



Substitute Senate Bill No. 936

Public Act No. 21-193

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:

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 Section 10-321q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

(b) The legislative body of each municipality may appoint a municipal preservation board, which shall consist of not less than five nor more than nine members. The members of such municipal board shall serve from the date of their original appointment until the next

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succeeding June thirtieth, and shall thereafter be appointed for a term of one year from July first of each year.

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

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

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

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

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

(a) As used in this section: (1) "Eligible dry cleaning establishment" means any place of business engaged in the cleaning of clothing or other fabrics using tetrachlorethylene, Stoddard solvent or other chemicals, (2) "gross receipts at retail" means the total amount accruing from dry

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cleaning services, valued in money, without any deduction for the cost of the materials used, labor or service cost or any other expense, and (3) "eligible applicant" means (A) a business owner or operator of an eligible dry cleaning establishment, [or] (B) an owner of property that is or that was occupied by an eligible dry cleaning establishment, or (C) a certifying party, as defined in section 22a-134, of property that is or that was occupied by an eligible dry cleaning establishment.

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

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

(B) Any dry cleaning establishment that fails to renew its registration within forty-five days after a nonrenewal notice was sent pursuant to subdivision (1) of this subsection shall pay a penalty of two hundred dollars, which the commissioner may waive in the manner set forth in section 12-3a, when it is proven to the commissioner's satisfaction that

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the failure to register was due to reasonable cause and was not intentional or due to neglect. No penalty may be assessed under this subparagraph more than once during any registration period.

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

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

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section.

(c) There is established an account within the General Fund to be known as the "dry cleaning establishment remediation account". Said account shall contain any moneys required by law to be deposited in the account. Any balance remaining in the account at the end of any fiscal year shall be carried forward in the account for the fiscal year next succeeding. The account shall be used by the Department of Economic and Community Development for grants made to (1) owners or operators of eligible dry cleaning establishments, [or] (2) owners of property on which an eligible dry cleaning establishment has been in operation for at least a year prior to the [approval] submission of the application or was previously operated for at least a year prior to such [approval] submission, or (3) certifying parties of property on which an eligible dry cleaning establishment has been in operation for at least one year prior to the submission of the application or was previously operated for at least one year prior to such submission.

(d) The state, acting through the Commissioner of Economic and Community Development, shall use the dry cleaning establishment remediation account to provide grants to eligible applicants for the purposes of the containment and removal or mitigation of environmental pollution resulting from the discharge, spillage, uncontrolled loss, seepage or filtration of chemical liquids or solid, liquid or gaseous products or hazardous wastes on or at the site of an eligible dry cleaning establishment, environmental site assessments relating to such pollution or for measures undertaken to prevent such pollution which are approved by the Commissioner of Energy and Environmental Protection. In order to qualify for a grant under the provisions of this section an eligible applicant [must] shall demonstrate to the satisfaction of the Commissioner of Economic and Community Development that (1) the eligible dry cleaning establishment is using or previously used, tetrachlorethylene or Stoddard solvent or other

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chemicals for the purpose of cleaning clothes or other fabrics, (2) the eligible dry cleaning establishment has been doing business or did business at the site for a period of at least one year prior to the submission date or approval date of the application for assistance under this section, (3) the eligible dry cleaning establishment or owner of property is not in arrears with regard to any tax levied by the state or any political subdivision of the state and the dry cleaning surcharge imposed by subsection (b) of this section, and (4) the eligible applicant is not in arrears with regard to any tax levied by the state or any political subdivision of the state. Any funds disbursed as a grant under this section shall not be subject to attachment in the satisfaction of any judgment against the recipient of such grant in any civil action.

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

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

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

(h) The Commissioner of Economic and Community Development shall establish procedures for distribution of the grants and shall adopt criteria to carry out the provisions of this section. Such criteria shall specify (1) who may apply for grants; (2) how establishments, whether owned or leased, will be determined to be eligible for grants; (3) the costs for which grants may be made; and (4) a method for ensuring timely payment of funds to grant recipients.

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

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

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

(c) Notwithstanding any provision of law, the term of each member of each board and commission within the executive branch, except the State Board of Education, the Board of Regents for Higher Education,

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the Commission on Human Rights and Opportunities, the State Elections Enforcement Commission, the State Properties Review Board, the Citizen's Ethics Advisory Board, the Commission on Medicolegal Investigations, the Psychiatric Security Review Board, the Commission on Fire Prevention and Control, the E 9-1-1 Commission, [the Culture and Tourism Advisory Committee,] and the board of trustees of each constituent unit of the state system of higher education, commencing on or after July 1, 1979, shall be coterminous with the term of the Governor or until a successor is chosen, whichever is later.

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

(a) There shall be a State Commission on Capitol Preservation and Restoration to consist of twelve members to be appointed as follows: Two members shall be appointed by the Governor, two by the speaker of the House of Representatives, two by the president pro tempore of the Senate, one by the House minority leader, one by the Senate minority leader, two members of the Joint Committee on Legislative Management, one appointed by each of the chairmen of said committee, and one member of the [Culture and Tourism Advisory Committee] Historic Preservation Council appointed by its chairperson. The Commissioner of Administrative Services, or the commissioner's designee, shall be an ex-officio member of the commission and shall attend its meetings. Vacancies on the commission shall be filled by the original appointing authority for the unexpired portion of the term. The members shall serve without compensation for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The commission shall meet at least quarterly, and more often on the call of the chairman or on the written request of a majority of the members. The commission may designate subcommittees to carry out its functions. Any member who fails to

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attend three consecutive meetings or fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned.

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

(a) There is established a Connecticut Capitol Center Commission. The commission shall consist of (1) the Secretary of the Office of Policy and Management, or the secretary's designee; (2) the Commissioner of Administrative Services, or the commissioner's designee; (3) the Commissioner of Economic and Community Development, or the commissioner's designee; (4) the chairperson of the [Culture and Tourism Advisory Committee] Historic Preservation Council, or the chairperson's designee; (5) one member appointed by the speaker of the House of Representatives; (6) one member appointed by the president pro tempore of the Senate; (7) one member appointed by the majority leader of the House of Representatives; (8) one member appointed by the majority leader of the Senate; (9) one member appointed by the minority leader of the House of Representatives; (10) one member appointed by the minority leader of the Senate; (11) the chairperson of the Hartford Commission on the City Plan; (12) one member appointed by the mayor of the city of Hartford; and (13) one member from the South Downtown Neighborhood Revitalization Committee.

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

(b) The State Historian shall: (1) [Be a member of the Culture and Tourism Advisory Committee, established pursuant to section 10-393, (2) edit] Edit or supervise the editing and publication of the public records of the state, [(3)] (2) provide information and advice to members

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of the government at all levels, [(4)] (3) assist the State Board of Education in efforts to promote the teaching of history in schools and teacher preparation programs, [(5)] (4) respond to requests for advice from historical societies, [(6)] (5) respond to requests for information on the state's history, [(7)] (6) make public appearances and addresses on the state's history, [(8)] (7) prepare bibliographies and other research aids relating to the history of the state, and [(9)] (8) promote by appropriate informative and educational programs the celebration or commemoration of significant historical events.

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

(b) There is established an advisory committee to advise the State Library Board with respect to the policies, collections, programs, activities and operations of the Raymond E. Baldwin Museum of Connecticut History and Heritage. The advisory committee shall consist of eight members as follows: The [executive director of the Culture and Tourism Advisory Committee] chairperson of the Historic Preservation Council, or the chairperson's designee; the executive director of the Connecticut Historical Society; the State Historian; and five persons appointed by the Governor, three of whom shall be experienced museum professionals.

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

(b) There shall be appointed, as part of the Department of Economic and Community Development, an advisory panel to consider the proposed acceptance of any such work of art. The advisory panel shall prepare a written statement as to acceptance or rejection of any such work of art for the purposes of this section. In each instance, said panel

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shall consist of eleven members, including the chairperson of the [Culture and Tourism Advisory Committee] Connecticut Arts Council and two generally acknowledged experts as to the particular type of visual art work under consideration, as determined by said chairperson, with such appointments to be made by said chairperson and approved by the [Culture and Tourism Advisory Committee] Connecticut Arts Council. In addition, said advisory panel shall include eight members of the General Assembly, with two of such members appointed by the president pro tempore of the Senate, one of such members appointed by the majority leader of the Senate, one of such members appointed by the minority leader of the Senate, two of such members appointed by the speaker of the House of Representatives, one of such members appointed by the majority leader of the House of Representatives and one of such members appointed by the minority leader of the House of Representatives.

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

(a) There is established the Face of Connecticut Steering Committee, which shall be within the Department of Energy and Environmental Protection for administrative purposes only. Such committee shall direct the expenditure of any funds deposited in the Face of Connecticut account created under section 22a-27t. The committee shall consist of the Commissioner of Energy and Environmental Protection, the Commissioner of Economic and Community Development, or the commissioner's designee, the Commissioner of Agriculture, [the chairperson of the Culture and Tourism Advisory Committee] a member of the Connecticut Tourism Council, appointed by its chairperson, the Secretary of the Office of Policy and Management and ten members as follows: (1) A representative of a local organization involved in historic preservation, appointed by the speaker of the House

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of Representatives; (2) a representative of a nonprofit organization involved in farmland preservation, appointed by the president pro tempore of the Senate; (3) a representative of a local or regional nonprofit organization involved in the preservation of open space, appointed by the majority leader of the House of Representatives; (4) a representative of a water company actively involved in land preservation, appointed by the majority leader of the Senate; (5) a representative of the agricultural industry, appointed by the minority leader of the House of Representatives; (6) a representative of a state-wide nonprofit involved in the preservation of open space, appointed by the minority leader of the Senate; (7) a representative of a state-wide nonprofit organization involved in historic preservation, appointed by the Governor; (8) a representative of an organization involved with community redevelopment, appointed by the Governor; (9) a representative of the legislative Brownfields Task Force, appointed by the speaker of the House of Representatives; and (10) a representative of the environmental law section of the Connecticut Bar Association who is involved with brownfields remediation, appointed by the president pro tempore of the Senate.

Sec. 12. Subsection (a) of section 32-1o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before July 1, 2015, and every four years thereafter, the Commissioner of Economic and Community Development, within available appropriations, shall prepare an economic development strategic plan for the state in consultation with the Secretary of the Office of Policy and Management, the Commissioners of Energy and Environmental Protection and Transportation, the Labor Commissioner, [the chairperson of the Culture and Tourism Advisory Committee,] the executive directors of the Connecticut Housing Finance Authority and the Connecticut Health and Educational Facilities

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Authority, and the chief executive officer of Connecticut Innovations, Incorporated, or their respective designees, and any other agencies the Commissioner of Economic and Community Development deems appropriate.

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

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

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

(a) Not later than February first, annually, the Commissioner of Economic and Community Development shall submit a report to the Governor, the Auditors of Public Accounts and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce, in accordance with the provisions of section 11-4a. Not later than thirty days after submission of the report, said commissioner shall post the report on the Department of Economic

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and Community Development's web site. Such report shall include, but not be limited to, the following information with regard to the activities of the Department of Economic and Community Development and to business assistance [or incentive programs not administered by the department,] programs administered by Connecticut Innovations, Incorporated, during the preceding state fiscal year:

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

- (A) Connecticut employment by industry;
- (B) Connecticut and national average unemployment; and
- (C) Connecticut gross state product, by industry.

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

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

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

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

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

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

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

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

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

(A) The Internet web site address of the state's open data portal and an indication of where the name, address and location of each recipient of the department's assistance is published on the site along with the following information concerning each recipient: (i) Amount of state

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investment, (ii) a summary of the terms and conditions for the department's assistance, including the type and amount of state financial assistance, and (iii) the amount of investments from private and other nonstate sources that have been leveraged by such assistance; and

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

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

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

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

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

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

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

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

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

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

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

(10) An overview of the department's activities concerning digital media, motion pictures and related production activity, and an analysis of the use of the film production tax credit established under section 12-217jj, the entertainment industry infrastructure tax credit established under section 12-217kk and the digital animation production tax credit established under section 12-217ll, including the amount of any tax

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credit issued under said sections and the total amount of production expenses or costs incurred in the state by the taxpayer who was issued such a tax credit.

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

(12) A summary of the department's dry cleaning establishment remediation account activities in the preceding fiscal year.

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

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

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

The Commissioner of Economic and Community Development shall:

- (1) Evaluate existing and potential job skills needed for Connecticut business and industry;
- (2) coordinate and recommend improvements in vocational educational programs in order to match vocational programs with job needs;
- (3) encourage work-study programs in industry and more scholarships funded by employers, unions and government;
- (4) encourage retraining programs for the underemployed and

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unemployed in order to provide a guaranteed work force; and (5) evaluate and make recommendations for executive and legislative action to improve programs regarding job innovation and development. [The commissioner shall make a report of his findings and recommendations to the Governor and General Assembly not later than February 15, 1980, and annually thereafter.]

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

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

(b) The department shall:

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

(2) Promote the arts;

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

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

(5) Promote Connecticut as a location in which to produce digital

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media and motion pictures and to establish and conduct business related to the digital media and motion picture industries to enhance these industries' economic impact in the state;

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

(7) Integrate funding and programs whenever possible. [; and

(8) On or before January 1, 2012, and biennially thereafter, develop and submit to the Governor and the General Assembly, in accordance with section 11-4a, a strategic plan to implement subdivisions (1) to (5), inclusive, of this subsection.]

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

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

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

(2) The central regional district, which shall consist of Andover, Avon, Berlin, Bethany, Bloomfield, Bolton, Branford, Canton, Cheshire,

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Chester, Clinton, Cromwell, Deep River, Durham, East Granby, East Haddam, East Hampton, East Hartford, East Haven, East Windsor, Ellington, Enfield, Essex, Farmington, Glastonbury, Granby, Guilford, Haddam, Hamden, Hartford, Hebron, Killingworth, Madison, Manchester, Marlborough, Meriden, Middlefield, Middletown, Milford, New Britain, New Haven, Newington, North Branford, North Haven, Old Saybrook, Orange, Plainville, Portland, Rocky Hill, Simsbury, Somers, South Windsor, Southington, Stafford, Suffield, Tolland, Vernon, Wallingford, West Hartford, West Haven, Westbrook, Wethersfield, Windsor, Windsor Locks and Woodbridge; and

(3) The western regional district, which shall consist of Ansonia, Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgeport, Bridgewater, Bristol, Brookfield, Burlington, Canaan, Colebrook, Cornwall, Danbury, Darien, Derby, Easton, Fairfield, Goshen, Greenwich, Hartland, Harwinton, Kent, Litchfield, Middlebury, Monroe, Morris, Naugatuck, New Fairfield, New Hartford, New Milford, New Canaan, Newtown, Norfolk, North Canaan, Norwalk, Oxford, Plymouth, Prospect, Redding, Ridgefield, Roxbury, Salisbury, Seymour, Sharon, Shelton, Sherman, Southbury, Stamford, Stratford, Thomaston, Torrington, Trumbull, Warren, Washington, Waterbury, Watertown, Weston, Westport, Wilton, Winchester, Wolcott and Woodbury.

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

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Development.

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

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

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

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

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

[(h)] (g) The commissioner shall, within available appropriations, distribute tourism funding evenly among the three tourism districts. At the end of each fiscal year, commencing with the fiscal year ending June 30, 2021, each regional tourism district shall return any unexpended

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funds, except for any funds used to establish or administer a matching grant program pursuant to subsection (h) of this section, to the Department of Economic and Community Development. Such funds shall be deposited into the Tourism Fund. The commissioner shall use such funds to support state-wide marketing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) 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

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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.]

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

The Commissioner of Economic and Community Development and the board of directors of Connecticut Innovations, Incorporated shall require, as a condition of any financial assistance provided on and after June 23, 1993, under any program administered by the Department of Economic and Community Development or such corporation to any business organization, except for a business organization that receives any such financial assistance in an amount not more than fifty thousand dollars and is an eligible small business, as defined in section 31-3pp, or under any assistance program that is funded entirely by the federal government, in which case the commissioner may require, that such business organization: (1) Shall not relocate outside of the state for ten years after receiving such assistance or during the term of a loan or loan guarantee, whichever is longer, unless the full amount of the assistance is repaid to the state and a penalty equal to five per cent of the total assistance received is paid to the state, except that this subdivision shall not be applicable to financial assistance by the corporation in the form of an equity investment or other financial assistance, including a convertible or seed loan, with predominantly equity characteristics, and (2) shall, if the business organization relocates within the state during such period, offer employment at the new location to its employees from the original location if such employment is available. For the purposes of subdivision (1) of this section, the value of a guarantee shall be equal to the amount of the state's liability under the guarantee. As used in this section, "relocate" means the physical transfer of a substantial portion, as determined by the Commissioner of Economic and Community

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Development, of the operations of a business or any division of a business that independently receives any financial assistance from the state from the location such business or division occupied at the time it accepted the financial assistance to another location. Notwithstanding the provisions of this section, the Commissioner of Economic and Community Development shall adopt regulations in accordance with chapter 54 to establish the terms and conditions of repayment, including specifying the conditions under which repayment may be deferred, following a determination by the commissioner of a legitimate hardship.

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

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

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(H) of this subdivision may be located anywhere in the state.

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

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

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

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

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projects pursuant to sections [32-6a,] 32-9qq and 32-328; and (6) to advise the Commissioner of Energy and Environmental Protection on the distribution of grants pursuant to section 23-101.

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

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

Sec. 25. Subsection (c) of section 2-90c of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) As part of each audit the Auditors of Public Accounts perform of the Department of Economic and Community Development, said auditors shall evaluate the annual reports submitted by the Commissioner of Economic and Community Development since the last audit performed of the department by said auditors and the analyses required under [subdivisions (2) and (4)] subdivision (2) of subsection (a) of section 32-1m, as amended by this act, and included in such annual reports. Such evaluation shall include, but need not be limited to:

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

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

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

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

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

Approved July 13, 2021