



General Assembly

January Session, 2003

**Raised Bill No. 6699**

LCO No. 4664

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING THE REVISOR'S 2003 TECHNICAL  
CORRECTIONS TO THE GENERAL STATUTES.**

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

1 Section 1. Section 1-24 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The following officers may administer oaths: (1) The clerks of the  
4 Senate, the clerks of the House of Representatives and the chairpersons  
5 of committees of the General Assembly or of either branch thereof,  
6 during its session; (2) state officers, as defined in subsection (t) of  
7 section 9-1, judges and clerks of any court, family support magistrates,  
8 judge trial referees, justices of the peace, commissioners of the Superior  
9 Court, notaries public, [commissioners appointed by the Governor to  
10 take acknowledgment of deeds,] town clerks and assistant town clerks,  
11 in all cases where an oath may be administered, except in a case where  
12 the law otherwise requires; (3) commissioners on insolvent estates,  
13 auditors, arbitrators and committees, to parties and witnesses, in all  
14 cases tried before them; (4) assessors and boards of assessment  
15 appeals, in cases coming before them; (5) commissioners appointed by  
16 governors of other states to take the acknowledgment of deeds, in the

17 discharge of their official duty; (6) the moderator of a school district  
18 meeting, in such meeting, to the clerk of such district, as required by  
19 law; (7) the first selectman, in any matter before the board of  
20 selectmen; (8) the Chief Medical Examiner, Deputy Medical Examiner  
21 and assistant medical examiners of the Office of the Medical Examiner,  
22 in any matter before them; (9) registrars of vital statistics, in any matter  
23 before them; (10) any chief inspector or inspector appointed pursuant  
24 to section 51-286; (11) registrars of voters, deputy registrars, assistant  
25 registrars, and moderators, in any matter before them; (12) special  
26 assistant registrars, in matters provided for in subsections (b) and (c) of  
27 section 9-19b and section 9-19c; (13) the Commissioner of Public Safety  
28 and any sworn member of any local police department or the Division  
29 of State Police within the Department of Public Safety, in all affidavits,  
30 statements, depositions, complaints or reports made to or by any  
31 member of any local police department or said Division of State Police  
32 or any constable who is under the supervision of said commissioner or  
33 any of such officers of said Division of State Police and who is certified  
34 under the provisions of sections 7-294a to 7-294e, inclusive, and  
35 performs criminal law enforcement duties; (14) judge advocates of the  
36 United States Army, Navy, Air Force and Marine Corps, law  
37 specialists of the United States Coast Guard, adjutants, assistant  
38 adjutants, acting adjutants and personnel adjutants, commanding  
39 officers, executive officers and officers whose rank is lieutenant  
40 commander or major, or above, of the armed forces, as defined in  
41 section 27-103, to persons serving with or in the armed forces, as  
42 defined in said section, or their spouses; (15) investigators, deputy  
43 investigators, investigative aides, secretaries, clerical assistants, social  
44 workers, social worker trainees, paralegals and certified legal interns  
45 employed by or assigned to the Public Defender Services Commission  
46 in the performance of their assigned duties; (16) bail commissioners  
47 employed by the Judicial Department in the performance of their  
48 assigned duties; (17) juvenile matter investigators employed by the  
49 Division of Criminal Justice in the performance of their assigned  
50 duties; (18) the chairperson of the Connecticut Siting Council or the

51 chairperson's designee; (19) the presiding officer at an agency hearing  
52 under section 4-177b; (20) family relations counselors employed by the  
53 Judicial Department and support enforcement officers and  
54 investigators employed by the Department of Social Services Bureau of  
55 Child Support Enforcement and the Judicial Department, in the  
56 performance of their assigned duties; (21) the chairperson, vice-  
57 chairperson and members of the Board of Parole, parole officers and  
58 parole supervisors in the performance of their assigned duties; and  
59 (22) the Commissioner of Correction or the commissioner's designee.

60 Sec. 2. Section 1-29 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective from passage*):

62 The acknowledgment of any instrument may be made in this state  
63 before: (1) A judge of a court of record or a family support magistrate;  
64 (2) a clerk or deputy clerk of a court having a seal; (3) a [commissioner  
65 of deeds or] town clerk; (4) a notary public; (5) a justice of the peace; or  
66 (6) an attorney admitted to the bar of this state.

67 Sec. 3. Subsection (a) of section 1-56r of the general statutes is  
68 repealed and the following is substituted in lieu thereof (*Effective from*  
69 *passage*):

70 (a) Any person eighteen years of age or older may execute a  
71 document that designates another person eighteen years of age or  
72 older to make certain decisions on behalf of the maker of such  
73 document and have certain rights and obligations with respect to the  
74 maker of such document under section 1-1k, subsection (b) of section  
75 14-16, subsection (b) of section 17a-543, subsection (a) of section 19a-  
76 279c, section 19a-550, subsection (a) of section 19a-571, section 19a-580,  
77 subsection (b) of section 19a-578, section 31-51jj, section 54-85d, section  
78 54-91c, section 54-126a or chapter 968.

79 Sec. 4. Subdivision (2) of subsection (b) of section 1-268 of the  
80 general statutes is repealed and the following is substituted in lieu  
81 thereof (*Effective from passage*):

82 (2) Except to the extent provided in section 1-281, the Uniform  
83 Commercial Code, other than sections 42a-1-107 and 42a-1-206, and  
84 [article 2] articles 2 and 2A of title 42a.

85 Sec. 5. Section 2c-12 of the general statutes is repealed and the  
86 following is substituted in lieu thereof (*Effective from passage*):

87 Nothing in this section or in sections 2c-1 to 2c-11, inclusive, shall  
88 prohibit the General Assembly from terminating a governmental entity  
89 or program prior to the termination date established in section 2c-2b  
90 [nor] or from considering any other legislation concerning any such  
91 entity or program.

92 Sec. 6. Subsection (f) of section 3-20 of the general statutes is  
93 repealed and the following is substituted in lieu thereof (*Effective from*  
94 *passage*):

95 (f) With the exception of refunding bonds, the proceeds of the sale  
96 of the bonds and any moneys held or otherwise set aside for the  
97 repayment of the bonds shall be deposited with the Treasurer or, at the  
98 direction of the Treasurer, with a commercial bank or trust company,  
99 in trust for the benefit of the state, pending the use or application  
100 thereof, for the purpose and projects specified in the bond act  
101 empowering the State Bond Commission to authorize such bonds. Any  
102 expense incurred in connection with the carrying out of the provisions  
103 of this section, including the issuance of refunding bonds, shall be paid  
104 from the accrued interest and premiums or from the proceeds of the  
105 sale of such bonds or refunding bonds and in the same manner as  
106 other obligations of the state, except that expenses incurred in  
107 connection with the preparation, issuance and delivery of general  
108 obligation bonds issued in accordance with sections 3-17 and 10-183m,  
109 and delivered to the retirement fund provided for in section 10-183r  
110 shall be paid out of the General Fund if sufficient accrued interest and  
111 premiums are not available to pay such expenses. With the exception  
112 of the proceeds of refunding bonds deposited in a defeasance escrow  
113 fund, pending the use or application of any such bond proceeds or any

114 such funds, such proceeds or funds may be deposited with the  
115 Treasurer in such fund or funds of the state as appropriate or at the  
116 direction of the Treasurer in a commercial bank or trust company with  
117 or without security to the credit of such fund or funds, or may be  
118 invested by, or at the direction of, the Treasurer in bonds or obligations  
119 of, or guaranteed by, the state or the United States, or agencies or  
120 instrumentalities of the United States, in certificates of deposit,  
121 commercial paper, savings accounts and bank acceptances, in the  
122 obligations of any state of the United States or any political subdivision  
123 thereof or the obligations of any instrumentality, authority or agency  
124 of any state or political subdivision thereof, provided that at the time  
125 of investment such obligations are rated within one of the top two  
126 rating categories of any nationally recognized rating service or of any  
127 rating service recognized by the [state] Commissioner of Banking, and  
128 applicable to such obligations, in the obligations of any regional school  
129 district in this state, of any municipality in this state or any  
130 metropolitan district in this state, provided that at the time of  
131 investment such obligations of such government entity are rated  
132 within one of the top three rating categories of any nationally  
133 recognized rating service or of any rating service recognized by the  
134 [state] Commissioner of Banking, and applicable to such obligations, or  
135 in any fund in which a trustee may invest pursuant to section 36a-353,  
136 or in investment agreements with financial institutions whose long-  
137 term obligations are rated within the top two rating categories of any  
138 nationally recognized rating service or of any rating service recognized  
139 by the [state] Commissioner of Banking or whose short-term  
140 obligations are rated within the top rating category of any nationally  
141 recognized rating service or of any rating service recognized by the  
142 [state] Commissioner of Banking, or investment agreements fully  
143 secured by obligations of, or guaranteed by, the United States or  
144 agencies or instrumentalities of the United States. Except as may be  
145 provided herein or in any other public or special act, net earnings of  
146 investments of proceeds of bonds and such funds, and accrued interest  
147 and premiums on the issuance of such bonds shall, after payment of

148 expenses incurred by the Treasurer or State Bond Commission in  
149 connection with their issuance, if any, be deposited to the credit of the  
150 General Fund.

151 Sec. 7. Subsection (j) of section 3-55j of the general statutes is  
152 repealed and the following is substituted in lieu thereof (*Effective from*  
153 *passage*):

154 (j) For the fiscal years ending June 30, 2000, June 30, 2001, and June  
155 30, 2002, the sum of forty-nine million seven hundred fifty thousand  
156 dollars shall be paid to municipalities, and for the fiscal year ending  
157 June 30, 2003, and each fiscal year thereafter, the sum of forty-seven  
158 million five hundred thousand dollars shall be paid to municipalities,  
159 in accordance with this subsection, from the Mashantucket Pequot and  
160 Mohegan Fund established by section 3-55i. The grants payable under  
161 this subsection shall be used to proportionately increase the amount of  
162 the grants payable to each municipality in accordance with subsections  
163 (a) to (i), inclusive, of this section and shall be in addition to the grants  
164 payable under subsections (a) [through] to (g), inclusive, of this  
165 section.

166 Sec. 8. Subdivision (9) of subsection (b) of section 4-124w of the  
167 general statutes is repealed and the following is substituted in lieu  
168 thereof (*Effective from passage*):

169 (9) Not later than October 1, 2002, and annually thereafter, submit a  
170 report, with the assistance of the Labor Department, to the Governor [,]  
171 and the joint standing committees of the General Assembly having  
172 cognizance of matters relating to education, economic development,  
173 [and] labor and [the select committee of the General Assembly having  
174 cognizance of matters relating to workforce development] higher  
175 education and employment advancement specifying a forecasted  
176 assessment by the Labor Department of workforce shortages in  
177 occupations in this state for the succeeding two and five-year periods.  
178 The report shall also include recommendations concerning (A)  
179 methods to generate a sufficient number of workers to meet identified

180 workforce needs, including, but not limited to, scholarship, school-to-  
181 career and internship programs, and (B) methods secondary and  
182 higher education and private industry can use to address identified  
183 workforce needs.

184 Sec. 9. Subsection (b) of section 4-124z of the general statutes is  
185 repealed and the following is substituted in lieu thereof (*Effective from*  
186 *passage*):

187 (b) Not later than January 1, 2002, and annually thereafter, the  
188 Commissioner of Education shall report, in accordance with section 11-  
189 4a, to the joint standing committees of the General Assembly having  
190 cognizance of matters relating to education, commerce, [and] labor and  
191 [to the select committee of the General Assembly having cognizance of  
192 matters relating to workforce development] higher education and  
193 employment advancement on (1) the implementation of any  
194 recommended programs or strategies within the vocational-technical  
195 school system or the community-technical college system to strengthen  
196 the linkage between vocational-technical and community-technical  
197 college certification and degree programs and the employment needs  
198 of business and industry, and (2) any certification or degree programs  
199 offered by vocational-technical colleges or community-technical  
200 colleges that do not meet current industry standards.

201 Sec. 10. Subsection (a) of section 5-266a of the general statutes is  
202 repealed and the following is substituted in lieu thereof (*Effective from*  
203 *passage*):

204 (a) No person employed in the classified state service or in the  
205 Judicial Department may (1) use his official authority or influence for  
206 the purpose of interfering with or affecting the result of an election or a  
207 nomination for office; or (2) directly or indirectly coerce, attempt to  
208 coerce, command or advise a state or local officer or employee to pay,  
209 lend or contribute anything of value to a party, committee,  
210 organization, agency or person for political purposes.

211 Sec. 11. Subsection (b) of section 5-272 of the general statutes is  
212 repealed and the following is substituted in lieu thereof (*Effective from*  
213 *passage*):

214 (b) Employee organizations or their agents are prohibited from: (1)  
215 Restraining or coercing employees in the exercise of the rights  
216 guaranteed in subsection (a) of section 5-271; (2) restraining or coercing  
217 an employer in the selection of his representative for purposes of  
218 collective bargaining or the adjustment of grievances; (3) refusing to  
219 bargain collectively in good faith, with an employer, if it has been  
220 designated in accordance with the provisions of sections 5-270 to 5-280,  
221 inclusive, as the exclusive representative of employees in an  
222 appropriate unit; (4) breaching their duty of fair representation  
223 pursuant to section 5-271; (5) violating any of the rules and regulations  
224 established by the board regulating the conduct of representation  
225 elections; or (6) refusing to reduce a collective bargaining agreement to  
226 writing and sign such agreement.

227 Sec. 12. Subsection (f) of section 7-152b of the general statutes is  
228 repealed and the following is substituted in lieu thereof (*Effective from*  
229 *passage*):

230 (f) If such assessment is not paid on the date of its entry, the hearing  
231 officer shall send by first class mail a notice of the assessment to the  
232 person found liable and shall file, not less than thirty days [nor] or  
233 more than twelve months after such mailing, a certified copy of the  
234 notice of assessment with the clerk of a superior court facility  
235 designated by the Chief Court Administrator together with an entry  
236 fee of eight dollars. The certified copy of the notice of assessment shall  
237 constitute a record of assessment. Within such twelve-month period,  
238 assessments against the same person may be accrued and filed as one  
239 record of assessment. The clerk shall enter judgment, in the amount of  
240 such record of assessment and court costs of eight dollars, against such  
241 person in favor of the town, city or borough. Notwithstanding any  
242 provision of the general statutes, the hearing officer's assessment,

243 when so entered as a judgment, shall have the effect of a civil money  
244 judgment and a levy of execution on such judgment may issue without  
245 further notice to such person.

246 Sec. 13. Subsection (f) of section 7-152c of the general statutes is  
247 repealed and the following is substituted in lieu thereof (*Effective from*  
248 *passage*):

249 (f) If such assessment is not paid on the date of its entry, the hearing  
250 officer shall send by first class mail a notice of the assessment to the  
251 person found liable and shall file, not less than thirty days [nor] or  
252 more than twelve months after such mailing, a certified copy of the  
253 notice of assessment with the clerk of a superior court facility  
254 designated by the Chief Court Administrator together with an entry  
255 fee of eight dollars. The certified copy of the notice of assessment shall  
256 constitute a record of assessment. Within such twelve-month period,  
257 assessments against the same person may be accrued and filed as one  
258 record of assessment. The clerk shall enter judgment, in the amount of  
259 such record of assessment and court costs of eight dollars, against such  
260 person in favor of the municipality. Notwithstanding any provision of  
261 the general statutes, the hearing officer's assessment, when so entered  
262 as a judgment, shall have the effect of a civil money judgment and a  
263 levy of execution on such judgment may issue without further notice  
264 to such person.

265 Sec. 14. Subsection (b) of section 7-308 of the general statutes is  
266 repealed and the following is substituted in lieu thereof (*Effective from*  
267 *passage*):

268 (b) Each municipality of this state, notwithstanding any inconsistent  
269 [provisions] provision of law, general, special or local, or any  
270 limitation contained in the provisions of any charter, shall pay on  
271 behalf of any paid or volunteer fireman or volunteer ambulance  
272 member of such municipality all sums which such fireman or  
273 volunteer ambulance member becomes obligated to pay by reason of  
274 liability imposed upon such fireman or volunteer ambulance member

275 by law for damages to person or property, if the fireman or volunteer  
276 ambulance member, at the time of the occurrence, accident, injury or  
277 damages complained of, was performing fire or volunteer ambulance  
278 duties and if such occurrence, accident, injury or damage was not the  
279 result of any wilful or wanton act of such fireman or volunteer  
280 ambulance member in the discharge of such duties. This section shall  
281 not apply to damages to person caused by an employee to a fellow  
282 employee while both employees are engaged in the scope of their  
283 employment for such municipality if the employee suffering such  
284 damages or, in the case of his death, his dependent, has a right to  
285 benefits or compensation under chapter 568 by reason of such  
286 damages. If a fireman or, in the case of his death, his dependent, has a  
287 right to benefits or compensation under chapter 568 by reason of injury  
288 or death caused by the negligence or wrong of a fellow employee  
289 while both employees are engaged in the scope of their employment  
290 for such municipality, such fireman or, in the case of his death, his  
291 dependent, shall have no cause of action against such fellow employee  
292 to recover damages for such injury or death unless such wrong was  
293 wilful and malicious. [The] Such municipality may arrange for and  
294 maintain appropriate insurance or may elect to act as a self-insurer to  
295 maintain such protection. No action or proceeding instituted pursuant  
296 to the provisions of this section shall be prosecuted or maintained  
297 against the municipality or fireman unless at least thirty days have  
298 elapsed since the demand, claim or claims upon which such action or  
299 special proceeding is founded were presented to the clerk or  
300 corresponding officer of such municipality. No action for personal  
301 injuries or damages to real or personal property shall be maintained  
302 against such municipality and fireman unless such action is  
303 commenced within one year after the cause of action therefor [has  
304 arisen nor unless] arose and notice of the intention to commence such  
305 action and of the time when and the place where the damages were  
306 incurred or sustained has been filed with the clerk or corresponding  
307 officer of such municipality and with the fireman within six months  
308 after such cause of action has accrued. No action for trespass shall lie

309 against any fireman crossing or working upon lands of another to  
310 extinguish fire or for investigation thereof. No action for trespass shall  
311 lie against any volunteer ambulance member crossing or working  
312 upon lands of another while performing ambulance services.  
313 Governmental immunity shall not be a defense in any action brought  
314 under this section. In any such action the municipality and the  
315 fireman, or the municipality and the volunteer ambulance member,  
316 may be represented by the same attorney if the municipality, at the  
317 time such attorney enters his appearance, files a statement with the  
318 court, which shall not become part of the pleadings or judgment file,  
319 that it will pay any [verdict] final judgment rendered in such action  
320 against such fireman or volunteer ambulance member. No mention of  
321 any kind shall be made of such statement by any counsel during the  
322 trial of such action.

323 Sec. 15. Section 7-384 of the general statutes is repealed and the  
324 following is substituted in lieu thereof (*Effective from passage*):

325 Each complying municipality may enact an ordinance, authorizing  
326 the issuance of its bonds or notes, and may issue its bonds or notes  
327 within the limits of this chapter for the purpose of financing, in whole  
328 or in part, the period set out in [section 7-382,] subdivisions (1) and (2)  
329 of subsection (a) of section 7-382. The face value of such bonds or notes  
330 shall not exceed the amount appropriated for such purpose by the  
331 legislative body of such municipality. The bonds or notes issued under  
332 authority of this chapter shall not be subject to the limitation provided  
333 in section 7-374. No provision of any special act enacted prior to June  
334 5, 1935, shall be construed to prohibit the issuance of bonds or notes  
335 under the terms of this chapter.

336 Sec. 16. Section 7-406b of the general statutes is repealed and the  
337 following is substituted in lieu thereof (*Effective from passage*):

338 Beginning with the fiscal year commencing July 1, 1992, and  
339 annually thereafter, the chief executive officer of each town, city,  
340 borough, consolidated town and city and consolidated town and

341 borough shall submit one copy of the municipality's annual operating  
342 budget, as adopted in accordance with the local budget adoption  
343 process, to the Secretary of the Office of Policy and Management and  
344 such related, reasonably available, budgetary information as [such] the  
345 secretary may request pursuant to regulations adopted [,] in  
346 accordance with the provisions of chapter 54. The budget shall be  
347 submitted by July first of each year or within thirty days after the  
348 adoption of the budget, whichever is later.

349 Sec. 17. Subsection (a) of section 7-421 of the general statutes is  
350 repealed and the following is substituted in lieu thereof (*Effective from*  
351 *passage*):

352 (a) No person employed in the classified civil service may (1) use his  
353 official authority or influence for the purpose of interfering with or  
354 affecting the result of an election or a nomination for office; or (2)  
355 directly or indirectly coerce, attempt to coerce, command or advise a  
356 state or local officer or employee to pay, lend or contribute anything of  
357 value to a party, committee, organization, agency or person for  
358 political purposes.

359 Sec. 18. Section 7-440a of the general statutes is repealed and the  
360 following is substituted in lieu thereof (*Effective from passage*):

361 Each participating employer may pick up the member contributions  
362 required by section 7-440 for all compensation earned on and after  
363 January 1, 2002, and the contributions so picked up shall be treated as  
364 employer contributions in determining tax treatment under the  
365 [United States] Internal Revenue Code of 1986, or any subsequent  
366 corresponding internal revenue code of the United States, as from time  
367 to time amended, and [the Connecticut Income Tax Code] chapter 229.  
368 The employer shall pay [these] such member contributions from the  
369 same source of funds that is used to pay the member. The employer  
370 may pick up [these] such contributions by a reduction in the cash  
371 salary of the member, or by an offset against a future salary increase,  
372 or by a combination of a reduction in salary and offset against a future

373 salary increase. If member contributions are picked up, they shall be  
374 treated for all purposes of the Municipal Employees' Retirement Fund  
375 in the same manner and to the same extent as member contributions  
376 made prior to the date picked up. Municipalities participating in fund  
377 B may adopt this section for their members. Such election shall be  
378 made in a manner prescribed by the Retirement Commission.

379 Sec. 19. Subsection (a) of section 7-465 of the general statutes is  
380 repealed and the following is substituted in lieu thereof (*Effective from*  
381 *passage*):

382 (a) Any town, city or borough, notwithstanding any inconsistent  
383 provision of law, general, special or local, shall pay on behalf of any  
384 employee of such municipality, except firemen covered under the  
385 provisions of section 7-308, and on behalf of any member from such  
386 municipality of a local emergency planning district, appointed  
387 pursuant to section 22a-601, all sums which such employee becomes  
388 obligated to pay by reason of the liability imposed upon such  
389 employee by law for damages awarded for infringement of any  
390 person's civil rights or for physical damages to person or property,  
391 except as [hereinafter] set forth in this section, if the employee, at the  
392 time of the occurrence, accident, physical injury or damages  
393 complained of, was acting in the performance of his duties and within  
394 the scope of his employment, and if such occurrence, accident, physical  
395 injury or damage was not the result of any wilful or wanton act of such  
396 employee in the discharge of such duty. This section shall not apply to  
397 physical injury to a person caused by an employee to a fellow  
398 employee while both employees are engaged in the scope of their  
399 employment for such municipality if the employee suffering such  
400 injury or, in the case of his death, his dependent, has a right to benefits  
401 or compensation under chapter 568 by reason of such injury. If an  
402 employee or, in the case of his death, his dependent, has a right to  
403 benefits or compensation under chapter 568 by reason of injury or  
404 death caused by the negligence or wrong of a fellow employee while  
405 both employees are engaged in the scope of their employment for such

406 municipality, such employee or, in the case of his death, his  
407 dependent, shall have no cause of action against such fellow employee  
408 to recover damages for such injury or death unless such wrong was  
409 wilful and malicious or the action is based on the fellow employee's  
410 negligence in the operation of a motor vehicle, as defined in section 14-  
411 1. This section shall not apply to libel or slander proceedings brought  
412 against any such employee and, in such cases, there is no assumption  
413 of liability by any town, city or borough. Any employee of such  
414 municipality, although excused from official duty at the time, for the  
415 purposes of this section shall be deemed to be acting in the discharge  
416 of duty when engaged in the immediate and actual performance of a  
417 public duty imposed by law. Such municipality may arrange for and  
418 maintain appropriate insurance or may elect to act as a self-insurer to  
419 maintain such protection. No action for personal physical injuries or  
420 damages to real or personal property shall be maintained against such  
421 municipality and employee jointly unless such action is commenced  
422 within two years after the cause of action therefor arose [nor unless]  
423 and written notice of the intention to commence such action and of the  
424 time when and the place where the damages were incurred or  
425 sustained has been filed with the clerk of such municipality within six  
426 months after such cause of action has accrued. Governmental  
427 immunity shall not be a defense in any action brought under this  
428 section. In any such action the municipality and the employee may be  
429 represented by the same attorney if the municipality, at the time such  
430 attorney enters his appearance, files a statement with the court, which  
431 shall not become part of the pleadings or judgment file, that it will pay  
432 any [verdict] final judgment rendered in such action against such  
433 employee. No mention of any kind shall be made of such statement by  
434 any counsel during the trial of such action. As used in this section,  
435 "employee" [shall include] includes (1) a member of a town board of  
436 education and any teacher, including a student teacher doing practice  
437 teaching under the direction of such a teacher, or other person  
438 employed by such board, and (2) a member of the local emergency  
439 planning committee from such municipality appointed pursuant to

440 section 22a-601. Nothing in this section shall be construed to abrogate  
441 the right of any person, board or commission which may accrue under  
442 section 10-235.

443 Sec. 20. Subsection (a) of section 8-44 of the general statutes is  
444 repealed and the following is substituted in lieu thereof (*Effective from*  
445 *passage*):

446 (a) An authority shall constitute a public body corporate and politic,  
447 exercising public powers and having all the powers necessary or  
448 convenient to carry out the purposes and provisions of this chapter,  
449 including the following enumerated powers in addition to others  
450 granted by any provision of the general statutes: (1) To sue and be  
451 sued; to have a seal and to alter the same at pleasure; to have perpetual  
452 succession; to make and execute contracts and other instruments  
453 necessary or convenient to the exercise of the powers of the authority;  
454 and to make and from time to time amend and repeal bylaws, rules  
455 and regulations not inconsistent with this chapter to carry into effect  
456 the powers and purposes of the authority; (2) within its area of  
457 operation, to prepare, carry out, acquire, lease and operate housing  
458 projects and to provide for the construction, reconstruction,  
459 improvement, alteration or repair of any housing project or any part  
460 thereof either directly or in the form of loans or other similar assistance  
461 to developers, all such housing projects where families with children  
462 are eligible for occupancy to contain reasonably adequate outdoor  
463 playground areas; (3) to arrange or contract for the furnishing by any  
464 person or agency, public or private, of services, privileges, works or  
465 facilities for, or in connection with, a housing project or the occupants  
466 thereof; (4) to demise any dwellings, houses, accommodations, lands,  
467 buildings, structures or facilities embraced in any housing project and,  
468 subject to the limitations contained in this chapter, to establish and  
469 revise the rents or charges therefor; to own, hold and improve real or  
470 personal property; to purchase, lease, obtain options upon or acquire,  
471 by gift, grant, bequest, devise or otherwise, any real or personal  
472 property or any interest therein, provided no real property or interest

473 therein shall be acquired for the site of a proposed housing project  
474 until the housing authority has held a public hearing concerning such  
475 site, notice of which has been published in the form of a legal  
476 advertisement in a newspaper having a substantial circulation in the  
477 municipality at least twice at intervals of not less than two days, the  
478 first not more than fifteen [nor] or less than ten days, and the last not  
479 less than two days, before such hearing; to insure or provide for the  
480 insurance of any real or personal property or operations of the  
481 authority against any risks or hazards; to procure insurance or  
482 guarantees from the federal government of the payment of any debts  
483 or parts thereof, whether or not incurred by such authority, secured by  
484 mortgages on any property included in any of its housing projects; (5)  
485 to invest any funds held in reserves or sinking funds, or any funds not  
486 required for immediate disbursements, in investments legal for mutual  
487 savings banks, provided that the provisions of subdivision (2) of  
488 subsection (n) of section 36-96 shall not be applicable to any such  
489 investment, and to purchase its bonds at a price not more than the  
490 principal amount thereof and accrued interest, all bonds so purchased  
491 to be cancelled; (6) within its area of operation, to investigate living,  
492 dwelling and housing conditions and the means and methods of  
493 improving such conditions; to determine where slum areas exist or  
494 where there is a shortage of decent, safe and sanitary dwelling  
495 accommodations for families of low and moderate income; to make  
496 studies and recommendations relating to the problem of clearing,  
497 replanning and reconstructing slum areas, and the problem of  
498 providing dwelling accommodations for families of low and moderate  
499 income, and to cooperate with the municipality or the state or any  
500 political subdivision thereof in action taken in connection with such  
501 problems; (7) to promote the creation and preservation of housing for  
502 low and moderate income persons and families, either directly or  
503 through an agency or instrumentality designated or appointed by the  
504 authority, by lending or otherwise making available to developers the  
505 proceeds from the sale of obligations which are tax-exempt pursuant to  
506 the provisions of the Internal Revenue Code of 1986, or any

507 subsequent corresponding internal revenue code of the United States,  
508 as from time to time amended, or Section 11(b) of the United States  
509 Housing Act of 1937, as amended, or any successor provisions  
510 amendatory or supplementary thereto, provided no such obligations  
511 or other notes or securities issued by any agency or instrumentality  
512 designated or approved by the authority pursuant to the provisions of  
513 this subdivision, shall create or imply any indebtedness of any kind on  
514 the part of the housing authority, the state, or any political subdivision  
515 thereof; and (8) to exercise all or any part or combination of powers  
516 herein granted. No provision of law with respect to the operation or  
517 disposition of property by other public bodies shall be applicable to an  
518 authority unless the General Assembly specifically so states.

519 Sec. 21. Section 8-200a of the general statutes is repealed and the  
520 following is substituted in lieu thereof (*Effective from passage*):

521 The unpaid balance of all loans made under the provisions of  
522 chapter 131 of the general statutes, revision of 1958, revised to 1966,  
523 shall, on May 23, 1969, become state grants-in-aid under the provisions  
524 of this chapter and shall not be repaid to the state in whole or in part.

525 Sec. 22. Section 8-200b of the general statutes is repealed and the  
526 following is substituted in lieu thereof (*Effective from passage*):

527 Administrative or other costs or expenses incurred by the state in  
528 connection with the carrying out of the provisions of chapter 131 of the  
529 general statutes, revision of 1958, revised to 1966, shall be paid from  
530 the proceeds of bonds issued for grants-in-aid for industrial or  
531 research development projects from funds available for the purposes  
532 of this chapter.

533 Sec. 23. Section 8-265pp of the general statutes is repealed and the  
534 following is substituted in lieu thereof (*Effective from passage*):

535 The Connecticut Housing Finance Authority shall develop and  
536 administer a program of mortgage assistance to certified teachers (1)

537 employed by priority school districts pursuant to section 10-266p, (2)  
538 employed by transitional school districts pursuant to section 10-263c,  
539 (3) employed by regional vocational-technical schools located in such  
540 priority or transitional school districts, or (4) who teach in a subject  
541 matter shortage area pursuant to section 10-8b. Such assistance shall be  
542 available to eligible teachers for the purchase of a house as their  
543 principal residence, provided, in the case of a teacher employed by a  
544 priority or a transitional school district, or by a regional vocational-  
545 technical school located in a priority or transitional school district, the  
546 house is located in such district. In making mortgage assistance  
547 available under the program, the authority shall utilize downpayment  
548 assistance or any other appropriate housing subsidies. The terms of  
549 any mortgage assistance shall allow the mortgagee to realize a  
550 reasonable portion of the equity gain upon sale of the mortgaged  
551 property. [For purposes of this section, "minorities" means those whose  
552 racial ancestry is defined as other than white by the Bureau of Census  
553 of the United States Department of Commerce.]

554 Sec. 24. Subsection (a) of section 10-1831 of the general statutes is  
555 repealed and the following is substituted in lieu thereof (*Effective from*  
556 *passage*):

557 (a) On and after July 1, 1991, the management of the system shall  
558 continue to be vested in the Teachers' Retirement Board, which shall  
559 consist of twelve members including the Commissioner of Social  
560 Services and the Commissioner of Education, or their designees, who  
561 shall be members of the board, ex officio. On or before June 15, 1985,  
562 and quadrennially thereafter, the members of [such] the system shall  
563 elect from their number, in a manner prescribed by said board, two  
564 persons to serve as members of said board for terms of four years  
565 beginning July first following such election. Both of such persons shall  
566 be active teachers who shall be nominated by the members of the  
567 system who are not retired and elected by all the members of the  
568 system. On or before July 1, 1991, and quadrennially thereafter, the  
569 members of [such] the system shall elect from their number, in a

570 manner prescribed by said board, three persons to serve as members of  
571 said board for terms of four years beginning July first following such  
572 election. Two of such persons shall be retired teachers who shall be  
573 nominated by the retired members of the system and elected by all the  
574 members of the system and one shall be an active teacher who shall be  
575 nominated by the members of the system who are not retired and  
576 elected by all the members of the system. If a vacancy occurs in the  
577 positions filled by the members of [said] the system who are not  
578 retired, said board shall elect a member of the system who is not  
579 retired to fill the unexpired portion of the term. If a vacancy occurs in  
580 the positions filled by the retired members of [said] the system, said  
581 board shall elect a retired member of the system to fill the unexpired  
582 portion of the term. The Governor shall appoint five public members  
583 to said board in accordance with the provisions of section 4-9a. The  
584 members of the board shall serve without compensation, but shall be  
585 reimbursed for any expenditures or loss of salary or wages which they  
586 incur through service on the board. All decisions of the board shall  
587 require the approval of six members of the board or a majority of the  
588 members who are present, whichever is greater.

589 Sec. 25. Subsection (c) of section 10a-19b of the general statutes is  
590 repealed and the following is substituted in lieu thereof (*Effective from*  
591 *passage*):

592 (c) Not later than July 1, 2002, and annually thereafter, the council,  
593 in consultation with the Departments of Education and Higher  
594 Education and the boards of trustees of the constituent units of higher  
595 education, shall report to the joint standing [committee] committees of  
596 the General Assembly having cognizance of matters relating to  
597 education and [the select committee of the General Assembly having  
598 cognizance of matters relating to workforce development] higher  
599 education and employment advancement on all articulation  
600 agreements involving higher education institutions and any progress  
601 made on the establishment of additional agreements, in accordance  
602 with section 11-4a.

603 Sec. 26. Subsection (b) of section 10a-112 of the general statutes is  
604 repealed and the following is substituted in lieu thereof (*Effective from*  
605 *passage*):

606 (b) [On or after October 1, 1987, the] The board of directors of the  
607 State Museum of Natural History shall appoint a State Archaeologist  
608 and staff for the Office of Archaeology established pursuant to section  
609 10a-112a. The State Archaeologist shall have the following powers and  
610 duties: (1) To supervise the care and study of the archaeological  
611 collection of the State Museum of Natural History; (2) to coordinate  
612 [the] (A) the archaeological salvage of properties threatened with  
613 destruction, (B) public and private archaeological research and the  
614 encouragement of the highest possible standards in archaeological  
615 investigations, and (C) the preservation of native American and other  
616 human osteological remains and cemeteries with the Connecticut  
617 Historical Commission, the Office of the [State] Chief Medical  
618 Examiner, the Indian Affairs Council and other state agencies; (3) to  
619 conduct research on the state's prehistory and history and disseminate  
620 the results of such research through publications and other means; (4)  
621 to educate the public about the significance and fragility of  
622 archaeological resources; (5) to respond to inquiries about the state's  
623 archaeological resources; and (6) to maintain comprehensive site files  
624 and maps.

625 Sec. 27. Subsection (s) of section 10a-180 of the general statutes is  
626 repealed and the following is substituted in lieu thereof (*Effective from*  
627 *passage*):

628 (s) To invest any funds not needed for immediate use or  
629 disbursement, including reserve funds, in obligations issued or  
630 guaranteed by the United States of America or the state of Connecticut,  
631 including the state's Short-Term or Long-Term Investment Fund, and  
632 in other obligations which are legal investments for savings banks in  
633 this state, or in investment agreements with financial institutions  
634 whose short-term obligations are rated within the top two rating

635 categories of any nationally recognized rating service or of any rating  
636 service recognized by the [state] Commissioner of Banking, or  
637 investment agreements fully secured by obligations of, or guaranteed  
638 by, the United States or agencies or instrumentalities of the United  
639 States or in securities or obligations which are legal investments for  
640 savings banks in this state, subject to repurchase agreements in the  
641 manner in which such agreements are negotiated in sales of securities  
642 in the market place, provided that the authority shall not enter into any  
643 such agreement with any securities dealer or bank acting as a securities  
644 dealer unless such dealer or bank is included in the list of primary  
645 dealers, effective at the time of such agreement, as prepared by the  
646 Federal Reserve Bank of New York.

647 Sec. 28. Subparagraph (B) of subdivision (8) of subsection (a) of  
648 section 12-407 of the general statutes is repealed and the following is  
649 substituted in lieu thereof (*Effective from passage*):

650 (B) "Sales price" does not include any of the following: (i) Cash  
651 discounts allowed and taken on sales; (ii) any portion of the amount  
652 charged for property returned by purchasers, which upon rescission of  
653 the contract of sale is refunded either in cash or credit, provided the  
654 property is returned within ninety days from the date of purchase; (iii)  
655 the amount of any tax, not including any manufacturers' or importers'  
656 excise tax, imposed by the United States upon or with respect to retail  
657 sales whether imposed upon the retailer or the purchaser; (iv) the  
658 amount charged for labor rendered in installing or applying the  
659 property sold, provided such charge is separately stated and exclusive  
660 of such charge for any service rendered within the purview of  
661 subparagraph (I) of subdivision (37) of this subsection; (v) unless the  
662 provisions of subdivision (4) of section 12-430 or of section 12-430a are  
663 applicable, any amount for which credit is given to the purchaser by  
664 the retailer, provided such credit is given solely for property of the  
665 same kind accepted in part payment by the retailer and intended by  
666 the retailer to be resold; (vi) the full face value of any coupon used by a  
667 purchaser to reduce the price paid to a retailer for an item of tangible

668 personal property, whether or not the retailer will be reimbursed for  
669 such coupon, in whole or in part, by the manufacturer of the item of  
670 tangible personal property or by a third party; (vii) the amount  
671 charged for separately stated compensation, fringe benefits, workers'  
672 compensation and payroll taxes or assessments paid to or on behalf of  
673 employees of a retailer who has contracted to manage a service  
674 recipient's property or business premises and renders management  
675 services described in subparagraph (I) or (J) of subdivision (37) of this  
676 subsection, provided, the employees perform such services solely for  
677 the service recipient at its property or business premises and "sales  
678 price" shall include the separately stated compensation, fringe benefits,  
679 workers' compensation and payroll taxes or assessments paid to or on  
680 behalf of any employee of the retailer who is an officer, director or  
681 owner of more than five per cent of the outstanding capital stock of the  
682 retailer. Determination whether an employee performs services solely  
683 for a service recipient at its property or business premises for purposes  
684 of this subdivision shall be made by reference to such employee's  
685 activities during the time period beginning on the later of the  
686 commencement of the management contract, the date of the  
687 employee's first employment by the retailer or the date which is six  
688 months immediately preceding the date of such determination; (viii)  
689 the amount charged for separately stated compensation, fringe  
690 benefits, workers' compensation and payroll taxes or assessments paid  
691 to or on behalf of (I) a leased employee, or (II) a worksite employee by  
692 a professional employer organization pursuant to a professional  
693 employer agreement. For purposes of this subparagraph, an employee  
694 shall be treated as a leased employee if the employee is provided to the  
695 client at the commencement of an agreement with an employee leasing  
696 organization under which at least seventy-five per cent of the  
697 employees provided to the client at the commencement of such initial  
698 agreement qualify as leased employees pursuant to Section 414(n) of  
699 the Internal Revenue Code of 1986, or any subsequent corresponding  
700 internal revenue code of the United States, as from time to time  
701 amended, or the employee is added to the client's workforce by the

702 employee leasing organization subsequent to the commencement of  
703 such initial agreement and qualifies as a leased employee pursuant to  
704 Section 414(n) of said Internal Revenue Code of 1986 without regard to  
705 subparagraph (B) of paragraph (2) thereof. A leased employee, or a  
706 worksite employee subject to a professional employer agreement, shall  
707 not include any employee who is hired by a temporary help service  
708 and assigned to support or supplement the workforce of a temporary  
709 help service's client; and (ix) any amount received by a retailer from a  
710 purchaser as the battery deposit that is required to be paid under  
711 subsection (a) of section 22a-245h; the refund value of a beverage  
712 container that is required to be paid under subsection (a) of section  
713 22a-244; or a deposit that is required by law to be paid by the  
714 purchaser to the retailer and that is required by law to be refunded to  
715 the purchaser by the retailer when the same or similar tangible  
716 personal property is delivered as required by law to the retailer by the  
717 purchaser, if such amount is separately stated on the bill or invoice  
718 rendered by the retailer to the purchaser.

719 Sec. 29. Subparagraph (B) of subdivision (9) of subsection (a) of  
720 section 12-407 of the general statutes is repealed and the following is  
721 substituted in lieu thereof (*Effective from passage*):

722 (B) "Gross receipts" do not include any of the following: (i) Cash  
723 discounts allowed and taken on sales; (ii) any portion of the sales price  
724 of property returned by purchasers, which upon rescission of the  
725 contract of sale is refunded either in cash or credit, provided the  
726 property is returned within ninety days from the date of sale; (iii) the  
727 amount of any tax, not including any manufacturers' or importers'  
728 excise tax, imposed by the United States upon or with respect to retail  
729 sales whether imposed upon the retailer or the purchaser; (iv) the  
730 amount charged for labor rendered in installing or applying the  
731 property sold, provided such charge is separately stated and exclusive  
732 of such charge for any service rendered within the purview of  
733 subparagraph (I) of subdivision (37) of this subsection; (v) unless the  
734 provisions of subdivision (4) of section 12-430 or of section 12-430a are

735 applicable, any amount for which credit is given to the purchaser by  
736 the retailer, provided such credit is given solely for property of the  
737 same kind accepted in part payment by the retailer and intended by  
738 the retailer to be resold; (vi) the full face value of any coupon used by a  
739 purchaser to reduce the price paid to the retailer for an item of tangible  
740 personal property, whether or not the retailer will be reimbursed for  
741 such coupon, in whole or in part, by the manufacturer of the item of  
742 tangible personal property or by a third party; (vii) the amount  
743 charged for separately stated compensation, fringe benefits, workers'  
744 compensation and payroll taxes or assessments paid to or on behalf of  
745 employees of a retailer who has contracted to manage a service  
746 recipient's property or business premises and renders management  
747 services described in subparagraph (I) or (J) of subdivision (37) of this  
748 subsection, provided the employees perform such services solely for  
749 the service recipient at its property or business premises and "gross  
750 receipts" shall include the separately stated compensation, fringe  
751 benefits, workers' compensation and payroll taxes or assessments paid  
752 to or on behalf of any employee of the retailer who is an officer,  
753 director or owner of more than five per cent of the outstanding capital  
754 stock of the retailer. Determination whether an employee performs  
755 services solely for a service recipient at its property or business  
756 premises for purposes of this subdivision shall be made by reference to  
757 such employee's activities during the time period beginning on the  
758 later of the commencement of the management contract, the date of the  
759 employee's first employment by the retailer or the date which is six  
760 months immediately preceding the date of such determination; (viii)  
761 the amount charged for separately stated compensation, fringe  
762 benefits, workers' compensation and payroll taxes or assessments paid  
763 to or on behalf of (I) a leased employee, or (II) a worksite employee by  
764 a professional employer organization pursuant to a professional  
765 employer agreement. For purposes of this subparagraph, an employee  
766 shall be treated as a leased employee if the employee is provided to the  
767 client at the commencement of an agreement with an employee leasing  
768 organization under which at least seventy-five per cent of the

769 employees provided to the client at the commencement of such initial  
770 agreement qualify as leased employees pursuant to Section 414(n) of  
771 the Internal Revenue Code of 1986, or any subsequent corresponding  
772 internal revenue code of the United States, as from time to time  
773 amended, or the employee is added to the client's workforce by the  
774 employee leasing organization subsequent to the commencement of  
775 such initial agreement and qualifies as a leased employee pursuant to  
776 Section 414(n) of said Internal Revenue Code of 1986 without regard to  
777 subparagraph (B) of paragraph (2) thereof. A leased employee, or a  
778 worksite employee subject to a professional employer agreement, shall  
779 not include any employee who is hired by a temporary help service  
780 and assigned to support or supplement the workforce of a temporary  
781 help service's client; and (ix) the amount received by a retailer from a  
782 purchaser as the battery deposit that is required to be paid under  
783 subsection (a) of section 22a-256h; the refund value of a beverage  
784 container that is required to be paid under subsection (a) of section  
785 22a-244 or a deposit that is required by law to be paid by the purchaser  
786 to the retailer and that is required by law to be refunded to the  
787 purchaser by the retailer when the same or similar tangible personal  
788 property is delivered as required by law to the retailer by the  
789 purchaser, if such amount is separately stated on the bill or invoice  
790 rendered by the retailer to the purchaser.

791 Sec. 30. Subdivision (2) of subsection (a) of section 12-692 of the  
792 general statutes is repealed and the following is substituted in lieu  
793 thereof (*Effective from passage*):

794 (2) "Rental truck" means a (A) vehicle rented without a driver that  
795 has a gross vehicle weight rating of twenty-six thousand pounds or  
796 less and is used in the transportation of personal property but not for  
797 business purposes, or (B) trailer that has a gross vehicle weight rating  
798 of not more than six thousand pounds.

799 Sec. 31. Subsection (a) of section 13b-42 of the general statutes is  
800 repealed and the following is substituted in lieu thereof (*Effective from*

801 *passage*):

802 (a) The commissioner shall have entire charge, control, operation  
803 and management of any airport or restricted landing area owned or  
804 leased by the state, except any air navigation facility operated  
805 exclusively by the [state] Military Department, and may act with the  
806 consent of the State Properties Review Board as agent of the state in  
807 any negotiations with the federal government concerning land or other  
808 property used or to be used by the state for aeronautical purposes.

809 Sec. 32. Subsections (a) to (g), inclusive, of section 13b-76 of the  
810 general statutes are repealed and the following is substituted in lieu  
811 thereof (*Effective from passage*):

812 (a) Bonds and bond anticipation notes issued pursuant to sections  
813 13b-74 to 13b-77, inclusive, are hereby determined to be issued for  
814 valid public purposes in exercise of essential governmental functions.  
815 Such bonds and bond anticipation notes shall be special obligations of  
816 the state and shall not be payable from [nor] or charged upon any  
817 funds other than the pledged revenues or other receipts, funds or  
818 moneys pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-  
819 458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to  
820 13a-175u, inclusive, subsection (f) of section 13b-42, sections 13b-59,  
821 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80,  
822 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections  
823 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,  
824 subsection (b) of section 14-35, subsection (b) of section 14-41, section  
825 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and  
826 14-50, subsection (a) of section 14-50a, sections 14-52 and 14-58,  
827 subsection (c) of section 14-66, subsection (e) of section 14-67, sections  
828 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73,  
829 subsection (c) of section 14-96q, sections 14-103a and 14-160, subsection  
830 (a) of section 14-164a, subsection (a) of section 14-192, sections 14-319,  
831 14-320 and 14-381, subsection (b) of section 14-382 and sections 14-383,  
832 15-14 and 16-299, nor shall the state or any political subdivision thereof

833 be subject to any liability thereon, except to the extent of such pledged  
834 revenues or other receipts, funds or moneys pledged therefor as  
835 provided in said sections. As part of the contract of the state with the  
836 owners of said bonds and bond anticipation notes, all amounts  
837 necessary for punctual payment of the debt service requirements with  
838 respect to such bonds and bond anticipation notes shall be deemed to  
839 be appropriated, but only from the sources pledged pursuant to said  
840 sections, upon the authorization of issuance of such bonds and bond  
841 anticipation notes by the State Bond Commission, or the filing of a  
842 certificate of determination by the Treasurer in accordance with  
843 subsection (c) of this section, and the Treasurer shall pay such  
844 principal and interest as the same shall accrue, but only from such  
845 sources. The issuance of bonds or bond anticipation notes issued under  
846 sections 13b-74 to 13b-77, inclusive, shall not directly or indirectly or  
847 contingently obligate the state or any political subdivision thereof to  
848 levy or to pledge any form of taxation whatever therefor, except for  
849 taxes included in the pledged revenues, or to make any additional  
850 appropriation for their payment. Such bonds and bond anticipation  
851 notes shall not constitute a charge, lien or encumbrance, legal or  
852 equitable, upon any property of the state or of any political subdivision  
853 thereof other than the pledged revenues or other receipts, funds or  
854 moneys pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-  
855 458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to  
856 13a-175u, inclusive, subsection (f) of section 13b-42, sections 13b-59,  
857 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80,  
858 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections  
859 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,  
860 subsection (b) of section 14-35, subsection (b) of section 14-41, section  
861 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and  
862 14-50, subsection (a) of section 14-50a, sections 14-52 and 14-58,  
863 subsection (c) of section 14-66, subsection (e) of section 14-67, sections  
864 14-67a, 14-67d, 14-67i and 14-69, subsection (e) of section 14-73,  
865 subsection (c) of section 14-96q, sections 14-103a and 14-160, subsection  
866 (a) of section 14-164a, subsection (a) of section 14-192, sections 14-319,

867 14-320 and 14-381, subsection (b) of section 14-382 and sections 14-383  
868 and 15-14, and the substance of such limitation shall be plainly stated  
869 on the face of each such bond and bond anticipation note. Bonds and  
870 bond anticipation notes issued pursuant to sections 13b-74 to 13b-77,  
871 inclusive, shall not be subject to any statutory limitation on the  
872 indebtedness of the state, and, when issued, shall not be included in  
873 computing the aggregate indebtedness of the state in respect to and to  
874 the extent of any such limitation.

875 (b) Bonds issued pursuant to sections 13b-74 to 13b-77, inclusive,  
876 may be executed and delivered at such time or times and shall be  
877 dated, bear interest at such rate or rates, including variable rates to be  
878 determined in such manner as set forth in the proceedings authorizing  
879 the issuance of the bonds, provide for payment of interest on such  
880 dates, whether before or at maturity, be issued at, above or below par,  
881 mature at such time or times not exceeding thirty years from their  
882 date, have such rank or priority, be payable in such medium of  
883 payment, be issued in such form, including without limitation  
884 registered or book-entry form, carry such registration and transfer  
885 privileges and be made subject to purchase or redemption before  
886 maturity at such price or prices and under such terms and conditions,  
887 including the condition that such bonds be subject to purchase or  
888 redemption on the demand of the owner thereof, all as may be  
889 provided by the State Bond Commission. The State Bond Commission  
890 shall determine the form of the bonds, the manner of execution of the  
891 bonds, the denomination or denominations of the bonds and the  
892 manner of payment of principal and interest. Prior to the preparation  
893 of definitive bonds, the State Bond Commission may, under like  
894 restrictions, authorize the issuance of interim receipts or temporary  
895 bonds, exchangeable for definitive bonds when such bonds have been  
896 executed and are available for delivery. If any of the officers whose  
897 signatures appear on the bonds cease to be officers before the delivery  
898 of any such bonds, such signatures shall, nevertheless, be valid and  
899 sufficient for all purposes, the same as if such officers had remained in  
900 office until delivery. Nothing herein shall prevent any series of bonds

901 issued under sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,  
902 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,  
903 inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61, 13b-  
904 69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of  
905 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a  
906 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection  
907 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,  
908 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,  
909 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)  
910 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,  
911 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of  
912 section 14-96q, sections 14-103a and 14-160, subsection (a) of section  
913 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-  
914 381, subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-  
915 299 from being issued in coupon form, in which case references to the  
916 bonds herein also shall refer to the coupons attached thereto where  
917 appropriate, and references to owners of bonds shall include holders of  
918 such bonds where appropriate.

919 (c) Any bonds issued pursuant to sections 13b-74 to 13b-77,  
920 inclusive, may be sold at public sale on sealed proposals or by  
921 negotiation in such manner, at such price or prices, at such time or  
922 times and on such other terms and conditions of such bonds and the  
923 issuance and sale thereof as the State Bond Commission may  
924 determine to be in the best interests of the state, or the State Bond  
925 Commission may delegate to the Treasurer all or any part of the  
926 foregoing powers in which event the Treasurer shall exercise such  
927 powers unless the State Bond Commission, by adoption of a resolution  
928 prior to the exercise of such powers by the Treasurer shall elect to  
929 reassume the same. Such powers shall be exercised from time to time  
930 in such manner as the Treasurer shall determine to be in the best  
931 interests of the state and he shall file a certificate of determination  
932 setting forth the details thereof with the secretary of the State Bond  
933 Commission on or before the date of delivery of such bonds, the details  
934 of which were determined by him in accordance with such delegation.

935 (d) The debt service requirements with respect to any bonds and  
936 bond anticipation notes issued pursuant to sections 13b-74 to 13b-77,  
937 inclusive, shall be secured by (1) a first call upon the pledged revenues  
938 as they are received by the state and credited to the Special  
939 Transportation Fund established under section 13b-68, and (2) a lien  
940 upon any and all amounts held to the credit of said Special  
941 Transportation Fund from time to time, provided said lien shall not  
942 extend to amounts held to the credit of such Special Transportation  
943 Fund which represent (A) amounts borrowed by the Treasurer in  
944 anticipation of state revenues pursuant to section 3-16, or (B)  
945 transportation-related federal revenues of the state. Any obligation of  
946 the state secured by said lien to pay the unrefunded principal of bond  
947 anticipation notes, including for this purpose any obligation of the  
948 state under a reimbursement agreement entered into in connection  
949 with a credit facility providing for payment of the unrefunded  
950 principal of bond anticipation notes, shall be subordinate to any  
951 obligation of the state secured by said lien to pay (i) the debt service  
952 requirements with respect to bonds, or (ii) any debt service  
953 requirements with respect to bond anticipation notes other than debt  
954 service requirements relating to unrefunded principal of bond  
955 anticipation notes or to obligations under a credit facility for the  
956 payment of such unrefunded principal. The debt service requirements  
957 with respect to bonds and bond anticipation notes also may be secured  
958 by a pledge of reserves, sinking funds and any other funds and  
959 accounts, including proceeds from investment of any of the foregoing,  
960 established pursuant to sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d,  
961 subsection (c) of section 13a-80a, sections 13a-175p to 13a-175u,  
962 inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61, 13b-  
963 69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of  
964 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a  
965 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection  
966 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,  
967 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,  
968 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)

969 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,  
970 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of  
971 section 14-96q, sections 14-103a and 14-160, subsection (a) of section  
972 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-  
973 381, subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-  
974 299 or the proceedings authorizing the issuance of such bonds, and by  
975 moneys paid under a credit facility, including, but not limited to, a  
976 letter of credit or policy of bond insurance, issued by a financial  
977 institution pursuant to an agreement authorized by such proceedings.

978 (e) The proceedings under which bonds are authorized to be issued  
979 may, subject to the provisions of the general statutes, contain any or all  
980 of the following: (1) Provisions respecting custody of the proceeds  
981 from the sale of the bonds and any bond anticipation notes, including  
982 any requirements that such proceeds be held separate from or not be  
983 commingled with other funds of the state; (2) provisions for the  
984 investment and reinvestment of bond proceeds until used to pay  
985 transportation costs and for the disposition of any excess bond  
986 proceeds or investment earnings thereon; (3) provisions for the  
987 execution of reimbursement agreements or similar agreements in  
988 connection with credit facilities, including, but not limited to, letters of  
989 credit or policies of bond insurance, remarketing agreements and  
990 agreements for the purpose of moderating interest rate fluctuations,  
991 and of such other agreements entered into pursuant to section 3-20a;  
992 (4) provisions for the collection, custody, investment, reinvestment and  
993 use of the pledged revenues or other receipts, funds or moneys  
994 pledged therefor as provided in sections 3-21a, 3-27a, 3-27f, 12-458 and  
995 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-  
996 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61,  
997 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of  
998 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a  
999 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection  
1000 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,  
1001 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,  
1002 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)

1003 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,  
1004 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of  
1005 section 14-96q, sections 14-103a and 14-160, subsection (a) of section  
1006 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-  
1007 381, subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-  
1008 299; (5) provisions regarding the establishment and maintenance of  
1009 reserves, sinking funds and any other funds and accounts as shall be  
1010 approved by the State Bond Commission in such amounts as may be  
1011 established by the State Bond Commission, and the regulation and  
1012 disposition thereof, including requirements that any such funds and  
1013 accounts be held separate from or not be commingled with other funds  
1014 of the state; (6) covenants for the establishment of pledged revenue  
1015 coverage requirements for the bonds and bond anticipation notes,  
1016 provided [ ] that no such covenant shall obligate the state to provide  
1017 coverage in any year with respect to any bonds or bond anticipation  
1018 notes in excess of four times the aggregate debt service on bonds and  
1019 bond anticipation notes, as described in subparagraph (A) of  
1020 subdivision (3) of section 13b-75, during such year; (7) covenants for  
1021 the establishment of maintenance requirements with respect to state  
1022 transportation facilities and properties; (8) provisions for the issuance  
1023 of additional bonds on a parity with bonds theretofore issued,  
1024 including establishment of coverage requirements with respect thereto  
1025 as herein provided; (9) provisions regarding the rights and remedies  
1026 available in case of a default to the bondowners, noteowners or any  
1027 trustee under any contract, loan agreement, document, instrument or  
1028 trust indenture, including the right to appoint a trustee to represent  
1029 their interests upon occurrence of an event of default, as defined in  
1030 said proceedings, provided that if any bonds or bond anticipation  
1031 notes shall be secured by a trust indenture, the respective owners of  
1032 such bonds or notes shall have no authority except as set forth in such  
1033 trust indenture to appoint a separate trustee to represent them; [ ] and  
1034 (10) provisions or covenants of like or different character from the  
1035 foregoing which are consistent with sections 3-21a, 3-27a, 3-27f, 12-458  
1036 and 12-458d, subsection (c) of section 13a-80a, sections 13a-175p to 13a-

1037 175u, inclusive, subsection (f) of section 13b-42, sections 13b-59, 13b-61,  
1038 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80, subsection (a) of  
1039 section 13b-97, subsection (a) of section 14-12, sections 14-15, 14-16a  
1040 and 14-21c, subsection (a) of section 14-25a, section 14-28, subsection  
1041 (b) of section 14-35, subsection (b) of section 14-41, section 14-41a,  
1042 subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and 14-50,  
1043 subsection (a) of section 14-50a, sections 14-52 and 14-58, subsection (c)  
1044 of section 14-66, subsection (e) of section 14-67, sections 14-67a, 14-67d,  
1045 14-67l and 14-69, subsection (e) of section 14-73, subsection (c) of  
1046 section 14-96q, sections 14-103a and 14-160, subsection (a) of section  
1047 14-164a, subsection (a) of section 14-192, sections 14-319, 14-320 and 14-  
1048 381, subsection (b) of section 14-382 and sections 14-383, 15-14 and 16-  
1049 299 and which the State Bond Commission determines in such  
1050 proceedings are necessary, convenient or desirable in order to better  
1051 secure the bonds or bond anticipation notes, or will tend to make the  
1052 bonds or bond anticipation notes more marketable, and which are in  
1053 the best interests of the state. Any provision which may be included in  
1054 proceedings authorizing the issuance of bonds hereunder may be  
1055 included in an indenture of trust duly approved in accordance with  
1056 subsection (g) of this section which secures the bonds and any notes  
1057 issued in anticipation thereof, and in such case the provisions of such  
1058 indenture shall be deemed to be a part of such proceedings as though  
1059 they were expressly included therein.

1060 (f) Any pledge made by the state shall be valid and binding from the  
1061 time when the pledge is made, and any revenues or other receipts,  
1062 funds or moneys so pledged and thereafter received by the state shall  
1063 be subject immediately to the lien of such pledge without any physical  
1064 delivery thereof or further act. The lien of any such pledge shall be  
1065 valid and binding as against all parties having claims of any kind in  
1066 tort, contract, or otherwise against the state, irrespective of whether  
1067 such parties have notice thereof. Neither the resolution nor any other  
1068 instrument by which a pledge is created need be recorded.

1069 (g) In the discretion of the State Bond Commission, bonds issued

1070 pursuant to sections 13b-74 to 13b-77, inclusive, including for this  
1071 purpose any bond anticipation notes, may be secured by a trust  
1072 indenture by and between the state and a corporate trustee, which may  
1073 be any trust company or bank having the powers of a trust company  
1074 within or without the state. Such trust indenture may contain such  
1075 provisions for protecting and enforcing the rights and remedies of the  
1076 bondowners and noteowners as may be reasonable and proper and not  
1077 in violation of law, including covenants setting forth the duties of the  
1078 state in relation to the exercise of its powers pursuant to sections 3-21a,  
1079 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of section 13a-80a,  
1080 sections 13a-175p to 13a-175u, inclusive, subsection (f) of section 13b-  
1081 42, sections 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive,  
1082 and 13b-80, subsection (a) of section 13b-97, subsection (a) of section  
1083 14-12, sections 14-15, 14-16a and 14-21c, subsection (a) of section 14-  
1084 25a, section 14-28, subsection (b) of section 14-35, subsection (b) of  
1085 section 14-41, section 14-41a, subsection (a) of section 14-44, sections  
1086 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a, sections  
1087 14-52 and 14-58, subsection (c) of section 14-66, subsection (e) of section  
1088 14-67, sections 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of  
1089 section 14-73, subsection (c) of section 14-96q, sections 14-103a and 14-  
1090 160, subsection (a) of section 14-164a, subsection (a) of section 14-192,  
1091 sections 14-319, 14-320 and 14-381, subsection (b) of section 14-382 and  
1092 sections 14-383, 15-14 and 16-299 and the custody, safeguarding and  
1093 application of all moneys. The state may provide by such trust  
1094 indenture for the payment of the pledged revenues or other receipts,  
1095 funds or moneys to the trustee under such trust indenture or to any  
1096 other depository, and for the method of disbursement thereof, with  
1097 such safeguards and restrictions as it may determine. All expenses  
1098 incurred in carrying out such trust indenture may be treated as  
1099 transportation costs, as defined in section 13b-75.

1100 Sec. 33. Subsection (c) of section 13b-77 of the general statutes is  
1101 repealed and the following is substituted in lieu thereof (*Effective from*  
1102 *passage*):

1103 (c) The state covenants with the purchasers and all subsequent  
1104 owners and transferees of bonds and bond anticipation notes issued by  
1105 the state pursuant to sections 13b-74 to 13b-77, inclusive, in  
1106 consideration of the acceptance of the payment for the bonds and bond  
1107 anticipation notes, until such bonds and bond anticipation notes,  
1108 together with the interest thereon, with interest on any unpaid  
1109 installment of interest and all costs and expenses in connection with  
1110 any action or proceeding on behalf of such owners, are fully met and  
1111 discharged, or unless expressly permitted or otherwise authorized by  
1112 the terms of each contract and agreement made or entered into by or  
1113 on behalf of the state with or for the benefit of such owners, that the  
1114 state will impose, charge, raise, levy, collect and apply the pledged  
1115 revenues and other receipts, funds or moneys pledged for the payment  
1116 of debt service requirements as provided in sections 13b-74 to 13b-77,  
1117 inclusive, in such amounts as may be necessary to pay such debt  
1118 service requirements in each year in which bonds or bond anticipation  
1119 notes are outstanding and further, that the state (1) will not limit or  
1120 alter the duties imposed on the Treasurer and other officers of the state  
1121 by sections 3-21a, 3-27a, 3-27f, 12-458 and 12-458d, subsection (c) of  
1122 section 13a-80a, sections 13a-175p to 13a-175u, inclusive, subsection (f)  
1123 of section 13b-42, sections 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-  
1124 77, inclusive, and 13b-80, subsection (a) of section 13b-97, subsection  
1125 (a) of section 14-12, sections 14-15, 14-16a and 14-21c, subsection (a) of  
1126 section 14-25a, section 14-28, subsection (b) of section 14-35, subsection  
1127 (b) of section 14-41, section 14-41a, subsection (a) of section 14-44,  
1128 sections 14-47, 14-48b, 14-49 and 14-50, subsection (a) of section 14-50a,  
1129 sections 14-52 and 14-58, subsection (c) of section 14-66, subsection (e)  
1130 of section 14-67, sections 14-67a, 14-67d, 14-67l and 14-69, subsection  
1131 (e) of section 14-73, subsection (c) of section 14-96q, sections 14-103a  
1132 and 14-160, subsection (a) of section 14-164a, subsection (a) of section  
1133 14-192, sections 14-319, 14-320 and 14-381, subsection (b) of section 14-  
1134 382 and sections 14-383 and 15-14 and by the proceedings authorizing  
1135 the issuance of bonds with respect to application of pledged revenues  
1136 or other receipts, funds or moneys pledged for the payment of debt

1137 service requirements as provided in said sections; (2) will not issue any  
1138 bonds, notes or other evidences of indebtedness, other than the bonds  
1139 and bond anticipation notes, having any rights arising out of said  
1140 sections or secured by any pledge of or other lien or charge on the  
1141 pledged revenues or other receipts, funds or moneys pledged for the  
1142 payment of debt service requirements as provided in said sections; (3)  
1143 will not create or cause to be created any lien or charge on such  
1144 pledged amounts, other than a lien or pledge created thereon pursuant  
1145 to said sections, provided nothing in this subsection shall prevent the  
1146 state from issuing evidences of indebtedness (A) which are secured by  
1147 a pledge or lien which is and shall on the face thereof be expressly  
1148 subordinate and junior in all respects to every lien and pledge created  
1149 by or pursuant to said sections; or (B) for which the full faith and credit  
1150 of the state is pledged and which are not expressly secured by any  
1151 specific lien or charge on such pledged amounts; or (C) which are  
1152 secured by a pledge of or lien on moneys or funds derived on or after  
1153 such date as every pledge or lien thereon created by or pursuant to  
1154 said sections shall be discharged and satisfied; (4) will carry out and  
1155 perform, or cause to be carried out and performed, each and every  
1156 promise, covenant, agreement or contract made or entered into by the  
1157 state or on its behalf with the owners of any bonds or bond  
1158 anticipation notes; (5) will not in any way impair the rights,  
1159 exemptions or remedies of such owners; and (6) will not limit, modify,  
1160 rescind, repeal or otherwise alter the rights or obligations of the  
1161 appropriate officers of the state to impose, maintain, charge or collect  
1162 the taxes, fees, charges and other receipts constituting the pledged  
1163 revenues as may be necessary to produce sufficient revenues to fulfill  
1164 the terms of the proceedings authorizing the issuance of the bonds,  
1165 including pledged revenue coverage requirements, and provided  
1166 nothing herein shall preclude the state from exercising its power,  
1167 through a change in law, to limit, modify, rescind, repeal or otherwise  
1168 alter the character or amount of such pledged revenues or to substitute  
1169 like or different sources of taxes, fees, charges or other receipts as  
1170 pledged revenues if, for the ensuing fiscal year, as evidenced by the

1171 proposed or adopted budget of the state with respect to the Special  
1172 Transportation Fund, the projected revenues meet or exceed the  
1173 estimated expenses of the Special Transportation Fund including  
1174 accumulated deficits, if any, debt service requirements and any  
1175 pledged revenue coverage requirement. The State Bond Commission is  
1176 authorized to include this covenant of the state in any agreement with  
1177 the owner of any such bonds or bond anticipation notes.

1178       Sec. 34. Section 13b-79a of the general statutes is repealed and the  
1179 following is substituted in lieu thereof (*Effective from passage*):

1180       Not later than October 1, 1984, and annually thereafter, the  
1181 Commissioner of Transportation shall prepare a report on the current  
1182 status and progress of the transportation infrastructure program  
1183 authorized pursuant to special act 84-52 and sections 3-21a, 3-27a, 3-  
1184 27f, 12-458 and 12-458d, subsection (c) of section 13a-80a, sections 13a-  
1185 175p to 13a-175u, inclusive, subsection (f) of section 13b-42, sections  
1186 13b-59, 13b-61, 13b-69, 13b-71, 13b-74 to 13b-77, inclusive, and 13b-80,  
1187 subsection (a) of section 13b-97, subsection (a) of section 14-12, sections  
1188 14-15, 14-16a and 14-21c, subsection (a) of section 14-25a, section 14-28,  
1189 subsection (b) of section 14-35, subsection (b) of section 14-41, section  
1190 14-41a, subsection (a) of section 14-44, sections 14-47, 14-48b, 14-49 and  
1191 14-50, subsection (a) of section 14-50a, sections 14-52 and 14-58,  
1192 subsection (c) of section 14-66, subsection (e) of section 14-67, sections  
1193 14-67a, 14-67d, 14-67l and 14-69, subsection (e) of section 14-73,  
1194 subsection (c) of section 14-96q, sections 14-103a and 14-160, subsection  
1195 (a) of section 14-164a, subsection (a) of section 14-192, sections 14-319,  
1196 14-320 and 14-381, subsection (b) of section 14-382 and sections 14-383  
1197 and 15-14. Each report shall include, but not be limited to: Information  
1198 on the number of lane miles of state and local roadway repaved, the  
1199 status of the state and local bridge programs, the status of intrastate  
1200 and interstate highway programs and the interstate trade-in program  
1201 and mass transportation and aeronautics programs. The commissioner  
1202 shall notify the joint standing committees of the General Assembly  
1203 having cognizance of matters relating to finance, revenue and bonding

1204 and appropriations and the budgets of state agencies of the availability  
1205 of the report. A requesting member of such a committee shall be sent a  
1206 written copy or electronic storage media of the report by the  
1207 commissioner.

1208 Sec. 35. Section 13b-312 of the general statutes is repealed and the  
1209 following is substituted in lieu thereof (*Effective from passage*):

1210 Any person, firm or corporation owning a railroad station in use as  
1211 such in this state shall comply with all structural guidelines and  
1212 standards for railroad stations, established by the [state] Department of  
1213 Transportation, concerned with, but not limited to, the health, safety  
1214 and security of all individuals using such stations.

1215 Sec. 36. Section 14-16a of the general statutes is repealed and the  
1216 following is substituted in lieu thereof (*Effective from passage*):

1217 (a) The commissioner may require that each motor vehicle  
1218 registered in this state which is ten model years old or older shall,  
1219 within thirty days before transfer of ownership or upon such transfer,  
1220 be presented for inspection, as directed by the commissioner, at any  
1221 [state] Department of Motor Vehicles office or any official emissions  
1222 inspection station or other facility authorized by the Commissioner of  
1223 Motor Vehicles to conduct such inspection. The vehicle shall be  
1224 inspected to determine whether it is properly equipped and in good  
1225 mechanical condition before registration is issued to the new owner of  
1226 the vehicle. If the commissioner authorizes the contractor that operates  
1227 the system of official emissions inspection stations or other business or  
1228 firm, to conduct the safety inspections required by this subsection, the  
1229 commissioner may authorize the contractor or other business or firm  
1230 to charge a fee, not to exceed fifteen dollars, for each such inspection.  
1231 The commissioner may authorize any motor vehicle dealer or repairer,  
1232 licensed in accordance with section 14-52 and meeting qualifications  
1233 established by the commissioner, to perform an inspection required by  
1234 this section or to make repairs to any motor vehicle that has failed an  
1235 initial safety inspection and to certify to the commissioner that the

1236 motor vehicle is in compliance with the safety and equipment  
1237 standards for registration. No such authorized dealer or repairer shall  
1238 charge any additional fee to make such certification to the  
1239 commissioner. If the commissioner authorizes any such dealer or  
1240 repairer to conduct safety inspections, such licensee may provide  
1241 written certification to the commissioner, in such form and manner as  
1242 the commissioner prescribes, as to compliance of any motor vehicle in  
1243 its inventory with safety and equipment standards, and such  
1244 certification may be accepted by the commissioner as meeting the  
1245 inspection requirements of this subsection.

1246 (b) The following vehicles, upon transfer of ownership, shall be  
1247 presented for inspection, as directed by the commissioner, at any  
1248 [state] Department of Motor Vehicles office or any official emissions  
1249 inspection station authorized by the Commissioner of Motor Vehicles  
1250 to conduct such inspection: (1) All motor vehicles ten model years old  
1251 or older which are registered in this state and which were originally  
1252 used or designed as fire apparatus and which are of historical or  
1253 special interest as determined by the commissioner, (2) all antique, rare  
1254 or special interest motor vehicles, and (3) all modified antique motor  
1255 vehicles. Any such vehicle shall be inspected to determine whether it is  
1256 in good mechanical condition before registration can be issued to the  
1257 new owner of such vehicle. The determination of the mechanical  
1258 condition of a vehicle described in subdivisions (1) and (2) of this  
1259 subsection shall be made by inspecting only the vehicle's original  
1260 equipment and parts or the functional reproductions of the original  
1261 equipment and parts. The mechanical condition of modified antique  
1262 motor vehicles shall be determined by inspecting the original  
1263 equipment and any functioning replacements of such equipment. If the  
1264 commissioner authorizes the contractor that operates the system of  
1265 official emissions inspection stations or other business or firm, except a  
1266 licensee of the department, to conduct the safety inspections required  
1267 by this subsection, the commissioner may authorize the contractor or  
1268 other business or firm to charge a fee, not to exceed fifteen dollars, for  
1269 each such inspection. The commissioner may authorize any motor

1270 vehicle dealer or repairer, licensed in accordance with section 14-52  
1271 and meeting qualifications established by the commissioner, to make  
1272 repairs to any motor vehicle that has failed an initial safety inspection  
1273 and to certify to the commissioner that the motor vehicle is in  
1274 compliance with the safety and equipment standards for registration.  
1275 No such authorized dealer or repairer shall charge any additional fee  
1276 to make such certification to the commissioner.

1277 Sec. 37. Subsection (f) of section 14-44 of the general statutes is  
1278 repealed and the following is substituted in lieu thereof (*Effective from*  
1279 *passage*):

1280 (f) Any applicant who is refused an operator's license bearing an  
1281 endorsement or the renewal of such a license, or whose operator's  
1282 license bearing an endorsement or the renewal of such a license is  
1283 withdrawn or revoked on account of a criminal record, shall be  
1284 entitled to a hearing [,] if requested in writing within twenty days. The  
1285 hearing shall be conducted in accordance with the requirements of  
1286 chapter 54 and the applicant may appeal from the final decision  
1287 rendered therein in accordance with section 4-183.

1288 Sec. 38. Subsection (b) of section 14-44k of the general statutes is  
1289 repealed and the following is substituted in lieu thereof (*Effective from*  
1290 *passage*):

1291 (b) In addition to any other penalties provided by law, and except as  
1292 [hereinafter] provided in subsection (d) of this section, a person is  
1293 disqualified from operating a commercial motor vehicle (1) for one  
1294 year if convicted of one violation of (A) operating any motor vehicle  
1295 under the influence of intoxicating liquor or drugs or both under  
1296 section 14-227a, (B) evasion of responsibility, involving a commercial  
1297 motor vehicle, under section 14-224, or (C) using a commercial motor  
1298 vehicle in the commission of any felony, as defined in section 14-1,  
1299 [and] (2) for sixty days if convicted of one violation of section 14-249 or  
1300 14-250, (3) for one hundred twenty days if convicted of a second  
1301 violation of section 14-249 or 14-250, and (4) for one year if convicted of

1302 a third or subsequent violation of section 14-249 or 14-250 during any  
1303 three-year period.

1304 Sec. 39. Subsection (a) of section 14-46b of the general statutes is  
1305 repealed and the following is substituted in lieu thereof (*Effective from*  
1306 *passage*):

1307 (a) There is established within the department a Motor Vehicle  
1308 Operator's License Medical Advisory Board which shall advise the  
1309 commissioner on the medical aspects and concerns of licensing  
1310 operators of motor vehicles. [This] The board shall consist of not less  
1311 than eight members [nor] or more than fifteen members appointed by  
1312 the commissioner from a list of nominees submitted by the  
1313 Connecticut State Medical Society and the Connecticut Association of  
1314 Optometrists. The Connecticut State Medical Society shall submit  
1315 nominees representing the specialties of (1) general medicine or  
1316 surgery, (2) internal medicine, (3) cardiovascular medicine, (4)  
1317 neurology or neurological surgery, (5) ophthalmology, (6) orthopedics,  
1318 and (7) psychiatry. The Connecticut Association of Optometrists shall  
1319 submit nominees representing the specialty of optometry.

1320 Sec. 40. Section 14-55 of the general statutes is repealed and the  
1321 following is substituted in lieu thereof (*Effective from passage*):

1322 In any town, city or borough, the local authorities referred to in  
1323 section 14-54 shall, upon receipt of an application for a certificate of  
1324 approval referred to in said section, assign the same for hearing within  
1325 sixty-five days of the receipt of such application. Notice of the time and  
1326 place of such hearing shall be published in a newspaper having a  
1327 general circulation in such town, city or borough at least twice, at  
1328 intervals of not less than two days, the first not more than fifteen [,  
1329 nor] or less than ten days, and the last not less than two days, before  
1330 the date of such hearing and sent by certified mail to the applicant not  
1331 less than fifteen days before the date of such hearing. All decisions on  
1332 such certificate of approval shall be rendered within sixty-five days of  
1333 such hearing. The applicant may consent to one or more extensions of

1334 any period specified in this section, provided the total extension of any  
1335 such period shall not be for longer than the original period as specified  
1336 in this section. The reasons for granting or denying such application  
1337 shall be stated by the board or official. Notice of the decision shall be  
1338 published in a newspaper having a general circulation in such town,  
1339 city or borough and sent by certified mail to the applicant within  
1340 fifteen days after such decision has been rendered. Such applicant shall  
1341 pay a fee of ten dollars, together with the costs of publication and  
1342 expenses of such hearing, to the treasurer of such town, city or  
1343 borough. No such certificate shall be issued until the application has  
1344 been approved and such location has been found suitable for the  
1345 business intended, with due consideration to its location in reference to  
1346 schools, churches, theaters, traffic conditions, width of highway and  
1347 effect on public travel.

1348 Sec. 41. Subsection (b) of section 14-63 of the general statutes is  
1349 repealed and the following is substituted in lieu thereof (*Effective from*  
1350 *passage*):

1351 (b) The Commissioner of Motor Vehicles shall adopt regulations, in  
1352 accordance with the provisions of chapter 54, establishing (1) a  
1353 procedure whereby customers of dealers and repairers may file  
1354 complaints with the Department of Motor Vehicles concerning the  
1355 operations of and services provided by any such licensees, and (2) a  
1356 procedure specifying the circumstances under which a licensee may  
1357 stipulate to a complaint and waive such licensee's right to an  
1358 administrative hearing. Such regulations shall provide for the  
1359 commissioner to contact each licensee that is the subject of a complaint  
1360 in order to notify such licensee of the complaint and to relate to such  
1361 licensee the particular matters alleged by the complainant. The  
1362 commissioner shall attempt to mediate a voluntary resolution of the  
1363 complaint acceptable to the complainant and the licensee. Such  
1364 regulations shall also provide that, if an acceptable resolution to the  
1365 complaint is not achieved, the commissioner shall complete the  
1366 commissioner's investigation of the facts and shall, if the commissioner

1367 has reason to believe that the licensee has violated any provision of  
1368 section 14-64, proceed to take any action authorized under the  
1369 provisions of section 14-64. If, after such an investigation, the  
1370 commissioner elects not to take action against the licensee, the  
1371 commissioner shall notify both the complainant and the licensee in  
1372 writing. Such notice shall include a brief statement of the reasons why  
1373 the commissioner has taken no action. The commissioner shall also  
1374 inform the complainant and the licensee that an unresolved complaint  
1375 exists and that, unless the commissioner has determined that the  
1376 allegations, even if true, fail to state a violation of applicable statutory  
1377 or regulatory standards, the same shall be recorded in the records of  
1378 the department pertaining to such licensee until such time as the  
1379 licensee submits to the commissioner satisfactory evidence, signed by  
1380 the complainant or the complainant's attorney, that the claim has been  
1381 resolved by agreement with the complainant or submits to the  
1382 department satisfactory evidence of final adjudication in favor of such  
1383 licensee. An agreement between the licensee and the complainant shall  
1384 not preclude the commissioner from proceeding to take action if the  
1385 commissioner has reason to believe that the licensee has violated any  
1386 provision of section 14-64. A decision by the commissioner not to take  
1387 action against the licensee shall be without prejudice to the claim of the  
1388 customer; and neither the fact that the department has determined not  
1389 to proceed nor the notice furnished to the parties, in accordance with  
1390 this subsection, shall be admissible in any civil action.

1391 Sec. 42. Section 14-64 of the general statutes is repealed and the  
1392 following is substituted in lieu thereof (*Effective from passage*):

1393 The commissioner may suspend or revoke the license or licenses of  
1394 any licensee or impose a civil penalty of not more than one thousand  
1395 dollars for each violation on any licensee or both, when, after notice  
1396 and hearing, the commissioner finds that the licensee (1) has violated  
1397 any provision of any statute or regulation of any state or any federal  
1398 statute or regulation pertaining to its business as a licensee or has  
1399 failed to comply with the terms of a final decision and order of any

1400 state department or federal agency concerning any such provision; or  
1401 (2) has failed to maintain such records of transactions concerning the  
1402 purchase, sale or repair of motor vehicles or major component parts, as  
1403 required by such regulations as shall be adopted by the commissioner,  
1404 for a period of two years after such purchase, sale or repairs, provided  
1405 the records shall include the vehicle identification number and the  
1406 name and address of the person from whom each vehicle or part was  
1407 purchased and to whom each vehicle or part was sold, if a sale  
1408 occurred; or (3) has failed to allow inspection of such records by the  
1409 commissioner or the commissioner's representative during normal  
1410 business hours, provided written notice stating the purpose of the  
1411 inspection is furnished to the licensee, or has failed to allow inspection  
1412 of such records by any representative of the Division of State Police  
1413 within the Department of Public Safety or any organized local police  
1414 department, which inspection may include examination of the  
1415 premises to determine the accuracy of such records; or (4) has made a  
1416 false statement as to the condition, prior ownership or prior use of any  
1417 motor vehicle sold, exchanged, transferred, offered for sale or repaired  
1418 if the licensee knew or should have known that such statement was  
1419 false; or (5) is not qualified to conduct the licensed business, applying  
1420 the standards of section 14-51 and the applicable regulations; or (6) has  
1421 violated any provision of sections 42-221 to 42-226, inclusive; or (7) has  
1422 failed to fully execute or provide the buyer with (A) an order as  
1423 described in section 14-62, (B) the properly assigned certificate of title,  
1424 or (C) a temporary transfer or new issue of registration; or (8) has  
1425 failed to deliver a motor vehicle free and clear of all liens, unless  
1426 written notification is given to the buyer stating such motor vehicle  
1427 shall be purchased subject to a lien; or (9) has violated any provision of  
1428 sections 14-65f to 14-65j, inclusive; or (10) has used registration number  
1429 plates issued by the commissioner, in violation of the provisions and  
1430 standards set forth in sections 14-59 and 14-60 and the applicable  
1431 regulations. In addition to, or in lieu of, the imposition of any other  
1432 penalties authorized by this section, the commissioner may order any  
1433 such licensee to make restitution to any aggrieved customer.

1434 Sec. 43. Section 14-107 of the general statutes is repealed and the  
1435 following is substituted in lieu thereof (*Effective from passage*):

1436 (a) The owner, operator or lessee of any motor vehicle may be  
1437 prosecuted jointly or individually for violation of any provision of  
1438 section 10a-79, 10a-84, 10a-92 [,] or 10a-139, [or 13a-157,] subsection (a)  
1439 of section 14-13, section 14-18, section 14-39 so far as it relates to the  
1440 registration of motor vehicles, section 14-80, sections 14-80b, 14-80h,  
1441 14-80i and 14-99f, sections 14-96a to 14-96aa, inclusive, or section 14-  
1442 228, 14-251, 14-252, 14-260 or 14-267a.

1443 (b) Whenever there occurs a violation of section 10a-79, 10a-92, 10a-  
1444 139, [13a-157,] 14-218a, 14-219, 14-222, 14-223, 14-224 or 14-253a, or  
1445 sections 14-275 to 14-281, inclusive, or a violation of an ordinance,  
1446 bylaw or regulation of any town, city or borough in regard to parking,  
1447 proof of the registration number of any motor vehicle therein  
1448 concerned shall be prima facie evidence in any criminal action or in  
1449 any action based on an infraction that the owner was the operator  
1450 thereof, except in the case of a leased or rented motor vehicle, such  
1451 proof shall be prima facie evidence in any criminal action that the  
1452 lessee was the operator thereof.

1453 Sec. 44. Subsection (b) of section 14-111 of the general statutes is  
1454 repealed and the following is substituted in lieu thereof (*Effective from*  
1455 *passage*):

1456 (b) (1) Whenever the holder of any motor vehicle operator's license  
1457 has been convicted or has forfeited any bond taken or has received a  
1458 suspended judgment or sentence for any of the following violations,  
1459 the commissioner shall, without hearing, suspend his operator's license  
1460 as follows: For a first violation of subsection (a) of section 14-224 or  
1461 section 14-110, 14-215 or 53a-119b, for a period of not less than one  
1462 year and, for a subsequent violation thereof, for a period of not less  
1463 than five years; for a violation of subsection (a) of section 14-222, for a  
1464 period of not less than thirty days [nor] or more than ninety days and,  
1465 for a subsequent violation thereof, for a period of not less than ninety

1466 days; for a violation of subsection (b) of section 14-224, for a period of  
1467 not less than ninety days; for a first violation of subsection (b) of  
1468 section 14-147, for a period of not less than ninety days and, for a  
1469 subsequent violation thereof, for a period of not less than five years;  
1470 for a first violation of subsection (c) of section 14-147, for a period of  
1471 not less than thirty days and, for a subsequent violation thereof, for a  
1472 period of not less than one year.

1473 (2) The commissioner may suspend the motor vehicle operator's  
1474 license of any person (A) who was arrested for a felony, and (B) for  
1475 whom there is an outstanding warrant for rearrest for failing to appear  
1476 when legally called with regard to such felony. The suspension shall  
1477 terminate no later than the date on which such person appears before  
1478 the court with regard to such felony or such failure to appear.

1479 Sec. 45. Subsection (a) of section 14-111g of the general statutes is  
1480 repealed and the following is substituted in lieu thereof (*Effective from*  
1481 *passage*):

1482 (a) For the purposes of this subsection, "moving violation" means  
1483 any violation of section 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-  
1484 249, inclusive, 14-279, 14-289b, 14-299, 14-301, 14-302 [ ] or 14-303, and  
1485 "suspension violation" means a violation of section 14-222a [ ] or 14-  
1486 224, subsection (a) of section 14-227a, or section 53a-56b, 53a-57 or 53a-  
1487 60d. The Commissioner of Motor Vehicles may require any licensed  
1488 motor vehicle operator who is twenty-four years of age or less, who  
1489 has been convicted of a moving violation or a suspension violation, or  
1490 both, committed on two or more occasions to attend a motor vehicle  
1491 operator's retraining program. The commissioner may require any  
1492 licensed motor vehicle operator over twenty-four years of age, who has  
1493 been convicted of a moving violation or a suspension violation or a  
1494 combination of said violations, committed on three or more occasions  
1495 to attend a motor vehicle operator's retraining program. The retraining  
1496 program shall (1) review principles of motor vehicle operation, (2)  
1497 develop alternative attitudes for those attitudes contributing to

1498 aggressive driving behavior, and (3) emphasize the need to practice  
1499 safe driving behavior. The retraining program shall be offered by the  
1500 Department of Motor Vehicles or by any other organization  
1501 conducting such a program certified by the commissioner. The  
1502 commissioner shall notify such operator, in writing, of such  
1503 requirement. A fee of not more than sixty dollars shall be charged for  
1504 the retraining program. The commissioner, after notice and  
1505 opportunity for hearing, may suspend the motor vehicle operator's  
1506 license of any such operator who fails to attend or successfully  
1507 complete the program until the operator successfully completes the  
1508 program. The hearing shall be limited to any claim of impossibility of  
1509 the operator to attend the retraining program, or to a determination of  
1510 mistake or misidentification.

1511 Sec. 46. Subsection (d) of section 14-186 of the general statutes is  
1512 repealed and the following is substituted in lieu thereof (*Effective from*  
1513 *passage*):

1514 (d) Upon receipt of the certificate of title, the application and the  
1515 required fee, the commissioner shall either endorse the certificate or  
1516 issue a new certificate containing the name and address of the new  
1517 lienholder, and, except as provided in [section] subsection (b) of  
1518 section 14-175, mail the certificate to the first lienholder named in it.

1519 Sec. 47. Subsection (g) of section 14-227a of the general statutes is  
1520 repealed and the following is substituted in lieu thereof (*Effective from*  
1521 *passage*):

1522 (g) Any person who violates any provision of subsection (a) of this  
1523 section shall: (1) For conviction of a first violation, (A) be fined not less  
1524 than five hundred dollars [nor] or more than one thousand dollars,  
1525 and (B) be (i) imprisoned not more than six months, forty-eight  
1526 consecutive hours of which may not be suspended or reduced in any  
1527 manner, or (ii) imprisoned not more than six months, with the  
1528 execution of such sentence of imprisonment suspended entirely and a  
1529 period of probation imposed requiring as a condition of such

1530 probation that such person perform one hundred hours of community  
1531 service, as defined in section 14-227e, and (C) have such person's  
1532 motor vehicle operator's license or nonresident operating privilege  
1533 suspended for one year; (2) for conviction of a second violation within  
1534 ten years after a prior conviction for the same offense, (A) be fined not  
1535 less than one thousand dollars [nor] or more than four thousand  
1536 dollars, (B) be imprisoned not more than two years, one hundred  
1537 twenty consecutive days of which may not be suspended or reduced in  
1538 any manner, and sentenced to a period of probation requiring as a  
1539 condition of such probation that such person perform one hundred  
1540 hours of community service, as defined in section 14-227e, and (C)  
1541 have such person's motor vehicle operator's license or nonresident  
1542 operating privilege suspended for three years or until the date of such  
1543 person's twenty-first birthday, whichever is longer; and (3) for  
1544 conviction of a third and subsequent violation within ten years after a  
1545 prior conviction for the same offense, (A) be fined not less than two  
1546 thousand dollars [nor] or more than eight thousand dollars, (B) be  
1547 imprisoned not more than three years, one year of which may not be  
1548 suspended or reduced in any manner, and sentenced to a period of  
1549 probation requiring as a condition of such probation that such person  
1550 perform one hundred hours of community service, as defined in  
1551 section 14-227e, and (C) have such person's motor vehicle operator's  
1552 license or nonresident operating privilege permanently revoked upon  
1553 such third offense. For purposes of the imposition of penalties for a  
1554 second or third and subsequent offense pursuant to this subsection, a  
1555 conviction under the provisions of subsection (a) of this section in  
1556 effect on October 1, 1981, or as amended thereafter, a conviction under  
1557 the provisions of either subdivision (1) or (2) of subsection (a) of this  
1558 section, a conviction under the provisions of section 53a-56b or 53a-60d  
1559 or a conviction in any other state of any offense the essential elements  
1560 of which are determined by the court to be substantially the same as  
1561 subdivision (1) or (2) of subsection (a) of this section or section 53a-56b  
1562 or 53a-60d, shall constitute a prior conviction for the same offense.

1563 Sec. 48. Subsection (g) of section 14-227b of the general statutes is

1564 repealed and the following is substituted in lieu thereof (*Effective from*  
1565 *passage*):

1566 (g) If such person contacts the department to schedule a hearing, the  
1567 department shall assign a date, time and place for the hearing, which  
1568 date shall be prior to the effective date of the suspension. At the  
1569 request of such person or the hearing officer and upon a showing of  
1570 good cause, the commissioner may grant one continuance for a period  
1571 not to exceed fifteen days. [If a continuance is granted, the  
1572 commissioner shall extend the validity of the temporary operator's  
1573 license or nonresident operating privilege issued pursuant to  
1574 subsection (c) of this section for a period not to exceed the period of  
1575 such continuance.] The hearing shall be limited to a determination of  
1576 the following issues: (1) Did the police officer have probable cause to  
1577 arrest the person for operating a motor vehicle while under the  
1578 influence of intoxicating liquor or drug or both; (2) was such person  
1579 placed under arrest; (3) did such person refuse to submit to such test or  
1580 analysis or did such person submit to such test or analysis,  
1581 commenced within two hours of the time of operation, and the results  
1582 of such test or analysis indicated that such person had an elevated  
1583 blood alcohol content; and (4) was such person operating the motor  
1584 vehicle. In the hearing, the results of the test or analysis shall be  
1585 sufficient to indicate the ratio of alcohol in the blood of such person at  
1586 the time of operation, except that if the results of the additional test  
1587 indicate that the ratio of alcohol in the blood of such person is  
1588 twelve-hundredths of one per cent or less of alcohol, by weight, and is  
1589 higher than the results of the first test, evidence shall be presented that  
1590 demonstrates that the test results and analysis thereof accurately  
1591 indicate the blood alcohol content at the time of operation. The fees of  
1592 any witness summoned to appear at the hearing shall be the same as  
1593 provided by the general statutes for witnesses in criminal cases.

1594 Sec. 49. Subsection (i) of section 14-227b of the general statutes is  
1595 repealed and the following is substituted in lieu thereof (*Effective from*  
1596 *passage*):

1597 (i) The commissioner shall suspend the operator's license or  
1598 nonresident operating privilege [, and revoke the temporary operator's  
1599 license or nonresident operating privilege issued pursuant to  
1600 subsection (c) of this section,] of a person who did not contact the  
1601 department to schedule a hearing, who failed to appear at a hearing or  
1602 against whom, after a hearing, the commissioner held pursuant to  
1603 subsection (h) of this section, as of the effective date contained in the  
1604 suspension notice or the date the commissioner renders a decision,  
1605 whichever is later, for a period of: (1) (A) Except as provided in  
1606 subparagraph (B) of this subdivision, ninety days, if such person  
1607 submitted to a test or analysis and the results of such test or analysis  
1608 indicated that such person had an elevated blood alcohol content, (B)  
1609 one hundred twenty days, if such person submitted to a test or  
1610 analysis and the results of such test or analysis indicated that the ratio  
1611 of alcohol in the blood of such person was sixteen-hundredths of one  
1612 per cent or more of alcohol, by weight, or (C) six months if such person  
1613 refused to submit to such test or analysis, (2) if such person has  
1614 previously had such person's operator's license or nonresident  
1615 operating privilege suspended under this section, (A) except as  
1616 provided in subparagraph (B) of this subdivision, nine months if such  
1617 person submitted to a test or analysis and the results of such test or  
1618 analysis indicated that such person had an elevated blood alcohol  
1619 content, (B) ten months if such person submitted to a test or analysis  
1620 and the results of such test or analysis indicated that the ratio of  
1621 alcohol in the blood of such person was sixteen-hundredths of one per  
1622 cent or more of alcohol, by weight, and (C) one year if such person  
1623 refused to submit to such test or analysis, and (3) if such person has  
1624 two or more times previously had such person's operator's license or  
1625 nonresident operating privilege suspended under this section, (A)  
1626 except as provided in subparagraph (B) of this subdivision, two years  
1627 if such person submitted to a test or analysis and the results of such  
1628 test or analysis indicated that such person had an elevated blood  
1629 alcohol content, (B) two and one-half years if such person submitted to  
1630 a test or analysis and the results of such test or analysis indicated that

1631 the ratio of alcohol in the blood of such person was sixteen-hundredths  
1632 of one per cent or more of alcohol, by weight, and (C) three years if  
1633 such person refused to submit to such test or analysis.

1634 Sec. 50. Subdivision (3) of subsection (a) of section 16-243b of the  
1635 general statutes is repealed and the following is substituted in lieu  
1636 thereof (*Effective from passage*):

1637 (3) "Private power producer" means (A) a subsidiary of a gas public  
1638 service company which is not affiliated with an electric public service  
1639 company, or a subsidiary of a holding company controlling, directly or  
1640 indirectly, a gas public service company but not an electric public  
1641 service company, which generates electricity solely through ownership  
1642 of fifty per cent or less of a private power production facility or, with  
1643 the approval of the Department of Public Utility Control, through  
1644 ownership of one hundred per cent of a private power production  
1645 facility which (i) uses a source of energy other than gas as the primary  
1646 energy source of the facility, or (ii) uses gas as the primary energy  
1647 source of the facility and uses an improved and innovative technology  
1648 which furthers the state energy policy as set forth in section 16a-35k,  
1649 (B) a subsidiary of any other public service company or a subsidiary of  
1650 a holding company controlling, directly or indirectly, such a public  
1651 service company, which generates electricity solely through ownership  
1652 of fifty per cent or less of a private power production facility, [or] (C)  
1653 the state, a political subdivision of the state or any other person, firm  
1654 or corporation other than a public service company or any corporation  
1655 which was a public service company, prior to July 1, 1981, and which  
1656 consents to be regulated as a public service company or a holding  
1657 company for a public service company, which generates electricity  
1658 solely through ownership of one hundred per cent or less of a private  
1659 power production facility, or (D) any combination thereof.

1660 Sec. 51. Subdivision (4) of subsection (d) of section 17a-11 of the  
1661 general statutes is repealed and the following is substituted in lieu  
1662 thereof (*Effective from passage*):

1663 (4) At a permanency hearing, the court shall review the status of the  
1664 child [,] or youth and the progress being made to implement the  
1665 permanency plan, determine a timetable for attaining the permanency  
1666 prescribed by the plan and determine whether the commissioner has  
1667 made reasonable efforts to achieve the permanency plan. At the  
1668 conclusion of the hearing, the court may: (A) Direct that the services  
1669 being provided, or the placement of the child or youth and  
1670 reunification efforts, be continued if the court, after hearing,  
1671 determines that continuation of the child or youth in services or  
1672 placement is in the [child] child's or youth's best interests, or (B) direct  
1673 that the [child] child's or youth's services or placement be modified to  
1674 reflect the [child] child's or youth's best interest.

1675 Sec. 52. Subsection (h) of section 17a-11 of the general statutes is  
1676 repealed and the following is substituted in lieu thereof (*Effective from*  
1677 *passage*):

1678 (h) Upon motion of any interested party in a Probate Court  
1679 proceeding under this section, the probate court of record may transfer  
1680 the file for cause shown to a probate court for a district other than the  
1681 district in which the initial or [dispositional] permanency hearing was  
1682 held. The file shall be transferred by the probate court of record  
1683 making copies of all recorded documents in the court file, certifying  
1684 each of them, and delivering the certified copies to the probate court to  
1685 which the matter is transferred.

1686 Sec. 53. Section 17a-22 of the general statutes is repealed and the  
1687 following is substituted in lieu thereof (*Effective from passage*):

1688 The [state] Department of Children and Families shall develop and  
1689 maintain a program of day treatment centers and extended day  
1690 treatment programs for emotionally disturbed, mentally ill,  
1691 behaviorally disordered or multiply handicapped children and youth.  
1692 For the purposes of this section, "day treatment center" means a facility  
1693 for outpatient therapy, care and training of children and youth who,  
1694 after appropriate evaluation, are deemed in need of such therapy, care

1695 and training. Any nonprofit corporation organized or existing for the  
1696 purpose of establishing or maintaining a day treatment center or an  
1697 extended day treatment program, as defined in section 17a-147, for  
1698 emotionally disturbed, mentally ill, behaviorally disordered or  
1699 multiply handicapped children and youth, any hospital, any  
1700 psychiatric clinic or any regional educational service center, as  
1701 established in accordance with section 10-66a, may apply to the [state]  
1702 Department of Children and Families for funds to be used to assist in  
1703 establishing, maintaining or expanding a day treatment center or an  
1704 extended day treatment program, as defined in section 17a-147, for  
1705 emotionally disturbed, mentally ill, behaviorally disordered or  
1706 multiply handicapped children and youth. No grant to assist in  
1707 establishing, maintaining or expanding a day treatment center or an  
1708 extended day treatment program under the provisions of this section  
1709 shall exceed the ordinary and recurring operating expenses of any  
1710 such day treatment center or extended day treatment program, nor  
1711 shall any grant be made to pay for all or any part of the capital  
1712 expenditures for any such center or program. The [state] Department  
1713 of Children and Families shall (1) establish minimum eligibility  
1714 requirements for the receipt of such grants in regard to qualification  
1715 and number of staff members and the operation of day treatment  
1716 centers and extended day treatment programs, including, but not  
1717 limited to, physical plant and record keeping; (2) establish procedures  
1718 to be used in making application for such funds; [,] and (3) prescribe  
1719 regulations governing the granting of funds to assist in establishing,  
1720 maintaining and expanding day treatment centers and extended day  
1721 treatment programs. Upon receipt of proper application and approval  
1722 by said department of the plans for financing and the standards of  
1723 operation of a day treatment center or extended day treatment  
1724 program, said department shall authorize the payment of such grant.  
1725 Any application for a grant, and any grant of funds pursuant thereto,  
1726 shall not be subject to the provisions of section 17a-476, except to the  
1727 extent required by federal law.

1728 Sec. 54. Section 17a-27b of the general statutes is repealed and the

1729 following is substituted in lieu thereof (*Effective from passage*):

1730 Notwithstanding any provision of the general statutes or  
1731 regulations adopted thereunder or any public or special act, the  
1732 Connecticut Juvenile Training School project, as defined in subsection  
1733 [(l)] (k) of section 4b-55, shall be exempt from the provisions of  
1734 subsections (b), (c) and (d) of section 4b-21, sections 4b-23, 4b-28, 14-  
1735 311, 16a-31, 16a-38, 22-6, 22a-6, 22a-12, 22a-14 to 22a-20, inclusive, 22a-  
1736 39, sections 25-32 and 29-406 and chapter 54.

1737 Sec. 55. Subsection (a) of section 17a-27c of the general statutes is  
1738 repealed and the following is substituted in lieu thereof (*Effective from*  
1739 *passage*):

1740 (a) Notwithstanding any provision of the general statutes or  
1741 regulations adopted thereunder or any public or special act, when the  
1742 Commissioner of Public Works finds it necessary that real property,  
1743 the title to which is in the state or any municipality, political  
1744 subdivision, public authority, district, quasi-public agency or other  
1745 governmental entity and which is under the custody and control of  
1746 any state department, commission or institution, municipality, political  
1747 subdivision, public authority, district, quasi-public agency or other  
1748 governmental entity, be taken for the purpose of constructing the  
1749 Connecticut Juvenile Training School project, as defined in subsection  
1750 [(l)] (k) of section 4b-55, the commissioner shall present a petition to  
1751 the entity having custody and control of such real property that  
1752 custody of the real property be transferred to the commissioner and  
1753 such entity shall transfer the custody and control of such real property  
1754 to the commissioner for the purposes required.

1755 Sec. 56. Section 17a-27d of the general statutes is repealed and the  
1756 following is substituted in lieu thereof (*Effective from passage*):

1757 The Commissioner of Public Works may negotiate a sole source  
1758 contract for the architectural services and design for the Connecticut  
1759 Juvenile Training School project, as defined in subsection [(l)] (k) of

1760 section 4b-55.

1761 Sec. 57. Subsection (b) of section 17a-125 of the general statutes is  
1762 repealed and the following is substituted in lieu thereof (*Effective from*  
1763 *passage*):

1764 (b) The advisory council shall consist of (1) the chairpersons and  
1765 ranking members of the joint standing committees of the General  
1766 Assembly having cognizance of matters relating to human services and  
1767 the judiciary and the select committee on children, or their designees;  
1768 (2) the Child Advocate, or his designee; (3) a private sector children's  
1769 advocate, appointed by the Governor; (4) a nonprofit provider of  
1770 group home or transitional living services for adolescents, appointed  
1771 by the speaker of the House of Representatives; (5) a nonprofit  
1772 children's residential treatment provider, appointed by the president  
1773 pro tempore of the Senate; (6) a licensed child placing agency  
1774 providing therapeutic or professional foster care services, appointed  
1775 by the majority leader of the Senate; (7) a nonprofit emergency shelter  
1776 provider, appointed by the minority leader of the Senate; (8) a provider  
1777 of inpatient psychiatric services, appointed by the majority leader of  
1778 the House of Representatives; (9) a foster parent, appointed by the  
1779 minority leader of the House of Representatives; (10) one  
1780 representative of a local youth services agency or police youth  
1781 division, appointed by the speaker of the House of Representatives;  
1782 (11) one provider of behavioral health services for children and youth,  
1783 appointed by the president pro tempore of the Senate; (12) two  
1784 parents, parent advocates, or recipients or former recipients of  
1785 department residential services, one appointed by the majority leader  
1786 of the Senate and one appointed by the majority leader of the House of  
1787 Representatives; (13) the [Director] director of the Office of Protection  
1788 and Advocacy for Persons with Disabilities, or his designee; (14) four  
1789 employees of the Department of Children and Families, one from the  
1790 Residential Placement Team, one from the Office of Child Welfare  
1791 Services, one from the Office of Juvenile Justice Services, and one from  
1792 the Office of Mental Health, Substance Abuse and Health Services,

1793 each of whom shall be appointed by the commissioner; (15) one  
1794 employee of the judicial branch having experience in matters relating  
1795 to juveniles, appointed by the Chief Court Administrator; (16) the  
1796 Commissioner of Mental Health and Addiction Services, or his  
1797 designee; (17) the Commissioner of Education, or his designee; and  
1798 (18) the Commissioner of Mental Retardation, or his designee.

1799 Sec. 58. Subsection (a) of section 17a-476 of the general statutes is  
1800 repealed and the following is substituted in lieu thereof (*Effective from*  
1801 *passage*):

1802 (a) Any general hospital, municipality or nonprofit organization in  
1803 Connecticut may apply to the [state] Department of Mental Health and  
1804 Addiction Services for funds to establish, expand or maintain  
1805 psychiatric or mental health services. The application for funds shall be  
1806 submitted on forms provided by the Department of Mental Health and  
1807 Addiction Services, and shall be accompanied by (1) a definition of the  
1808 towns and areas to be served; (2) a plan by means of which the  
1809 applicant proposes to coordinate its activities with those of other local  
1810 agencies presently supplying mental health services or contributing in  
1811 any way to the mental health of the area; (3) a description of the  
1812 services to be provided, and the methods through which these services  
1813 will be provided; [ ] and (4) indication of the methods that will be  
1814 employed to effect a balance in the use of state and local resources so  
1815 as to foster local initiative, responsibility and participation. In  
1816 accordance with subdivision (4) of section 17a-480 and subdivisions (1)  
1817 and (2) of subsection (a) of section 17a-484, the regional mental health  
1818 board shall review each such application with the Department of  
1819 Mental Health and Addiction Services and make recommendations to  
1820 the department with respect to each such application.

1821 Sec. 59. Section 17a-480 of the general statutes is repealed and the  
1822 following is substituted in lieu thereof (*Effective from passage*):

1823 The Department of Mental Health and Addiction Services, in  
1824 consultation with regional mental health boards as established by

1825 subsection (c) of section 17a-483, (1) may purchase services from other  
1826 public agencies and from municipal and private agencies, (2) shall  
1827 supervise, plan and coordinate mental health services with the goal of  
1828 improving and expanding existing services and providing new ones,  
1829 (3) shall develop joint programs in conformity with [state] Department  
1830 of Mental Health and Addiction Services standards, (4) shall make  
1831 recommendations concerning all requests for grants and all contract  
1832 proposals emanating from the regions, (5) shall evaluate mental health  
1833 service delivery and monitor such services to insure that they are in  
1834 conformity with the plans and policies of the [state] Department of  
1835 Mental Health and Addiction Services, and (6) shall report annually to  
1836 the [State] Board of Mental Health and Addiction Services on the  
1837 status of programs and needs of the regions.

1838 Sec. 60. Subsection (b) of section 17a-700 of the general statutes is  
1839 repealed and the following is substituted in lieu thereof (*Effective from*  
1840 *passage*):

1841 (b) The Court Support Services Division shall notify the clerk of the  
1842 court when a person (1) has completed the treatment program, (2) has  
1843 complied with all the conditions set under section 17a-699, and (3) if  
1844 alcohol dependent, has abstained from the use of alcohol for two  
1845 consecutive years, or, if drug dependent, has abstained from the  
1846 unlawful use of drugs for two consecutive years. Upon receipt of such  
1847 notification, the clerk shall set a hearing. The Court Support Services  
1848 Division may advise the court of any recommendation it may make,  
1849 including [if it recommends a modification of] a recommendation to  
1850 modify the sentence or terms of probation or [a termination of] to  
1851 terminate probation and release [of] the person. After a hearing, the  
1852 court may modify the sentence or terms of probation or terminate the  
1853 probation and release the person.

1854 Sec. 61. Subsection (b) of section 17b-4 of the general statutes is  
1855 repealed and the following is substituted in lieu thereof (*Effective from*  
1856 *passage*):

1857 (b) The Department of Social Services shall study continuously the  
1858 conditions and needs of elderly and aging persons in this state in  
1859 relation to nutrition, transportation, home-care, housing, income,  
1860 employment, health, recreation and other matters. It shall be  
1861 responsible in cooperation with federal, state, local and area planning  
1862 agencies on aging for the overall planning, development and  
1863 administration of a comprehensive and integrated social service  
1864 delivery system for elderly persons and the aged. The department  
1865 shall: (1) Measure the need for services; (2) survey methods of  
1866 administration of programs for service delivery; (3) provide for  
1867 periodic evaluations of social services; (4) maintain technical,  
1868 information, consultation and referral services in cooperation with  
1869 other state agencies to local and area public and private agencies to the  
1870 fullest extent possible; (5) develop and coordinate educational  
1871 outreach programs for the purposes of informing the public and  
1872 elderly persons of available programs; (6) cooperate in the  
1873 development of performance standards for licensing of residential and  
1874 medical facilities with appropriate state agencies; (7) supervise the  
1875 establishment, in selected areas and local communities of the state, of  
1876 pilot programs for elderly persons; (8) coordinate with the [state]  
1877 Department of Transportation to provide adequate transportation  
1878 services related to the needs of elderly persons; and (9) cooperate with  
1879 other state agencies to provide adequate and alternate housing for  
1880 elderly persons, including congregate housing, as defined in section 8-  
1881 119e.

1882 Sec. 62. Subsection (c) of section 17b-266 of the general statutes is  
1883 repealed and the following is substituted in lieu thereof (*Effective from*  
1884 *passage*):

1885 (c) Providers of comprehensive health care services as described in  
1886 subdivisions (2), (3) and (4) of subsection (b) of this section shall not be  
1887 subject to the provisions of chapter 698a or, in the case of an integrated  
1888 service network, sections 17b-239 to 17b-245, inclusive, 17b-281, 17b-  
1889 340, [or 17b-342 to 17b-343, inclusive] 17b-342 and 17b-343. Any such

1890 provider shall be certified by the Commissioner of Social Services in  
1891 accordance with criteria established by the commissioner, including,  
1892 but not limited to, minimum reserve fund requirements.

1893 Sec. 63. Subsection (h) of section 17b-274d of the general statutes is  
1894 repealed and the following is substituted in lieu thereof (*Effective from*  
1895 *passage*):

1896 (h) The committee shall ensure that the pharmaceutical  
1897 manufacturers agreeing to provide a supplemental rebate pursuant to  
1898 42 USC 1396r-8(c) have an opportunity to present evidence supporting  
1899 inclusion of a product on the preferred drug list unless a court of  
1900 competent jurisdiction, in a final decision, determines that the  
1901 Secretary of Health and Human Services does not have authority to  
1902 allow such supplemental rebates, [;] provided the inability to utilize  
1903 supplemental rebates pursuant to this subsection shall not impair the  
1904 committee's authority to maintain a preferred drug list. Upon timely  
1905 notice, the department shall ensure that any drug that has been  
1906 approved, or had any of its particular uses approved, by the United  
1907 States Food and Drug Administration under a priority review  
1908 classification, will be reviewed by the Medicaid Pharmaceutical and  
1909 Therapeutics Committee at the next regularly scheduled meeting. To  
1910 the extent feasible, upon notice by a pharmaceutical manufacturer, the  
1911 department shall also schedule a product review for any new product  
1912 at the next regularly scheduled meeting of the Medicaid  
1913 Pharmaceutical and Therapeutics Committee.

1914 Sec. 64. Subsection (a) of section 17b-276 of the general statutes is  
1915 repealed and the following is substituted in lieu thereof (*Effective from*  
1916 *passage*):

1917 (a) The Commissioner of Social Services shall identify geographic  
1918 areas of the state where competitive bidding for nonemergency  
1919 transportation services provided to medical assistance recipients to  
1920 access covered medical services would result in cost savings to the  
1921 state. For the identified areas, the Commissioner of Social Services, in

1922 consultation with the Commissioner of Transportation, the  
1923 Commissioner of Public Health [,] and the Secretary of the Office of  
1924 Policy and Management, shall purchase such nonemergency  
1925 transportation services through a competitive bidding process. Any  
1926 transportation providers awarded a contract or subcontract for the  
1927 direct provision of such services shall meet state licensure or  
1928 certification requirements and the nonemergency transportation  
1929 requirements established by the Department of Social Services, and  
1930 shall provide the most cost effective transportation service, provided  
1931 any contractor awarded a contract solely for coordinating such  
1932 transportation services shall not be required to meet such licensure or  
1933 certification requirements and provided the first such contracts for the  
1934 purchase of such services shall not exceed one year. Prior to awarding  
1935 a contract pursuant to this section, the Commissioner of Social Services  
1936 shall consider the effect of the contract on the emergency ambulance  
1937 primary service areas and volunteer ambulance services affected by  
1938 the contract. The commissioner may limit the geographic areas to be  
1939 served by a contractor and may limit the amount of services to be  
1940 performed by a contractor. The commissioner may operate one or  
1941 more pilot programs prior to state-wide operation of a competitive  
1942 bidding program for nonemergency transportation services. By  
1943 enrolling in the Medicaid program or participating in the  
1944 competitively bid contract for nonemergency transportation services,  
1945 providers of nonemergency transportation services agree to offer to  
1946 recipients of medical assistance all types or levels of transportation  
1947 services for which they are licensed or certified. Effective October 1,  
1948 1991, payment for such services shall be made only for services  
1949 provided to an eligible recipient who is actually transported. A  
1950 contract entered into pursuant to this section may include services  
1951 provided by another state agency. Notwithstanding any provision of  
1952 the general statutes, a contract entered into pursuant to this section  
1953 shall establish the rates to be paid for the transportation services  
1954 provided under the contract. A contract entered into pursuant to this  
1955 section may include services provided by another state agency and

1956 shall [~~supercede~~] supersede any conflicting provisions of the  
1957 regulations of Connecticut state agencies pertaining to medical  
1958 transportation services.

1959 Sec. 65. Subsection (a) of section 17b-409 of the general statutes is  
1960 repealed and the following is substituted in lieu thereof (*Effective from*  
1961 *passage*):

1962 (a) The state agency shall ensure that:

1963 (1) [(A)] Adequate legal counsel is available and is able, without  
1964 conflict of interest, to: [(i)] (A) Provide advice and consultation needed  
1965 to protect the health, safety, welfare and rights of residents and  
1966 applicants in relation to their applications to long-term care facilities;  
1967 and [(ii)] (B) assist the ombudsman and representatives of the office in  
1968 the performance of the official duties of the ombudsman and  
1969 representatives; and

1970 [(B)] (2) Administrative, legal and other appropriate remedies are  
1971 pursued on behalf of residents and applicants in relation to their  
1972 applications to long-term care facilities.

1973 Sec. 66. Section 17b-422 of the general statutes is repealed and the  
1974 following is substituted in lieu thereof (*Effective from passage*):

1975 (a) The [state] Department of Social Services shall equitably allocate,  
1976 in accordance with federal law, federal funds received under Title IIIB  
1977 and IIIC of the Older Americans Act to the five area agencies on aging  
1978 established pursuant to section 17b-421. The department, before  
1979 seeking federal approval to spend any amount above that allotted for  
1980 administrative expenses under said act, shall inform the joint standing  
1981 committee of the General Assembly having cognizance of matters  
1982 relating to human services that it is seeking such approval.

1983 (b) Sixty per cent of the state funds appropriated to the five area  
1984 agencies on aging for elderly nutrition and social services shall be  
1985 allocated in the same proportion as allocations made pursuant to

1986 subsection (a) of this section. Forty per cent of all state funds  
1987 appropriated to the five area agencies on aging for elderly nutrition  
1988 and social services used for purposes other than the required  
1989 nonfederal matching funds shall be allocated at the discretion of the  
1990 Commissioner of Social [services] Services, in consultation with the  
1991 five area agencies on aging, based on their need for such funds. Any  
1992 state funds appropriated to the five area agencies on aging for  
1993 administrative expenses shall be allocated equally.

1994 (c) The [state] Department of Social Services, in consultation with  
1995 the five area agencies on aging, shall review the method of allocation  
1996 set forth in subsection (a) of this section and shall report any findings  
1997 or recommendations to the joint standing committees [on] of the  
1998 General Assembly having cognizance of matters relating to  
1999 appropriations and the budgets of state agencies and human services.

2000 (d) An area agency may request a person participating in the elderly  
2001 nutrition program to pay a voluntary fee for meals furnished, except  
2002 that no eligible person shall be denied a meal due to an inability to pay  
2003 such fee.

2004 Sec. 67. Section 17b-423 of the general statutes is repealed and the  
2005 following is substituted in lieu thereof (*Effective from passage*):

2006 (a) The [state] Department of Social Services [by July 1, 1987,] shall  
2007 prepare and routinely update a community services policy manual.  
2008 The pages of such manual shall be consecutively numbered and  
2009 indexed, containing all departmental policy regulations and  
2010 substantive procedure. [Said] Such manual shall be published by the  
2011 department and distributed so that it is available to all district,  
2012 subdistrict and field offices of the [state] Department of Social Services.  
2013 The [state] Department of Social Services shall adopt such policy  
2014 manual in regulation form in accordance with the provisions of  
2015 chapter 54. The department may operate under any new policy  
2016 necessary to conform to a requirement of a federal or joint state and  
2017 federal program. The department may operate under any new policy

2018 while it is in the process of adopting the policy in regulation form,  
2019 provided the [state] Department of Social Services prints notice of  
2020 intent to adopt the regulations in the Connecticut Law Journal within  
2021 twenty days after adopting the policy. Such policy shall be valid until  
2022 the time final regulations are effective.

2023 (b) The [state] Department of Social Services shall write the  
2024 community services policy manual using plain language as described  
2025 in section 42-152. The manual shall include an index for frequent  
2026 referencing and a separate section or manual which specifies  
2027 procedures to follow to clarify policy.

2028 Sec. 68. Section 17b-460 of the general statutes is repealed and the  
2029 following is substituted in lieu thereof (*Effective from passage*):

2030 If, as a result of any investigation initiated under the provisions of  
2031 sections 17b-450 to 17b-461, inclusive, a determination is made that a  
2032 caretaker or other person has abused, neglected, exploited or  
2033 abandoned an elderly person, such information shall be referred in  
2034 writing to the appropriate office of the state's attorney, which shall  
2035 conduct such further investigation, if any, [is] as deemed necessary  
2036 and shall determine whether criminal proceedings should be initiated  
2037 against such caretaker or other person, in accordance with applicable  
2038 state law.

2039 Sec. 69. Section 17b-744 of the general statutes is repealed and the  
2040 following is substituted in lieu thereof (*Effective from passage*):

2041 Any order payable to the Commissioner of Administrative Services  
2042 for support of any beneficiary of public assistance shall, on filing by  
2043 the [state] Commissioner of Social Services with the court making such  
2044 order, or with the assistant clerk of the Family Support Magistrate  
2045 Division where such order was entered, of a notice of discontinuance  
2046 of such assistance and on notice to the payor by registered or certified  
2047 mail, a copy of which notice shall be sent to the Commissioner of  
2048 Administrative Services, be payable directly to such beneficiary,

2049 beginning with the effective date of discontinuance, except that the  
2050 Commissioner of Social Services may elect to continue to collect such  
2051 support payments on behalf of the beneficiaries of the temporary  
2052 family assistance program for three months after the date of  
2053 discontinuance as provided in federal law and regulations.

2054 Sec. 70. Subdivision (1) of subsection (a) of section 17b-745 of the  
2055 general statutes is repealed and the following is substituted in lieu  
2056 thereof (*Effective from passage*):

2057 (a)(1) The Superior Court or a family support magistrate shall have  
2058 authority to make and enforce orders for payment of support to the  
2059 Commissioner of Administrative Services or, in IV-D cases, to the state  
2060 acting by and through the IV-D agency, directed to the husband or  
2061 wife and, if the patient or person is under twenty-one or, on and after  
2062 October 1, 1972, under eighteen, any parent of any patient or person  
2063 being supported by the state, wholly or in part, in a state humane  
2064 institution, or under any welfare program administered by the [state]  
2065 Department of Social Services, as [said] the court or family support  
2066 magistrate finds, in accordance with the provisions of subsection (b) of  
2067 section 17b-179, or section 17a-90, 17b-81, 17b-223, 46b-129 or 46b-130,  
2068 to be reasonably commensurate with the financial ability of any such  
2069 relative. Any court or family support magistrate called upon to make  
2070 or enforce such an order, including one based upon a determination  
2071 consented to by the relative, shall insure that such order is reasonable  
2072 in light of the relative's ability to pay.

2073 Sec. 71. Section 19a-7e of the general statutes is repealed and the  
2074 following is substituted in lieu thereof (*Effective from passage*):

2075 The Department of Public Health and the Office of Health Care  
2076 Access, in consultation with the Department of Social Services, shall  
2077 establish a three-year demonstration program to improve access to  
2078 health care for uninsured pregnant women under two hundred fifty  
2079 per cent of the poverty level. Services to be covered by the program  
2080 shall include, but not be limited to, the professional services of

2081 obstetricians, dental care providers, physician assistants or midwives  
2082 on the staff of the sponsoring hospital and community-based  
2083 providers; services of pediatricians for purposes of assistance in  
2084 delivery and postnatal care; dietary counseling; dental care; substance  
2085 abuse counseling, and other ancillary services which may include  
2086 substance abuse treatment and mental health services, as required by  
2087 the patient's condition, history or circumstances; necessary  
2088 pharmaceutical and other durable medical equipment during the  
2089 prenatal period; and postnatal care, as well as preventative and  
2090 primary care for children up to age six in families in the eligible  
2091 income level. The program shall encourage the acquisition,  
2092 sponsorship and extension of existing outreach activities and the  
2093 activities of mobile, satellite and other outreach units. The  
2094 Commissioner of Public Health, in consultation with the [chairman of  
2095 the Office] Commissioner of Health Care Access or his designee, shall  
2096 issue a request for proposals to Connecticut hospitals. Such request  
2097 shall require: (1) An interactive relationship between the hospital,  
2098 community health centers, community-based providers and the  
2099 healthy start program; (2) provisions for case management; (3)  
2100 provisions for financial eligibility screening, referrals and enrollment  
2101 assistance where appropriate to the medical assistance program, the  
2102 healthy start program or private insurance; and (4) provisions for a  
2103 formal liaison function between hospitals, community health centers  
2104 and other health care providers. The Office of Health Care Access is  
2105 authorized, through the hospital rate setting process, to fund specific  
2106 additions to fiscal years 1992 to 1994, inclusive, budgets for hospitals  
2107 chosen for participation in the program. In requesting additions to  
2108 their budgets, each hospital shall address specific program elements  
2109 including adjustments to the hospital's expense base, as well as  
2110 adjustments to its revenues, in a manner which will produce income  
2111 sufficient to offset the adjustment in expenses. The office shall insure  
2112 that the network of hospital providers will serve the greatest number  
2113 of people, while not exceeding a state-wide cost increase of three  
2114 million dollars per year. Hospitals participating in the program shall

2115 report monthly to the Departments of Public Health and Social  
2116 Services or their designees and annually to the joint standing  
2117 committees of the General Assembly having cognizance of matters  
2118 relating to public health and human services such information as the  
2119 departments and the committees deem necessary.

2120 Sec. 72. Subsection (b) of section 19a-123d of the general statutes is  
2121 repealed and the following is substituted in lieu thereof (*Effective from*  
2122 *passage*):

2123 (b) Any nursing pool which violates any provision of sections 19a-  
2124 123 to 19a-123d, inclusive, may be assessed a civil penalty by the court  
2125 not to exceed three hundred dollars for each offense. Each violation  
2126 shall be a separate and distinct offense and, in the case of a continuing  
2127 violation, each day of continuance thereof shall be deemed to be a  
2128 separate and distinct offense. The Commissioner of Public Health or  
2129 the [chairperson of the Office] Commissioner of Health Care Access  
2130 may request the Attorney General to bring a civil action in the superior  
2131 court for the judicial district of Hartford for injunctive relief to restrain  
2132 any further violation of said sections. The Superior Court shall grant  
2133 such relief upon notice and hearing.

2134 Sec. 73. Subsection (g) of section 19a-343a of the general statutes is  
2135 repealed and the following is substituted in lieu thereof (*Effective from*  
2136 *passage*):

2137 (g) If the defendant is a financial institution and the record owner of  
2138 the real property, or if the defendant is a financial institution claiming  
2139 an interest of record pursuant to a bona fide mortgage, assignment of  
2140 lease or rent, lien or security in the real property and is not determined  
2141 to be a principal or an accomplice in the conduct constituting the  
2142 public nuisance, the court shall not enter any order against such  
2143 defendant. The state shall have the burden of proving by clear and  
2144 convincing evidence that any such defendant claiming an interest of  
2145 record under this subsection is a principal or an accomplice in the  
2146 alleged conduct constituting the public nuisance. For the purposes of

2147 this subsection, "financial institution" means a bank, as defined in  
2148 subdivision (4) of section 36a-2, an out-of-state bank, as defined in  
2149 subdivision (43) of section 36a-2, an institutional lender or any  
2150 subsidiary or affiliate of such bank, out-of-state bank or institutional  
2151 lender [who] that directly or indirectly acquires the real property  
2152 pursuant to strict foreclosure, foreclosure by sale or deed-in-lieu of  
2153 foreclosure, and with the intent of ultimately transferring the property,  
2154 or other lender licensed by the Department of Banking.

2155 Sec. 74. Subsection (b) of section 19a-522 of the general statutes is  
2156 repealed and the following is substituted in lieu thereof (*Effective from*  
2157 *passage*):

2158 (b) Nursing home facilities may not charge the family or estate of a  
2159 deceased self-pay patient beyond the date on which such patient dies.  
2160 Nursing home facilities shall reimburse the estate of a deceased self-  
2161 pay patient, within sixty days after the death of such patient, for any  
2162 advance payments made by or on behalf of the patient covering any  
2163 period beyond the date of death. Interest, in accordance with  
2164 subsection (a) of section 37-1, on such reimbursement shall begin to  
2165 accrue from the date of such patient's death.

2166 Sec. 75. Section 19a-639e of the general statutes is repealed and the  
2167 following is substituted in lieu thereof (*Effective from passage*):

2168 Notwithstanding the [provision] provisions of section 19a-638 or  
2169 any other provision of this chapter, the Office of Health Care Access  
2170 may refuse to accept as filed or submitted a letter of intent or a  
2171 certificate of need application from any person or health care facility  
2172 that failed to submit any required data or information, or has filed any  
2173 required data or information that is incomplete or not filed in a timely  
2174 fashion. Prior to any refusal and accompanying moratorium under the  
2175 provisions of this section, the Commissioner of Health Care Access  
2176 shall notify the person or health care facility, in writing, and such  
2177 notice shall identify the data or information that was not received and  
2178 the data or information that is incomplete in any respect. Such person

2179 or facility shall have ten business days after receipt of the notice to  
2180 provide the commissioner with the required data or information. Such  
2181 refusal and related moratorium on accepting a letter of intent or a  
2182 certificate of need application may remain in effect, at the discretion of  
2183 the Commissioner of Health Care Access, until the office determines  
2184 that all required data has been submitted. The commissioner shall have  
2185 fifteen days to notify the person or facility submitting the data and  
2186 information whether or not the letter of intent or certificate of need  
2187 application is refused. Nothing in this section shall preclude or limit  
2188 the office from taking any other action authorized by law concerning  
2189 late, incomplete or inaccurate data submission in addition to such a  
2190 refusal and accompanying moratorium.

2191 Sec. 76. Subsection (a) of section 19a-644 of the general statutes is  
2192 repealed and the following is substituted in lieu thereof (*Effective from*  
2193 *passage*):

2194 (a) On or before February twenty-eighth annually, for the fiscal year  
2195 ending on September thirtieth of the immediately preceding year, each  
2196 short-term acute care general or children's hospital shall report to the  
2197 office with respect to its operations in such fiscal year, in such form as  
2198 the office may by regulation require. [~~Said~~] Such report shall include:  
2199 (1) Average salaries in each department of administrative personnel,  
2200 supervisory personnel [,] and direct service personnel by job  
2201 classification; (2) salaries and fringe benefits for the ten highest paid  
2202 positions; (3) the name of each joint venture, partnership, subsidiary  
2203 and corporation related to the hospital; and (4) the salaries paid to  
2204 hospital employees by each such joint venture, partnership, subsidiary  
2205 and related corporation and by the hospital to the employees of related  
2206 corporations. In addition, [~~said~~] such report may, at the discretion of  
2207 the office, include a breakdown of hospital and department budgets by  
2208 administrative, supervisory and direct service categories, by total  
2209 dollars, by full-time equivalent staff or any combination thereof, which  
2210 the office may request at any time of the year, provided the office gives  
2211 the hospital at least thirty days from the date of the request to provide

2212 the information.

2213 Sec. 77. Subsection (a) of section 21a-116 of the general statutes is  
2214 repealed and the following is substituted in lieu thereof (*Effective from*  
2215 *passage*):

2216 (a) The commissioner shall cause the investigation and examination  
2217 of food, drugs, devices and cosmetics subject to this chapter. The  
2218 commissioner or his authorized representative shall have the right (1)  
2219 to take a sample or specimen of any such article, for examination  
2220 under this chapter, upon tendering the market price therefor to the  
2221 person having such article in custody, and (2) to enter any place or  
2222 establishment within this state, at reasonable times, for the purpose of  
2223 taking a sample or specimen of such article, for such examination. [(3)]  
2224 Samples or specimens taken under the provisions of [subsection (a) of  
2225 this section] this subsection shall be submitted to the agricultural  
2226 experiment station or to the laboratory services section of the  
2227 Department of Public Health for examination.

2228 Sec. 78. Subdivision (24) of section 21a-240 of the general statutes is  
2229 repealed and the following is substituted in lieu thereof (*Effective from*  
2230 *passage*):

2231 (24) "Hospital", as used in sections 21a-243 to 21a-283, inclusive,  
2232 means an institution for the care and treatment of the sick and injured,  
2233 approved by the Department of Public Health or [state] the  
2234 Department of Mental Health and Addiction Services as proper to be  
2235 entrusted with the custody of controlled drugs and substances and  
2236 professional use of controlled drugs and substances under the  
2237 direction of a licensed practitioner.

2238 Sec. 79. Subdivision (27) of section 21a-240 of the general statutes is  
2239 repealed and the following is substituted in lieu thereof (*Effective from*  
2240 *passage*):

2241 (27) "Laboratory" means a laboratory approved by the [state]

2242 Department of Consumer Protection as proper to be entrusted with the  
2243 custody of controlled substances and the use of controlled substances  
2244 for scientific and medical purposes and for purposes of instruction,  
2245 research or analysis.

2246 Sec. 80. Section 22-14 of the general statutes is repealed and the  
2247 following is substituted in lieu thereof (*Effective from passage*):

2248 No minor under sixteen years of age shall be employed or permitted  
2249 to work, when school is not in session, in any agricultural occupation  
2250 unless the employer of such minor has received a birth certificate, an  
2251 agricultural work permit issued by the [state] Department of  
2252 Education or other legal proof of age. Each employer shall retain in his  
2253 possession, and make available to the commissioner or his agent for  
2254 inspection, each such legal proof of age, until the termination of the  
2255 employment of the minor therein named. At the termination of  
2256 employment, the employer shall return to each minor upon request  
2257 such legal proof of age.

2258 Sec. 81. Subsection (b) of section 22a-1f of the general statutes is  
2259 repealed and the following is substituted in lieu thereof (*Effective from*  
2260 *passage*):

2261 (b) Environmental impact evaluations shall not be required for the  
2262 Connecticut Juvenile Training School project, as defined in subsection  
2263 [(l)] (k) of section 4b-55, and the extension of such project otherwise  
2264 known as the Connecticut River Interceptor Sewer Project, or a project,  
2265 as defined in subdivision (16) of section 10a-109c, which involves the  
2266 conversion of an existing structure for educational rather than office or  
2267 commercial use.

2268 Sec. 82. Subsection (j) of section 22a-50 of the general statutes is  
2269 repealed and the following is substituted in lieu thereof (*Effective from*  
2270 *passage*):

2271 (j) In no event shall registration of an article be construed as a

2272 defense for the commission of any offense under this part, subsection  
2273 (a) of section 23-61a or section [23-61] 23-61b, provided, if no  
2274 cancellation proceedings are in effect, registration of a pesticide shall  
2275 be prima facie evidence that the pesticide, its labeling and its  
2276 packaging comply with the registration provisions of this part and said  
2277 sections.

2278 Sec. 83. Subsection (d) of section 22a-509 of the general statutes is  
2279 repealed and the following is substituted in lieu thereof (*Effective from*  
2280 *passage*):

2281 (d) Any constituent municipality may enter into an agreement with  
2282 the authority for the transfer to the authority, for use in the exercise of  
2283 its corporate powers and purposes hereunder, of any water pollution  
2284 control facilities or wastewater system of such constituent municipality  
2285 as the same then shall be owned by such constituent municipality. Any  
2286 such agreement may provide for the transfer of title of said facilities or  
2287 wastewater system by deed, lease or other arrangement to the  
2288 authority. To the extent it is not inconsistent with sections 22a-500 to  
2289 22a-519, inclusive, any such agreement may impose such limitations or  
2290 conditions as may be agreed upon with respect to the power thereafter  
2291 to sell or otherwise dispose of any property acquired pursuant to such  
2292 agreement and may provide for or authorize the authority to return  
2293 property no longer required for water pollution control purposes.  
2294 Notwithstanding the provisions of any other general, special or local  
2295 law or charter, any action taken by such constituent municipality  
2296 pursuant to this subsection shall not be subject to referendum. Any  
2297 such agreement shall set forth the liabilities of such constituent  
2298 municipality which are contemplated to be paid by the authority from  
2299 moneys available to it, unless such agreement does not require the  
2300 authority to assume any such liabilities. Notwithstanding the  
2301 provisions of any other general, special or local law or charter, any  
2302 moneys received by any constituent municipality in consideration for  
2303 the transfer of such water pollution control facilities or wastewater  
2304 system to the authority may be deposited in the general fund of such

2305 constituent municipality and used for any lawful municipal purpose or  
2306 may be deposited in a special fund for the purpose of paying or  
2307 redeeming any existing indebtedness issued for water pollution  
2308 control purposes. A constituent municipality and the authority may  
2309 make or enter into any contracts, agreements, deeds, leases,  
2310 conveyances or other instruments as may be necessary or appropriate  
2311 to effectuate the purposes of sections 22a-500 to 22a-519, inclusive, and  
2312 they shall have the power and authority to do so and to authorize the  
2313 doing of all things incidental, desirable or necessary to implement the  
2314 provisions of said sections. Upon the filing by the authority with the  
2315 clerk of the constituent municipality and the Secretary of the State of a  
2316 copy of the instruments or documents effectuating the transfer  
2317 authorized by sections 22a-500 to 22a-519, inclusive, the authority shall  
2318 take possession of the water pollution control facilities or wastewater  
2319 system of the constituent municipality. Any application filed or  
2320 proceeding heretofore commenced in relation to the water pollution  
2321 control facility or wastewater system transferred to the authority  
2322 pending with the [state Departments] Department of Environmental  
2323 Protection, [or] the Department of Public Health or any other state  
2324 agency or with the United States Environmental Protection Agency or  
2325 any other federal agency or instrumentality shall inure to and for the  
2326 benefit of the authority and be binding upon the authority to the same  
2327 extent and in the same manner as if the authority had been a party to  
2328 such application or proceeding from its inception, and the authority  
2329 shall be deemed a party thereto to the extent not prohibited by any  
2330 federal law. Any license, approval, permit or decision heretofore or  
2331 hereafter issued or granted pursuant to or as a result of any such  
2332 application or proceeding shall inure to the benefit of and be binding  
2333 upon the authority and shall be assigned and transferred by the  
2334 municipality to the authority unless such assignment and transfer is  
2335 prohibited by federal law. If the municipality has outstanding general  
2336 obligation bonds issued for acquiring or constructing water pollution  
2337 control facilities acquired by the authority, whether or not the bonds  
2338 are also payable from revenues, special assessments or taxes, the

2339 municipality may authorize the authority pursuant to the agreement to  
2340 issue bonds under sections 22a-500 to 22a-519, inclusive, for the  
2341 purpose of retiring the outstanding bonds or alternatively, the  
2342 authority may agree to pay the principal of and interest on such bonds  
2343 until the obligation of such constituent municipality is discharged. No  
2344 such agreement under the provisions of this subsection shall be  
2345 executed until such constituent municipality shall have held a public  
2346 hearing at which users of the water pollution control system and  
2347 residents of such constituent municipality shall have had the  
2348 opportunity to be heard concerning the proposed provisions thereof.  
2349 Notice of such hearing shall be published at least thirty days in  
2350 advance in the official newspaper or newspapers of the municipality.

2351 Sec. 84. Subsection (b) of section 23-61f of the general statutes is  
2352 repealed and the following is substituted in lieu thereof (*Effective from*  
2353 *passage*):

2354 (b) Any person who violates any provision of chapter 441 or section  
2355 23-61a or 23-61b shall be considered under the jurisdiction of the  
2356 Commissioner of Environmental Protection.

2357 Sec. 85. Subsection (e) of section 25-32d of the general statutes is  
2358 repealed and the following is substituted in lieu thereof (*Effective from*  
2359 *passage*):

2360 (e) Any water company, when submitting any plan or revision or  
2361 amendment of a plan after July 1, 1998, which involves a forecast of  
2362 land sales, abandonment of any water supply source, sale of any lands,  
2363 or land reclassification, shall provide notice, return receipt requested,  
2364 to the chief elected official of each municipality in which the land or  
2365 source is located, the Nature Conservancy, the Trust for Public Land  
2366 and the Land Trust Service Bureau and any organization on the list  
2367 prepared under subsection (b) of section 16-50c. Such notice shall  
2368 specify any proposed abandonment of a source of water supply, any  
2369 proposed changes to land sales forecasts or any land to be designated  
2370 as class III land in such plan. Such notice shall specify the location and

2371 acreage proposed for sale or reclassification as class III land [.] and  
2372 identify sources to be abandoned and shall be provided no later than  
2373 the date of submission of such plan or revision. Such notice shall  
2374 indicate that public comment on such plan or revision shall be received  
2375 by the Commissioners of Public Health and Environmental Protection  
2376 not later than sixty days after the date of notice. The Commissioner of  
2377 Public Health shall take such comment into consideration in making  
2378 any determination or approval under this section.

2379 Sec. 86. Subsection (c) of section 26-42 of the general statutes is  
2380 repealed and the following is substituted in lieu thereof (*Effective from*  
2381 *passage*):

2382 (c) Any person who violates any provision of this section shall be  
2383 fined not less than one hundred dollars [nor] or more than two  
2384 hundred fifty dollars or imprisoned not more than ten days or be both  
2385 fined and imprisoned.

2386 Sec. 87. Subsection (b) of section 26-58 of the general statutes is  
2387 repealed and the following is substituted in lieu thereof (*Effective from*  
2388 *passage*):

2389 (b) Any person who violates any provision of subsection (a) of this  
2390 section shall be fined not less than one dollar [nor] or more than one  
2391 hundred dollars or imprisoned not more than thirty days or be both  
2392 fined and imprisoned.

2393 Sec. 88. Subsection (b) of section 26-86a of the general statutes is  
2394 repealed and the following is substituted in lieu thereof (*Effective from*  
2395 *passage*):

2396 (b) Any person who takes a deer without a permit shall be fined not  
2397 less than two hundred dollars [nor] or more than five hundred dollars  
2398 or imprisoned not less than thirty days [nor] or more than six months  
2399 or shall be both fined and imprisoned, for the first offense, and for each  
2400 subsequent offense shall be fined not less than two hundred dollars

2401 [nor] or more than one thousand dollars or imprisoned not more than  
2402 one year or shall be both fined and imprisoned.

2403 Sec. 89. Subsections (g) and (h) of section 28-1 of the general statutes  
2404 is repealed and the following is substituted in lieu thereof (*Effective*  
2405 *from passage*):

2406 (g) "Civil preparedness emergency" or "disaster emergency" [mean]  
2407 means an emergency declared by the Governor under the provisions of  
2408 this chapter in the event of serious disaster or of enemy attack,  
2409 sabotage or other hostile action within the state or a neighboring state,  
2410 or in the event of the imminence thereof.

2411 (h) "Local civil preparedness emergency" or "disaster emergency"  
2412 [mean] means an emergency declared by the chief executive officer of  
2413 any town or city in the event of serious disaster affecting such town or  
2414 city.

2415 Sec. 90. Subdivisions (1) and (2) of subsection (a) of section 31-57g of  
2416 the general statutes is repealed and the following is substituted in lieu  
2417 thereof (*Effective from passage*):

2418 (a) (1) "Awarding authority" means any person, including a  
2419 contractor or subcontractor, [who] that awards or otherwise enters into  
2420 a contract to perform food and beverage services at Bradley  
2421 International Airport.

2422 (2) "Contractor" means any person [who] that enters into a service  
2423 contract with the awarding authority and any subcontractors to such  
2424 service contract at any tier who employs ten or more persons.

2425 Sec. 91. Subsection (b) of section 31-60 of the general statutes is  
2426 repealed and the following is substituted in lieu thereof (*Effective from*  
2427 *passage*):

2428 (b) The Labor Commissioner shall adopt such regulations, in  
2429 accordance with the provisions of chapter 54, as may be appropriate to

2430 carry out the purposes of this part. Such regulations may include, but  
2431 are not limited to, regulations defining and governing an executive,  
2432 administrative or professional employee and outside salesperson;  
2433 learners and apprentices, their number, proportion and length of  
2434 service; and piece rates in relation to time rates; and shall recognize, as  
2435 part of the minimum fair wage, gratuities in an amount equal to  
2436 twenty-three per cent of the minimum fair wage per hour for persons  
2437 employed in the hotel and restaurant industry, including a hotel  
2438 restaurant, and not to exceed thirty-five cents per hour in any other  
2439 industry, and shall also recognize deductions and allowances for the  
2440 value of board, in the amount of eighty-five cents for a full meal and  
2441 forty-five cents for a light meal, lodging, apparel or other items or  
2442 services supplied by the employer; and other special conditions or  
2443 circumstances which may be usual in a particular employer-employee  
2444 relationship. Notwithstanding the provisions of this subsection, for the  
2445 period commencing January 1, 2002, and ending December 31, 2004,  
2446 such regulations shall recognize, as part of the minimum fair wage,  
2447 gratuities in an amount equal to (1) twenty-nine and three-tenths per  
2448 cent of the minimum fair wage per hour for persons employed in the  
2449 hotel and restaurant industry, including a hotel restaurant, who  
2450 customarily and regularly receive gratuities, and (2) eight and two-  
2451 tenths per cent of the minimum fair wage per hour for persons  
2452 employed as bartenders who customarily and regularly receive  
2453 gratuities. The commissioner may provide, in such regulations,  
2454 modifications of the minimum fair wage herein established for learners  
2455 and apprentices; persons under the age of eighteen years; and for such  
2456 special cases or classes of cases as the commissioner finds appropriate  
2457 to prevent curtailment of employment opportunities, avoid undue  
2458 hardship and safeguard the minimum fair wage herein established.  
2459 Regulations in effect on July 1, 1973, providing for a board deduction  
2460 and allowance in an amount differing from that provided in this  
2461 section shall be construed to be amended consistent with this section  
2462 without the necessity of convening a wage board or amending [said]  
2463 such regulations.

2464       Sec. 92. Subsection (d) of section 32-223 of the general statutes is  
2465 repealed and the following is substituted in lieu thereof (*Effective from*  
2466 *passage*):

2467       (d) Financial assistance, whether provided directly to eligible  
2468 applicants or indirectly in the form of the department's purchase of a  
2469 participation interest in a loan made by the Connecticut Development  
2470 Authority under sections 32-220 to 32-234, inclusive, may be used for  
2471 (1) the planning of a municipal development project or business  
2472 development project, including, but not limited to, the reasonable cost  
2473 of feasibility studies, engineering, appraisals, market studies and  
2474 related activities; (2) the acquisition of real property, machinery or  
2475 equipment, or any combination thereof, provided such financial  
2476 assistance shall not exceed fair market value; [or] (3) the construction  
2477 of site and infrastructure improvements relating to a municipal  
2478 development or business development project; (4) the construction,  
2479 renovation and demolition of buildings; (5) relocation expenses for the  
2480 purpose of assisting a manufacturing or other economic base business  
2481 to locate, construct, renovate or acquire a facility; or (6) such other  
2482 reasonable expenses necessary or appropriate for the initiation,  
2483 implementation and completion of the project, including, but not  
2484 limited to: (A) Administrative expenses of the eligible applicant; and  
2485 (B) business support services in conjunction with another state agency  
2486 when such agency does not provide adequate funds for such services  
2487 or when no other state agency provides such services. The department  
2488 may purchase participation interests in loans made by the Connecticut  
2489 Development Authority for the foregoing purposes. All relocation  
2490 assistance provided under sections 32-220 to 32-234, inclusive, to  
2491 persons residing in the project area shall be in conformance with  
2492 chapter 135.

2493       Sec. 93. Subsection (b) of section 36a-438a of the general statutes is  
2494 repealed and the following is substituted in lieu thereof (*Effective from*  
2495 *passage*):

2496 (b) Notwithstanding the provisions of subsection (a) of this section,  
2497 the Commissioner of Banking may authorize a Connecticut credit  
2498 union with a multiple common bond membership to include in its field  
2499 of membership any person within a well-defined community,  
2500 neighborhood or rural district if:

2501 (1) The Commissioner of Banking determines that the well-defined  
2502 community, neighborhood or rural district is (A) an investment area,  
2503 as defined in Section 103(16) of the Community Development Banking  
2504 and Financial Institutions Act of 1994, 12 USC Section 4702(16), and  
2505 meets any additional requirements that the Commissioner of Banking  
2506 may impose; and (B) underserved by other depository institutions, as  
2507 defined in Section 19(b)(1)(A) of the Federal Reserve Act, 12 USC  
2508 Section 461(b), based on data of the Commissioner of Banking and  
2509 federal supervisory agencies; and

2510 (2) The Connecticut credit union establishes and maintains a main  
2511 office or branch in the well-defined community, neighborhood or rural  
2512 district at which credit union services are available. ]; and]

2513 Sec. 94. Subdivision (2) of subsection (b) of section 38a-478n of the  
2514 general statutes is repealed and the following is substituted in lieu  
2515 thereof (*Effective from passage*):

2516 (2) The filing fee shall be twenty-five dollars and shall be deposited  
2517 into the Insurance Fund established in section [38a-52] 38a-52a. If the  
2518 commissioner finds that an enrollee is indigent or unable to pay the  
2519 fee, the commissioner shall waive the fee.

2520 Sec. 95. Subsection (b) of section 42a-4A-204 of the general statutes is  
2521 repealed and the following is substituted in lieu thereof (*Effective from*  
2522 *passage*):

2523 (b) Reasonable time under subsection (a) of this section may be fixed  
2524 by agreement as stated in subsection (1) of section 42a-1-204, but the  
2525 obligation of a receiving bank to refund payment as stated in

2526 subsection (a) of this section may not otherwise [by] be varied by  
2527 agreement.

2528 Sec. 96. Subsection (b) of section 45a-8 of the general statutes is  
2529 repealed and the following is substituted in lieu thereof (*Effective from*  
2530 *passage*):

2531 (b) If a town or towns comprising a probate district and the  
2532 responsible municipal official or officials within such probate district  
2533 fail to provide the court facilities required by subsection [(A)] (a) of  
2534 this section, the Probate Court Administrator shall offer in writing to  
2535 meet with the judge of probate of the district and the responsible  
2536 official or officials to discuss such court facilities. After discussion and  
2537 consideration of the circumstances of the court operations, the Probate  
2538 Court Administrator may waive or modify the application of a  
2539 particular requirement of subsection (a) of this section for court  
2540 facilities.

2541 Sec. 97. Subsections (e) and (f) of section 45a-677 of the general  
2542 statutes is repealed and the following is substituted in lieu thereof  
2543 (*Effective from passage*):

2544 (e) A plenary guardian or limited guardian of a mentally retarded  
2545 person shall not have the power or authority: (1) To cause the ward to  
2546 be admitted to any institution for treatment of the mentally ill, except  
2547 in accordance with the provisions of sections 17a-75 to 17a-83,  
2548 inclusive, 17a-456 to 17a-484, inclusive, 17a-495 to 17a-528, inclusive,  
2549 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576, inclusive, 17a-615 to  
2550 17a-618, inclusive, and 17a-621 to 17a-664, inclusive, and chapter 420b;  
2551 (2) to cause the ward to be admitted to any training school or other  
2552 facility provided for the care and training of the mentally retarded if  
2553 there is a conflict concerning such admission between the guardian  
2554 and the mentally retarded person or next of kin, except in accordance  
2555 with the provisions of sections 17a-274 and 17a-275; (3) to consent on  
2556 behalf of the ward to a sterilization, except in accordance with the  
2557 provisions of sections 45a-690 to 45a-700, inclusive; (4) to consent on

2558 behalf of the ward to psychosurgery, except in accordance with the  
2559 provisions of section 17a-543; (5) to consent on behalf of the ward to  
2560 the termination of the ward's parental rights, except in accordance  
2561 with the provisions of sections 45a-706 to 45a-709, inclusive, 45a-715 to  
2562 45a-718, inclusive, 45a-724 to 45a-737, inclusive, and 45a-743 to 45a-  
2563 757, inclusive; (6) to consent on behalf of the ward to the performance  
2564 of any experimental biomedical or behavioral medical procedure or  
2565 participation in any biomedical or behavioral experiment, unless it [is]  
2566 (A) is intended to preserve the life or prevent serious impairment of  
2567 the physical health of the ward, (B) [it] is intended to assist the ward to  
2568 regain the ward's abilities and has been approved for the ward by the  
2569 court, or (C) has been (i) approved by a recognized institutional review  
2570 board, as defined by 45 CFR 46, 21 CFR 50 and 21 CFR 56, as amended  
2571 from time to time, [and] which is not a part of the Department of  
2572 Mental Retardation, (ii) endorsed or supported by the Department of  
2573 Mental Retardation, and (iii) approved for the ward by such ward's  
2574 primary care physician; (7) to admit the ward to any residential facility  
2575 operated by an organization by whom such guardian is employed,  
2576 except in accordance with the provisions of section 17a-274; (8) to  
2577 prohibit the marriage or divorce of the ward; and (9) to consent on  
2578 behalf of the ward to an abortion or removal of a body organ, except in  
2579 accordance with applicable statutory procedures when necessary to  
2580 preserve the life or prevent serious impairment of the physical or  
2581 mental health of the ward.

2582 (f) A plenary guardian or limited guardian shall submit a report to  
2583 the court: (1) Annually; (2) when the court orders additional reports to  
2584 be filed; [or] (3) when there is a significant change in the capacity of the  
2585 ward to meet the essential requirements for the ward's physical health  
2586 or safety; (4) when the plenary guardian or limited guardian resigns or  
2587 is removed; and (5) when the guardianship is terminated.

2588 Sec. 98. Subsection (e) of section 46b-140a of the general statutes is  
2589 repealed and the following is substituted in lieu thereof (*Effective from*  
2590 *passage*):

2591 (e) Upon a determination by the court that a child or youth has  
2592 violated probation by failing to comply with the requirements of  
2593 electronic monitoring, the [court support services division] Court  
2594 Support Services Division shall notify the local law enforcement  
2595 agency of such violation.

2596 Sec. 99. Subsection (c) of section 46b-149d of the general statutes is  
2597 repealed and the following is substituted in lieu thereof (*Effective from*  
2598 *passage*):

2599 (c) [For those communities who have been awarded a grant  
2600 pursuant to subsection (b) of this section, and established community  
2601 truancy prevention initiatives, the] The Chief Court Administrator  
2602 may establish a truancy or family with service needs docket [and the]  
2603 for communities that have been awarded a grant and established a  
2604 community-based truancy prevention initiative pursuant to this  
2605 section. The Court Support Services Division shall, within available  
2606 appropriations, make available to such communities [the following: (1)  
2607 A] a risk and needs assessment tool [; and (2)] and funding for  
2608 nonjudicial diversion of appropriate truancy cases to youth service  
2609 bureaus and juvenile review boards. For court sanctioned intervention  
2610 programs, the Court Support Services Division shall: [(A)] (1) Provide  
2611 parenting education programs; [(B)] (2) expand existing programs to  
2612 serve truancy cases; [(C)] (3) provide intensive outreach and  
2613 monitoring, including intensive probation services for chronic truancy  
2614 cases; [(D)] (4) provide for mental health assessment and outpatient  
2615 mental health and substance abuse services; and [(E)] (5) provide for  
2616 short-term emergency residential placement for children with multiple  
2617 referrals to the juvenile court for truancy, being beyond control and for  
2618 being runaways.

2619 Sec. 100. Subsection (a) of section 47a-2 of the general statutes is  
2620 repealed and the following is substituted in lieu thereof (*Effective from*  
2621 *passage*):

2622 (a) Unless created to avoid the application of this chapter and

2623 sections 47a-21, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26g,  
2624 inclusive, 47a-35 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46, the  
2625 following arrangements are not governed by this chapter and sections  
2626 47a-21, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26g, inclusive, 47a-35  
2627 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46: (1) Residence at an  
2628 institution, public or private, if incidental to detention or the provision  
2629 of medical, geriatric, educational, counseling [,] or religious service, or  
2630 any similar service; (2) occupancy under a contract of sale of a  
2631 dwelling unit or the property of which such unit is a part, if the  
2632 occupant is the purchaser or a person who succeeds to his interest; (3)  
2633 occupancy by a member of a fraternal or social organization in the  
2634 portion of a structure operated for the benefit of such organization; (4)  
2635 transient occupancy in a hotel or motel or similar lodging; (5)  
2636 occupancy by an owner of a condominium unit; and (6) occupancy by  
2637 a personal care assistant or other person who is employed by a person  
2638 with a disability to assist and support such disabled person with daily  
2639 living activities or housekeeping chores and is provided dwelling  
2640 space in the personal residence of such disabled person as a benefit or  
2641 condition of such employment.

2642 Sec. 101. Subsection (a) of section 51-293 of the general statutes is  
2643 repealed and the following is substituted in lieu thereof (*Effective from*  
2644 *passage*):

2645 (a) (1) The commission shall appoint a public defender for each  
2646 judicial district and a public defender who shall handle appellate  
2647 matters and provide legal support services to public defender offices,  
2648 each of whom shall serve as public defender in the Superior Court and  
2649 as many assistant public defenders and deputy assistant public  
2650 defenders for the Superior Court as the criminal or delinquency  
2651 business of the court may require. (2) This section shall not prevent a  
2652 judge of the Superior Court from appointing a special assistant public  
2653 defender on a contractual basis for a temporary period of time in an  
2654 appropriate case, whose expenses and compensation shall be paid  
2655 from the budget of the Public Defender Services Commission and in

2656 accordance with the rates of compensation approved by the  
2657 commission pursuant to [subsection (l)] subdivision (12) of section 51-  
2658 291. Whenever possible, any such appointment shall be made from a  
2659 list of attorneys provided by the commission and submitted to the  
2660 court by the office of the Chief Public Defender. Subsequent to [his] an  
2661 attorney's appointment as a special assistant public defender, [an] the  
2662 attorney may not solicit or accept from or on behalf of his or her client  
2663 any money or article of value of any kind either as a fee for services  
2664 performed or to be performed or as payment for costs or expenses  
2665 incurred or to be incurred. (3) At the direction of the Chief Public  
2666 Defender, any Superior Court public defender, assistant public  
2667 defender, deputy assistant public defender or other person employed  
2668 by the Division of Public Defender Services may be required to act in  
2669 such capacity in another judicial district or geographical area when the  
2670 demands of criminal business or delinquency proceedings necessitate  
2671 it.

2672 Sec. 102. Section 52-259 of the general statutes is repealed and the  
2673 following is substituted in lieu thereof (*Effective from passage*):

2674 There shall be paid to the clerks for entering each appeal or writ of  
2675 error to the Supreme Court, or entering each appeal to the Appellate  
2676 Court, as the case may be, two hundred fifty dollars, and for each civil  
2677 cause in the Superior Court, one hundred eighty-five dollars, [;] except  
2678 (1) seventy-five dollars for entering each case in the Superior Court in  
2679 which the sole claim for relief is damages and the amount, legal  
2680 interest or property in demand is less than two thousand five hundred  
2681 dollars and for summary process, landlord and tenant and paternity  
2682 actions, and (2) there shall be no entry fee for making an application to  
2683 the Superior Court for relief under section 46b-15 or for making an  
2684 application to modify or extend an order issued pursuant to section  
2685 46b-15. If the amount, legal interest or property in demand by the  
2686 plaintiff is alleged to be less than two thousand five hundred dollars, a  
2687 new entry fee of seventy-five dollars shall be charged if the plaintiff  
2688 amends his complaint to state that such demand is not less than two

2689 thousand five hundred dollars. The fee for the entry of a small claims  
2690 case shall be thirty-five dollars. If a motion is filed to transfer a small  
2691 claims case to the regular docket, the moving party shall pay a fee of  
2692 seventy-five dollars. There shall be paid to the clerk of the Superior  
2693 Court by any party who requests a finding of fact by a judge of such  
2694 court to be used on appeal the sum of twenty-five dollars, to be paid at  
2695 the time the request is filed. There shall be paid to the clerk of the  
2696 Superior Court a fee of seventy-five dollars for a petition for  
2697 certification to the Supreme Court and Appellate Court. Such clerks  
2698 shall also receive for receiving and filing an assessment of damages by  
2699 appraisers of land taken for public use or the appointment of a  
2700 commissioner of the Superior Court, two dollars; for recording the  
2701 commission and oath of a notary public or certifying under seal to the  
2702 official character of any magistrate, ten dollars; for certifying under  
2703 seal, two dollars; for exemplifying, twenty dollars; for making all  
2704 necessary records and certificates of naturalization, the fees allowed  
2705 under the provisions of the United States statutes for such services;  
2706 and for making copies, one dollar a page. There shall be paid to the  
2707 clerk of the Superior Court for a copy of a judgment file a fee of fifteen  
2708 dollars, inclusive of the fees for certification and copying, for a certified  
2709 copy and a fee of ten dollars, inclusive of the fee for copying, for a  
2710 copy which is not certified; and for a copy of a certificate of judgment  
2711 in a foreclosure action, as provided by the rules of practice and  
2712 procedure, twenty dollars, inclusive of the fees for certification and  
2713 copying. There shall be paid to the clerk of the court a fee of fifty  
2714 dollars at the time any application for a prejudgment remedy is filed.  
2715 A fee of twenty dollars for any check issued to the court in payment of  
2716 any fee which is returned as uncollectible by the bank on which it is  
2717 drawn may be imposed. The tax imposed under chapter 219 shall not  
2718 be imposed upon any fee charged under the provisions of this section.

2719       Sec. 103. Subsection (b) of section 53a-31 of the general statutes is  
2720 repealed and the following is substituted in lieu thereof (*Effective from*  
2721 *passage*):

2722 (b) Issuance of a warrant or notice to appear for violation pursuant  
2723 to section 53a-32 [.] shall interrupt the period of the sentence as of the  
2724 date of such issuance until a final determination as to the violation has  
2725 been made by the court. During the interrupted period, the court may  
2726 impose any of the conditions of release set forth in section 54-64a. In  
2727 the absence of a warrant or notice to appear for violation pursuant to  
2728 section 53a-32, if the defendant has failed to comply with any of the  
2729 conditions of probation or conditional discharge, such failure shall not  
2730 relieve the Court Support Services Division from the responsibility of  
2731 supervising the defendant.

2732 Sec. 104. Section 53a-46d of the general statutes is repealed and the  
2733 following is substituted in lieu thereof (*Effective from passage*):

2734 A victim impact statement prepared by a victim advocate to be  
2735 placed in court files in accordance with subdivision (2) of subsection  
2736 (a) of section 54-220 may be read in court prior to imposition of  
2737 sentence upon a defendant found guilty of a crime punishable by  
2738 death.

2739 Sec. 105. Subdivision (11) of section 53a-119 of the general statutes is  
2740 repealed and the following is substituted in lieu thereof (*Effective from*  
2741 *passage*):

2742 (11) Obtaining property through fraudulent use of an automated  
2743 teller machine. A person obtains property through fraudulent use of an  
2744 automated teller machine when [he] such person obtains property by  
2745 knowingly using in a fraudulent manner an automated teller machine  
2746 with intent to deprive another of property or to appropriate the same  
2747 to himself or a third person. In any prosecution for larceny based upon  
2748 fraudulent use of an automated teller machine, the crime shall be  
2749 deemed to have been committed in the town in which the machine was  
2750 located. In any prosecution for larceny based upon more than one  
2751 instance of fraudulent use of an automated teller machine, (A) all such  
2752 instances in any six-month period may be combined and charged as  
2753 one offense, with the value of all property obtained thereby being

2754 accumulated, and (B) the crime shall be deemed to have been  
2755 committed in any of the towns in which a machine which was  
2756 fraudulently used was located. For the purposes of this subsection,  
2757 "automated teller machine" means an unmanned device at which  
2758 banking transactions including, without limitation, deposits,  
2759 withdrawals, advances, payments and transfers may be conducted,  
2760 and includes, without limitation, a satellite device and point of sale  
2761 terminal as defined in section [36-193a] 36a-2.

2762 Sec. 106. Subsection (a) of section 53a-127b of the general statutes is  
2763 repealed and the following is substituted in lieu thereof (*Effective from*  
2764 *passage*):

2765 (a) A person is guilty of fraudulent use of an automated teller  
2766 machine when, with intent to deprive another of property or to  
2767 appropriate the same to himself or herself or a third person, [he] such  
2768 person knowingly uses in a fraudulent manner an automated teller  
2769 machine for the purpose of obtaining property. For the purposes of  
2770 this section, "automated teller machine" means an unmanned device at  
2771 which banking transactions including, without limitation, deposits,  
2772 withdrawals, advances, payments and transfers may be conducted,  
2773 and includes, without limitation, a satellite device and point of sale  
2774 terminal as defined in section [36-193a] 36a-2.

2775 Sec. 107. Subsection (e) of section 54-64a of the general statutes is  
2776 repealed and the following is substituted in lieu thereof (*Effective from*  
2777 *passage*):

2778 (e) The court may require that the person subject to electronic  
2779 monitoring [subject] pursuant to subsection [(a)] (c) of this section pay  
2780 directly to the electronic monitoring service provider a fee for the cost  
2781 of such electronic monitoring services. If the court finds that the person  
2782 subject to electronic monitoring is indigent and unable to pay the costs  
2783 of electronic monitoring services, [it] the court shall waive such costs.  
2784 Any contract entered into by the judicial branch and the electronic  
2785 monitoring service provider shall include a provision stating that the

2786 total cost for electronic monitoring services shall not exceed five  
2787 dollars per day. Such amount shall be indexed annually to reflect the  
2788 rate of inflation.

2789 Sec. 108. Section 54-102aa of the general statutes is repealed and the  
2790 following is substituted in lieu thereof (*Effective from passage*):

2791 (a) As used in this [section] part:

2792 (1) "Active tuberculosis" shall have the same meaning as ["active  
2793 tuberculosis", as defined] provided in subdivision (1) of subsection (a)  
2794 of section 19a-265;

2795 (2) "Infectious tuberculosis" shall have the same meaning as  
2796 ["infectious tuberculosis", as defined] provided in subdivision (2) of  
2797 subsection (a) of section 19a-265; and

2798 (3) "Latent tuberculosis" means having a positive tuberculin skin  
2799 test with no clinical, bacteriologic or radiologic evidence of active  
2800 tuberculosis.

2801 (b) Any person who has been committed to the custody of the  
2802 Commissioner of Correction and remains in custody for a period of at  
2803 least five consecutive days shall be tested to determine if such person  
2804 has active tuberculosis or latent tuberculosis infection. Any person  
2805 testing positive for active tuberculosis or infectious tuberculosis shall  
2806 be subject to the provisions of sections 19a-255, 19a-256 and 19a-262 to  
2807 19a-265, inclusive. Any person testing positive for latent tuberculosis  
2808 infection shall be first medically evaluated for infectious tuberculosis  
2809 and then offered treatment for latent tuberculosis infection as  
2810 recommended at the time by the National Centers for Disease Control  
2811 and Prevention, provided [that] the scheduled period of custody of  
2812 such [a] person is such that [said] the treatment may be completed  
2813 prior to the release of such person from custody.

2814 Sec. 109. Section 54-102bb of the general statutes is repealed and the  
2815 following is substituted in lieu thereof (*Effective from passage*):

2816 In facilities operated by the Department of Correction, the medical  
2817 director, contractor and chief administrator of the facility shall ensure  
2818 that: (1) Each incarcerated inmate, upon incarceration, has a tuberculin  
2819 skin test, unless already known to be positive, a symptom evaluation  
2820 and, if indicated according to the most recent recommendations from  
2821 the National Centers for Disease Control and Prevention, a chest  
2822 radiograph for tuberculosis, provided [that] each inmate who is  
2823 asymptomatic and who has had a chest [radiography] radiograph in a  
2824 correctional facility within six months of incarceration need not have  
2825 an additional chest radiograph; (2) each incarcerated inmate has an  
2826 evaluation for active tuberculosis or infectious tuberculosis whenever  
2827 the inmate develops a cough lasting more than two weeks; [develops;]  
2828 (3) each incarcerated inmate has at least an annual tuberculin skin test,  
2829 unless already known to be positive; and (4) information on the results  
2830 of testing for infectious tuberculosis and latent tuberculosis infection as  
2831 described in subdivisions (1) to (3), inclusive, of this section and all  
2832 efforts to treat each inmate for active tuberculosis or latent tuberculosis  
2833 infection and discharges of inmates who have not completed therapy  
2834 for tuberculosis or latent tuberculosis infection are reported promptly  
2835 to the central Department of Correction tuberculosis registry.

2836 Sec. 110. Subsection (a) of section 54-102cc of the general statutes is  
2837 repealed and the following is substituted in lieu thereof (*Effective from*  
2838 *passage*):

2839 (a) The Department of Correction shall establish a tuberculosis  
2840 infection control committee. Said committee shall include, but not be  
2841 limited to, the following members: (1) The Commissioner of Correction  
2842 or said commissioner's designee; (2) the medical director for the  
2843 Department of Correction; and (3) a medical contractor or consultant  
2844 currently executing any tuberculosis control contract with the  
2845 Department of Correction. Said committee may consult with the  
2846 Commissioner of Public Health or said commissioner's designee.

2847 Sec. 111. Subsection (a) of section 54-125f of the general statutes is

2848 repealed and the following is substituted in lieu thereof (*Effective from*  
2849 *passage*):

2850 (a) Not later than October 1, 1998, the chairman of the Board of  
2851 Parole [ ] shall establish a pilot zero-tolerance drug supervision  
2852 program. Eligibility for participation in the program shall be limited to  
2853 individuals who are eligible for release on parole and shall be based  
2854 upon criteria, including a limit on the maximum number of eligible  
2855 participants, established by the chairman of the Board of Parole.

2856 Sec. 112. Section 54-215 of the general statutes is repealed and the  
2857 following is substituted in lieu thereof (*Effective from passage*):

2858 The Office of Victim Services shall establish a Criminal Injuries  
2859 Compensation Fund [ ] for the purpose of funding the compensation  
2860 and restitution services provided for by this chapter. The fund may  
2861 contain any moneys required by law to be deposited in the fund and  
2862 shall be held by the Treasurer separate and apart from all other  
2863 moneys, funds and accounts. The interest derived from the investment  
2864 of the fund shall be credited to the fund. Amounts in the fund may be  
2865 expended only pursuant to appropriation by the General Assembly.  
2866 Any balance remaining in the fund at the end of any fiscal year shall be  
2867 carried forward in the fund for the fiscal year next succeeding. The cost  
2868 paid into court under section 54-143 shall be deposited in the General  
2869 Fund and shall be credited to and become a part of the Criminal  
2870 Injuries Compensation Fund. Any restitution collected by the Court  
2871 Support Services Division pursuant to section 53a-30 [and] which is  
2872 not disbursed within five years, because the victim could not be  
2873 located, shall be deposited in the Criminal Injuries Compensation  
2874 Fund. If payment is awarded under section 54-210 and thereafter the  
2875 court orders the defendant in the criminal case from which such injury  
2876 or death resulted to make restitution, any money collected as  
2877 restitution shall be paid to the fund unless the court directs otherwise.  
2878 Any administrative costs related to the operation of the fund,  
2879 including credits to and payments of compensation therefrom, shall be

2880 paid from the fund. Administrative costs of providing direct services,  
 2881 the proportionate share of any fixed costs associated with such  
 2882 services, the costs of providing direct services to victims and witnesses  
 2883 of crimes in accordance with subdivision (6) of subsection (b) of section  
 2884 54-203, and any services offered by the Office of Victim Services to  
 2885 witnesses and victims of crime may be budgeted for payment from the  
 2886 fund. The Office of Victim Services may also apply for and receive  
 2887 moneys for the fund from any federal, state or private source.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>
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Sec. 109	<i>from passage</i>
Sec. 110	<i>from passage</i>
Sec. 111	<i>from passage</i>
Sec. 112	<i>from passage</i>

**JUD**      *Joint Favorable*