lieu thereof (*Effective from*  
854 *passage*):

855 (c) As part of each audit the Auditors of Public Accounts perform of

856 the Department of Economic and Community Development, said  
 857 auditors shall evaluate the annual reports submitted by the  
 858 Commissioner of Economic and Community Development since the last  
 859 audit performed of the department by said auditors and the analyses  
 860 required under [subdivisions (2) and (4)] subdivision (2) of subsection  
 861 (a) of section 32-1m, as amended by this act, and included in such annual  
 862 reports. Such evaluation shall include, but need not be limited to:

863 (1) A determination of whether evidence is available to support the  
 864 accuracy of the data presented in such annual reports;

865 (2) An evaluation of management practices and operations with  
 866 respect to the ease or difficulty for taxpayers to comply with the  
 867 requirements of the incentive programs;

868 (3) Recommendations for improving the administrative efficiency or  
 869 effectiveness of the incentive programs; and

870 (4) An evaluation of whether such annual reports satisfy the  
 871 reporting requirements under subsection (a) of section 32-1m, as  
 872 amended by this act.

873 Sec. 26. Sections 10-393, 10-425, 32-1t, 32-6a, 32-9xx, 32-245 and 32-246  
 874 of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-321q
Sec. 2	<i>from passage</i>	22a-19a
Sec. 3	<i>from passage</i>	12-263m
Sec. 4	<i>from passage</i>	3-110f
Sec. 5	<i>from passage</i>	4-9a(c)
Sec. 6	<i>from passage</i>	4b-60(a)
Sec. 7	<i>from passage</i>	4b-66a(a)
Sec. 8	<i>from passage</i>	10a-111a(b)
Sec. 9	<i>from passage</i>	11-6a(b)
Sec. 10	<i>from passage</i>	12-376d(b)
Sec. 11	<i>from passage</i>	22a-27s(a)

Sec. 12	<i>from passage</i>	32-1o(a)
Sec. 13	<i>from passage</i>	32-6t
Sec. 14	<i>from passage</i>	32-1m
Sec. 15	<i>from passage</i>	31-362b
Sec. 16	<i>from passage</i>	10-392(a) and (b)
Sec. 17	<i>from passage</i>	10-397
Sec. 18	<i>October 1, 2021</i>	10-408b(a)
Sec. 19	<i>from passage</i>	10-409(b)
Sec. 20	<i>from passage</i>	32-5a
Sec. 21	<i>from passage</i>	32-600(2)
Sec. 22	<i>from passage</i>	23-100
Sec. 23	<i>from passage</i>	23-102(b)
Sec. 24	<i>from passage</i>	32-1s(b)
Sec. 25	<i>from passage</i>	2-90c(c)
Sec. 26	<i>from passage</i>	Repealer section

**CE**      *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill makes various technical and minor changes that are not anticipated to have a fiscal impact.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

## OLR Bill Analysis

### sSB 936

## **AN ACT CONCERNING REVISIONS TO CERTAIN ECONOMIC AND COMMUNITY DEVELOPMENT-RELATED STATUTES.**

### TABLE OF CONTENTS:

#### [§§ 1 & 2 — STATE HISTORIC PRESERVATION REVIEW BOARD](#)

*(1) Increases board members' term lengths, (2) shortens the required notice the board must provide to municipalities about National Register of Historic Places nominations, and (3) makes technical changes and corrections*

#### [§ 3 — DRY CLEANING ESTABLISHMENT REMEDIATION FUND](#)

*Makes several changes affecting the fund's eligible applicants, application requirements, and eligible uses*

#### [§§ 4-13, 21-24 & 26 — ELIMINATED BOARDS AND COMMISSIONS](#)

*Eliminates several boards and commissions and makes conforming changes*

#### [§§ 14 & 25 — DECD ANNUAL REPORT](#)

*(1) Eliminates a requirement that DECD's annual report analyze business assistance programs not administered by the department and (2) changes the report's legislative hearing date*

#### [§§ 15-16 & 26 — ELIMINATED DECD REPORTING REQUIREMENTS](#)

*Eliminates various DECD reporting requirements*

#### [§ 17 — UNEXPENDED REGIONAL TOURISM DISTRICT FUNDS](#)

*Requires regional tourism districts to return unexpended state funds to DECD at the end of each fiscal year*

#### [§ 18 — CONNECTICUT ARTS COUNCIL FOUNDATION](#)

*Reconstitutes the foundation's board of directors by (1) eliminating the requirement that the council's board of directors serve as the foundation's board of directors and (2) establishing a new 16-member board for the foundation*

#### [§ 19 — FOIA EXEMPTION FOR CERTAIN ARCHAEOLOGICAL SITES](#)

*Allows the DECD commissioner to withhold certain archaeological site information without a request from the person who discovered or reported the site*

#### [§ 20 — ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENTS](#)

*Allows DECD and CI discretion in enforcing current law's provisions about relocation by entities receiving assistance from DECD- and CI-administered programs*

**§§ 1 & 2 — STATE HISTORIC PRESERVATION REVIEW BOARD**

*(1) Increases board members' term lengths, (2) shortens the required notice the board must provide to municipalities about National Register of Historic Places nominations, and (3) makes technical changes and corrections*

The bill increases, from one to three years, the length of the State Historic Preservation Review Board members' terms and staggers the terms by requiring that half of the members appointed between July 1, 2021, and June 30, 2022, serve two-year terms. The bill also allows members to be reappointed to additional terms.

The bill shortens, from 60 to 30 days, the required notice the board must provide to a municipality before considering whether to act on the nomination of a property in such municipality to the National Register of Historic Places. By law, the board must provide the notice to the municipal preservation board or, if there is no board, the municipality's chief executive officer. The bill allows, rather than requires, the State Historic Preservation Officer or her designee to attend public hearings held by municipal preservation boards on these nominations.

The bill also makes technical changes and corrections, including changing the board's name from the State Historic Preservation Board to the State Historic Preservation Review Board, as is consistent with current practice.

EFFECTIVE DATE: Upon passage

**§ 3 — DRY CLEANING ESTABLISHMENT REMEDIATION FUND**

*Makes several changes affecting the fund's eligible applicants, application requirements, and eligible uses*

The bill makes several changes to the Dry Cleaning Establishment Remediation Fund, which is administered by the Department of Economic and Community Development (DECD) and provides grants for eligible dry cleaning businesses to prevent, contain, and remediate pollution from hazardous chemicals the businesses use, in addition to other specified purposes.



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EFFECTIVE DATE: Upon passage

### ***Eligible Applicants***

Under existing law, eligible grant applicants are (1) owners or operators of eligible dry cleaning establishments (i.e., those using tetrachlorethylene, Stoddard solvent, or other chemicals to clean clothing or other fabrics) and (2) owners of property that is or was occupied by these establishments. The bill specifies that property owners are eligible if a dry cleaning establishment has (or was previously) operated on the property for at least one year before applying to the program, rather than one year before the application's approval as current law provides.

The bill additionally makes a certifying party, as defined in the state's Transfer Act, an eligible applicant if a dry cleaning establishment has (or was previously) operated on the property for at least one year before applying to the program. (A certifying party is responsible for investigating and remediating a parcel covered by the Transfer Act.)

### ***Applications***

By law, grant requests must be made to the DECD commissioner. The bill specifies that (1) these requests must be made when he announces a request for applications and (2) their frequency is at his discretion. For applications submitted on or after October 1, 2021, it also requires applicants to demonstrate to the DECD commissioner's satisfaction that they can match any grant up to \$10,000 before receiving a grant. (By law, grant applicants must bear all pollution costs that are less than \$10,000.)

### ***Eligible Uses***

Existing law establishes allowable uses for the grants (e.g., containing and removing or mitigating environmental pollution). The bill additionally allows applicants to use grants for environmental site assessments relating to the pollution. Separately, it allows DECD to use the fund for legal services relating to disbursing money from the fund.

Under current law, the commissioner may provide a grant when the applicant provides satisfactory documentation that services have been

or will be completed. The bill eliminates the authority to provide grants for services that are not yet completed.

### §§ 4-13, 21-24 & 26 — ELIMINATED BOARDS AND COMMISSIONS

*Eliminates several boards and commissions and makes conforming changes*

The bill eliminates the Culture and Tourism Advisory Committee, Commission on Connecticut's Future, Small Business Advisory Board, Sports Advisory Board, and Committee for Restoration of Historic Assets in Connecticut and makes conforming changes, as shown in Table 1. Generally, these changes consist of replacing seats on other state boards and commissions that are currently held by representatives of the eliminated boards and commissions.

**Table 1: Eliminated Boards and Commissions Conforming Changes**

§	Duty	Appointee Under Current Law	Appointee Under the Bill
6	Membership on State Commission on Capitol Preservation and Restoration	Culture and Tourism Advisory Committee member, appointed by the chairperson	Historic Preservation Council, appointed by the chairperson
7	Membership on Connecticut Capitol Center Commission	Culture and Tourism Advisory Committee chairperson or designee	Historic Preservation Council chairperson or designee
9	Membership on advisory committee to State Library Board	Culture and Tourism Advisory Committee executive director	Historic Preservation Council chairperson or designee
10	Membership on advisory panel on acceptance by state of certain works of art for purposes of a credit against the estate tax	Culture and Tourism Advisory Committee chairperson	Connecticut Arts Council chairperson
11	Membership on Face of Connecticut Steering Committee	Culture and Tourism Advisory Committee chairperson	Connecticut Tourism Council member, appointed by the chairperson
13	Advise DECD commissioner in designating "Connecticut Treasures" locations	Culture and Tourism Advisory Committee	State historian

EFFECTIVE DATE: Upon passage

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**§§ 14 & 25 — DECD ANNUAL REPORT**

*(1) Eliminates a requirement that DECD's annual report analyze business assistance programs not administered by the department and (2) changes the report's legislative hearing date*

By law, DECD must submit an annual report on the department's activities by February 1 to the governor; state auditors; and the Appropriations, Commerce, and Finance, Revenue and Bonding committees. Among other things, the report must analyze business assistance programs the department administers.

The bill eliminates a provision in current law requiring DECD to analyze business assistance programs it does not administer. It instead requires DECD to analyze (1) business assistance programs administered by Connecticut Innovations, Inc. (CI) and (2) tax incentive programs not administered by the department. (The bill does not specify any required components for these analyses.)

Current law requires the Appropriations, Commerce, and Finance, Revenue and Bonding committees to individually or jointly hold one or more hearings on the report's business assistance analyses annually by March 1. The bill instead requires the committees to hold these hearings within 60 days after the state auditors complete their evaluation of DECD's annual report. (By law, the auditors must evaluate the annual report as part of their audits of DECD, which generally occur biennially.) Under the bill, the legislative hearings must also cover the auditors' evaluation.

EFFECTIVE DATE: Upon passage

**§§ 15-16 & 26 — ELIMINATED DECD REPORTING REQUIREMENTS**

*Eliminates various DECD reporting requirements*

The bill eliminates the following DECD reporting requirements:

1. annually report to the governor and legislature with recommendations for executive and legislative action to improve job innovation and development programs (§ 15);
2. biennially submit a strategic plan to the governor and legislature

on arts, culture, and tourism (§ 16); and

3. (a) maintain a registry of small business concerns owned and controlled by veterans and service-disabled veterans and (b) annually report the number of such businesses to the Veterans' Affairs Committee (§ 26).

EFFECTIVE DATE: Upon passage

### **§ 17 — UNEXPENDED REGIONAL TOURISM DISTRICT FUNDS**

*Requires regional tourism districts to return unexpended state funds to DECD at the end of each fiscal year*

The bill requires regional tourism districts to return any unexpended state funds to DECD at the end of each fiscal year, beginning with FY 21. Under the bill, DECD must use the funds to support statewide marketing. The bill also eliminates a requirement that the central district's office be located within DECD.

By law, the state has three regional tourism districts (eastern, central, and western) composed of member municipalities. DECD must, within available appropriations, distribute tourism funding evenly among the three districts.

EFFECTIVE DATE: Upon passage

### **§ 18 — CONNECTICUT ARTS COUNCIL FOUNDATION**

*Reconstitutes the foundation's board of directors by (1) eliminating the requirement that the council's board of directors serve as the foundation's board of directors and (2) establishing a new 16-member board for the foundation*

The bill revamps the membership of the Connecticut Arts Council Foundation's board of directors by eliminating current law's requirement that the council's board of directors also serve as the foundation's board of directors. It instead establishes a new 16-member board (15 voting and one nonvoting) as follows:

1. five gubernatorial appointees serving four-year terms, one of whom must be the head of a statewide arts organization;
2. six legislative appointees serving three-year terms (one

- appointment by each of the six legislative leaders);
3. three members appointed by the DECD commissioner, each serving a three-year term;
  4. the DECD commissioner as an ex-officio member; and
  5. a DECD employee responsible for arts and culture, designated by the commissioner as a nonvoting member.

EFFECTIVE DATE: October 1, 2021

### **§ 19 — FOIA EXEMPTION FOR CERTAIN ARCHAEOLOGICAL SITES**

*Allows the DECD commissioner to withhold certain archaeological site information without a request from the person who discovered or reported the site*

Current law allows the DECD commissioner to withhold from disclosure under the Freedom of Information Act (FOIA) information relating to the location of certain archaeological sites if requested in writing by the person who discovered or reported the site. If granted, the exemption applies through the following July 1, but current law allows the requestor to annually request one-year extensions.

The bill instead allows the commissioner to withhold the information without a request from the person who discovered or reported the site. It similarly eliminates current law's limitations on the exemption's term, thus allowing it to apply permanently.

Under current law, unchanged by the bill, the exemption applies to sites listed on the National Register of Historic Places or the state register of historic places, or sites DECD is considering listing, whenever the department determines that disclosure would create a risk of destruction or harm to the sites.

EFFECTIVE DATE: Upon passage

### **§ 20 — ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENTS**

*Allows DECD and CI discretion in enforcing current law's provisions about relocation by entities receiving assistance from DECD- and CI-administered programs*

Under current law, a business cannot receive economic development assistance from a DECD- or CI-administered program unless it agrees not to relocate from Connecticut for 10 years after receiving the assistance, or for the term of a state loan or loan guarantee, whichever is longer. If it relocates before the period expires, it must repay the entire amount of the assistance plus 5%. (If the business relocates within the state, it must offer its current employees jobs at the new location if available.)

The bill grants DECD and CI discretion to not require these terms for certain businesses. The discretion applies to businesses that receive (1) up to \$50,000 in financial assistance from the department or corporation, respectively, and are “eligible small businesses” (see below) or (2) assistance from programs funded entirely by the federal government.

Under the bill, an “eligible small business” is one that (1) employed no more than 100 full-time employees on at least 50% of its working days during the preceding 12 months, (2) has operations in Connecticut, (3) has been registered to conduct business for at least 12 months, and (4) is in good standing with all state and local taxes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Commerce Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/22/2021)