



General Assembly

**Bill No. 6806**

June 30 Special Session,  
2003

LCO No. 8019

Referred to Committee on No Committee

Introduced by:

REP. LYONS, 146<sup>th</sup> Dist.

SEN. SULLIVAN, 5<sup>th</sup> Dist.

**AN ACT CONCERNING GENERAL BUDGET AND REVENUE  
IMPLEMENTATION PROVISIONS.**

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

1 Section 1. Subdivision (1) of subsection (b) of section 10-217a of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (1) The percentage of the amount paid from local tax revenues for  
5 such services reimbursed to a local board of education shall be  
6 determined by (A) ranking each town in the state in descending order  
7 from one to one hundred sixty-nine according to such town's adjusted  
8 equalized net grand list per capita, as defined in section 10-261; (B)  
9 based upon such ranking, (i) for reimbursement paid in the fiscal year  
10 ending June 30, 1990, a percentage of not less than forty-five nor more  
11 than ninety shall be determined for each town on a continuous scale,  
12 except that for any town in which the number of children under the  
13 temporary family assistance program, as defined in subdivision (17) of  
14 section 10-262f, is greater than one per cent of the total population of

15 the town, as defined in subdivision (7) of subsection (a) of section 10-  
16 261, the percentage shall be not less than eighty, (ii) for reimbursement  
17 paid in the fiscal years ending June 30, 1991, to June 30, 2001, inclusive,  
18 a percentage of not less than ten nor more than ninety shall be  
19 determined for each town on a continuous scale, except that for any  
20 town in which the number of children under the temporary family  
21 assistance program, as defined in said subdivision (17) of section 10-  
22 262f, is greater than one per cent of the total population of the town, as  
23 defined in subdivision (7) of subsection (a) of section 10-261, and for  
24 any town which has a wealth rank greater than thirty when towns are  
25 ranked pursuant to subparagraph (A) of this subdivision and which  
26 provides such services to greater than one thousand five hundred  
27 children who are not residents of the town, the percentage shall be not  
28 less than eighty, and (iii) for reimbursement paid in the fiscal years  
29 ending June 30, 2002, [and June 30, 2003] and each fiscal year  
30 thereafter, a percentage of not less than ten nor more than ninety shall  
31 be determined for each town on a continuous scale, except that for any  
32 town in which the number of children under the temporary family  
33 assistance program, as defined in said subdivision (17) of section 10-  
34 262f, for the fiscal year ending June 30, 1997, was greater than one per  
35 cent of the total population of the town, as defined in subdivision (7) of  
36 subsection (a) of section 10-261 for the fiscal year ending June 30, 1997,  
37 and for any town which has a wealth rank greater than thirty when  
38 towns are ranked pursuant to subparagraph (A) of this subdivision  
39 and which provides such services to greater than one thousand five  
40 hundred children who are not residents of the town, the percentage  
41 shall be not less than eighty.

42 Sec. 2. Section 10-76a of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective from passage*):

44 Whenever used in sections 10-76a to 10-76i, inclusive:

45 (1) "Commissioner" means the Commissioner of Education.

46 (2) "Child" means any person under twenty-one years of age.

47 (3) An "exceptional child" means a child who deviates either  
48 intellectually, physically or emotionally so markedly from normally  
49 expected growth and development patterns that he or she is or will be  
50 unable to progress effectively in a regular school program and needs a  
51 special class, special instruction or special services.

52 (4) "Special education" means specially designed instruction  
53 developed in accordance with the regulations of the commissioner,  
54 subject to approval by the State Board of Education offered at no cost  
55 to parents or guardians, to meet the unique needs of a child with a  
56 disability, including instruction conducted in the classroom, in the  
57 home, in hospitals and institutions, and in other settings and  
58 instruction in physical education and special classes, programs or  
59 services, including related services, designed to meet the educational  
60 needs of exceptional children.

61 (5) ["Children] "A child requiring special education" [includes]  
62 means any exceptional child who (A) [has mental retardation, a  
63 physical handicap or neurological impairment or who is autistic,  
64 traumatically brain injured, seriously emotionally disturbed or  
65 suffering an identifiable learning disability which impedes such child's  
66 rate of development, which disability is amenable to correction or  
67 which rate of development may be improved by special education]  
68 meets the criteria for eligibility for special education pursuant to the  
69 Individuals with Disabilities Education Act, 20 USC 1400, et seq., as  
70 amended from time to time, (B) has extraordinary learning ability or  
71 outstanding talent in the creative arts, the development of which  
72 requires programs or services beyond the level of those ordinarily  
73 provided in regular school programs but which may be provided  
74 through special education as part of the public school program, or (C)  
75 is age three to five, inclusive, and is experiencing developmental delay  
76 that causes such child to require special education.

77 (6) "Developmental delay" means significant delay in one or more of  
78 the following areas: (A) Physical development; (B) communication

79 development; (C) cognitive development; (D) social or emotional  
80 development; or (E) adaptive development, as measured by  
81 appropriate diagnostic instruments and procedures and demonstrated  
82 by scores obtained on an appropriate norm-referenced standardized  
83 diagnostic instrument.

84 [(7) A "child with mental retardation" is one who has mental  
85 retardation, as defined in the Individuals With Disabilities Act, 20 USC  
86 1400, et seq., as amended from time to time.

87 (8) A "child with a physical handicap" is one who because of some  
88 physical handicap, as defined in regulations adopted by the State  
89 Board of Education, requires special educational programs or services.]

90 [(9)] (7) "Related services" means related services, as defined in the  
91 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as  
92 amended from time to time.

93 [(10) A "child with a neurological impairment" is one who has a  
94 neurological impairment, as defined in regulations adopted by the  
95 State Board of Education.

96 (11) A child who is "seriously emotionally disturbed" is one who has  
97 a serious emotional disturbance, as defined in the Individuals With  
98 Disabilities Education Act, 20 USC 1400, et seq., as amended from time  
99 to time.

100 (12) "School age children" are those who have attained the age at  
101 which the town must commence to provide educational opportunities  
102 pursuant to section 10-186.

103 (13) A child with an "identifiable learning disability" is one who  
104 exhibits a severe discrepancy between educational performance and  
105 measured intellectual ability and who exhibits a disorder in one or  
106 more of the basic psychological processes involved in understanding  
107 or in using language, spoken or written, which may manifest itself in a  
108 diminished ability to listen, speak, read, write, spell or to do

109 mathematical calculations and does not include a child who has a  
110 learning problem that is primarily the result of visual, hearing, motor  
111 disabilities, mental retardation, emotional disturbance, environmental,  
112 cultural or economic disadvantage.]

113 [(14)] (8) "Extraordinary learning ability" and "outstanding creative  
114 talent" shall be defined by regulation by the commissioner, subject to  
115 the approval of the State Board of Education, after consideration by  
116 said commissioner of the opinions of appropriate specialists and of the  
117 normal range of ability and rate of progress of children in the  
118 Connecticut public schools.

119 [(15) "Transition services" means a coordinated set of activities for a  
120 student, designed within an outcome-oriented process, which  
121 promotes movement from school to postschool activities, including  
122 postsecondary education, vocational training, integrated employment  
123 which may include supported employment, continuing and adult  
124 education, adult services, independent living or community  
125 participation. The coordinated set of activities is based upon the  
126 individual student's needs, taking into account the student's  
127 preferences and interests, and includes instruction, community  
128 experiences, the development of employment and other postschool  
129 adult living objectives, and where appropriate, acquisition of daily  
130 living skills and functional vocational evaluation.]

131 Sec. 3. Subdivision (1) of subsection (a) of section 10-76d of the  
132 general statutes is repealed and the following is substituted in lieu  
133 thereof (*Effective from passage*):

134 (1) In accordance with the regulations and procedures established  
135 by the Commissioner of Education and approved by the State Board of  
136 Education, each local or regional board of education shall provide the  
137 professional services requisite to identification of [school-age] children  
138 requiring special education, identify each such child within its  
139 jurisdiction, determine the eligibility of such children for special  
140 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe

141 suitable educational programs for eligible children, maintain a record  
142 thereof and make such reports as the commissioner may require.

143 Sec. 4. Subdivision (7) of subsection (a) of section 10-76d of the  
144 general statutes is repealed and the following is substituted in lieu  
145 thereof (*Effective from passage*):

146 (7) The planning and placement team shall, in accordance with the  
147 provisions of the Individuals with Disabilities Education Act, 20 USC  
148 1400, et seq., as amended from time to time, develop and update  
149 annually a statement of transition service needs [under the applicable  
150 components of a student's individualized education program for each  
151 student with a disability, beginning at age fourteen, or younger if  
152 deemed appropriate by the team. Such statement shall focus on the  
153 student's courses of study such as participation in advanced placement  
154 courses or a vocational education program. The planning and  
155 placement team shall include in the statement for each such student  
156 beginning at age sixteen, or younger if deemed appropriate by the  
157 team, a provision detailing the transition services needed by the  
158 student including, if appropriate, a statement of interagency  
159 responsibilities] for each child requiring special education.

160 Sec. 5. Subdivision (1) of subsection (a) of section 10-76h of the  
161 general statutes, as amended by section 11 of public act 03-76, is  
162 repealed and the following is substituted in lieu thereof (*Effective from*  
163 *passage*):

164 (a) (1) A parent or guardian of a child requiring special education  
165 and related services pursuant to sections 10-76a to 10-76g, inclusive, a  
166 pupil if such pupil is an emancipated minor or eighteen years of age or  
167 older requiring such services, a surrogate parent appointed pursuant  
168 to section 10-94g, or the Commissioner of Children and Families, or a  
169 designee of said commissioner, on behalf of any such child in the  
170 custody of said commissioner, may request, in writing, a hearing of the  
171 local or regional board of education or the unified school district  
172 responsible for providing such services whenever such board or

173 district proposes or refuses to initiate or change the identification,  
174 evaluation or educational placement of or the provision of a free  
175 appropriate public education to such child or pupil. [, provided no  
176 issue may be raised at such hearing unless it was raised at a planning  
177 and placement team meeting for such child or pupil and provided  
178 further, nothing in this subsection shall be construed to limit the right  
179 of such parent, guardian, emancipated minor or surrogate parent to  
180 initiate a planning and placement team meeting at any time.] The local  
181 or regional board of education or the unified school district shall, not  
182 later than seven calendar days after receipt of a request for a hearing,  
183 notify the Department of Education of such request. The local or  
184 regional board of education or the unified school district responsible  
185 for providing special education and related services for a child or pupil  
186 requiring such services under sections 10-76a to 10-76g, inclusive, may  
187 request, upon written notice to the parent or guardian of such child,  
188 the pupil if such pupil is an emancipated minor or is eighteen years of  
189 age or older, the surrogate parent appointed pursuant to section 10-  
190 94g, or the Commissioner of Children and Families, or a designee of  
191 said commissioner, on behalf of any such child or pupil in the custody  
192 of said commissioner, a hearing concerning the decision of the  
193 planning and placement team established pursuant to section 10-76d,  
194 whenever such board or district proposes or refuses to initiate or  
195 change the identification, evaluation or educational placement of or  
196 the provision of a free appropriate public education placement to such  
197 child or pupil, including, but not limited to, refusal of the parent or  
198 guardian, pupil if such pupil is an emancipated minor or is eighteen  
199 years of age or older or the surrogate parent appointed pursuant to  
200 section 10-94g, to give consent for [preplacement] initial evaluation or  
201 [initial placement in special education] reevaluation or the withdrawal  
202 of such consent. [, provided no issue may be raised at such hearing  
203 unless it was raised at a planning and placement team meeting for  
204 such child or pupil and provided further, nothing in this subsection  
205 shall be construed to limit the right of such board or district to initiate  
206 a planning and placement team meeting.] In the event a planning and

207 placement team proposes private placement for a child or pupil who  
208 requires or may require special education and related services and the  
209 parent, guardian, pupil if such pupil is an emancipated minor or is  
210 eighteen years of age or older or surrogate parent appointed pursuant  
211 to section 10-94g withholds or revokes consent for such placement, the  
212 local or regional board of education shall request a hearing in  
213 accordance with this section and may request mediation pursuant to  
214 subsection (f) of this section, provided such action may be taken only  
215 in the event such parent, guardian, pupil or surrogate parent has  
216 consented to the initial receipt of special education and related services  
217 and subsequent to the initial placement of the child, the local or  
218 regional board of education seeks a private placement. For purposes of  
219 this section, a "local or regional board of education or unified school  
220 district" includes any public agency which is responsible for the  
221 provision of special education and related services to children  
222 requiring special education and related services.

223 Sec. 6. Subdivision (2) of subsection (c) of section 10-76h of the  
224 general statutes, as amended by section 11 of public act 03-76, is  
225 repealed and the following is substituted in lieu thereof (*Effective from*  
226 *passage*):

227 (2) Both parties shall participate in a prehearing conference [, at least  
228 ten days prior to the date the hearing is scheduled to commence,] to  
229 resolve the issues in dispute, if possible and narrow the scope of the  
230 issues. Each party to the hearing shall disclose, not later than five  
231 business days prior to the date the hearing commences, (A)  
232 documentary evidence such party plans to present at the hearing and a  
233 list of witnesses such party plans to call at the hearing, and (B) all  
234 completed evaluations and recommendations based on the offering  
235 party's evaluations that the party intends to use at the hearing. Except  
236 for good cause shown, the hearing officer shall limit each party to such  
237 documentary evidence and witnesses as were properly disclosed and  
238 are relevant to the issues in dispute. A hearing officer may bar any  
239 party who fails to comply with the requirements concerning disclosure

240 of evaluations and recommendations from introducing any  
241 undisclosed evaluation or recommendation at the hearing without the  
242 consent of the other party.

243 Sec. 7. Subsection (d) of section 10-76h of the general statutes, as  
244 amended by section 11 of public act 03-76, is repealed and the  
245 following is substituted in lieu thereof (*Effective from passage*):

246 (d) (1) The hearing officer or board shall have the authority to  
247 confirm, modify, or reject the identification, evaluation or educational  
248 placement of or the provision of a free appropriate public education to  
249 the child or pupil, to determine the appropriateness of an educational  
250 placement where the parent or guardian of a child requiring special  
251 education or the pupil if such pupil is an emancipated minor or  
252 eighteen years of age or older, has placed the child or pupil in a  
253 program other than that prescribed by the planning and placement  
254 team, or to prescribe alternate special educational programs for the  
255 child or pupil. In the case where a parent or guardian, or pupil if such  
256 pupil is an emancipated minor or is eighteen years of age or older, or a  
257 surrogate parent appointed pursuant to section 10-94g, has refused  
258 consent for initial evaluation or [placement in special education]  
259 reevaluation, the hearing officer or board may order [special education  
260 evaluation or placement] an initial evaluation or reevaluation without  
261 the consent of such parent, guardian, pupil or surrogate parent except  
262 that if the parent, guardian, pupil or surrogate parent appeals such  
263 decision pursuant to subdivision (4) of this subsection, the child or  
264 pupil may not be evaluated or placed pending the disposition of the  
265 appeal. The hearing officer or board shall inform the parent or  
266 guardian, or the emancipated minor or pupil eighteen years of age or  
267 older, or the surrogate parent appointed pursuant to section 10-94g, or  
268 the Commissioner of Children and Families, as the case may be, and  
269 the board of education of the school district or the unified school  
270 district of the decision in writing and mail such decision within forty-  
271 five days after receipt by the board of the request for a hearing made in  
272 accordance with the provisions of subsection (a) of this section except

273 that a hearing officer or board may grant specific extensions of such  
274 forty-five-day period in order to comply with the provisions of  
275 subsection (b) of this section. The hearing officer may include in his  
276 decision a comment on the conduct of the proceedings. The findings of  
277 fact, conclusions of law and decision shall be written without  
278 personally identifiable information concerning such child or pupil, so  
279 that such decisions may be available for public inspections pursuant to  
280 sections 4-167 and 4-180a.

281 (2) If the local or regional board of education or the unified school  
282 district responsible for providing special education for such child or  
283 pupil requiring special education does not take action on the findings  
284 or prescription of the hearing officer or board within fifteen days after  
285 receipt thereof, the State Board of Education shall take appropriate  
286 action to enforce the findings or prescriptions of the hearing officer or  
287 board. Such action may include application to the Superior Court for  
288 injunctive relief to compel such local or regional board or school  
289 district to implement the findings or prescription of the hearing officer  
290 or board without the necessity of establishing irreparable harm or  
291 inadequate remedy at law.

292 (3) If the hearing officer or board upholds the local or regional board  
293 of education or the unified school district responsible for providing  
294 special education and related services for such child or pupil who  
295 requires or may require special education on the issue of evaluation,  
296 reevaluation or placement in a private school or facility, such board or  
297 district may evaluate or provide such services to the child or pupil  
298 without the consent of the parent or guardian, pupil if such pupil is an  
299 emancipated minor or is eighteen years of age or older, or the  
300 surrogate parent appointed pursuant to section 10-94g, subject to an  
301 appeal pursuant to subdivision (4) of this subsection.

302 (4) Appeals from the decision of the hearing officer or board shall be  
303 taken in the manner set forth in section 4-183, except [, upon  
304 application made to the court to present evidence at the hearing on

305 such appeal, the court, after reviewing the record of the proceedings of  
306 the hearing officer or board, may grant such application if, after a  
307 hearing and the presentation of oral argument on such application, the  
308 court finds (A) that the record does not contain a complete transcript of  
309 the entire proceedings and of the evidence presented before said  
310 hearing officer or board, or (B) that the taking of evidence is necessary  
311 for the equitable disposition of the appeal, or (C) probable cause to  
312 believe that reliable, probative and substantial evidence was  
313 overlooked or ignored by the findings and conclusions of said hearing  
314 officer or board] the court shall hear additional evidence at the request  
315 of a party. Notwithstanding the provisions of section 4-183, such  
316 appeal shall be taken to the judicial district wherein the child or pupil  
317 resides. In the event of an appeal, upon request and at the expense of  
318 the State Board of Education, said board shall supply a copy of the  
319 transcript of the formal sessions of the hearing officer or board to the  
320 parent or guardian or the emancipated minor or pupil eighteen years  
321 of age or older or surrogate parent or said commissioner and to the  
322 board of education of the school district or the unified school district.

323 Sec. 8. Section 10-253 of the general statutes is amended by adding  
324 subsection (f) as follows (*Effective from passage*):

325 (NEW) (f) Notwithstanding any provision of the general statutes,  
326 educational services shall be provided by each local and regional  
327 board of education to homeless children and youths in accordance  
328 with the provisions of 42 USC 11431, et seq., as amended from time to  
329 time.

330 Sec. 9. Subsection (a) of section 10-266m of the general statutes is  
331 amended by adding subdivision (4) as follows (*Effective from passage*):

332 (NEW) (4) Notwithstanding the provisions of this section, for the  
333 fiscal years ending June 30, 2004, and June 30, 2005, the amount of  
334 transportation grants payable to local or regional boards of education  
335 shall be reduced proportionately if the total of such grants in such year  
336 exceeds the amount appropriated for such grants for such year.

337 Sec. 10. Section 10-71 of the general statutes is amended by adding  
338 subsection (d) as follows (*Effective from passage*):

339 (NEW) (d) Notwithstanding the provisions of this section, for the  
340 fiscal years ending June 30, 2004, and June 30, 2005, the amount of the  
341 grants payable to local or regional boards of education in accordance  
342 with this section shall be reduced proportionately if the total of such  
343 grants in such year exceeds the amount appropriated for the purposes  
344 of this section for such year.

345 Sec. 11. Subsection (d) of section 10-292o of the general statutes is  
346 repealed and the following is substituted in lieu thereof (*Effective from*  
347 *passage*):

348 (d) The amount of the regional educational service center lease grant  
349 approved by the Commissioner of Education under the provisions of  
350 this section shall be the eligible percentage, as determined in  
351 subsection (c) of section 10-285a, times the eligible lease costs as  
352 determined by the Commissioner of Education. Grants pursuant to this  
353 section shall be paid on a current year basis if the regional educational  
354 service center files an application to lease a facility with the state  
355 Department of Education on or before August first of each year. No  
356 such facility or portion thereof shall be eligible for a grant under this  
357 section unless the local fire marshal has declared the facility suitable  
358 for occupancy as a facility for use in furnishing educational programs  
359 and services. Eligible costs pursuant to this section shall be limited to  
360 the lease cost of the building, net of any other costs. Grant payments  
361 shall be made as follows: Twenty-five per cent of the estimated cost in  
362 October, twenty-five per cent of the estimated cost in January, and the  
363 balance of the estimated cost in April. The actual cost will be reported  
364 on or before September first following the year of application on the  
365 end of school year report filed by each regional educational service  
366 center. If the Commissioner of Education determines that there has  
367 been an underpayment or overpayment in a grant made pursuant to  
368 this section, the commissioner shall calculate the amount of the

369 underpayment or overpayment and shall adjust the amount of the  
370 grant payment for the fiscal year next following the fiscal year in  
371 which such underpayment or overpayment was made. The amount of  
372 the adjustment shall be equal to the amount of the underpayment or  
373 overpayment. If the amount of the overpayment exceeds the grant  
374 payment for the fiscal year next following the fiscal year in which such  
375 overpayment was made, the regional educational service center shall,  
376 upon the request of the commissioner, pay the department the  
377 difference. Any lease pursuant to this section shall be for a period not  
378 to exceed twenty years. In no event shall the reimbursement pursuant  
379 to this section be based upon a cost per square foot which exceeds the  
380 cost determined to be reasonable by the Commissioner of Education.  
381 In the case of any grants computed under this section, any federal  
382 funds or other state funds received for such costs covered by the grant  
383 shall be deducted from cost estimates prior to computation of the  
384 grant. Notwithstanding the provisions of this section, for the fiscal  
385 years ending June 30, 2004, and June 30, 2005, the amount of the grants  
386 payable to regional educational service centers in accordance with this  
387 section, shall be reduced proportionately if the total of such grants in  
388 such year exceeds the amount appropriated for the purposes of this  
389 section for such year.

390 Sec. 12. Subsection (d) of section 10-66j of the general statutes is  
391 repealed and the following is substituted in lieu thereof (*Effective from*  
392 *passage*):

393 [(d) Within the available appropriation, no regional educational  
394 service center shall receive less aid pursuant to subsection (b) of this  
395 section than it received for the fiscal year ending June 30, 1999.  
396 Amounts determined for regional educational service centers pursuant  
397 to subsection (b) of this section in excess of the amounts received for  
398 the fiscal year ending June 30, 1999, shall be reduced proportionately  
399 to implement such provision if necessary.]

400 (d) Notwithstanding the provisions of this section, for the fiscal

401 years ending June 30, 2004, and June 30, 2005, the amount of grants  
402 payable to regional educational service centers, shall be reduced  
403 proportionately if the total of such grants in such year exceeds the  
404 amount appropriated for such grants for such year.

405 Sec. 13. (*Effective from passage*) Notwithstanding the provisions of  
406 section 10-217a of the general statutes, as amended by this act, for the  
407 fiscal years ending June 30, 2004, and June 30, 2005, the amount of  
408 grants payable to each grantee under said section 10-217a shall be  
409 reduced proportionately to remain within the available appropriation.

410 Sec. 14. Subsection (c) of section 10-66ee of the general statutes is  
411 repealed and the following is substituted in lieu thereof (*Effective from*  
412 *passage*):

413 (c) (1) The state shall, annually, pay in accordance with this  
414 subsection, to the fiscal authority for a state charter school, seven  
415 thousand two hundred fifty dollars for each student enrolled in such  
416 school. Such payments shall be made as follows: Twenty-five per cent  
417 of the amount not later than July fifteenth and September fifteenth  
418 based on estimated student enrollment on May first, and twenty-five  
419 per cent of the amount not later than January fifteenth and the  
420 remaining amount not later than April fifteenth, each based on student  
421 enrollment on October first. If, for any fiscal year, the total amount  
422 appropriated for grants pursuant to this subdivision exceeds seven  
423 thousand two hundred fifty dollars per student, the amount of such  
424 grants payable per student shall be increased proportionately. (2) In  
425 the case of a student identified as requiring special education, the  
426 school district in which the student resides shall: (A) Hold the  
427 planning and placement team meeting for such student and shall  
428 invite representatives from the charter school to participate in such  
429 meeting; and (B) pay the state charter school, on a quarterly basis, an  
430 amount equal to the difference between the reasonable cost of  
431 educating such student and the sum of the amount received by the  
432 state charter school for such student pursuant to subdivision (1) of this

433 subsection and amounts received from other state, federal, local or  
434 private sources calculated on a per pupil basis. Such school district  
435 shall be eligible for reimbursement pursuant to section 10-76g. The  
436 charter school a student requiring special education attends shall be  
437 responsible for ensuring that such student receives the services  
438 mandated by the student's individualized education program whether  
439 such services are provided by the charter school or by the school  
440 district in which the student resides.

441 Sec. 15. Subsection (b) of section 10-16p of the general statutes is  
442 repealed and the following is substituted in lieu thereof (*Effective from*  
443 *passage*):

444 (b) The Department of Education shall be the lead agency for school  
445 readiness. For purposes of this section and section 10-16u, school  
446 readiness program providers eligible for funding from the Department  
447 of Education shall include local and regional boards of education,  
448 regional educational service centers, family resource centers and  
449 providers of child day care centers, as defined in section 19a-77, Head  
450 Start programs, preschool programs and other programs that meet  
451 such standards established by the Commissioner of Education. The  
452 department shall establish standards for school readiness programs.  
453 The standards may include, but need not be limited to, guidelines for  
454 staff-child interactions, curriculum content, including preliteracy  
455 development, lesson plans, parent involvement, staff qualifications  
456 and training, and administration. The department shall develop age-  
457 appropriate developmental skills and goals for children attending such  
458 programs. The commissioner, in consultation with the Commissioners  
459 of Higher Education and Social Services and other appropriate entities,  
460 shall develop a continuing education training program for the staff of  
461 school readiness programs. For purposes of this section, on and after  
462 July 1, [2003] 2004, "staff qualifications" means there is in each  
463 classroom an individual who has at least the following: (1) A credential  
464 issued by an organization approved by the Commissioner of  
465 Education and nine credits or more in early childhood education or

466 child development from an institution of higher education accredited  
467 by the Board of Governors of Higher Education or regionally  
468 accredited; (2) an associate's degree in early childhood education or  
469 child development from such an institution; or (3) a four-year degree  
470 in early childhood education or child development from such an  
471 institution.

472 Sec. 16. Section 51 of public act 01-1 of the June special session is  
473 repealed and the following is substituted in lieu thereof (*Effective from*  
474 *passage*):

475 Notwithstanding the provisions of sections 10-67 to 10-73b,  
476 inclusive, of the general statutes, for the fiscal years ending June 30,  
477 [2002] 2004, and June 30, [2003] 2005, the WACE Technical Training  
478 Center in Waterbury shall be eligible to spend up to \$300,000 of  
479 funding received under the Adult Education Grant pursuant to said  
480 sections 10-67 to 10-73b, inclusive, for technical training.

481 Sec. 17. (*Effective from passage*) (a) For the fiscal years ending June 30,  
482 2004, and June 30, 2005, system office expenditures for the  
483 Community-Technical Colleges, exclusive of telecommunications  
484 center funds, capital equipment bond funds, funds for identified  
485 systemwide projects which benefit the individual campuses of the  
486 community-technical colleges, and funds for data center, shall not  
487 exceed 1.59% and 1.55% respectively, of the annual general fund  
488 appropriation and operating fund expenditures, exclusive of federal,  
489 private, capital bond and fringe benefit funds.

490 (b) For the fiscal years ending June 30, 2004, and June 30, 2005,  
491 system office expenditures for the Connecticut State University system,  
492 exclusive of telecommunications center funds, capital equipment bond  
493 funds, funds for identified systemwide projects which benefit the  
494 individual campuses of the State University system, and funds for data  
495 center, shall not exceed 1.13% and 1.1% respectively, of the annual  
496 general fund appropriation and operating fund expenditures,  
497 exclusive of federal, private, capital bond and fringe benefit funds.

498 (c) For the Community-Technical Colleges, for the fiscal years  
499 ending June 30, 2004, and June 30, 2005, expenditures for institutional  
500 administration, defined as system office, executive management, fiscal  
501 operations, and general administration, exclusive of expenditures for  
502 logistical services, administrative computing, and development, shall  
503 not exceed 10.69% and 10.38% respectively, of the annual general fund  
504 appropriation and operating fund expenditures, exclusive of federal,  
505 private, capital bond and fringe benefit funds.

506 (d) For the Connecticut State University system, for the fiscal years  
507 ending June 30, 2004, and June 30, 2005, expenditures for institutional  
508 administration, defined as system office, executive management, fiscal  
509 operations, and general administration, exclusive of expenditures for  
510 logistical services, administrative computing, and development, shall  
511 not exceed 7.94% and 7.7% respectively, of the annual general fund  
512 appropriation and operating fund expenditures, exclusive of federal,  
513 private, capital bond and fringe benefit funds.

514 (e) For The University of Connecticut, expenditures for institutional  
515 administration, defined as system office, executive management, fiscal  
516 operations, and general administration, exclusive of expenditures for  
517 logistical services, administrative computing, and development, for the  
518 fiscal years ending June 30, 2004, and June 30, 2005, shall not exceed  
519 3.58% and 3.47% respectively, of the annual general fund  
520 appropriation and operating fund expenditures, exclusive of federal,  
521 private, capital bond and fringe benefit funds.

522 (f) The Commissioner of Higher Education shall monitor  
523 compliance with the provisions of subsections (a) to (e), inclusive, of  
524 this section and shall report findings to the joint standing committees  
525 of the General Assembly having cognizance of matters relating to  
526 higher education and to appropriations not later than sixty days  
527 following the close of each quarter of the fiscal years ending June 30,  
528 2004, and June 30, 2005.

529 Sec. 18. Subsection (f) of section 10-266aa of the general statutes is

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

532 (f) The Department of Education shall provide grants to regional  
533 educational service centers or local or regional boards of education for  
534 the reasonable cost of transportation for students participating in the  
535 program. For the fiscal year ending June 30, [2000] 2003, and each fiscal  
536 year thereafter, the department shall provide such grants within  
537 available appropriations, provided the state-wide average of such  
538 grants does not exceed an amount equal to two thousand one hundred  
539 dollars for each student transported, except that the Commissioner of  
540 Education may grant to regional educational service centers additional  
541 sums from funds remaining in the appropriation for such  
542 transportation services if needed to offset transportation costs that  
543 exceed such maximum amount. The regional educational service  
544 centers shall provide reasonable transportation services to high school  
545 students who wish to participate in supervised extracurricular  
546 activities. For purposes of this section, the number of students  
547 transported shall be determined on September first of each fiscal year.

548 Sec. 19. Subsection (a) of section 10-221d of the general statutes is  
549 repealed and the following is substituted in lieu thereof (*Effective from*  
550 *passage*):

551 (a) On and after July 1, 1994, each local and regional board of  
552 education shall (1) require each applicant for a position in a public  
553 school to state whether such person has ever been convicted of a crime  
554 or whether criminal charges are pending against such person at the  
555 time of such person's application, (2) require, subject to the provisions  
556 of subsection (d) of this section, each person hired by the board after  
557 July 1, 1994, to submit to state and national criminal history records  
558 checks within thirty days from the date of employment and may  
559 require, subject to the provisions of subsection (d) of this section, any  
560 person hired prior to said date to submit to state and national criminal  
561 history records checks, and (3) require each worker (A) placed within a

562 school under a public assistance employment program, or (B)  
563 employed by a provider of supplemental services pursuant to the No  
564 Child Left Behind Act, P.L. 107-110, who performs a service involving  
565 direct student contact to submit to state and national criminal history  
566 records checks within thirty days from the date such worker begins to  
567 perform such service. The criminal history records checks required by  
568 this subsection shall be conducted in accordance with section 29-17a. If  
569 the local or regional board of education receives notice of a conviction  
570 of a crime which has not previously been disclosed by such person to  
571 the board, the board may [(A)] (i) terminate the contract of a certified  
572 employee, in accordance with the provisions of section 10-151, and  
573 [(B)] (ii) dismiss a noncertified employee provided such employee is  
574 notified of the reason for such dismissal, is provided the opportunity  
575 to file with the board, in writing, any proper answer to such criminal  
576 conviction and a copy of the notice of such criminal conviction, the  
577 answer and the dismissal order are made a part of the records of the  
578 board. In addition, if the local or regional board of education receives  
579 notice of a conviction of a crime by a person holding a certificate,  
580 authorization or permit issued by the State Board of Education or  
581 employed by a provider of supplemental services, the local or regional  
582 board of education shall send such notice to the State Board of  
583 Education. The supervisory agent of a private school may require any  
584 applicant for a position in such school or any employee of such school  
585 to submit to state and national criminal history records checks in  
586 accordance with the procedures described in this subsection.

587 Sec. 20. Subsection (b) of section 10-76g of the general statutes is  
588 repealed and the following is substituted in lieu thereof (*Effective from*  
589 *passage*):

590 (b) Any local or regional board of education which provides special  
591 education pursuant to the provisions of sections 10-76a to 10-76g,  
592 inclusive, for any exceptional child described in subparagraph (A) of  
593 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)  
594 children placed by a state agency for whom a board of education

595 receives payment pursuant to the provisions of subdivision (2) of  
596 subsection (e) of section 10-76d, and (2) children who require special  
597 education, who reside on state-owned or leased property or in  
598 permanent family residences, as defined in section 17a-154, and who  
599 are not the educational responsibility of the unified school districts  
600 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be  
601 financially responsible for the reasonable costs of special education  
602 instruction, as defined in the regulations of the State Board of  
603 Education, in an amount equal to (A) for any fiscal year commencing  
604 prior to July 1, [2003] 2005, five times the average per pupil  
605 educational costs of such board of education for the prior fiscal year,  
606 determined in accordance with the provisions of subsection (a) of  
607 section 10-76f, and (B) for the fiscal year commencing July 1, [2003]  
608 2005, and each fiscal year thereafter, four and one-half times such  
609 average per pupil educational costs of such board of education. The  
610 State Board of Education shall pay on a current basis any costs in  
611 excess of the local or regional board's basic contribution paid by such  
612 board in accordance with the provisions of this subsection. Any  
613 amounts paid by the State Board of Education on a current basis  
614 pursuant to this subsection shall not be reimbursable in the subsequent  
615 year. Application for such grant shall be made by filing with the  
616 Department of Education, in such manner as prescribed by the  
617 commissioner, annually on or before December first a statement of the  
618 cost of providing special education pursuant to this subsection,  
619 provided a board of education may submit, not later than March first,  
620 claims for additional children or costs not included in the December  
621 filing. Payment by the state for such excess costs shall be made to the  
622 local or regional board of education as follows: Seventy-five per cent of  
623 the cost in February and the balance in May. The amount due each  
624 town pursuant to the provisions of this subsection shall be paid to the  
625 treasurer of each town entitled to such aid, provided the treasurer shall  
626 treat such grant, or a portion of the grant, which relates to special  
627 education expenditures incurred in excess of such town's board of  
628 education budgeted estimate of such expenditures, as a reduction in

629 expenditures by crediting such expenditure account, rather than town  
630 revenue. Such expenditure account shall be so credited no later than  
631 thirty days after receipt by the treasurer of necessary documentation  
632 from the board of education indicating the amount of such special  
633 education expenditures incurred in excess of such town's board of  
634 education budgeted estimate of such expenditures.

635 Sec. 21. Section 10-76g of the general statutes is amended by adding  
636 subsection (c) as follows (*Effective from passage*):

637 (NEW) (c) Notwithstanding the provisions of this section, for the  
638 fiscal years ending June 30, 2004, and June 30, 2005, the amount of the  
639 grants payable to local or regional boards of education in accordance  
640 with this section shall be reduced proportionately if the total of such  
641 grants in such year exceeds the amount appropriated for the purposes  
642 of this section for such year.

643 Sec. 22. Subdivision (28) of section 10-262f of the general statutes is  
644 repealed and the following is substituted in lieu thereof (*Effective from*  
645 *passage*):

646 (28) "Base revenue" for the fiscal year ending June 30, 1995, means  
647 the sum of the grant entitlements for the fiscal year ending June 30,  
648 1995, of a town pursuant to section 10-262h, as amended by this act,  
649 and subsection (a) of section 10-76g, including its proportional share,  
650 based on enrollment, of the revenue paid pursuant to section 10-76g, to  
651 the regional district of which the town is a member, and for each fiscal  
652 year thereafter means the amount of each town's entitlement pursuant  
653 to section 10-262h, as amended by this act, minus its density  
654 supplement, as determined pursuant to subdivision (6) of subsection  
655 (a) of section 10-262h, as amended by this act, except that for the fiscal  
656 year ending June 30, 2003, each town's entitlement shall be determined  
657 without using the adjustments made to the previous year's grant  
658 pursuant to subparagraph (M) of subdivision (6) of subsection (a) of  
659 section 10-262h, as amended by this act, except that for the fiscal year  
660 ending June 30, 2004, each town's entitlement shall be determined

661 without using the adjustments made to the previous year's grant  
662 pursuant to subparagraph (N) of subdivision (6) of subsection (a) of  
663 section 10-262h, as amended by this act.

664 Sec. 23. Subdivision (6) of subsection (a) of section 10-262h of the  
665 general statutes is repealed and the following is substituted in lieu  
666 thereof (*Effective from passage*):

667 (6) For the fiscal year ending June 30, 1996, and each fiscal year  
668 thereafter, a grant in an amount equal to the amount of its target aid as  
669 described in subdivision (32) of section 10-262f, except that such  
670 amount shall be capped in accordance with the following: (A) For the  
671 fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, and June  
672 30, 1999, for each town, the maximum percentage increase over its  
673 previous year's base revenue shall be the product of five per cent and  
674 the ratio of the wealth of the town ranked one hundred fifty-third  
675 when all towns are ranked in descending order to each town's wealth,  
676 provided no town shall receive an increase greater than five per cent.  
677 (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30,  
678 2002, [and June 30, 2003] June 30, 2004, and June 30, 2005, for each  
679 town, the maximum percentage increase over its previous year's base  
680 revenue shall be the product of six per cent and the ratio of the wealth  
681 of the town ranked one hundred fifty-third when all towns are ranked  
682 in descending order to each town's wealth, provided no town shall  
683 receive an increase greater than six per cent. (C) No such cap shall be  
684 used for the fiscal year ending June 30, [2004] 2006, or any fiscal year  
685 thereafter. (D) For the fiscal year ending June 30, 1996, for each town,  
686 the maximum percentage reduction from its previous year's base  
687 revenue shall be equal to the product of three per cent and the ratio of  
688 each town's wealth to the wealth of the town ranked seventeenth when  
689 all towns are ranked in descending order, provided no town's grant  
690 shall be reduced by more than three per cent. (E) For the fiscal years  
691 ending June 30, 1997, June 30, 1998, and June 30, 1999, for each town,  
692 the maximum percentage reduction from its previous year's base  
693 revenue shall be equal to the product of five per cent and the ratio of

694 each town's wealth to the wealth of the town ranked seventeenth when  
695 all towns are ranked in descending order, provided no town's grant  
696 shall be reduced by more than five per cent. (F) For the fiscal year  
697 ending June 30, 2000, and each fiscal year thereafter, no town's grant  
698 shall be less than the grant it received for the prior fiscal year. (G) [In]  
699 For each year through the fiscal year ending June 30, 2003, in addition  
700 to the amount determined pursuant to this subdivision, a town shall be  
701 eligible for a density supplement if the density of the town is greater  
702 than the average density of all towns in the state. The density  
703 supplement shall be determined by multiplying the density aid ratio of  
704 the town by the foundation level and the town's total need students for  
705 the prior fiscal year provided, for the fiscal year ending June 30, 2000,  
706 and each fiscal year [thereafter] through the fiscal year ending June 30,  
707 2003, no town's density supplement shall be less than the density  
708 supplement such town received for the prior fiscal year. (H) For the  
709 fiscal year ending June 30, 1997, the grant determined in accordance  
710 with this subdivision for a town ranked one to forty-two when all  
711 towns are ranked in descending order according to town wealth shall  
712 be further reduced by one and two-hundredths of a per cent and such  
713 grant for all other towns shall be further reduced by fifty-six-  
714 hundredths of a per cent. (I) For the fiscal year ending June 30, 1998,  
715 and each fiscal year thereafter, no town whose school district is a  
716 priority school district shall receive a grant pursuant to this  
717 subdivision in an amount that is less than the amount received under  
718 such grant for the prior fiscal year. (J) For the fiscal year ending June  
719 30, 2000, and each fiscal year thereafter, no town whose school district  
720 is a priority school district shall receive a grant pursuant to this  
721 subdivision that provides an amount of aid per resident student that is  
722 less than the amount of aid per resident student provided under the  
723 grant received for the prior fiscal year. (K) For the fiscal year ending  
724 June 30, 1998, and each fiscal year thereafter, no town whose school  
725 district is a priority school district shall receive a grant pursuant to this  
726 subdivision in an amount that is less than seventy per cent of the sum  
727 of (i) the product of a town's base aid ratio, the foundation level and

728 the town's total need students for the fiscal year prior to the year in  
729 which the grant is to be paid, (ii) the product of a town's supplemental  
730 aid ratio, the foundation level and the sum of the portion of its total  
731 need students count described in subparagraphs (B) and (C) of  
732 subdivision (25) of section 10-262f for the fiscal year prior to the fiscal  
733 year in which the grant is to be paid, and the adjustments to its  
734 resident student count described in subdivision (22) of said section 10-  
735 262f relative to length of school year and summer school sessions, and  
736 (iii) the town's regional bonus. (L) For the fiscal year ending June 30,  
737 2000, and each fiscal year thereafter, no town whose school district is a  
738 transitional school district shall receive a grant pursuant to this  
739 subdivision in an amount that is less than forty per cent of the sum of  
740 (i) the product of a town's base aid ratio, the foundation level and the  
741 town's total need students for the fiscal year prior to the fiscal year in  
742 which the grant is to be paid, (ii) the product of a town's supplemental  
743 aid ratio, the foundation level and the sum of the portion of its total  
744 need students count described in subparagraphs (B) and (C) of  
745 subdivision (25) of section 10-262f for the fiscal year prior to the fiscal  
746 year in which the grant is to be paid, and the adjustments to its  
747 resident student count described in subdivision (22) of said section  
748 10-262f relative to length of school year and summer school sessions,  
749 and (iii) the town's regional bonus. (M) For the fiscal year ending June  
750 30, 2002, (i) each town whose target aid is capped pursuant to this  
751 subdivision shall receive a grant that includes a pro rata share of  
752 twenty-five million dollars based on the difference between its target  
753 aid and the amount of the grant determined with the cap, and (ii) all  
754 towns shall receive a grant that is at least 1.68 per cent greater than the  
755 grant they received for the fiscal year ending June 30, 2001. (N) For the  
756 fiscal year ending June 30, 2003, (i) each town whose target aid is  
757 capped pursuant to this subdivision shall receive a pro rata share of  
758 fifty million dollars based on the difference between its target aid and  
759 the amount of the grant determined with the cap, and (ii) each town  
760 shall receive a grant that is at least 1.2 per cent more than its base  
761 revenue, as defined in subdivision (28) of section 10-262f. (O) For the

762 fiscal year ending June 30, 2003, each town shall receive a grant that is  
763 at least equal to the grant it received for the prior fiscal year. (P) For  
764 the fiscal year ending June 30, 2004, each town, except as provided in  
765 subparagraph (R) of this subdivision whose target aid is capped  
766 pursuant to this subdivision shall receive a pro rata share of fifty-three  
767 million dollars based on the difference between its target aid and the  
768 amount determined with the cap, provided a priority school district,  
769 pursuant to section 10-266p or 10a-276a and a transitional school  
770 district pursuant to section 10-263c or 10-263d shall receive a grant in  
771 an amount that is at least equal to the amount of the grant that such  
772 priority or transitional school district received for the fiscal year  
773 ending June 30, 2003. (Q) For the fiscal year ending June 30, 2004, the  
774 amount determined pursuant to this section for each town, except as  
775 provided in subparagraph (R) of this subdivision, shall be reduced by  
776 an amount that is equal to the difference between (i) three per cent of  
777 the amount of the grant that such town would be eligible to receive  
778 pursuant to this section for the fiscal year ending June 30, 2004, and (ii)  
779 an amount equal to the town's pro rata share of five million three  
780 hundred three thousand three hundred thirteen dollars. Such pro rata  
781 share shall be based on (I) the amount of the grant the town is eligible  
782 to receive pursuant to this section for said fiscal year to (II) the total  
783 amount all towns are eligible to receive pursuant to this section for  
784 said fiscal year. (R) Notwithstanding this subdivision, for the fiscal  
785 year ending June 30, 2004, the towns of Bridgeport, Hartford and New  
786 Haven shall each receive a grant in an amount such town received for  
787 the fiscal year ending June 30, 2003, plus one million dollars. (S) For  
788 the fiscal year ending June 30, 2005, each town shall receive a grant  
789 equal to the grant it received for the fiscal year ending June 30, 2004.

790 Sec. 24. Subdivision (9) of section 10-262f of the general statutes is  
791 repealed and the following is substituted in lieu thereof (*Effective from*  
792 *passage*):

793 (9) "Foundation" means (A) for the fiscal year ending June 30, 1990,  
794 three thousand nine hundred eighteen dollars, (B) for the fiscal year

795 ending June 30, 1991, four thousand one hundred ninety-two dollars,  
796 (C) for the fiscal year ending June 30, 1992, four thousand four  
797 hundred eighty-six dollars, (D) for the fiscal years ending June 30,  
798 1993, June 30, 1994, and June 30, 1995, four thousand eight hundred  
799 dollars, (E) for the fiscal years ending June 30, 1996, June 30, 1997, and  
800 June 30, 1998, five thousand seven hundred eleven dollars, (F) for the  
801 fiscal year ending June 30, 1999, five thousand seven hundred seventy-  
802 five dollars, and (G) for the fiscal years ending June 30, 2000, to June  
803 30, [2003] 2005, inclusive, five thousand eight hundred ninety-one  
804 dollars.

805 Sec. 25. Subsection (d) of section 10-262j of the general statutes is  
806 amended by adding subdivisions (10) and (11) as follows (*Effective from*  
807 *passage*):

808 (NEW) (10) For the fiscal year ending June 30, 2004, the regular  
809 program expenditures of a town shall be no less than the sum of (A) its  
810 minimum expenditure requirement for the fiscal year ending June 30,  
811 2003, (B) its aid increase pursuant to subsection (b) of this section, and  
812 (C) if the resident student count for October 2002, is less than the  
813 resident student count for October 2001, the result obtained by  
814 multiplying the difference between the town's resident student count  
815 for October 2002, using the data of record as of December 1, 2002, and  
816 the town's resident student count for October 2001, using the data of  
817 record as of December 1, 2001, by one-half of the foundation.

818 (NEW) (11) For the fiscal year ending June 30, 2005, the regular  
819 program expenditures of a town shall be no less than the sum of (A) its  
820 minimum expenditure requirement for the fiscal year ending June 30,  
821 2004, (B) its aid increase pursuant to subsection (b) of this section, and  
822 (C) if the resident student count for October 2003, is less than the  
823 resident student count for October 2002, the result obtained by  
824 multiplying the difference between the town's resident student count  
825 for October 2003, using the data of record as of December 1, 2003, and  
826 the town's resident student count for October 2002, using the data of

827 record as of December 1, 2002, by one-half of the foundation.

828       Sec. 26. (*Effective from passage*) For the fiscal year ending June 30,  
829 2004, not less than one million dollars of the funds appropriated to the  
830 Department of Education for magnet schools in section 1 of public act  
831 03-1 of the June 30 special session, shall, on or before September 1,  
832 2003, be used to provide a supplemental grant to regional educational  
833 service centers operating full or part-time interdistrict magnet schools  
834 in such amounts as the Commissioner of Education determines.

835       Sec. 27. (*Effective from passage*) One million three hundred thousand  
836 dollars of the funds carried forward in section 42 of public act 03-1 of  
837 the June 30 special session shall be transferred to the Office of Policy  
838 and Management for Local Aid Adjustments for the fiscal year ending  
839 June 30, 2004. Said funds shall be disbursed as follows during the  
840 fiscal year ending June 30, 2004: (1) For Griswold in the amount of one  
841 hundred fifty thousand dollars, (2) for Milford in the amount of two  
842 hundred thousand dollars, (3) for Plainfield in the amount of two  
843 hundred thousand dollars, (4) for Plymouth in the amount of one  
844 hundred fifty thousand dollars, (5) for Southington in the amount of  
845 two hundred thousand dollars, (6) for Vernon in the amount of two  
846 hundred thousand dollars, and (7) for Wallingford in the amount of  
847 two hundred thousand dollars.

848       Sec. 28. (*Effective from passage*) For the fiscal year ending June 30,  
849 2004, the distribution of priority school district grants pursuant to  
850 subsection (a) of section 10-266p of the general statutes, as amended by  
851 this act, shall be as follows: (1) For priority school districts in the  
852 amount of \$20,057,500, (2) for school readiness in the amount of  
853 \$37,576,500, (3) for early reading in the amount of \$17,858,939, (4) for  
854 extended school building hours in the amount of \$3,030,669, and (5) for  
855 summer school in the amount of \$2,630,879.

856       Sec. 29. (*Effective from passage*) For the fiscal year ending June 30,  
857 2005, the distribution of priority school district grants pursuant to  
858 subsection (a) of section 10-266p of the general statutes, as amended by

859 this act, shall be as follows: (1) For priority school districts in the  
860 amount of \$20,336,250, (2) for school readiness in the amount of  
861 \$37,576,500, (3) for early reading in the amount of \$17,647,286, (4) for  
862 extended school building hours in the amount of \$2,994,752, and (5) for  
863 summer school in the amount of \$2,599,699.

864 Sec. 30. Subsection (k) of section 10-16p of the general statutes is  
865 repealed and the following is substituted in lieu thereof (*Effective from*  
866 *passage*):

867 (k) Notwithstanding any provisions of this section, for the fiscal  
868 year ending June 30, 2003, the amount available for the competitive  
869 grant program shall be two million five hundred seventy-six thousand  
870 five hundred eighty dollars and the maximum administrative amount  
871 shall not be more than one hundred ninety-eight thousand one  
872 hundred ninety-nine dollars. Notwithstanding the provisions of this  
873 section, for the fiscal year ending June 30, 2004, the amount available  
874 for the competitive grant program shall be two million three hundred  
875 nine thousand two hundred forty-nine dollars and the maximum  
876 administrative amount shall not be more than one hundred ninety-  
877 eight thousand one hundred ninety-nine dollars. Notwithstanding  
878 the provisions of this section, for the fiscal year ending June 30, 2005,  
879 the amount available for the competitive grant program shall be two  
880 million three hundred eighteen thousand three hundred forty-nine  
881 dollars and the maximum administrative amount shall not be more  
882 than one hundred ninety-eight thousand one hundred ninety-nine  
883 dollars.

884 Sec. 31. Section 10-265f of the general statutes, as amended by  
885 section 47 of public act 03-76 is amended by adding subsection (h) as  
886 follows (*Effective from passage*):

887 (NEW) (h) Notwithstanding the provisions of this section, for the  
888 fiscal years ending June 30, 2004, and June 30, 2005, the amount  
889 available for the competitive grant program pursuant to this section  
890 shall be one million seven hundred eighty-eight thousand one dollars

891 and the maximum administrative amount shall not be more than two  
892 hundred three thousand six hundred forty-six dollars.

893 Sec. 32. Subsection (d) of section 10-16p of the general statutes is  
894 repealed and the following is substituted in lieu thereof (*Effective from*  
895 *passage*):

896 (d) (1) The Commissioner of Education, in consultation with the  
897 Commissioner of Social Services, shall establish a competitive grant  
898 program to provide spaces in accredited or approved school readiness  
899 programs for eligible children who reside in an area served by a  
900 priority school or a former priority school as provided for in  
901 subdivision (2) of this subsection. A town in which such a school is  
902 located or a regional school readiness council, pursuant to subsection  
903 (c) of section 10-16r, for a region in which such a school is located may  
904 apply for such a grant in an amount not to exceed one hundred  
905 thousand dollars per priority school. Eligibility shall be determined for  
906 a five-year period based on an applicant's designation as having a  
907 priority school for the initial year of application. Grant awards shall be  
908 made annually contingent upon available funding and a satisfactory  
909 annual evaluation. The chief elected official of such town and the  
910 superintendent of schools of the school district or the regional school  
911 readiness council shall submit a plan, as described in subsection (c) of  
912 this section, for the expenditure of such grant funds to the Department  
913 of Education. In awarding grants pursuant to this subsection, the  
914 commissioner shall give preference to applications submitted by  
915 regional school readiness councils and may, within available  
916 appropriations, provide a grant in excess of one hundred thousand  
917 dollars to towns with two or more priority schools in such district. A  
918 town or regional school readiness council awarded a grant pursuant to  
919 this subsection shall use the funds to purchase spaces for such children  
920 from providers of accredited or approved school readiness programs.

921 (2) (A) Commencing with the fiscal year ending June 30, 2004, if a  
922 town received a grant pursuant to subdivision (1) of this subsection for

923 a priority school and is no longer eligible to receive such a grant for  
924 such school, the town may receive a phase-out grant for each of the  
925 three fiscal years following the fiscal year such town received its final  
926 grant for such school pursuant to subdivision (1) of this subsection.  
927 The amount of such phase-out grants shall be determined in  
928 accordance with subparagraph (B) of this subdivision.

929 (B) (i) For the first fiscal year following the fiscal year such town  
930 received its final priority school grant for such school pursuant to  
931 subdivision (1) of this subsection, in an amount that does not exceed  
932 seventy-five per cent of the grant amount such town received for such  
933 school for the school's final year of eligibility pursuant to subdivision  
934 (1) of this subsection. (ii) For the second fiscal year following the fiscal  
935 year such town received its final priority school grant for such school  
936 pursuant to subdivision (1) of this subsection, in an amount that does  
937 not exceed fifty per cent of the grant amount such town received for  
938 such school for the school's final year of eligibility pursuant to  
939 subdivision (1) of this subsection. (ii) For the third fiscal year  
940 following the fiscal year such town received its final priority school  
941 grant for such school pursuant to subdivision (1) of this subsection, in  
942 an amount that does not exceed twenty-five per cent of the grant  
943 amount such town received for such school for the school's final year  
944 of eligibility pursuant to subdivision (1) of this subsection.

945 Sec. 33. Subsection (f) of section 10-145d of the general statutes, as  
946 amended by section 3 of public act 03-168, is repealed and the  
947 following is substituted in lieu thereof: (*Effective from passage*):

948 (f) An endorsement to teach elementary education grades one to six,  
949 inclusive, shall be valid for grades kindergarten to six, inclusive, and  
950 an endorsement to teach comprehensive special education grades one  
951 to twelve, inclusive, shall be valid for grades kindergarten to twelve,  
952 inclusive.

953 Sec. 34. (*Effective from passage*) As used in sections 34 to 36, inclusive,  
954 of this act:

955 (1) "Commissioner" means the Commissioner of Economic and  
956 Community Development;

957 (2) "Connecticut Housing Finance Authority" means the authority  
958 created and operating pursuant to the provisions of chapter 134 of the  
959 general statutes;

960 (3) "Housing revitalization plan" means the master plan of  
961 development for the housing developments accepted by the housing  
962 authority of the city of New Britain on March 13, 2002, and approved  
963 by the commissioner pursuant to (d) of section 35 of this act;

964 (4) "Local planning committee" means the committee responsible for  
965 the creation of the housing revitalization plan;

966 (5) "Sponsor" means (A) a housing authority created pursuant to  
967 section 8-40 of the general statutes; (B) a nonprofit corporation  
968 incorporated pursuant to chapter 602 of the general statutes, having as  
969 one of its purposes the construction, rehabilitation, ownership or  
970 operation of housing; (C) any business corporation, incorporated  
971 pursuant to chapter 601 of the general statutes, having as one of its  
972 purposes the construction, rehabilitation, ownership or operation of  
973 housing; (D) any limited liability company, partnership, limited  
974 partnership, joint venture, sole proprietorship, trust or association  
975 having as one of its purposes the construction, rehabilitation,  
976 ownership or operation of housing; (E) a municipal developer; or (F)  
977 any combination of the entities in subparagraphs (A) to (E), inclusive,  
978 of this subdivision;

979 (6) "Housing developments" means the state-assisted housing  
980 developments in the city of New Britain known as Corbin Heights,  
981 Corbin Heights Extension, Pinnacle Heights and Pinnacle Heights  
982 Extension;

983 (7) "Project area" means the portion of the city of New Britain where  
984 the housing developments are located;

985 (8) "Housing authority" means the housing authority of the city of  
986 New Britain;

987 (9) "Area median income" means area median income as determined  
988 by Section 42(g) of the Federal Revenue Code and employed by the  
989 Connecticut Housing Finance Authority in the administration of the  
990 Low Income Housing Tax Credit Program;

991 (10) "Housing costs" means the portion of rent, mortgage principal  
992 and interest payments, estimated average heat and utilities costs,  
993 homeowner's insurance and taxes paid by the renter or homeowner;

994 (11) "Nonreplacement units" means housing units created within the  
995 project area other than replacement units;

996 (12) "Replacement units" means any housing units created pursuant  
997 to subdivisions (ii), (iii), (v) and (vi) of subsection (b) of section 35 of  
998 this act;

999 (13) "Successor entity" means a public body, including, but not  
1000 limited to, the Connecticut Housing Finance Authority, which obtains  
1001 title to, or control of, the developments from the state or the housing  
1002 authority; and

1003 (14) "Land use and disposition plan" means a plan for the use and  
1004 disposition of part of the housing developments for nonhousing uses  
1005 developed by the city of New Britain and the housing authority or a  
1006 successor entity and approved by the commissioner.

1007 Sec. 35. (*Effective from passage*) (a) Notwithstanding any provision of  
1008 chapters 127c and 128 of the general statutes, the city of New Britain  
1009 and the housing authority, or a successor entity, in cooperation with  
1010 the commissioner and the Connecticut Housing Finance Authority,  
1011 may revitalize the Corbin Heights, Corbin Heights Extension, Pinnacle  
1012 Heights and Pinnacle Heights Extension housing developments only  
1013 pursuant to the housing revitalization plan and in accordance with  
1014 sections 34 to 36, inclusive, of this act.

1015 (b) The city of New Britain shall assure that the number of  
1016 replacement units of assisted housing for low and moderate income  
1017 households, upon completion of the development under the housing  
1018 revitalization plan, is consistent with the provisions of said plan. The  
1019 replacement units may be in the form of new construction,  
1020 rehabilitation, renovation or housing pursuant to Section 8 of the  
1021 United States Housing Act of 1937, as from time to time amended, or  
1022 state rental assistance program rent subsidies, or any other assisted  
1023 housing program, provided no rent subsidy shall constitute a  
1024 replacement unit unless it is a newly authorized voucher from Section  
1025 8 of the United States Housing Act of 1937, as from time to time  
1026 amended, or certificate issued pursuant to section 17b-812 of the  
1027 general statutes, in addition to the number of such vouchers or  
1028 certificates authorized for the administering authority on the effective  
1029 date of this section. Nothing in this subsection shall be construed to  
1030 prohibit payments at the current market rate when vouchers issued  
1031 pursuant to Section 8 of the United States Housing Act of 1937, as from  
1032 time to time amended, are utilized, provided housing costs paid by the  
1033 occupants of replacement units do not exceed the amounts provided  
1034 for in this section. In addition to replacement units, nonreplacement  
1035 units may also be created within the project area. No rehabilitated or  
1036 renovated unit outside of the project area shall constitute a  
1037 replacement unit pursuant to this subsection, unless it has been vacant  
1038 for at least one year prior to such rehabilitation or renovation. Unit  
1039 replacement requirements shall be completed within the time frame  
1040 established in the revitalization plan and shall include all qualifying  
1041 units constructed from the inception of the local planning committee.  
1042 The selection of a sponsor by the housing authority or a successor  
1043 entity, in consultation with the city of New Britain, the commissioner  
1044 and the Connecticut Housing Finance Authority, to carry out all or a  
1045 portion of the provisions of section 36 of this act shall be made on a  
1046 competitive basis. Any such proposal submitted for competitive  
1047 review shall include a resident involvement plan indicating (1) the  
1048 extent to which residents will be involved in the planning process for

1049 the construction, lease or sale of the replacement units, and (2) the  
1050 mechanism for allowing residents to comment on the implementation  
1051 of the plan. In selecting a sponsor, the housing authority or successor  
1052 entity may consider (A) the role of residents in the development and  
1053 implementation of the proposal, and (B) the sponsor's support for such  
1054 involvement. Upon completion of the development area under the  
1055 housing revitalization plan:

1056 (i) Not less than two hundred seventy nor more than five hundred  
1057 fifty total units shall be within the existing project area. Such units  
1058 shall be rehabilitated or constructed over a period of five years from  
1059 the commencement of the development under the housing  
1060 revitalization plan;

1061 (ii) Not less than twenty-five per cent of the units within the existing  
1062 state-assisted development shall be rented or sold to persons whose  
1063 incomes are below sixty per cent of the median area income adjusted  
1064 for family size;

1065 (iii) In addition to the units provided in subdivision (2) of this  
1066 subsection, not less than fifteen per cent of the replacement units  
1067 within the existing state-assisted development shall be rented or sold  
1068 to persons whose incomes are less than twenty-five per cent of area  
1069 median income. Such persons may receive certificates from the  
1070 program established pursuant to Section 8 of the United States  
1071 Housing Act of 1937, as from time to time amended;

1072 (iv) A number of replacement units may be located outside the  
1073 existing state-assisted development, which number shall not be less  
1074 than the difference between six hundred thirty-five and the number of  
1075 replacement units to be within the existing state-assisted development;

1076 (v) Fifty per cent of the replacement units located outside the  
1077 existing state-assisted development shall be rented or sold to persons  
1078 whose incomes are less than sixty per cent of area median income. The  
1079 housing revitalization plan shall provide that the city of New Britain

1080 require that no fewer than ten replacement units be constructed for  
1081 occupancy for persons meeting the income requirements of this section  
1082 every year that the housing revitalization plan is in force and each year  
1083 thereafter until the requirements of this section are fulfilled; and

1084 (vi) In addition to the replacement units provided in subdivision (v)  
1085 of this subsection, not less than fifty per cent of the replacement units  
1086 located outside the existing state-assisted development shall be rented  
1087 or sold to persons whose incomes are at or below twenty-five per cent  
1088 of the area median income. The housing revitalization plan shall  
1089 provide that the city of New Britain require that no fewer than ten  
1090 replacement units be constructed for occupancy for persons meeting  
1091 the income requirements of this section every year that the housing  
1092 revitalization plan is in force and each year thereafter until the  
1093 requirements of this section are fulfilled.

1094 (c) The housing authority or a successor entity shall hold a public  
1095 hearing on the housing revitalization plan prior to its submission to  
1096 the commissioner. At least thirty days prior to the public hearing, the  
1097 housing authority or a successor entity shall provide a written notice to  
1098 each household in the development of the date, time and place of the  
1099 public hearing. Such notice shall inform each household that the  
1100 housing revitalization plan is on file and available for inspection at  
1101 said housing authority's office. The housing authority or successor  
1102 entity shall, at the time it submits the housing revitalization plan for  
1103 approval by the commissioner, submit a description of: (1) The role of  
1104 residents of the housing developments in the planning process, and (2)  
1105 the mechanism that will be available to facilitate resident comments  
1106 concerning the implementation of the plan.

1107 (d) The commissioner may approve the plan upon an express  
1108 finding that: (1) The implementation of the plan is in the best interest  
1109 of the state, the community and the residents of the development; (2)  
1110 adequate provision has been made for the current residents of the  
1111 development, including relocation assistance; (3) there is sufficient,

1112 affordable, housing in the community to accommodate residents  
1113 displaced by the redevelopment; (4) residents have been involved in  
1114 the planning process; (5) a mechanism will be available to facilitate  
1115 resident comments concerning the implementation of the plan; and (6)  
1116 the plan has been approved by the chief elected official of the  
1117 municipality. Such plan shall be implemented only if sufficient funds  
1118 are secured to complete one or more phases of the project and an  
1119 agreement to assure compliance with subdivisions (5) and (6) of  
1120 subsection (b) of this section has been made, provided any requests for  
1121 proposals for a sponsor may be made prior to funds being secured. If  
1122 the project is to be implemented in phases, each phase involving  
1123 demolition shall include related reconstruction and no demolition shall  
1124 be implemented unless sufficient funds are secured to complete  
1125 reconstruction of the phase. The approval of a revitalization plan by  
1126 the commissioner shall not constitute a commitment or obligation to  
1127 provide funds by the state or the Connecticut Housing Finance  
1128 Authority. The commissioner may provide funds, for the purpose of  
1129 this section, from bond funds authorized prior to the effective date of  
1130 this section, but not yet allocated, provided such funds shall be used  
1131 solely for capital costs.

1132       Sec. 36. (*Effective from passage*) (a) In compliance with the provisions  
1133 of sections 34 to 36, inclusive, of this act, the housing authority or a  
1134 successor entity may, pursuant to the approved housing revitalization  
1135 plan, and, with the approval of the commissioner and the Connecticut  
1136 Housing Finance Authority: (1) Sell, lease or transfer, or take any  
1137 combination of such actions, to a selected sponsor, all or part of the  
1138 premises and buildings comprising the Corbin Heights, Corbin  
1139 Heights Extension, Pinnacle Heights and Pinnacle Heights Extension  
1140 housing developments, for a housing use, or (2) sell, lease or transfer,  
1141 or take any combination of such actions with regard to a portion of the  
1142 premises and buildings comprising said housing developments, "as is"  
1143 to the city of New Britain or a developer designated by the city, for  
1144 such alternative nonhousing uses as may be appropriate pursuant to  
1145 an approved land use and disposition plan. As consideration for any

1146 such sale, lease or transfer, or combination of such actions the  
1147 commissioner may cancel the outstanding principal, interest and late  
1148 charges, owed by the housing authority to the state with respect to said  
1149 housing developments and due and payable on or before June 30,  
1150 2003. The Connecticut Housing Finance Authority may likewise cancel  
1151 the outstanding notes and mortgages, including principal, interest and  
1152 late charges, owed by the housing authority to such authority with  
1153 respect to said housing developments and due and payable on or after  
1154 July 1, 2003. The Connecticut Housing Finance Authority may also  
1155 extend, renegotiate or modify, in whole or in part, the outstanding  
1156 notes and mortgages and grants which are owed or provided to said  
1157 housing authority with respect to said housing developments and  
1158 assign or transfer such notes, mortgages and grants, in whole or in  
1159 part, to another sponsor, if such action by such authority will assist in  
1160 the revitalization of housing on all or part of said housing  
1161 developments. Any proceeds from the sale, lease, transfer or other  
1162 disposition of all or part of a housing development for a nonhousing  
1163 use under this subdivision shall be used solely for the capital cost of  
1164 the revitalization or redevelopment of the housing planned at said  
1165 development and shall be deemed to be part of the state's contribution  
1166 to the implementation of the housing revitalization plan.

1167 (b) The housing authority may, if agreed to by the sponsor and the  
1168 housing authority, provide such functions as maintenance, tenant  
1169 selection, billing, payroll and other related services. When the housing  
1170 authority enters into such an agreement with a sponsor, such services  
1171 shall be provided by employees of the housing authority.

1172 (c) Eligible residents of the development shall have priority over  
1173 other families for the purchase or rental of available housing units. If  
1174 the number of eligible residents desiring to purchase or rent a housing  
1175 unit is greater than the number of housing units available, the housing  
1176 authority or a successor entity may devise an equitable system, by  
1177 lottery or otherwise, for determining which eligible residents shall be  
1178 permitted to purchase or rent. For purposes of this section, "eligible

1179 resident" means a family residing in a housing development on or after  
1180 January 1, 2002.

1181 (d) The sale or rental of housing units under subsection (c) of this  
1182 section and subsection (b) of section 35 of this act to families of low  
1183 and moderate income shall be subject to deed restrictions approved by  
1184 the commissioner which shall require that, for thirty years:

1185 (1) At the time of any subsequent purchase or rental of any such  
1186 housing units by new owners or tenant families, the city of New  
1187 Britain shall insure that the owners or renters are of low and moderate  
1188 income; and

1189 (2) The resale price of each housing unit shall be limited to its  
1190 original purchase price, adjusted for inflation and improvements to the  
1191 housing unit, as determined by the assessor of the city of New Britain.

1192 (e) The housing authority or a successor entity and the sponsor,  
1193 with assistance from the Departments of Economic and Community  
1194 Development and Social Services and the Connecticut Housing  
1195 Finance Authority, shall reasonably assist eligible residents to meet all  
1196 qualifying conditions for the purchase or rental of housing units under  
1197 subsection (c) of this section, including, but not limited to:

1198 (1) Linking eligible residents to public or private mortgage and  
1199 down payment assistance programs;

1200 (2) Providing eligible residents with or linking eligible residents to  
1201 state or federal rental assistance;

1202 (3) Adjusting interest rates and minimum payment requirements in  
1203 programs operated by such entities so as to make installment  
1204 payments affordable to eligible residents who wish to rent or purchase;  
1205 and

1206 (4) Engaging in other reasonable actions to make it possible for  
1207 eligible residents to purchase or rent such housing units.

1208 (f) Notwithstanding the provisions of chapters 59 and 60 of the  
1209 general statutes, the commissioner and the Connecticut Housing  
1210 Finance Authority may, from the proceeds of any sale, lease or  
1211 transfer, or any combination of such actions, under subsection (a) of  
1212 this section, within available appropriations, do all things necessary to  
1213 carry out the provisions of this section, including, but not limited to:

1214 (1) Securing federal funds or program participation;

1215 (2) Acting as an eligible developer, as defined in section 8-39 of the  
1216 general statutes, if necessary, in the event of a default.

1217 (g) In the event that a successor entity, as defined in section 34 of  
1218 this act, obtains title to, or control of, the developments it shall possess  
1219 all of the rights, powers and responsibilities of the housing authority  
1220 under the provisions of this act.

1221 Sec. 37. (*Effective from passage*) (a) For purposes of this section:

1222 (1) "Commissioner" means the Commissioner of Economic and  
1223 Community Development.

1224 (2) "Connecticut Housing Finance Authority" means the authority  
1225 created pursuant to chapter 134 of the general statutes.

1226 (3) "Housing revitalization plan" means a plan developed by a  
1227 housing authority in the city of Hartford, East Hartford or New  
1228 London, in consultation with the residents of the housing  
1229 developments, to address the revitalization of one or more state-  
1230 assisted housing developments or a portion of one or more state-  
1231 assisted housing developments, originally built prior to 1970, which  
1232 was developed by a local housing authority pursuant to parts II and VI  
1233 of chapter 128 of the general statutes. The plan shall describe the  
1234 alternatives considered by the housing authority in planning for the  
1235 future of the existing housing development.

1236 (4) "Local planning committee" means a committee appointed by the

1237 housing authority in the city of Hartford, East Hartford or New  
1238 London listed in subdivision (3) of this subsection for the purpose of  
1239 developing a housing revitalization plan.

1240 (5) "Sponsor" means (A) a housing authority created pursuant to  
1241 section 8-40 of the general statutes; (B) a nonprofit corporation  
1242 incorporated pursuant to chapter 602 of the general statutes, having as  
1243 one of its purposes the construction, rehabilitation, ownership or  
1244 operation of housing; (C) any business corporation, incorporated  
1245 pursuant to chapter 601 of the general statutes, having as one of its  
1246 purposes the construction, rehabilitation, ownership or operation of  
1247 housing; (D) any limited liability company, partnership, limited  
1248 partnership, joint venture, sole proprietorship, trust or association  
1249 having as one of its purposes the construction, rehabilitation,  
1250 ownership or operation of housing; (E) a municipal developer; or (F)  
1251 any combination of the entities in subparagraphs (A) to (E), inclusive,  
1252 of this subdivision.

1253 (6) "Housing authority" means the housing authority of the city of  
1254 Hartford, East Hartford or New London.

1255 (b) Any housing authority which wishes to make provision for the  
1256 revitalization of state moderate rental housing development  
1257 constructed pursuant to the provisions of part II of chapter 128 of the  
1258 general statutes may proceed in accordance with the provisions of this  
1259 section.

1260 (c) The local planning committee shall be comprised of  
1261 representatives of (1) the housing authority; (2) each resident  
1262 association that represents residents of the development; (3) the  
1263 municipality in which the development is located; (4) the Department  
1264 of Economic and Community Development; (5) the Connecticut  
1265 Housing Finance Authority; (6) community groups involved in the  
1266 provision or maintenance of housing for low or very low income  
1267 households; and (7) such other persons or community organizations,  
1268 including local community leaders and representatives of business,

1269 labor, education and other social services agencies, as the housing  
1270 authority deems desirable. Entities shall be permitted to choose their  
1271 own representatives to the local planning committee. The housing  
1272 authority shall designate the chairperson of said committee.

1273 (d) The housing authority shall assure that (1) the tenants of the  
1274 housing development are able to fully participate in the planning  
1275 process, and (2) a mechanism exists to facilitate resident comments  
1276 concerning the implementation of the plan.

1277 (e) The local planning committee shall prepare a housing  
1278 revitalization plan for the development for which revitalization is  
1279 sought. The committee shall hold at least one public hearing early in  
1280 the planning process and at least one public hearing on the final  
1281 housing revitalization plan. Notice of each such public hearing shall be  
1282 mailed or delivered to each tenant association representing tenants in  
1283 the development and to each tenant household in the development. In  
1284 addition to any formal notice, each such public hearing shall be  
1285 publicized generally in the municipality through posted notices at the  
1286 development and through publicity both through newspapers of  
1287 general circulation in the municipality and to weekly community  
1288 newspapers. A record shall be kept of all comments received at such  
1289 hearings.

1290 (f) A housing revitalization plan shall provide for the rehabilitation,  
1291 reconstruction or reconfiguration of a development. The plan may  
1292 include one or more phases and shall include an estimate of the cost of  
1293 implementation of each phase and the projected funding sources by  
1294 which such cost shall be met. The plan shall state whether its  
1295 implementation requires the waiver of any provisions of chapter 127c  
1296 or 128 of the general statutes or related regulations and, if so, shall  
1297 identify with specificity the general statutes or regulations of  
1298 Connecticut state agencies sought to be waived, the extent to which  
1299 waiver is necessary and the justification for such waiver. A housing  
1300 revitalization plan may include the demolition of some or all of the

1301 existing buildings in the development and may propose their  
1302 replacement with fewer units of on-site and off-site low and moderate  
1303 income housing than were part of the original moderate rental housing  
1304 development. If said plan proposes such reduced number of  
1305 replacement units of low and moderate income housing, the plan shall  
1306 state explicitly why such a reduction in low and moderate income  
1307 housing units is necessary and in the interest of the state.

1308 (g) Upon final approval of the housing revitalization plan by the  
1309 local housing authority, the plan shall be submitted to the  
1310 commissioner for approval. If the property is covered by an asset  
1311 transferred to the Connecticut Housing Finance Authority pursuant to  
1312 section 8-37uu or subdivision (3) of section 32-11 of the general statutes,  
1313 a copy of the plan shall be provided to such authority, which shall be  
1314 afforded an opportunity to comment on the revitalization plan. The  
1315 plan submission shall be accompanied by a copy or a summary of all  
1316 comments received at public hearings and an explanation of how the  
1317 plan was modified, or why it was not modified, in response to the  
1318 comments.

1319 (h) Upon submission of a revitalization plan the commissioner shall:  
1320 (1) Publish notice of the plan, and of the opportunity to comment on it,  
1321 in a general circulation newspaper serving the community in which  
1322 the project is located; (2) provide copies of the plan to the chairs and  
1323 ranking members of the committee of the General Assembly having  
1324 cognizance of matters relating to housing; and (3) establish a period of  
1325 not less than thirty days during which members of the public may  
1326 comment on the plan.

1327 (i) The commissioner may approve the plan and waive all or some  
1328 of the statutes and regulations identified in the plan upon an express  
1329 finding that: (1) The implementation of the plan is in the best interest  
1330 of the state, the community and the residents of the development; (2)  
1331 adequate provision has been made for the current residents of the  
1332 development, including relocation assistance; (3) there is sufficient,

1333 affordable, housing in the community to accommodate residents  
1334 displaced by the redevelopment; (4) residents have been involved in  
1335 the planning; (5) a mechanism exists to facilitate resident comments  
1336 concerning the implementation of the plan; and (6) the plan has been  
1337 approved by the chief elected official of the municipality. Such plan  
1338 shall be implemented only if sufficient funds are secured to complete  
1339 one or more phases of the project. If the project is in phases, each phase  
1340 involving demolition shall also include related reconstruction and no  
1341 demolition shall be implemented unless sufficient funds are secured to  
1342 complete reconstruction of the phase. The commissioner may approve  
1343 a revitalization plan that meets the requirements of subdivisions (1) to  
1344 (6), inclusive, of this subsection provided there is submitted proof of  
1345 financing acceptable to the commissioner prior to the start of the  
1346 project. The approval of a revitalization plan by the commissioner shall  
1347 not constitute a commitment or obligation by the state or the  
1348 Connecticut Housing Finance Authority to provide funds.

1349 (j) The selection of a sponsor by the housing authority, in  
1350 consultation with the city, the commissioner and the Connecticut  
1351 Housing Finance Authority, to carry out all or a portion of the  
1352 revitalization plan shall be made on a competitive basis. Any such  
1353 proposal submitted for competitive review shall include a resident  
1354 involvement plan indicating (1) the extent to which residents will be  
1355 involved in the planning process for the construction, lease or sale of  
1356 the replacement units, and (2) the mechanism for allowing residents to  
1357 comment on the implementation of the plan. In selecting a sponsor, the  
1358 housing authority or successor entity may consider (1) the role of  
1359 residents in the development and implementation of the proposed  
1360 sponsor's proposal, and (2) the sponsor's support for such  
1361 involvement.

1362 (k) The commissioner may cancel the outstanding principal, interest  
1363 and late charges owed by the housing authority to the state with  
1364 respect to the housing developments and due and payable on or before  
1365 June 30, 2003. The Connecticut Housing Finance Authority may

1366 likewise cancel the outstanding notes and mortgages, including  
1367 principal, interest and late charges, owed by the housing authority to  
1368 such authority with respect to the housing developments and due and  
1369 payable on or after July 1, 2003. The Connecticut Housing Finance  
1370 Authority may also extend, renegotiate or modify, in whole or in part,  
1371 the outstanding notes and mortgages and grants which are owed or  
1372 provided to said housing authority with respect to the housing  
1373 developments and assign or transfer such notes, mortgages and grants,  
1374 in whole or in part, to another sponsor, if such action by such authority  
1375 will assist in the revitalization of housing on all or part of said housing  
1376 developments.

1377 (l) Nothing in this section shall preclude the housing authority  
1378 requesting or the General Assembly approving waivers of  
1379 requirements under the general statutes other than requirements  
1380 under chapters 127c and 128 of the general statutes.

1381 Sec. 38. (*Effective from passage*) (a) As used in this section:

1382 (1) "Commissioner" means the Commissioner of Economic and  
1383 Community Development.

1384 (2) "Connecticut Housing Finance Authority" means the authority  
1385 created and operating pursuant to the provisions of chapter 134 of the  
1386 general statutes.

1387 (3) "Sponsor" means an entity that is an eligible developer under  
1388 any state-assisted housing program and may include an entity whose  
1389 participation is financial and which is not otherwise involved in  
1390 housing.

1391 (4) "Development" means the Vidal Court development in the city of  
1392 Stamford, a two-hundred-sixteen unit state-assisted housing  
1393 development originally built prior to 1970 and developed by a local  
1394 housing authority pursuant to part II or VI of chapter 128 of the  
1395 general statutes.

1396 (5) "Housing revitalization plan" means a plan prepared by a  
1397 sponsor, pursuant to this act and the memoranda of understanding,  
1398 describing the proposed revitalization of the Vidal Court development.

1399 (6) "Memoranda of understanding" means the memoranda of  
1400 understanding dated April 16, 2002, and December 10, 2002, between  
1401 the Stamford Housing Authority and the Vidal Court Tenants  
1402 Association regarding the revitalization of the development.

1403 (b) Notwithstanding any provision of chapters 127c and 128 of the  
1404 general statutes, a sponsor in which the Stamford Housing Authority  
1405 is a participant or partner may undertake the revitalization of Vidal  
1406 Court, a state-assisted moderate rental development, as a mixed-  
1407 income development, pursuant to the provisions of this section and  
1408 section 8-250 of the general statutes, as amended by this act, and an  
1409 approved housing revitalization plan.

1410 (c) The commissioner may provide funds, for the purpose of this  
1411 section, from bond funds authorized prior to the effective date of this  
1412 section, but not yet allocated, provided such funds shall be used solely  
1413 for architectural, design and engineering work; site acquisition,  
1414 demolition; construction, rehabilitation and reconfiguration costs,  
1415 including site preparation; furniture, fixtures and equipment; and  
1416 reasonable relocation expenses of displaced residents pursuant to the  
1417 Uniform Relocation Act; and

1418 (d) The commissioner may approve a housing revitalization plan for  
1419 Vidal Court, upon a finding that the plan is in the interest of the state  
1420 and the community and it complies with all provisions this act, local  
1421 ordinances and any general statutes applicable to the demolition of,  
1422 resident consultation and participation within, and anti-displacement  
1423 and relocation of displaced persons within Vidal Court. The housing  
1424 revitalization plan for Vidal Court shall include the following:

1425 (1) An identification of the sponsor and its participating entities;

1426 (2) A description of all financing, public and private, necessary for  
1427 implementation of the plan;

1428 (3) A description of the proposed housing, including the proposed  
1429 minimum number of below-market rate housing units, and the  
1430 maximum housing costs and income limits for such units;

1431 (4) An analysis of the anticipated market for the market-rate and  
1432 below-market rate units in the revitalized development;

1433 (5) Cost estimates for the revitalization;

1434 (6) The proposed displacement and relocation of current residents,  
1435 including responsibility for the costs for such relocation;

1436 (7) A demonstration that the revitalized development will be  
1437 operated in a profitable manner;

1438 (8) A statement of guaranteed affordability provisions governing  
1439 the below-market rate units;

1440 (9) Evidence of support for the revitalization from the resident  
1441 population and the local community, along with a plan for ensuring  
1442 ongoing resident and community consultation; and

1443 (10) Any other information that the commissioner deems necessary.

1444 (e) Prior to submission of the housing revitalization plan to the  
1445 commissioner for approval, the Stamford housing authority and the  
1446 Vidal Court tenant association shall hold an open meeting on the final  
1447 proposed housing revitalization plan. At least thirty days prior to such  
1448 meeting, the Stamford Housing Authority shall provide a written  
1449 notice of the meeting to each household within Vidal Court, stating  
1450 that the proposed housing revitalization plan is on file and available  
1451 for inspection at the office of the Stamford Housing Authority and that  
1452 a copy of the plan will be provided upon request. At such open  
1453 meeting, the Stamford housing authority shall receive all oral or

1454 written comments, and when submitting the plan to the commissioner  
1455 for approval shall summarize all comments and identify any changes  
1456 made to the plan in response to such comments.

1457 (f) The commissioner may cancel the outstanding principal, interest  
1458 and late charges, owed by the housing authority to the state with  
1459 respect to the Vidal Court development and due and payable on or  
1460 before June 30, 2003. The Connecticut Housing Finance Authority may  
1461 likewise cancel the outstanding notes and mortgages, including  
1462 principal, interest and late charges, owed by the housing authority to  
1463 the authority with respect to the development and due and payable on  
1464 or after July 1, 2003. The Connecticut Housing Finance Authority may,  
1465 subject to such terms, conditions, agreements or consideration as it  
1466 determines, revise, extend or cancel outstanding notes and owed by  
1467 the housing authority with respect to the Vidal Court development.

1468 (g) The housing authority shall assure that the number of units of  
1469 housing for low and moderate income households, upon completion of  
1470 the revitalization, shall be not less than two hundred sixteen units,  
1471 thus providing a ratio of one replacement unit for every one unit to be  
1472 demolished.

1473 (h) The housing revitalization plan for Vidal Court shall not be  
1474 approved by the commissioner without evidence that the sponsor has  
1475 permitted and will permit the tenants of Vidal Court to fully  
1476 participate in the planning, review and implementation process in  
1477 accordance with the memoranda of understanding.

1478 Sec. 39. Section 8-250 of the general statutes is amended by adding  
1479 subdivision (44) as follows (*Effective from passage*):

1480 (NEW) (44) Provide assistance, in such form and subject to such  
1481 conditions as the authority may determine, to a local housing authority  
1482 or project sponsor in connection with a housing revitalization project  
1483 undertaken pursuant to this section.

1484 Sec. 40. Subdivision (55) of section 12-81 of the general statutes is  
1485 repealed and the following is substituted in lieu thereof (*Effective from*  
1486 *passage and applicable to assessment years commencing on or after October 1,*  
1487 *2002*):

1488 (55) [Property] For assessment years commencing prior to October  
1489 1, 2003, and for assessment years commencing on or after October 1,  
1490 2004, property to the amount of one thousand dollars belonging to, or  
1491 held in trust for, any resident of this state who (1) is eligible, in  
1492 accordance with applicable federal regulations, to receive permanent  
1493 total disability benefits under Social Security, (2) has not been engaged  
1494 in employment covered by Social Security and accordingly has not  
1495 qualified for benefits thereunder but who has become qualified for  
1496 permanent total disability benefits under any federal, state or local  
1497 government retirement or disability plan, including the Railroad  
1498 Retirement Act and any government-related teacher's retirement plan,  
1499 determined by the Secretary of the Office of Policy and Management to  
1500 contain requirements in respect to qualification for such permanent  
1501 total disability benefits which are comparable to such requirements  
1502 under Social Security, or (3) has attained age sixty-five or over and  
1503 would be eligible in accordance with applicable federal regulations to  
1504 receive permanent total disability benefits under Social Security or any  
1505 such federal, state or local government retirement or disability plan as  
1506 described in subparagraph (2) of this subdivision, except that such  
1507 resident has attained age sixty-five or over and accordingly is no  
1508 longer eligible to receive benefits under the disability benefit  
1509 provisions of Social Security or such other plan because of payments  
1510 received under retirement provisions thereof; or, lacking said amount  
1511 of property in his own name, so much of the property belonging to, or  
1512 held in trust for, his spouse, who is domiciled with him, as is necessary  
1513 to equal said amount.

1514 Sec. 41. Section 12-94a of the general statutes is repealed and the  
1515 following is substituted in lieu thereof (*Effective from passage and*  
1516 *applicable to assessment years commencing on or after October 1, 2002*):

1517 On or before July first, annually, the tax collector of each  
1518 municipality shall certify to the Secretary of the Office of Policy and  
1519 Management, on a form furnished by said secretary, the amount of tax  
1520 revenue which such municipality, except for the provisions of  
1521 subdivision (55) of section 12-81, as amended by this act, would have  
1522 received, together with such supporting information as said secretary  
1523 may require. Any municipality which neglects to transmit to said  
1524 secretary such claim and supporting documentation as required by  
1525 this section shall forfeit two hundred fifty dollars to the state, provided  
1526 said secretary may waive such forfeiture in accordance with  
1527 procedures and standards adopted by regulation in accordance with  
1528 chapter 54. Said secretary shall review each such claim as provided in  
1529 section 12-120b. Any claimant aggrieved by the results of the  
1530 secretary's review shall have the rights of appeal as set forth in section  
1531 12-120b. The secretary shall, on or before December first, annually,  
1532 certify to the Comptroller the amount due each municipality under the  
1533 provisions of this section, including any modification of such claim  
1534 made prior to December first, and the Comptroller shall draw an order  
1535 on the Treasurer on or before the fifteenth day of December following  
1536 and the Treasurer shall pay the amount thereof to such municipality  
1537 on or before the thirty-first day of December following. If any  
1538 modification is made as the result of the provisions of this section on  
1539 or after the December first following the date on which the tax  
1540 collector has provided the amount of tax revenue in question, any  
1541 adjustments to the amount due to any municipality for the period for  
1542 which such modification was made shall be made in the next payment  
1543 the Treasurer shall make to such municipality pursuant to this section.  
1544 For the purposes of this section, "municipality" means a town, city,  
1545 borough, consolidated town and city or consolidated town and  
1546 borough. The provisions of this section shall not apply to the  
1547 assessment years commencing on October 1, 2002, and October 1, 2003.

1548 Sec. 42. (*Effective from passage and applicable to assessment years*  
1549 *commencing on or after October 1, 2002*) Notwithstanding the provisions  
1550 of section 12-146 of the general statutes, a municipality shall not charge

1551 or collect interest for a period of one year on any property tax or any  
1552 installment or part thereof that is payable by any resident of the state  
1553 who is a member of the armed forces of the United States or of any  
1554 state or of any reserve component thereof who has been called to  
1555 active service in the armed forces of the United States for military  
1556 operations that are authorized by the President of the United States  
1557 that entail military action against Iraq and who is serving in the  
1558 Middle East on the final day that payment of such property tax or  
1559 installment or part thereof is due.

1560       Sec. 43. (*Effective from passage*) The State Treasurer and the Secretary  
1561 of the Office of Policy and Management shall jointly develop a  
1562 financing plan that would result in net proceeds of up to three  
1563 hundred million dollars to be used as general revenues for the state  
1564 during the fiscal year commencing July 1, 2004. Such plan may include,  
1565 but not be limited to, consideration of securitization of future revenue  
1566 sources, including proceeds from the Master Settlement Agreement, as  
1567 defined in subdivision (5) of section 4-28h of the general statutes, the  
1568 issuance of notes, bonds or other instruments of debt in the public  
1569 markets or through private placement of such debt instruments, or the  
1570 purchase of notes, bonds or other instruments of debt by the  
1571 Connecticut Retirement Plans and Trust Funds. Such plan shall be  
1572 completed on or before February 4, 2004.

1573       Sec. 44. Subdivisions (1) and (2) of section 16-245e of the general  
1574 statutes are repealed and the following is substituted in lieu thereof  
1575 (*Effective from passage*):

1576       (1) "Rate reduction bonds" means bonds, notes, certificates of  
1577 participation or beneficial interest, or other evidences of indebtedness  
1578 or ownership, issued pursuant to an executed indenture or other  
1579 agreement of a financing entity, in accordance with this section and  
1580 sections 16-245f to 16-245k, inclusive, as amended by this act, the  
1581 proceeds of which are used, directly or indirectly, to provide, recover,  
1582 finance, or refinance stranded costs or to sustain funding of

1583 conservation and load management and renewable energy investment  
1584 programs by substituting for disbursements to the General Fund from  
1585 the Energy Conservation and Load Management Fund established by  
1586 section 16-245m, as amended by this act, and from the Renewable  
1587 Energy Investment Fund established by section 16-245n, as amended  
1588 by this act, and which, directly or indirectly, are secured by, evidence  
1589 ownership interests in, or are payable from, transition property;

1590 (2) "Competitive transition assessment" means those non-bypassable  
1591 rates and other charges, that are authorized by the department (A) in a  
1592 financing order to sustain funding of conservation and load  
1593 management and renewable energy investment programs by  
1594 substituting disbursements to the General Fund from proceeds of rate  
1595 reduction bonds for such disbursements from the Energy Conservation  
1596 and Load Management Fund established by section 16-245m, as  
1597 amended by this act, and from the Renewable Energy Investment  
1598 Fund established by section 16-245n, as amended by this act, or to  
1599 recover those stranded costs that are eligible to be funded with the  
1600 proceeds of rate reduction bonds pursuant to section 16-245f, as  
1601 amended by this act, and the costs of providing, recovering, financing,  
1602 or refinancing such substitution of disbursements to the General Fund  
1603 or such stranded costs through a plan approved by the department in  
1604 the financing order, including the costs of issuing, servicing, and  
1605 retiring rate reduction bonds, (B) to recover those stranded costs  
1606 determined under this section but not eligible to be funded with the  
1607 proceeds of rate reduction bonds pursuant to section 16-245f, as  
1608 amended by this act, or (C) to recover costs determined under  
1609 subdivision (1) of subsection (e) of section 16-244g. If requested by the  
1610 electric company or electric distribution company, the department  
1611 shall include in the competitive transition assessment non-bypassable  
1612 rates and other charges to recover federal and state taxes whose  
1613 recovery period is modified by the transactions contemplated in this  
1614 section and sections 16-245f to 16-245k, inclusive, as amended by this  
1615 act.

1616 Sec. 45. Subdivision (13) of subsection (a) of section 16-245e of the  
1617 general statutes is repealed and the following is substituted in lieu  
1618 thereof (*Effective from passage*):

1619 (13) "Transition property" means the property right created  
1620 pursuant to this section and sections 16-245f to 16-245k, inclusive, as  
1621 amended by this act, in respect of disbursements to the General Fund  
1622 to sustain funding of conservation and load management and  
1623 renewable energy investment programs or those stranded costs that  
1624 are eligible to be funded with the proceeds of rate reduction bonds  
1625 pursuant to section 16-245f, as amended by this act, including, without  
1626 limitation, the right, title, and interest of an electric company or electric  
1627 distribution company or its transferee (A) in and to the rates and  
1628 charges established pursuant to a financing order, as adjusted from  
1629 time to time in accordance with subdivision (2) of subsection (b) of  
1630 section 16-245i, as amended by this act, and the financing order, (B) to  
1631 be paid the amount that is determined in a financing order to be the  
1632 amount that the electric company or electric distribution company or  
1633 its transferee is lawfully entitled to receive pursuant to the provisions  
1634 of this section and sections 16-245f to 16-245k, inclusive, as amended  
1635 by this act, and the proceeds thereof, and in and to all revenues,  
1636 collections, claims, payments, money, or proceeds of or arising from  
1637 the rates and charges or constituting the competitive transition  
1638 assessment that is the subject of a financing order including those non-  
1639 bypassable rates and other charges referred to in subdivision (2) of this  
1640 subsection, and (C) in and to all rights to obtain adjustments to the  
1641 rates and charges pursuant to the terms of subdivision (2) of  
1642 subsection (b) of section 16-245i, as amended by this act, and the  
1643 financing order. "Transition property" shall constitute a current  
1644 property right notwithstanding the fact that the value of the property  
1645 right will depend on consumers using electricity or, in those instances  
1646 where consumers are customers of a particular electric company or  
1647 electric distribution company, the electric company or electric  
1648 distribution company performing certain services.

1649 Sec. 46. Section 16-245f of the general statutes is repealed and the  
1650 following is substituted in lieu thereof (*Effective from passage*):

1651 An electric company or electric distribution company may submit to  
1652 the department an application for a financing order with respect to any  
1653 proposal to sustain funding of conservation and load management and  
1654 renewable energy investment programs by substituting disbursements  
1655 to the General Fund from proceeds of rate reduction bonds for such  
1656 disbursements from the Energy Conservation and Load Management  
1657 Fund established by section 16-245m, as amended by this act, and from  
1658 the Renewable Energy Investment Fund established by section 16-  
1659 245n, as amended by this act, and with respect to the following  
1660 stranded costs: (1) The cost of mitigation efforts, as calculated pursuant  
1661 to subsection (c) of section 16-245e; (2) generation-related regulatory  
1662 assets, as calculated pursuant to subsection (e) of section 16-245e, as  
1663 amended by this act; and (3) those long-term contract costs that have  
1664 been reduced to a fixed present value through the buyout, buydown,  
1665 or renegotiation of such contracts, as calculated pursuant to subsection  
1666 (f) of section 16-245e. No stranded costs shall be funded with the  
1667 proceeds of rate reduction bonds unless (A) the electric company or  
1668 electric distribution company proves to the satisfaction of the  
1669 department that the savings attributable to such funding will be  
1670 directly passed on to customers through lower rates, and (B) the  
1671 department determines such funding will not result in giving the  
1672 electric distribution company or any generation entities or affiliates an  
1673 unfair competitive advantage. The department shall hold a hearing for  
1674 each such electric distribution company to determine the amount of  
1675 disbursements to the General Fund from proceeds of rate reduction  
1676 bonds that may be substituted for such disbursements from the Energy  
1677 Conservation and Load Management Fund established by section 16-  
1678 245m, as amended by this act, and from the Renewable Energy  
1679 Investment Fund established by section 16-245n, as amended by this  
1680 act, and thereby constitute transition property and the portion of  
1681 stranded costs that may be included in such funding and thereby  
1682 constitute transition property. Any hearing shall be conducted as a

1683 contested case in accordance with chapter 54, except that any hearing  
1684 with respect to a financing order or other order to sustain funding for  
1685 conservation and load management and renewable energy investment  
1686 programs by substituting the disbursement to the General Fund from  
1687 the Energy Conservation and Load Management Fund established by  
1688 section 16-245m, as amended by this act, and from the Renewable  
1689 Energy Investment Fund established by section 16-245n, as amended  
1690 by this act, shall not be a contested case, as defined in section 4-166.  
1691 The department shall not include any rate reduction bonds as debt of  
1692 an electric distribution company in determining the capital structure of  
1693 the company in a rate-making proceeding, for calculating the  
1694 company's return on equity or in any manner that would impact the  
1695 electric distribution company for rate-making purposes, and shall not  
1696 approve such rate reduction bonds that include covenants that have  
1697 provisions prohibiting any change to their appointment of an  
1698 administrator of the Conservation and Load Management Fund or the  
1699 authorization of continuation of disbursements pursuant to section 20  
1700 of public act 03-2. Nothing in this subsection shall be deemed to affect  
1701 the terms of subsection (b) of section 16-245m, as amended by this act.

1702       Sec. 47. Subsections (a) and (b) of section 16-245i of the general  
1703 statutes are repealed and the following is substituted in lieu thereof  
1704 (*Effective from passage*):

1705       (a) The department may issue financing orders in accordance with  
1706 sections 16-245e to 16-245k, inclusive, as amended by this act, to  
1707 sustain funding of conservation and load management and renewable  
1708 energy investment programs by substituting disbursements to the  
1709 General Fund from proceeds of rate reduction bonds for such  
1710 disbursements from the Energy Conservation and Load Management  
1711 Fund established by section 16-245m, as amended by this act, and from  
1712 the Renewable Energy Investment Fund established by section 16-  
1713 245n, as amended by this act, and to facilitate the provision, recovery,  
1714 financing, or refinancing of stranded costs. A financing order may be  
1715 adopted only upon the application of an electric company or electric

1716 distribution company, pursuant to section 16-245f, as amended by this  
1717 act, and shall become effective in accordance with its terms only after  
1718 the electric company or electric distribution company files with the  
1719 department the electric company's or the electric distribution  
1720 company's written consent to all terms and conditions of the financing  
1721 order.

1722 (b) (1) Notwithstanding any general or special law, rule, or  
1723 regulation to the contrary, except as otherwise provided in this  
1724 subsection with respect to transition property that has been made the  
1725 basis for the issuance of rate reduction bonds, the financing orders and  
1726 the competitive transition assessment shall be irrevocable and the  
1727 department shall not have authority either by rescinding, altering, or  
1728 amending the financing order or otherwise, to revalue or revise for  
1729 rate-making purposes the stranded costs, or the costs of providing,  
1730 recovering, financing, or refinancing the stranded costs, or the amount  
1731 of disbursements to the General Fund from proceeds of rate reduction  
1732 bonds substituted for such disbursements from the Energy  
1733 Conservation and Load Management Fund established by section 16-  
1734 245m, as amended by this act, and from the Renewable Energy  
1735 Investment Fund established by section 16-245n, as amended by this  
1736 act, determine that the competitive transition assessment is unjust or  
1737 unreasonable, or in any way reduce or impair the value of transition  
1738 property either directly or indirectly by taking the competitive  
1739 transition assessment into account when setting other rates for the  
1740 electric company or electric distribution company; nor shall the  
1741 amount of revenues arising with respect thereto be subject to  
1742 reduction, impairment, postponement, or termination.

1743 (2) Notwithstanding any other provision of this section, the  
1744 department shall approve the adjustments to the competitive transition  
1745 assessment as may be necessary to ensure timely recovery of all  
1746 stranded costs that are the subject of the pertinent financing order, and  
1747 the costs of capital associated with the provision, recovery, financing,  
1748 or refinancing thereof, including the costs of issuing, servicing, and

1749 retiring the rate reduction bonds issued to recover stranded costs  
1750 contemplated by the financing order and to ensure timely recovery of  
1751 the costs of issuing, servicing, and retiring the rate reduction bonds  
1752 issued to sustain funding of conservation and load management and  
1753 renewable energy investment programs contemplated by the financing  
1754 order.

1755 (3) Notwithstanding any general or special law, rule, or regulation  
1756 to the contrary, any requirement under sections 16-245e to 16-245k,  
1757 inclusive, as amended by this act, or a financing order that the  
1758 department take action with respect to the subject matter of a financing  
1759 order shall be binding upon the department, as it may be constituted  
1760 from time to time, and any successor agency exercising functions  
1761 similar to the department and the department shall have no authority  
1762 to rescind, alter, or amend that requirement in a financing order.  
1763 Section 16-43 shall not apply to any sale, assignment, or other transfer  
1764 of or grant of a security interest in any transition property or the  
1765 issuance of rate reduction bonds under sections 16-245e to 16-245k,  
1766 inclusive, as amended by this act.

1767 Sec. 48. Subdivision (4) of subsection (c) of section 16-245j of the  
1768 general statutes is repealed and the following is substituted in lieu  
1769 thereof (*Effective from passage*):

1770 (4) The proceeds of any rate reduction bonds shall be used for the  
1771 purposes approved by the department in the financing order,  
1772 including, but not limited to, disbursements to the General Fund in  
1773 substitution for such disbursements from the Energy Conservation and  
1774 Load Management Fund established by section 16-245m, as amended  
1775 by this act, and from the Renewable Energy Investment Fund  
1776 established by section 16-245n, as amended by this act, the costs of  
1777 refinancing or retiring of debt of the electric company or electric  
1778 distribution company, and associated federal and state tax liabilities;  
1779 provided such proceeds shall not be applied to purchase generation  
1780 assets or to purchase or redeem stock or to pay dividends to

1781 shareholders or operating expenses other than taxes resulting from the  
1782 receipt of such proceeds.

1783 Sec. 49. Subsection (a) of section 16-245m of the general statutes is  
1784 repealed and the following is substituted in lieu thereof (*Effective from*  
1785 *passage*):

1786 (a) On and after January 1, 2000, the Department of Public Utility  
1787 Control shall assess or cause to be assessed a charge of three mills per  
1788 kilowatt hour of electricity sold to each end use customer of an electric  
1789 distribution company to be used to implement the program as  
1790 provided in this section for conservation and load management  
1791 programs but not for the amortization of costs incurred prior to July 1,  
1792 1997, for such conservation and load management programs.  
1793 Notwithstanding the provisions of this section, receipts from such  
1794 charge shall be disbursed to the resources of the General Fund during  
1795 the period from July 1, 2003, to June 30, 2005, unless the department  
1796 shall, on or before October 30, 2003, issue a financing order for each  
1797 affected distribution company in accordance with sections 16-245e to  
1798 16-245k, inclusive, as amended by this act, to sustain funding of  
1799 conservation and load management programs by substituting an  
1800 equivalent amount, as determined by the department in such financing  
1801 order, of proceeds of rate reduction bonds for disbursement to the  
1802 resources of the General Fund during the period from July 1, 2003, to  
1803 June 30, 2005. The department may authorize in such financing order  
1804 the issuance of rate reduction bonds that substitute for disbursement to  
1805 the General Fund for receipts of both the charge under this subsection  
1806 and under subsection (b) of section 16-245n, as amended by this act,  
1807 and also may, in its discretion, authorize the issuance of rate reduction  
1808 bonds under this subsection and subsection (b) of section 16-245n, as  
1809 amended by this act, that relate to more than one electric distribution  
1810 company. The department shall, in such financing order or other  
1811 appropriate order, offset any increase in the competitive transition  
1812 assessment necessary to pay principal, premium, if any, interest and  
1813 expenses of the issuance of such rate reduction bonds by making an

1814 equivalent reduction to the charge imposed under this subsection,  
1815 provided any failure to offset all or any portion of such increase in the  
1816 competitive transition assessment shall not affect the need to  
1817 implement the full amount of such increase as required by this  
1818 subsection and by sections 16-245e to 16-245k, as amended by this act.  
1819 Such financing order shall also provide if the rate reduction bonds are  
1820 not issued, any unrecovered funds expended and committed by the  
1821 electric distribution companies for conservation and load management  
1822 programs, provided such expenditures were approved by the  
1823 department after the effective date of this section and prior to the date  
1824 of determination that the rate reduction bonds cannot be issued, shall  
1825 be recovered by the companies from their respective competitive  
1826 transition assessment or systems benefits charge but such expenditures  
1827 shall not exceed four million dollars per month. All receipts from the  
1828 remaining charge imposed under this subsection, after reduction of  
1829 such charge to offset the increase in the competitive transition  
1830 assessment as provided in this subsection, shall be disbursed to the  
1831 Energy Conservation and Load Management Fund commencing as of  
1832 July 1, 2003. Any increase in the competitive transition assessment or  
1833 decrease in the conservation and load management component of an  
1834 electric distribution company's rates resulting from the issuance of or  
1835 obligations under rate reduction bonds shall be included as rate  
1836 adjustments on customer bills.

1837       Sec. 50. Subsection (b) of section 16-245n of the general statutes is  
1838 repealed and the following is substituted in lieu thereof (*Effective from*  
1839 *passage*):

1840       (b) On and after January 1, 2000, the Department of Public Utility  
1841 Control shall assess or cause to be assessed a charge of not less than  
1842 one-half of one mill per kilowatt hour charged to each end use  
1843 customer of electric services in this state which shall be deposited into  
1844 the Renewable Energy Investment Fund established under subsection  
1845 [(b)] (c) of this section. On and after July 1, 2002, such charge shall be  
1846 three-quarters of one mill and on and after July 1, 2004, such charge

1847 shall be one mill. Notwithstanding the provisions of this section,  
1848 receipts from such charges shall be disbursed to the resources of the  
1849 General Fund during the period from July 1, 2003, to June 30, 2005,  
1850 unless the department shall, on or before October 30, 2003, issue a  
1851 financing order for each affected distribution company in accordance  
1852 with sections 16-245e to 16-245k, inclusive, as amended by this act, to  
1853 sustain funding of renewable energy investment programs by  
1854 substituting an equivalent amount, as determined by the department  
1855 in such financing order, of proceeds of rate reduction bonds for  
1856 disbursement to the resources of the General Fund during the period  
1857 from July 1, 2003, to June 30, 2005. The department may authorize in  
1858 such financing order the issuance of rate reduction bonds that  
1859 substitute for disbursement to the General Fund for receipts of both  
1860 charges under this subsection and subsection (a) of section 16-245m, as  
1861 amended by this act, and also may in its discretion authorize the  
1862 issuance of rate reduction bonds under this subsection and subsection  
1863 (a) of section 16-245m that relate to more than one electric distribution  
1864 company. The department shall, in such financing order or other  
1865 appropriate order, offset any increase in the competitive transition  
1866 assessment necessary to pay principal, premium, if any, interest and  
1867 expenses of the issuance of such rate reduction bonds by making an  
1868 equivalent reduction to the charges imposed under this subsection,  
1869 provided any failure to offset all or any portion of such increase in the  
1870 competitive transition assessment shall not affect the need to  
1871 implement the full amount of such increase as required by this  
1872 subsection and sections 16-245e to 16-245k, inclusive, as amended by  
1873 this act. Such financing order shall also provide if the rate reduction  
1874 bonds are not issued, any unrecovered funds expended and committed  
1875 by the electric distribution companies for renewable resource  
1876 investment through deposits into the Renewable Energy Investment  
1877 Fund, provided such expenditures were approved by the department  
1878 following the effective date of this section and prior to the date of  
1879 determination that the rate reduction bonds cannot be issued, shall be  
1880 recovered by the companies from their respective competitive

1881 transition assessment or systems benefits charge except that such  
1882 expenditures shall not exceed one million dollars per month. All  
1883 receipts from the remaining charges imposed under this subsection,  
1884 after reduction of such charges to offset the increase in the competitive  
1885 transition assessment as provided in this subsection, shall be disbursed  
1886 to the Renewable Energy Investment Fund commencing as of July 1,  
1887 2003. Any increase in the competitive transition assessment or decrease  
1888 in the renewable energy investment component of an electric  
1889 distribution company's rates resulting from the issuance of or  
1890 obligations under rate reduction bonds shall be included as rate  
1891 adjustments on customer bills.

1892 Sec. 51. (NEW) (*Effective from passage*) (a) As used in this section:

1893 (1) "Commissioner" means the Commissioner of Economic and  
1894 Community Development;

1895 (2) "Connecticut Housing Finance Authority" means the authority  
1896 created and operating pursuant to the provisions of chapter 134 of the  
1897 general statutes;

1898 (3) "Financially distressed development" means a housing  
1899 development owned by a housing authority and subject to an asset  
1900 transferred from the Department of Economic and Community  
1901 Development to the Connecticut Housing Finance Authority pursuant  
1902 to subsection (a) of this section; and

1903 (4) "Housing authority" means a local housing authority owning a  
1904 financially distressed development.

1905 (b) Notwithstanding any provision of the general statutes, a housing  
1906 authority may, with the approval of the Commissioner of Economic  
1907 and Community Development, quit claim or otherwise transfer its  
1908 interest in a financially distressed development to the Connecticut  
1909 Housing Finance Authority. The commissioner may grant such  
1910 approval upon an express finding that: (1) The housing authority is

1911 financially unable to maintain the development; (2) there is no  
1912 reasonable prospect that the housing authority will be able to maintain  
1913 the property in the future; (3) the housing authority has requested to  
1914 transfer the development; and (4) the Connecticut Housing Finance  
1915 Authority is prepared to accept the transfer.

1916 Sec. 52. Subdivision (4) of subsection (a) of section 8-37pp of the  
1917 general statutes is repealed and the following is substituted in lieu  
1918 thereof (*Effective October 1, 2003*):

1919 (4) "Eligible applicant" means: (A) A nonprofit entity; (B) a  
1920 municipality; (C) a housing authority; (D) a business corporation  
1921 incorporated pursuant to chapter 601 or any predecessor statutes  
1922 thereto or authorized to do business pursuant to said chapter 601  
1923 having as one of its purposes the construction, financing, acquisition,  
1924 rehabilitation or operation of affordable housing, and having a  
1925 certificate or articles of incorporation approved by the commissioner;  
1926 (E) any partnership, limited partnership, limited liability company,  
1927 joint venture, sole proprietorship, trust or association having as one of  
1928 its purposes the construction, financing, acquisition, rehabilitation or  
1929 operation of affordable housing, and having basic documents of  
1930 organization approved by the commissioner; or (F) any combination  
1931 thereof.

1932 Sec. 53. Subparagraph (A) of subdivision (72) of section 12-81 of the  
1933 general statutes is repealed and the following is substituted in lieu  
1934 thereof (*Effective from passage and applicable to assessment years*  
1935 *commencing on or after October 1, 2002*):

1936 (72) (A) [New] Effective for assessment years commencing on or  
1937 after October 1, 2002, new machinery and equipment, as defined  
1938 [herein] in this subdivision, acquired after October 1, 1990, and newly-  
1939 acquired machinery and equipment, as defined [herein] in this  
1940 subdivision, acquired on or after July 1, 1992, by the person claiming  
1941 exemption under this subdivision, provided this exemption shall only  
1942 be applicable in the five full assessment years following the assessment

1943 year in which such machinery or equipment is acquired, subject to the  
1944 provisions of subparagraph (B) of this subdivision. Machinery and  
1945 equipment acquired on or after July 1, 1996, and used in connection  
1946 with biotechnology shall qualify for the exemption under this  
1947 subsection. For the purposes of this subdivision: (i) "Machinery" and  
1948 "equipment" mean tangible personal property which is installed in a  
1949 manufacturing facility, either five-year property or seven-year  
1950 property, as those terms are defined in Section 168(e) of the Internal  
1951 Revenue Code of 1986, or any subsequent corresponding internal  
1952 revenue code of the United States, as from time to time amended, and  
1953 the predominant use of which is for manufacturing [, processing] or  
1954 fabricating; for research and development, including experimental or  
1955 laboratory research and development, design or engineering directly  
1956 related to manufacturing; for the significant servicing, overhauling or  
1957 rebuilding of machinery and equipment for industrial use or the  
1958 significant overhauling or rebuilding of other products on a factory  
1959 basis; for measuring or testing or for metal finishing; or used in the  
1960 production of motion pictures, video and sound recordings.  
1961 "Machinery" means the basic machine itself, including all of its  
1962 component parts and contrivances such as belts, pulleys, shafts,  
1963 moving parts, operating structures and all equipment or devices used  
1964 or required to control, regulate or operate the machinery, including,  
1965 without limitation, computers and data processing equipment,  
1966 together with all replacement and repair parts therefor, whether  
1967 purchased separately or in conjunction with a complete machine, and  
1968 regardless of whether the machine or component parts thereof are  
1969 assembled by the taxpayer or another party. "Equipment" means any  
1970 device separate from machinery but essential to a manufacturing [,  
1971 processing] or fabricating process. (ii) "Manufacturing facility" means  
1972 that portion of a plant, building or other real property improvement  
1973 used for manufacturing [, processing] or fabricating, for research and  
1974 development, including experimental or laboratory research and  
1975 development, design or engineering directly related to manufacturing,  
1976 for the significant servicing, overhauling or rebuilding of machinery

1977 and equipment for industrial use or the significant overhauling or  
1978 rebuilding of other products on a factory basis, for measuring or  
1979 testing or for metal finishing. (iii) "Manufacturing" means the activity  
1980 of converting or conditioning tangible personal property by changing  
1981 the form, composition, quality or character of the property for ultimate  
1982 sale at retail or use in the manufacturing of a product to be ultimately  
1983 sold at retail. Changing the quality of property shall include any  
1984 substantial overhaul of the property that results in a significantly  
1985 greater service life than such property would have had in the absence  
1986 of such overhaul or with significantly greater functionality within the  
1987 original service life of the property, beyond merely restoring the  
1988 original functionality for the balance of the original service life. (iv)  
1989 "Fabricating" means to make, build, create, produce or assemble  
1990 components or tangible personal property work in a new or different  
1991 manner, but does not include the presorting, sorting, coding, folding,  
1992 printing, stuffing or delivery of direct or indirect mail distribution  
1993 services. (v) ["Processing" means the physical application of the  
1994 materials and labor necessary to modify or change the characteristics  
1995 of tangible personal property. (vi)] "Measuring or testing" includes  
1996 both nondestructive and destructive measuring or testing, and the  
1997 alignment and calibration of machinery, equipment and tools, in the  
1998 furtherance of the manufacturing [, processing] or fabricating of  
1999 tangible personal property. [(vii)] (vi) "Biotechnology" means the  
2000 application of technologies, including recombinant DNA techniques,  
2001 biochemistry, molecular and cellular biology, genetics and genetic  
2002 engineering, biological cell fusion techniques, and new bioprocesses,  
2003 using living organisms, or parts of organisms, to produce or modify  
2004 products, to improve plants or animals, to develop microorganisms for  
2005 specific uses, to identify targets for small molecule pharmaceutical  
2006 development, or to transform biological systems into useful processes  
2007 and products. [or to develop microorganisms for specific uses;]

2008 Sec. 54. Subdivision (5) of section 12-412 of the general statutes is  
2009 repealed and the following is substituted in lieu thereof (*Effective from*  
2010 *passage and applicable to sales occurring on or after July 1, 2005*):

2011 (5) Sales of tangible personal property or services to and by  
2012 nonprofit charitable hospitals in this state, nonprofit nursing homes,  
2013 nonprofit rest homes and nonprofit residential care homes licensed by  
2014 the state pursuant to chapter 368v for the exclusive purposes of such  
2015 institutions except any such service transaction as described in  
2016 subparagraph (EE) of subdivision (37) of subsection (a) of section 12-  
2017 407 and sales of medical equipment and supplies for patient care to  
2018 and by acute care, for-profit hospitals for the exclusive purposes of  
2019 such institutions, except any such service transaction as described in  
2020 subparagraph (EE) of subdivision (37) of subsection (a) of section 12-  
2021 407.

2022 Sec. 55. (NEW) (*Effective from passage*) The Commissioner of Social  
2023 Services may make disproportionate share payments to a short-term  
2024 general hospital that changes ownership in the middle of a hospital  
2025 fiscal year for the hospital fiscal year in which such change of  
2026 ownership occurs notwithstanding the provisions of sections 19a-670  
2027 to 19a-672, inclusive, of the general statutes.

2028 Sec. 56. Subsection (a) of section 2-79a of the general statutes is  
2029 repealed and the following is substituted in lieu thereof (*Effective from*  
2030 *passage*):

2031 (a) There shall be a Connecticut Advisory Commission on  
2032 Intergovernmental Relations. The purpose of the commission shall be  
2033 to enhance coordination and cooperation between the state and local  
2034 governments. The commission shall consist of the president pro  
2035 tempore of the Senate, the speaker of the House of Representatives, the  
2036 minority leader of the Senate, the minority leader of the House of  
2037 Representatives, the Secretary of the Office of Policy and Management,  
2038 the Commissioners of Education, Environmental Protection, Economic  
2039 and Community Development, or their designees, and sixteen  
2040 additional members as follows: (1) Six municipal officials appointed by  
2041 the Governor, four of whom shall be selected from a list of nominees  
2042 submitted to him by the Connecticut Conference of Municipalities and

2043 two of whom shall be selected from a list submitted by the Council of  
2044 Small Towns. Two of such six officials shall be from towns having  
2045 populations of twenty thousand or less persons, two shall be from  
2046 towns having populations of more than twenty thousand but less than  
2047 sixty thousand persons and two shall be from towns having  
2048 populations of sixty thousand or more persons; (2) two local public  
2049 education officials appointed by the Governor, one of whom shall be  
2050 selected from a list of nominees submitted to him by the Connecticut  
2051 Association of Boards of Education and one of whom shall be selected  
2052 from a list submitted by the Connecticut Association of School  
2053 Administrators; (3) one representative of a regional council of  
2054 governments or a regional planning agency appointed by the  
2055 Governor from a list of nominees submitted to him by the Regional  
2056 Planning Association of Connecticut; (4) five persons who do not hold  
2057 elected or appointed office in state or local government, one of whom  
2058 shall be appointed by the Governor, one of whom shall be appointed  
2059 by the president pro tempore of the Senate, one of whom shall be  
2060 appointed by the speaker of the House of Representatives, one of  
2061 whom shall be appointed by the minority leader of the Senate and one  
2062 of whom shall be appointed by the minority leader of the House of  
2063 Representatives; (5) one representative of the Connecticut Conference  
2064 of Municipalities appointed by said conference; and (6) one  
2065 representative of the Council of Small Towns appointed by said  
2066 council. Each member of the commission appointed pursuant to  
2067 subdivisions (1) to (6), inclusive, shall serve for a term of two years. All  
2068 other members shall serve for terms which are coterminous with their  
2069 terms of office. The Governor shall appoint a chairperson and a vice-  
2070 chairperson from among the commission members. Members of the  
2071 General Assembly may serve as gubernatorial appointees to the  
2072 commission. Members of the commission shall not be compensated for  
2073 their services but shall be reimbursed for necessary expenses incurred  
2074 in the performance of their duties.

2075       Sec. 57. (*Effective from passage*) Notwithstanding the failure of the  
2076 Bristol Historical Society to file a quadrennial statement claiming

2077 exemption from property tax under the provisions of subdivision (7) of  
2078 section 12-81 of the general statutes with the board of assessors of the city  
2079 of Bristol within the time prescribed by law as required by said  
2080 subdivision (7) or to file such statement within any extension of time  
2081 allowed pursuant to section 12-87a of the general statutes, the time  
2082 within which the Bristol Historical Society may file such statement is  
2083 extended to not more than thirty days after the effective date of this  
2084 section, provided said historical society shall pay the late filing fee  
2085 specified in said section 12-87a.

2086 Sec. 58. Section 12-146 of the general statutes is repealed and the  
2087 following is substituted in lieu thereof (*Effective from passage*):

2088 Unless the context otherwise requires, wherever used in this section,  
2089 "tax" includes each property tax and each installment and part thereof  
2090 due to a municipality as it may have been increased by interest, fees  
2091 and charges. If any tax due in a single installment or if any installment  
2092 of any tax due in two or more installments is not paid in full (1) on or  
2093 before the first day of the month next succeeding the month in which it  
2094 became due and payable, or if not due and payable on the first day of  
2095 the month, (2) on or before the same date of the next succeeding month  
2096 corresponding to that of the month on which it became due and  
2097 payable, the whole or such part of such installment as is unpaid shall  
2098 thereupon be delinquent and shall be subject to interest from the due  
2099 date of such delinquent installment. Except for unpaid real estate taxes  
2100 the collection of which was, or is, deferred under the provisions of  
2101 section 12-174, and any predecessor and successor thereto, which  
2102 unpaid real estate taxes continue to be subject to the provisions of such  
2103 deferred collection statutes, the delinquent portion of the principal of  
2104 any tax shall be subject to interest at the rate of eighteen per cent per  
2105 annum from the time when it became due and payable until the same  
2106 is paid, subject to a minimum interest charge of two dollars which any  
2107 municipality, by vote of its legislative body, may elect not to impose,  
2108 and provided, in any computation of such interest, under any  
2109 provision of this section, each fractional part of a month in which any

2110 portion of the principal of such tax remains unpaid shall be considered  
2111 to be equivalent to a whole month. Each addition of interest shall  
2112 become, and shall be collectible as, a part of such tax. Interest shall  
2113 accrue at said rate until payment of such taxes due notwithstanding  
2114 the entry of any judgment in favor of the municipality against the  
2115 taxpayer or the property of the taxpayer. Except as hereinafter  
2116 specified for taxes representing two or more items of property, the  
2117 collector shall not receive any partial payment of a delinquent tax  
2118 which is less than the total accrued interest on the principal of such tax  
2119 up to the date of payment and shall apply each partial payment to the  
2120 wiping out of such interest before making any application thereof to  
2121 the reduction of such principal; provided, whenever the first partial  
2122 payment is made after delinquency, interest from the due date of such  
2123 delinquent tax to the date of such partial payment shall be figured on  
2124 the whole or such part of the principal of such tax as is unpaid at the  
2125 beginning of delinquency and provided, whenever a subsequent  
2126 partial payment of such tax is made, interest shall be figured from the  
2127 date of payment of the last-preceding, to the date of payment of such  
2128 subsequent, partial payment on the whole or such balance of the  
2129 principal of such tax as remains unpaid on the date of the last-  
2130 preceding partial payment. If any tax, at the time of assessment or  
2131 because of a subsequent division, represents two or more items of  
2132 property, the collector may receive payment in full of such part of the  
2133 principal and interest of such tax as represents one or more of such  
2134 items, even though interest in full on the entire amount of the principal  
2135 of such tax has not been received up to the date of such payment; in  
2136 which event, interest on the remaining portion of the principal of any  
2137 such tax shall be computed, as the case may be, from the due date of  
2138 such tax if no other payment after delinquency has been made or from  
2139 the last date of payment of interest in full on the whole amount or  
2140 unpaid balance of the principal of such delinquent tax if previous  
2141 payment of interest has been made. Each collector shall keep a separate  
2142 account of such interest and the time when the same has been received  
2143 and shall pay over the same to the treasurer of the municipality of the

2144 collector as a part of such tax. No tax or installment thereof shall be  
2145 construed to be delinquent under the provisions of this section if the  
2146 envelope containing the amount due as such tax or installment, as  
2147 received by the tax collector of the municipality to which such tax is  
2148 payable, bears a postmark showing a date within the time allowed by  
2149 statute for the payment of such tax or installment. Any municipality  
2150 may, by vote of its legislative body, require that (A) any delinquent  
2151 property taxes applicable with respect to a motor vehicle shall be paid  
2152 only in cash or by certified check or money order, and (B) any person  
2153 who was delinquent in the payment of any property tax or installment  
2154 on any motor vehicle and who the municipality notified the  
2155 Commissioner of Motor Vehicles of such delinquency under the  
2156 provisions of section 14-33, as amended, shall pay a fee of five dollars.  
2157 Any municipality adopting such requirement may provide that such  
2158 requirement shall only be applicable to delinquency exceeding a  
2159 certain period in duration as determined by such municipality. Any  
2160 municipality shall waive all or a portion of the interest due and  
2161 payable under this section on a delinquent tax with respect to a  
2162 taxpayer who has received compensation under chapter 968 as a crime  
2163 victim.

2164 Sec. 59. Subsection (c) of section 12-81g of the general statutes is  
2165 repealed and the following is substituted in lieu thereof (*Effective from*  
2166 *passage and applicable to assessment years commencing on or after October 1,*  
2167 *2002*):

2168 (c) The state shall reimburse each town, city, borough, consolidated  
2169 town and city and consolidated town and borough by the last day of  
2170 each calendar year in which exemptions were granted to the extent of  
2171 the revenue loss represented by the additional exemptions provided  
2172 for in [subsections (a) and (b)] subsection (a) of this section. The  
2173 Secretary of the Office of Policy and Management shall review each  
2174 claim for such revenue loss as provided in section 12-120b. Any  
2175 claimant aggrieved by the results of the secretary's review shall have  
2176 the rights of appeal as set forth in section 12-120b. In the fiscal year

2177 commencing July 1, 2003, and in each fiscal year thereafter, the amount  
2178 payable to each municipality in accordance with this section shall be  
2179 reduced proportionately in the event that the total amount payable to  
2180 all municipalities exceeds the amount appropriated.

2181 Sec. 60. Subsection (c) of section 32-602 of the general statutes is  
2182 repealed and the following is substituted in lieu thereof (*Effective from*  
2183 *passage*):

2184 (c) In addition to the powers enumerated in subsection (b) of this  
2185 section, with respect to the convention center project and the  
2186 convention center facilities the authority shall have the following  
2187 powers: (1) To acquire, by gift, purchase, condemnation, lease or  
2188 transfer, lands or rights-in-land in connection with the convention  
2189 center facilities, [or] the convention center hotel, the other on-site  
2190 related private development or related infrastructure improvements  
2191 and to sell and lease or sublease, as lessor or lessee or sublessor or  
2192 sublessee, any portion of its real property rights, including air space  
2193 above or areas below the convention center facilities, and enter into  
2194 related common area maintenance, easement, access, support and  
2195 similar agreements or the convention center hotel, and own and  
2196 operate the convention center facilities, provided that such activity is  
2197 consistent with all applicable federal tax covenants of the authority,  
2198 transfer or dispose of any property or interest therein acquired by it, at  
2199 any time and to receive and accept aid or contributions, from any  
2200 source, of money, labor, property or other things of value, to be held,  
2201 used and applied to carry out the purposes of this section, subject to  
2202 the conditions upon which such grants and contributions are made,  
2203 including, but not limited to, gifts or grants from any department,  
2204 agency or instrumentality of the United States or this state for any  
2205 purpose consistent with this section; (2) to condemn properties which  
2206 may be necessary or desirable to effectuate the purposes of the  
2207 authority with respect to the convention center project and the  
2208 convention center hotel to be exercised in accordance with the  
2209 provisions of chapter 835; (3) to formulate plans for, acquire, finance

2210 and develop, lease, purchase, construct, reconstruct, repair, improve,  
2211 expand, extend, operate, maintain and market the convention center  
2212 facilities, provided such activities are consistent with all applicable  
2213 federal tax covenants of the authority and provided further that the  
2214 authority shall retain control over naming rights with respect to the  
2215 convention center, that any sale of such naming rights shall require the  
2216 approval of the secretary and that the proceeds of any such sale of  
2217 naming rights, to the extent not required for start-up or current  
2218 operating expenses of the convention center, shall be used by the  
2219 authority exclusively for the purpose of operating or capital  
2220 replacement reserves for the convention center; (4) to contract and be  
2221 contracted with provided, if management, operating or promotional  
2222 contracts or agreements or other contracts or agreements are entered  
2223 into with nongovernmental parties with respect to property financed  
2224 with the proceeds of obligations the interest on which is excluded from  
2225 gross income for federal income taxation, the board of directors shall  
2226 ensure that such contracts or agreements are in compliance with the  
2227 covenants of the authority upon which such tax exclusion is  
2228 conditioned; (5) to enter into arrangements or contracts to either  
2229 purchase or lease, on a fully completed turn key basis, the convention  
2230 center, and arrangements with the secretary regarding the  
2231 development, ownership and operation by the authority of the related  
2232 parking facilities, and to enter into a contract or contracts with an  
2233 entity, or entities, for operation and management thereof and, for  
2234 purposes of section 31-57f relating to standard wage rates for certain  
2235 service workers, any such contract for operation and management of  
2236 the convention center shall be deemed to be a contract with the state;  
2237 (6) to fix and revise, from time to time, and to charge and collect fees,  
2238 rents and other charges for the use, occupancy or operation of such  
2239 projects, and to establish and revise from time to time, procedures in  
2240 respect of the use, operation and occupancy of the convention center  
2241 facilities, including parking rates, rules and procedures, provided such  
2242 arrangements are consistent with all applicable federal tax covenants  
2243 of the authority, and to utilize net revenues received by the authority

2244 from the operation of the convention center facilities, after allowance  
2245 for operating expenses and other charges related to the ownership,  
2246 operation or financing thereof, for other proper purposes of the  
2247 authority, including, but not limited to, funding of operating  
2248 deficiencies or operating or capital replacement reserves for either the  
2249 convention center or the related parking facilities as determined to be  
2250 appropriate by the authority; (7) to engage architects, engineers,  
2251 attorneys, accountants, consultants and such other independent  
2252 professionals as may be necessary or desirable to carry out its  
2253 purposes; to contract for construction, development, concessions and  
2254 the procurement of goods and services and to establish and modify  
2255 procurement procedures from time to time to implement the foregoing  
2256 in accordance with the provisions of section 32-603; (8) to adopt  
2257 procedures (A) which shall require that contractors or subcontractors  
2258 engaged in the convention center project and the construction of the  
2259 convention center hotel take affirmative action to provide equal  
2260 opportunity for employment without discrimination as to race, creed,  
2261 color, national origin or ancestry or gender, (B) to ensure that the  
2262 wages paid on an hourly basis to any mechanic, laborer or workman  
2263 employed by such contractor or subcontractor with respect to the  
2264 convention center project or the construction of the convention center  
2265 hotel shall be at a rate customary or prevailing for the same work in  
2266 the same trade or occupation in the town and city of Hartford, unless  
2267 otherwise established pursuant to a project labor agreement, and (C)  
2268 which shall require the prime construction contractors for the  
2269 convention center project and for the convention center hotel, and the  
2270 principal facility managers of the convention center facilities and the  
2271 convention center hotel to make reasonable efforts to hire or cause to  
2272 be hired available and qualified residents of the city of Hartford and  
2273 available and qualified members of minorities, as defined in section 32-  
2274 9n, for construction and operation jobs at the convention center  
2275 facilities and the convention center hotel at all levels of construction  
2276 and operation; (9) to enter into a development agreement with the  
2277 developer of the convention center hotel, which agreement shall

2278 prohibit any voluntary sale, transfer or other assignment of the  
2279 interests of such developer, or any affiliate thereof, in the convention  
2280 center hotel, including the rights under any ground lease, air rights or  
2281 similar agreement with the state or the authority, for a minimum  
2282 period of five years from the completion thereof except with the prior  
2283 written consent of the authority given or withheld in its sole discretion,  
2284 and thereafter except to a party which, in the reasonable judgment of  
2285 the authority, is financially responsible and experienced in the  
2286 ownership and operation of first class hotel properties in similar  
2287 locations; (10) to borrow money and to issue bonds, notes and other  
2288 obligations of the authority to the extent permitted under section 32-  
2289 607, to fund and refund the same and to provide for the rights of the  
2290 holders thereof and to secure the same by pledge of assets, revenues,  
2291 notes and state contract assistance as provided in section 32-608; (11) to  
2292 do anything necessary and desirable, including executing  
2293 reimbursement agreements or similar agreements in connection with  
2294 credit facilities, including, but not limited to, letters of credit or policies  
2295 of bond insurance, remarketing agreements and agreements for the  
2296 purpose of moderating interest rate fluctuations, to render any bonds  
2297 to be issued pursuant to section 32-607 more marketable; and (12) to  
2298 engage in and contract for marketing and promotional activities to  
2299 attract national, regional and local conventions, sports events, trade  
2300 shows, exhibitions, banquets and other events to maximize the use of  
2301 the convention center facilities.

2302 Sec. 61. Subdivision (5) of subsection (a) of section 32-655 of the  
2303 general statutes is repealed and the following is substituted in lieu  
2304 thereof (*Effective from passage*):

2305 (5) Plan, design, develop, construct, finish, furnish, equip, replace,  
2306 alter, restore, reconstruct, improve or enlarge and enhance the overall  
2307 project and engage in other activities incidental thereto, including the  
2308 coordination of public and private parking facilities, and, subject to  
2309 section 32-656, enter into such construction, development, project  
2310 management, construction management, design-build or other types of

2311 contracts or arrangements with respect to the overall project and,  
2312 subject to the proper allocation of costs, all or any portion of the on-site  
2313 related private development including provisions with respect to  
2314 incentive fees for timely completion of improvements at or under  
2315 budget and such requirements with respect to GMP, adherence to the  
2316 project schedule, assumption of force majeure and completion risk,  
2317 surety and performance bonding, insurance, letters of credit and  
2318 financial guarantees and other assurances of performance and  
2319 completion as the secretary determines to be appropriate in order to  
2320 assure adherence to the project budget or may otherwise deem  
2321 prudent, expedient and in the best interests of the state, provided that  
2322 the development or project management agreement with the project  
2323 manager shall require that construction contracts for all major  
2324 elements of the overall project for which the project manager is  
2325 responsible be awarded on a GMP basis at prices consistent with the  
2326 project budget unless the Secretary determines that a waiver of the  
2327 GMP requirement is in the best interest of the state.

2328 Sec. 62. Section 32-666 of the general statutes is repealed and the  
2329 following is substituted in lieu thereof (*Effective from passage*):

2330 Any land on the Adriaen's Landing site leased by the secretary for  
2331 purposes of site acquisition [from the party owning such land on May  
2332 2, 2000,] for an initial term of at least ninety-nine years shall, while  
2333 such lease remains in effect, be deemed to be state-owned real  
2334 property for purposes of sections 12-19a and 12-19b and subdivision  
2335 (2) of section 12-81 and the state shall make grants in lieu of taxes with  
2336 respect to such land to the municipality in which the same is located as  
2337 otherwise provided in sections 12-19a and 12-19b.

2338 Sec. 63. Subsection (i) of section 5-259 of the general statutes, as  
2339 amended by public act 03-149, is repealed and the following is  
2340 substituted in lieu thereof (*Effective from passage*):

2341 (i) The Comptroller may provide for coverage of employees of  
2342 municipalities, nonprofit corporations, community action agencies and

2343 small employers and individuals eligible for a health coverage tax  
2344 credit under the plan or plans procured under subsection (a) of this  
2345 section, provided: (1) Participation by each municipality, nonprofit  
2346 corporation, community action agency or small employer or eligible  
2347 individual shall be on a voluntary basis; (2) where an employee  
2348 organization represents employees of a municipality, nonprofit  
2349 corporation, community action agency or small employer,  
2350 participation in a plan or plans to be procured under subsection (a) of  
2351 this section shall be by mutual agreement of the municipality,  
2352 nonprofit corporation, community action agency or small employer  
2353 and the employee organization only and neither party may submit the  
2354 issue of participation to binding arbitration except by mutual  
2355 agreement if such binding arbitration is available; (3) no group of  
2356 employees shall be refused entry into the plan by reason of past or  
2357 future health care costs or claim experience; (4) rates paid by the state  
2358 for its employees under subsection (a) of this section are not adversely  
2359 affected by this subsection; (5) administrative costs to the plan or plans  
2360 provided under this subsection shall not be paid by the state; and (6)  
2361 participation in the plan or plans in an amount determined by the state  
2362 shall be for the duration of the period of the plan or plans, or for such  
2363 other period as mutually agreed by the municipality, nonprofit  
2364 corporation, community action agency or small employer and the  
2365 Comptroller. The Comptroller may arrange and procure for the  
2366 employees and eligible individuals under this subsection health benefit  
2367 plans that vary from the plan or plans procured under subsection (a) of  
2368 this section. Notwithstanding any provision of law the coverage  
2369 provided under this subsection may be offered to employees on either  
2370 a fully underwritten or risk-pooled basis at the discretion of the  
2371 Comptroller, except that coverage offered to small employers shall be  
2372 fully underwritten in accordance with part V of chapter 700c. For the  
2373 purposes of this subsection, (A) "municipality" means any town, city,  
2374 borough, school district, taxing district, fire district, district department  
2375 of health, probate district, housing authority, regional work force  
2376 development board established under section 31-3k, flood commission

2377 or authority established by special act, regional planning agency,  
2378 transit district formed under chapter 103a, or the Children's Center  
2379 established by number 571 of the public acts of 1969; (B) "nonprofit  
2380 corporation" means a nonprofit corporation organized under 26 USC  
2381 501(c)(3) that has a contract with the state; (C) "community action  
2382 agency" means a community action agency, as defined in section 17b-  
2383 885; [and] (D) "small employer" means a small employer, as defined in  
2384 section 38a-564; and (E) "individuals eligible for a health coverage tax  
2385 credit" means persons who are eligible for the credit for health  
2386 insurance costs under Section 35 of the Internal Revenue Code of 1986  
2387 in accordance with the Pension Benefit Guaranty Corporation and  
2388 Trade Adjustment Assistance programs of the Trade Act of 2002 (P.L.  
2389 107-210).

2390 Sec. 64. Subsection (k) of section 5-259 of the general statutes, as  
2391 amended by public act 03-149, is repealed and the following is  
2392 substituted in lieu thereof (*Effective from passage*):

2393 (k) The Comptroller shall submit annually to the General Assembly  
2394 a review of the coverage of employees of municipalities, nonprofit  
2395 corporations, community action agencies, [and] small employers under  
2396 subsection (i) of this section and eligible individuals under subsection  
2397 (i) of this section beginning February 1, 2004.

2398 Sec. 65. Subsection (b) of section 12-202a of the general statutes is  
2399 repealed and the following is substituted in lieu thereof (*Effective from*  
2400 *passage*):

2401 (b) Notwithstanding the provisions of subsection (a) of this section,  
2402 the tax shall not apply to: (1) Any new or renewal contract or policy  
2403 entered into with the state on or after July 1, 1997, to provide health  
2404 care coverage to state employees, retirees and their dependents; (2) any  
2405 subscriber charges received from the federal government to provide  
2406 coverage for Medicare patients; (3) any subscriber charges received  
2407 under a contract or policy entered into with the state to provide health  
2408 care coverage to Medicaid recipients under the Medicaid managed

2409 care program established pursuant to section 17b-28, which charges  
2410 are attributable to a period on or after January 1, 1998; (4) any new or  
2411 renewal contract or policy entered into with the state on or after April  
2412 1, 1998, to provide health care coverage to eligible beneficiaries under  
2413 the HUSKY Medicaid Plan Part A, HUSKY Part B, or the HUSKY Plus  
2414 programs, each as defined in section 17b-290; (5) any new or renewal  
2415 contract or policy entered into with the state on or after April 1, 1998,  
2416 to provide health care coverage to recipients of state-administered  
2417 general assistance pursuant to section 17b-257; (6) any new or renewal  
2418 contract or policy entered into with the state on or after February 1,  
2419 2000, to provide health care coverage to retired teachers, spouses or  
2420 surviving spouses covered by plans offered by the state teachers'  
2421 retirement system; (7) any new or renewal contract or policy entered  
2422 into on or after July 1, 2001, to provide health care coverage to  
2423 employees of a municipality under a plan procured pursuant to section  
2424 5-259; [or] (8) any new or renewal contract or policy entered into on or  
2425 after July 1, 2001, to provide health care coverage to employees of  
2426 nonprofit organizations and their dependents under a plan procured  
2427 pursuant to section 5-259; or (9) any new or renewal contract or policy  
2428 entered into on or after July 1, 2003, to provide health care coverage to  
2429 individuals eligible for a health coverage tax credit and their  
2430 dependents under a plan procured pursuant to section 5-259.

2431 Sec. 66. Section 38a-551 of the general statutes is repealed and the  
2432 following is substituted in lieu thereof (*Effective from passage*):

2433 For purposes of this section and sections 38a-552 to 38a-559,  
2434 inclusive, the following terms shall have the following meanings:

2435 (a) "Health insurance" means hospital and medical expenses  
2436 incurred policies written on a direct basis, nonprofit service plan  
2437 contracts, health care center contracts and self-insured or self-funded  
2438 employee health benefit plans. The term "health insurance" for  
2439 purposes of sections 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive,  
2440 shall not include accident only policies, disability income policies or

2441 coverages which are subject to regulation under sections 38a-19, 38a-  
2442 363 to 38a-388, inclusive, and 38a-663 to 38a-696, inclusive.

2443 (b) "Carrier" means an insurer, health care center, hospital service  
2444 corporation or medical service corporation or fraternal benefit society.

2445 (c) "Insurer" means an insurance company licensed to transact  
2446 accident and health insurance business in this state.

2447 (d) "Health care center" means a health care center, as defined in  
2448 section 38a-175.

2449 (e) "Self-insurer" means an employer or an employee welfare benefit  
2450 fund or plan which provides payment for or reimbursement of the  
2451 whole or any part of the cost of covered hospital or medical expenses  
2452 for covered individuals. For purposes of sections 38a-505, 38a-546 and  
2453 38a-551 to 38a-559, inclusive, "self-insurer" shall not include any such  
2454 employee welfare benefit fund or plan established prior to April 1,  
2455 1976, by any organization which is exempt from federal income taxes  
2456 under the provisions of Section 501 of the United States Internal  
2457 Revenue Code and amendments thereto and legal interpretations  
2458 thereof, except any such organization described in Subsection (c)(15) of  
2459 said Section 501.

2460 (f) "Commissioner" means the Insurance Commissioner of the state  
2461 of Connecticut.

2462 (g) "Physician" means a doctor of medicine, chiropractic,  
2463 natureopathy, podiatry, a qualified psychologist and, for purposes of  
2464 oral surgery only, a doctor of dental surgery or a doctor of medical  
2465 dentistry and, subject to the provisions of section 20-138d, optometrists  
2466 duly licensed under the provisions of chapter 380.

2467 (h) "Qualified psychologist" means a person who is duly licensed or  
2468 certified as a clinical psychologist and has a doctoral degree in and at  
2469 least two years of supervised experience in clinical psychology in a  
2470 licensed hospital or mental health center.

2471 (i) "Skilled nursing facility" shall have the same meaning as "skilled  
2472 nursing facility", as defined in Section 1395x, Chapter 7 of Title 42,  
2473 United States Code.

2474 (j) "Hospital" shall have the same meaning as "hospital", as defined  
2475 in Section 1395x, Chapter 7 of Title 42, United States Code.

2476 (k) "Home health agency" shall have the same meaning as "home  
2477 health agency", as defined in Section 1395x, Chapter 7 of Title 42,  
2478 United States Code.

2479 (l) "Copayment" means the portion of a charge that is covered by a  
2480 plan and not payable by the plan and which is thus the obligation of  
2481 the covered individual to pay.

2482 (m) "Resident employer" means any person, partnership,  
2483 association, trust, estate, limited liability company, corporation,  
2484 whether foreign or domestic, or the legal representative, trustee in  
2485 bankruptcy or receiver or trustee, thereof, or the legal representative of  
2486 a deceased person, including the state of Connecticut and each  
2487 municipality therein, which has in its employ one or more individuals  
2488 during any calendar year, commencing January 1, 1976. For purposes  
2489 of sections 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive, the term  
2490 "resident employer" shall refer only to an employer with a majority of  
2491 employees employed within the state of Connecticut.

2492 (n) "Eligible employee" means, with respect to any employer, an  
2493 employee who either is considered a full-time employee, or who is  
2494 expected to work at least twenty hours a week for at least twenty-six  
2495 weeks during the next twelve months or who has actually worked at  
2496 least twenty hours a week for at least twenty-six weeks in any  
2497 continuous twelve-month period.

2498 (o) "Alcoholism treatment facility" shall have the same meaning as  
2499 in section 38a-533.

2500 (p) "Totally disabled" means with respect to an employee, the

2501 inability of the employee because of an injury or disease to perform the  
2502 duties of any occupation for which he is suited by reason of education,  
2503 training or experience, and, with respect to a dependent, the inability  
2504 of the dependent because of an injury or disease to engage in  
2505 substantially all of the normal activities of persons of like age and sex  
2506 in good health.

2507 (q) "Deductible" means the amount of covered expenses which must  
2508 be accumulated during each calendar year before benefits become  
2509 payable as additional covered expenses incurred.

2510 (r) For purposes of sections 38a-505, 38a-546 and 38a-551 to 38a-559,  
2511 inclusive, "disease or injury" shall include pregnancy and resulting  
2512 childbirth or miscarriage.

2513 (s) "Complications of pregnancy" means (1) conditions requiring  
2514 hospital stays, when the pregnancy is not terminated, whose diagnoses  
2515 are distinct from pregnancy but are adversely affected by pregnancy or  
2516 are caused by pregnancy, such as acute nephritis, nephrosis, cardiac  
2517 decompensation, missed abortion and similar medical and surgical  
2518 conditions of comparable severity, and shall not include false labor,  
2519 occasional spotting, physician-prescribed rest during the period of  
2520 pregnancy, morning sickness, hyperemesis gravidarum, pre-eclampsia  
2521 and similar conditions associated with management of a difficult  
2522 pregnancy not constituting a nosologically distinct complication of  
2523 pregnancy; and (2) nonelective caesarean section, ectopic pregnancy  
2524 which is terminated, and spontaneous termination of pregnancy,  
2525 which occurs during a period of gestation in which a viable birth is not  
2526 possible.

2527 (t) "Resident" means (1) a person who maintains a residence in this  
2528 state for a period of at least one hundred eighty days, or (2) a HIPAA  
2529 or health care tax credit eligible individual who maintains a residence  
2530 in this state.

2531 (u) "HIPAA eligible individual" means an eligible individual as

2532 defined in subsection (b) of section 2741 of the Public Health Service  
2533 Act, as set forth in the Health Insurance Portability and Accountability  
2534 Act of 1996 (P.L. 104-191) (HIPAA).

2535 (v) "Health care tax credit eligible individual" means a person who  
2536 is eligible for the credit for health insurance costs under Section 35 of  
2537 the Internal Revenue Code of 1986 in accordance with the Pension  
2538 Benefit Guaranty Corporation and Trade Adjustment Assistance  
2539 programs of the Trade Act of 2002 (P.L. 107-210).

2540 Sec. 67. Section 38a-553 of the general statutes is amended by adding  
2541 subsection (j) as follows (*Effective from passage*):

2542 (NEW) (j) No comprehensive health care plan issued through the  
2543 Health Reinsurance Association to a health care tax credit eligible  
2544 individual shall include any limitation or exclusion of benefit based on  
2545 a preexisting condition if such individual maintained creditable health  
2546 insurance coverage for an aggregate period of three months as of the  
2547 date on which the individual seeks to enroll in the Health Reinsurance  
2548 Association issued policy, not counting any period prior to a sixty-  
2549 three day break in coverage.

2550 Sec. 68. Section 38a-556 of the general statutes is repealed and the  
2551 following is substituted in lieu thereof (*Effective from passage*):

2552 There is hereby created a nonprofit legal entity to be known as the  
2553 Health Reinsurance Association. All insurers, health care centers and  
2554 self-insurers doing business in the state, as a condition to their  
2555 authority to transact the applicable kinds of health insurance defined  
2556 in section 38a-551, shall be members of the association. The association  
2557 shall perform its functions under a plan of operation established and  
2558 approved under subdivision (a) of this section, and shall exercise its  
2559 powers through a board of directors established under this section.

2560 (a) (1) The board of directors of the association shall be made up of  
2561 nine individuals selected by participating members, subject to

2562 approval by the commissioner, two of whom shall be appointed by the  
2563 commissioner on or before July 1, 1993, to represent health care  
2564 centers. To select the initial board of directors, and to initially organize  
2565 the association, the commissioner shall give notice to all members of  
2566 the time and place of the organizational meeting. In determining  
2567 voting rights at the organizational meeting each member shall be  
2568 entitled to vote in person or proxy. The vote shall be a weighted vote  
2569 based upon the net health insurance premium derived from this state  
2570 in the previous calendar year. If the board of directors is not selected  
2571 within sixty days after notice of the organizational meeting, the  
2572 commissioner may appoint the initial board. In approving or selecting  
2573 members of the board, the commissioner may consider, among other  
2574 things, whether all members are fairly represented. Members of the  
2575 board may be reimbursed from the moneys of the association for  
2576 expenses incurred by them as members, but shall not otherwise be  
2577 compensated by the association for their services. (2) The board shall  
2578 submit to the commissioner a plan of operation for the association  
2579 necessary or suitable to assure the fair, reasonable and equitable  
2580 administration of the association. The plan of operation shall become  
2581 effective upon approval in writing by the commissioner consistent  
2582 with the date on which the coverage under sections 38a-505, 38a-546  
2583 and 38a-551 to 38a-559, inclusive, must be made available. The  
2584 commissioner shall, after notice and hearing, approve the plan of  
2585 operation provided such plan is determined to be suitable to assure the  
2586 fair, reasonable and equitable administration of the association, and  
2587 provides for the sharing of association gains or losses on an equitable  
2588 proportionate basis. If the board fails to submit a suitable plan of  
2589 operation within one hundred eighty days after its appointment, or if  
2590 at any time thereafter the board fails to submit suitable amendments to  
2591 the plan, the commissioner shall, after notice and hearing, adopt and  
2592 promulgate such reasonable rules as are necessary or advisable to  
2593 effectuate the provisions of this section. Such rules shall continue in  
2594 force until modified by the commissioner or superseded by a plan  
2595 submitted by the board and approved by the commissioner. The plan

2596 of operation shall, in addition to requirements enumerated in sections  
2597 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive: (A) Establish  
2598 procedures for the handling and accounting of assets and moneys of  
2599 the association; (B) establish regular times and places for meetings of  
2600 the board of directors; (C) establish procedures for records to be kept  
2601 of all financial transactions, and for the annual fiscal reporting to the  
2602 commissioner; (D) establish procedures whereby selections for the  
2603 board of directors shall be made and submitted to the commissioner;  
2604 (E) establish procedures to amend, subject to the approval of the  
2605 commissioner, the plan of operations; (F) establish procedures for the  
2606 selection of an administering carrier and set forth the powers and  
2607 duties of the administering carrier; (G) contain additional provisions  
2608 necessary or proper for the execution of the powers and duties of the  
2609 association; (H) establish procedures for the advertisement on behalf of  
2610 all participating carriers of the general availability of the  
2611 comprehensive coverage under sections 38a-505, 38a-546 and 38a-551  
2612 to 38a-559, inclusive; [and] (I) contain additional provisions necessary  
2613 for the association to qualify as an acceptable alternative mechanism in  
2614 accordance with Section 2744 of the Public Health Service Act, as set  
2615 forth in the Health Insurance Portability and Accountability Act of  
2616 1996 (P.L. 104-191); and (J) contain additional provisions necessary for  
2617 the association to qualify as acceptable coverage in accordance with  
2618 the Pension Benefit Guaranty Corporation and Trade Adjustment  
2619 Assistance programs of the Trade Act of 2002 (P.L. 107-210). The  
2620 commissioner may adopt regulations in accordance with the  
2621 provisions of chapter 54 to establish criteria for the association to  
2622 qualify as an acceptable alternative mechanism.

2623 (b) The association shall have the general powers and authority  
2624 granted under the laws of this state to carriers to transact the kinds of  
2625 insurance defined under section 38a-551, and in addition thereto, the  
2626 specific authority to: (1) Enter into contracts necessary or proper to  
2627 carry out the provisions and purposes of sections 38a-505, 38a-546 and  
2628 38a-551 to 38a-559, inclusive; (2) sue or be sued, including taking any  
2629 legal actions necessary or proper for recovery of any assessments for,

2630 on behalf of, or against participating members; (3) take such legal  
2631 action necessary to avoid the payment of improper claims against the  
2632 association or the coverage provided by or through the association; (4)  
2633 establish, with respect to health insurance provided by or on behalf of  
2634 the association, appropriate rates, scales of rates, rate classifications  
2635 and rating adjustments, such rates not to be unreasonable in relation to  
2636 the coverage provided and the operational expenses of the association;  
2637 (5) administer any type of reinsurance program, for or on behalf of  
2638 participating members; (6) pool risks among participating members;  
2639 (7) issue policies of insurance on an indemnity or provision of service  
2640 basis providing the coverage required by sections 38a-505, 38a-546 and  
2641 38a-551 to 38a-559, inclusive, in its own name or on behalf of  
2642 participating members; (8) administer separate pools, separate  
2643 accounts or other plans as deemed appropriate for separate members  
2644 or groups of members; (9) operate and administer any combination of  
2645 plans, pools, reinsurance arrangements or other mechanisms as  
2646 deemed appropriate to best accomplish the fair and equitable  
2647 operation of the association; (10) set limits on the amounts of  
2648 reinsurance which may be ceded to the association by its members;  
2649 [and] (11) appoint from among participating members appropriate  
2650 legal, actuarial and other committees as necessary to provide technical  
2651 assistance in the operation of the association, policy and other contract  
2652 design, and any other function within the authority of the association;  
2653 and (12) apply for and accept grants, gifts and bequests of funds from  
2654 other states, federal and interstate agencies and independent  
2655 authorities, private firms, individuals and foundations for the purpose  
2656 of carrying out its responsibilities. Any such funds received shall be  
2657 deposited in the General Fund and shall be credited to a separate  
2658 nonlapsing account within the General Fund for the Health  
2659 Reinsurance Association and may be used by the Health Reinsurance  
2660 Association in the performance of its duties.

2661 (c) Every member shall participate in the association in accordance  
2662 with the provisions of this subdivision. (1) A participating member  
2663 shall determine the particular risks it elects to have written by or

2664 through the association. A member shall designate which of the  
2665 following classes of risks it shall underwrite in the state, from which  
2666 classes of risk it may elect to reinsure selected risks: (A) Individual,  
2667 excluding group conversion; and (B) individual, including group  
2668 conversion. (2) No member shall be permitted to select out individual  
2669 lives from an employer group to be insured by or through the  
2670 association. Members electing to administer risks which are insured by  
2671 or through the association shall comply with the benefit determination  
2672 guidelines and the accounting procedures established by the  
2673 association. A risk insured by or through the association cannot be  
2674 withdrawn by the participating member except in accordance with the  
2675 rules established by the association. (3) Rates for coverage issued by or  
2676 through the association shall not be excessive, inadequate or unfairly  
2677 discriminatory. Separate scales of premium rates based on age shall  
2678 apply but rates shall not be adjusted for area variations in provider  
2679 costs. Premium rates shall take into consideration the substantial extra  
2680 morbidity and administrative expenses for association risks,  
2681 reimbursement or reasonable expenses incurred for the writing of  
2682 association risks and the level of rates charged by insurers for groups  
2683 of ten lives, provided incurred losses which result from provision of  
2684 coverage in accordance with section 38a-537 shall not be considered. In  
2685 no event shall the rate for a given classification or group be less than  
2686 one hundred twenty-five per cent nor more than one hundred fifty per  
2687 cent of the average rate charged for that classification with similar  
2688 characteristics under a policy covering ten lives. All rates shall be  
2689 promulgated by the association through an actuarial committee  
2690 consisting of five persons who are members of the American Academy  
2691 of Actuaries, shall be filed with the commissioner and may be  
2692 disapproved within sixty days from the filing thereof if excessive,  
2693 inadequate, or unfairly discriminatory.

2694 (d) (1) Following the close of each fiscal year, the administering  
2695 carrier shall determine the net premiums, reinsurance premiums less  
2696 administrative expense allowance, the expense of administration  
2697 pertaining to the reinsurance operations of the association and the

2698 incurred losses for the year. Any net loss shall be assessed to all  
2699 participating members in proportion to their respective shares of the  
2700 total health insurance premiums earned in this state during the  
2701 calendar year, or with paid losses in the year, coinciding with or  
2702 ending during the fiscal year of the association or on any other  
2703 equitable basis as may be provided in the plan of operations. For self-  
2704 insured members of the association, health insurance premiums  
2705 earned shall be established by dividing the amount of paid health  
2706 losses for the applicable period by eighty-five per cent. Net gains, if  
2707 any, shall be held at interest to offset future losses or allocated to  
2708 reduce future premiums. (2) Any net loss to the association  
2709 represented by the excess of its actual expenses of administering  
2710 policies issued by the association over the applicable expense  
2711 allowance shall be separately assessed to those participating members  
2712 who do not elect to administer their plans. All assessments shall be on  
2713 an equitable formula established by the board. (3) The association shall  
2714 conduct periodic audits to assure the general accuracy of the financial  
2715 data submitted to the association and the association shall have an  
2716 annual audit of its operations by an independent certified public  
2717 accountant. The annual audit shall be filed with the commissioner for  
2718 his review and the association shall be subject to the provisions of  
2719 section 38a-14. (4) For the fiscal year ending December 31, 1993, and  
2720 the first quarter of the fiscal year ending December 31, 1994, the  
2721 administering carrier shall not include health care centers in assessing  
2722 any net losses to participating members.

2723 (e) All policy forms issued by or through the association shall  
2724 conform in substance to prototype forms developed by the  
2725 association, shall in all other respects conform to the requirements of  
2726 sections 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive, and shall be  
2727 approved by the commissioner. The commissioner may disapprove  
2728 any such form if it contains a provision or provisions which are unfair  
2729 or deceptive or which encourage misrepresentation of the policy.

2730 (f) Unless otherwise permitted by the plan of operation, the

2731 association shall not issue, reissue or continue in force comprehensive  
2732 health care plan coverage with respect to any person who is already  
2733 covered under an individual or group comprehensive health care plan,  
2734 or who is sixty-five years of age or older and eligible for Medicare or  
2735 who is not a resident of this state. Coverage provided to a HIPAA or  
2736 health care tax credit eligible individual may be terminated to the  
2737 extent permitted by HIPAA or the Trade Act of 2002, respectively.

2738 (g) Benefits payable under a comprehensive health care plan  
2739 insured by or reinsured through the association shall be paid net of all  
2740 other health insurance benefits paid or payable through any other  
2741 source, and net of all health insurance coverages provided by or  
2742 pursuant to any other state or federal law including Title XVIII of the  
2743 Social Security Act, Medicare, but excluding Medicaid.

2744 (h) There shall be no liability on the part of and no cause of action of  
2745 any nature shall arise against any carrier or its agents or its employees,  
2746 the Health Reinsurance Association or its agents or its employees or  
2747 the residual market mechanism established under the provisions of  
2748 section 38a-557 or its agents or its employees, or the commissioner or  
2749 his representatives for any action taken by them in the performance of  
2750 their duties under sections 38a-505, 38a-546 and 38a-551 to 38a-559,  
2751 inclusive. This provision shall not apply to the obligations of a carrier,  
2752 a self-insurer, the Health Reinsurance Association or the residual  
2753 market mechanism for payment of benefits provided under a  
2754 comprehensive health care plan.

2755 Sec. 69. Section 32-657 of the general statutes is repealed and the  
2756 following is substituted in lieu thereof (*Effective from passage*):

2757 (a) The secretary shall prepare each fiscal year an annual operating  
2758 and capital budget for the stadium facility and no later than ninety  
2759 days prior to the start of the fiscal year, the secretary shall submit the  
2760 budget to the Comptroller. Not more than forty-five days after  
2761 submission by the secretary, the Comptroller shall submit any  
2762 comments to the secretary. Thereafter, the secretary shall submit a

2763 copy of such budget to the joint standing committees of the General  
2764 Assembly having cognizance of matters relating to finance, revenue  
2765 and bonding and appropriations.

2766 (b) The secretary is authorized to establish with the Treasurer and  
2767 administer a separate nonlapsing enterprise fund to be known as the  
2768 "Stadium Facility Enterprise Fund". All revenues received by the  
2769 secretary with respect to the use, operation and management of the  
2770 stadium facility, including revenues from stadium parking and the sale  
2771 of naming rights and including any General Fund appropriation or  
2772 other moneys received from federal, state, municipal and private  
2773 sources [, other than the amount made available to the secretary by  
2774 United Technologies Corporation for traffic and road improvements  
2775 pursuant to the authority granted in subsection (g) of section 32-656]  
2776 for purposes of stadium facility operations, shall be deposited with the  
2777 Treasurer to the credit of such fund, except as otherwise provided in  
2778 subsection (d) of this section. Earnings on investments of amounts on  
2779 deposit in the Stadium Facility Enterprise Fund shall be retained in  
2780 and used for purposes of such fund. The secretary is authorized to pay,  
2781 and the resources of such fund shall be available for and applied to,  
2782 the costs and expenses of stadium facility operations, to the extent not  
2783 otherwise paid as provided in subsection (d) of this section. Such  
2784 payments shall be made by the Treasurer on warrants issued by the  
2785 Comptroller, upon order of the secretary or a designee.

2786 (c) A capital replacement reserve subaccount shall be established  
2787 within the Stadium Facility Enterprise Fund, to be known as the  
2788 "stadium facility capital replacement account". Any surplus remaining  
2789 in the Stadium Facility Enterprise Fund at the end of any fiscal year, to  
2790 the extent not required, in the judgment of the secretary, to be reserved  
2791 for the purpose of [deferred] scheduled or other future maintenance or  
2792 repairs, the addition or replacement of furniture, fixtures and  
2793 equipment, working capital, or the funding of projected operating  
2794 deficits or similar contingencies, shall be transferred to the stadium  
2795 facility capital replacement account. Any General Fund appropriation

2796 or other moneys received from federal, state, municipal or private  
2797 sources for purposes of capital additions or replacements at the  
2798 stadium facility, other than the amount made available to the secretary  
2799 by United Technologies Corporation for traffic and road  
2800 improvements pursuant to the authority granted in subsection (g) of  
2801 section 32-656, shall be deposited with the Treasurer to the credit of  
2802 such subaccount. Moneys in the stadium facility capital replacement  
2803 account shall be available and used for the costs of capital  
2804 replacements, restorations, alterations, improvements, additions and  
2805 enhancements to the stadium facility, including the costs of  
2806 maintenance and repairs for which funds are not otherwise available  
2807 in the Stadium Facility Enterprise Fund. Requisition and payment  
2808 from the stadium facility capital replacement account shall be in  
2809 accordance with the procedures established in subsection (b) of this  
2810 section with respect to the Stadium Facility Enterprise Fund generally,  
2811 except that the order of the secretary with respect thereto shall include  
2812 a certification that the costs for which payment is requested are capital  
2813 costs in accordance with the current capital budget or are capital costs  
2814 not anticipated in the current capital budget but necessary in order to  
2815 repair, restore or reconstruct the stadium facility following a casualty  
2816 loss, to preserve the structural integrity of the stadium facility, to  
2817 protect public health or safety, or to avoid an interruption in stadium  
2818 facility operations.

2819 (d) Notwithstanding the provisions of [this] subsection (b) of this  
2820 section, (1) the secretary is authorized to enter into agreements  
2821 including, but not limited to, lease, license, management, marketing,  
2822 ticketing, merchandising or concession agreements, which provide for  
2823 the collection, retention or sharing of facility revenues by the  
2824 university, the authority or other public or private entities, provided  
2825 [(1)] (A) such arrangements are not inconsistent in any material respect  
2826 with the operating budget, are otherwise on terms not materially less  
2827 favorable to the state than the terms customary in the industry for  
2828 similar facilities and arrangements, except in the case of the university  
2829 or the authority to the extent otherwise contemplated in the master

2830 development plan, and [(2)] (B) such arrangements do not result in  
2831 private business use of the stadium facility for purposes of Section  
2832 141(b) of the Internal Revenue Code to an extent that would result in  
2833 an event of taxability with respect to any bonds issued on a tax-exempt  
2834 basis, and (2) in order to facilitate stadium facility operations on a day-  
2835 to-day basis, with the approval of the Treasurer and the Comptroller  
2836 the secretary is authorized to establish, or cause to be established  
2837 under agreements with the stadium facility manager, at a bank or  
2838 banks in this state, a box office account to receive and hold ticket  
2839 receipts and event specific escrow accounts to hold rental, security and  
2840 similar deposits pending the occurrence of an event and event  
2841 reconciliation and from which such receipts and deposits may be  
2842 disbursed in accordance with industry standard practices, a revenue  
2843 account for the purpose of collecting revenues from stadium facility  
2844 operations on a daily basis, and an operating expense account for the  
2845 purpose of paying reasonable and prudent expenses of stadium facility  
2846 operations on a daily basis, and such subaccounts within the revenue  
2847 account and the operating expense account as the secretary deems  
2848 appropriate to segregate and account separately for the revenues and  
2849 expenses of catering, concessions, parking or other ancillary activities,  
2850 and the secretary may transfer amounts in the revenue account to the  
2851 operating expense account as necessary to provide for the payment of  
2852 expenses of stadium facility operations in accordance with accounting  
2853 and payment procedures approved by the Comptroller, and the  
2854 stadium facility manager may, in accordance with accounting and  
2855 payment procedures approved by the Comptroller, pay expenses of  
2856 stadium facility operations directly from the operating expense  
2857 account; provided, if at the end of any calendar month there is on  
2858 deposit in the revenue account and the operating expense account  
2859 amounts in the aggregate in excess of the projected expenses of  
2860 stadium facility operations for the next succeeding three calendar  
2861 months, such excess shall be promptly transferred by the secretary to  
2862 the Stadium Facility Enterprise Fund. The determination of what  
2863 constitutes reasonable and prudent expenses of stadium facility

2864 operations shall be made with due regard for customary practices at  
2865 comparable facilities hosting similar events.

2866 (e) Moneys in the box office account and any event specific escrow  
2867 account, and any interest thereon, shall not be deemed to be state  
2868 moneys for purposes of sections 4-32 and 4-33, as amended, until  
2869 recognized as revenues of stadium facility operations upon event  
2870 reconciliation in accordance with standard industry practices.

2871 (f) The establishment of the revenue account, the operating expense  
2872 account and any other account holding state moneys associated with  
2873 the stadium facility, and any cash management and overnight  
2874 investment features of such accounts, shall be subject to the approval  
2875 of the Comptroller and Treasurer pursuant to sections 4-32 and 4-33, as  
2876 amended. The interest and earnings on any such investments of funds  
2877 in the revenue account, the operating expense account and any other  
2878 account holding state moneys associated with the stadium facility shall  
2879 be treated as revenues from stadium facility operations. Any such  
2880 investments or investment arrangements shall be made or approved  
2881 by the Treasurer.

2882 (g) The stadium facility enterprise fund, the revenue account, the  
2883 operating expense account and any other account holding state  
2884 moneys associated with the stadium facility shall be subject to the  
2885 provisions of sections 4-32, 4-33, as amended, 3-112 and 3-114, except  
2886 to the extent inconsistent with express provisions of this section, and  
2887 shall be audited on a comprehensive annual basis by an independent  
2888 auditing firm in accordance with generally accepted auditing  
2889 standards, selected by the secretary from a list of at least four firms  
2890 supplied by the Comptroller. The cost of such audit shall be treated as  
2891 an expense of stadium facility operations. In addition, between August  
2892 8, 2003, and November 30, 2003, the Auditors of Public Accounts shall  
2893 conduct an audit of internal controls of stadium facility operations.  
2894 Such audit shall be conducted at the sole expense of the Auditors of  
2895 Public Accounts and with advance notice to the secretary.

2896 Sec. 70. Section 14-54 of the general statutes, as amended by section  
2897 2 of public act 03-184, is repealed and the following is substituted in  
2898 lieu thereof (*Effective October 1, 2003*):

2899 Any person who desires to obtain a license for dealing in or  
2900 repairing motor vehicles shall first obtain and present to the  
2901 commissioner a certificate of approval of the location for which such  
2902 license is desired from the [zoning commission, planning and zoning  
2903 commission or other] board or authority designated by local charter,  
2904 regulation or ordinance of the town, city or borough wherein the  
2905 business is located or is proposed to be located, except that in any  
2906 town or city having a zoning commission, combined planning and  
2907 zoning commission and a board of appeals, such certificate shall be  
2908 obtained from the board of appeals. In addition thereto, such certificate  
2909 shall be approved by the chief of police where there is an organized  
2910 police force or, where there is none, by the commander of the state  
2911 police barracks situated nearest to such proposed location. The  
2912 provisions of this section shall not apply to (1) a transfer of ownership  
2913 to a spouse, child, brother, sister or parent of a licensee, (2) a transfer of  
2914 ownership to or from a corporation in which a spouse, child, brother,  
2915 sister or parent of a licensee has a controlling interest, or (3) a change  
2916 in ownership involving the withdrawal of one or more partners from a  
2917 partnership.

2918 Sec. 71. Subsection (a) of section 14-67i of the general statutes, as  
2919 amended by section 3 of public act 03-184, is repealed and the  
2920 following is substituted in lieu thereof (*Effective October 1, 2003*):

2921 (a) No person, firm or corporation shall establish, operate or  
2922 maintain a motor vehicle recycler's yard or motor vehicle recycler's  
2923 business unless a certificate of approval of the location to be used  
2924 therefor has been procured from the [zoning commission, planning  
2925 and zoning commission or other] board or authority designated by  
2926 local charter, regulation or ordinance in the town, city or borough  
2927 wherein such yard or business is located or is proposed to be located,

2928 except that in any town or city having a zoning commission, combined  
2929 planning and zoning commission and a board of appeals, such  
2930 certificate shall be obtained from the board of appeals.

2931 Sec. 72. Subdivision (26) of subsection (a) of section 12-701 of the  
2932 general statutes is repealed and the following is substituted in lieu  
2933 thereof (*Effective from passage and applicable to taxable years commencing*  
2934 *on and after January 1, 2003*):

2935 (26) (A) "Connecticut minimum tax" of an individual means the  
2936 lesser of (i) nineteen per cent of the adjusted federal tentative  
2937 minimum tax, as defined in subdivision (24) of subsection (a) of this  
2938 section, or (ii) five and one-half per cent of the adjusted federal  
2939 alternative minimum taxable income, as defined in subdivision (30) of  
2940 this subsection. (B) "Connecticut minimum tax" of a trust or estate  
2941 means the lesser of (i) nineteen per cent of the adjusted federal  
2942 tentative minimum tax, as defined in subdivision (28) of this  
2943 subsection, or (ii) five and one-half per cent of the adjusted federal  
2944 alternative minimum taxable income, as defined in subdivision (31) of  
2945 this subsection.

2946 Sec. 73. Subdivision (3) of section 12-409 of the general statutes is  
2947 repealed and the following is substituted in lieu thereof (*Effective*  
2948 *October 1, 2003*):

2949 (3) At the time of making an application the applicant shall pay to  
2950 the Commissioner of Revenue Services a permit fee of [twenty] fifty  
2951 dollars for each permit. [On or after July 1, 1985, any] Any permit  
2952 issued [prior to or] on or after [said date] July 1, 1985, but prior to  
2953 October 1, 2003, shall expire biennially on the anniversary date of the  
2954 issuance of such permit unless renewed in accordance with such  
2955 procedure and application form as prescribed by the commissioner.  
2956 Any permit issued on or after October 1, 2003, shall expire on the fifth  
2957 anniversary date of the issuance of such permit unless renewed in  
2958 accordance with such procedure and application form as prescribed by  
2959 the commissioner.

2960 Sec. 74. Subdivision (1) of section 12-414 of the general statutes is  
2961 repealed and the following is substituted in lieu thereof (*Effective*  
2962 *October 1, 2003*):

2963 (1) The taxes imposed by this chapter are due and payable to the  
2964 commissioner monthly on or before the last day of the month next  
2965 succeeding each monthly period except that every person whose total  
2966 tax liability for the twelve-month period ended on the preceding  
2967 [September] June thirtieth was less than four thousand dollars shall file  
2968 returns on a quarterly basis. "Quarterly" means a period of three  
2969 calendar months commencing on the first day of January, April, July or  
2970 October of each year or, if any seller commences business on a date  
2971 other than the first day of January, April, July or October, a period  
2972 beginning on the date of commencement of business and ending on  
2973 March thirty-first, June thirtieth, September thirtieth or December  
2974 thirty-first, respectively.

2975 Sec. 75. (NEW) (*Effective from passage*) When an agreement has been  
2976 entered into by the state for the Commissioner of Revenue Services  
2977 with a collection agency or attorney for the purpose of collecting a  
2978 taxpayer's unpaid taxes and penalties and interest thereon, the account  
2979 of the taxpayer shall be credited with the amounts of such unpaid  
2980 taxes, penalties and interest actually collected by the collection agency  
2981 or attorney before such amounts are reduced by the compensation  
2982 paid by the commissioner to, or retained by, the collection agency or  
2983 attorney for collection services provided pursuant to such agreement.

2984 Sec. 76. Subdivision (7) of section 12-430 of the general statutes, as  
2985 amended by public act 03-147, is amended by adding subparagraph (F)  
2986 as follows (*Effective from passage*):

2987 (NEW) (F) Not later than one hundred twenty days after the  
2988 commencement of the contract, a nonresident contractor may petition  
2989 the commissioner to furnish a guarantee bond in a sum equivalent to  
2990 five per cent of the contract price, in lieu of the requirements contained  
2991 in subparagraph (B) of this subdivision. The commissioner may grant

2992 such petition on such terms and conditions as the commissioner may  
2993 require. The provisions of subparagraph (C) of this subdivision shall  
2994 apply to such bond, upon completion of the contract, in the same  
2995 manner as such provisions apply to the deposit under subparagraph  
2996 (B) of this subdivision.

2997 Sec. 77. Subsection (g) of section 32-9t of the general statutes is  
2998 repealed and the following is substituted in lieu thereof (*Effective from*  
2999 *passage*):

3000 (g) (1) The commissioner, upon consideration of the application, the  
3001 revenue impact assessment and any additional information that the  
3002 commissioner requires concerning a proposed investment, may  
3003 approve an investment if the commissioner concludes that the project  
3004 in which such investment is to be made is an eligible urban  
3005 reinvestment project or an eligible industrial site investment project. If  
3006 the commissioner rejects an application, the commissioner shall  
3007 specifically identify the defects in the application and specifically  
3008 explain the reasons for the rejection. The commissioner shall render a  
3009 decision on an application not later than ninety days from its receipt.  
3010 The amount of the investment so approved shall not exceed the greater  
3011 of: (A) The amount of state revenue that will be generated according to  
3012 the revenue impact assessment prepared under this subsection; or (B)  
3013 the total of state revenue and local revenue generated according to  
3014 such assessment in the case of a manufacturing business with standard  
3015 industrial classification codes of 3999, 2099, 2992 and 2834 which is  
3016 relocating to a site in Connecticut from out-of-state, provided the  
3017 relocation will result in new development of at least seven hundred  
3018 twenty-five thousand square feet in a state sponsored industrial park.

3019 (2) The approval of an investment by the commissioner may be  
3020 combined with the exercise of any of the commissioner's other powers,  
3021 including, but not limited to, the provision of other forms of financial  
3022 assistance.

3023 (3) The commissioner shall require the applicant to reimburse the

3024 commissioner for all or any part of the cost of any revenue impact  
3025 assessment [or] economic feasibility study [used in reviewing the  
3026 application] or other activities performed in the exercise of due  
3027 diligence pursuant to subsection (f) of this section.

3028 (4) There is established an account to be known as the "Connecticut  
3029 economic impact and analysis account" which shall be a separate,  
3030 nonlapsing account within the General Fund. The account shall  
3031 contain any moneys required by law to be deposited in the account  
3032 and shall be held separate and apart from other moneys, funds and  
3033 accounts. There shall be deposited in the account any proceeds  
3034 realized by the state from activities pursuant to this section.  
3035 Investment earnings credited to the account shall become part of the  
3036 assets of the account. Any balance remaining in the account at the end  
3037 of any fiscal year shall be carried forward in the account for the next  
3038 fiscal year. Amounts in the account may be used by the Department of  
3039 Economic and Community Development to fund the cost of any  
3040 activities of the department pursuant to this section, including  
3041 administrative costs related to such activities.

3042 Sec. 78. (NEW) *(Effective from passage and applicable to income years*  
3043 *commencing on or after January 1, 2003)* (a) As used in this section:

3044 (1) "Affiliated group" has the same meaning as in Section 1504 of the  
3045 Internal Revenue Code.

3046 (2) "Interest expenses and costs" means amounts directly or  
3047 indirectly allowed as deductions under Section 163 of the Internal  
3048 Revenue Code.

3049 (3) "Related member" means a person that, with respect to the  
3050 taxpayer during all or any portion of the taxable year, is: (A) A related  
3051 entity, as defined in this subsection, (B) a component member, as  
3052 defined in Section 1563(b) of the Internal Revenue Code, (C) a person  
3053 to or from whom there is attribution of stock ownership in accordance  
3054 with Section 1563(e) of the Internal Revenue Code, other than a

3055 statutory business trust of which each beneficiary is not a related entity  
3056 to the taxpayer, or (D) a person that, notwithstanding its form of  
3057 organization, bears the same relationship to the taxpayer as a person  
3058 described in subparagraphs (A) to (C), inclusive, of this subdivision.

3059 (4) "Related entity" means (A) a stockholder who is an individual, or  
3060 a member of the stockholder's family enumerated in Section 318 of the  
3061 Internal Revenue Code, if the stockholder and the members of the  
3062 stockholder's family own, directly, indirectly, beneficially or  
3063 constructively, in the aggregate, at least fifty per cent of the value of  
3064 the taxpayer's outstanding stock; (B) a stockholder, or a stockholder's  
3065 partnership, limited liability company, estate, trust or corporation, if  
3066 the stockholder and the stockholder's partnerships, limited liability  
3067 companies, estates, trusts and corporations own directly, indirectly,  
3068 beneficially or constructively, in the aggregate, at least fifty per cent of  
3069 the value of the taxpayer's outstanding stock; or (C) a corporation, or a  
3070 party related to the corporation in a manner that would require an  
3071 attribution of stock from the corporation to the party or from the party  
3072 to the corporation under the attribution rules of the Internal Revenue  
3073 Code, if the taxpayer owns, directly, indirectly, beneficially or  
3074 constructively, at least fifty per cent of the value of the corporation's  
3075 outstanding stock. The attribution rules of the Internal Revenue Code  
3076 shall apply for purposes of determining whether the ownership  
3077 requirements of this subdivision have been met.

3078 (b) For purposes of computing its net income under section 12-217  
3079 of the general statutes, a corporation shall add back otherwise  
3080 deductible interest expenses and costs directly or indirectly paid,  
3081 accrued or incurred to, or in connection directly or indirectly with one  
3082 or more direct or indirect transactions with, one or more related  
3083 members.

3084 (c) The adjustments required in subsection (b) of this section shall  
3085 not apply to an otherwise deductible interest expense or cost if the  
3086 corporation establishes by clear and convincing evidence, as

3087 determined by the commissioner, that: (1) A principal purpose of the  
3088 transaction giving rise to the payment of interest was not to avoid  
3089 payment of taxes due under chapter 208 of the general statutes; and (2)  
3090 the interest is paid pursuant to a contract that reflects an arm's length  
3091 rate of interest and terms; and (3) either (A) (i) the related member was  
3092 subject to tax on its net income in this state or another state or  
3093 possession of the United States or a foreign nation; (ii) a measure of  
3094 said tax included the interest received from the corporation; and (iii)  
3095 the rate of tax applied to the interest received by the related member is  
3096 no less than the statutory rate of tax applied to the corporation under  
3097 section 12-214 of the general statutes, as amended, without regard to  
3098 subsection (b) of section 12-214 of the general statutes, as amended,  
3099 minus three percentage points, or (B) the related member is a company  
3100 subject to tax under chapter 207 of the general statutes or comparable  
3101 tax under the laws of another state.

3102 (d) The adjustments required in subsection (b) of this section shall  
3103 not apply if (1) the corporation establishes by clear and convincing  
3104 evidence, as determined by the commissioner, that the adjustments are  
3105 unreasonable, (2) the corporation and the commissioner agree in  
3106 writing to the application or use an alternative method of determining  
3107 the combined measure of the tax, provided that the Commissioner of  
3108 Revenue Services shall consider approval of such petition only in the  
3109 event that the petitioners have clearly established to the satisfaction of  
3110 said commissioner that there are substantial intercorporate business  
3111 transactions among such included corporations and that the proposed  
3112 alternative method of determining the combined measure of the tax  
3113 accurately reflects the activity, business, income or capital of the  
3114 taxpayers within the state, or (3) the corporation elects, on forms  
3115 authorized for such purpose by the commissioner, to calculate its tax  
3116 on a unitary basis including all members of the unitary group  
3117 provided that there are substantial intercorporate business transactions  
3118 among such included corporations. Such election to file on a unitary  
3119 basis shall be irrevocable for and applicable for five successive income  
3120 years. Nothing in this subdivision shall be construed to limit or negate

3121 the commissioner's authority to otherwise enter into agreements and  
3122 compromises otherwise allowed by law.

3123 (e) The adjustments required in subsection (b) of this section shall  
3124 not apply if interest is paid to a related member located in a country  
3125 with which the United States has a comprehensive income tax treaty.

3126 (f) (1) Gross income, as defined in section 12-213 of the general  
3127 statutes, as amended, shall not include any amount received or  
3128 accrued from a related member that is added back to the  
3129 preapportionment income of such related member pursuant to  
3130 subsection (b) of this section.

3131 (2) The receipts factor determined under section 12-218 or 12-218b of  
3132 the general statutes shall not include any amount received or accrued  
3133 from a related member that is added back to the preapportionment  
3134 income of such related member pursuant to subsection (b) of this  
3135 section.

3136 (g) Nothing in this section shall require a corporation to add to its  
3137 net income more than once any amount of interest expenses and costs  
3138 that the corporation pays, accrues or incurs to a related member  
3139 described in subsection (b) of this section.

3140 (h) Nothing in this section shall be construed to limit or negate the  
3141 commissioner's authority to make adjustments under section 12-221a  
3142 or 12-226a of the general statutes.

3143 Sec. 79. Section 12-242d of the general statutes is amended by  
3144 adding subsection (i) as follows (*Effective from passage*):

3145 (NEW) (i) For income years commencing on or after January 1, 2003,  
3146 and prior to January 1, 2005, no addition to tax shall be imposed under  
3147 subsection (c) of this section to the extent such underpayment was  
3148 created or increased by section 78 of this act.

3149 Sec. 80. Section 12-223f of the general statutes is repealed and the

3150 following is substituted in lieu thereof (*Effective from passage and*  
3151 *applicable to income years commencing on or after January 1, 2003*):

3152 Notwithstanding the provisions of sections 12-223a to 12-223e,  
3153 inclusive, as amended, the tax due in relation to any corporations  
3154 which have filed a combined return for any income year with other  
3155 corporations for the tax imposed under this chapter in accordance with  
3156 section 12-223a, as amended, shall be determined as follows: (1) The  
3157 tax which would be due from each such corporation if it were filing  
3158 separately under this chapter shall be determined, and the total for all  
3159 corporations included in the combined return shall be added together;  
3160 (2) the tax which would be jointly due from all corporations included  
3161 in the combined return in accordance with the provisions of said  
3162 sections 12-223a to 12-223e, inclusive, shall be determined; and (3) the  
3163 total determined pursuant to subdivision (2) of this section shall be  
3164 subtracted from the amount determined pursuant to subdivision (1) of  
3165 this section. The resulting amount, in an amount not to exceed  
3166 [twenty-five] two hundred fifty thousand dollars, shall be added to the  
3167 amount determined to be due pursuant to said sections 12-223a to 12-  
3168 223e, inclusive, as amended, and shall be due and payable as a part of  
3169 the tax imposed pursuant to this chapter.

3170 Sec. 81. Section 12-223a of the general statutes, as amended by  
3171 section 90 of public act 03-1 of the June 30 special session, is repealed  
3172 and the following is substituted in lieu thereof (*Effective from passage*  
3173 *and applicable to income years commencing on or after January 1, 2003*):

3174 (a) ~~[(1)]~~ Any taxpayer included in a consolidated return with one or  
3175 more other corporations for federal income tax purposes may elect to  
3176 file a combined return under this chapter together with such other  
3177 companies subject to the tax imposed thereunder as are included in the  
3178 federal consolidated corporation income tax return [. Such combined]  
3179 and such combined return shall be filed in such form and setting forth  
3180 such information as the Commissioner of Revenue Services may  
3181 require.

3182 [(2)] Notice of an election made pursuant to the provisions of this  
3183 subsection and consent to such election must be submitted in written  
3184 form to the Commissioner of Revenue Services by each corporation so  
3185 electing not later than the due date, or if an extension of time to file has  
3186 been requested and granted, the extended due date of the returns due  
3187 from the electing corporations for the initial income year for which the  
3188 election to file a combined return is made. Such election shall be in  
3189 effect for such initial income year and for each succeeding income  
3190 years unless and until such election is revoked in accordance with the  
3191 provisions of subsection [(f)] (d) of this section.

3192 (b) Any taxpayer, other than a corporation filing a combined return  
3193 with one or more other corporations under subsection (a) of this  
3194 section, which owns or controls either directly or indirectly  
3195 substantially all the capital stock of one or more corporations, or  
3196 substantially all the capital stock of which is owned or controlled  
3197 either directly or indirectly by one or more other corporations or by  
3198 interests which own or control either directly or indirectly  
3199 substantially all the capital stock of one or more other corporations,  
3200 may, in the discretion of the Commissioner of Revenue Services, be  
3201 required or permitted by written approval of the Commissioner of  
3202 Revenue Services to make a return on a combined basis covering any  
3203 such other corporations and setting forth such information as the  
3204 Commissioner of Revenue Services may require, provided no  
3205 combined return covering any corporation not subject to tax under this  
3206 chapter shall be required unless the Commissioner of Revenue Services  
3207 deems such a return necessary, because of intercompany transactions  
3208 or some agreement, understanding, arrangement or transaction  
3209 referred to in section 12-226a, in order properly to reflect the tax  
3210 liability under this part.

3211 [(c) (1) In the case of a combined return under this section, the tax  
3212 shall be measured by (A) the sum of the separate net income or loss of  
3213 each corporation included, to the extent that the income or loss of such  
3214 included corporation is separately apportioned to Connecticut in

3215 accordance with the provisions of this chapter, or (B) the separate  
3216 minimum tax base of each corporation included but only to the extent  
3217 that said minimum tax base of such included corporation is separately  
3218 apportioned to Connecticut in accordance with the provisions of  
3219 section 12-219a, whichever is larger. In computing said net income or  
3220 loss, intercorporate dividends shall be eliminated, and in computing  
3221 said minimum tax base, intercorporate stockholdings shall be  
3222 eliminated.]

3223 (c) (1) (A) In the case of a combined return, the tax shall be  
3224 measured by the sum of the separate net income or loss of each  
3225 corporation included or the minimum tax base of the included  
3226 corporations but only to the extent that said income, loss or minimum  
3227 tax base of any included corporation is separately apportioned to  
3228 Connecticut in accordance with the provisions of section 12-218, 12-  
3229 219a or 12-244, whichever is applicable. In computing said net income  
3230 or loss, intercorporate dividends shall be eliminated, and in computing  
3231 the combined additional tax base, intercorporate stockholdings shall be  
3232 eliminated.

3233 [(2)] (B) In computing said net income or loss, any intangible  
3234 expenses and costs, as defined in section 12-218c, any interest expenses  
3235 and costs, as defined in section 12-218c, and any income attributable to  
3236 such intangible expenses and costs or to such interest expenses and  
3237 costs shall be eliminated, provided the corporation that is required to  
3238 make adjustments under section 12-218c for such intangible expenses  
3239 and costs or for such interest expenses and costs, and the related  
3240 member or members, as defined in section 12-218c, are included in  
3241 such combined return. If any such income and any such expenses and  
3242 costs are eliminated as provided in this [subdivision] subparagraph,  
3243 the intangible property, as defined in section 12-218c, of the  
3244 corporation eliminating such income shall not be taken into account in  
3245 apportioning under the provisions of section 12-219a the [minimum]  
3246 tax [base] calculated under subsection (a) of section 12-219 of such  
3247 corporation.

3248 [(d)] (2) If the method of determining the combined measure of such  
3249 tax in accordance with this subsection [(c) of this section] for two or  
3250 more affiliated companies validly electing to file a combined return  
3251 under the provisions of subsection (a) of this section is deemed by such  
3252 companies to unfairly attribute an undue proportion of their total  
3253 income or minimum tax base to this state, said companies may submit  
3254 a petition in writing to the Commissioner of Revenue Services for  
3255 approval of an alternate method of determining the combined measure  
3256 of their tax not later than sixty days prior to the due date of the  
3257 combined return to which the petition applies, determined with regard  
3258 to any extension of time for filing such return, and said commissioner  
3259 shall grant or deny such approval before said due date. In deciding  
3260 whether or not the companies included in such combined return  
3261 should be granted approval to employ the alternate method proposed  
3262 in such petition, the Commissioner of Revenue Services shall consider  
3263 approval only in the event that the petitioners have clearly established  
3264 to the satisfaction of said commissioner that all the companies  
3265 included in such combined return are, in substance, parts of a unitary  
3266 business engaged in a single business enterprise [,] and further that  
3267 there are substantial intercorporate business transactions among such  
3268 included companies, [and that the proposed alternate method of  
3269 determining the combined measure of the tax accurately reflects the  
3270 activity, business, income or capital of the taxpayers within the state.]

3271 [(e)] (3) Upon the filing of a combined return under subsection (a)  
3272 or (b) of this section, combined returns shall be filed for all succeeding  
3273 income years or periods for those corporations reporting therein,  
3274 provided, in the case of corporations filing under subsection (a) of this  
3275 section, such corporations are included in a federal consolidated  
3276 corporation income tax return filed for the succeeding income years  
3277 and, in the case of a corporation filing under subsection (b) of this  
3278 section, the aforesaid ownership or control continues in full force and  
3279 effect and is not extended to other corporations, and further, provided  
3280 no substantial change is made in the nature or locations of the  
3281 operations of such corporations.

3282 [(f)] (d) Notwithstanding the provisions of subsections (a) and [(e)]  
3283 (c) of this section, any taxpayer which has elected to file a combined  
3284 return under this chapter as provided in said subsection (a), [of this  
3285 section,] may subsequently revoke its election to file a combined  
3286 corporation business tax return and elect to file a separate corporation  
3287 business tax return under this chapter, although continuing to be  
3288 included in a federal consolidated corporation income tax return with  
3289 other companies subject to tax under this chapter, provided such  
3290 election shall not be effective before the fifth income year immediately  
3291 following the initial income year in which the corporation elected to  
3292 file a combined return under this chapter. Notice of an election made  
3293 pursuant to the provisions of this subsection and consent to such  
3294 election must be submitted in written form to the Commissioner of  
3295 Revenue Services by each corporation that had been included in such  
3296 combined return not later than the due date, or if an extension of time  
3297 to file has been requested and granted, extended due date of the  
3298 separate returns due from the electing corporations for the initial  
3299 income year for which the election to file separate returns is made. The  
3300 election to file separate returns shall be irrevocable for and applicable  
3301 for five successive income years.

3302 Sec. 82. (*Effective from passage*) (a) There is established a commission  
3303 to work in conjunction with the Rhode Island commission established  
3304 in house resolution 6539 and senate resolution 1159 of the January 2003  
3305 session of the Rhode Island General Assembly. The commission shall  
3306 (1) determine the boundary line between the state of Rhode Island and  
3307 this state from the mouth of the Ashaway River north to the  
3308 Massachusetts border, and (2) designate the boundary line by suitable  
3309 monuments or buoys at such places as deemed necessary. The  
3310 commission may enter into a memorandum agreement in accordance  
3311 with this section.

3312 (b) The commission shall consist of the following members:

3313 (1) One appointed by the speaker of the House of Representatives;

- 3314 (2) One appointed by the president pro tempore of the Senate;
- 3315 (3) One appointed by the majority leader of the House of  
3316 Representatives;
- 3317 (4) One appointed by the majority leader of the Senate;
- 3318 (5) One appointed by the minority leader of the House of  
3319 Representatives;
- 3320 (6) One appointed by the minority leader of the Senate; and
- 3321 (7) One appointed by the Governor.
- 3322 (c) Any member of the commission appointed under subdivision  
3323 (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a  
3324 member of the General Assembly.
- 3325 (d) All appointments to the commission shall be made no later than  
3326 thirty days after the effective date of this section. Any vacancy shall be  
3327 filled by the appointing authority.
- 3328 (e) The commission shall select a chairperson from among its  
3329 members. The chairperson shall schedule the first meeting of the  
3330 commission, which shall be held no later than sixty days after the  
3331 effective date of this section.
- 3332 (f) The members of the commission shall serve without  
3333 compensation except for necessary expenses incurred in the  
3334 performance of their duties.
- 3335 (g) The office of the Attorney General and the Department of  
3336 Transportation shall provide administrative and technical assistance to  
3337 the commission upon request.
- 3338 (h) The commission may enter into a memorandum agreement with  
3339 the Rhode Island commission to establish and settle the location of the  
3340 boundary line between the two states from the mouth of the Ashaway

3341 River north to the Massachusetts border. The chairperson of the  
3342 commission shall sign the memorandum agreement to certify that a  
3343 majority of the commission members have voted to approve the  
3344 memorandum agreement. Not later than thirty days after the  
3345 memorandum agreement is completed and signed, the commission  
3346 shall submit the memorandum agreement and a report on its findings  
3347 and recommendations to the clerks of the House of Representatives  
3348 and the Senate.

3349 (i) The General Assembly may ratify the memorandum agreement.  
3350 The memorandum agreement shall only become effective when  
3351 ratified by the General Assembly of this state and the Rhode Island  
3352 General Assembly.

3353 (j) The commission shall terminate on the date that its  
3354 memorandum agreement is ratified by the General Assembly of this  
3355 state and the Rhode Island General Assembly.

3356 Sec. 83. (NEW) (*Effective January 1, 2004*) As used in sections 83, 86  
3357 and 90 of this act, "election for federal office" means an election for  
3358 electors of president and vice-president, an election or primary for  
3359 United States Senator and an election or primary for Representative in  
3360 Congress.

3361 Sec. 84. (NEW) (*Effective January 1, 2004*) The moderator of the  
3362 election in each voting district shall appear at the office of the town  
3363 clerk not later than eight o'clock p.m. of the day before an election for  
3364 federal office. At such time, the town clerk shall provide a provisional  
3365 ballot packet to such moderator or moderators. Each packet shall  
3366 include: (1) The appropriate number of provisional ballots for federal  
3367 office provided by the Secretary of the State, which shall be equal to  
3368 not less than one per cent of the number of electors who are eligible to  
3369 vote in the voting district served by the moderator, or such other  
3370 number as the municipal clerk and the registrars agree is sufficient to  
3371 protect electors' voting rights, (2) the appropriate number of serially-  
3372 numbered envelopes prescribed by the Secretary, (3) a provisional

3373 ballot inventory form, (4) a provisional ballot depository envelope, and  
3374 (5) other necessary forms prescribed by the Secretary.

3375 Sec. 85. (NEW) (*Effective January 1, 2004*) The Secretary of the State  
3376 shall prescribe and provide to town clerks the provisional ballot which  
3377 shall be a ballot of candidates for federal office. The Secretary may  
3378 prescribe that the provisional ballot be the overseas ballot prepared  
3379 under section 9-158i of the general statutes.

3380 Sec. 86. (NEW) (*Effective January 1, 2004*) (a) An individual may  
3381 apply for and be issued a provisional ballot if (1) the individual  
3382 appears at the polling place and declares that such individual is an  
3383 elector in the town in which the individual desires to vote and that the  
3384 individual is eligible to vote in the primary or election for federal office  
3385 in the polling place, but the name of the individual does not appear on  
3386 the official registry list for such polling place, and (2) the registrars  
3387 determine that such name cannot be restored under section 9-42 of the  
3388 general statutes, as amended by this act, or transferred from another  
3389 polling place under section 9-35 of the general statutes, as amended by  
3390 this act.

3391 (b) If the moderator decides that an elector, whose name appears on  
3392 the registry list and who has been challenged pursuant to sections 9-  
3393 232 to 9-232f, inclusive, of the general statutes is not eligible to vote in  
3394 the primary or election for federal office, such elector may apply for  
3395 and cast a provisional ballot upon the execution of a written  
3396 affirmation by the elector at the polling place affirming that the elector  
3397 is qualified to vote in the election or primary for federal office in the  
3398 polling place and has neither offered himself to vote nor voted in  
3399 person or by absentee ballot at said election or primary for federal  
3400 office at the polling place.

3401 (c) Such application for provisional ballot shall be prescribed by the  
3402 Secretary of the State, executed before an election official and include a  
3403 written affirmation, under penalty of false statement in absentee  
3404 balloting pursuant to section 9-359a of the general statutes, which shall

3405 be in the form substantially as follows:

3406 AFFIRMATION: I, the undersigned, do hereby state, under  
3407 penalties of false statement, that:

3408 1. I am an elector in the town indicated.

3409 2. I am eligible to vote in the election or primary indicated for  
3410 federal office today in the town and polling place indicated.

3411 3.a. My name does not appear on the official list of eligible voters for  
3412 the polling place indicated, and the polling place officials called the  
3413 registrars of voters and were told that my name did not appear on the  
3414 active registry list for this town for at least one of the four years  
3415 previous or on one of the preliminary active registry lists for this year;  
3416 or

3417 b. The moderator decided that I am not eligible to vote for federal  
3418 office in the town indicated for the reason of disfranchisement, lack of  
3419 identity, lack of bona fide residence or failure to present the prescribed  
3420 identification required for new electors after January 1, 2003, indicated.

3421 4. My residence address is located in the voting district that this  
3422 polling place serves.

3423 5. I have not voted and I will not vote otherwise than by this ballot  
3424 in person or by absentee ballot at this election or primary for federal  
3425 office.

3426 6. I apply for a provisional ballot for federal office.

3427 Sec. 87. (NEW) (*Effective January 1, 2004*) Upon receipt of an  
3428 application for provisional ballot, the moderator shall provide the  
3429 applicant with a provisional ballot and a serially-numbered envelope  
3430 and shall make a record of such issuance on the provisional ballot  
3431 inventory form. The applicant shall forthwith mark the ballot in the  
3432 presence of a polling place official in such manner that the official shall

3433 not know how the ballot is marked. The applicant shall then fold the  
3434 ballot in the presence of the polling place official so as to conceal the  
3435 markings and deposit and seal it in the serially-numbered envelope in  
3436 the manner prescribed by the Secretary of the State. The polling place  
3437 official shall provide such documentation to the elector so the elector  
3438 may later verify whether the elector's provisional ballot was counted,  
3439 and shall deposit the provisional ballot and envelope in the provisional  
3440 ballot depository envelope. The elector shall then immediately leave  
3441 the room. The registrars of voters shall provide a free access system  
3442 restricted to the elector who cast the ballot to verify if the provisional  
3443 ballot was counted, and if the ballot was not counted, the reason that  
3444 the ballot was not counted.

3445       Sec. 88. (NEW) (*Effective January 1, 2004*) Immediately after the close  
3446 of the polls, the moderator shall seal the provisional ballot depository  
3447 envelope and deliver such envelope to the registrars of voters of the  
3448 town. The registrars of voters shall forthwith verify the information  
3449 contained with each provisional ballot. If the registrars of voters  
3450 determine that the applicant is eligible to vote, they shall note their  
3451 decision on the outer envelope of the ballot and open and count the  
3452 provisional ballot in accordance with the provisions of sections 55 to  
3453 61, inclusive, of this act and procedures prescribed by the Secretary of  
3454 the State. If the registrars of voters are unable to determine that the  
3455 applicant is eligible to vote or determine that the applicant is not  
3456 eligible to vote, the applicant's provisional ballot sealed envelope shall  
3457 be marked "rejected", along with the reason for such rejection, and  
3458 signed by the registrars of voters. The registrars of voters shall verify  
3459 and count all provisional ballots in their town not later than six days  
3460 after the election or primary. The registrars of voters shall forthwith  
3461 prepare and sign in duplicate a report showing the number of  
3462 provisional ballots received from electors, the number rejected and the  
3463 number counted, and showing the additional votes counted for each  
3464 candidate for federal office on the provisional ballots. The registrars of  
3465 voters shall file one report with the town clerk and shall seal one in the  
3466 depository envelope with the provisional ballots and file such

3467 depository envelope with the town clerk. The depository envelope  
3468 shall be preserved by the town clerk for the period of time required to  
3469 preserve counted absentee ballots for federal elections. The head  
3470 moderator shall forthwith file a corrected return for federal offices  
3471 with the town clerk and the Secretary showing (1) the final votes after  
3472 any recanvass, pursuant to sections 9-311 to 9-311b, inclusive, of the  
3473 general statutes, the votes on provisional ballots and the totals, and (2)  
3474 the number of provisional ballots received from electors, the number  
3475 rejected and the number counted, as reported by the registrars of  
3476 voters.

3477 Sec. 89. (NEW) (*Effective January 1, 2004*) Except as otherwise  
3478 provided by the general statutes and sections 83 to 90, inclusive, of this  
3479 act, the provisions of the general statutes concerning procedures  
3480 relating to counting absentee ballots shall apply as nearly as may be, in  
3481 the manner prescribed by the Secretary of the State, to counting the  
3482 provisional ballots under sections 83 to 89, inclusive, of this act.

3483 Sec. 90. (NEW) (*Effective January 1, 2004*) (a) On or after January 1,  
3484 2003, any person who is applying, by mail, to register to vote for the  
3485 first time in this state may submit as part of such voter registration  
3486 application: (1) A copy of a current and valid photo identification, (2) a  
3487 copy of a current utility bill, bank statement, government check,  
3488 paycheck or government document that shows the name and address  
3489 of the voter, (3) a valid Connecticut motor vehicle operator's license  
3490 number, or (4) the last four digits of the individual's Social Security  
3491 number. Members of the armed forces and persons entitled to use the  
3492 federal post card application for absentee ballots under section 9-153a  
3493 of the general statutes, as amended by this act, are not required to  
3494 provide identification when registering by mail.

3495 (b) If an individual submits such information pursuant to this  
3496 section as part of the individual's voter registration application and,  
3497 with respect to subdivision (3) or (4) of subsection (a) of this section,  
3498 the registrars of voters are able to match the information submitted

3499 with an existing Connecticut identification record bearing the same  
3500 number, name and date of birth as provided, such individual shall not  
3501 be required to produce identification when voting in person or by  
3502 absentee ballot and may sign a statement as described in subparagraph  
3503 (B) of subdivision (2) of subsection (a) of section 9-261 of the general  
3504 statutes, as amended by this act, in lieu of presenting identification  
3505 when voting in person.

3506 (c) Any additional documentation submitted as part of the voter  
3507 registration application pursuant to this section may be destroyed by  
3508 the registrars of voters after verification pursuant to the Help America  
3509 Vote Act, P.L. 107-252, as amended from time to time.

3510 (d) If an individual described in subsection (a) of this section does  
3511 not submit the identification described in subsection (a) of this section  
3512 as part of the individual's application for admission as an elector,  
3513 when the individual has entered the polling place in an election for  
3514 federal office, the individual shall present: (1) A current and valid  
3515 photo identification, or (2) a copy of a current utility bill, bank  
3516 statement, government check, paycheck or other government  
3517 document that shows the name and address of the voter. If an  
3518 individual does not meet the requirements of this subsection in an  
3519 election for federal office, such individual may cast a provisional ballot  
3520 prescribed under sections 83 to 89, inclusive, of this act.

3521 (e) If an individual described in subsection (a) of this section does  
3522 not submit the identification described in subsection (a) of this section  
3523 as part of the individual's application for admission as an elector, and  
3524 if the individual votes by absentee ballot in an election for federal  
3525 office, the individual shall enclose in the outer absentee ballot  
3526 envelope, and not in the inner envelope with the ballot: (1) A copy of a  
3527 current and valid photo identification, or (2) a copy of a current utility  
3528 bill, bank statement, government check, paycheck, or other  
3529 government document that shows the name and address of the voter.  
3530 If an individual does not meet the requirements of this subsection in an

3531 election for federal office, such individual's absentee ballot shall be  
3532 processed in accordance with the provisions of subdivision (2) of  
3533 subsection (d) of section 9-150a of the general statutes, as amended by  
3534 this act, and treated as a provisional ballot for federal office only,  
3535 pursuant to sections 83 to 89, inclusive, of this act.

3536 Sec. 91. Subsection (e) of section 9-23g of the general statutes is  
3537 repealed and the following is substituted in lieu thereof (*Effective*  
3538 *January 1, 2004*):

3539 (e) A registration application filed under this section shall be  
3540 rejected if the application (1) has not been signed or dated by the  
3541 applicant or the authorized agent of the applicant pursuant to  
3542 subsection (b) of this section, (2) does not indicate the applicant's date  
3543 of birth or bona fide residence, (3) does not indicate United States  
3544 citizenship, provided the registrars of voters have contacted such  
3545 applicant to provide an opportunity to answer such question, or (4) is  
3546 determined by the Secretary of the State to be substantially defective.  
3547 No registration application filed under this section shall be rejected if  
3548 the application fails to provide the applicant's Social Security number  
3549 or the zip code of the applicant's bona fide residence.

3550 Sec. 92. Section 9-23h of the general statutes is repealed and the  
3551 following is substituted in lieu thereof (*Effective January 1, 2004*):

3552 The application provided for in section 9-23g, as amended by this  
3553 act, shall provide spaces for the following information for each  
3554 applicant: (1) Name, (2) bona fide residence, including street number,  
3555 street address, apartment number if applicable, town and zip code, (3)  
3556 telephone number, (4) date of birth, (5) whether the applicant is  
3557 registered as an elector in any other town in the state of Connecticut or  
3558 in any other state, and if so, the applicant's last previous voting  
3559 residence, (6) whether the applicant is a United States citizen, (7)  
3560 whether the applicant will be eighteen years of age on or before  
3561 election day, (8) party affiliation, if any, [and (8)] (9) the applicant's  
3562 signature and date of signature, and (10) the applicant's Connecticut

3563 motor vehicle operator's license number or, if none, the last four digits  
3564 of the applicant's Social Security number. The spaces for the  
3565 applicant's telephone number and party affiliation shall indicate that  
3566 such information does not have to be provided. The spaces regarding  
3567 United States citizenship and whether the applicant will be eighteen  
3568 years of age on or before election day shall indicate that if the applicant  
3569 answers "No" to either question, the applicant may not complete the  
3570 voter registration form. No Social Security number on any such form  
3571 filed prior to January 1, 2000, may be disclosed to the public or to any  
3572 governmental agency. The application shall contain a notice that if the  
3573 applicant does not receive a notice of acceptance or rejection of the  
3574 application from the office of the registrars of voters for the  
3575 municipality in which the applicant resides, the applicant should  
3576 contact said office. The application shall also contain any other  
3577 information, questions or instructions prescribed by the Secretary of  
3578 the State.

3579 Sec. 93. Subsections (d) and (e) of section 9-35 of the general statutes  
3580 are repealed and the following is substituted in lieu thereof (*Effective*  
3581 *January 1, 2004*):

3582 (d) The registrars shall enter the names on such list by street and  
3583 number of the house, when the houses are numbered, so that there  
3584 shall be entered on the list first, the street, avenue or road; second, the  
3585 number of the house or residence in numerical order or, if the  
3586 registrars of any town find it more convenient, by odd and even  
3587 numbers in numerical order; and third, the names of the electors in  
3588 such house in alphabetical order. The names of any electors who  
3589 cannot be so listed shall be listed alphabetically in the voting district  
3590 wherein any such elector is a bona fide resident. The registrars of  
3591 voters may consecutively number the names on the registry list, [or]  
3592 may include voter identification numbers for the names on the registry  
3593 list, and may include a mark, as prescribed by the Secretary of the  
3594 State, next to the name of each first-time registrant on the system who  
3595 registers to vote on or after January 1, 2003, and does not provide

3596 identification with his or her mail-in voter registration application as  
3597 provided in the Help America Vote Act, P.L. 107-252, as amended from  
3598 time to time, provided such list shall comply in all respects with the  
3599 requirements of law other than for the addition of such numbers and  
3600 marks. The registrars shall not use Social Security numbers for any  
3601 such voter identification numbers.

3602 (e) In any case in which the registrars have obtained reliable  
3603 information of an elector's change of address within the municipality,  
3604 they shall enter the name of such elector on the registry list at the place  
3605 where the elector then resides, provided, if such reliable information is  
3606 the National Change of Address System of the United States Postal  
3607 Service, the registrar shall change the registry list and send the elector  
3608 a notice of the change by forwardable mail and a postage prepaid  
3609 preaddressed return form by which the elector may verify or correct  
3610 the address information. If during the canvass the registrars determine  
3611 that an elector has moved out of town and such elector has not  
3612 confirmed in writing that the elector has moved out of the town, the  
3613 registrars shall, not later than May first, send to the elector, by  
3614 forwardable mail, a notice required by the National Voter Registration  
3615 Act of 1993, P.L. 103-31, as amended from time to time, together with a  
3616 postage prepaid preaddressed return card on which the elector may  
3617 state the elector's current address. In the year of a presidential  
3618 preference primary, the registrars shall send such notice not earlier  
3619 than the date of such primary. If the registrar does not receive the  
3620 return card within thirty days after it is sent, the elector's name,  
3621 including the name of an elector who has not voted in two consecutive  
3622 federal elections, shall be placed on the inactive registry list for four  
3623 years. At the expiration of such period of time on the inactive registry  
3624 list, such name shall be removed from the registry list. If such elector  
3625 applies to restore the elector's name to the active registry list or votes  
3626 during such period, the elector's name shall be restored to the active  
3627 registry list. Such registrars shall retain a duplicate copy or record of  
3628 each such notice in their office or, if they do not have a permanent  
3629 office, in the office space provided under section 9-5a, and shall note

3630 on such duplicate copy or record the date on which such notice was  
3631 mailed. In each municipality, any elector, upon change of residence  
3632 within the municipality, may cause the elector's registration to be  
3633 transferred to the elector's new address by presenting to the registrars  
3634 a signed request therefor, stating the elector's present address, the date  
3635 the elector moved to such address and the address at which the elector  
3636 was last registered. The registrars shall thereupon enter the elector's  
3637 name on the list at the elector's new residence; provided no transfer of  
3638 registration shall be made on the registry list on election day without  
3639 the consent of both registrars.

3640 Sec. 94. Subsection (c) of section 9-42 of the general statutes is  
3641 repealed and the following is substituted in lieu thereof (*Effective*  
3642 *January 1, 2004*):

3643 (c) The registrars of voters shall cause the inactive registry list  
3644 compiled under section 9-35, as amended by this act, to be completed  
3645 and printed and deposited in the town clerk's office and shall provide  
3646 a sufficient number of copies for use in the polling place on election  
3647 day. If on election day the name of an elector appears on such inactive  
3648 registry list, including the name of an elector who has not responded  
3649 to a confirmation of voting residence notice under subsection (e) of  
3650 section 9-35, as amended by this act, and has not voted in two  
3651 consecutive federal elections, such name shall be added to the active  
3652 registry list upon written affirmation signed by the elector, under  
3653 penalties of false statement, before an election official at the polling  
3654 place, that such elector is still a bona fide resident of such town, and  
3655 upon the consent of both registrars or assistant registrars, as the case  
3656 may be, in the polls.

3657 Sec. 95. Section 9-140a of the general statutes is repealed and the  
3658 following is substituted in lieu thereof (*Effective January 1, 2004*):

3659 Each absentee ballot applicant shall sign the form on the inner  
3660 envelope provided for in section 9-137, which shall constitute a  
3661 statement under the penalties of false statement in absentee balloting.

3662 Any absentee ballot applicant who is unable to write may cause his  
3663 name to be signed on the form by an authorized agent who shall, in the  
3664 space provided for the signature, write the name of the applicant  
3665 followed by the word "by" and his own signature. The failure of the  
3666 applicant or authorized agent to date the form shall not invalidate the  
3667 ballot. The ballot shall be inserted in the inner envelope, and the inner  
3668 envelope shall be inserted in the outer envelope, prior to the return of  
3669 the ballot to the municipal clerk. If an applicant is required to return  
3670 identification with the ballot pursuant to the Help America Vote Act,  
3671 P.L. 107-252, as amended from time to time, such identification shall be  
3672 inserted in the outer envelope so such identification can be viewed  
3673 without opening the inner envelope.

3674 Sec. 96. Subsection (a) of section 9-140b of the general statutes is  
3675 repealed and the following is substituted in lieu thereof (*Effective*  
3676 *January 1, 2004*):

3677 (a) An absentee ballot shall be cast at a primary, election or  
3678 referendum only if: (1) It is mailed by (A) the ballot applicant, (B) a  
3679 designee of a person who applies for an absentee ballot because of  
3680 illness or physical disability, or (C) a member of the immediate family  
3681 of an applicant who is a student, so that it is received by the clerk of  
3682 the municipality in which the applicant is qualified to vote not later  
3683 than the close of the polls; (2) it is returned by the applicant in person  
3684 to the clerk by the day before a regular election, special election or  
3685 primary or prior to the opening of the polls on the day of a  
3686 referendum; (3) it is returned by a designee of an ill or physically  
3687 disabled ballot applicant, in person, to said clerk not later than the  
3688 close of the polls on the day of the election, primary or referendum; (4)  
3689 it is returned by a member of the immediate family of the absentee  
3690 voter, in person, to said clerk not later than the close of the polls on the  
3691 day of the election, primary or referendum; [or] (5) in the case of a  
3692 presidential or overseas ballot, it is mailed or otherwise returned  
3693 pursuant to the provisions of section 9-158g; or (6) it is returned with  
3694 the proper identification as required by the Help America Vote Act,

3695 P.L. 107-252, as amended from time to time, if applicable, inserted in  
3696 the outer envelope so such identification can be viewed without  
3697 opening the inner envelope. A person returning an absentee ballot to  
3698 the municipal clerk pursuant to subdivision (3) or (4) of this subsection  
3699 shall present identification and, on the outer envelope of the absentee  
3700 ballot, sign his name in the presence of the municipal clerk, and  
3701 indicate his address, his relationship to the voter or his position, and  
3702 the date and time of such return. As used in this section, "immediate  
3703 family" means a dependent relative who resides in the individual's  
3704 household or any spouse, child or parent of the individual.

3705 Sec. 97. Subsection (d) of section 9-150a of the general statutes is  
3706 repealed and the following is substituted in lieu thereof (*Effective*  
3707 *January 1, 2004*):

3708 (d) (1) If the statement on the inner envelope has not been signed as  
3709 required by section 9-140a, as amended by this act, such inner  
3710 envelope shall not be opened nor the ballot removed therefrom, and  
3711 such inner envelope shall be replaced in the opened outer envelope  
3712 which shall be marked "Rejected" and the reason therefor endorsed  
3713 thereon by the counters. (2) If such statement is signed but the  
3714 individual completing the ballot is an individual described in  
3715 subsection (a) of section 90 of this act and has not met the requirements  
3716 of subsection (e) of section 90 of this act, the counters shall replace the  
3717 ballot in the opened inner envelope, replace the inner envelope in the  
3718 opened outer envelope and mark "Rejected as an Absentee Ballot" and  
3719 endorse the reason for such rejection on the outer envelope, and the  
3720 ballot shall be treated as a provisional ballot for federal offices only,  
3721 pursuant to sections 83 to 89, inclusive, of this act.

3722 Sec. 98. Subsection (a) of section 9-158e of the general statutes is  
3723 repealed and the following is substituted in lieu thereof (*Effective*  
3724 *January 1, 2004*):

3725 (a) A person applying for a presidential ballot in person shall  
3726 present: (1) A current and valid photo identification, or (2) a copy of a

3727 current utility bill, bank statement, government check, paycheck or  
3728 other government document that shows the name and address of the  
3729 voter. The application for a presidential ballot by mail shall be  
3730 accompanied by: (A) A copy of a current and valid photo  
3731 identification, or (B) a copy of a current utility bill, bank statement,  
3732 government check, paycheck or government document that shows the  
3733 name and address of the voter. Upon receipt of an application for a  
3734 presidential ballot under sections 9-158a to 9-158m, inclusive, the clerk,  
3735 if satisfied that the application is proper and that the applicant is  
3736 qualified to vote under said sections, shall forthwith give or mail to the  
3737 applicant, as the case may be, a ballot for presidential and vice-  
3738 presidential electors for use at the election and instructions and  
3739 envelopes for its return. At such time the clerks shall also mail a  
3740 duplicate of the application to the appropriate official of [(1)] (i) the  
3741 state or the town in this state in which the applicant last resided in the  
3742 case of an applicant who is a resident, or [(2)] (ii) the state or the town  
3743 in this state in which the applicant now resides in the case of an  
3744 applicant who is a former resident.

3745 Sec. 99. Section 9-232f of the general statutes is repealed and the  
3746 following is substituted in lieu thereof (*Effective January 1, 2004*):

3747 The town clerk shall preserve such ballots in the sealed envelopes  
3748 for a period of one hundred eighty days after the election. However, in  
3749 the case of a contested election, either party to such action may request  
3750 the court to order that the sealed envelopes containing challenged  
3751 ballots be delivered to the board of admissions by the town clerk  
3752 together with any memorandum or remarks which were attached to  
3753 the election returns or required to be so attached. If so ordered, the  
3754 board of admissions shall then convene and consider each challenged  
3755 ballot and rule as to which ballots shall be counted. The results thereof  
3756 shall be added to the vote totals. Federal offices shall not be counted on  
3757 a challenged ballot that was issued to a person who was also issued a  
3758 provisional ballot.

3759 Sec. 100. Section 9-236b of the general statutes is repealed and the  
3760 following is substituted in lieu thereof (*Effective January 1, 2004*):

3761 (a) The Secretary of the State shall provide each municipality with  
3762 sufficient quantities of a poster size copy, at least eighteen by twenty-  
3763 four inches, of a Voter's Bill of Rights, which shall be posted  
3764 conspicuously at each polling place. The text of the Voter's Bill of  
3765 Rights shall be:

3766 "VOTER'S BILL OF RIGHTS

3767 Every registered voter in this state has the right to:

3768 (1) Inspect a sample ballot before voting;

3769 (2) Receive instructions concerning how to operate voting  
3770 equipment, on sample voting equipment before voting;

3771 (3) Cast a ballot if the voter is in line when the polls are closing;

3772 (4) Ask for and receive assistance in voting, including assistance in  
3773 languages other than English where required by federal or state law;

3774 (5) Vote free from coercion or intimidation by election officials or  
3775 any other person; and

3776 (6) Cast a ballot using voting equipment that accurately counts all  
3777 votes."

3778 (b) In any municipality or voting district where federal or state law  
3779 requires ballots to be made available in a language or languages other  
3780 than English, the Voter's Bill of Rights shall also be made available in  
3781 such language or languages.

3782 (c) Sample ballots shall be made available at all polling places, and  
3783 any voter shall be permitted to inspect a sample ballot before voting.

3784 (d) Any voter standing in line at a polling place at the time when

3785 polls are scheduled to close shall be permitted to vote.

3786 (e) For use at elections for federal office, the Secretary of the State  
3787 shall prescribe and the municipal clerk shall provide for all polling  
3788 places in the municipality: (1) Instructions on how to cast a provisional  
3789 ballot, (2) instructions for mail-in registrants and first-time voters who  
3790 register to vote by mail on or after January 1, 2003, (3) general  
3791 information concerning voting rights under federal and Connecticut  
3792 laws, including information on the right of an individual to cast a  
3793 provisional ballot and instructions on how to contact the appropriate  
3794 officials if these rights are alleged to have been violated, and (4)  
3795 general information on federal and state laws concerning prohibitions  
3796 on acts of fraud and misrepresentation.

3797 Sec. 101. Subsection (a) of section 9-261 of the general statutes is  
3798 repealed and the following is substituted in lieu thereof (*Effective*  
3799 *January 1, 2004*):

3800 (a) In each primary, election or referendum, when an elector has  
3801 entered the polling place, [he] the elector shall [(1)] announce [his] the  
3802 elector's street address, if any, and [his] the elector's name to the  
3803 checkers in a tone sufficiently loud and clear as to enable all the  
3804 election officials present to hear the same. [and (2) (A)] Each elector  
3805 who registered to vote by mail for the first time on or after January 1,  
3806 2003, and has a "mark" next to the elector's name on the official registry  
3807 list, as required by section 91 of this act, shall present to the checkers,  
3808 before the elector votes, either a current and valid photo identification  
3809 that shows the elector's name and address or a copy of a current utility  
3810 bill, bank statement, government check, paycheck or other government  
3811 document that shows the name and address of the elector. Each other  
3812 elector shall (1) present to the checkers [his] the elector's Social Security  
3813 card or any other preprinted form of identification which shows [his]  
3814 the elector's name and either [his] the elector's address, signature or  
3815 photograph, or [(B)] (2) on a form prescribed by the Secretary of the  
3816 State, write the elector's residential address and date of birth, print the

3817 elector's name and sign a statement under penalty of false statement [,  
3818 on a form prescribed by the Secretary of the State, that he] that the  
3819 elector is the elector whose name appears on the official checklist.  
3820 [Each of] Such form shall clearly state the penalty of false statement. A  
3821 separate such form shall be used for each elector. If the elector presents  
3822 a preprinted form of identification under subdivision (1) of this  
3823 subsection, the checkers shall check the name of such elector on the  
3824 official checklist. If the elector completes the form under subdivision  
3825 (2) of this subsection, the assistant registrar of voters shall examine the  
3826 information on such form and either instruct the checkers to check the  
3827 name of such elector on the official checklist or notify the elector that  
3828 the form is incomplete or inaccurate.

3829 Sec. 102. Subsection (j) of section 9-437 of the general statutes is  
3830 repealed and the following is substituted in lieu thereof (*Effective*  
3831 *January 1, 2004*):

3832 (j) All ballot labels used at a primary shall be prepared by the clerk  
3833 of the municipality in which such primary is held and shall be printed  
3834 at the expense of the municipality. Each municipality shall provide for  
3835 all polling places:

3836 (1) At least forty-eight hours before the primary, such clerk shall  
3837 have sample ballot labels for general distribution, which [sample  
3838 labels] shall be arranged in the form of a diagram showing the entire  
3839 front of the voting machine as it will appear after the official ballot  
3840 labels are arranged for voting on the day of the primary or that portion  
3841 thereof that will contain the offices or positions and names of  
3842 candidates to be voted upon. Each such sample ballot label shall also  
3843 include printed instructions approved by the Secretary of the State  
3844 concerning the use of the voting machine and information concerning  
3845 the date of the primary and the hours during which polling places will  
3846 be open. Such clerk shall have available for distribution such number  
3847 of sample ballot labels as he deems advisable, but in no event less than  
3848 three which shall be posted inside the polling place so as to be visible

3849 to those within the polling place during the whole day of the primary.  
3850 At least one of such sample ballot labels shall be posted so as to be  
3851 visible to an elector being instructed on the demonstrator or spare  
3852 voting machine, pursuant to section 9-260. If paper ballots are used in  
3853 any primary, such sample paper ballots shall be overprinted with the  
3854 word "Sample";

3855 (2) Instructions on how to cast a provisional ballot, as prescribed by  
3856 the Secretary of the State;

3857 (3) Instructions for mail-in registrants and first-time voters who  
3858 register to vote by mail on or after January 1, 2003, as prescribed by the  
3859 Secretary of the State;

3860 (4) General information concerning voting rights under federal and  
3861 Connecticut laws, including information on the right of an individual  
3862 to cast a provisional ballot and instructions on how to contact the  
3863 appropriate officials if such rights are alleged to have been violated, as  
3864 prescribed by the Secretary of the State; and

3865 (5) General information on federal and state laws concerning  
3866 prohibitions on acts of fraud and misrepresentation, as prescribed by  
3867 the Secretary of the State.

3868 Sec. 103. Section 9-12 of the general statutes is repealed and the  
3869 following is substituted in lieu thereof (*Effective January 1, 2004*):

3870 (a) Each citizen of the United States who has attained the age of  
3871 eighteen years, and who is a bona fide resident of the town to which  
3872 [he] the citizen applies for admission as an elector shall, on approval  
3873 by the registrars of voters or town clerk of the town of residence of  
3874 such citizen, as prescribed by law, be an elector, except as provided in  
3875 subsection (b) of this section. For purposes of this section a person  
3876 shall be deemed to have attained the age of eighteen years on the day  
3877 of [his] the person's eighteenth birthday. No mentally incompetent  
3878 person shall be admitted as an elector.

3879 (b) Any citizen who [has attained the age of seventeen years] will  
3880 have attained the age of eighteen years on or before the day of a  
3881 regular election may apply for admission as an elector. If such citizen  
3882 is found to be qualified [he] the citizen shall become an elector on the  
3883 day of [his] the citizen's eighteenth birthday. The registrars shall add  
3884 the name of any person applying under this subsection, if found  
3885 qualified, to the registry list and, if applicable, to the enrollment list,  
3886 together with the effective date of his registration. The registrars may  
3887 place the name of each such person at the end of the registry and  
3888 enrollment lists for the voting district.

3889 Sec. 104. Subsections (b) to (d), inclusive, of section 1-210 of the  
3890 general statutes are repealed and the following is substituted in lieu  
3891 thereof (*Effective from passage*):

3892 (b) Nothing in the Freedom of Information Act shall be construed to  
3893 require disclosure of:

3894 (1) Preliminary drafts or notes provided the public agency has  
3895 determined that the public interest in withholding such documents  
3896 clearly outweighs the public interest in disclosure;

3897 (2) Personnel or medical files and similar files the disclosure of  
3898 which would constitute an invasion of personal privacy;

3899 (3) Records of law enforcement agencies not otherwise available to  
3900 the public which records were compiled in connection with the  
3901 detection or investigation of crime, if the disclosure of said records  
3902 would not be in the public interest because it would result in the  
3903 disclosure of (A) the identity of informants not otherwise known or the  
3904 identity of witnesses not otherwise known whose safety would be  
3905 endangered or who would be subject to threat or intimidation if their  
3906 identity was made known, (B) signed statements of witnesses, (C)  
3907 information to be used in a prospective law enforcement action if  
3908 prejudicial to such action, (D) investigatory techniques not otherwise  
3909 known to the general public, (E) arrest records of a juvenile, which

3910 shall also include any investigatory files, concerning the arrest of such  
3911 juvenile, compiled for law enforcement purposes, (F) the name and  
3912 address of the victim of a sexual assault under section 53a-70, 53a-70a,  
3913 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or risk of injury, or  
3914 impairing of morals under section 53-21, or of an attempt thereof, or  
3915 (G) uncorroborated allegations subject to destruction pursuant to  
3916 section 1-216;

3917 (4) Records pertaining to strategy and negotiations with respect to  
3918 pending claims or pending litigation to which the public agency is a  
3919 party until such litigation or claim has been finally adjudicated or  
3920 otherwise settled;

3921 (5) (A) Trade secrets, which for purposes of the Freedom of  
3922 Information Act, are defined as information, including formulas,  
3923 patterns, compilations, programs, devices, methods, techniques,  
3924 processes, drawings, cost data, or customer lists that (i) derive  
3925 independent economic value, actual or potential, from not being  
3926 generally known to, and not being readily ascertainable by proper  
3927 means by, other persons who can obtain economic value from their  
3928 disclosure or use, and (ii) are the subject of efforts that are reasonable  
3929 under the circumstances to maintain secrecy; and

3930 (B) Commercial or financial information given in confidence, not  
3931 required by statute;

3932 (6) Test questions, scoring keys and other examination data used to  
3933 administer a licensing examination, examination for employment or  
3934 academic examinations;

3935 (7) The contents of real estate appraisals, engineering or feasibility  
3936 estimates and evaluations made for or by an agency relative to the  
3937 acquisition of property or to prospective public supply and  
3938 construction contracts, until such time as all of the property has been  
3939 acquired or all proceedings or transactions have been terminated or  
3940 abandoned, provided the law of eminent domain shall not be affected

3941 by this provision;

3942 (8) Statements of personal worth or personal financial data required  
3943 by a licensing agency and filed by an applicant with such licensing  
3944 agency to establish the applicant's personal qualification for the  
3945 license, certificate or permit applied for;

3946 (9) Records, reports and statements of strategy or negotiations with  
3947 respect to collective bargaining;

3948 (10) Records, tax returns, reports and statements exempted by  
3949 federal law or state statutes or communications privileged by the  
3950 attorney-client relationship;

3951 (11) Names or addresses of students enrolled in any public school or  
3952 college without the consent of each student whose name or address is  
3953 to be disclosed who is eighteen years of age or older and a parent or  
3954 guardian of each such student who is younger than eighteen years of  
3955 age, provided this subdivision shall not be construed as prohibiting the  
3956 disclosure of the names or addresses of students enrolled in any public  
3957 school in a regional school district to the board of selectmen or town  
3958 board of finance, as the case may be, of the town wherein the student  
3959 resides for the purpose of verifying tuition payments made to such  
3960 school;

3961 (12) Any information obtained by the use of illegal means;

3962 (13) Records of an investigation or the name of an employee  
3963 providing information under the provisions of section 4-61dd;

3964 (14) Adoption records and information provided for in sections 45a-  
3965 746, 45a-750 and 45a-751;

3966 (15) Any page of a primary petition, nominating petition,  
3967 referendum petition or petition for a town meeting submitted under  
3968 any provision of the general statutes or of any special act, municipal  
3969 charter or ordinance, until the required processing and certification of

3970 such page has been completed by the official or officials charged with  
3971 such duty after which time disclosure of such page shall be required;

3972 (16) Records of complaints, including information compiled in the  
3973 investigation thereof, brought to a municipal health authority pursuant  
3974 to chapter 368e or a district department of health pursuant to chapter  
3975 368f, until such time as the investigation is concluded or thirty days  
3976 from the date of receipt of the complaint, whichever occurs first;

3977 (17) Educational records which are not subject to disclosure under  
3978 the Family Educational Rights and Privacy Act, 20 USC 1232g;

3979 (18) Records, the disclosure of which the Commissioner of  
3980 Correction, or as it applies to Whiting Forensic Division facilities of the  
3981 Connecticut Valley Hospital, the Commissioner of Mental Health and  
3982 Addiction Services, has reasonable grounds to believe may result in a  
3983 safety risk, including the risk of harm to any person or the risk of an  
3984 escape from, or a disorder in, a correctional institution or facility under  
3985 the supervision of the Department of Correction or Whiting Forensic  
3986 Division facilities. Such records shall include, but are not limited to:

3987 (A) Security manuals, including emergency plans contained or  
3988 referred to in such security manuals;

3989 (B) Engineering and architectural drawings of correctional  
3990 institutions or facilities or Whiting Forensic Division facilities;

3991 (C) Operational specifications of security systems utilized by the  
3992 Department of Correction at any correctional institution or facility or  
3993 Whiting Forensic Division facilities, except that a general description  
3994 of any such security system and the cost and quality of such system  
3995 may be disclosed;

3996 (D) Training manuals prepared for correctional institutions and  
3997 facilities or Whiting Forensic Division facilities that describe, in any  
3998 manner, security procedures, emergency plans or security equipment;

3999 (E) Internal security audits of correctional institutions and facilities  
4000 or Whiting Forensic Division facilities;

4001 (F) Minutes or recordings of staff meetings of the Department of  
4002 Correction or Whiting Forensic Division facilities, or portions of such  
4003 minutes or recordings, that contain or reveal information relating to  
4004 security or other records otherwise exempt from disclosure under this  
4005 subdivision;

4006 (G) Logs or other documents that contain information on the  
4007 movement or assignment of inmates or staff at correctional institutions  
4008 or facilities; and

4009 (H) Records that contain information on contacts between inmates,  
4010 as defined in section 18-84, and law enforcement officers;

4011 (19) Records when there are reasonable grounds to believe  
4012 disclosure may result in a safety risk, including the risk of harm to any  
4013 person, any government-owned or leased institution or facility or any  
4014 fixture or appurtenance and equipment attached to, or contained in,  
4015 such institution or facility, except that such records shall be disclosed  
4016 to a law enforcement agency upon the request of the law enforcement  
4017 agency. Such reasonable grounds shall be determined (A) with respect  
4018 to records concerning any executive branch agency of the state or any  
4019 municipal, district or regional agency, by the Commissioner of Public  
4020 Works, after consultation with the chief executive officer of the agency;  
4021 (B) with respect to records concerning Judicial Department facilities,  
4022 by the Chief Court Administrator; and (C) with respect to records  
4023 concerning the Legislative Department, by the executive director of the  
4024 Joint Committee on Legislative Management. As used in this section,  
4025 "government-owned or leased institution or facility" includes, but is  
4026 not limited to, an institution or facility owned or leased by a public  
4027 service company, as defined in section 16-1, as amended, a certified  
4028 telecommunications provider, as defined in section 16-1, as amended, a  
4029 water company, as defined in section 25-32a, or a municipal utility that  
4030 furnishes electric, gas or water service, but does not include an

4031 institution or facility owned or leased by the federal government, and  
4032 "chief executive officer" includes, but is not limited to, an agency head,  
4033 department head, executive director or chief executive officer. Such  
4034 records include, but are not limited to:

4035 (i) Security manuals or reports;

4036 (ii) Engineering and architectural drawings of government-owned  
4037 or leased institutions or facilities;

4038 (iii) Operational specifications of security systems utilized at any  
4039 government-owned or leased institution or facility, except that a  
4040 general description of any such security system and the cost and  
4041 quality of such system, may be disclosed;

4042 (iv) Training manuals prepared for government-owned or leased  
4043 institutions or facilities that describe, in any manner, security  
4044 procedures, emergency plans or security equipment;

4045 (v) Internal security audits of government-owned or leased  
4046 institutions or facilities;

4047 (vi) Minutes or records of meetings, or portions of such minutes or  
4048 records, that contain or reveal information relating to security or other  
4049 records otherwise exempt from disclosure under this subdivision;

4050 (vii) Logs or other documents that contain information on the  
4051 movement or assignment of security personnel at government-owned  
4052 or leased institutions or facilities; [and]

4053 (viii) Emergency plans and emergency recovery or response plans;  
4054 and

4055 (ix) With respect to a water company, as defined in section 25-32a,  
4056 that provides water service: Vulnerability assessments and risk  
4057 management plans, operational plans, portions of water supply plans  
4058 submitted pursuant to section 25-32d, as amended, that contain or

4059 reveal information the disclosure of which may result in a security risk  
4060 to a water company, inspection reports, technical specifications and  
4061 other materials that depict or specifically describe critical water  
4062 company operating facilities, collection and distribution systems or  
4063 sources of supply;

4064 (20) Records of standards, procedures, processes, software and  
4065 codes, not otherwise available to the public, the disclosure of which  
4066 would compromise the security or integrity of an information  
4067 technology system.

4068 (c) Whenever a public agency receives a request from any person  
4069 confined in a correctional institution or facility or a Whiting Forensic  
4070 Division facility, for disclosure of any public record under the  
4071 Freedom of Information Act, the public agency shall promptly notify  
4072 the Commissioner of Correction or the Commissioner of Mental Health  
4073 and Addiction Services in the case of a person confined in a Whiting  
4074 Forensic Division facility of such request, in the manner prescribed by  
4075 the commissioner, before complying with the request as required by  
4076 the Freedom of Information Act. If the commissioner believes the  
4077 requested record is exempt from disclosure pursuant to subdivision  
4078 (18) of subsection (b) of this section, the commissioner may withhold  
4079 such record from such person when the record is delivered to the  
4080 person's correctional institution or facility or Whiting Forensic  
4081 Division facility.

4082 (d) Whenever a public agency, except the Judicial Department or  
4083 Legislative Department, receives a request from any person for  
4084 disclosure of any records described in subdivision (19) of subsection  
4085 (b) of this section under the Freedom of Information Act, the public  
4086 agency shall promptly notify the Commissioner of Public Works of  
4087 such request, in the manner prescribed by the commissioner, before  
4088 complying with the request as required by the Freedom of Information  
4089 Act and for information related to a water company, as defined in  
4090 section 25-32a, the public agency shall promptly notify the water

4091 company before complying with the request as required by the  
4092 Freedom of Information Act. If the commissioner, after consultation  
4093 with the chief executive officer of the applicable agency or after  
4094 consultation with the chief executive officer of the applicable water  
4095 company for information related to a water company, as defined in  
4096 section 25-32a, believes the requested record is exempt from disclosure  
4097 pursuant to subdivision (19) of subsection (b) of this section, the  
4098 commissioner may direct the agency to withhold such record from  
4099 such person. In any appeal brought under the provisions of section 1-  
4100 206 of the Freedom of Information Act for denial of access to records  
4101 for any of the reasons described in subdivision (19) of subsection (b) of  
4102 this section, such appeal shall be against the Commissioner of Public  
4103 Works, exclusively, or, in the case of records concerning Judicial  
4104 Department facilities, the Chief Court Administrator or, in the case of  
4105 records concerning the Legislative Department, the executive director  
4106 of the Joint Committee on Legislative Management.

4107 Sec. 105. (NEW) (*Effective from passage*) (a) The Commissioner of  
4108 Public Works may, subject to the approval of the State Properties  
4109 Review Board, sublet land or buildings, or both, and facilities leased to  
4110 the state to (1) municipalities for municipal use, or (2) private  
4111 individuals or concerns for private use, when such sublet land or  
4112 buildings, or both, and facilities are otherwise not used or needed for  
4113 state use and such action seems desirable to produce income or is  
4114 otherwise in the public interest. The term of such sublet agreement  
4115 shall not be extended by the exercise of any option available to the  
4116 state under the terms of the state's lease.

4117 (b) The commissioner shall deposit all payments received under this  
4118 section in the General Fund and each such payment shall be credited to  
4119 the appropriation made from such fund for the lease of such sublet  
4120 land or buildings, or both, and facilities.

4121 Sec. 106. (*Effective from passage*) (a) Notwithstanding any provision  
4122 of the general statutes, the Commissioner of Transportation shall

4123 convey to the Connecticut Light and Power Company such parcels of  
4124 land located along the existing right-of-way for the relocated Route 7  
4125 expressway in the towns of Norwalk and Wilton as may be required  
4126 for the construction of an overhead segment of the new Bethel to  
4127 Norwalk 345-kV transmission line along the route that was certified by  
4128 the Connecticut Siting Council on July 14, 2003. Such parcels are  
4129 described in subdivisions (1) and (2) of this subsection:

4130 (1) A parcel of land located between Grist Mill Road in the town of  
4131 Norwalk and the approximate vicinity of railroad station 943+60 in the  
4132 town of Wilton, being approximately eight thousand feet in length and  
4133 generally parallel to or abutting the Danbury Branch Railroad and an  
4134 existing utility right-of-way of the Connecticut Light and Power  
4135 Company, linear in shape so as to accommodate overhead  
4136 transmission facilities, and of such widths as determined by the  
4137 Connecticut Light and Power Company and the commissioner to be  
4138 required to accommodate the electric transmission facilities certified by  
4139 the council;

4140 (2) A parcel of land located in the town of Wilton, approximately  
4141 two hundred fifty feet in length in a north to south direction; bounded  
4142 on the west by the existing utility right-of-way of the Connecticut  
4143 Light and Power Company that parallels and abuts the Danbury  
4144 Branch Railroad; bounded on the south by the northerly line of the  
4145 existing eighty-foot wide so-called Norwalk Junction utility easement  
4146 of the Connecticut Light and Power Company; bounded on the north  
4147 by other land of the state; and of such widths as determined by the  
4148 Connecticut Light and Power Company and the commissioner to be  
4149 required to accommodate the electric transmission facilities certified by  
4150 the council.

4151 (b) The Connecticut Light and Power Company shall use said parcel  
4152 of land for the purposes of constructing and maintaining such electric  
4153 transmission facilities. If the company:

4154 (1) Does not use said parcel for said purposes;

4155 (2) Does not retain ownership of all of said parcel; or

4156 (3) Leases all or any portion of said parcel,

4157 the parcel shall revert to the state of Connecticut.

4158 (c) The conveyance shall be subject to the approval of the State  
4159 Properties Review Board and at a cost equal to the fair market value of  
4160 such parcels as determined by an appraisal conducted by an  
4161 independent real estate appraiser who shall be selected by the  
4162 Commissioner of Transportation. The State Properties Review Board  
4163 shall complete its review of the conveyance of said parcels of land not  
4164 later than thirty days after it receives a proposed agreement from the  
4165 Department of Transportation. The land shall remain under the care  
4166 and control of said department until a conveyance is made in  
4167 accordance with this section. The State Treasurer shall execute and  
4168 deliver any deed or instrument necessary for a conveyance under this  
4169 section and the Commissioner of Transportation shall have the sole  
4170 responsibility for all other incidents of such conveyance.

4171 Sec. 107. (NEW) (*Effective from passage*) (a) There is established a  
4172 CORE-CT policy board which shall be within the office of the State  
4173 Comptroller for administrative purposes only. The policy board shall  
4174 be composed of the State Comptroller, who shall serve as chairperson,  
4175 the Chief Justice of the Supreme Court, the Secretary of the Office of  
4176 Policy and Management, the speaker of the House of Representatives  
4177 and the president pro tempore of the Senate, or their designees.

4178 (b) The CORE-CT policy board shall meet at least once during each  
4179 calendar quarter and at such other times as the chairperson deems  
4180 necessary. A majority of the members shall constitute a quorum for the  
4181 transaction of business.

4182 (c) The policy board's primary responsibility shall be to ensure and  
4183 maintain the constitutional and statutory independence of the three  
4184 branches of state government with respect to the implementation and  
4185 operation of the CORE-CT system. In no event shall any interagency or

4186 interdepartmental policy, procedure or protocol be deemed to  
4187 authorize the policy board to infringe or diminish the constitutional or  
4188 statutory authority of any constitutional officer or branch of  
4189 government.

4190 (d) The policy board shall: (1) Establish, implement and oversee  
4191 interagency and interdepartmental policies, procedures and protocols  
4192 and enter into written agreements that assure that appropriate controls  
4193 are in place within the CORE-CT system with respect to data access,  
4194 data sharing and data security; (2) resolve any interagency or  
4195 interdepartmental conflicts and concerns that arise with respect to the  
4196 operation or sharing of data within the CORE-CT system; and (3)  
4197 advise the State Comptroller on the operation and administration of  
4198 the CORE-CT system.

4199 (e) Each member of the policy board, member of a permanent or an  
4200 ad hoc committee established by the policy board, or person operating  
4201 or administering the CORE-CT system shall be deemed to be a state  
4202 officer or employee for the purposes of chapter 53 of the general  
4203 statutes and section 5-141d of the general statutes.

4204 Sec. 108. Subsection (a) of section 22a-27j of the general statutes is  
4205 repealed and the following is substituted in lieu thereof (*Effective from*  
4206 *passage*):

4207 (a) Any person, firm or corporation, other than a municipality,  
4208 making an application for any approval required by chapters 124, 126,  
4209 440 and 444 shall pay a fee of [~~ten~~] twenty dollars, in addition to any  
4210 other fee which may be required, to the municipal agency or legislative  
4211 body which is authorized to approve the application. Such municipal  
4212 agency or legislative body shall collect such fees, retaining one dollar  
4213 of such fee for administrative costs, and shall pay the remainder of  
4214 such fees quarterly to the Department of Environmental Protection and  
4215 the receipts shall be deposited into an account of the State Treasurer  
4216 and credited to the Environmental Quality Fund established pursuant  
4217 to section 22a-27g. The portion of such fund attributable to the fees

4218 established by this section shall be used by the Department of  
4219 Environmental Protection for the purpose of funding the  
4220 environmental review teams program of the Bureau of Water  
4221 Management within said department, the Council on Soil and Water  
4222 Conservation established pursuant to section 22a-315 and the eight  
4223 county soil and water conservation districts.

4224 Sec. 109. Subsection (g) of section 22a-50 of the general statutes is  
4225 repealed and the following is substituted in lieu thereof (*Effective from*  
4226 *passage*):

4227 (g) The registrant shall pay a fee of [five hundred] seven hundred  
4228 fifty dollars for each pesticide registered and for each renewal of a  
4229 registration. A registration shall expire after five years. The  
4230 commissioner shall establish regulations to phase in pesticide  
4231 registration so that one fifth of the pesticides registered expire each  
4232 year. The commissioner may register a pesticide for less than five years  
4233 and prorate the registration fee accordingly to implement the  
4234 regulations established pursuant to this subsection. The fees collected  
4235 in accordance with this section shall be deposited in the General Fund  
4236 provided, on and after October 1, 1997, two hundred dollars from each  
4237 payment of the fee required under this subsection shall be deposited  
4238 into the Environmental Quality Fund established under section 22a-  
4239 27g and shall be used by the commissioner to carry out the purposes of  
4240 section 22a-66l.

4241 Sec. 110. Subdivision (2) of subsection (e) of section 22a-54 of the  
4242 general statutes is repealed and the following is substituted in lieu  
4243 thereof (*Effective from passage*):

4244 (2) Upon application of any person qualified to fly an aircraft, the  
4245 commissioner may issue a certificate for the application of pesticides or  
4246 fertilizers by aircraft. Application for said certificate shall be on forms  
4247 provided by the commissioner and shall be accompanied by a fee  
4248 [established by the commissioner by regulations adopted in  
4249 accordance with the provisions of chapter 54 provided the fee shall be

4250 not less than twenty-five] of fifty dollars.

4251 Sec. 111. Subsection (f) of section 22a-54 of the general statutes is  
4252 repealed and the following is substituted in lieu thereof (*Effective from*  
4253 *passage*):

4254 (f) The commissioner may by regulation prescribe fees for  
4255 applicants to defray the cost of administering examinations and  
4256 assisting in carrying out the purposes of section 22a-451, except the  
4257 fees for certification and renewal of a certification shall be as follows:  
4258 (1) For supervisory certification as a commercial applicator, [one  
4259 hundred fifty] two hundred twenty-five dollars; (2) for operational  
4260 certification as a commercial applicator, [twenty] forty dollars, and (3)  
4261 for certification as a private applicator, [twenty-five] fifty dollars. A  
4262 federal, state or municipal employee who applies pesticides solely as  
4263 part of his employment shall be exempt from payment of a fee. Any  
4264 certificate issued to a federal, state or municipal employee for which a  
4265 fee has not been paid shall be void if the holder leaves government  
4266 employment. The fees collected in accordance with this section shall be  
4267 deposited in the General Fund.

4268 Sec. 112. Section 22a-54a of the general statutes is repealed and the  
4269 following is substituted in lieu thereof (*Effective from passage*):

4270 The owner of any golf course which has a course length greater  
4271 than one thousand yards shall, not later than December thirty-first  
4272 annually, pay a fee of [one] two hundred dollars to the Commissioner  
4273 of Environmental Protection to assist in carrying out the purposes of  
4274 section 22a-451. The fees collected in accordance with this section shall  
4275 be deposited in the General Fund.

4276 Sec. 113. Subsection (c) of section 22a-56 of the general statutes is  
4277 repealed and the following is substituted in lieu thereof (*Effective from*  
4278 *passage*):

4279 (c) Any person who distributes, sells, offers for sale, holds for sale or

4280 offers to deliver any restricted or permit use pesticide to any person in  
4281 the state shall register his name and address with the commissioner  
4282 annually. The commissioner may by regulations adopted in  
4283 accordance with the provisions of chapter 54 require the payment of a  
4284 fee sufficient to cover the cost of administering examinations for  
4285 registration and assisting in carrying out the purposes of section 22a-  
4286 451. The fee for each annual registration shall be [thirty] sixty dollars.  
4287 The fees collected in accordance with this section shall be deposited in  
4288 the General Fund.

4289 Sec. 114. Subsection (c) of section 22a-66c of the general statutes is  
4290 repealed and the following is substituted in lieu thereof (*Effective from*  
4291 *passage*):

4292 (c) An application for a certificate shall be accompanied by payment  
4293 of a fee of [sixty] one hundred twenty dollars. The commissioner may  
4294 waive payment of the fee for the initial renewal of a certificate issued  
4295 during the three months prior to expiration. A pesticide application  
4296 business which employs not more than one certified applicator shall be  
4297 exempt from payment of a fee. An application for a certificate or  
4298 renewal shall not be deemed to be complete or sufficient until the fee is  
4299 paid in full. Funds received by the commissioner in accordance with  
4300 the provisions of this section shall be deposited in the General Fund.

4301 Sec. 115. Section 22a-66y of the general statutes is repealed and the  
4302 following is substituted in lieu thereof (*Effective from passage*):

4303 No person shall (a) sell or receive in intrastate commerce any  
4304 sodium fluoroacetate or any product containing any amount of sodium  
4305 fluoroacetate except to competent federal, state or municipal officers or  
4306 pest control operators licensed by and qualified by special examination  
4307 administered by the Commissioner of Environmental Protection; (b)  
4308 use or have in his possession sodium fluoroacetate as a rodenticide or  
4309 for any other purpose except under such conditions and at such times  
4310 and places as may be established by regulations consistent with public  
4311 health and the prevention of accidental poisoning, issued by the

4312 commissioner, who is authorized to adopt such regulations in  
4313 accordance with the provisions of chapter 54. The regulations shall  
4314 include a requirement for specific written permission of the  
4315 commissioner stating the date and place of each application permitted.  
4316 Such pest control operators shall register, on or before January first,  
4317 annually, with the commissioner at a fee of [one dollar] two dollars in  
4318 the manner established by the commissioner.

4319 Sec. 116. Section 22a-66z of the general statutes is repealed and the  
4320 following is substituted in lieu thereof (*Effective from passage*):

4321 The Commissioner of Environmental Protection may issue permits  
4322 for the introduction of chemicals into the waters of the state for the  
4323 control of aquatic vegetation, fish populations or other aquatic  
4324 organisms. Application for said permit shall be on forms provided by  
4325 the commissioner and shall be accompanied by a fee established by the  
4326 commissioner by regulations adopted in accordance with the  
4327 provisions of chapter 54 provided the fee shall be not less than [ten]  
4328 twenty dollars. No permit shall be issued without prior approval, if the  
4329 proposed application of chemicals involves areas tributary to  
4330 reservoirs, lakes, ponds or streams used for public water supply, by  
4331 the Commissioner of Public Health. Each permittee shall be  
4332 responsible for any and all damages resulting from the applications of  
4333 any pesticide to control aquatic vegetation, fish populations or other  
4334 organisms. The commissioner, acting with the Department of Public  
4335 Health, may establish regulations governing the use of pesticides in  
4336 the waters of the state, including the marine district. The provisions of  
4337 this section shall not apply to normal, emergency or experimental  
4338 operations of the Department of Environmental Protection, the  
4339 Department of Public Health or public water supply utilities, except  
4340 that chemicals may not be applied to waters used for water supply  
4341 furnished to the public or tributary to such water supply without prior  
4342 approval of the Department of Public Health. Enforcement officers of  
4343 the Department of Environmental Protection and the Department of  
4344 Public Health may enforce the provisions of this section.

4345 Sec. 117. Subsections (e) to (h), inclusive, of section 22a-133v of the  
4346 general statutes are repealed and the following is substituted in lieu  
4347 thereof (*Effective from passage*):

4348 (e) The board shall authorize the commissioner to issue a license  
4349 under subsection (d) of section 22a-133m, sections 22a-184 to 22a-184e,  
4350 inclusive, this section and section 22a-133w to any person who  
4351 demonstrates to the satisfaction of the board that such person: (1) (A)  
4352 Has for a minimum of eight years engaged in the investigation and  
4353 remediation of releases of hazardous waste or petroleum products into  
4354 soil or groundwater, including a minimum of four years in responsible  
4355 charge of investigation and remediation of the release of hazardous  
4356 waste or petroleum products into soil or groundwater, and holds a  
4357 bachelor's or advanced degree from an accredited college or university  
4358 in a related science or related engineering field or is a professional  
4359 engineer licensed in accordance with chapter 391, or (B) has for a  
4360 minimum of fourteen years engaged in the investigation and  
4361 remediation of releases of hazardous waste or petroleum products into  
4362 soil or groundwater, including a minimum of seven years in  
4363 responsible charge of investigation and remediation of hazardous  
4364 waste or petroleum products into soil or groundwater; (2) has  
4365 successfully passed a written examination, or a written and oral  
4366 examination, prescribed by the board and approved by the  
4367 commissioner, which shall test the applicant's knowledge of the  
4368 physical and environmental sciences applicable to an investigation of a  
4369 polluted site and remediation conducted in accordance with  
4370 regulations adopted by the commissioner under section 22a-133k and  
4371 any other applicable guidelines or regulations as may be adopted by  
4372 the commissioner; and (3) has paid an examination fee of one hundred  
4373 [twenty-five] eighty-eight dollars to the commissioner.

4374 (f) The board shall authorize the commissioner to issue a license to  
4375 any applicant who, in the opinion of the board, has satisfactorily met  
4376 the requirements of this section. The issuance of a license by the  
4377 commissioner shall be evidence that the person named therein is

4378 entitled to all the rights and privileges of a licensed environmental  
4379 professional while such license remains unrevoked or unexpired. A  
4380 licensed environmental professional shall pay to the commissioner an  
4381 annual fee of [two hundred twenty-five] three hundred thirty-eight  
4382 dollars, [or such other amount as may be specified by the  
4383 commissioner in regulations adopted in accordance with the  
4384 provisions of chapter 54,] due and payable on July first of every year  
4385 beginning with July first of the calendar year immediately following  
4386 the year of license issuance. The commissioner, with the advice and  
4387 assistance of the board, may adopt regulations in accordance with the  
4388 provisions of chapter 54, pertaining to the design and use of seals by  
4389 licensees under this section.

4390 (g) The board may conduct investigations concerning the conduct of  
4391 any licensed environmental professional. The commissioner may  
4392 conduct audits of any actions authorized by law to be performed by a  
4393 licensed environmental professional. The board shall authorize the  
4394 commissioner to revoke or suspend the license of any environmental  
4395 professional or to deny an application for such licensure if the board,  
4396 after providing such professional with notice and an opportunity to be  
4397 heard concerning such revocation, suspension or denial, finds that  
4398 such professional has submitted false or misleading information to the  
4399 board or has engaged in professional misconduct including, without  
4400 limitation, knowingly or recklessly making a false verification of a  
4401 remediation under section 22a-134a, or violating any provision of this  
4402 section or regulations adopted hereunder.

4403 (h) The board shall hold the first examination pursuant to this  
4404 section no later than eighteen months after the date the commissioner  
4405 adopts regulations pursuant to section 22a-133k, and shall publish the  
4406 first roster of licensed environmental professionals no later than six  
4407 months after the date of such examination. Until such time as the  
4408 board publishes the first roster of licensed environmental  
4409 professionals, any person who (1) has for a minimum of eight years  
4410 engaged in the investigation and remediation of releases of hazardous

4411 waste or petroleum products into soil or groundwater, including a  
4412 minimum of four years in responsible charge of investigation and  
4413 remediation of the release of hazardous waste or petroleum products  
4414 into soil or groundwater, (2) holds a bachelor's or advanced degree  
4415 from an accredited college or university in a related science or related  
4416 engineering field or is a professional engineer licensed in accordance  
4417 with chapter 391, and (3) pays a registration fee of [one hundred fifty]  
4418 two hundred twenty-five dollars may apply to the commissioner to be  
4419 placed on a list of environmental professionals. Any person on such  
4420 list may perform any duties authorized by law to be performed by a  
4421 licensed environmental professional until such time as the first roster  
4422 of licensed environmental professionals is published by the board.

4423 Sec. 118. Subsection (e) of section 22a-133x of the general statutes is  
4424 repealed and the following is substituted in lieu thereof (*Effective from*  
4425 *passage*):

4426 (e) The fee for submitting an environmental condition assessment  
4427 form to the commissioner pursuant to this section shall be [two] three  
4428 thousand dollars and shall be paid at the time the environmental  
4429 condition assessment form is submitted. Any fee paid pursuant to this  
4430 section shall be deducted from any fee required by subsection (m) or  
4431 (n) of section 22a-134e for the transfer of any parcel for which an  
4432 environmental condition assessment form has been submitted within  
4433 three years of such transfer.

4434 Sec. 119. Subsection (b) of section 22a-134e of the general statutes is  
4435 repealed and the following is substituted in lieu thereof (*Effective from*  
4436 *passage*):

4437 (b) The fee for filing a Form I, as defined in section 22a-134, shall be  
4438 [two] three hundred dollars. The fee for filing a Form II shall be [seven  
4439 hundred] one thousand fifty dollars except as provided for in  
4440 subsections (e) and (p) of this section.

4441 Sec. 120. Subsections (m) to (o), inclusive, of section 22a-134e of the

4442 general statutes are repealed and the following is substituted in lieu  
4443 thereof (*Effective from passage*):

4444 (m) On and after October 1, 1995, the fee for filing a Form III or  
4445 Form IV shall be due in accordance with the following schedule: An  
4446 initial fee of [two] three thousand dollars shall be submitted to the  
4447 commissioner with the filing of a Form III or Form IV. If a licensed  
4448 environmental professional verifies the remediation of the  
4449 establishment and the commissioner has not notified the certifying  
4450 party that the commissioner's written approval of the remediation is  
4451 required, no additional fee shall be due. If the commissioner notifies  
4452 the certifying party that the commissioner's written approval of the  
4453 remediation is required, the balance of the total fee shall be due prior  
4454 to the commissioner's issuance of the commissioner's final approval of  
4455 the remediation.

4456 (n) On and after October 1, 1995, the total fee for filing a Form III  
4457 shall be as follows: (1) [Twenty-three thousand] Thirty-four thousand  
4458 five hundred dollars if the total cost of remediation is equal to or  
4459 greater than one million dollars; (2) [twenty] thirty thousand dollars if  
4460 the total cost of remediation is equal to or greater than five hundred  
4461 thousand dollars but less than one million dollars; (3) [fourteen]  
4462 twenty-one thousand dollars if the total cost of remediation is equal to  
4463 or greater than one hundred thousand dollars but less than five  
4464 hundred thousand dollars; (4) [four thousand five hundred] six  
4465 thousand seven hundred fifty dollars if the total cost of remediation is  
4466 equal to or greater than fifty thousand dollars but less than one  
4467 hundred thousand dollars; (5) [three thousand] four thousand five  
4468 hundred dollars if the total cost of remediation is equal to or greater  
4469 than twenty-five thousand dollars but less than fifty thousand dollars;  
4470 and (6) [two] three thousand dollars if the total cost of remediation is  
4471 less than twenty-five thousand dollars.

4472 (o) On and after October 1, 1995, except as provided in subsection  
4473 (p) of this section, the total fee for filing a Form IV shall be as follows:

4474 (1) [Eleven thousand five hundred] Seventeen thousand two hundred  
4475 fifty dollars if the total cost of remediation is equal to or greater than  
4476 one million dollars; (2) [ten] fifteen thousand dollars if the total cost of  
4477 remediation is equal to or greater than five hundred thousand dollars  
4478 but less than one million dollars; (3) [seven thousand] ten thousand  
4479 five hundred dollars if the total cost of remediation is greater than or  
4480 equal to one hundred thousand dollars but less than five hundred  
4481 thousand dollars; (4) [two thousand two hundred fifty] three thousand  
4482 three hundred seventy-five dollars if the total cost of remediation is  
4483 equal to or greater than fifty thousand dollars but less than one  
4484 hundred thousand dollars; and (5) [two] three thousand dollars if the  
4485 total cost of remediation is less than fifty thousand dollars.

4486 Sec. 121. Subsection (a) of section 22a-135 of the general statutes is  
4487 repealed and the following is substituted in lieu thereof (*Effective from*  
4488 *passage*):

4489 (a) The Department of Environmental Protection shall: (1) Review  
4490 the plans for and operation of safety programs at nuclear plants; (2)  
4491 make recommendations to the Nuclear Regulatory Commission  
4492 concerning third-party inspection of components and construction of  
4493 nuclear plants for the purpose of improving quality assurance plans  
4494 and programs; (3) require the immediate reporting to the  
4495 Commissioner of Environmental Protection or his designee, which  
4496 may be another state agency, by licensees of the United States Nuclear  
4497 Regulatory Commission which operate nuclear power generating  
4498 facilities in this state as soon as the licensee has knowledge or, in the  
4499 exercise of reasonable care should have had knowledge of (A) any  
4500 release of radiation which is unplanned, unmonitored or which  
4501 exceeds design standards and specifications established by the Nuclear  
4502 Regulatory Commission, and (B) any occurrence, incident or other  
4503 abnormal circumstance, unless it is immediately evident that such  
4504 occurrence, incident or circumstance is not required to be reported  
4505 within twenty-four hours or sooner to the Nuclear Regulatory  
4506 Commission; (4) monitor radiation originating from nuclear plants and

4507 perform tests to detect any buildup of radioactivity in the soil, water,  
4508 plants or animals of the state; (5) review the training and education of  
4509 workers at nuclear plants to insure awareness of the possible risks of  
4510 cancer and future genetic effects; (6) represent the interests of the state  
4511 in federal and state regulatory hearings and other administrative  
4512 actions concerning nuclear plants which affect the state; (7) intervene  
4513 in federal proceedings and petition federal agencies for revision of  
4514 existing regulations where appropriate; (8) conduct periodic on-site  
4515 evaluations of the effectiveness and enforcement of federal regulations  
4516 for the packaging and transportation of radioactive material; (9) study  
4517 plans for, and hazards inherent in the decommissioning of Connecticut  
4518 nuclear plants including the possible future use of land now in use by  
4519 a nuclear power facility; (10) study the storage problems posed by high  
4520 level wastes; (11) study and, in cooperation with the state police,  
4521 monitor the security of nuclear plants to assure that the dangers from  
4522 sabotage and terrorism are minimized; (12) monitor sources of ionizing  
4523 radiation, microwave radiation and radioactive materials within the  
4524 state; (13) review the state emergency plan for radiation safety; and  
4525 (14) investigate out-of-state potential radiological hazards which may  
4526 have a significant adverse effect upon the health or safety of the people  
4527 of the state. The commissioner shall charge each of the four nuclear  
4528 powered commercial electric power generating plants an annual fee of  
4529 [forty] sixty thousand dollars for monitoring radiation released from  
4530 such plants. Nuclear fuels radiation facilities shall pay an annual fee of  
4531 [ten] fifteen thousand dollars for monitoring such plants. [The  
4532 commissioner may adopt regulations, in accordance with the  
4533 provisions of chapter 54, to prescribe the amount of the fees required  
4534 pursuant to this section. Upon the adoption of such regulations, the  
4535 fees required by this section shall be as prescribed in such regulations.]

4536 Sec. 122. Subsection (c) of section 22a-148 of the general statutes is  
4537 repealed and the following is substituted in lieu thereof (*Effective from*  
4538 *passage*):

4539 (c) (1) Except as hereinafter provided, each person, firm,

4540 corporation, town, city and borough conducting or planning to  
4541 conduct any operation within the scope of this section shall register  
4542 with the Commissioner of Environmental Protection on forms  
4543 provided for the purpose and shall reregister annually in January.  
4544 Such registration shall be accompanied by a fee of [one] two hundred  
4545 dollars. The commissioner may require registrants to state the type or  
4546 types of sources of radiation involved, the maximum size or rating of  
4547 each source, the qualifications of the supervisory personnel, the  
4548 protective measures contemplated by the registrant and such other  
4549 information as it determines to be necessary. After initial registration,  
4550 reregistration shall be required for any radiation installation or mobile  
4551 source of radiation at any other time when any increase is  
4552 contemplated in the number of sources, the source strength, the output  
4553 or the types of radiation energy involved. The act of registration shall  
4554 not be interpreted to imply approval by the commissioner of the  
4555 manner in which the activities requiring registration are carried out. (2)  
4556 The activities described below are exempted from the registration  
4557 requirements of this section: (A) The production, transportation,  
4558 storage, use and disposal of naturally occurring radioactive materials  
4559 of equivalent specific radioactivity not exceeding that of natural  
4560 potassium; (B) the production, transportation, storage, use and  
4561 disposal of other radioactive materials in quantities insufficient to  
4562 involve risk of radiologic damage to a person; (C) the operation of  
4563 equipment that is primarily not intended to produce radiation and  
4564 that, by nature of design, does not produce radiation at the point of  
4565 nearest approach in quantities sufficient to produce radiologic damage  
4566 to a person; (D) the transportation of any radioactive material in  
4567 conformity with regulations of the Interstate Commerce Commission  
4568 or other agency of the federal government having jurisdiction. [The  
4569 commissioner may adopt regulations, in accordance with the  
4570 provisions of chapter 54, to prescribe the amount of the fees required  
4571 pursuant to this section. Upon the adoption of such regulations, the  
4572 fees required by this section shall be as prescribed in such regulations.]

4573 Sec. 123. Section 22a-150 of the general statutes is repealed and the

4574 following is substituted in lieu thereof (*Effective from passage*):

4575 The Commissioner of Environmental Protection shall, by regulation,  
4576 require registration of devices emitting x-rays used for diagnostic or  
4577 therapeutic purposes by or under the supervision of a person or  
4578 persons licensed to practice medicine, surgery, chiropractic,  
4579 natureopathy, dentistry, podiatry or veterinary medicine and surgery,  
4580 as authorized by law. The commissioner shall charge a registration fee  
4581 of [seventy-five] one hundred fifty dollars biennially for each such  
4582 device, except that hospitals operated by the state or a municipality  
4583 shall be exempt from payment of the fee. [The commissioner may  
4584 adopt regulations, in accordance with the provisions of chapter 54, to  
4585 prescribe the amount of the fees required pursuant to this section.  
4586 Upon the adoption of such regulations, the fees required by this  
4587 section shall be as prescribed in such regulations.]

4588 Sec. 124. Subsection (g) of section 22a-174 of the general statutes is  
4589 repealed and the following is substituted in lieu thereof (*Effective from*  
4590 *passage*):

4591 (g) The commissioner shall require, by regulations adopted in  
4592 accordance with the provisions of chapter 54, the payment of a permit  
4593 application fee sufficient to cover the reasonable costs of reviewing  
4594 and acting upon an application for, and monitoring compliance with  
4595 the terms and conditions of, any state or federal permit, license, order,  
4596 certificate or approval required pursuant to this section. Any person  
4597 obtaining a permit, pursuant to said regulations, for the construction  
4598 or operation of a source of air pollution or for modification to an  
4599 existing source of air pollution shall submit a permit fee of twice the  
4600 amount of the fee established by regulations in effect on July 1, 1990.  
4601 The commissioner shall require the payment of a permit application  
4602 fee of [one] two hundred dollars. [On and after July 1, 1992, such fees  
4603 shall be as prescribed by regulations adopted by the commissioner in  
4604 accordance with chapter 54.]

4605 Sec. 125. Subsection (j) of section 22a-174 of the general statutes is

4606 repealed and the following is substituted in lieu thereof (*Effective from*  
4607 *passage*):

4608 (j) Each source of air pollution shall register with the commissioner  
4609 biennially. Such registration shall be accompanied by a fee of [seventy-  
4610 five] one hundred fifty dollars, provided no premise shall pay a  
4611 registration fee exceeding [five thousand] seven thousand five  
4612 hundred dollars. [On and after July 1, 1992, such fees shall be as  
4613 prescribed by regulations adopted by the commissioner in accordance  
4614 with chapter 54.]

4615 Sec. 126. Section 22a-174a of the general statutes is repealed and the  
4616 following is substituted in lieu thereof (*Effective from passage*):

4617 The owner or operator of any premises with a source of air pollution  
4618 regulated by the Department of Environmental Protection pursuant to  
4619 this chapter shall pay an annual fee to the commissioner. The owner or  
4620 operator of any premises which have actual emissions or potential  
4621 emissions of one hundred tons per year or more of any criteria  
4622 pollutant ("A1 sources") shall pay a fee of [five hundred] seven  
4623 hundred fifty dollars plus [two hundred fifty] three hundred seventy-  
4624 five dollars per day or part thereof for each day beyond the first day  
4625 which is required by the department to perform an inspection. The  
4626 owner or operator of any premises which have a calculated rate of  
4627 emissions before the application of control equipment of one hundred  
4628 tons per year or more of any criteria pollutant, but actual emissions of  
4629 less than one hundred tons per year ("A2 sources") shall pay a fee of  
4630 [two hundred fifty] three hundred seventy-five dollars. For purposes  
4631 of this section, "premises", "actual emissions" and "potential emissions"  
4632 shall be used as defined in section 22a-174-1 of the regulations of  
4633 Connecticut state agencies. [The commissioner may adopt regulations,  
4634 in accordance with the provisions of chapter 54, to prescribe a different  
4635 amount for the fees required pursuant to this section. Upon the  
4636 adoption of such regulations, the fees required by this section shall be  
4637 as prescribed in such regulations. The fees provided for in this section

4638 shall continue in effect until such time as the commissioner may set  
4639 different fees.] The commissioner, by regulations adopted in  
4640 accordance with the provisions of chapter 54, may require payment of  
4641 an annual fee by the owner or operator of any premises with a permit  
4642 to operate a source of air pollution which is not an A1 or A2 source or  
4643 the owner or operator of any premises registered with the Department  
4644 of Environmental Protection under this chapter. Any fees prescribed in  
4645 regulations adopted under this section shall satisfy the emission-based  
4646 requirements of the federal Clean Air Act Amendments of 1990.

4647 Sec. 127. Section 22a-342 of the general statutes is repealed and the  
4648 following is substituted in lieu thereof (*Effective from passage*):

4649 The commissioner shall establish, along any tidal or inland  
4650 waterway or flood-prone area considered for stream clearance, channel  
4651 improvement or any form of flood control or flood alleviation  
4652 measure, lines beyond which, in the direction of the waterway or  
4653 flood-prone area, no obstruction, encroachment or hindrance shall be  
4654 placed by any person, and no such obstruction, encroachment or  
4655 hindrance shall be maintained by any person unless authorized by said  
4656 commissioner. The commissioner shall issue or deny permits upon  
4657 applications for establishing such encroachments based upon his  
4658 findings of the effect of such proposed encroachments upon the flood-  
4659 carrying and water storage capacity of the waterways and flood plains,  
4660 flood heights, hazards to life and property, and the protection and  
4661 preservation of the natural resources and ecosystems of the state,  
4662 including but not limited to ground and surface water, animal, plant  
4663 and aquatic life, nutrient exchange, and energy flow, with due  
4664 consideration given to the results of similar encroachments constructed  
4665 along the reach of waterway. Each application for a permit shall be  
4666 accompanied by a fee as follows: (1) No change in grades and no  
4667 construction of above-ground structures, [two hundred fifty] three  
4668 hundred seventy-five dollars; (2) a change in grade and no  
4669 construction of above-ground structures, [five hundred] seven  
4670 hundred fifty dollars; and (3) a change in grade and above-ground

4671 structures or buildings, [two thousand five hundred] three thousand  
4672 seven hundred fifty dollars. [The commissioner may adopt regulations,  
4673 in accordance with the provisions of chapter 54, to prescribe the  
4674 amount of the fees required pursuant to this section. Upon the  
4675 adoption of such regulations, the fees required by this section shall be  
4676 as prescribed in such regulations.]

4677 Sec. 128. Subsection (a) of section 22a-361 of the general statutes is  
4678 repealed and the following is substituted in lieu thereof (*Effective from*  
4679 *passage*):

4680 (a) No person, firm or corporation, public, municipal or private,  
4681 shall dredge, erect any structure, place any fill, obstruction or  
4682 encroachment or carry out any work incidental thereto or retain or  
4683 maintain any structure, dredging or fill, in the tidal, coastal or  
4684 navigable waters of the state waterward of the high tide line until such  
4685 person, firm or corporation has submitted an application and has  
4686 secured from said commissioner a certificate or permit for such work  
4687 and has agreed to carry out any conditions necessary to the  
4688 implementation of such certificate or permit. Each application for a  
4689 permit, except for an emergency authorization, for any structure,  
4690 filling or dredging which uses or occupies less than five thousand five  
4691 hundred square feet in water surface area based on the perimeters of  
4692 the project shall be accompanied by a fee equal to [forty] eighty cents  
4693 per square foot provided such fee shall not be less than [three hundred  
4694 fifty] five hundred twenty-five dollars. Each application for a permit  
4695 for any structure, filling or dredging which uses or occupies five  
4696 thousand five hundred square feet or more but less than five acres in  
4697 water surface area based on the perimeters of the project shall be  
4698 accompanied by a fee of [two thousand two hundred] three thousand  
4699 three hundred dollars plus [five] ten cents per square foot for each  
4700 square foot in excess of five thousand five hundred square feet. Each  
4701 application for a permit for any structure, filling or dredging which  
4702 uses or occupies five or more acres in water surface area based on the  
4703 perimeters of the project shall be accompanied by a fee of [twelve

4704 thousand eight hundred fifteen] nineteen thousand two hundred  
4705 twenty-three dollars plus [three hundred fifty] five hundred twenty-  
4706 five dollars per acre for each acre or part thereof in excess of five acres.  
4707 Each application for a mooring area or multiple mooring facility,  
4708 regardless of the area to be occupied by moorings, shall be  
4709 accompanied by a fee of [three hundred fifty] five hundred twenty-five  
4710 dollars provided that such mooring areas or facilities shall not include  
4711 fixed or floating docks, slips or berths. Application fees for aquaculture  
4712 activities shall not be based on areal extent. The commissioner may  
4713 waive or reduce any fee payable to him for (1) a tidal wetlands or  
4714 coastal resource restoration or enhancement activity, (2) experimental  
4715 activities or demonstration projects, (3) nonprofit academic activities,  
4716 or (4) public access activities in tidal, coastal or navigable waters,  
4717 provided no fee shall be waived or reduced for activities required by  
4718 statute, regulation, permit, order or enforcement action. As used in this  
4719 section, "resource restoration or enhancement activity" means an action  
4720 taken to return a wetland or coastal resource to a prior natural  
4721 condition or to improve the natural functions or habitat value of such  
4722 resource, but shall not include actions required pursuant to an  
4723 enforcement action of the commissioner, and "public access activities"  
4724 means activities whose principal purpose is to provide or increase  
4725 access for the general public to tidal, coastal or navigable waters,  
4726 including, but not limited to, boardwalks, boat ramps, observation  
4727 areas and fishing piers. [The commissioner may adopt regulations, in  
4728 accordance with the provisions of chapter 54, to prescribe the amount  
4729 of the fees required pursuant to this section. Upon the adoption of such  
4730 regulations, the fees required by this section shall be as prescribed in  
4731 such regulations.]

4732 Sec. 129. Subsection (e) of section 22a-361 of the general statutes is  
4733 repealed and the following is substituted in lieu thereof (*Effective from*  
4734 *passage*):

4735 (e) No person, firm or corporation, public, municipal or private,  
4736 who removes sand, gravel or other material lying waterward of the

4737 mean high water mark of the tidal, coastal or navigable waters of the  
4738 state pursuant to a permit issued under this section on or after October  
4739 1, 1996, shall make any beneficial or commercial use of such sand,  
4740 gravel or other material except upon payment to the state of a fee of  
4741 [two] four dollars per cubic yard of such sand, gravel and other  
4742 materials. Such payment shall be made at times and under conditions  
4743 specified by the commissioner in such permit. No fee shall be assessed  
4744 for (1) the performance of such activities on land which is not owned  
4745 by the state, (2) the use of sand, gravel or other materials for beach  
4746 restoration projects, or (3) ultimate disposal of such sand, gravel or  
4747 other materials which does not result in an economic benefit to any  
4748 person. For the purposes of this section, "beneficial or commercial use"  
4749 includes, but is not limited to, sale or use of sand, gravel or other  
4750 materials for construction, aggregate, fill or landscaping. [The  
4751 commissioner may adopt regulations, in accordance with the  
4752 provisions of chapter 54, to prescribe the amount of the fees required  
4753 pursuant to this subsection. Upon adoption of such regulations, the  
4754 fees required by this subsection shall be as prescribed in such  
4755 regulation.]

4756 Sec. 130. Section 22a-363c of the general statutes is repealed and the  
4757 following is substituted in lieu thereof (*Effective from passage*):

4758 Each application for a certificate of permission, pursuant to section  
4759 22a-363b shall be accompanied by a fee of [two] three hundred dollars.  
4760 [The commissioner may adopt regulations, in accordance with the  
4761 provisions of chapter 54, to prescribe the amount of the fees required  
4762 pursuant to this section. Upon the adoption of such regulations, the  
4763 fees required by this section shall be as prescribed in such regulations.]

4764 Sec. 131. Subsection (e) of section 22a-372 of the general statutes is  
4765 repealed and the following is substituted in lieu thereof (*Effective from*  
4766 *passage*):

4767 (e) Each application for a permit shall be accompanied by a fee as  
4768 follows: (1) Withdrawal for consumptive use of more than fifty

4769 thousand gallons but less than five hundred thousand gallons in any  
4770 twenty-four-hour period, one thousand [two] eight hundred dollars;  
4771 (2) five hundred thousand gallons or more but less than two million  
4772 gallons in any twenty-four-hour period, [two thousand five hundred]  
4773 three thousand seven hundred fifty dollars; (3) two million gallons or  
4774 more in any twenty-four-hour period, [four] six thousand dollars; (4)  
4775 for nonconsumptive uses where the tributary watershed area above  
4776 the point of diversion is one-half square mile or smaller, one thousand  
4777 [two] eight hundred dollars; (5) for nonconsumptive uses where the  
4778 tributary watershed area above the point of diversion is larger than  
4779 one-half square mile but smaller than two square miles, [two thousand  
4780 five hundred] three thousand seven hundred fifty dollars; and (6) for  
4781 nonconsumptive uses where the tributary watershed area above the  
4782 point of diversion is two square miles or larger, [four] six thousand  
4783 dollars. [The commissioner may adopt regulations, in accordance with  
4784 the provisions of chapter 54, to prescribe the amount of the fees  
4785 required pursuant to this section. Upon the adoption of such  
4786 regulations, the fees required by this section shall be as prescribed in  
4787 such regulations.]

4788 Sec. 132. Section 22a-379 of the general statutes is repealed and the  
4789 following is substituted in lieu thereof (*Effective from passage*):

4790 Each person or municipality holding a diversion permit authorizing  
4791 a consumptive use of waters of the state shall pay an annual fee of [five  
4792 hundred] seven hundred fifty dollars to the commissioner. [The  
4793 commissioner may adopt regulations, in accordance with the  
4794 provisions of chapter 54, to prescribe the amount of the fees required  
4795 pursuant to this section. Upon the adoption of such regulations, the  
4796 fees required by this section shall be as prescribed in such regulations.]

4797 Sec. 133. Section 22a-409 of the general statutes is repealed and the  
4798 following is substituted in lieu thereof (*Effective from passage*):

4799 (a) The commissioner shall cause a survey and maps to be made of  
4800 each town showing the location of any dams or similar structures

4801 within such town, and shall file a copy of such map with the town  
4802 clerk.

4803 (b) The owner of any dam or similar structure shall register on or  
4804 before July 1, 1984, with the Commissioner of Environmental  
4805 Protection on a form prescribed by him, the location and dimensions of  
4806 such dam or structure and such other information as the commissioner  
4807 may require. The fee for registration shall be as follows: (1) Dams or  
4808 similar structures five feet or more in height but less than fifteen feet,  
4809 [~~twenty-five~~] fifty dollars; (2) dams or similar structures fifteen feet or  
4810 more in height but less than twenty-five feet, [~~fifty~~] one hundred  
4811 dollars, and (3) dams or similar structures twenty-five feet or more in  
4812 height, [~~one~~] two hundred dollars. Dams or similar structures less than  
4813 five feet in height shall be registered without fee. As used in this  
4814 subsection, "height" means the vertical distance from the crest of a dam  
4815 or similar structure to the downstream toe of such dam or similar  
4816 structure.

4817 (c) The commissioner shall periodically inspect dams registered  
4818 pursuant to subsection (b) of this section. The fee for such inspection  
4819 shall be [~~three hundred fifty~~] five hundred twenty-five dollars. [The  
4820 commissioner may adopt regulations, in accordance with the  
4821 provisions of chapter 54, to prescribe the amount of the fees required  
4822 pursuant to this section. Upon the adoption of such regulations, the  
4823 fees required by this section shall be as prescribed in such regulations.]  
4824 Any dam which impounds less than three acre-feet of water or any  
4825 dam which the commissioner finds has a potential for negligible  
4826 damage in the event of a failure, after an initial inspection, shall be  
4827 exempt from the provisions of this subsection except upon  
4828 determination by the commissioner that such dam poses a unique  
4829 hazard. The commissioner shall adopt regulations in accordance with  
4830 the provisions of chapter 54 establishing (1) a schedule for the  
4831 frequency of inspection of dams, (2) the inspection fees for regularly  
4832 scheduled inspections, sufficient to cover the reasonable cost of such  
4833 inspections, (3) procedures for registration and criteria for waiver of

4834 registration and inspection fees, and (4) criteria for determining  
4835 whether a dam has a potential for negligible damage in the event of a  
4836 failure.

4837 Sec. 134. Subsections (d) and (e) of section 22a-449 of the general  
4838 statutes are repealed and the following is substituted in lieu thereof  
4839 (*Effective from passage*):

4840 (d) The Commissioner of Environmental Protection in consultation  
4841 with the Commissioner of Public Safety may establish by regulations  
4842 adopted in accordance with the provisions of chapter 54 standards and  
4843 criteria for the nonresidential underground storage of oil, petroleum  
4844 and chemical liquids which may include but not be limited to  
4845 standards and criteria for the design, installation, operation,  
4846 maintenance and monitoring of facilities for the underground storage  
4847 and handling of such liquids. Each nonresidential underground  
4848 storage facility which, pursuant to regulations adopted pursuant to  
4849 this section, submits notification of installation to the commissioner  
4850 after July 1, 1990, shall submit a notification fee of [fifty] one hundred  
4851 dollars per tank. [The commissioner may adopt regulations, in  
4852 accordance with the provisions of chapter 54, to prescribe the amount  
4853 of the fees required pursuant to this section. Upon the adoption of such  
4854 regulations, the fees required by this section shall be as prescribed in  
4855 such regulations.] The Commissioner of Environmental Protection may  
4856 establish such programs and adopt, in accordance with chapter 54, and  
4857 enforce such regulations as he deems necessary to carry out the intent  
4858 of Subtitle I of the Resource Conservation and Recovery Act of 1976 (42  
4859 USC 6901, et seq.), as amended from time to time.

4860 (e) The fee for the inspection of each nonresidential underground  
4861 storage facility which, pursuant to regulations adopted pursuant to  
4862 this section, submits notification to the commissioner shall be [fifty]  
4863 one hundred dollars per tank, provided such fee may not be charged  
4864 more than once every five years. [The commissioner may adopt  
4865 regulations, in accordance with the provisions of chapter 54, to

4866 prescribe the amount of the fees required pursuant to this section.  
4867 Upon the adoption of such regulations, the fees required by this  
4868 section shall be as prescribed in such regulations.]

4869 Sec. 135. Section 22a-449k of the general statutes is repealed and the  
4870 following is substituted in lieu thereof (*Effective from passage*):

4871 No person shall remove or replace or subcontract for the removal or  
4872 replacement of a residential underground heating oil storage tank  
4873 system if the person finds such removal or replacement will involve  
4874 remediation of contaminated soil or groundwater, the costs of which  
4875 are to be paid out of the residential underground heating oil storage  
4876 tank system clean-up subaccount established pursuant to subsection  
4877 (b) of section 22a-449c, unless the person is a registered contractor. To  
4878 become a registered contractor, a person shall provide to the  
4879 Commissioner of Environmental Protection, on forms prescribed by  
4880 said commissioner, (1) evidence of financial assurance in the form of  
4881 insurance, a surety bond or liquid company assets in an amount not  
4882 less than two hundred fifty thousand dollars, and (2) a written  
4883 statement certifying that such person has had any training required by  
4884 law for such business and that such person has (A) performed no  
4885 fewer than three residential underground petroleum storage tank  
4886 system removals, or (B) has contracted for at least three removals of  
4887 residential underground petroleum storage tank systems. Such person  
4888 shall pay a registration fee of [five hundred] seven hundred fifty  
4889 dollars to the commissioner. Each contractor holding a valid  
4890 registration on July first shall, not later than August first of that year,  
4891 pay a renewal fee to the commissioner of [two hundred fifty] three  
4892 hundred seventy-five dollars in order to maintain such registration.  
4893 Any money collected for registration pursuant to this section shall be  
4894 deposited in the Environmental Quality Fund. The commissioner may  
4895 revoke a registration for cause and, on and after the date the review  
4896 board establishes requirements for financial assurance, training and  
4897 performance standards under subsection (c) of section 22a-449d, may  
4898 reject any application for registration that does not meet such

4899 requirements.

4900 Sec. 136. Subsection (d) of section 22a-454 of the general statutes is  
4901 repealed and the following is substituted in lieu thereof (*Effective from*  
4902 *passage*):

4903 (d) The commissioner shall require the payment of the following  
4904 fees for permits under this section: (1) [~~Thirty~~] Forty-five thousand  
4905 dollars to operate a hazardous waste landfill or incinerator; (2)  
4906 [~~fourteen~~] twenty-one thousand dollars to store or treat hazardous  
4907 waste; (3) [~~seven thousand~~] ten thousand five hundred dollars to  
4908 engage in the transfer of hazardous waste as described in subsection  
4909 (c) of this section if the hazardous waste is transferred from its original  
4910 container to another container; and (4) [~~two thousand five hundred~~]  
4911 three thousand seven hundred fifty dollars to engage in the transfer of  
4912 hazardous waste as described in subsection (c) of this section if the  
4913 hazardous waste remains in the original container. The commissioner  
4914 shall also charge a fee of [~~fifty~~] one hundred dollars for each hazardous  
4915 waste treatment, disposal or storage facility which submits an  
4916 application for a status change to a generator. The commissioner shall  
4917 charge a fee of [~~twenty-five~~] fifty dollars for each hazardous waste  
4918 large quantity generator which submits an application for status  
4919 change to a small generator. [The commissioner may adopt  
4920 regulations, in accordance with the provisions of chapter 54, to  
4921 prescribe the amount of the fees required pursuant to this section.  
4922 Upon the adoption of such regulations, the fees required by this  
4923 section shall be as prescribed in such regulations.]

4924 Sec. 137. Section 22a-454a of the general statutes is repealed and the  
4925 following is substituted in lieu thereof (*Effective from passage*):

4926 Each hazardous waste treatment, storage or disposal facility, as  
4927 defined in regulations adopted by the commissioner pursuant to  
4928 section 22a-449, as amended by this act, shall pay a fee of [~~two~~  
4929 ~~thousand five hundred~~] three thousand seven hundred fifty dollars at  
4930 the time it submits closure/postclosure plans to the Department of

4931 Environmental Protection. [The commissioner may adopt regulations,  
4932 in accordance with the provisions of chapter 54, to prescribe the  
4933 amount of the fees required pursuant to this section. Upon the  
4934 adoption of such regulations, the fees required by this section shall be  
4935 as prescribed in such regulations.]

4936 Sec. 138. Section 22a-454b of the general statutes is repealed and the  
4937 following is substituted in lieu thereof (*Effective from passage*):

4938 Each hazardous waste treatment, storage or disposal facility, as  
4939 defined in regulations adopted by the commissioner pursuant to  
4940 section 22a-449, as amended by this act, which is subject to  
4941 groundwater monitoring requirements shall pay a fee of [five  
4942 hundred] seven hundred fifty dollars annually during its operating  
4943 and postclosure period. [The commissioner may adopt regulations, in  
4944 accordance with the provisions of chapter 54, to prescribe the amount  
4945 of the fees required pursuant to this section. Upon the adoption of such  
4946 regulations, the fees required by this section shall be as prescribed in  
4947 such regulations.]

4948 Sec. 139. Section 22a-454c of the general statutes is repealed and the  
4949 following is substituted in lieu thereof (*Effective from passage*):

4950 (a) Each generator which generates in any calendar month during  
4951 the calendar year one thousand kilograms or more of hazardous waste  
4952 or one kilogram or more of acutely hazardous waste shall pay an  
4953 annual fee of [fifty] one hundred dollars to the Commissioner of  
4954 Environmental Protection.

4955 (b) Each hazardous waste landfill, incinerator, storage, treatment or  
4956 land treatment facility, as defined in regulations adopted by the  
4957 Commissioner of Environmental Protection in regulations adopted  
4958 pursuant to section 22a-449, as amended by this act, shall pay an  
4959 annual fee of one thousand five hundred dollars.

4960 [(c) The commissioner may adopt regulations, in accordance with

4961 the provisions of chapter 54, to prescribe the amount of the fees  
4962 required pursuant to this section. Upon the adoption of such  
4963 regulations, the fees required by this section shall be as prescribed in  
4964 such regulations.]

4965 Sec. 140. Section 7-245 of the general statutes is repealed and the  
4966 following is substituted in lieu thereof (*Effective October 1, 2003*):

4967 For the purposes of this chapter: [ "acquire] (1) "Acquire a sewerage  
4968 system" means obtain title to all or any part of a sewerage system or  
4969 any interest therein by purchase, condemnation, grant, gift, lease,  
4970 rental or otherwise; (2) "alternative sewage treatment system" means a  
4971 sewage treatment system serving one or more buildings that utilizes a  
4972 method of treatment other than a subsurface sewage disposal system  
4973 and that involves a discharge to the ground waters of the state; (3)  
4974 "community sewerage system" means any sewerage system serving  
4975 [one] two or more residences in separate structures which is not  
4976 connected to a municipal sewerage system or which is connected to a  
4977 municipal sewerage system as a distinct and separately managed  
4978 district or segment of such system; (4) "construct a sewerage system"  
4979 means to acquire land, easements, rights-of-way or any other real or  
4980 personal property or any interest therein, plan, construct, reconstruct,  
4981 equip, extend and enlarge all or any part of a sewerage system; (5)  
4982 "decentralized system" means managed subsurface sewage disposal  
4983 systems, managed alternative sewage treatment systems or community  
4984 sewerage systems that discharge sewage flows of less than five  
4985 thousand gallons per day, are used to collect and treat domestic  
4986 sewage, and involve a discharge to the groundwaters of the state from  
4987 areas of a municipality; (6) "decentralized wastewater management  
4988 district" means areas of a municipality designated by the municipality  
4989 through a municipal ordinance when an engineering report has  
4990 determined that the existing subsurface sewage disposal systems may  
4991 be detrimental to public health or the environment and that  
4992 decentralized systems are required and such report is approved by the  
4993 Commissioner of Environmental Protection with concurring approval

4994 by the Commissioner of Public Health, after consultation with the local  
4995 director of health; (7) "municipality" means any metropolitan district,  
4996 town, consolidated town and city, consolidated town and borough,  
4997 city, borough, village, fire and sewer district, sewer district and each  
4998 municipal organization having authority to levy and collect taxes; (8)  
4999 "operate a sewerage system" means own, use, equip, reequip, repair,  
5000 maintain, supervise, manage, operate and perform any act pertinent to  
5001 the collection, transportation and disposal of sewage; (9) "person"  
5002 means any person, partnership, corporation, limited liability company,  
5003 association or public agency; (10) "remediation standards" means  
5004 pollutant limits, performance requirements, design parameters or  
5005 technical standards for application to existing sewage discharges in a  
5006 decentralized wastewater management district for the improvement of  
5007 wastewater treatment to protect public health and the environment;  
5008 (11) "sewage" means any substance, liquid or solid, which may  
5009 contaminate or pollute or affect the cleanliness or purity of any water;  
5010 and (12) "sewerage system" means any device, equipment,  
5011 appurtenance, facility and method for collecting, transporting,  
5012 receiving, treating, disposing of or discharging sewage, including, but  
5013 not limited to, decentralized systems within a decentralized  
5014 wastewater management district when such district is established by  
5015 municipal ordinance pursuant to section 7-247.

5016 Sec. 141. Subsection (b) of section 7-246 of the general statutes is  
5017 repealed and the following is substituted in lieu thereof (*Effective*  
5018 *October 1, 2003*):

5019 (b) Each municipal water pollution control authority designated in  
5020 accordance with this section may prepare and periodically update a  
5021 water pollution control plan for the municipality. Such plan shall  
5022 designate and delineate the boundary of: (1) Areas served by any  
5023 municipal sewerage system; (2) areas where municipal sewerage  
5024 facilities are planned and the schedule of design and construction  
5025 anticipated or proposed; (3) areas where sewers are to be avoided; (4)  
5026 areas served by any community sewerage system not owned by a

5027 municipality; [and] (5) areas to be served by any proposed community  
5028 sewerage system not owned by a municipality; and (6) areas to be  
5029 designated as decentralized wastewater management districts. Such  
5030 plan shall also describe the means by which municipal programs are  
5031 being carried out to avoid community pollution problems and describe  
5032 any programs wherein the local director of health manages subsurface  
5033 sewage disposal systems. The authority shall file a copy of the plan  
5034 and any periodic updates of such plan with the Commissioner of  
5035 Environmental Protection and shall manage or ensure the effective  
5036 supervision, management, control, operation and maintenance of any  
5037 community sewerage system or decentralized wastewater  
5038 management district not owned by a municipality.

5039 Sec. 142. Section 7-247 of the general statutes is repealed and the  
5040 following is substituted in lieu thereof (*Effective October 1, 2003*):

5041 (a) Any municipality by its water pollution control authority may  
5042 acquire, construct and operate a sewerage system or systems; may  
5043 enter upon and take and hold by purchase, condemnation or otherwise  
5044 the whole or any part of any real property or interest therein which it  
5045 determines is necessary or desirable for use in connection with any  
5046 sewerage system; may establish and revise rules and regulations for  
5047 the supervision, management, control, operation and use of a sewerage  
5048 system, including rules and regulations prohibiting or regulating the  
5049 discharge into a sewerage system of any sewage or any stormwater  
5050 runoff which in the opinion of the water pollution control authority  
5051 will adversely affect any part or any process of the sewerage system  
5052 except that any such rule or regulation regarding decentralized  
5053 systems shall be approved by the local director of health before such  
5054 rule or regulation may be effective; may enter into and fulfill contracts,  
5055 including contracts for a term of years, with any person or any other  
5056 municipality or municipalities to provide or obtain sewerage system  
5057 service for any sewage, and may make arrangements for the provision  
5058 or exchange of staff services and equipment with any person or any  
5059 other municipality or municipalities, or for any other lawful services.

5060 The water pollution control authority of any municipality planning to  
5061 acquire, construct or operate a new or additional sewerage system  
5062 shall consider the feasibility of using the sewage collected by such  
5063 system as an energy source for the generation of electricity or the  
5064 production of other energy sources. The water pollution control  
5065 authority may establish rules for the transaction of its business. It shall  
5066 keep a record of its proceedings and shall designate an officer or  
5067 employee to be the custodian of its books, papers and documents.

5068 (b) Following approval of an engineering report by the  
5069 Commissioner of Environmental Protection that includes concurrence  
5070 with such approval by the Commissioner of Public Health, and in  
5071 consultation with the local director of health, a municipality, acting in  
5072 conjunction with its water pollution control authority may, by  
5073 ordinance, establish geographical areas of decentralized wastewater  
5074 management districts within such municipality.

5075 (1) Such ordinance may also include, following the approval of such  
5076 ordinance by the local director of health pursuant to such director's  
5077 authority under section 19a-207: (A) Remediation and technical  
5078 standards for the design and construction of subsurface sewage  
5079 disposal systems that are more stringent than those imposed by the  
5080 Public Health Code; (B) authority for the local director of health to  
5081 order the upgrade of subsurface sewage disposal systems in  
5082 accordance with such remediation and technical standards; (C)  
5083 authority for the local director of health to establish criteria for the  
5084 abandonment of substandard subsurface sewage disposal systems; (D)  
5085 authority for the local director of health to order the property owner of  
5086 a substandard subsurface sewage disposal system that does not  
5087 comply with such remediation standards, technical standards or other  
5088 criteria to abandon such substandard subsurface sewage disposal  
5089 system thus allowing the water pollution control authority to order  
5090 such owner to connect to a sewerage system pursuant to section 7-257;  
5091 (E) standards established by the local director of health for the effective  
5092 supervision, management, control, operation and maintenance of

5093 managed subsurface sewage disposal systems within such  
5094 decentralized wastewater management districts; or (F) authority for  
5095 the water pollution control authority to enact and amend regulations,  
5096 following the approval of such regulations by the local director of  
5097 health, that govern the supervision, management, control, operation  
5098 and maintenance of such decentralized systems.

5099 (2) Such ordinance shall include remediation standards for the  
5100 design, construction and installation of alternative sewage treatment  
5101 systems and standards for the effective supervision, management,  
5102 control, operation and maintenance of alternative sewage treatment  
5103 systems within such decentralized wastewater management districts  
5104 that are consistent with any permit, order or recommendation of the  
5105 Commissioner of Environmental Protection.

5106 (c) Notwithstanding any provision of the general statutes, an area  
5107 that is designated by ordinance of a municipality as a decentralized  
5108 wastewater management district shall not be a public sewer for  
5109 purposes of the Public Health Code.

5110 (d) Nothing in this section shall be construed to limit the authority  
5111 of a local director of health, the Commissioner of Public Health or the  
5112 Commissioner of Environmental Protection.

5113 Sec. 143. Section 7-257 of the general statutes is repealed and the  
5114 following is substituted in lieu thereof (*Effective October 1, 2003*):

5115 The water pollution control authority may order the owner of any  
5116 building to which a sewerage system is available to connect such  
5117 building with the system or order the owner to construct and connect  
5118 the building to an alternative sewage treatment system. No such order  
5119 shall be issued until after a public hearing with respect thereto after  
5120 due notice in writing to such property owner. Any owner aggrieved by  
5121 such an order may, within twenty-one days, appeal to the superior  
5122 court for the judicial district wherein the municipality is located. Such  
5123 appeal shall be brought to a return day of said court not less than

5124 twelve or more than thirty days after service thereof. The judgment of  
5125 the court shall be final. If any owner fails to comply with an order to  
5126 connect, the water pollution control authority shall cause the  
5127 connection to be made and shall assess the expense thereof against  
5128 such owner.

5129 Sec. 144. (NEW) (*Effective October 1, 2003*) Any oversight or  
5130 monitoring duties created for the Department of Public Health by the  
5131 provisions of section 140, 141 or 142 of this act shall be conducted  
5132 within available appropriations.

5133 Sec. 145. (NEW) (*Effective from passage*) Notwithstanding the  
5134 provisions of sections 22a-449a to 22a-449m, inclusive, of the general  
5135 statutes, on and after September 1, 2003, and prior to October 1, 2005,  
5136 neither the Underground Storage Tank Petroleum Clean-Up Account  
5137 Review Board nor the Commissioner of Environmental Protection shall  
5138 accept applications pursuant to section 22a-449f of the general statutes  
5139 for reimbursement and payments from the account established under  
5140 section 22a-449c of the general statutes.

5141 Sec. 146. (NEW) (*Effective July 1, 2004*) (a) There is established a  
5142 Department of Agriculture and Consumer Protection. The department  
5143 head shall be the Commissioner of Agriculture and Consumer  
5144 Protection, who shall be appointed by the Governor in accordance  
5145 with the provisions of sections 4-5 to 4-8, inclusive, of the general  
5146 statutes, with the powers and duties therein prescribed.

5147 (b) The Department of Agriculture and Consumer Protection shall  
5148 constitute a successor department to the Department of Consumer  
5149 Protection and the Department of Agriculture in accordance with the  
5150 provisions of sections 4-38d, 4-38e and 4-39 of the general statutes.

5151 (c) Wherever the words "Commissioner of Consumer Protection" are  
5152 used or referred to in the following sections of the general statutes, the  
5153 words "Commissioner of Agriculture and Consumer Protection" shall  
5154 be substituted in lieu thereof: 4-5, 10-154a, 10-217d, 10-217g, 14-286d,

5155 14-318, 14-327a, 14-329, 14-331, 14-344c, 16a-14b, 16a-15, 16a-15a, 16a-  
5156 23a, 16a-23m, 16a-23o, 16a-23p, 16a-23q, 16a-48, 20-14f, 20-14g, 20-289,  
5157 20-291, 20-294, 20-298b, 20-300, 20-300b, 20-304, 20-304a, 20-306b, 20-  
5158 307a, 20-312, 20-314, 20-314a, 20-319, 20-321, 20-324i, 20-325d, 20-325j,  
5159 20-327b, 20-328, 20-329b, 20-329m, 20-329q, 20-329t, 20-329v, 20-329w,  
5160 20-329z, 20-332, 20-332a, 20-333, 20-333a, 20-334, 20-334d, 20-341s, 20-  
5161 341gg, 20-344, 20-346, 20-353, 20-354, 20-357m, 20-368, 20-370, 20-373,  
5162 20-374, 20-377k, 20-417a, 20-417aa, 20-419, 20-490, 20-504, 20-510, 20-  
5163 511, 20-512, 20-515, 20-517, 20-519, 20-540, 20-554, 20-556, 20-557, 20-  
5164 571, 20-574, 20-577, 20-631, 20-635, 20-653, 20-654, 21-28, 21-31, 21-32,  
5165 21-33, 21-33a, 21-33b, 21-35b, 21-35c, 21-35i, 21-68, 21-70, 21-70a, 21-71,  
5166 21-73, 21-75, 21-78, 21-84, 21a-1, 21a-3, 21a-4, 21a-5, 21a-7, 21a-8, 21a-8a,  
5167 21a-9, 21a-10, 21a-11, 21a-12, 21a-12a, 21a-13, 21a-22, 21a-27, 21a-32,  
5168 21a-34, 21a-36, 21a-49, 21a-50, 21a-51, 21a-52, 21a-53, 21a-54, 21a-55,  
5169 21a-57, 21a-58, 21a-61, 21a-66, 21a-69, 21a-70, 21a-70b, 21a-71, 21a-73,  
5170 21a-79, 21a-79a, 21a-84, 21a-86a, 21a-86b, 21a-86c, 21a-86d, 21a-86f, 21a-  
5171 86g, 21a-92, 21a-115, 21a-136, 21a-144, 21a-146, 21a-148, 21a-150, 21a-  
5172 150j, 21a-152, 21a-155, 21a-158, 21a-159, 21a-190a, 21a-195a, 21a-196,  
5173 21a-221, 21a-223, 21a-224, 21a-226, 21a-231, 21a-240, 21a-243, 21a-244,  
5174 21a-244a, 21a-246, 21a-251, 21a-252, 21a-253, 21a-254, 21a-261, 21a-262,  
5175 21a-263, 21a-266, 21a-272, 21a-273, 21a-275, 21a-276, 21a-283, 21a-317,  
5176 21a-318, 21a-319, 21a-321, 21a-324, 21a-326, 21a-328, 21a-335, 21a-337,  
5177 21a-376, 21a-401, 21a-405, 22-39f, 22-41, 22-42, 22-45, 22-48, 22-127, 22-  
5178 141, 22-272a, 22-313, 23-26d, 23-26f, 25-128, 25-129, 25-133, 29-276b, 29-  
5179 318c, 30-2, 30-8, 31-275, 42-103c, 42-103l, 42-103m, 42-110a, 42-110g, 42-  
5180 110u, 42-115g, 42-115m, 42-115s, 42-115t, 42-115u, 42-144, 42-179b, 42-  
5181 181, 42-183, 42-216, 42-231, 42-233, 42-288a, 42-295, 42-334, 42-335, 42-  
5182 370, 42-427, 42-430, 42-431, 43-3, 43-9, 43-16q, 43-20, 43-27, 43-47, 43-48,  
5183 43-50, 43-51, 47a-14h, 54-36a and 54-36g.

5184 (d) Wherever the words "Department of Consumer Protection" are  
5185 used or referred to in the following sections of the general statutes, the  
5186 words "Department of Agriculture and Consumer Protection" shall be  
5187 substituted in lieu thereof: 1-84, 1-84b, 4-38c, 5-142, 5-238b, 12-450, 12-  
5188 453, 14-327b, 16-245u, 16a-15, 16a-23m, 16a-23p, 17b-363a, 18-81q, 19a-

5189 19, 20-127, 20-196c, 20-289, 20-291, 20-296, 20-299, 20-300, 20-300b, 20-  
5190 301, 20-304, 20-305, 20-306, 20-306a, 20-306b, 20-307, 20-307a, 20-308,  
5191 20-311a, 20-311b, 20-314, 20-316, 20-318, 20-319, 20-320, 20-320a, 20-  
5192 327a, 20-329e, 20-329x, 20-331, 20-333, 20-334, 20-334a, 20-335, 20-338,  
5193 20-340a, 20-340b, 20-341gg, 20-344, 20-349, 20-350, 20-351, 20-353, 20-  
5194 357m, 20-368, 20-370, 20-372, 20-373, 20-417d, 20-417j, 20-417aa, 20-450,  
5195 20-490, 20-490a, 20-502, 20-503, 20-509, 20-510, 20-514, 20-516, 20-517,  
5196 20-518, 20-525, 20-528, 20-540, 20-554, 20-571, 20-590, 20-635, 20-651, 20-  
5197 654, 21-28, 21-64, 21-67a, 21-70, 21-79, 21-83e, 21-84a, 21a-1, 21a-2, 21a-  
5198 4, 21a-6, 21a-7, 21a-8, 21a-8a, 21a-9, 21a-10, 21a-63, 21a-72, 21a-92a, 21a-  
5199 150d, 21a-190a, 21a-195a, 21a-223, 21a-227, 21a-231, 21a-240, 21a-249,  
5200 21a-252, 21a-260, 21a-335, 22-44, 22-131a, 25-129, 25-130, 29-263, 30-1,  
5201 30-4, 30-5, 30-6, 30-6a, 30-7, 30-8, 30-13a, 30-14, 30-14a, 30-15, 30-16, 30-  
5202 17, 30-17b, 30-18a, 30-20, 30-20a, 30-22, 30-22a, 30-23a, 30-23b, 30-24, 30-  
5203 24b, 30-25, 30-25a, 30-30, 30-31, 30-32, 30-33, 30-33a, 30-35, 30-35b, 30-  
5204 36, 30-37, 30-37f, 30-37i, 30-37j, 30-38, 30-39, 30-42a, 30-43, 30-44, 30-45,  
5205 30-46, 30-47, 30-51, 30-52, 30-53, 30-55, 30-55a, 30-57, 30-58, 30-58a, 30-  
5206 58b, 30-59, 30-60, 30-62, 30-62a, 30-63, 30-64, 30-64a, 30-64b, 30-66, 30-  
5207 67, 30-68, 30-76, 30-77, 30-78, 30-82, 30-86a, 30-92a, 30-95, 30-106, 30-  
5208 111, 42-103c, 42-110g, 42-181, 42-190, 42-288a, 43-3, 43-49, 43-50, 52-560  
5209 and 52-571d.

5210 (e) Wherever the words "Commissioner of Agriculture" are used or  
5211 referred to in the following sections of the general statutes,  
5212 "Commissioner of Agriculture and Consumer Protection" shall be  
5213 substituted in lieu thereof: 3-20, 4-5, 4-186, 4b-3, 10a-103, 12-2b, 12-81,  
5214 12-91, 12-107c, 12-107e, 12-107f, 14-21h, 19a-102a, 19a-341, 20-196a, 22-  
5215 1, 22-3, 22-4, 22-4a, 22-4b, 22-4c, 22-4d, 22-6, 22-6a, 22-6b, 22-6c, 22-6d,  
5216 22-6f, 22-6g, 22-6h, 22-6q, 22-7, 22-7p, 22-7q, 22-8, 22-11e, 22-11g, 22-  
5217 11h, 22-12a, 22-12b, 22-26c, 22-26e, 22-26g, 22-26h, 22-26i, 22-26bb, 22-  
5218 26cc, 22-26dd, 22-26jj, 22-26kk, 22-27, 22-28, 22-31, 22-33, 22-34, 22-35,  
5219 22-37, 22-37, 22-38, 22-38a, 22-39, 22-39b, 22-39d, 22-39e, 22-39f, 22-41,  
5220 22-42, 22-45, 22-48a, 22-51, 22-53, 22-54o, 22-54p, 22-54r, 22-56, 22-57,  
5221 22-59, 22-60, 22-63, 22-79, 22-111b, 22-111aa, 22-111ll, 22-111mm, 22-  
5222 111tt, 22-111vv, 22-118k, 22-118l, 22-118m, 22-118n, 22-118o, 22-118q,

5223 22-118r, 22-118s, 22-118t, 22-120a, 22-126a, 22-127, 22-128a, 22-129, 22-  
5224 129a, 22-130, 22-131, 22-141, 22-160, 22-162a, 22-172, 22-173, 22-182a, 22-  
5225 192a, 22-197b, 22-203a, 22-203d, 22-203e, 22-203f, 22-203g, 22-203h, 22-  
5226 205, 22-206, 22-207, 22-208, 22-211a, 22-212, 22-213, 22-224, 22-226, 22-  
5227 227, 22-228, 22-231, 22-232, 22-233, 22-234, 22-238, 22-239, 22-241, 22-  
5228 242, 22-242a, 22-242b, 22-243, 22-244, 22-245, 22-247, 22-248, 22-249, 22-  
5229 254, 22-255, 22-256, 22-257, 22-258, 22-277, 22-278, 22-279, 22-279a, 22-  
5230 280, 22-284, 22-286, 22-287, 22-288, 22-288a, 22-289, 22-290, 22-291, 22-  
5231 293, 22-295, 22-296, 22-298, 22-299a, 22-301, 22-303, 22-304, 22-306, 22-  
5232 307, 22-308, 22-311, 22-313, 22-316, 22-318, 22-318a, 22-319, 22-320a, 22-  
5233 321, 22-322, 22-323a, 22-323b, 22-324, 22-324a, 22-325, 22-326c, 22-326d,  
5234 22-326e, 22-326f, 22-327, 22-344c, 22-344d, 22-347, 22-348, 22-380e, 22-  
5235 380g, 22-381, 22-414, 22-415, 22-415a, 22-415i, 22-415j, 22-456, 22a-65,  
5236 22a-285a, 22a-354m, 22a-354bb, 22a-616, 25-204, 25-207, 25-234, 25-237,  
5237 26-40a, 26-149, 26-192, 26-192e, 26-192j, 26-193, 26-194, 26-194a, 26-195,  
5238 26-196, 26-198, 26-199, 26-200, 26-201, 26-202, 26-203, 26-204, 22-206, 22-  
5239 607, 22-608, 22-609, 22-210, 26-211, 26-212, 26-213, 26-215, 26-216, 26-  
5240 219, 26-220, 26-224a, 26-227, 26-229, 26-230, 26-232, 26-234b, 26-235, 26-  
5241 236, 26-237b, 26-237c, 26-257, 26-257a, 26-266, 32-301 and 45a-322.

5242 (f) Wherever the words "Department of Agriculture" are used or  
5243 referred to in the following sections of the general statutes,  
5244 "Department of Agriculture and Consumer Protection" shall be  
5245 substituted in lieu thereof: 4-38c, 4b-51, 7-131q, 7-380c, 8-2b, 12-412e,  
5246 13a-142a, 17a-471b, 17a-471c, 17b-97, 20-196, 21a-92a, 21a-401, 22-1, 22-  
5247 1c, 22-4b, 22-6, 22-6a, 22-6b, 22-6d, 22-6g, 22-6h, 22-1d, 22-11e, 22-11f,  
5248 22-11h, 22-12b, 22-26c, 22-26d, 22-26e, 22-26f, 22-26i, 22-26bb, 22-26cc,  
5249 22-36, 22-51, 22-59, 22-63, 22-63a, 22-79, 22-81, 22-84, 22-90, 22-98, 22-  
5250 150, 22-160, 22-277, 22-279a, 22-280, 22-286, 22-287, 22-298, 22-299a, 22-  
5251 303, 22-304, 22-306, 22-313, 22-318b, 22-320a, 22-326c, 22-332a, 22-344d,  
5252 22-359b, 22-386, 22-388, 22-410, 22-411, 22-412, 22-415a, 22-455, 22-456,  
5253 22a-38, 22-319, 25-157a, 26-72, 26-142a, 26-192a, 26-192b, 26-192c, 26-  
5254 192e, 26-192f, 26-192h, 26-224a, 26-237a, 30-68 and 36b-21.

5255 (g) If the term "Department of Consumer Protection" or

5256 "Department of Agriculture" is used or referred to in any public or  
5257 special act of 2003 or 2004, or in any section of the general statutes  
5258 which is amended in 2003 or 2004, it shall be deemed to refer to the  
5259 Department of Agriculture and Consumer Protection.

5260 (h) If the term "Commissioner of Consumer Protection" or  
5261 "Commissioner of Agriculture" is used or referred to in any public or  
5262 special act of 2003 or 2004, or in any section of the general statutes  
5263 which is amended in 2003 or 2004, it shall be deemed to refer to the  
5264 Commissioner of Agriculture and Consumer Protection.

5265 Sec. 147. Section 4-5 of the general statutes, as amended by section 4  
5266 of public act 03-84 and section 2 of public act 03-217, is repealed and  
5267 the following is substituted in lieu thereof (*Effective July 1, 2004*):

5268 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
5269 means Secretary of the Office of Policy and Management,  
5270 Commissioner of Administrative Services, Commissioner of Revenue  
5271 Services, Banking Commissioner, Commissioner of Children and  
5272 Families, Commissioner of Agriculture and Consumer Protection,  
5273 Commissioner of Correction, Commissioner of Economic and  
5274 Community Development, State Board of Education, Commissioner of  
5275 Environmental Protection, [Commissioner of Agriculture,]  
5276 Commissioner of Public Health, Insurance Commissioner, Labor  
5277 Commissioner, Liquor Control Commission, Commissioner of Mental  
5278 Health and Addiction Services, Commissioner of Public Safety,  
5279 Commissioner of Social Services, Commissioner of Mental Retardation,  
5280 Commissioner of Motor Vehicles, Commissioner of Transportation,  
5281 Commissioner of Public Works, Commissioner of Veterans' Affairs,  
5282 Commissioner of Health Care Access, Chief Information Officer, the  
5283 chairperson of the Public Utilities Control Authority and the executive  
5284 director of the Board of Education and Services for the Blind.

5285 Sec. 148. Section 4-38c of the general statutes is repealed and the  
5286 following is substituted in lieu thereof (*Effective July 1, 2004*):

5287        There shall be within the executive branch of state government the  
5288 following departments: Office of Policy and Management, Department  
5289 of Administrative Services, Department of Revenue Services,  
5290 Department of Banking, [Department of Agriculture,] Department of  
5291 Children and Families, Department of Agriculture and Consumer  
5292 Protection, Department of Correction, Department of Economic and  
5293 Community Development, State Board of Education, Department of  
5294 Environmental Protection, Department of Public Health, Board of  
5295 Governors of Higher Education, Insurance Department, Labor  
5296 Department, Department of Mental Health and Addiction Services,  
5297 Department of Mental Retardation, Department of Public Safety,  
5298 Department of Social Services, Department of Transportation,  
5299 Department of Motor Vehicles, Department of Veterans' Affairs,  
5300 Department of Public Works and Department of Public Utility Control.

5301        Sec. 149. Section 22a-27m of the general statutes is repealed and the  
5302 following is substituted in lieu thereof (*Effective from passage*):

5303        (a) There is established within the Environmental Quality Fund  
5304 established under section 22a-27g an account to be known as the "air  
5305 emissions permit operating fee account". Notwithstanding the  
5306 provisions of section 22a-27g any moneys collected in accordance with  
5307 section 22a-174a shall be deposited in the Environmental Quality Fund  
5308 and credited to the air emissions permit operating fee account. Any  
5309 balance remaining in the account at the end of any fiscal year shall be  
5310 carried forward in the account for the fiscal year next succeeding. The  
5311 account shall be used by the Commissioner of Environmental  
5312 Protection [solely] for the purpose of covering the direct and indirect  
5313 costs of administering the program set forth in Title V of the federal  
5314 Clean Air Act Amendments of 1990.

5315        (b) On and after April 1, 2003, any moneys in the air emissions  
5316 permit operating fee account in excess of the federally mandated level  
5317 of presumptive funding calculated pursuant to 40 CFR 70.9, as  
5318 amended from time to time, may be used by the Commissioner of

5319 Environmental Protection to carry out the provisions of chapter 446c or  
5320 may be transferred, at the direction of the commissioner, to the federal  
5321 Clean Air Act account established pursuant to section 14-49b, as  
5322 amended by this act.

5323 (c) On or before September thirtieth of each year, the State  
5324 Comptroller shall transfer from the air emissions permit operating fee  
5325 account to the federal Clean Air Act account such funds identified by  
5326 the commissioner as being in excess of the federally mandated level of  
5327 presumptive funding calculated pursuant to 40 CFR 70.9, as amended  
5328 from time to time.

5329 Sec. 150. Subsection (a) of section 14-49b of the general statutes is  
5330 repealed and the following is substituted in lieu thereof (*Effective*  
5331 *October 1, 2003*):

5332 (a) For each new registration or renewal of registration of any motor  
5333 vehicle with the Commissioner of Motor Vehicles pursuant to this  
5334 chapter, the person registering such vehicle shall pay to the  
5335 commissioner a fee of ten dollars for registration for a biennial period  
5336 and five dollars for registration for an annual period, except that any  
5337 individual who is sixty-five years of age or older on or after January 1,  
5338 1994, may, at the discretion of such individual, pay the fee for either a  
5339 one-year or two-year period. The provisions of this section shall not  
5340 apply with respect to any motor vehicle which is not self-propelled,  
5341 which is electrically powered, or which is exempted from payment of a  
5342 registration fee. This fee may be identified as the "federal Clean Air Act  
5343 fee" on any registration form provided by the commissioner. Payments  
5344 collected pursuant to the provisions of this section shall be deposited  
5345 as follows: (1) Fifty-seven and one-half per cent of such payments  
5346 collected shall be deposited into the Special Transportation Fund  
5347 established pursuant to section 13b-68, and (2) forty-two and one-half  
5348 per cent of such payments collected shall be deposited in a treasurer's  
5349 account and credited to a separate, nonlapsing federal Clean Air Act  
5350 account which shall be established by the Comptroller within the

5351 General Fund. The federal Clean Air Act account may be used to pay  
5352 any costs to state agencies of implementing the requirements of the  
5353 federal Clean Air Act Amendments of 1990 that are not otherwise met  
5354 by the fees collected pursuant to section 22a-174a and any funds  
5355 transferred to the account pursuant to section 22a-27m, as amended by  
5356 this act, may additionally be used by the Commissioner of  
5357 Environmental Protection to carry out the provisions of chapter 446c.  
5358 All moneys deposited in this account are deemed to be appropriated  
5359 for this purpose. The fee required by this section is in addition to any  
5360 other fees prescribed by any other provision of this title for the  
5361 registration of a motor vehicle.

5362 Sec. 151. Subsections (a) and (b) of section 22a-6 of the general  
5363 statutes are repealed and the following is substituted in lieu thereof  
5364 (*Effective from passage*):

5365 (a) The commissioner may: (1) Adopt, amend or repeal, in  
5366 accordance with the provisions of chapter 54, such environmental  
5367 standards, criteria and regulations, and such procedural regulations as  
5368 are necessary and proper to carry out his functions, powers and duties;  
5369 (2) enter into contracts with any person, firm, corporation or  
5370 association to do all things necessary or convenient to carry out the  
5371 functions, powers and duties of the department; (3) initiate and receive  
5372 complaints as to any actual or suspected violation of any statute,  
5373 regulation, permit or order administered, adopted or issued by him.  
5374 The commissioner shall have the power to hold hearings, administer  
5375 oaths, take testimony and subpoena witnesses and evidence, enter  
5376 orders and institute legal proceedings including, but not limited to,  
5377 suits for injunctions, for the enforcement of any statute, regulation,  
5378 order or permit administered, adopted or issued by him; (4) in  
5379 accordance with regulations adopted by him, require, issue, renew,  
5380 revoke, modify or deny permits, under such conditions as he may  
5381 prescribe, governing all sources of pollution in Connecticut within his  
5382 jurisdiction; (5) in accordance with constitutional limitations, enter at  
5383 all reasonable times, without liability, upon any public or private

5384 property, except a private residence, for the purpose of inspection and  
5385 investigation to ascertain possible violations of any statute, regulation,  
5386 order or permit administered, adopted or issued by him and the  
5387 owner, managing agent or occupant of any such property shall permit  
5388 such entry, and no action for trespass shall lie against the  
5389 commissioner for such entry, or he may apply to any court having  
5390 criminal jurisdiction for a warrant to inspect such premises to  
5391 determine compliance with any statute, regulation, order or permit  
5392 administered, adopted or enforced by him, provided any information  
5393 relating to secret processes or methods of manufacture or production  
5394 ascertained by the commissioner during, or as a result of, any  
5395 inspection, investigation, hearing or otherwise shall be kept  
5396 confidential and shall not be disclosed except that, notwithstanding the  
5397 provisions of subdivision (5) of subsection (b) of section 1-210, such  
5398 information may be disclosed by the commissioner to the United States  
5399 Environmental Protection Agency pursuant to the federal Freedom of  
5400 Information Act of 1976, (5 USC 552) and regulations adopted  
5401 thereunder or, if such information is submitted after June 4, 1986, to  
5402 any person pursuant to the federal Clean Water Act (33 USC 1251 et  
5403 seq.); (6) undertake any studies, inquiries, surveys or analyses he may  
5404 deem relevant, through the personnel of the department or in  
5405 cooperation with any public or private agency, to accomplish the  
5406 functions, powers and duties of the commissioner; (7) require the  
5407 posting of sufficient performance bond or other security to assure  
5408 compliance with any permit or order; (8) provide by notice printed on  
5409 any form that any false statement made thereon or pursuant thereto is  
5410 punishable as a criminal offense under section 53a-157b; (9) construct  
5411 or repair or contract for the construction or repair of any dam or flood  
5412 and erosion control system under his control and management, make  
5413 or contract for the making of any alteration, repair or addition to any  
5414 other real asset under his control and management, including rented  
5415 or leased premises, involving an expenditure of five hundred thousand  
5416 dollars or less, and, with prior approval of the Commissioner of Public  
5417 Works, make or contract for the making of any alteration, repair or

5418 addition to such other real asset under his control and management  
5419 involving an expenditure of more than five hundred thousand dollars  
5420 but not more than one million dollars; (10) by regulations adopted in  
5421 accordance with the provisions of chapter 54 require the payment of a  
5422 fee sufficient to cover the reasonable cost of the search, duplication and  
5423 review of records requested under the Freedom of Information Act, as  
5424 defined in section 1-200, and the reasonable cost of reviewing and  
5425 acting upon an application for and monitoring compliance with the  
5426 terms and conditions of any state or federal permit, license,  
5427 registration, order, certificate or approval required pursuant to  
5428 subsection (i) of section 22a-39, subsections (c) and (d) of section 22a-  
5429 96, subsections (h), (i) and (k) of section 22a-424, and sections 22a-6d,  
5430 22a-32, 22a-134a, 22a-134e, 22a-135, 22a-148, 22a-150, 22a-174, 22a-174a,  
5431 22a-208, 22a-208a, 22a-209, 22a-342, 22a-345, 22a-354i, 22a-361, 22a-  
5432 363c, 22a-368, 22a-372, 22a-379, 22a-403, 22a-409, 22a-416, 22a-428 to  
5433 22a-432, inclusive, 22a-449 and 22a-454 to 22a-454c, inclusive, and  
5434 Section 401 of the federal Clean Water Act, (33 USC 1341). Such costs  
5435 may include, but are not limited to the costs of (A) public notice, (B)  
5436 reviews, inspections and testing incidental to the issuance of and  
5437 monitoring of compliance with such permits, licenses, orders,  
5438 certificates and approvals, and (C) surveying and staking boundary  
5439 lines. The applicant shall pay the fee established in accordance with the  
5440 provisions of this section prior to the final decision of the  
5441 commissioner on the application. The commissioner may postpone  
5442 review of an application until receipt of the payment. Payment of a fee  
5443 for monitoring compliance with the terms or conditions of a permit  
5444 shall be at such time as the commissioner deems necessary and is  
5445 required for an approval to remain valid; and (11) by regulations  
5446 adopted in accordance with the provisions of chapter 54, require the  
5447 payment of a fee sufficient to cover the reasonable cost of responding  
5448 to requests for information concerning the status of real estate with  
5449 regard to compliance with environmental statutes, regulations, permits  
5450 or orders. Such fee shall be paid by the person requesting such  
5451 information at the time of the request. Funds not exceeding two

5452 hundred thousand dollars received by the commissioner pursuant to  
5453 subsection (g) of section 22a-174, during the fiscal year ending June 30,  
5454 1985, shall be deposited in the General Fund and credited to the  
5455 appropriations of the Department of Environmental Protection in  
5456 accordance with the provisions of section 4-86, and such funds shall  
5457 not lapse until June 30, 1986. In any action brought against any  
5458 employee of the department acting within his scope of delegated  
5459 authority in performing any of the above-listed duties, the employee  
5460 shall be represented by the Attorney General.

5461 (b) Notwithstanding the provisions of subsection (a) of this section  
5462 no municipality shall be required to pay more than fifty per cent of any  
5463 fee established by the commissioner pursuant to said subsection. [and  
5464 any municipality which paid any such fee on or after May 15, 1984,  
5465 and prior to October 1, 1985, shall be entitled to a credit to the extent of  
5466 any amount so paid against the payment of any fees required pursuant  
5467 to subsection (c) on or after October 1, 1985.]

5468 Sec. 152. Section 22a-6f of the general statutes is repealed and the  
5469 following is substituted in lieu thereof (*Effective from passage*):

5470 (a) Each annual fee charged by the Commissioner of Environmental  
5471 Protection pursuant to the general statutes shall be due on or before  
5472 July first of each year, unless otherwise specified in the general statutes  
5473 or in regulations adopted pursuant thereto. The fee for late payment of  
5474 an annual fee charged by said commissioner pursuant to the general  
5475 statutes shall be ten per cent of the annual fee due, plus one and one-  
5476 quarter per cent per month or part thereof that the annual fee remains  
5477 unpaid. Each permit fee and permit application fee charged by the  
5478 commissioner pursuant to the general statutes is due upon the  
5479 submission of the permit application, unless otherwise specified in the  
5480 general statutes or in regulations adopted pursuant thereto. Each  
5481 permit fee and permit application fee payable to the commissioner  
5482 shall apply equally to the issuance, renewal, modification and transfer  
5483 of a permit unless otherwise specified in the general statutes or in

5484 regulations adopted pursuant thereto. The commissioner may waive  
5485 any fee payable to him as it applies to the activities of an agency,  
5486 board, commission, council or department of the state, provided such  
5487 agency, board, commission, council or department compensates the  
5488 Department of Environmental Protection in an amount equal to such  
5489 fee pursuant to a written agreement.

5490 [(b) Unless a lower fee is otherwise specified in the general permit,  
5491 the fee for registration pursuant to a general permit shall be as follows:  
5492 (1) If the person intending to engage in the regulated activity is  
5493 required to register with the Department of Environmental Protection  
5494 and obtain approval of the registration before the activity is  
5495 authorized, five hundred dollars; or (2) if the person intending to  
5496 engage in the regulated activity is only required to register with the  
5497 Department of Environmental Protection before the activity is  
5498 authorized, two hundred fifty dollars.]

5499 (b) Notwithstanding any provision of the general statutes or any  
5500 regulation adopted under this title, on and after the effective date of  
5501 this section, each fee in effect pursuant to regulations adopted  
5502 pursuant to any section of this title that is greater than one hundred  
5503 dollars shall be increased by fifty per cent and all such fees of one  
5504 hundred dollars or less shall be doubled, provided no such fee shall be  
5505 less than one hundred dollars.

5506 (c) Notwithstanding the provisions of subsection (b) of this section:  
5507 (1) The fees and annual adjustment for Title V emissions shall be  
5508 assessed pursuant to the regulations adopted under section 22a-174; (2)  
5509 each fee imposed pursuant to a general permit, in effect on or before  
5510 the effective date of this section, shall be double the amount specified  
5511 in such permit; and (3) each fee imposed pursuant to a certificate of  
5512 permission, issued in accordance with section 22a-363b, shall be  
5513 double the amount in effect on or before the effective date of this  
5514 section.

5515 (d) Unless otherwise specified in a general permit, the registration

5516 fee for a general permit shall be as follows: (1) If the person intending  
5517 to engage in the regulated activity is required to register with the  
5518 Department of Environmental Protection and obtain approval of the  
5519 registration before the activity is authorized, one thousand dollars; or  
5520 (2) if the person intending to engage in the regulated activity is only  
5521 required to register with the Department of Environmental Protection  
5522 before the activity is authorized, five hundred dollars. No fee for a  
5523 general permit shall exceed five thousand dollars.

5524 (e) Unless otherwise established by regulations adopted pursuant to  
5525 section 22a-354i, the fee for a permit of a regulated activity, as  
5526 described in section 22a-354i, shall be one thousand dollars and the fee  
5527 to register such regulated activity with the Department of  
5528 Environmental Protection, pursuant to section 22a-354i, shall be five  
5529 hundred dollars.

5530 (f) The fee for a consolidated general permit issued in accordance  
5531 with more than one section of this title shall be specified in such  
5532 general permit and shall not exceed the total sum for individual  
5533 general permits, as authorized pursuant to subdivision (2) of  
5534 subsection (c) of this section.

5535 Sec. 153. Subsection (a) of section 22a-232 of the general statutes is  
5536 repealed and the following is substituted in lieu thereof (*Effective from*  
5537 *passage*):

5538 (a) There shall be paid to the Commissioner of Revenue Services by  
5539 the owner of any resources recovery facility one dollar per ton of solid  
5540 waste processed at the facility beginning on the date of  
5541 commencement of commercial operation of the facility for calendar  
5542 quarters commencing on or after October 1, 1987, until September 30,  
5543 2003. For calendar quarters commencing on and after October 1, 2003,  
5544 the owner of any resources recovery facility shall pay to the  
5545 Commissioner of Revenue Services one dollar and fifty cents per ton of  
5546 solid waste processed at such facility.

5547 Sec. 154. Section 22a-261 of the general statutes is repealed and the  
5548 following is substituted in lieu thereof (*Effective from passage*):

5549 (a) There is hereby established and created a body politic and  
5550 corporate, constituting a public instrumentality and political  
5551 subdivision of the state of Connecticut established and created for the  
5552 performance of an essential public and governmental function, to be  
5553 known as the Connecticut Resources Recovery Authority. The  
5554 authority shall not be construed to be a department, institution or  
5555 agency of the state.

5556 (b) On and before May 31, 2002, the powers of the authority shall be  
5557 vested in and exercised by a board of directors, which shall consist of  
5558 [~~thirteen~~] twelve directors: Four appointed by the Governor and  
5559 [~~three~~] two ex-officio members, who shall have a vote including [the  
5560 Secretary of the Office of Policy and Management,] the Commissioner  
5561 of Transportation [,] and the Commissioner of Economic and  
5562 Community Development; two appointed by the president pro  
5563 tempore of the Senate, two by the speaker of the House, one by the  
5564 minority leader of the Senate and one by the minority leader of the  
5565 House of Representatives. Any such legislative appointee may be a  
5566 member of the General Assembly. The directors appointed by the  
5567 Governor under this subsection shall serve for terms of four years  
5568 each, from January first next succeeding their appointment, provided,  
5569 of the directors first appointed, two shall serve for terms of two years,  
5570 and two for terms of four years, from January first next succeeding  
5571 their appointment. Any vacancy occurring under this subsection other  
5572 than by expiration of term shall be filled in the same manner as the  
5573 original appointment for the balance of the unexpired term. Of the four  
5574 members appointed by the Governor under this subsection, two shall  
5575 be first selectmen, mayors or managers of Connecticut municipalities;  
5576 one from a municipality with a population of less than fifty thousand,  
5577 one from a municipality of over fifty thousand population; two shall  
5578 be public members without official governmental office or status with  
5579 extensive high-level experience in municipal or corporate finance or

5580 business or industry, provided not more than two of such appointees  
5581 shall be members of the same political party. The chairman of the  
5582 board under this subsection shall be appointed by the Governor, with  
5583 the advice and consent of both houses of the General Assembly and  
5584 shall serve at the pleasure of the Governor. Notwithstanding the  
5585 provisions of this subsection, the terms of all members of the board of  
5586 directors who are serving on May 31, 2002, shall expire on said date.

5587 (c) On and after June 1, 2002, the powers of the authority shall be  
5588 vested in and exercised by a board of directors, which shall consist of  
5589 [~~thirteen~~] eleven directors as follows: Three appointed by the  
5590 Governor, one of whom shall be a municipal official of a municipality  
5591 having a population of fifty thousand or less and one of whom shall  
5592 have extensive, high-level experience in the energy field; two  
5593 appointed by the president pro tempore of the Senate, one of whom  
5594 shall be a municipal official of a municipality having a population of  
5595 more than fifty thousand and one of whom shall have extensive high-  
5596 level experience in public or corporate finance or business or industry;  
5597 two appointed by the speaker of the House of Representatives, one of  
5598 whom shall be a municipal official of a municipality having a  
5599 population of more than fifty thousand and one of whom shall have  
5600 extensive high-level experience in public or corporate finance or  
5601 business or industry; two appointed by the minority leader of the  
5602 Senate, one of whom shall be a municipal official of a municipality  
5603 having a population of fifty thousand or less and one of whom shall  
5604 have extensive high-level experience in public or corporate finance or  
5605 business or industry; two appointed by the minority leader of the  
5606 House of Representatives, one of whom shall be a municipal official of  
5607 a municipality having a population of fifty thousand or less and one of  
5608 whom shall have extensive, high-level experience in the environmental  
5609 field. [; and two voting ex-officio members, who shall be the Secretary  
5610 of the Office of Policy and Management and the State Treasurer, or  
5611 their designees.] No director may be a member of the General  
5612 Assembly. Not more than two of the directors appointed by the  
5613 Governor shall be members of the same political party. The appointed

5614 directors shall serve for terms of four years each, provided, of the  
5615 directors first appointed for terms beginning on June 1, 2002, (1) two of  
5616 the directors appointed by the Governor, one of the directors  
5617 appointed by the president pro tempore of the Senate, one of the  
5618 directors appointed by the speaker of the House of Representatives,  
5619 one of the directors appointed by the minority leader of the Senate and  
5620 one of the directors appointed by the minority leader of the House of  
5621 Representatives shall serve an initial term of two years and one month,  
5622 and (2) the other appointed directors shall serve an initial term of four  
5623 years and one month. The appointment of each director for a term  
5624 beginning on or after June 1, 2004, shall be made with the advice and  
5625 consent of both houses of the General Assembly. The Governor shall  
5626 designate one of the directors to serve as chairperson of the board,  
5627 with the advice and consent of both houses of the General Assembly.  
5628 The chairperson of the board shall serve at the pleasure of the  
5629 Governor. Any appointed director who fails to attend three  
5630 consecutive meetings of the board or who fails to attend fifty per cent  
5631 of all meetings of the board held during any calendar year shall be  
5632 deemed to have resigned from the board. Any vacancy occurring other  
5633 than by expiration of term shall be filled in the same manner as the  
5634 original appointment for the balance of the unexpired term. As used in  
5635 this subsection, "municipal official" means the first selectman, mayor,  
5636 city or town manager or chief financial officer of a municipality that  
5637 has entered into a solid waste disposal services contract with the  
5638 authority and pledged the municipality's full faith and credit for the  
5639 payment of obligations under such contract.

5640 (d) The chairperson shall, with the approval of the directors,  
5641 appoint a president of the authority who shall be an employee of the  
5642 authority and paid a salary prescribed by the directors. The president  
5643 shall supervise the administrative affairs and technical activities of the  
5644 authority in accordance with the directives of the board.

5645 (e) Each director shall be entitled to reimbursement for said  
5646 director's actual and necessary expenses incurred during the

5647 performance of said director's official duties.

5648 (f) Directors may engage in private employment, or in a profession  
5649 or business, subject to any applicable laws, rules and regulations of the  
5650 state or federal government regarding official ethics or conflict of  
5651 interest.

5652 (g) [Seven] Six directors of the authority shall constitute a quorum  
5653 for the transaction of any business or the exercise of any power of the  
5654 authority, provided, [at least one ex-officio director, or the designee of  
5655 an ex-officio director, and] two directors from municipal government  
5656 shall be present in order for a quorum to be in attendance. For the  
5657 transaction of any business or the exercise of any power of the  
5658 authority, and except as otherwise provided in this chapter, the  
5659 authority shall have power to act by a majority of the directors present  
5660 at any meeting at which a quorum is in attendance. If the legislative  
5661 body of a municipality that is the site of a facility passes a resolution  
5662 requesting the Governor to appoint a resident of such municipality to  
5663 be an ad hoc member, the Governor shall make such appointment  
5664 upon the next vacancy for the ad hoc members representing such  
5665 facility. The Governor shall appoint with the advice and consent of the  
5666 General Assembly ad hoc members to represent each facility operated  
5667 by the authority provided at least one-half of such members shall be  
5668 chief elected officials of municipalities, or their designees. Each such  
5669 facility shall be represented by two such members. The ad hoc  
5670 members shall be electors from a municipality or municipalities in the  
5671 area to be served by the facility and shall vote only on matters  
5672 concerning such facility. The terms of the ad hoc members shall be four  
5673 years.

5674 (h) There is established, effective June 1, 2002, a steering committee  
5675 of the board of directors, consisting of at least three but not more than  
5676 five directors, who shall be jointly appointed by the Governor, the  
5677 president pro tempore of the Senate and the speaker of the House of  
5678 Representatives. Said committee shall consist of at least one director

5679 who is a municipal official, as defined in subsection (c) of this section.  
5680 The steering committee shall forthwith establish a financial  
5681 restructuring plan for the authority, subject to the approval of the  
5682 board of directors, and shall implement said plan. The financial  
5683 restructuring plan shall determine the financial condition of the  
5684 authority and provide for mitigation of the impact of the Connecticut  
5685 Resources Recovery Authority-Enron-Connecticut Light and Power  
5686 Company transaction on municipalities which have entered into solid  
5687 waste disposal services contracts with the authority. The steering  
5688 committee shall also review all aspects of the authority's finances and  
5689 administration, including but not limited to, tipping fees and  
5690 adjustments to such fees, the annual budget of the authority, any  
5691 budget transfers, any use of the authority's reserves, all contracts  
5692 entered into by or on behalf of the authority, including but not limited  
5693 to, an assessment of the alignment of interests between the authority  
5694 and the authority's contractors, all financings or restructuring of debts,  
5695 any sale or other disposition or valuation of assets of the authority,  
5696 including sales of electricity and steam, any joint ventures and  
5697 strategic partnerships, and the initiation and resolution of litigation,  
5698 arbitration and other disputes. The steering committee (1) shall have  
5699 access to all information, files and records maintained by the authority,  
5700 (2) may retain consultants and utilize other resources necessary to  
5701 carry out its responsibilities under this subsection, which have a total  
5702 cost of not more than five hundred thousand dollars, without the  
5703 approval of the board of directors, and may draw on accounts of the  
5704 authority for such costs, and (3) shall submit a report to the board of  
5705 directors and the General Assembly, in accordance with section 11-4a,  
5706 on its findings, progress and recommendations for future action by the  
5707 board of directors in carrying out the purposes of this subsection, not  
5708 later than December 31, 2002. Said report shall also include a report on  
5709 any loans made to the authority under section 22a-268d. The steering  
5710 committee shall terminate on December 31, 2002, unless extended by  
5711 the board.

5712 (i) The board may delegate to three or more directors such board

5713 powers and duties as it may deem necessary and proper in conformity  
5714 with the provisions of this chapter and its bylaws. At least one of such  
5715 directors shall be a municipal official, as defined in subsection (c) of  
5716 this section, and at least one of such directors shall not be a state  
5717 employee.

5718 (j) Appointed directors may not designate a representative to  
5719 perform in their absence their respective duties under this chapter.

5720 (k) The term "director", as used in this section, shall include such  
5721 persons so designated as provided in this section and this designation  
5722 shall be deemed temporary only and shall not affect any applicable  
5723 civil service or retirement rights of any person so designated.

5724 (l) The appointing authority for any director may remove such  
5725 director for inefficiency, neglect of duty or misconduct in office after  
5726 giving the director a copy of the charges against the director and an  
5727 opportunity to be heard, in person or by counsel, in the director's  
5728 defense, upon not less than ten days' notice. If any director shall be so  
5729 removed, the appointing authority for such director shall file in the  
5730 office of the Secretary of the State a complete statement of charges  
5731 made against such director and the appointing authority's findings on  
5732 such statement of charges, together with a complete record of the  
5733 proceedings.

5734 (m) The authority shall continue as long as it shall have bonds or  
5735 other obligations outstanding and until its existence shall be  
5736 terminated by law. Upon the termination of the existence of the  
5737 authority, all its rights and properties shall pass to and be vested in the  
5738 state of Connecticut.

5739 (n) The directors, members and officers of the authority and any  
5740 person executing the bonds or notes of the authority shall not be liable  
5741 personally on such bonds or notes or be subject to any personal  
5742 liability or accountability by reason of the issuance thereof, nor shall  
5743 any director, member or officer of the authority be personally liable for

5744 damage or injury, not wanton or wilful, caused in the performance of  
5745 such person's duties and within the scope of such person's  
5746 employment or appointment as such director, member or officer.

5747 (o) Notwithstanding the provisions of any other law to the contrary,  
5748 it shall not constitute a conflict of interest for a trustee, director,  
5749 partner or officer of any person, firm or corporation, or any individual  
5750 having a financial interest in a person, firm or corporation, to serve as a  
5751 director of the authority, provided such trustee, director, partner,  
5752 officer or individual shall abstain from deliberation, action or vote by  
5753 the authority in specific respect to such person, firm or corporation.

5754 Sec. 155. Section 22a-268d of the general statutes is repealed and the  
5755 following is substituted in lieu thereof (*Effective from passage*):

5756 (a) The Connecticut Resources Recovery Authority may, with the  
5757 approval of two-thirds of the appointed directors of the authority at a  
5758 duly called meeting of said authority, and with the subsequent  
5759 approval of the State Treasurer and the Secretary of the Office of Policy  
5760 and Management, borrow temporarily from the state for the purposes  
5761 of supporting the repayment of debt issued by the authority on behalf  
5762 of the Mid-Connecticut Project for the fiscal years ending June 30, 2003,  
5763 and June 30, 2004, an amount not to exceed twenty-two million dollars,  
5764 in accordance with the provisions of this section, provided the  
5765 principal and interest from such loan shall be repaid prior to the end of  
5766 the fiscal year ending June 30, 2012. The Connecticut Resources  
5767 Recovery Authority may, with the approval of two-thirds of the  
5768 appointed directors of the authority at a duly called for meeting of said  
5769 authority, and with the subsequent approval of the State Treasurer and  
5770 the Secretary of the Office of Policy and Management, borrow  
5771 temporarily from the state for the purposes of supporting the  
5772 repayment of debt issued by the authority on behalf of the Mid-  
5773 Connecticut Project for fiscal years subsequent to fiscal year ending  
5774 June 30, 2004, an amount in the aggregate not to exceed [one hundred  
5775 fifteen] ninety-three million dollars in accordance with the provisions

5776 of this section. To the extent possible, as determined by the State  
5777 Treasurer and the Secretary of the Office of Policy and Management,  
5778 any loans made pursuant to this section shall be collateralized. Prior to  
5779 any such borrowing, or the draw-down of an amount pursuant to a  
5780 master loan agreement entered into between the authority and the  
5781 state, the authority shall submit [for approval by] to the State Treasurer  
5782 and the Secretary of the Office of Policy and Management a financial  
5783 mitigation plan which shall include, but not be limited to, a plan to  
5784 minimize tipping fees for municipalities that have entered into solid  
5785 waste disposal services contracts with the authority and any additional  
5786 information the State Treasurer and the secretary may require. Such  
5787 financial mitigation plan shall include information detailing the efforts  
5788 that the authority has made to reduce the amount necessary to borrow  
5789 from the state, including, but not limited to, the reduction of general  
5790 administration and costs, renegotiation of vendor contracts, efforts to  
5791 increase the price paid for the sale of steam or electricity, [and] efforts  
5792 to assess the viability of the sale of hard assets of the project and an  
5793 analysis of the staffing levels, performance and qualifications of staff  
5794 and members of the board of directors. In addition, the authority shall  
5795 provide the State Treasurer and the secretary with its proposed budget  
5796 for the ensuing fiscal year, a three-year financial plan, a cash flow  
5797 analysis showing the need for the current and projected future  
5798 borrowings, and the most recent certified audit of the authority, on an  
5799 annual basis. Such loans shall be repaid as provided in a repayment  
5800 schedule established by the State Treasurer and the secretary and shall  
5801 bear and pay interest as shall be determined by the State Treasurer in  
5802 the best interest of the state. The State Treasurer is authorized to  
5803 establish fixed or variable interest rates for such loans based upon the  
5804 interest rate of the Short Term Investment Fund or the interest rate of  
5805 any borrowing by the state that may be required to fund the loans to  
5806 the authority. The repayments of principal and the interest applicable  
5807 to any such loans made shall be paid to the State Treasurer in  
5808 accordance with a repayment plan established by the State Treasurer  
5809 and the secretary. Such loans shall be subordinate to all bonded

5810 indebtedness of the authority.

5811 (b) The Connecticut Resources Recovery Authority shall submit, on  
5812 a quarterly basis, reports detailing the status of the financial mitigation  
5813 plan as described in subsection (a) of this section to the State Treasurer,  
5814 the Secretary of the Office of Policy and Management and to the joint  
5815 standing committee of the General Assembly having cognizance of  
5816 matters relating to finance, revenue and bonding.

5817 (c) The Connecticut Resources Recovery Authority shall enter into  
5818 discussions with municipalities that have entered into solid waste  
5819 disposal services contracts with the Mid-Connecticut Project to  
5820 determine the interest of said municipalities in extending these  
5821 contracts beyond the fiscal year ending June 30, 2012. The Connecticut  
5822 Resources Recovery Authority shall include the status of these  
5823 discussions in the quarterly reports required under subsection (b) of  
5824 this section.

5825 (d) For the term of all loans made to the Connecticut Resources  
5826 Recovery Authority by the state, the Connecticut Resources Recovery  
5827 Authority shall be subject to the provisions of section 4-67.

5828 Sec. 156. Section 18-86b of the general statutes is repealed and the  
5829 following is substituted in lieu thereof (*Effective from passage*):

5830 (a) Notwithstanding the provisions of sections 18-105 to 18-107,  
5831 inclusive, the Commissioner of Correction is authorized to improve the  
5832 operation of the state's correctional facilities by entering into contracts  
5833 with any governmental or private vendor for supervision of not more  
5834 than five hundred inmates outside the state. Any such governmental  
5835 or private vendor shall agree to be bound by the provisions of the  
5836 Interstate Corrections Compact, and any governmental or privately-  
5837 operated facility to which state inmates are transferred pursuant to a  
5838 contract under this [section] subsection shall be located in a state  
5839 which has enacted and entered into the Interstate Corrections  
5840 Compact.

5841 (b) (1) Notwithstanding the provisions of sections 18-105 to 18-107,  
5842 inclusive, during the fiscal years ending June 30, 2004, and June 30,  
5843 2005, the Commissioner of Correction is authorized to improve the  
5844 operation of the state's correctional facilities by entering into contracts  
5845 in accordance with this subsection with any governmental or private  
5846 vendor for the supervision of not more than an additional two  
5847 thousand inmates outside the state.

5848 (2) If the governmental vendor with which the commissioner has a  
5849 contract under subsection (a) of this section on the effective date of this  
5850 section for the supervision of inmates outside this state is willing to  
5851 accept additional inmates for supervision, the Commissioner of  
5852 Correction may, notwithstanding the provisions of section 4a-57, enter  
5853 into a contract with such governmental vendor for the supervision of  
5854 such number of additional inmates as such governmental vendor is  
5855 willing to accept. If the commissioner does not enter into such a  
5856 contract with such governmental vendor or if, after contracting for the  
5857 supervision of additional inmates by such governmental vendor, the  
5858 number of inmates authorized to be supervised outside this state  
5859 under subdivision (1) of this subsection has not been attained, the  
5860 commissioner may enter into contracts with any governmental or  
5861 private vendor for the supervision of all or part of the remaining  
5862 number of inmates authorized to be supervised outside this state  
5863 under said subdivision (1).

5864 (3) Any such governmental or private vendor shall agree to be  
5865 bound by the provisions of the Interstate Corrections Compact, and  
5866 any governmental or privately-operated facility to which state inmates  
5867 are transferred pursuant to a contract under this subsection shall be  
5868 located in a state which has enacted and entered into the Interstate  
5869 Corrections Compact.

5870 [(b)] (c) A state inmate confined in any governmental or privately-  
5871 operated facility pursuant to the terms of any contract with the state  
5872 shall at all times be subject to the authority of the Commissioner of

5873 Correction who may at any time remove the inmate for transfer to a  
5874 state correctional facility or other institution, for transfer to another  
5875 governmental or privately-operated facility, for release on probation or  
5876 parole, for discharge or for any other purpose permitted by the laws of  
5877 this state.

5878       Sec. 157. (*Effective from passage*) During the fiscal years ending June  
5879 30, 2004, and June 30, 2005, the Secretary of the Office of Policy and  
5880 Management may, without prior approval of the Finance Advisory  
5881 Committee, transfer funds appropriated to the Department of  
5882 Correction in sections 1 and 11 of public act 03-1 of the June 30 special  
5883 session, as necessary to house inmates outside the state.

5884       Sec. 158. (*Effective from passage*) (a) For the fiscal years ending June  
5885 30, 2004, and June 30, 2005, there is established an Alternatives to  
5886 Incarceration Advisory Committee. The committee shall consist of the  
5887 Commissioner of Correction, the Secretary of the Office of Policy and  
5888 Management, the Chief Court Administrator, the Chief State's  
5889 Attorney, the Chief Public Defender and the Commissioner of Mental  
5890 Health and Addiction Services, or their designees; the cochairpersons  
5891 and ranking members of the joint standing committees of the General  
5892 Assembly having cognizance of matters relating to appropriations,  
5893 judiciary and finance. The Commissioner of Correction or the  
5894 commissioner's designee, shall serve as chairperson. The committee  
5895 shall meet not less than quarterly. The Department of Correction shall  
5896 provide administrative support to the committee.

5897       (b) The committee shall advise the Commissioner of Correction on  
5898 expending any appropriation to the Department of Correction for  
5899 Prison Overcrowding for the fiscal years ending June 30, 2004, and  
5900 June 30, 2005. The committee shall investigate the feasibility and  
5901 effectiveness of various alternatives to incarceration and make  
5902 recommendations to the commissioner for implementation including,  
5903 but not limited to: (1) Expanding the community justice center for  
5904 women at the Niantic facility, (2) beginning prison-based and off-site

5905 community justice centers for the male population, (3) adding  
5906 probation and parole officers to encourage diversion from  
5907 incarceration and swifter release of inmates who have served periods  
5908 of incarceration and making recommendations to improve the  
5909 probation and parole supervision process, (4) the expansion and  
5910 establishment of drug and community courts, (5) enhancement of drug  
5911 and other community treatment slots for prisoners awaiting release to  
5912 the community, (6) enhancement of community mental health services  
5913 for prisoners awaiting release, (7) expansion of the jail diversion  
5914 program and related services to divert individuals with behavioral  
5915 health disorders accused of nonviolent offenses, (8) enhancement of  
5916 community support services for prisoners leaving incarceration,  
5917 especially the approximate one thousand four hundred prisoners  
5918 awaiting release but who lack adequate support mechanisms to  
5919 succeed in the community post-incarceration, (9) mechanisms to  
5920 streamline the parole process in an effort to encourage earlier release of  
5921 prisoners to the community if deemed appropriate by the  
5922 commissioner, (10) other innovative pilot programs that will reduce  
5923 recidivism among offenders under community supervision and reduce  
5924 the overall rate of incarceration, and (11) examination of the  
5925 department's procedures, policies and classification of inmates. In  
5926 addition, the committee shall advise the commissioner and the  
5927 chairperson of the Board of Parole on the integration of the two  
5928 agencies.

5929 (c) The Commissioner of Correction shall, within available  
5930 appropriations for such purpose, implement alternative to  
5931 incarceration initiatives to reduce prison population which may  
5932 include implementation of the recommendations of the committee. The  
5933 commissioner shall give great weight and deference to ensuring the  
5934 safety of the public in assessing and implementing initiatives to reduce  
5935 prison population.

5936 (d) The committee shall report its findings and recommendations to  
5937 the joint standing committees of the General Assembly having

5938 cognizance of matters relating to appropriations, judiciary and finance,  
5939 to the Governor and to the Commission on Prison and Jail  
5940 Overcrowding established under section 18-87j of the general statutes  
5941 not later than February 1, 2004, and February 1, 2005. The  
5942 commissioner shall include a report on initiatives to reduce prison  
5943 population, including any committee recommendations, that have or  
5944 are in the process of being implemented.

5945 Sec. 159. Section 18-87k of the general statutes is repealed and the  
5946 following is substituted in lieu thereof (*Effective from passage*):

5947 The commission shall: (1) Develop and recommend policies for  
5948 preventing prison and jail overcrowding; (2) examine the impact of  
5949 statutory provisions and current administrative policies on prison and  
5950 jail overcrowding and recommend legislation to the Governor and the  
5951 General Assembly; (3) annually prepare and distribute a  
5952 comprehensive state criminal justice plan for preventing prison and jail  
5953 overcrowding which shall include, but not be limited to, the number of  
5954 persons currently involved in pretrial and postsentencing options  
5955 predominantly provided through community-based agencies which  
5956 minimize the number of persons requiring incarceration consistent  
5957 with protection of public safety, including mediation, restitution,  
5958 supervisory release and community service plans and the impact on  
5959 prison populations, local communities and court caseloads. The  
5960 commission shall take into account any state plans in the related areas  
5961 of mental health and drug and alcohol abuse in the development of  
5962 such plan. The commission shall take into account the report of the  
5963 findings and recommendations of the Alternatives to Incarceration  
5964 Advisory Committee established under section 158 of this act in the  
5965 development of the plan. The plan shall be submitted annually to the  
5966 Governor and General Assembly on or before January fifteenth; (4)  
5967 research and gather relevant statistical data and other information  
5968 concerning the impact of efforts to prevent prison and jail  
5969 overcrowding and make such information available to criminal justice  
5970 agencies and members of the General Assembly.

5971 Sec. 160. Section 18-24a of the general statutes is repealed and the  
5972 following is substituted in lieu thereof (*Effective from passage*):

5973 The Board of Pardons shall be [an autonomous body] within the  
5974 Department of Correction. [for administrative purposes only.] Said  
5975 board shall consist of five members, residents of this state. Biennially, a  
5976 member or members shall be appointed by the Governor, with the  
5977 advice and consent of either house of the General Assembly, to take  
5978 office the first Monday in June in the year of their appointment for a  
5979 term of six years to replace those whose terms expire. Three members  
5980 shall be attorneys, one shall be skilled in one of the social sciences and  
5981 one shall be a physician. Not more than three of such members holding  
5982 office at any one time shall be members of any one political party. The  
5983 board shall, biennially, elect its chairperson. The members of the board  
5984 shall be paid a per diem fee fixed by the Commissioner of  
5985 Administrative Services for attendance at each session of the board in  
5986 lieu of expenses. If any member has formed an opinion in any matter  
5987 that comes before it, said member shall not act concerning the same,  
5988 but no member shall be disqualified by reason of having formed an  
5989 opinion thereon at any former application for pardon by the same  
5990 applicant. When at any session any member is absent or disqualified,  
5991 the Governor may appoint a qualified person to fill the vacancy, and  
5992 the person so appointed shall have the same power as any other  
5993 member during such absence or disqualification. The person  
5994 appointed by the Governor to fill a temporary vacancy need not  
5995 necessarily possess the particular occupational or political  
5996 qualifications of the member whose place such person is temporarily  
5997 taking.

5998 Sec. 161. Section 54-124a of the general statutes is repealed and the  
5999 following is substituted in lieu thereof (*Effective from passage*):

6000 (a) There shall be a Board of Parole [which, on and after July 1,  
6001 1998,] within the Department of Correction which shall consist of  
6002 fifteen members, including a chairman and two vice-chairmen who

6003 shall be appointed by the Governor with the advice and consent of  
6004 either house of the General Assembly. The chairman and vice-  
6005 chairmen shall be qualified by training, experience or education in law,  
6006 criminal justice, parole matters or other related fields for the  
6007 consideration of the matters before them and the other members shall  
6008 be qualified by training and experience for the consideration of matters  
6009 before them. In the appointment of the members, the Governor shall  
6010 endeavor to reflect the racial diversity of the state.

6011 (b) The term of the chairman and the term of each vice-chairman of  
6012 the board shall be coterminous with the term of the Governor or until a  
6013 successor is chosen, whichever is later. The terms of all members,  
6014 except the chairman, shall expire on July 1, 1994, and on or after July 1,  
6015 1994, members shall be appointed in accordance with subsection (a) of  
6016 this section as follows: Six members shall be appointed for a term of  
6017 two years; and six members shall be appointed for a term of four years.  
6018 Thereafter, all members shall serve for terms of four years. Any  
6019 vacancy in the membership of the board shall be filled for the  
6020 unexpired portion of the term by the Governor.

6021 (c) The chairman [and vice-chairmen] shall devote [their entire] full  
6022 time to the performance of [their] the duties hereunder and shall be  
6023 compensated therefor in such amount as the Commissioner of  
6024 Administrative Services determines, subject to the provisions of section  
6025 4-40. The other members of said board shall receive one hundred ten  
6026 dollars for each day spent in the performance of their duties and shall  
6027 be reimbursed for necessary expenses incurred in the performance of  
6028 such duties. The chairman or, in his absence or inability to act, a  
6029 member designated by him to serve temporarily as chairman, shall be  
6030 present at all meetings of said board and participate in all decisions  
6031 thereof.

6032 (d) [Said chairman shall be the executive and administrative head of  
6033 said board and] The Commissioner of Correction shall have the  
6034 authority and responsibility for (1) directing and supervising all

6035 administrative affairs of the board, (2) preparing the budget and  
6036 annual operation plan in consultation with the board, (3) assigning  
6037 staff to parole panels, regions and supervision offices, (4) organizing  
6038 parole hearing calendars to facilitate the timely and efficient  
6039 processing of cases, (5) implementing a uniform case filing and  
6040 processing system, (6) establishing policy in all areas of parole  
6041 including, but not limited to, decision making, release criteria and  
6042 supervision standards, (7) establishing specialized parole units as  
6043 deemed necessary, (8) entering into contracts, in consultation with the  
6044 board, with service providers, community programs and consultants  
6045 for the proper function of parole and community supervision, (9)  
6046 creating programs for staff and board member development, training  
6047 and education, (10) establishing, developing and maintaining  
6048 noninstitutional, community-based service programs, and (11)  
6049 [consulting with the Department of Correction on shared issues  
6050 including, but not limited to, prison overcrowding, and (12)] signing  
6051 and issuing subpoenas to compel the attendance and testimony of  
6052 witnesses at parole proceedings. Any such subpoena shall be  
6053 enforceable to the same extent as subpoenas issued pursuant to section  
6054 52-143.

6055 (e) The chairman shall have the authority and responsibility for  
6056 assigning members to panels, each to be composed of two members  
6057 and the chairman or a member designated to serve temporarily as  
6058 chairman, for each correctional institution. Such panels shall be the  
6059 paroling authority for the institutions to which they are assigned and  
6060 not less than two members shall be present at each parole hearing.

6061 (f) In the event of the temporary inability of any member other than  
6062 the chairman to perform his or her duties, the Governor, at the request  
6063 of the board, may appoint a qualified person to serve as a temporary  
6064 member during such period of inability.

6065 (g) The Board of Parole shall: (1) Adopt an annual budget and plan  
6066 of operation, (2) adopt such rules as deemed necessary for the internal

6067 affairs of the board, (3) develop policy for and administer the  
6068 operation of the Interstate Parole Compact, and (4) submit an annual  
6069 report to the Governor and General Assembly.

6070 Sec. 162. Subsection (b) of section 19a-112a of the general statutes is  
6071 repealed and the following is substituted in lieu thereof (*Effective from*  
6072 *passage*):

6073 (b) (1) For the purposes of this section, "protocol" means the state of  
6074 Connecticut [health care facility protocol for victims of sexual assault  
6075 which shall consist of] Technical Guidelines for Health Care Response  
6076 to Victims of Sexual Assault, including the Interim Sexual Assault  
6077 Toxicology Screen Protocol, as revised from time to time and as  
6078 incorporated in regulations adopted in accordance with subdivision (2)  
6079 of this subsection, pertaining to the collection of evidence in any [sex  
6080 offense crime] sexual assault investigation.

6081 (2) The commission shall recommend the protocol to the Chief  
6082 State's Attorney for adoption as regulations in accordance with the  
6083 provisions of chapter 54. [Said regulations shall be adopted not later  
6084 than July 31, 1997.] The commission shall annually review the protocol  
6085 and may annually recommend changes to the protocol for adoption as  
6086 regulations.

6087 Sec. 163. Subsection (e) of section 19a-112a of the general statutes is  
6088 repealed and the following is substituted in lieu thereof (*Effective from*  
6089 *passage*):

6090 (e) (1) No costs incurred by a health care facility for the examination  
6091 of [the] a victim of sexual assault, when such [an] examination is  
6092 performed for the [purposes] purpose of gathering evidence as  
6093 prescribed in the protocol, [described in subsection (b) of this section,]  
6094 including the costs of testing for pregnancy and sexually transmitted  
6095 diseases and the costs of prophylactic treatment as provided in the  
6096 protocol, shall be charged directly or indirectly to [the victim of such  
6097 assault] such victim. Any such [cost] costs shall be charged to the

6098 Division of Criminal Justice.

6099 (2) No costs incurred by a health care facility for any toxicology  
6100 screening of a victim of sexual assault, when such screening is  
6101 performed as prescribed in the protocol, shall be charged directly or  
6102 indirectly to such victim. Any such costs shall be charged to the  
6103 Division of Scientific Services within the Department of Public Safety.

6104 Sec. 164. Section 51-181b of the general statutes is repealed and the  
6105 following is substituted in lieu thereof (*Effective from passage*):

6106 (a) The Chief Court Administrator may establish in any  
6107 [geographical area] court location or juvenile matters court location a  
6108 docket separate from other criminal or juvenile matters for the hearing  
6109 of criminal or juvenile matters in which a defendant is a drug-  
6110 dependent person, as defined in section 21a-240. The docket [in a  
6111 geographical area court location] shall be available to [, but not be  
6112 limited to, offenders who are sixteen to twenty-one years of age and]  
6113 offenders who could benefit from placement in a substance abuse  
6114 treatment program.

6115 (b) The Chief Court Administrator shall establish, within the  
6116 appropriations designated in public act 03-1 of the June 30 special  
6117 session for said purpose, one or more drug courts for the hearing of  
6118 criminal or juvenile matters in which a defendant is a drug-dependent  
6119 person, as defined in section 21a-240, who could benefit from  
6120 placement in a substance abuse treatment program.

6121 Sec. 165. Section 54-143a of the general statutes, as amended by  
6122 section 104 of public act 03-1 of the June 30 special session, is repealed  
6123 and the following is substituted in lieu thereof (*Effective October 1,*  
6124 *2003*):

6125 A cost of twenty dollars shall be imposed against any person  
6126 convicted of a violation, as defined in section 53a-27, under any  
6127 provision of section 12-487 or sections 13b-410a to 13b-410c, inclusive;

6128 any regulation adopted in accordance with the provisions of section  
6129 12-484, 12-487 or 13b-410; or a violation of section 14-147, 14-219, 14-  
6130 266, 14-267a, 14-269 or 14-270, chapter 268 or subsection (a) of section  
6131 22a-250, or any section of the general statutes the violation of which is  
6132 deemed an infraction, or who forfeits a cash bond or guaranteed bail  
6133 bond certificate posted under section 14-140a or under reciprocal  
6134 agreements made with other states for the alleged violation of any of  
6135 said sections, or who pleads nolo contendere to a violation of any of  
6136 said sections and pays the fine by mail; except that such cost shall be  
6137 thirty-five dollars [in the case of an infraction if the fine is thirty-five  
6138 dollars, as provided in any section of the general statutes, or if the fine  
6139 is established by the judges of the Superior Court pursuant to section  
6140 51-164m] for a violation of any section of the general statutes the  
6141 violation of which is deemed an infraction and carries a fine of thirty-  
6142 five dollars or more. The costs imposed by this section shall be  
6143 deposited in the General Fund and shall be in addition to any costs  
6144 imposed by section 54-143.

6145 Sec. 166. Section 28-1 of the general statutes, as amended by section  
6146 89 of public act 03-278, is repealed and the following is substituted in  
6147 lieu thereof (*Effective from passage*):

6148 As used in this chapter:

6149 (a) "Attack" means any attack or series of attacks by an enemy of the  
6150 United States causing, or which may cause, substantial damage or  
6151 injury to civilian property or persons in the United States in any  
6152 manner by sabotage or by the use of bombs, shellfire or atomic,  
6153 radiological, chemical, bacteriological or biological means or other  
6154 weapons or processes.

6155 (b) "Major disaster" means any hurricane, storm, flood, high water,  
6156 wind-driven water, tidal wave, tsunami, earthquake, volcanic  
6157 eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or  
6158 other catastrophe in any part of this state which, in the determination  
6159 of the President, causes damage of sufficient severity and magnitude

6160 to warrant major disaster assistance under the Federal Disaster Relief  
6161 Act of 1974, above and beyond emergency services by the federal  
6162 government, to supplement the efforts and available resources of this  
6163 state, local governments thereof, and disaster relief organizations in  
6164 alleviating the damage, loss, hardship, or suffering caused thereby.

6165 (c) "Emergency" means any hurricane, tornado, storm, flood, high  
6166 water, wind-driven water, tidal wave, tsunami, earthquake, volcanic  
6167 eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or  
6168 other catastrophe in any part of this state which requires federal  
6169 emergency assistance to supplement state and local efforts to save lives  
6170 and protect property, public health and safety or to avert or lessen the  
6171 threat of a disaster.

6172 (d) "Civil preparedness" means all those activities and measures  
6173 designed or undertaken (1) to minimize or control the effects upon the  
6174 civilian population of major disaster, (2) to minimize the effects upon  
6175 the civilian population caused or which would be caused by an attack  
6176 upon the United States, (3) to deal with the immediate emergency  
6177 conditions which would be created by any such attack, major disaster  
6178 or emergency, and (4) to effectuate emergency repairs to, or the  
6179 emergency restoration of, vital utilities and facilities destroyed or  
6180 damaged by any such attack, major disaster or emergency. Such term  
6181 shall include, but shall not be limited to, (A) measures to be taken in  
6182 preparation for anticipated attack, major disaster or emergency,  
6183 including the establishment of appropriate organizations, operational  
6184 plans and supporting agreements; the recruitment and training of  
6185 personnel; the conduct of research; the procurement and stockpiling of  
6186 necessary materials and supplies; the provision of suitable warning  
6187 systems; the construction and preparation of shelters, shelter areas and  
6188 control centers; and, when appropriate, the nonmilitary evacuation of  
6189 the civilian population; (B) measures to be taken during attack, major  
6190 disaster or emergency, including the enforcement of passive defense  
6191 regulations prescribed by duly established military or civil authorities;  
6192 the evacuation of personnel to shelter areas; the control of traffic and

6193 panic; and the control and use of lighting and civil communication;  
6194 and (C) measures to be taken following attack, major disaster or  
6195 emergency, including activities for fire fighting; rescue, emergency  
6196 medical, health and sanitation services; monitoring for specific hazards  
6197 of special weapons; unexploded bomb reconnaissance; essential debris  
6198 clearance; emergency welfare measures; and immediately essential  
6199 emergency repair or restoration of damaged vital facilities.

6200 (e) "Civil preparedness forces" means any organized personnel  
6201 engaged in carrying out civil preparedness functions in accordance  
6202 with the provisions of this chapter or any regulation or order  
6203 thereunder. All the police and fire forces of the state or any political  
6204 subdivision of the state, or any part of any political subdivision,  
6205 including all the auxiliaries of these forces, shall be construed to be a  
6206 part of the civil preparedness forces. The Connecticut Disaster Medical  
6207 Assistance Team and the Medical Reserve Corps, under the auspices of  
6208 the Department of Public Health, the Connecticut Urban Search and  
6209 Rescue Team, under the auspices of the Department of Public Safety,  
6210 and the Connecticut Behavioral Health Regional Crisis Response  
6211 Teams, under the auspices of the Department of Mental Health and  
6212 Addiction Services and the Department of Children and Families, and  
6213 their members, shall be construed to be a part of the civil preparedness  
6214 forces while engaging in authorized civil preparedness duty or while  
6215 assisting or engaging in authorized training for the purpose of  
6216 eligibility for immunity from liability as provided in section 28-13 and  
6217 for death, disability and injury benefits as provided in section 28-14.  
6218 Any member of the civil preparedness forces who is called upon either  
6219 by civil preparedness personnel or state or municipal police personnel  
6220 to assist in any emergency shall be deemed to be engaging in civil  
6221 preparedness duty while assisting in such emergency or while  
6222 engaging in training under the auspices of the Office of Emergency  
6223 Management or the state or municipal police department, for the  
6224 purpose of eligibility for death, disability and injury benefits as  
6225 provided in section 28-14.

6226 (f) "Mobile support unit" means an organization of civil  
6227 preparedness forces created in accordance with the provisions of this  
6228 chapter to be dispatched by the Governor or state director of  
6229 emergency management supplement civil preparedness forces in a  
6230 stricken or threatened area.

6231 (g) "Civil preparedness emergency" or "disaster emergency" means  
6232 an emergency declared by the Governor under the provisions of this  
6233 chapter in the event of serious disaster or of enemy attack, sabotage or  
6234 other hostile action within the state or a neighboring state, or in the  
6235 event of the imminence thereof.

6236 (h) "Local civil preparedness emergency" or "disaster emergency"  
6237 means an emergency declared by the chief executive officer of any  
6238 town or city in the event of serious disaster affecting such town or city.

6239 (i) "Governor" means the Governor or anyone legally administering  
6240 the office of Governor.

6241 (j) "Political subdivision" means any city, town, municipality,  
6242 borough or other unit of local government.

6243 Sec. 167. (*Effective from passage*) Not later than January 1, 2004, the  
6244 Office of Emergency Management shall prepare and submit to the  
6245 General Assembly a state emergency preparedness plan. Such plan  
6246 shall provide for responding in the event of a national, regional or  
6247 state-wide emergency.

6248 Sec. 168. (NEW) (*Effective from passage*) Any paid or volunteer  
6249 firefighter, police officer or emergency medical service personnel who  
6250 successfully completes a training course in the use of automatic  
6251 prefilled cartridge injectors may carry and use such injectors  
6252 containing nerve agent antidote medications in the event of a nerve  
6253 agent exposure for self-preservation or unit preservation. Such training  
6254 course shall be approved by the director of the Office of Emergency  
6255 Management and provided by the Connecticut Fire Academy, the

6256 Capitol Region Metropolitan Medical Response System or the federal  
6257 government.

6258 Sec. 169. Subsection (a) of section 7-294d of the general statutes is  
6259 repealed and the following is substituted in lieu thereof (*Effective*  
6260 *October 1, 2003*):

6261 (a) The Police Officer Standards and Training Council shall have the  
6262 following powers:

6263 (1) To develop and periodically update and revise a comprehensive  
6264 municipal police training plan;

6265 (2) To approve, or revoke the approval of, any police training school  
6266 and to issue certification to such schools and to revoke such  
6267 certification;

6268 (3) To set the minimum courses of study and attendance required  
6269 and the equipment and facilities to be required of approved police  
6270 training schools;

6271 (4) To set the minimum qualifications for law enforcement  
6272 instructors and to issue appropriate certification to such instructors;

6273 (5) To require that all probationary candidates receive the hours of  
6274 basic training deemed necessary before being eligible for certification,  
6275 such basic training to be completed within one year following the  
6276 appointment as a probationary candidate, unless the candidate is  
6277 granted additional time to complete such basic training by the council;

6278 (6) To require the registration of probationary candidates with the  
6279 academy within ten days of hiring for the purpose of scheduling  
6280 training;

6281 (7) To issue appropriate certification to police officers who have  
6282 satisfactorily completed minimum basic training programs;

6283 (8) To require that each police officer satisfactorily complete at least

6284 forty hours of certified review training every three years in order to  
6285 maintain certification, unless the officer is granted additional time not  
6286 to exceed one year to complete such training by the council;

6287 (9) To renew the certification of those police officers who have  
6288 satisfactorily completed review training programs;

6289 (10) To establish uniform minimum educational and training  
6290 standards for employment as a police officer in full-time positions,  
6291 temporary or probationary positions and part-time or voluntary  
6292 positions;

6293 (11) To visit and inspect police basic training schools and to inspect  
6294 each school at least once each year;

6295 (12) To consult with and cooperate with universities, colleges and  
6296 institutes for the development of specialized courses of study for  
6297 police officers in police science and police administration;

6298 (13) To consult with and cooperate with departments and agencies  
6299 of this state and other states and the federal government concerned  
6300 with police training;

6301 (14) To employ an executive director and any other personnel that  
6302 may be necessary in the performance of its functions;

6303 (15) To perform any other acts that may be necessary and  
6304 appropriate to carry out the functions of the council as set forth in  
6305 sections 7-294a to 7-294e, inclusive;

6306 (16) To accept contributions, grants, gifts, donations, services or  
6307 other financial assistance from any governmental unit, public agency  
6308 or the private sector;

6309 (17) To conduct any inspection and evaluation that may be  
6310 necessary to determine if a law enforcement unit is complying with the  
6311 provisions of this section;

6312 (18) At the request and expense of any law enforcement unit, to  
6313 conduct general or specific management surveys;

6314 (19) To develop objective and uniform criteria for granting any  
6315 waiver of regulations or procedures established by the council;

6316 (20) To recruit, select and appoint candidates to the position of  
6317 probationary candidate, as defined in section 7-294a, and provide  
6318 recruit training for candidates of the Connecticut Police Corps  
6319 program in accordance with the Police Corps Act, 42 USC 14091 et  
6320 seq., as amended from time to time;

6321 (21) To develop, adopt and revise, as necessary, comprehensive  
6322 accreditation standards for the administration and management of law  
6323 enforcement units, to grant accreditation to those law enforcement  
6324 units that demonstrate their compliance with such standards and, at  
6325 the request and expense of any law enforcement unit, to conduct such  
6326 surveys as may be necessary to determine such unit's compliance with  
6327 such standards;

6328 (22) To appoint any council training instructor, or such other person  
6329 as determined by the council, to act as a special police officer  
6330 throughout the state as such instructor or other person's official duties  
6331 may require, provided any such instructor or other person so  
6332 appointed shall be a certified police officer. Each such special police  
6333 officer shall be sworn and may arrest and present before a competent  
6334 authority any person for any offense committed within the officer's  
6335 precinct.

6336 Sec. 170. (*Effective from passage*) Notwithstanding the provisions of  
6337 sections 7-294d and 7-294e of the general statutes, as amended by this  
6338 act, and any regulations adopted to carry out the provisions thereof, a  
6339 police chief hired by a municipality in this state (1) who previously  
6340 served as a police officer in this state for a minimum of twenty-five  
6341 years, (2) who served as a deputy chief of police of a municipality in  
6342 this state, and (3) whose certification lapsed while serving as a chief of

6343 police of a municipality in a contiguous state after July 1, 1997, and  
6344 prior to April 1, 2000, shall be considered to be certified and shall not  
6345 be required to comply with the provisions of subsection (b) of section  
6346 7-294d of the general statutes, as amended by this act, and any  
6347 regulations adopted to carry out the provisions thereof, except for the  
6348 provisions of said subsection that prohibit service as a police officer  
6349 during any period when his certification has been cancelled or revoked  
6350 pursuant to subsection (c) of said section.

6351 Sec. 171. DELETED

6352 Sec. 172. (NEW) (*Effective from passage*) The Secretary of the Office of  
6353 Policy and Management may, within available appropriations,  
6354 reimburse state residents who are official state advocates before any  
6355 federal base relocation closure commission for the reasonable expenses  
6356 incurred for travel while attending meetings of said commission.

6357 Sec. 173. Subsection (b) of section 12-564 of the general statutes is  
6358 repealed and the following is substituted in lieu thereof (*Effective from*  
6359 *passage*):

6360 (b) The executive director shall, with the advice and consent of the  
6361 board, conduct studies concerning the effect of legalized gambling on  
6362 the citizens of this state [.] including, but not limited to, studies to  
6363 determine the types of gambling activity engaged in by the public and  
6364 the desirability of expanding, maintaining or reducing the amount of  
6365 legalized gambling permitted in this state. Such studies shall be  
6366 conducted as often as the executive director deems necessary but in no  
6367 event shall a study be conducted less than once every [seven] ten  
6368 years. The joint standing committees of the General Assembly having  
6369 cognizance of matters relating to legalized gambling shall each receive  
6370 a report concerning each study carried out, stating the findings of the  
6371 study and the costs of conducting the study.

6372 Sec. 174. Section 29-4 of the general statutes is repealed and the  
6373 following is substituted in lieu thereof (*Effective from passage*):

6374 [By July 1, 2001] On and after January 1, 2006, the Commissioner of  
6375 Public Safety shall appoint and maintain a minimum of one thousand  
6376 two hundred forty-eight sworn state police personnel to efficiently  
6377 maintain the operation of the division. On or after June 6, 1990, the  
6378 commissioner shall appoint from among such personnel not more than  
6379 two lieutenant colonels who shall be in the unclassified service as  
6380 provided in section 5-198, as amended. Any permanent employee in  
6381 the classified service who accepts appointment to the position of  
6382 lieutenant colonel in the unclassified service may return to the  
6383 classified service at such employee's former rank. The position of  
6384 major in the classified service shall be abolished on July 1, 1999, but  
6385 any existing position of major in the classified service may continue  
6386 until termination of service. The commissioner shall appoint not more  
6387 than eight majors who shall be in the unclassified service as provided  
6388 in section 5-198, as amended. Any permanent employee in the  
6389 classified service who accepts appointment to the position of major in  
6390 the unclassified service may return to the classified service at such  
6391 permanent employee's former rank. The commissioner, subject to the  
6392 provisions of chapter 67, shall appoint such numbers of captains,  
6393 lieutenants, sergeants, detectives and corporals as the commissioner  
6394 deems necessary to officer efficiently the state police force. The  
6395 commissioner may appoint a Deputy State Fire Marshal who shall be  
6396 in the unclassified service as provided in section 5-198, as amended.  
6397 Any permanent employee in the classified service who accepts  
6398 appointment to the position of Deputy State Fire Marshal in the  
6399 unclassified service may return to the classified service at such  
6400 employee's former rank, class or grade, whichever is applicable. The  
6401 commissioner shall establish such divisions as the commissioner  
6402 deems necessary for effective operation of the state police force and  
6403 consistent with budgetary allotments, a Criminal Intelligence Division  
6404 and a state-wide organized crime investigative task force to be  
6405 engaged throughout the state for the purpose of preventing and  
6406 detecting any violation of the criminal law. The head of the Criminal  
6407 Intelligence Division shall be of the rank of sergeant or above. The

6408 head of the state-wide organized crime investigative task force shall be  
6409 a police officer. Salaries of the members of the Division of State Police  
6410 within the Department of Public Safety shall be fixed by the  
6411 Commissioner of Administrative Services as provided in section 4-40.  
6412 Subsistence shall be maintained for state police personnel at the  
6413 expense of the state, and said police personnel shall be reimbursed for  
6414 all expenses incurred in the performance of official duty. Said police  
6415 personnel may be promoted, demoted, suspended or removed by the  
6416 commissioner, but no final dismissal from the service shall be ordered  
6417 until a hearing has been had before said commissioner on charges  
6418 preferred against such officer. Each state police officer shall, before  
6419 entering upon such officer's duties, be sworn to the faithful  
6420 performance of such duties. The Commissioner of Public Safety shall  
6421 designate an adequate patrol force for motor patrol work exclusively.

6422 Sec. 175. (NEW) (*Effective from passage*) (a) One or more foreign  
6423 corporations, as defined in section 33-1002 of the general statutes, may  
6424 merge with one or more domestic corporations, as defined in section  
6425 33-1002 of the general statutes, if:

6426 (1) The merger is permitted by the law of the state or country under  
6427 whose law each foreign corporation is incorporated and each foreign  
6428 corporation complies with that law in effecting the merger;

6429 (2) The foreign corporation complies with section 33-1157 of the  
6430 general statutes, as amended, if it is the surviving corporation of the  
6431 merger; and

6432 (3) Each domestic corporation complies with the applicable  
6433 provisions of sections 33-1155 and 33-1156 of the general statutes, as  
6434 amended, and, if it is the surviving corporation of the merger, with  
6435 section 33-1157 of the general statutes, as amended.

6436 (b) Upon the merger taking effect, the surviving foreign corporation  
6437 of a merger is deemed to appoint the Secretary of the State and the  
6438 Secretary of the State's successors in office as its agent for service of

6439 process in a proceeding to enforce any obligation or the rights of  
6440 members of each domestic corporation party to the merger.

6441 Sec. 176. Section 51-81d of the general statutes is repealed and the  
6442 following is substituted in lieu thereof (*Effective from passage*):

6443 (a) The Superior Court, in accordance with rules established by the  
6444 judges of the Superior Court, may (1) establish a Client Security Fund  
6445 to (A) reimburse claims for losses caused by the dishonest conduct of  
6446 attorneys admitted to the practice of law in this state and incurred in  
6447 the course of an attorney-client relationship, and (B) provide for crisis  
6448 intervention and referral assistance to attorneys admitted to the  
6449 practice of law in this state who suffer from alcohol or other substance  
6450 abuse problems or gambling problems, or who have behavioral health  
6451 problems, and (2) assess any person admitted as an attorney by the  
6452 Superior Court, in accordance with section 51-80, an annual fee to be  
6453 deposited in said Client Security Fund. Such crisis intervention and  
6454 referral assistance (i) shall be provided with the assistance of an  
6455 advisory committee, to be appointed by the Chief Court  
6456 Administrator, that includes one or more behavioral health  
6457 professionals, and (ii) shall not be deemed to constitute the practice of  
6458 medicine or mental health care.

6459 (b) The Commissioner of Revenue Services, or the commissioner's  
6460 designee, shall collect any fee established pursuant to subsection (a) of  
6461 this section, record such payments with the State Comptroller and  
6462 deposit such payments promptly with the State Treasurer, who shall  
6463 credit such payments to the Client Security Fund. The Treasurer shall  
6464 maintain the Client Security Fund separate and apart from all other  
6465 moneys, funds and accounts and shall credit any interest earned from  
6466 the Client Security Fund to the fund. Any interest earned from the  
6467 fund [during the period from its inception to May 26, 2000, shall be  
6468 retroactively] shall be credited to the fund.

6469 (c) The Client Security Fund shall be used [only] to satisfy the claims  
6470 approved in accordance with procedures established pursuant to rules

6471 of the Superior Court, to provide funding for crisis intervention and  
6472 referral assistance pursuant to subparagraph (B) of subdivision (1) of  
6473 subsection (a) of this section and to pay the reasonable costs of  
6474 administration of the fund.

6475 (d) No such fee shall be assessed to any attorney described in  
6476 subsection (g) of section 51-81b, except that any attorney who does not  
6477 engage in the practice of law as an occupation and receives less than  
6478 four hundred fifty dollars in legal fees or other compensation for  
6479 services involving the practice of law during the calendar year shall be  
6480 obligated to pay one-half of such fee.

6481 [(d)] (e) The Commissioner of Revenue Services shall notify the  
6482 Chief Court Administrator or his designee of the failure of any person  
6483 to pay any fee assessed in accordance with subsection (a) of this  
6484 section.

6485 Sec. 177. Subsection (a) of section 54-56g of the general statutes, as  
6486 amended by section 11 of public act 03-244, is repealed and the  
6487 following is substituted in lieu thereof (*Effective October 1, 2003*):

6488 (a) There shall be a pretrial alcohol education system for persons  
6489 charged with a violation of section 14-227a or 14-227g and the  
6490 provisions of sections 15-133, 15-140l and 15-140n, as amended by [this  
6491 act] public act 03-244. Upon application by any such person for  
6492 participation in such system and payment to the court of an  
6493 application fee of fifty dollars and a nonrefundable evaluation fee of  
6494 one hundred dollars, the court shall, but only as to the public, order  
6495 the court file sealed, provided such person states under oath, in open  
6496 court or before any person designated by the clerk and duly  
6497 authorized to administer oaths, under penalties of perjury that: (1) If  
6498 such person is charged with a violation of section 14-227a, such person  
6499 has [never] not had such system invoked in such person's behalf [and  
6500 that] within the preceding ten years for a violation of section 14-227a,  
6501 (2) if such person is charged with a violation of section 14-227g, such  
6502 person has never had such system invoked in such person's behalf for

6503 a violation of section 14-227a or 14-227g, (3) such person has not been  
6504 convicted of a violation of section 53a-56b or 53a-60d, a violation of  
6505 subsection (a) of section 14-227a before or after October 1, 1981, or a  
6506 violation of subdivision (1) or (2) of subsection (a) of section 14-227a on  
6507 or after October 1, 1985, and [that] (4) such person has not been  
6508 convicted in any other state at any time of an offense the essential  
6509 elements of which are substantially the same as section 53a-56b or  
6510 53a-60d or subdivision (1) or (2) of subsection (a) of section 14-227a.  
6511 Unless good cause is shown, a person shall be ineligible for  
6512 participation in such pretrial alcohol education system if such person's  
6513 alleged violation of section 14-227a or 14-227g caused the serious  
6514 physical injury, as defined in section 53a-3, of another person. The fee  
6515 imposed by this subsection shall be credited to the Criminal Injuries  
6516 Compensation Fund established by section 54-215.

6517 Sec. 178. (*Effective from passage*) Any marriage celebrated on or after  
6518 November 1, 2000, and prior to December 1, 2000, otherwise valid  
6519 except that the marriage was not solemnized according to the forms  
6520 and usages of any religious denomination in this state, is validated,  
6521 provided the person who joined such persons in marriage represented  
6522 himself or herself to be a clergyman, priest, minister, rabbi or  
6523 practitioner of any religious denomination accredited by the religious  
6524 body to which he or she belongs and such persons reasonably relied  
6525 upon such representation.

6526 Sec. 179. Section 12-574d of the general statutes is repealed and the  
6527 following is substituted in lieu thereof (*Effective from passage*):

6528 (a) The executive director of the Division of Special Revenue [shall,  
6529 within available appropriations,] may order the random collection and  
6530 testing of urine specimens from racing dogs following a race or at any  
6531 time during a meet conducted by any licensee authorized to conduct  
6532 dog racing events under the pari-mutuel system. If the executive  
6533 director determines from such random testing that the integrity of dog  
6534 racing events may be compromised, the executive director may order

6535 the conduct of more frequent testing at one or more dog race tracks for  
6536 such period of time as the executive director deems necessary or  
6537 advisable. The executive director shall determine the laboratory  
6538 responsible for the conduct of such testing and the amount of the fee  
6539 for such test which shall be based upon the actual cost of such test and  
6540 which shall be payable on a basis determined by the executive director.  
6541 Each such licensee shall pay such fee directly to such laboratory with  
6542 respect to racing dogs at its dog race track.

6543 (b) The executive director shall adopt regulations, in accordance  
6544 with the provisions of chapter 54, to implement the provisions of  
6545 subsection (a) of this section. The executive director may implement  
6546 policies and procedures necessary to carry out the provisions of  
6547 subsection (a) of this section while in the process of adopting  
6548 regulations, provided the executive director prints notice of intent to  
6549 adopt the regulations in the Connecticut Law Journal within twenty  
6550 days after implementation. Such policies and procedures shall be valid  
6551 until the time final regulations are effective.

6552 Sec. 180. Section 12-577 of the general statutes is repealed and the  
6553 following is substituted in lieu thereof (*Effective from passage*):

6554 [(a)] The executive director shall annually cause to be made by some  
6555 competent person or persons in [his] the executive director's division a  
6556 thorough audit of the books and records of each association licensee  
6557 under this chapter and [he] the executive director may, from time to  
6558 time, cause to be made by some competent person in [his] the  
6559 executive director's division a thorough audit of the books and records  
6560 of any other person or business organization licensed under this  
6561 chapter. All such audit records shall be kept on file in [his] the  
6562 executive director's office at all times and copies shall be forwarded to  
6563 the board immediately upon completion thereof. [; and each] Each  
6564 licensee shall permit access to its books and records for the purpose of  
6565 having such audit made, and shall produce, upon written order of the  
6566 executive director, any [and all papers] documents and information

6567 required for such purpose.

6568 [(b) (1) The Auditors of Public Accounts shall, as part of their audit  
6569 of the accounts and records of The University of Connecticut, audit the  
6570 accounts and records of the microchemistry laboratory at The  
6571 University of Connecticut which is responsible for the testing of urine  
6572 of racing dogs. Said auditors shall make a separate report of their  
6573 findings relative to the microchemistry laboratory.

6574 (2) The executive director of the Division of Special Revenue shall  
6575 transfer urine specimens collected from racing dogs pursuant to  
6576 section 12-574d to the microchemistry laboratory for the testing of such  
6577 urine specimens. The laboratory shall conduct, within available  
6578 appropriations, such number of tests on such specimens as required,  
6579 provided the total number of such tests conducted does not exceed  
6580 twenty thousand samples in each fiscal year, and provided, if only one  
6581 facility for dog racing is operating, the total number of such tests  
6582 conducted does not exceed sixteen thousand samples in each fiscal  
6583 year.]

6584 Sec. 181. Subsection (c) of section 20-353 of the general statutes, as  
6585 amended by section 4 of public act 03-261, is repealed and the  
6586 following is substituted in lieu thereof (*Effective October 1, 2003*):

6587 (c) The Department of Consumer Protection, at the direction of the  
6588 board, may issue a limited technician license or a limited dealer  
6589 technician license to any person for the installation of a dish antenna,  
6590 as defined in section 20-342. Such person shall have successfully  
6591 completed [an apprenticeship and] a training program established and  
6592 approved by the state apprentice training division of the Labor  
6593 Department [with the advice of the Connecticut State Apprenticeship  
6594 Council] and shall have passed an examination approved or  
6595 administered by the Department of Consumer Protection.

6596 Sec. 182. Section 20-353 of the general statutes, as amended by  
6597 section 4 of public act 03-261, is amended by adding subsection (d) as

6598 follows (*Effective October 1, 2003*):

6599 (NEW) (d) The content and duration of the training and experience  
6600 program shall be relevant to the duties of the employee and shall be  
6601 approved biennially by the state apprentice training division of the  
6602 Labor Department. In reviewing the program and training, the state  
6603 apprentice training division shall consider the specialization of the  
6604 employees of the company, the employee's previous company training,  
6605 the service record of the company, the experience of the company in  
6606 training employees, the work performed by the company and the  
6607 quality assurance measures used by the company.

6608 Sec. 183. Subsection (g) of section 12-170aa of the general statutes is  
6609 repealed and the following is substituted in lieu thereof (*Effective from*  
6610 *passage and applicable to assessment years commencing on or after October 1,*  
6611 *2002*):

6612 (g) On or before July first, annually, each municipality shall submit  
6613 to the secretary, a claim for the tax reductions approved under this  
6614 section in relation to the assessment list of October first immediately  
6615 preceding. On or after December 1, 1987, any municipality which  
6616 neglects to transmit to the secretary the claim as required by this  
6617 section shall forfeit two hundred fifty dollars to the state provided the  
6618 secretary may waive such forfeiture in accordance with procedures  
6619 and standards established by regulations adopted in accordance with  
6620 chapter 54. Subject to procedures for review and approval of such data  
6621 pursuant to section 12-120b, said secretary shall, on or before  
6622 December first next following, certify to the Comptroller the amount  
6623 due each municipality as reimbursement for loss of property tax  
6624 revenue related to the tax reductions allowed under this section. The  
6625 Comptroller shall draw an order on the Treasurer on or before the  
6626 fifteenth day of December and the Treasurer shall pay the amount due  
6627 each municipality not later than the thirty-first day of December. Any  
6628 claimant aggrieved by the results of the secretary's review shall have  
6629 the rights of appeal as set forth in section 12-120b. The amount of the

6630 grant payable to each municipality in any year in accordance with this  
6631 section shall be reduced proportionately in the event that the total of  
6632 such grants in such year exceeds the amount appropriated for the  
6633 purposes of this section with respect to such year.

6634 Sec. 184. Section 12-94b of the general statutes is repealed and the  
6635 following is substituted in lieu thereof (*Effective from passage and*  
6636 *applicable to assessment years commencing on or after October 1, 2002*):

6637 On or before March fifteenth, annually, commencing March 15,  
6638 1998, the assessor or board of assessors of each municipality shall  
6639 certify to the Secretary of the Office of Policy and Management, on a  
6640 form furnished by said secretary, the amount of exemptions approved  
6641 under the provisions of subdivisions (72) and (74) of section 12-81,  
6642 together with such supporting information as said secretary may  
6643 require including the number of taxpayers with approved claims  
6644 under said subdivisions (72) and (74) and the original copy of the  
6645 applications filed by them. Said secretary shall review each such claim  
6646 as provided in section 12-120b. Not later than December first next  
6647 succeeding the conclusion of the assessment year for which the  
6648 assessor approved such exemption, the secretary shall notify each  
6649 claimant of the modification or denial of the claimant's exemption, in  
6650 accordance with the procedure set forth in section 12-120b. Any  
6651 claimant aggrieved by the results of the secretary's review shall have  
6652 the rights of appeal as set forth in section 12-120b. With respect to  
6653 property first approved for exemption under the provisions of  
6654 subdivisions (72) and (74) of section 12-81 for the assessment years  
6655 commencing on or after October 1, 2000, the grant payable for such  
6656 property to any municipality under the provisions of this section shall  
6657 be equal to eighty per cent of the property taxes which, except for the  
6658 exemption under the provisions of subdivisions (72) and (74) of section  
6659 12-81, would have been paid. The secretary shall, on or before  
6660 December fifteenth, annually, certify to the Comptroller the amount  
6661 due each municipality under the provisions of this section, including  
6662 any modification of such claim made prior to December first, and the

6663 Comptroller shall draw an order on the Treasurer on or before the  
6664 twenty-fourth day of December following and the Treasurer shall pay  
6665 the amount thereof to such municipality on or before the thirty-first  
6666 day of December following. If any modification is made as the result of  
6667 the provisions of this section on or after the December fifteenth  
6668 following the date on which the assessor has provided the amount of  
6669 the exemption in question, any adjustments to the amount due to any  
6670 municipality for the period for which such modification was made  
6671 shall be made in the next payment the Treasurer shall make to such  
6672 municipality pursuant to this section. The amount of the grant payable  
6673 to each municipality in any year in accordance with this section shall  
6674 be reduced proportionately in the event that the total of such grants in  
6675 such year exceeds the amount appropriated for the purposes of this  
6676 section with respect to such year. As used in this section,  
6677 "municipality" means each town, city, borough, consolidated town and  
6678 city and consolidated town and borough and each district, as defined  
6679 in section 7-324, and "next succeeding" means the second such date.

6680 Sec. 185. Subsection (a) of section 7-127d of the general statutes is  
6681 repealed and the following is substituted in lieu thereof (*Effective from*  
6682 *passage*):

6683 (a) There is established a neighborhood youth center grant program  
6684 which shall be administered by the Office of Policy and Management,  
6685 except that operation of the program shall be suspended for the fiscal  
6686 years ending June 30, 2004, and June 30, 2005.

6687 Sec. 186. Subsection (a) of section 7-127e of the general statutes is  
6688 repealed and the following is substituted in lieu thereof (*Effective from*  
6689 *passage*):

6690 (a) The Office of Policy and Management shall solicit competitive  
6691 proposals under this program for the fiscal years beginning July 1,  
6692 1996, and July 1, 1999, and every two years thereafter, except that no  
6693 competitive proposals shall be solicited for the fiscal years ending June  
6694 30, 2004, and June 30, 2005. The Office of Policy and Management shall

6695 notify the eligible agencies of the amount of funds provided for each  
6696 city in accordance with section 7-127d. Eligible agencies may file a  
6697 grant application with the Office of Policy and Management on such  
6698 form and at such time as that office may require.

6699 Sec. 187. Section 12-20b of the general statutes is repealed and the  
6700 following is substituted in lieu thereof (*Effective from passage and*  
6701 *applicable to assessment years commencing on or after October 1, 2002*):

6702 (a) Not later than April first in each year, any municipality to which  
6703 a grant is payable under the provisions of section 12-20a shall provide  
6704 the Secretary of the Office of Policy and Management with the assessed  
6705 valuation of the tax-exempt real property as of the immediately  
6706 preceding October first, adjusted in accordance with any gradual  
6707 increase in or deferment of assessed values of real property  
6708 implemented in accordance with section 12-62c or subsection (e) of  
6709 section 12-62a, which is required for computation of such grant. Any  
6710 municipality which neglects to transmit to the Secretary of the Office of  
6711 Policy and Management the assessed valuation as required by this  
6712 section shall forfeit two hundred fifty dollars to the state, provided the  
6713 secretary may waive such forfeiture in accordance with procedures  
6714 and standards adopted by regulation in accordance with chapter 54.  
6715 Said secretary may, on or before the first day of August of the state  
6716 fiscal year in which such grant is payable, reevaluate any such  
6717 property when, in his judgment, the valuation is inaccurate and shall  
6718 notify such municipality of such reevaluation. Any municipality  
6719 aggrieved by the action of said secretary under the provisions of this  
6720 section may, not later than ten business days following receipt of such  
6721 notice, appeal to the secretary for a hearing concerning such  
6722 reevaluation, provided such appeal shall be in writing and shall  
6723 include a statement as to the reasons for such appeal. The secretary  
6724 shall, not later than ten business days following receipt of such appeal,  
6725 grant or deny such hearing by notification in writing, including in the  
6726 event of a denial, a statement as to the reasons for such denial. If any  
6727 municipality is aggrieved by the action of the secretary following such

6728 hearing or in denying any such hearing, the municipality may within  
6729 two weeks of such notice, appeal to the superior court for the judicial  
6730 district in which the municipality is located. Any such appeal shall be  
6731 privileged. Said secretary shall certify to the Comptroller the amount  
6732 due each municipality under the provisions of section 12-20a, or under  
6733 any recomputation occurring prior to September first which may be  
6734 effected as the result of the provisions of this section, and the  
6735 Comptroller shall draw his order on the Treasurer on or before the  
6736 fifteenth day of September following and the Treasurer shall pay the  
6737 amount thereof to such municipality on or before the thirtieth day of  
6738 September following. If any recomputation is effected as the result of  
6739 the provisions of this section on or after the January first following the  
6740 date on which the municipality has provided the assessed valuation in  
6741 question, any adjustments to the amount due to any municipality for  
6742 the period for which such adjustments were made shall be made in the  
6743 next payment the Treasurer shall make to such municipality pursuant  
6744 to this section.

6745 (b) Notwithstanding the provisions of section 12-20a or subsection  
6746 (a) of this section, the amount due the municipality of Branford, on or  
6747 before the thirtieth day of September, annually, with respect to the  
6748 Connecticut Hospice, in Branford, shall be one hundred thousand  
6749 dollars, which amount shall be paid from the annual appropriation,  
6750 from the General Fund, for Reimbursement to Towns for Loss of  
6751 Taxes on Private Tax-Exempt Property.

6752 Sec. 188. Subsection (g) of section 28 of public act 03-1 of the June 30  
6753 special session is amended to read as follows (*Effective from passage*):

6754 (g) Up to \$200,000 appropriated to the Office of Policy and  
6755 Management in section 17 of public act 02-1 of the May 9 special  
6756 session, for the Local Aid Adjustment grant, shall not lapse on June 30,  
6757 2003, and such funds shall be transferred to the Office of Workforce  
6758 Competitiveness for the CETC Workforce account, for the fiscal year  
6759 ending June 30, 2004, and shall be made a grant-in-aid to [the Spanish

6760 American Merchants Association] to a Latino community-based  
6761 organization, founded in 1975, with member organizations that  
6762 provide services and programs to the community.

6763 Sec. 189. Subdivision (3) of section 46a-51 of the general statutes is  
6764 repealed and the following is substituted in lieu thereof (*Effective from*  
6765 *passage*):

6766 (3) "Commission legal counsel" means [the counsel] a member of the  
6767 legal staff employed by the commission pursuant to section 46a-54, as  
6768 amended by this act.

6769 Sec. 190. Subdivision (3) of section 46a-54 of the general statutes is  
6770 repealed and the following is substituted in lieu thereof (*Effective from*  
6771 *passage*):

6772 (3) To employ [a commission counsel who shall not be subject to the  
6773 provisions of chapter 67] legal staff as necessary to perform the duties  
6774 and responsibilities under section 46a-55, as amended by this act.

6775 Sec. 191. Section 46a-55 of the general statutes is repealed and the  
6776 following is substituted in lieu thereof (*Effective from passage*):

6777 The [commission counsel shall] executive director shall assign a  
6778 commission legal counsel to represent the commission in any  
6779 proceeding wherein any state agency or state officer is an adversary  
6780 party and may represent the commission in such other matters as the  
6781 commission and the Attorney General may jointly prescribe. [The]  
6782 Each commission legal counsel shall be a member of the bar of this  
6783 state and shall report to the executive director on a day-to-day basis.  
6784 [The executive director shall evaluate the performance of the  
6785 commission counsel.]

6786 Sec. 192. Subdivision (2) of subsection (d) of section 46a-82e of the  
6787 general statutes is repealed and the following is substituted in lieu  
6788 thereof (*Effective from passage*):

6789 (2) The clerk, upon receipt of the petition and if the clerk finds it to  
6790 be in the proper form, shall fix a date for the hearing and sign the  
6791 notice of hearing. The hearing date shall be no more than thirty days  
6792 after the clerk signs the notice. Service shall be made on the  
6793 commission and all persons named in the discriminatory practice  
6794 complaint at least twenty days prior to the date of hearing by United  
6795 States mail, certified or registered, postage prepaid, return receipt  
6796 requested, without the use of a state marshal or other officer. Service  
6797 on the commission shall be made on the executive director of the  
6798 commission or [the] a commission legal counsel. Within five days of  
6799 service, the petitioner shall file with the court an affidavit stating the  
6800 date and manner in which a copy of the petition was served and attach  
6801 to the affidavit the return receipts indicating delivery of the petition.

6802 Sec. 193. Subsection (d) of section 46a-83 of the general statutes is  
6803 repealed and the following is substituted in lieu thereof (*Effective from*  
6804 *passage*):

6805 (d) Before issuing a finding of reasonable cause or no reasonable  
6806 cause, the investigator shall afford each party and his representative an  
6807 opportunity to provide written or oral comments on all evidence in the  
6808 commission's file, except as otherwise provided by federal law or any  
6809 other provision of the general statutes. The investigator shall consider  
6810 such comments in making his determination. The investigator shall  
6811 make a finding of reasonable cause or no reasonable cause in writing  
6812 and shall list the factual findings on which it is based not later than one  
6813 hundred ninety days from the date of the determination based on the  
6814 review of the complaint, conducted pursuant to subsection (b) of this  
6815 section, except that for good cause shown, the executive director or his  
6816 designee may grant no more than two extensions of the investigation  
6817 of three months each. If the investigator makes a determination that  
6818 there is reasonable cause to believe that a violation of section 46a-64c  
6819 has occurred, the complainant and the respondent shall have twenty  
6820 days from receipt of notice of the reasonable cause finding to elect a  
6821 civil action in lieu of an administrative hearing pursuant to section 46a-

6822 84, as amended by this act. If either the complainant or the respondent  
6823 requests a civil action, the commission, through the Attorney General  
6824 or [the] a commission legal counsel, shall commence an action  
6825 pursuant to subsection (b) of section 46a-89 within forty-five days of  
6826 receipt of the complainant's or the respondent's notice of election of a  
6827 civil action.

6828 Sec. 194. Subsection (d) of section 46a-84 of the general statutes is  
6829 repealed and the following is substituted in lieu thereof (*Effective from*  
6830 *passage*):

6831 (d) The case in support of the complaint shall be presented at the  
6832 hearing by the Attorney General, who shall be counsel for the  
6833 commission, or by [the] a commission legal counsel as provided in  
6834 section 46a-55, as amended by this act, as the case may be. If the  
6835 Attorney General or the commission legal counsel determines that a  
6836 material mistake of law or fact has been made in the finding of  
6837 reasonable cause, he may withdraw the certification of the complaint  
6838 and remand the file to the investigator for further action. The  
6839 complainant may be represented by an attorney of his own choice. If  
6840 the Attorney General or the commission legal counsel, as the case may  
6841 be, determines that the interests of the state will not be adversely  
6842 affected, he may allow the attorney for the complainant to present all  
6843 or part of the case in support of the complaint. No commissioner may  
6844 participate in the deliberations of the presiding officer in the case.

6845 Sec. 195. Subsection (a) of section 46a-95 of the general statutes is  
6846 repealed and the following is substituted in lieu thereof (*Effective from*  
6847 *passage*):

6848 (a) The commission through the Attorney General, [the] a  
6849 commission legal counsel, or the complainant may petition the court  
6850 within the judicial district wherein any discriminatory practice  
6851 occurred or in which any person charged with a discriminatory  
6852 practice resides or transacts business, for the enforcement of any order  
6853 issued by a presiding officer under the provisions of this chapter and

6854 for appropriate temporary relief or a restraining order.

6855 Sec. 196. (*Effective from passage*) Notwithstanding the provisions of  
6856 the general statutes, at the request of the Secretary of the Office of  
6857 Policy and Management, the Comptroller shall transfer up to  
6858 \$3,600,000 from the resources of the Banking Fund, to Other Expenses,  
6859 for relocation expenses and furniture costs for the Department of  
6860 Banking during the fiscal years ending June 30, 2003, and June 30,  
6861 2004. The Banking Commissioner is authorized to reimburse the  
6862 Department of Public Works from funds available in Other Expenses  
6863 for amounts paid by the Department of Public Works on behalf of the  
6864 Department of Banking for such relocation expenses, furniture costs  
6865 and rent during the fiscal years ending June 30, 2003, and June 30,  
6866 2004.

6867 Sec. 197. Section 17b-242 of the general statutes, as amended by  
6868 section 8 of public act 03-2, is amended by adding subsection (d) as  
6869 follows (*Effective from passage*):

6870 (NEW) (d) The home health services fee schedule established  
6871 pursuant to subsection (c) of this section shall include rates for  
6872 psychiatric nurse visits.

6873 Sec. 198. (*Effective from passage*) The rates established pursuant to  
6874 subsection (c) of section 17b-242 of the general statutes, as amended by  
6875 section 8 of public act 03-2 and section 15 of this act, shall be  
6876 established after consultation by the Commissioner of Social Services  
6877 with the chairpersons of the joint standing committee of the General  
6878 Assembly having cognizance of matters relating to appropriations and  
6879 the budgets of state agencies. The rates shall be effective not later than  
6880 January 1, 2004, and shall be submitted to said chairpersons for their  
6881 review and comment not later than December 15, 2003.

6882 Sec. 199. (*Effective from passage*) For the fiscal year ending June 30,  
6883 2004, \$140,986 of the amount appropriated in section 1 of public act 03-  
6884 1 of the June 30 special session to the Department of Economic and

6885 Community Development for the Subsidized Assisted Living  
6886 Demonstration account shall be transferred to the Housing Assistance  
6887 and Counseling account. For the fiscal year ending June 30, 2005,  
6888 \$160,000 of the amount appropriated in section 11 of public act 03-1 of  
6889 the June 30 special session to the Department of Economic and  
6890 Community Development for the Subsidized Assisted Living  
6891 Demonstration account shall be transferred to the Housing Assistance  
6892 and Counseling account.

6893 Sec. 200. Section 10a-99 of the general statutes, as amended by  
6894 section 23 of public act 03-19, is repealed and the following is  
6895 substituted in lieu thereof (*Effective from passage*):

6896 (a) Subject to the provisions of section 10a-26, the Board of Trustees  
6897 of the Connecticut State University System shall fix fees for tuition and  
6898 shall fix fees for such other purposes as the board deems necessary at  
6899 the university, and may make refunds of the same.

6900 (b) The Board of Trustees of the Connecticut State University  
6901 System shall establish and administer a fund to be known as the  
6902 Connecticut State University System Operating Fund. Appropriations  
6903 from general revenues of the state and upon request by the  
6904 Connecticut State University system and with the annual review and  
6905 approval by the Secretary of the Office of Policy and Management, the  
6906 amount of the appropriations for fringe benefits pursuant to  
6907 subsection (a) of section 4-73, shall be transferred from the State  
6908 Comptroller and all tuition revenue received by the Connecticut State  
6909 University system in accordance with the provisions of subsection (a)  
6910 of this section shall be deposited in said fund. Income from student  
6911 fees or related charges, the proceeds of auxiliary activities and business  
6912 enterprises, gifts and donations, federal funds and grants, subject to  
6913 the provisions of sections 10a-98 to 10a-98g, inclusive, and all receipts  
6914 derived from the conduct by a state university of its education  
6915 extension program and its summer school session shall be credited to  
6916 said fund but shall be allocated to the central office and institutional

6917 operating accounts which shall be established and maintained for the  
6918 central office and each state university. Any such gifts and donations,  
6919 federal funds and grants for purposes of research shall be allocated to  
6920 separate accounts within such central office and institutional operating  
6921 accounts. If the Secretary of the Office of Policy and Management  
6922 disapproves such transfer, he may require the amount of the  
6923 appropriation for operating expenses to be used for personal services  
6924 and fringe benefits to be excluded from said fund. The State Treasurer  
6925 shall review and approve the transfer prior to such request by the  
6926 university. The board of trustees shall establish an equitable policy for  
6927 allocation of appropriations from general revenues of the state, fringe  
6928 benefits transferred from the State Comptroller and tuition revenue  
6929 deposited in the Connecticut State University System Operating Fund.  
6930 At the beginning of each quarter of the fiscal year, the board shall  
6931 allocate and transfer, in accordance with said policy, moneys for  
6932 expenditure in such institutional operating accounts, exclusive of  
6933 amounts retained for central office operations and reasonable reserves  
6934 for future distribution. All costs of waiving or remitting tuition  
6935 pursuant to subsection (e) of this section shall be charged to the  
6936 Connecticut State University System Operating Fund. Repairs,  
6937 alterations or additions to facilities supported by the Connecticut State  
6938 University System Operating Fund and costing one million dollars or  
6939 more shall require the approval of the General Assembly, or when the  
6940 General Assembly is not in session, of the Finance Advisory  
6941 Committee. Any balance of receipts above expenditures shall remain  
6942 in said fund, except such sums as may be required for deposit into a  
6943 debt service fund or the General Fund for further payment by the  
6944 Treasurer of debt service on general obligation bonds of the state  
6945 issued for purposes of the Connecticut State University system.

6946 (c) Commencing December 1, 1984, and thereafter within sixty days  
6947 of the close of each quarter, the board of trustees shall submit to the  
6948 joint standing committee of the General Assembly having cognizance  
6949 of matters relating to appropriations and the budgets of state agencies  
6950 and the Office of Policy and Management, through the Board of

6951 Governors of Higher Education, a report on the actual expenditures of  
6952 the Connecticut State University System Operating Fund containing  
6953 such relevant information as the Board of Governors of Higher  
6954 Education may require.

6955 (d) Said board shall waive the payment of tuition fees at the  
6956 Connecticut State University system (1) for any dependent child of a  
6957 person whom the armed forces of the United States has declared to be  
6958 missing in action or to have been a prisoner of war while serving in  
6959 such armed forces after January 1, 1960, which child has been accepted  
6960 for admission to such institution and is a resident of Connecticut at the  
6961 time such child is accepted for admission to such institution, (2) for  
6962 any veteran having served in time of war, as defined in subsection (a)  
6963 of section 27-103, or who served in either a combat or combat support  
6964 role in the invasion of Grenada, October 25, 1983, to December 15,  
6965 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,  
6966 or the peace-keeping mission in Lebanon, September 29, 1982, to  
6967 March 30, 1984, who has been accepted for admission to such  
6968 institution and is a resident of Connecticut at the time such veteran is  
6969 accepted for admission to such institution, (3) for any resident of  
6970 Connecticut sixty-two years of age or older who has been accepted for  
6971 admission to such institution, provided (A) such person is enrolled in a  
6972 degree-granting program, or (B) at the end of the regular registration  
6973 period, there are enrolled in the course a sufficient number of students  
6974 other than those persons eligible for waivers pursuant to this  
6975 subdivision to offer the course in which such person intends to enroll  
6976 and there is space available in such course after accommodating all  
6977 such students, (4) for any student attending the Connecticut Police  
6978 Academy who is enrolled in a law enforcement program at said  
6979 academy offered in coordination with the university which accredits  
6980 courses taken in such program, (5) for any active member of the  
6981 Connecticut Army or Air National Guard who (A) is a resident of  
6982 Connecticut, (B) has been certified by the Adjutant General or such  
6983 Adjutant General's designee as a member in good standing of the  
6984 guard, and (C) is enrolled or accepted for admission to such institution

6985 on a full-time or part-time basis in an undergraduate degree-granting  
6986 program, (6) for any dependent child of a (A) police officer, as defined  
6987 in section 7-294a, or supernumerary or auxiliary police officer, (B)  
6988 firefighter, as defined in section 7-323j, or member of a volunteer fire  
6989 company, (C) municipal employee, or (D) state employee, as defined in  
6990 section 5-154, killed in the line of duty, and (7) for any resident of this  
6991 state who is a dependent child or surviving spouse of a specified  
6992 terrorist victim who was a resident of the state. If any person who  
6993 receives a tuition waiver in accordance with the provisions of this  
6994 subsection also receives educational reimbursement from an employer,  
6995 such waiver shall be reduced by the amount of such educational  
6996 reimbursement. Veterans described in subdivision (2) of this  
6997 subsection and members of the National Guard described in  
6998 subdivision (5) of this subsection shall be given the same status as  
6999 students not receiving tuition waivers in registering for courses at  
7000 Connecticut state universities.

7001 (e) Said board shall set aside from its anticipated tuition revenue, an  
7002 amount not less than that required by the board of governors' tuition  
7003 policy established under subdivision (3) of subsection (a) of section  
7004 10a-6. Such funds shall be used to provide tuition waivers, tuition  
7005 remissions, grants for educational expenses and student employment  
7006 for any undergraduate or graduate student who is enrolled as a full or  
7007 part-time matriculated student in a degree-granting program, or  
7008 enrolled in a precollege remedial program, and who demonstrates  
7009 substantial financial need. Said board may also set aside from its  
7010 anticipated tuition revenue an additional amount equal to one per cent  
7011 of said tuition revenue for financial assistance for students who would  
7012 not otherwise be eligible for financial assistance but who do have a  
7013 financial need as determined by the university in accordance with this  
7014 subsection. In determining such financial need, the university shall  
7015 exclude the value of equity in the principal residence of the student's  
7016 parents or legal guardians, or in the student's principal residence if the  
7017 student is not considered to be a dependent of his parents or legal  
7018 guardians and shall assess the earnings of a dependent student at the

7019 rate of thirty per cent.

7020 (f) The Connecticut State University System Operating Fund shall be  
7021 reimbursed for the amount by which the tuition waivers granted  
7022 under subsection (d) of this section exceed two and one-half per cent of  
7023 tuition revenue through an annual state appropriation. The board of  
7024 trustees shall request such an appropriation and said appropriation  
7025 shall be based upon an estimate of tuition revenue loss using tuition  
7026 rates in effect for the fiscal year in which such appropriation will  
7027 apply.

7028 [(g) Notwithstanding the provisions of section 5-259 or any other  
7029 provision of the general statutes limiting eligibility of state employees  
7030 for coverage under a plan identified in section 5-259, graduate  
7031 assistants at the university shall be eligible to receive such coverage  
7032 provided they are employed for a sufficient number of hours to equal  
7033 at least fifty per cent of full-time, as defined by said board.]

7034 Sec. 201. Section 10a-105 of the general statutes, as amended by  
7035 section 24 of public act 03-19, is repealed and the following is  
7036 substituted in lieu thereof (*Effective from passage*):

7037 (a) Subject to the provisions of sections 10a-8 and 10a-26, the Board  
7038 of Trustees of The University of Connecticut shall fix fees for tuition  
7039 and shall fix fees for such other purposes as the board deems necessary  
7040 at The University of Connecticut, and may make refunds of the same.

7041 (b) The Board of Trustees of The University of Connecticut shall  
7042 establish and administer a fund to be known as The University of  
7043 Connecticut Operating Fund, and in addition, may establish a Special  
7044 External Gift Fund, and an endowment fund, as defined in section 10a-  
7045 109c, and such other funds as may be established pursuant to  
7046 subdivision (13) of subsection (a) of section 10a-109d. Appropriations  
7047 from general revenues of the state and, upon request by the university  
7048 and with an annual review and approval by the Secretary of the Office  
7049 of Policy and Management, the amount of the appropriations for fringe

7050 benefits and workers compensation applicable to the university  
7051 pursuant to subsection (a) of section 4-73, shall be transferred from the  
7052 Comptroller, and all tuition revenue received by the university in  
7053 accordance with the provisions of subsection (a) of this section, income  
7054 from student fees or related charges, the proceeds of auxiliary activities  
7055 and business enterprises, gifts and donations, federal funds and grants  
7056 for purposes other than research and all receipts derived from the  
7057 conduct by The University of Connecticut of its education extension  
7058 program and its summer school session, except funds received by The  
7059 University of Connecticut Health Center, shall be deposited in said  
7060 operating fund. If the Secretary of the Office of Policy and  
7061 Management disapproves such transfer, he may require the amount of  
7062 the appropriation for operating expenses to be used for personal  
7063 services and fringe benefits to be excluded from said fund. The State  
7064 Treasurer shall review and approve the transfer prior to such request  
7065 by the university. All costs of waiving or remitting tuition pursuant to  
7066 subsection (e) of this section, except the cost of waiving or remitting  
7067 tuition for students enrolled in the schools of medicine or dental  
7068 medicine, shall be charged to said fund. Repairs, alterations or  
7069 additions to facilities supported by said fund costing one million  
7070 dollars or more shall require the approval of the General Assembly, or  
7071 when the General Assembly is not in session, of the Finance Advisory  
7072 Committee. Any balance of receipts above expenditures shall remain  
7073 in said fund, except such sums as may be required for deposit into a  
7074 debt service fund or the General Fund for further payment by the  
7075 Treasurer of debt service on general obligation bonds of the state  
7076 issued for purposes of The University of Connecticut.

7077 (c) The Board of Trustees of The University of Connecticut shall  
7078 establish and administer a fund to be known as The University of  
7079 Connecticut Health Center Operating Fund. Appropriations from  
7080 general revenues of the state except the amount of the appropriation  
7081 for operating expenses to be used for personal services and the  
7082 appropriations for fringe benefits pursuant to subsection (a) of section  
7083 4-73, all tuition revenue received by the health center in accordance

7084 with the provisions of subsection (a) of this section, income from  
7085 student fees or related charges, proceeds from auxiliary and business  
7086 enterprises, gifts and donations, federal funds and grants for purposes  
7087 other than research and other income relative to these activities shall  
7088 be deposited in said fund. All costs of waiving or remitting tuition  
7089 pursuant to subsection (f) of this section for students enrolled in the  
7090 schools of medicine or dental medicine shall be charged to said fund.  
7091 Repairs, alterations or additions to facilities supported by said fund  
7092 costing one million dollars or more shall require the approval of the  
7093 General Assembly, or when the General Assembly is not in session, of  
7094 the Finance Advisory Committee. Any balance of receipts above  
7095 expenditures shall remain in said fund, except such sums as may be  
7096 required for deposit into a debt service fund or the General Fund for  
7097 further payment by the Treasurer of debt service on general obligation  
7098 bonds of the state issued for purposes of The University of Connecticut  
7099 Health Center.

7100 (d) Commencing December 1, 1981, and thereafter within sixty days  
7101 of the close of each quarter, the board of trustees shall submit to the  
7102 joint standing committee of the General Assembly having cognizance  
7103 of matters relating to appropriations and the budgets of state agencies  
7104 and the Office of Policy and Management, through the Board of  
7105 Governors of Higher Education, a report on the actual expenditures of  
7106 The University of Connecticut Operating Fund and The University of  
7107 Connecticut Health Center Operating Fund containing such relevant  
7108 information as the Board of Governors of Higher Education may  
7109 require.

7110 (e) Said board of trustees shall waive the payment of tuition fees at  
7111 The University of Connecticut (1) for any dependent child of a person  
7112 whom the armed forces of the United States has declared to be missing  
7113 in action or to have been a prisoner of war while serving in such armed  
7114 forces after January 1, 1960, which child has been accepted for  
7115 admission to The University of Connecticut and is a resident of  
7116 Connecticut at the time such child is accepted for admission to said

7117 institution, (2) for any veteran having served in time of war, as defined  
7118 in subsection (a) of section 27-103, or who served in either a combat or  
7119 combat support role in the invasion of Grenada, October 25, 1983, to  
7120 December 15, 1983, the invasion of Panama, December 20, 1989, to  
7121 January 31, 1990, or the peace-keeping mission in Lebanon, September  
7122 29, 1982, to March 30, 1984, who has been accepted for admission to  
7123 said institution and is a resident of Connecticut at the time such  
7124 veteran is accepted for admission to said institution, (3) for any  
7125 resident of Connecticut sixty-two years of age or older who has been  
7126 accepted for admission to said institution, provided (A) such person is  
7127 enrolled in a degree-granting program, or (B) at the end of the regular  
7128 registration period, there are enrolled in the course a sufficient number  
7129 of students other than those persons eligible for waivers pursuant to  
7130 this subdivision to offer the course in which such person intends to  
7131 enroll and there is space available in such course after accommodating  
7132 all such students, (4) for any active member of the Connecticut Army  
7133 or Air National Guard who (A) is a resident of Connecticut, (B) has  
7134 been certified by the Adjutant General or such Adjutant General's  
7135 designee as a member in good standing of the guard, and (C) is  
7136 enrolled or accepted for admission to said institution on a full-time or  
7137 part-time basis in an undergraduate degree-granting program, (5) for  
7138 any dependent child of a (A) police officer, as defined in section 7-  
7139 294a, or supernumerary or auxiliary police officer, (B) firefighter, as  
7140 defined in section 7-323j, or member of a volunteer fire company, (C)  
7141 municipal employee, or (D) state employee, as defined in section 5-154,  
7142 killed in the line of duty, and (6) for any resident of the state who is the  
7143 dependent child or surviving spouse of a specified terrorist victim who  
7144 was a resident of the state. If any person who receives a tuition waiver  
7145 in accordance with the provisions of this subsection also receives  
7146 educational reimbursement from an employer, such waiver shall be  
7147 reduced by the amount of such educational reimbursement. Veterans  
7148 described in subdivision (2) of this subsection and members of the  
7149 National Guard described in subdivision (4) of this subsection shall be  
7150 given the same status as students not receiving tuition waivers in

7151 registering for courses at The University of Connecticut.

7152 (f) Said board shall set aside from its anticipated tuition revenue, an  
7153 amount not less than that required by the board of governors' tuition  
7154 policy established under subdivision (3) of subsection (a) of section  
7155 10a-6. Such funds shall be used to provide tuition waivers, tuition  
7156 remissions, grants for educational expenses and student employment  
7157 for any undergraduate, graduate or professional student who is  
7158 enrolled as a full or part-time matriculated student in a degree-  
7159 granting program, or enrolled in a precollege remedial program, and  
7160 who demonstrates substantial financial need. Said board may also set  
7161 aside from its anticipated tuition revenue an additional amount equal  
7162 to one per cent of said tuition revenue for financial assistance for  
7163 students who would not otherwise be eligible for financial assistance  
7164 but who do have a financial need as determined by the university in  
7165 accordance with this subsection. In determining such financial need,  
7166 the university shall exclude the value of equity in the principal  
7167 residence of the student's parents or legal guardians, or in the student's  
7168 principal residence if the student is not considered to be a dependent  
7169 of his parents or legal guardians and shall assess the earnings of a  
7170 dependent student at the rate of thirty per cent.

7171 (g) The University of Connecticut Operating Fund shall be  
7172 reimbursed for the amount by which tuition waivers granted under  
7173 subsection (e) of this section exceed two and one-half per cent of  
7174 tuition revenue through an annual state appropriation. The board of  
7175 trustees shall request such an appropriation and said appropriation  
7176 shall be based upon an estimate of tuition revenue loss using tuition  
7177 rates in effect for the fiscal year in which such appropriation will  
7178 apply.

7179 (h) Said board shall grant remission or waiver of tuition for  
7180 graduate assistants at the university. [Notwithstanding the provisions  
7181 of section 5-259, or any other provision of the general statutes limiting  
7182 eligibility of state employees for coverage under a plan identified in

7183 section 5-259, graduate assistants at the university shall be eligible to  
7184 receive such coverage provided they are employed for a sufficient  
7185 number of hours to equal at least fifty per cent of full-time as defined  
7186 by said board.] Assistantship payments to graduate assistants shall not  
7187 be considered salaries and wages under the provisions of section 3-119,  
7188 and shall be paid according to a schedule prescribed by the university  
7189 and approved by the State Comptroller.

7190 Sec. 202. (*Effective from passage*) Notwithstanding the provisions of  
7191 subsection (c) of section 5-156a of the general statutes, the  
7192 contributions to the retirement fund for the biennium ending June 30,  
7193 2005, shall reflect the revised amounts certified by the Retirement  
7194 Commission that takes into account the Early Retirement Incentive  
7195 Program established by section 6 of public act 03-2.

7196 Sec. 203. Section 10-281 of the general statutes is repealed and the  
7197 following is substituted in lieu thereof (*Effective from passage*):

7198 (a) Any municipality or school district shall provide, for its children  
7199 enrolled in any grade, from kindergarten to twelve, inclusive,  
7200 attending nonpublic nonprofit schools therein, the same kind of  
7201 transportation services provided for its children in such grades  
7202 attending public schools when a majority of the children attending  
7203 such a nonpublic school are residents of the state of Connecticut. Such  
7204 determination shall be based on the ratio of pupils who are residents to  
7205 all pupils enrolled in each such school on October first or the full  
7206 school day immediately preceding such date, during the school year  
7207 next preceding that in which the transportation services are to be  
7208 provided. For purposes of this section, residency means continuous  
7209 and permanent physical presence within the state, except that  
7210 temporary absences for short periods of time shall not affect the  
7211 establishment of residency. In no case shall a municipality or school  
7212 district be required to expend for transportation to any nonpublic  
7213 school, in any one school year, a per pupil transportation expenditure  
7214 greater than an amount double the local per pupil expenditure for

7215 public school transportation during the last completed school year. In  
7216 the event that such per pupil expenditure for transportation to a  
7217 nonprofit nonpublic school may exceed double the local per pupil  
7218 expenditure, the municipality or school district may allocate its share  
7219 of said transportation on a per pupil, per school basis and may pay, at  
7220 its option, its share of said transportation directly to the provider of the  
7221 transportation services on a monthly basis over the period such service  
7222 is provided or provide such service for a period of time which  
7223 constitutes less than the entire school year. Any such municipality or  
7224 school district providing transportation services under this section  
7225 may suspend such services in accordance with the provisions of  
7226 section 10-233c. Any such municipality or school district providing  
7227 transportation under this section shall be reimbursed only for the cost  
7228 of such transportation as is required by this section upon the same  
7229 basis and in the same manner as such municipality or school district is  
7230 reimbursed for transporting children attending its public schools. The  
7231 parent or guardian of any student who is denied the kind of  
7232 transportation services required to be provided by this section may  
7233 seek a remedy in the same manner as is provided for parents of public  
7234 school children in section 10-186 and section 10-187.

7235 (b) Notwithstanding the provisions of this section, for the fiscal  
7236 years ending June 30, 2004 and June 30, 2005, the amount of the grants  
7237 payable to local or regional boards of education in accordance with  
7238 this section shall be reduced proportionately if the total of such grants  
7239 in such year exceeds the amount appropriated for purposes of this  
7240 section.

7241 Sec. 204. Section 19a-122b of the general statutes is repealed and the  
7242 following is substituted in lieu thereof (*Effective from passage*):

7243 Notwithstanding the provisions of chapters 368v and 368z, an  
7244 organization licensed as a hospice pursuant to the Public Health Code  
7245 or certified as a hospice pursuant to 42 USC Section 1395x, shall be  
7246 authorized [, until October 1, 2006,] to operate [on a pilot basis] a

7247 residence for terminally ill persons, for the purpose of providing  
7248 hospice home care arrangements including, but not limited to, hospice  
7249 home care services and supplemental services. Such arrangements  
7250 shall be provided to those patients who would otherwise receive such  
7251 care from family members. The residence shall provide a homelike  
7252 atmosphere for such patients for a time period deemed appropriate for  
7253 home health care services under like circumstances. Any hospice  
7254 which operates a residence pursuant to the provisions of this section  
7255 shall cooperate with the Commissioner of Public Health to develop  
7256 standards for the licensure and operation of such homes.

7257 Sec. 205. Subsection (d) of section 1 of special act 99-8, as amended  
7258 by section 89 of public act 01-9 of the June special session, is amended  
7259 to read as follows:

7260 (d) The pilot program established under this section shall terminate  
7261 September 30, [2003] 2005.

7262 Sec. 206. Subparagraph 3 of subdivision F of subsection (b) of  
7263 section 6 of public act 03-2 is amended to read as follows (*Effective from*  
7264 *passage*):

7265 3. For the fiscal years ending June 30, 2004, and June 30, 2005, up to  
7266 80% of positions vacated in any employer unit as a result of ERIP may  
7267 be refilled. [, provided, of the positions refilled, at least 70% must be  
7268 positions classified as essential positions and not more than 30% may  
7269 be positions classified as non-essential positions.]

7270 Sec. 207. (*Effective from passage*) (a) The Secretary of the Office of  
7271 Policy and Management, in cooperation with the Department of  
7272 Transportation and such other state agencies as may own the rights to  
7273 outdoor advertising locations, shall develop a plan to increase  
7274 revenues by licensing existing state-owned outdoor advertising  
7275 locations, and shall submit such plan to the General Assembly, in  
7276 accordance with the provisions of section 11-4a of the general statutes,  
7277 on or before January 1, 2004. Such plan shall provide that not less than

7278 seventy-five per cent of such increased revenues shall be dedicated to  
7279 project expenditures of the Transportation Strategy Board.

7280 (b) The sum of \$40,000 carried forward pursuant to subsection (a) of  
7281 section 42 of public act 03-1 of the June 30 special session shall be  
7282 transferred to the Office of Policy and Management for the purposes of  
7283 subsection (a) of this section.

7284 Sec. 208. (*Effective from passage*) (a) The sum of \$7,100,000 is  
7285 appropriated to the Department of Public Health, from the General  
7286 Fund, for the fiscal year ending June 30, 2004, for Immunization  
7287 Services.

7288 (b) The sum of \$7,100,000 is appropriated to the Department of  
7289 Public Health, from the General Fund, for the fiscal year ending June  
7290 30, 2005, for Immunization Services.

7291 Sec. 209. (*Effective from passage*) (a) The amount appropriated to the  
7292 Department of Social Services, in sections 1 and 11 of public act 03-1 of  
7293 the June 30 special session, for Payments to Other Than Local  
7294 Governments, for Human Resource Development, is reduced by  
7295 \$2,641,956 for the fiscal years ending June 30, 2004, and June 30, 2005.  
7296 For the fiscal years ending June 30, 2004, and June 30, 2005, \$2,641,956  
7297 is appropriated to the Department of Social Services, for a new Human  
7298 Service Infrastructure Community Action Program account.

7299 (b) The sum of \$200,000,000 appropriated to the Department of  
7300 Social Services, for the fiscal year ending June 30, 2005, for Behavioral  
7301 Health Partnership, shall be transferred to the appropriation to the  
7302 department, for Medicaid, for said fiscal year.

7303 (c) The sum of \$92,100,551 appropriated to the Department of  
7304 Children and Families, for the fiscal year ending June 30, 2005, for  
7305 Behavioral Health Partnership, shall be transferred to other  
7306 appropriations to the Department of Children and Families, for said  
7307 fiscal year, as follows: Short Term Residential Treatment, \$457,462; Day

7308 Treatment Centers for Children, \$3,719,099; Substance Abuse  
7309 Treatment, \$1,128,786; Child Welfare Support Services, \$68,020; Board  
7310 and Care for Children - Residential, \$82,534,026; Individualized Family  
7311 Supports, \$337,041; Community KidCare, \$3,856,117.

7312 Sec. 210. (NEW) (*Effective from passage*) (a) The General Assembly  
7313 finds and declares that culture, history, the arts and the film and  
7314 tourism industries contribute significant value to the vitality, quality of  
7315 life and economic health of Connecticut and therefore there is  
7316 established the Connecticut Commission on Arts, Tourism, Culture,  
7317 History and Film. The Connecticut Humanities Council and the  
7318 Connecticut Trust for Historic Preservation shall operate in  
7319 conjunction with the commission for purposes of joint strategic  
7320 planning, annual reporting on appropriations and fiscal reporting. The  
7321 purpose of the commission shall be to enhance and promote culture,  
7322 history, the arts and the tourism and film industries in Connecticut.

7323 (b) The commission shall:

7324 (1) Market and promote Connecticut as a destination for leisure and  
7325 business travelers through the development and implementation of a  
7326 strategic state-wide marketing plan and provision of visitor services to  
7327 enhance the economic impact of the tourism industry;

7328 (2) Promote the arts;

7329 (3) Recognize, protect, preserve and promote historic resources;

7330 (4) Interpret and present Connecticut's history and culture;

7331 (5) Promote Connecticut as a location in which to conduct filming  
7332 and to establish and conduct business related to the film and video  
7333 industries to enhance these industries' economic impact in the state;

7334 (6) Beginning with the fiscal year ending June 30, 2006, and each  
7335 fiscal year thereafter, prepare and submit to the General Assembly, in  
7336 accordance with section 11-4a of the general statutes, and to the Office

7337 of Policy and Management, in accordance with sections 4-77 and 4-77a  
7338 of the general statutes, a biennial budget for the next succeeding fiscal  
7339 years and a detailed accounting of expenditures for the prior fiscal  
7340 year;

7341 (7) Establish a uniform financial reporting system and forms to be  
7342 used by each regional tourism district, established under section 215 of  
7343 this act, in the preparation of the annual budget submitted to the  
7344 General Assembly;

7345 (8) Integrate funding and programs whenever possible; and

7346 (9) On or before January 1, 2005, and biennially thereafter, develop  
7347 and submit to the Governor and the General Assembly, in accordance  
7348 with section 11-4a of the general statutes, a strategic plan to implement  
7349 subdivisions (1) to (5), inclusive, of this subsection.

7350 (c) Any proposals for projects under the jurisdiction of the  
7351 commission and projects proposed by the Connecticut Humanities  
7352 Council that require funding through the issuance of bonds by the  
7353 State Bond Commission, in accordance with sections 13b-74 to 13b-77,  
7354 inclusive, of the general statutes shall be submitted to the Connecticut  
7355 Commission on Arts, Tourism, Culture, History and Film. The  
7356 commission shall review such proposals and submit any project that it  
7357 believes has merit to the joint standing committee of the General  
7358 Assembly having cognizance of matters relating to finance, revenue  
7359 and bonding with the commission's recommendation for funding.

7360 (d) The Connecticut Commission on Arts, Tourism, Culture, History  
7361 and Film shall be a successor department to the State Commission on  
7362 the Arts, the Connecticut Historical Commission, the Office of  
7363 Tourism, the Connecticut Tourism Council, the Connecticut Film,  
7364 Video and Media Commission and the Connecticut Film, Video and  
7365 Media Office in accordance with the provisions of sections 4-38d and  
7366 4-39 of the general statutes.

7367 (e) Wherever the words "State Commission on the Arts",  
7368 "Connecticut Historical Commission", "Office of Tourism" and  
7369 "Connecticut Film, Video and Media Office" are used in the following  
7370 sections of the general statutes, or in any public or special act of the  
7371 2003 or 2004 session the words "Connecticut Commission on Arts,  
7372 Tourism, Culture, History and Film" shall be substituted in lieu  
7373 thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-60, 4b-64, 4b-66a, 7-147a,  
7374 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, 10-384, 10-  
7375 385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-111a, 10a-112, 10a-112b,  
7376 10a-112g, 10-384, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, 22a-1d,  
7377 22a-19b, 25-102qq, 25-109q, 29-259 and 32-6a.

7378 (f) The Legislative Commissioners' Office shall, in codifying the  
7379 provisions of this section, make such technical, grammatical and  
7380 punctuation changes as are necessary to carry out the purposes of this  
7381 section.

7382 Sec. 211. (NEW) (*Effective from passage*) (a) The Connecticut  
7383 Commission on Arts, Tourism, Culture, History and Film shall consist  
7384 of twenty-nine voting commissioners and nonvoting ex-officio  
7385 members. Such ex-officio members shall be the executive directors of  
7386 the Connecticut Trust for Historic Preservation and the Connecticut  
7387 Humanities Council, the State Poet Laureate, the State Historian and  
7388 the State Archaeologist. The State Poet Laureate, the State Historian  
7389 and the State Archaeologist shall serve as commissioners without  
7390 being appointed and without receiving compensation for such service.  
7391 The remaining twenty-four commissioners shall be appointed as  
7392 follows:

7393 (1) The Governor shall appoint eight commissioners: (A) One  
7394 commissioner shall be an individual with knowledge of or experience  
7395 or interest in tourism from within the state; (B) three commissioners  
7396 shall be individuals with knowledge of or experience or interest in  
7397 history or humanities; (C) one commissioner shall be an individual  
7398 with knowledge of or experience or interest in the arts; (D) one

7399 commissioner shall be an individual with knowledge of or experience  
7400 or interest in film; and (E) two commissioners shall be selected at large.

7401 (2) The speaker of the House of Representatives shall appoint three  
7402 commissioners: (A) One commissioner shall be an individual with  
7403 knowledge of or experience or interest in tourism from the  
7404 southwestern tourism district, established under section 215 of this act;  
7405 (B) one commissioner shall be an individual with knowledge of or  
7406 experience or interest in history or humanities; and (C) one  
7407 commissioner shall be an individual with knowledge of or experience  
7408 or interest in the arts.

7409 (3) The president pro tempore of the Senate shall appoint three  
7410 commissioners: (A) One commissioner shall be an individual with  
7411 knowledge of or experience or interest in tourism from the central  
7412 tourism district, established under section 215 of this act; (B) one  
7413 commissioner shall be an individual with knowledge of or experience  
7414 or interest in history or humanities; and (C) one commissioner shall be  
7415 an individual with knowledge of or experience or interest in the arts.

7416 (4) The majority leader of the House of Representatives shall  
7417 appoint two commissioners: (A) One commissioner shall be an  
7418 individual with knowledge of or experience or interest in tourism from  
7419 the south central tourism district, established under section 215 of this  
7420 act; and (B) one commissioner shall be an individual with knowledge  
7421 of or experience or interest in the arts.

7422 (5) The majority leader of the Senate shall appoint two  
7423 commissioners: (A) One commissioner shall be an individual with  
7424 knowledge of or experience or interest in tourism from the eastern  
7425 tourism district; and (B) one commissioner shall be an individual with  
7426 knowledge of or experience or interest in the arts.

7427 (6) The minority leader of the House of Representatives shall  
7428 appoint three commissioners: (A) One commissioner shall be an  
7429 individual with knowledge of or experience or interest in tourism from

7430 within the state; (B) one commissioner shall be an individual with  
7431 knowledge of or experience or interest in history or humanities; and  
7432 (C) one commissioner shall be an individual with knowledge of or  
7433 experience or interest in the arts.

7434 (7) The minority leader of the Senate shall appoint three  
7435 commissioners: (A) One commissioner shall be an individual with  
7436 knowledge of or experience or interest in tourism from the northwest  
7437 tourism district, established under section 215 of this act; (B) one  
7438 commissioner shall be an individual with knowledge of or experience  
7439 or interest in history or humanities; and (C) one commissioner shall be  
7440 an individual with knowledge of or experience or interest in the arts.

7441 (b) Each commissioner shall serve a term that is coterminus with  
7442 such commissioner's appointing authority. No member of a board of  
7443 directors of a regional tourism district may serve as a commissioner of  
7444 the Connecticut Commission on Arts, Tourism, Culture, History and  
7445 Film.

7446 (c) The commission shall have an executive director, appointed by  
7447 the Governor in accordance with the provisions of chapter 46 of the  
7448 general statutes, who shall administer the commission in accordance  
7449 with subsection (e) of this section. The voting commissioners shall elect  
7450 annually: A commissioner from among the voting commissioners to  
7451 serve as chairperson of the commission, one commissioner as vice-  
7452 chairperson, and other commissioners as officers. Such commissioners  
7453 shall establish bylaws as necessary for the operation of the  
7454 commission. Commissioners shall receive no compensation for the  
7455 performance of their duties, but may be reimbursed for their necessary  
7456 expenses incurred in the performance of their duties. The commission  
7457 shall meet at least once during each calendar quarter and at such other  
7458 times as the chairperson deems necessary or upon the request of a  
7459 majority of commissioners in office.

7460 (d) Thirteen voting commissioners of the board shall constitute a  
7461 quorum and the affirmative vote of a majority of the voting

7462 commissioners present at a meeting of the commission shall be  
7463 sufficient for any action taken by the commission. No vacancy of a  
7464 commissioner shall impair the right of a quorum to exercise all the  
7465 rights and perform all the duties of the commission. Any action taken  
7466 by the commission may be authorized by resolution at any regular or  
7467 special meeting and shall take effect immediately unless otherwise  
7468 provided in the resolution.

7469 (e) The executive director of the commission shall administer the  
7470 commission, subject to the supervision of the commissioners. The  
7471 executive director shall have the authority to administer all laws under  
7472 the jurisdiction of the commission and the power and authority to:  
7473 Coordinate, and direct the operation of the commission; establish rules  
7474 for the internal operation of the commission; contract for facilities,  
7475 services and programs to implement the purposes of the commission  
7476 established by law, and enter into agreements for funding from private  
7477 sources, including corporate donations and other commercial  
7478 sponsorships. The executive director is authorized to do all things  
7479 necessary to apply for, qualify for and accept any funds made  
7480 available under any federal act for the purposes established under  
7481 section 210 of this act. All funds received under this subsection shall be  
7482 deposited into the Connecticut Commission on Arts, Tourism, Culture,  
7483 History and Film account, established under section 213 of this act. The  
7484 executive director may enter into contracts with the federal  
7485 government concerning the use of such funds.

7486 Sec. 212. (NEW) (*Effective from passage*) (a) On or before June first of  
7487 each year, each regional tourism district established under section 215  
7488 of this act shall prepare a proposed budget for the next succeeding  
7489 fiscal year beginning July first to carry out its statutory duties. After  
7490 approval by said tourism district's board of directors, and no later than  
7491 June first of each year, the tourism district shall submit the proposed  
7492 budget to the executive director of the Commission on Arts, Tourism,  
7493 Culture, History and Film for review, comments and  
7494 recommendations by the commission concerning the proposed

7495 expenditures. The commission shall review, in consultation with the  
7496 tourism district, the proposed budget no later than June thirtieth, and  
7497 approve or disapprove the budget. If the commission disapproves any  
7498 annual budget, the commission shall adopt an interim budget and  
7499 such interim budget shall take effect at the commencement of the fiscal  
7500 year and shall remain in effect until the tourism district submits and  
7501 the commission approves a modified budget. The tourism district  
7502 shall, on or before September fifteenth, submit a copy of the budget to  
7503 the joint standing committees of the General Assembly having  
7504 cognizance of matters relating to appropriations, finance, revenue and  
7505 bonding and commerce and the Office of Policy and Management,  
7506 including an explanation detailing the proposed expenditures for the  
7507 tourism district for the succeeding fiscal year. No funds shall be  
7508 expended by the tourism district without prior approval of the budget  
7509 or adoption of an interim budget by the Commission on Arts, Tourism,  
7510 Culture, History and Film.

7511 (b) Each regional tourism district shall ensure that no more than  
7512 twenty per cent of the total annual grant amount received by it  
7513 pursuant to section 216 of this act is used for administrative costs. The  
7514 executive director, with the approval of the commissioners, shall  
7515 develop guidelines concerning administrative costs for tourism  
7516 districts.

7517 Sec. 213. (NEW) (*Effective from passage*) There is established an  
7518 account within the General Fund to be known as the "Connecticut  
7519 Commission on Arts, Tourism, Culture, History and Film account".  
7520 The account shall contain all moneys required by law to be deposited  
7521 in the account, including moneys received pursuant to section 216 of  
7522 this act.

7523 Sec. 214. (NEW) (*Effective from passage*) With respect to tourism  
7524 activities, the Connecticut Commission on Arts, Tourism, Culture,  
7525 History and Film shall:

7526 (1) Develop, annually update and implement a strategic marketing

7527 plan for the national and international promotion of Connecticut as a  
7528 tourism destination;

7529 (2) Develop a Connecticut strategic plan for new tourism products  
7530 and attractions;

7531 (3) Provide marketing and other assistance to the tourism industry;

7532 (4) Ensure cooperation among the regional tourism districts;

7533 (5) Maintain, operate and manage the visitor welcome centers in the  
7534 state;

7535 (6) Develop and administer a program of challenge grants to  
7536 encourage innovation and job development, provide incentives for  
7537 coordinated activity consistent with the strategic marketing plan and  
7538 stimulate the development of private funds for tourism promotion;  
7539 and

7540 (7) Subject to available funds, assist municipalities to accommodate  
7541 tourist attractions within such municipalities or within neighboring or  
7542 adjoining municipalities.

7543 Sec. 215. (NEW) (*Effective from passage*) (a) There is established five  
7544 regional tourism districts, each of which shall promote and market  
7545 districts as regional leisure and business traveler destinations to  
7546 stimulate economic growth. The districts shall be as follows:

7547 (1) The eastern regional district, which shall consist of Ashford,  
7548 Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia,  
7549 Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton,  
7550 Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New  
7551 London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret,  
7552 Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington,  
7553 Thompson, Union, Voluntown, Waterford, Willington, Windham and  
7554 Woodstock;

7555 (2) The central regional district, which shall consist of Andover,  
7556 Avon, Berlin, Bloomfield, Bolton, Canton, Chester, Cromwell, Deep  
7557 River, East Granby, East Haddam, East Hampton, East Hartford, East  
7558 Windsor, Ellington, Enfield, Essex, Farmington, Glastonbury, Granby,  
7559 Haddam, Hartford, Hebron, Manchester, Marlborough, Meriden,  
7560 Middletown, New Britain, Newington, Old Saybrook, Plainville,  
7561 Portland, Rocky Hill, Somers, South Windsor, Southington, Simsbury,  
7562 Stafford, Suffield, Tolland, Vernon, Windsor Locks, West Hartford,  
7563 Westbrook, Wethersfield and Windsor;

7564 (3) The northwestern regional district, which shall consist of  
7565 Ansonia, Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgewater,  
7566 Bristol, Brookfield, Burlington, Canaan, Colebrook, Cornwall,  
7567 Danbury, Derby, Goshen, Hartland, Harwinton, Kent, Litchfield,  
7568 Middlebury, Morris, Naugatuck, New Fairfield, New Hartford, New  
7569 Milford, Newtown, Norfolk, North Canaan, Oxford, Plymouth,  
7570 Prospect, Redding, Ridgefield, Roxbury, Salisbury, Seymour, Sharon,  
7571 Sherman, Southbury, Thomaston, Torrington, Warren, Washington,  
7572 Waterbury, Watertown, Winchester, Wolcott and Woodbury;

7573 (4) The south central regional district, which shall consist of  
7574 Bethany, Branford, Cheshire, Clinton, Durham, East Haven, Guilford,  
7575 Hamden, Killingworth, Madison, Middlefield, Milford, Orange, New  
7576 Haven, North Branford, North Haven, Wallingford, West Haven and  
7577 Woodbridge;

7578 (5) The southwestern regional district, which shall consist of  
7579 Bridgeport, Darien, Easton, Fairfield, Greenwich, New Canaan,  
7580 Monroe, Norwalk, Shelton, Stamford, Stratford, Trumbull, Weston,  
7581 Westport and Wilton.

7582 (b) Each regional tourism district shall be overseen by a board of  
7583 directors consisting of one representative from each municipality  
7584 within the district, appointed by the legislative body of the  
7585 municipality and, where the legislative body is a town meeting, by the  
7586 board of selectmen. Any such member of a board of directors shall

7587 serve for a term of three years. In addition, the board of directors may  
7588 appoint up to twenty-one persons representing tourism interests  
7589 within the district to serve on the board. No board member shall be  
7590 deemed a state employee for serving on said board. All appointments  
7591 to the board of directors shall be reported to the executive director of  
7592 the Connecticut Commission on Arts, Tourism, Culture, History and  
7593 Film.

7594 (c) The provisions of the Freedom of Information Act, as defined in  
7595 section 1-200 of the general statutes, shall apply to each regional  
7596 tourism district.

7597 (d) Not later than October 1, 2003, the commission shall assist each  
7598 regional tourism district in establishing a committee, composed of  
7599 members selected from among subdivisions (1), (2) and (3) of  
7600 subsection (b) of this section, to draft a charter and bylaws for the  
7601 regional tourism district and to organize the initial meeting of the  
7602 board of directors of the district, to be held no later than October 15,  
7603 2003.

7604 (e) Each regional tourism district shall (1) comply with uniform  
7605 standards for accounting and reporting expenditures that are  
7606 established by the commission in accordance with section 210 of this  
7607 act and are based on industry accounting standards developed by the  
7608 International Association of Convention and Visitor Bureaus or other  
7609 national organizations related to tourism, and (2) on or before January  
7610 first of each year, submit to the commission, the Office of Policy and  
7611 Management and the Office of Fiscal Analysis an independent audit in  
7612 accordance with the provisions of sections 4-230 to 4-236, inclusive, of  
7613 the general statutes.

7614 (f) Each regional tourism district shall solicit and may accept private  
7615 funds for the promotion of tourism within its district and shall  
7616 coordinate its activities with any private nonprofit tourist association  
7617 within the district and within this state, that promotes tourism  
7618 industry businesses in this state, in order to foster cooperation in the

7619 promotion of such businesses. Any funds received by a regional  
7620 tourism district may be deposited in the fund established in section 213  
7621 of this act or in an account established by such tourism district to  
7622 receive such funds.

7623 Sec. 216. (NEW) (*Effective from passage*) (a) For the fiscal years ending  
7624 June 30, 2004, and June 30, 2005, the Commissioner of Revenue  
7625 Services shall segregate twenty million dollars from the revenue  
7626 attributable to the sales tax imposed under subparagraph (H) of  
7627 subdivision (2) of subsection (a) of section 12-407 of the general  
7628 statutes on any hotel or lodging house. Said funds shall be deposited in  
7629 the Connecticut Commission on Arts, Tourism, Culture, History and  
7630 Film account, established under section 213 of this act for the  
7631 administration and operation of the Connecticut Commission on Arts,  
7632 Tourism, Culture, History and Film. Such funds are in addition to  
7633 funds made available to the commission in subsection (b) of this  
7634 section. The commission shall allocate funds for the fiscal year ending  
7635 June 30, 2004, from said account as follows for, but not limited to, the  
7636 purposes so specified:

7637 (1) One hundred fifty thousand dollars to the Greater Hartford Arts  
7638 Council;

7639 (2) Six hundred thirty thousand dollars to the New Haven Coliseum  
7640 Authority;

7641 (3) One million seven hundred ten thousand dollars to the Stamford  
7642 Center for the Arts;

7643 (4) Fifty thousand dollars to the Stepping Stone Child Museum in  
7644 Norwalk;

7645 (5) Six hundred seventy-five thousand dollars to the Maritime  
7646 Center Authority in Norwalk;

7647 (6) Two million two hundred fifty thousand dollars for basic  
7648 cultural resources grants;

7649 (7) One million one hundred thousand dollars for the operation and  
7650 administration of state historic preservation programs and the  
7651 operation and administration of the four state museums;

7652 (8) Four million seven hundred fifty thousand dollars to the  
7653 regional tourism districts established under section 215 of this act,  
7654 provided each district shall be allocated nine hundred fifty thousand  
7655 dollars;

7656 (9) One hundred twenty thousand dollars to the eastern regional  
7657 tourism district, established under section 215 of this act, for  
7658 promotion of tourism in the Quinebaug-Schetucket Heritage area in  
7659 Connecticut;

7660 (10) One hundred twenty thousand dollars to the northwestern  
7661 regional tourism district, established under section 215 of this act, for  
7662 promotion of tourism in the Litchfield Hills area;

7663 (11) One million dollars to the Connecticut Humanities Council;

7664 (12) Thirty thousand dollars for the Historical Resources Inventory;

7665 (13) Fifty thousand dollars to the Amistad Committee for the  
7666 Freedom Trail;

7667 (14) One hundred thousand dollars for Amistad vessel;

7668 (15) One million two hundred sixty thousand dollars to the New  
7669 Haven Festival of Arts and Ideas;

7670 (16) One hundred fifty thousand dollars for the New Haven Arts  
7671 Council;

7672 (17) One hundred twenty thousand dollars for the eastern regional  
7673 tourism district, established under section 215 of this act;

7674 (18) One hundred twenty thousand dollars for the central regional  
7675 tourism district, established under section 215 of this act;

7676 (19) Nine hundred thousand dollars for the Palace Theater in  
7677 Waterbury, provided the entity designated to operate the theater is the  
7678 Palace Theater Group, Incorporated;

7679 (20) Four hundred ten thousand dollars to the Beardsley Zoo;

7680 (21) Six hundred twenty-five thousand dollars to the Mark Twain  
7681 House and six hundred twenty-five thousand dollars to the Harriet  
7682 Beecher Stowe House;

7683 (22) Three hundred sixty thousand dollars for film projects and film-  
7684 related activities; and

7685 (23) All other administrative, operating and personnel costs of the  
7686 commission, including, but not limited to, those related to the  
7687 promotion of culture, history, arts, tourism and film in the state.

7688 (b) Notwithstanding sections 210 to 242, inclusive, of this act, the  
7689 Secretary of the Office of Policy and Management is authorized to  
7690 make adjustments to the allocations for the Connecticut Commission  
7691 on Arts, Tourism, Culture, History and Film based on expenditures  
7692 already made in the General Fund or other funds to support the  
7693 predecessor agencies during the fiscal year ending June 30, 2004, and  
7694 any allocations of funding made through any intercept for the fiscal  
7695 year ending June 30, 2004. Any withholding of funds shall not be  
7696 greater than the amount expended for such purposes and in no event  
7697 shall the overall funding for the Connecticut Commission on Arts,  
7698 Tourism, Culture, History and Film diminish from the aggregate  
7699 allocated.

7700 Sec. 217. (NEW) (*Effective from passage*) Notwithstanding subsection  
7701 (a) of section 212 of this act, for the fiscal year ending June 30, 2004, no  
7702 later than October 1, 2003, each regional tourism district established  
7703 under section 215 of this act shall prepare a proposed budget for the  
7704 fiscal year ending June 30, 2004, to carry out its statutory duties. After  
7705 approval by said tourism district's board of directors, and no later than

7706 October 1, 2003, the tourism district shall submit the proposed budget  
7707 to the executive director of the Commission on Arts, Tourism, Culture,  
7708 History and Film for review, comments and recommendations by the  
7709 commission concerning the proposed expenditures. The commission  
7710 shall review, in consultation with the tourism district, the proposed  
7711 budget no later than October 10, 2003, and approve or disapprove the  
7712 budget. If the commission disapproves any annual budget, it shall  
7713 adopt an interim budget and such interim budget shall take effect  
7714 immediately and shall remain in effect until the tourism district  
7715 submits and the commission approves a modified budget. The tourism  
7716 district shall, on or before November 1, 2003, submit a copy of the  
7717 budget to the joint standing committees of the General Assembly  
7718 having cognizance of matters relating to appropriations, finance,  
7719 revenue and bonding and commerce and the Office of Policy and  
7720 Management, including an explanation detailing the proposed  
7721 expenditures for the tourism district for the succeeding fiscal year. No  
7722 funds shall be expended by the tourism district without prior approval  
7723 of the budget by the Commission on Arts, Tourism, Culture, History  
7724 and Film.

7725 Sec. 218. Section 32-306 of the general statutes is repealed and the  
7726 following is substituted in lieu thereof (*Effective from passage*):

7727 As used in [sections 32-306] this section and section 32-307, as  
7728 amended by this act:

7729 [(1)] "Visitor welcome center" means the welcome centers, visitor  
7730 centers and tourist information centers located in Middletown,  
7731 Southington, Wallingford, West Willington, Greenwich, Windsor  
7732 Locks, Danbury, Darien, North Stonington, Plainfield, Westbrook and  
7733 at Bradley International Airport, which have been established to  
7734 distribute information to persons traveling in the state for the purpose  
7735 of influencing such persons' level of satisfaction with the state and  
7736 expenditures in the state and their planning for present and future  
7737 trips to the state.

7738 [(2) "Office of Tourism" means the Department of Economic and  
7739 Community Development Office of Tourism established pursuant to  
7740 section 32-300.]

7741 Sec. 219. Section 32-307 of the general statutes is repealed and the  
7742 following is substituted in lieu thereof (*Effective from passage*):

7743 The following measures shall be implemented to enhance the  
7744 operation of visitor welcome centers:

7745 [(1) The Department of Transportation shall reconfigure the interior  
7746 designs of the Middletown, Southington, Wallingford and West  
7747 Willington visitor welcome centers and shall review the feasibility of  
7748 winterizing the Greenwich and Windsor Locks centers for year-round  
7749 operation. The Department of Transportation, the Office of Tourism  
7750 and the licensed vendor at the Darien center shall redesign said center  
7751 to incorporate tourism services;

7752 (2) The Department of Transportation shall study the feasibility of  
7753 installing under-the-counter security systems at the Greenwich,  
7754 Westbrook and Windsor Locks visitor welcome centers;]

7755 [(3)] (1) Each center shall make available space for listing events and  
7756 promoting attractions, by invitation to the Connecticut tourism  
7757 industry, including tourism districts, chambers of commerce and any  
7758 other tourism entities involved in Connecticut tourism promotion;

7759 [(4) The Department of Transportation shall continue to bring public  
7760 restrooms at all the centers into compliance with the federal Americans  
7761 with Disabilities Act;]

7762 [(5) The Office of Tourism,] (2) The Commission on Arts, Tourism,  
7763 Culture, History and Film, established under section 1 of this act, in  
7764 consultation with the Department of Transportation, shall develop  
7765 plans for (A) consistent signage for the visitor welcome centers, and (B)  
7766 highway signage regulations for privately operated centers;

7767 [(6) The Department of Transportation shall (A) maintain the visitor  
7768 welcome centers owned by the Department of Transportation and (B)  
7769 provide housekeeping services at the Middletown, Southington,  
7770 Wallingford, West Willington, Danbury, North Stonington and  
7771 Westbrook visitor welcome centers;]

7772 [(7)] (3) The Department of Transportation and [the Office of  
7773 Tourism] the commission shall establish an "Adopt A Visitor Welcome  
7774 Center" program, under which local civic organizations may provide  
7775 maintenance, gardening, including wildflowers, and complimentary  
7776 refreshments or any other type of service at a visitor welcome center to  
7777 enhance the operation of the center;

7778 [(8) Subject to available funds, the Office of Tourism] (4) The  
7779 commission shall place a full-time year-round supervisor and a part-  
7780 time assistant supervisor at the [Windsor Locks,] Danbury, Darien,  
7781 North Stonington and West Willington centers, [and the two centers at  
7782 Bradley International Airport.] The responsibilities of each supervisor  
7783 shall include, but not be limited to: (A) Maintaining a sufficient  
7784 inventory of up-to-date brochures for dissemination to visitors, (B)  
7785 scheduling staff so as to assure coverage at all times, (C) training staff,  
7786 (D) compiling and maintaining statistics on center usage, (E) serving as  
7787 liaison between the [Office of Tourism] commission, the Department of  
7788 Transportation, the tourism district in which the center is located and  
7789 businesses in such district, (F) maintaining quality tourism services,  
7790 (G) rotating displays, (H) evaluating staff, (I) problem-solving, and (J)  
7791 computing travel reimbursements for volunteer staff;

7792 [(9)] (5) Subject to available funds, the [Office of Tourism]  
7793 commission shall place a seasonal full-time supervisor and a seasonal  
7794 part-time assistant supervisor at the Greenwich, Southington,  
7795 Westbrook and Windsor Locks centers. The [office] commission shall  
7796 discontinue staffing at the Middletown, Plainfield and Wallingford  
7797 centers, and shall, in conjunction with the tourism industry, seek  
7798 contract workers to provide tourism services at the Middletown and

7799 Wallingford centers and at the Southington and Westbrook centers  
7800 when not staffed by the state;

7801 [(10)] (6) Subject to available funds, the [Office of Tourism]  
7802 commission, in conjunction with the tourism industry, shall develop  
7803 and implement initial staff training and conduct periodic training of  
7804 full-time and part-time supervisors;

7805 [(11) In addition to the staffing required by this section, each] (7)  
7806 Each center shall have an electronic information system to highlight  
7807 attractions and provide event, restaurant, museum and other  
7808 information to visitors. Such systems shall be provided at no cost to the  
7809 state and any revenue generated through the request for proposal  
7810 process shall be deposited in the [tourism account established under  
7811 section 32-303] General Fund;

7812 [(12) The centers for which the state does not provide staff shall use  
7813 electronic information systems for highlighting attractions and event,  
7814 restaurant, museum and other information;]

7815 [(13)] (8) Each center shall provide no-cost lodging reservation  
7816 services; and

7817 [(14) The Office of Tourism] (9) The commission, in conjunction with  
7818 the regional tourism districts and the private sector, shall establish a  
7819 dedicated highway radio station which shall highlight ongoing  
7820 tourism activities and encourage travelers to stop at visitor welcome  
7821 centers.

7822 Sec. 220. Section 10-370 of the general statutes is repealed and the  
7823 following is substituted in lieu thereof (*Effective from passage*):

7824 [The commission] With respect to arts activities, the Connecticut  
7825 Commission on Culture, Arts, Film and Tourism, established under  
7826 section 210 of this act, shall encourage, within the state or in  
7827 association with other states, or both, participation in, and promotion,  
7828 development, acceptance and appreciation of, artistic and cultural

7829 activities that shall include, but are not limited to, music, theater,  
7830 dance, painting, sculpture, architecture, literature, films and allied arts  
7831 and crafts and to this end shall have the following powers: (1) To join  
7832 or contract with consultants, private patrons, individual artists and  
7833 ensembles and with institutions, local sponsoring organizations and  
7834 professional organizations; (2) to enter into contracts to provide grants,  
7835 loans or advances to individuals, organizations, or institutions, public  
7836 or private, that are engaged in or plan to engage in artistic and cultural  
7837 programs or activities within the state, or that are engaged in or plan to  
7838 engage in the promotion, development, or encouragement of artistic  
7839 and cultural programs or activities within the state; (3) to accept, hold  
7840 and administer, on behalf of the commission, in accordance with the  
7841 provisions of sections 4-28, 4-31, 4-31a and 4b-22, real property,  
7842 personal property, securities, other choses in action and moneys, or  
7843 any interest therein, and income therefrom, either absolutely or in  
7844 trust, for any purpose of the commission. The commission may acquire  
7845 or receive such property or money for its purposes by the acceptance  
7846 of state or federal or public or private loans, contributions, gifts,  
7847 grants, donations, bequests or devises, and the commission shall  
7848 deposit or credit the same in the [General Fund] Connecticut  
7849 Commission on Arts, Tourism, Culture, History and Film Fund  
7850 established under section 214 of this act; (4) to establish a nonprofit  
7851 foundation for the purpose of raising funds from private sources to  
7852 encourage, within the state or in association with other states, or both,  
7853 participation in, and promotion, development, acceptance and  
7854 appreciation of, artistic and cultural activities that shall include, but are  
7855 not limited to, music, theater, dance, painting, sculpture, architecture,  
7856 literature, films and allied arts and crafts. All funds received by the  
7857 foundation shall be held in the manner prescribed by sections 4-37e to  
7858 4-37j, inclusive; and (5) to perform such other acts as may be necessary  
7859 or appropriate to carry out the objectives and purposes of the  
7860 commission. The General Assembly declares that all activities  
7861 undertaken in carrying out the policies set forth in this chapter shall be  
7862 directed toward encouraging and assisting, rather than in any way

7863 limiting, the freedom of artistic expression that is essential for the well-  
7864 being of the arts. Said commission shall maintain a survey of public  
7865 and private facilities engaged within the state in artistic and cultural  
7866 activities and determine the needs of the citizens of this state and the  
7867 methods by which existing resources may be utilized, or new resources  
7868 developed, to fulfill these needs. The commission shall maintain a  
7869 register of Connecticut artists. The name, town of residence and artistic  
7870 medium of any such artist residing in Connecticut shall be entered in  
7871 the register by the commission upon the artist's request.

7872 Sec. 221. Section 10-370a of the general statutes is repealed and the  
7873 following is substituted in lieu thereof (*Effective from passage*):

7874 The [State Commission on the Arts] Connecticut Commission on  
7875 Arts, Tourism, Culture, History and Film, established under section 1  
7876 of this act, shall establish and administer a "special incentive grant  
7877 program" to provide financial assistance for artistic and cultural  
7878 programs and activities pursuant to subdivision (2) of section 10-370,  
7879 as amended by this act. No state funds appropriated to the commission  
7880 for the purposes of said program shall be disbursed unless one-third of  
7881 the amount of such financial assistance consists of nonfederal funds  
7882 raised and received by said commission.

7883 Sec. 222. Section 10-370b of the general statutes is repealed and the  
7884 following is substituted in lieu thereof (*Effective from passage*):

7885 (a) For purposes of this section the following terms have the  
7886 following meanings:

7887 (1) "Work of art" means any work of visual art, including but not  
7888 limited to, a drawing, painting, sculpture, mosaic, photograph, work of  
7889 calligraphy or work of graphic art or mixed media;

7890 (2) "Connecticut artists" means artists born in Connecticut, artists  
7891 who have worked in or received a portion of their training in  
7892 Connecticut, or artists living in Connecticut at the time of the purchase

7893 of their works of art.

7894 (b) The Connecticut Commission on [the Arts] Arts, Tourism,  
7895 Culture, History and Film, established under section 210 of this act,  
7896 may establish and administer a state art collection.

7897 (c) The Connecticut Commission on [the Arts] Arts, Tourism,  
7898 Culture, History and Film, established under section 210 of this act,  
7899 shall establish policies and procedures with respect to the activities of  
7900 the art collection and perform every other matter and thing requisite to  
7901 the proper management, maintenance, support and control of the  
7902 Connecticut art collection.

7903 (d) The art collection shall be representative of various media,  
7904 diverse styles and periods of Connecticut artists and shall be  
7905 representative of Connecticut's ethnic, racial and cultural groups.

7906 (e) The Connecticut Commission on [the Arts] Arts, Tourism,  
7907 Culture, History and Film, established under section 210 of this act,  
7908 may apply for and receive aid or grants from individuals, private  
7909 artists, state sources, private foundations, local arts organizations and  
7910 the federal government for the state art collection.

7911 Sec. 223. Section 10-373 of the general statutes is repealed and the  
7912 following is substituted in lieu thereof (*Effective from passage*):

7913 The [commission] Connecticut Commission on Arts, Tourism,  
7914 Culture, History and Film, established under section 210 of this act, is  
7915 designated as the state agency for the reception and disbursement of  
7916 federal, state and private moneys or other property made available on  
7917 or after July 1, 1965, for the purpose of fostering the arts within the  
7918 authority of the commission, in accordance with the standard state  
7919 fiscal procedures.

7920 Sec. 224. Section 10-373k of the general statutes is repealed and the  
7921 following is substituted in lieu thereof (*Effective from passage*):

7922 Any person otherwise qualifying for a loan or grant made by the  
7923 [Commission on the Arts] Connecticut Commission on Arts, Tourism,  
7924 Culture, History and Film, established under section 210 of this act,  
7925 shall not be disqualified by reason of being under the age of eighteen  
7926 years and for the purpose of applying for, receiving and repaying such  
7927 a loan, or entering into a contract concerning such loan or grant, any  
7928 such person shall be deemed to have full legal capacity to act and shall  
7929 have all the rights, powers, privileges and obligations of a person of  
7930 full age, with respect thereto.

7931 Sec. 225. Section 10-373n of the general statutes is repealed and the  
7932 following is substituted in lieu thereof (*Effective from passage*):

7933 For purposes of this section and sections 10-373o to 10-373q,  
7934 inclusive, as amended by this act:

7935 (1) "Arts organization" means a nonprofit organization in the state  
7936 which is exempt from taxation pursuant to Section 501(c)(3) of the  
7937 Internal Revenue Code of 1986, as from time to time amended, the  
7938 primary purpose of which is to create, perform, present or otherwise  
7939 promote the visual, performing or literary arts in the state, but shall  
7940 not mean an organization, the primary purpose of which is  
7941 instructional, or an organization, the primary purpose of which is to  
7942 receive contributions for and provide funding to arts organizations;

7943 (2) "Commission" means the [State Commission on the Arts]  
7944 Connecticut Commission on Arts, Tourism, Culture, History and Film,  
7945 established under section 210 of this act;

7946 (3) "Contribution" means cash, negotiable securities or other gifts of  
7947 similar liquidity;

7948 (4) "Donor" means a private organization, the primary purpose of  
7949 which is to receive contributions for and provide funding to arts  
7950 organizations, a private foundation or private corporation,  
7951 partnership, single proprietorship or association or person making a

7952 contribution to an arts organization;

7953 (5) "Fiscal year" means a period of twelve calendar months as  
7954 determined by the arts organization's bylaws.

7955 Sec. 226. Section 10-320b of the general statutes is repealed and the  
7956 following is substituted in lieu thereof (*Effective from passage*):

7957 [(a) The Connecticut Historical Commission shall consist of twelve  
7958 members to be appointed by the Governor. On or before January fifth  
7959 in the even-numbered years he shall appoint six members for terms of  
7960 four years each to replace those whose terms expire. One of such  
7961 members shall be the State Historian. Commencing on July 1, 1987,  
7962 members shall be appointed in accordance with the provisions of  
7963 section 4-9a. No member shall serve for more than two consecutive full  
7964 terms which commence after July 1, 1987. Any member who fails to  
7965 attend three consecutive meetings or who fails to attend fifty per cent  
7966 of all meetings held during any calendar year shall be deemed to have  
7967 resigned from office. The Governor shall biennially designate one  
7968 member of the commission to be chairman. The Governor shall fill any  
7969 vacancy for any unexpired portion of the term and he may remove any  
7970 commissioner as provided by section 4-12. No compensation shall be  
7971 received by the members of the commission but they shall be  
7972 reimbursed for their necessary expenses.]

7973 [(b) The commission may] (a) With respect to historical  
7974 preservation, there is established within the Connecticut Commission  
7975 on Arts, Tourism, Culture, History and Film, established under section  
7976 210 of this act, an Historic Preservation Council. The Historic  
7977 Preservation Council shall consist of twelve members to be appointed  
7978 by the Governor. On or before January fifth in the even-numbered  
7979 years, the Governor shall appoint six members for terms of four years  
7980 each to replace those whose terms expire. One of such members shall  
7981 be the State Historian and one shall be the State Archaeologist.  
7982 Members shall be appointed in accordance with the provisions of  
7983 section 4-9a. No member shall serve for more than two consecutive full

7984 terms. Any member who fails to attend three consecutive meetings or  
7985 who fails to attend fifty per cent of all meetings held during any  
7986 calendar year shall be deemed to have resigned from office. The  
7987 Governor shall biennially designate one member of the council to be  
7988 chairperson. The Governor shall fill any vacancy for any unexpired  
7989 portion of the term and may remove any member as provided by  
7990 section 4-12. No compensation shall be received by the members of the  
7991 council but they shall be reimbursed for their necessary expenses. The  
7992 Connecticut Commission on Arts, Tourism, Culture, History and Film  
7993 may, with the advice of the Historic Preservation Council, (1) study  
7994 and investigate historic structures and landmarks in this state and  
7995 encourage and recommend the development, preservation and  
7996 marking of such historic structures and landmarks found to have  
7997 educational, recreational and historical significance; (2) prepare, adopt  
7998 and maintain standards for a state register of historic places; (3) update  
7999 and keep current the state historic preservation plan; (4) administer the  
8000 National Register of Historic Places Program; (5) assist owners of  
8001 historic structures in seeking federal or other aid for historic  
8002 preservation and related purposes; [(6) cooperate with the Department  
8003 of Economic and Community Development by furnishing data,  
8004 historical facts and findings which will enable said department to  
8005 promote and publicize the existence of historic structures and  
8006 landmarks within the state either of a public nature or operated and  
8007 maintained by nonprofit organizations; (7)] (6) recommend to the  
8008 General Assembly the placing and maintaining of suitable markers,  
8009 memorials or monuments or other edifices to designate historic  
8010 structures and landmarks found to have historical significance; [(8)] (7)  
8011 make recommendations to the General Assembly regarding the  
8012 development and preservation of historic structures and landmarks  
8013 owned by the state; [(9)] (8) maintain a program of historical,  
8014 architectural, and archaeological research and development including  
8015 surveys, excavation, scientific recording, interpretation and publication  
8016 of the historical, architectural, archaeological and cultural resources of  
8017 the state; [(10)] (9) cooperate with promotional, patriotic, educational

8018 and research groups and associations, with local, state and national  
8019 historical societies, associations and commissions, with agencies of the  
8020 state and its political subdivisions and with the federal government, in  
8021 promoting and publicizing the historical heritage of Connecticut; [(11)]  
8022 (10) formulate standards and criteria to guide the several  
8023 municipalities in the evaluation, delineation and establishment of  
8024 historic districts; [(12)] (11) cooperate with the State Building Inspector,  
8025 the Codes and Standards Committee and other building officials and  
8026 render advisory opinions and prepare documentation regarding the  
8027 application of the State Building Code to historic structures and  
8028 landmarks if requested by owners of historic structures and  
8029 landmarks, the State Building Inspector, the Codes and Standards  
8030 Committee or other building officials; [(13)] (12) review planned state  
8031 and federal actions to determine their impact on historic structures and  
8032 landmarks; [(14)] (13) operate the Henry Whitfield House of Guilford,  
8033 otherwise known as the Old Stone House, as a state historical museum  
8034 and, in its discretion, charge a fee for admission to said museum and  
8035 account for and deposit the same as provided in section 4-32; [(15)] (14)  
8036 provide technical and financial assistance to carry out the purposes of  
8037 [this chapter; (16)] this section and sections 10-320c to 10-320j,  
8038 inclusive, as amended by this act; (15) adopt regulations in accordance  
8039 with the provisions of chapter 54 for the preservation of sacred sites  
8040 and archaeological sites; [, and (17)] and (16) inventory state lands to  
8041 identify sacred sites and archaeological sites. The commission shall  
8042 study the feasibility of establishing a state museum of Connecticut  
8043 history at an appropriate existing facility. The Historic Preservation  
8044 Council shall (A) review and approve or disapprove requests by  
8045 owners of historic properties on which the commission holds  
8046 preservation easements to perform rehabilitation work on sacred sites  
8047 and archaeological sites; (B) request the assistance of the Attorney  
8048 General to prevent the unreasonable destruction of historic properties  
8049 pursuant to the provisions of section 22a-19a; and (C) place and  
8050 maintain suitable markers, memorials or monuments to designate sites  
8051 or places found to have historic significance. The council shall meet

8052 monthly. The Connecticut Trust for Historic Preservation may provide  
8053 technical assistance to the council.

8054 [(c) The Connecticut Historical Commission shall be within the State  
8055 Library for administrative purposes only.]

8056 [(d)] (b) Notwithstanding the provisions of this section or section 1-  
8057 210, the Connecticut [Historical Commission] Commission on Arts,  
8058 Tourism, Culture, History and Film may withhold from disclosure to  
8059 the public information relating to the location of archaeological sites  
8060 under consideration for listing by the [State Historical Commission]  
8061 commission or those listed on the National Register of Historic Places  
8062 or the state register of historic places whenever the commission  
8063 determines that disclosure of specific information would create a risk  
8064 of destruction or harm to such sites. [On and after July 1, 1982, the] The  
8065 provisions of this subsection shall not apply to any such site unless the  
8066 person who reported or discovered such site has submitted a written  
8067 statement to the commission requesting that no disclosure be made.  
8068 Upon receipt of such statement, the commission may withhold such  
8069 information from disclosure until the July first next succeeding such  
8070 receipt. Such person may request that a period of nondisclosure be  
8071 extended by submitting such statements prior to July first of any year,  
8072 [subsequent to 1982.]

8073 [(e) The Connecticut Historical Commission] (c) The Historic  
8074 Preservation Council of the Commission on Arts, Tourism, Culture,  
8075 History and Film shall develop a model ballot form to be mailed by  
8076 clerks of municipalities on the question of creation of historic districts  
8077 or districts as provided for in section 7-147a to 7-147k, inclusive.

8078 Sec. 227. Section 10-320c of the general statutes is repealed and the  
8079 following is substituted in lieu thereof (*Effective from passage*):

8080 For the purposes of sections 10-320b to 10-320h, inclusive, as  
8081 amended by this act, "commission" [shall mean] means the Connecticut  
8082 [Historical Commission] Commission on Arts, Tourism, Culture,

8083 History and Film established under section [10-320b] 210 of this act;  
8084 "municipality" shall include any town, city or borough; "private  
8085 organization" [shall mean] means a nonprofit organization which has  
8086 the power to acquire, relocate, restore and maintain historic structures  
8087 and landmarks in the state of Connecticut; "historic district" [shall  
8088 mean] means an area in a municipality established under section 7-  
8089 147a or by special act; "historic structures and landmarks" [shall mean]  
8090 means any building, structure, object or site that is significant in  
8091 American history, architecture, archaeology and culture or property  
8092 used in connection therewith including sacred sites and archaeological  
8093 sites; "historic preservation" [shall mean] means research, protection,  
8094 restoration, stabilization and adaptive use of buildings, structures,  
8095 objects, districts, areas and sites significant in the history, architecture,  
8096 archaeology or culture of this state, its municipalities or the nation; and  
8097 "state register of historic places" [shall mean] means the commission's  
8098 itemized list locating and classifying historic structures and landmarks  
8099 throughout the state, as discovered in the commission's field survey of  
8100 1966-1967 and as subsequently augmented.

8101 Sec. 228. Section 10-320e of the general statutes is repealed and the  
8102 following is substituted in lieu thereof (*Effective from passage*):

8103 (a) The commission may provide an appropriate plaque or marker  
8104 at a cost, to be determined by the commission, to the recipient for  
8105 attachment to an historic structure or landmark identifying it as a  
8106 Connecticut historical landmark within the criteria adopted by the  
8107 commission and as identified through the state register of historic  
8108 places, if the owner agrees to display such plaque or marker in a  
8109 manner satisfactory to the commission. Any such plaque or marker  
8110 may be repossessed by the commission if the historic structure or  
8111 landmark is not maintained in a manner satisfactory to the  
8112 commission.

8113 (b) The Connecticut [Historical Commission] Commission on Arts,  
8114 Tourism, Culture, History and Film, established under section 210 of

8115 this act, in conjunction with the Amistad Committee, Inc., New Haven,  
8116 shall establish a Freedom Trail for the state of Connecticut which  
8117 marks, with plaques, the sites [of the underground railroad and related  
8118 sites] related to minority history. The [Department of Economic and  
8119 Community Development] commission shall establish a program to  
8120 publicize the existence of the Freedom Trail and shall publish a  
8121 brochure which indicates the location and history of the sites.

8122 Sec. 229. Section 10-320h of the general statutes is repealed and the  
8123 following is substituted in lieu thereof (*Effective from passage*):

8124 (a) In making any grants-in-aid or providing any plaques or  
8125 markers or making any direct expenditures for purposes of acquisition,  
8126 relocation, restoration, maintenance or operation under sections 10-  
8127 320c to 10-320g, inclusive, and this section the commission shall utilize  
8128 any programs of the federal government in concert with its actions so  
8129 as to reduce the amount of state or local expenditures hereunder. The  
8130 state, acting through the commission, and any municipality may  
8131 receive from the federal government any financial or technical  
8132 assistance which may be available to it for the purpose of acquisition,  
8133 historic preservation or operation of historic structures or landmarks  
8134 and may also receive from any source gifts, devises, bequests or  
8135 legacies.

8136 (b) The commission may enter into and carry out contracts with the  
8137 federal government or any agency thereof under which said  
8138 government or agency grants financial or other assistance to the  
8139 commission to further the purposes of [this chapter] sections 10-320b  
8140 to 10-320j, inclusive, as amended by this act. The commission may  
8141 agree to and comply with any reasonable conditions not inconsistent  
8142 with state law which are imposed on such grants. The commission  
8143 may further enter into and carry out contracts with municipalities or  
8144 their agencies and with any private party to disburse federal funds to  
8145 further the purpose of [this chapter] sections 10-320b to 320j, inclusive,  
8146 as amended by this act.

8147 Sec. 230. Subdivision (1) of subsection (a) of section 10-320j of the  
8148 general statutes is repealed and the following is substituted in lieu  
8149 thereof (*Effective from passage*):

8150 (1) "Commission" means the Connecticut [Historical Commission]  
8151 Commission on Arts, Tourism, Culture, History and Film established  
8152 under section [10-320b] 210 of this act.

8153 Sec. 231. Section 32-86a of the general statutes is repealed and the  
8154 following is substituted in lieu thereof (*Effective from passage*):

8155 [(a) There is established within the Department of Economic and  
8156 Community Development a Connecticut Film, Video and Media  
8157 Office. The office shall be administered by an executive director, who  
8158 shall be appointed by the Commissioner of Economic and Community  
8159 Development from a list of nominees submitted to the commissioner  
8160 by the Connecticut Film, Video and Media Commission. The executive  
8161 director shall have substantial experience in the film, video and media  
8162 fields and shall be exempt from the classified service.

8163 (b) The Department of Economic and Community Development  
8164 shall provide additional necessary personnel and resources to enable  
8165 the office to perform its tasks and to assist the Connecticut Film, Video  
8166 and Media Commission.]

8167 [(c) The office] With respect to film activities, the Connecticut  
8168 Commission on Arts, Tourism, Culture, History and Film, established  
8169 under section 210 of this act shall have the following powers and  
8170 duties:

8171 (1) To promote the use of Connecticut locations, facilities and  
8172 services for the production of films, videos, television programs, audio  
8173 recordings and other media-related products;

8174 (2) To provide support services to visiting and in-state production  
8175 companies, including assistance to film, video and other media  
8176 producers in securing location permits from state agencies, authorities

8177 or institutions or municipalities or other political subdivisions of the  
8178 state;

8179 (3) To develop and update a resource library concerning the many  
8180 possible state sites which are suitable for filming and taping;

8181 (4) To develop and update a production manual of available film,  
8182 video and media production facilities and services in the state;

8183 (5) To conduct and attend trade shows and production workshops  
8184 to promote Connecticut locations and facilities;

8185 (6) To prepare an explanatory guide showing the impact of relevant  
8186 state and municipal tax statutes, regulations and administrative  
8187 opinions on typical production activities;

8188 (7) To formulate and propose guidelines for standardized permits to  
8189 be used by state agencies which shall be as close to a "one stop  
8190 permitting" process as possible, for matters including, but not limited  
8191 to, the use of state roads and highways, the use of state-owned real or  
8192 personal property for production activities and the conduct of  
8193 regulated activities, and to hold workshops to assist state agencies in  
8194 implementing such process;

8195 (8) To formulate and recommend to municipalities model local  
8196 ordinances to assist production activities, including, but not limited to,  
8197 "one stop permitting" of film, video and other media production  
8198 activity to be conducted in a municipality, and to hold workshops to  
8199 assist municipalities in implementing such ordinances;

8200 (9) To accept any funds, gifts, donations, bequests or grants of funds  
8201 from private and public sources for the purposes of [sections 32-86 to  
8202 32-86b, inclusive, 32-87, 32-87a, 32-88 and 32-90] this section;

8203 (10) To request and obtain from any state agency, authority or  
8204 institution or any municipality or other political subdivision of the  
8205 state such assistance and data as will enable the [office] commission to

8206 carry out the purposes of [sections 32-86 to 32-86b, inclusive, 32-87, 32-  
8207 87a, 32-88 and 32-90] this section;

8208 (11) To assist and promote cooperation among all segments of  
8209 management and labor that are engaged in film, video or other media  
8210 production;

8211 [(12) To create advisory councils to carry out the purposes of  
8212 sections 32-86 to 32-86b, inclusive, 32-87, 32-87a, 32-88 and 32-90;]

8213 [(13)] (12) To develop criteria for use by the Department of  
8214 Economic and Community Development, the Connecticut  
8215 Development Authority, Connecticut Innovations, Incorporated, and  
8216 other state agencies and authorities in awarding financial assistance for  
8217 the production of films, videos and other media projects in the state.  
8218 The criteria shall (A) provide for a secured position for the state, and  
8219 (B) give preference to projects having significant advance sales or other  
8220 commitments; and

8221 [(14)] (13) To take any other administrative action which may  
8222 improve the position of the state's film, video and media production  
8223 industries in national and international markets.

8224 [(d) Not later than January fifteenth, annually, the executive director  
8225 of the Connecticut Film, Video and Media Office shall submit a report  
8226 to the Connecticut Film, Video and Media Commission on the  
8227 activities of the office and the estimated direct and indirect economic  
8228 impact of film, video, television, cable television-related, audio  
8229 recording and other media production activity in the state, during the  
8230 preceding calendar year.]

8231 Sec. 232. Subsection (c) of section 2-90 of the general statutes is  
8232 repealed and the following is substituted in lieu thereof (*Effective from*  
8233 *passage*):

8234 (c) Said auditors shall audit, on a biennial basis if deemed most  
8235 economical and efficient, or as frequently as they deem necessary, the

8236 books and accounts of each officer; [ ] department; [ ] commission,  
8237 including the Connecticut Commission on Arts, Tourism, Culture,  
8238 History and Film; board and court of the state government; [ ] all  
8239 institutions supported by the state and all public and quasi-public  
8240 bodies, politic and corporate, created by public or special act of the  
8241 General Assembly and not required to be audited or subject to  
8242 reporting requirements, under the provisions of chapter 111. Each such  
8243 audit may include an examination of performance in order to  
8244 determine effectiveness in achieving expressed legislative purposes.  
8245 The auditors shall report their findings and recommendations to the  
8246 Governor, the State Comptroller, the joint standing committee of the  
8247 General Assembly having cognizance of matters relating to  
8248 appropriations and the budgets of state agencies, and the Legislative  
8249 Program Review and Investigations Committee.

8250 Sec. 233. Subdivision (10) of section 4-230 of the general statutes is  
8251 repealed and the following is substituted in lieu thereof (*Effective from*  
8252 *passage*):

8253 (10) "Audited agency" means a fire district, fire and sewer district,  
8254 sewer district or other municipal utility, the Metropolitan District of  
8255 Hartford County, a regional board of education, a regional planning  
8256 agency, any other political subdivision of similar character which is  
8257 created or any other agency created or designated by a municipality to  
8258 act for such municipality whose average annual receipts from all  
8259 sources exceed two hundred thousand dollars or any tourism district  
8260 established under section [32-302] 215 of this act.

8261 Sec. 234. Subdivision (15) of section 4-230 of the general statutes is  
8262 repealed and the following is substituted in lieu thereof (*Effective from*  
8263 *passage*):

8264 (15) "Tourism district" means a district established under section  
8265 [32-302] 215 of this act.

8266 Sec. 235. Subsection (h) of section 7-147b of the general statutes is

8267 repealed and the following is substituted in lieu thereof (*Effective from*  
8268 *passage*):

8269 (h) The form of the ballot to be mailed to each owner shall be  
8270 consistent with the model ballot prepared by the [Connecticut  
8271 Historical Commission] Historic Preservation Council of the  
8272 Connecticut Commission on Arts, Tourism, Culture, History and Film  
8273 established pursuant to section 10-320b, as amended by this act. The  
8274 ballot shall be a secret ballot and shall set the date by which such  
8275 ballots shall be received by the clerk of the municipality. The ballots  
8276 shall be mailed by first class mail to each owner eligible to vote in such  
8277 balloting at least fifteen days in advance of the day on which ballots  
8278 must be returned. Notice of balloting shall be published in the form of  
8279 a legal advertisement appearing in a newspaper having a substantial  
8280 circulation in the municipality at least twice, at intervals of not less  
8281 than two days, the first not more than fifteen days nor less than ten  
8282 days and the last not less than two days before the day on which the  
8283 ballots must be returned. Such ballot shall be returned to the municipal  
8284 clerk, inserted in an inner envelope which shall have endorsed on the  
8285 face thereof a form containing a statement as follows: "I, the  
8286 undersigned, do hereby state under the penalties of false statement  
8287 that I am an owner of record of real property to be included in the  
8288 proposed historic district and that I am, or my predecessors in title  
8289 were, liable to the municipality for taxes on an assessment of not less  
8290 than one thousand dollars on the last grand list of the municipality of  
8291 real property within the district, or who would be or would have been  
8292 so liable if not entitled to an exemption under subdivision (7), (8), (10),  
8293 (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or  
8294 (49) of section 12-81." Such statement shall be signed and dated. Any  
8295 person who intentionally falsely signs such ballot shall be guilty of  
8296 false statement as defined in section 53a-157b. The inner envelope, in  
8297 which the ballot has been inserted by the owner, shall be returned to  
8298 the municipal clerk in an outer envelope endorsed on the outside with  
8299 the words: "Official ballot". Such outer envelope shall also contain, in  
8300 the upper left corner of the face thereof, blank spaces for the name and

8301 return address of the sender. In the lower left corner of such outer  
8302 envelope, enclosed in a printed box, there shall be spaces upon which  
8303 the municipal clerk, before issuance of the ballot and envelopes, shall  
8304 inscribe the name, street and number of the elector's voting residence  
8305 and the date by which the ballot must be returned, and before issuance  
8306 the municipal clerk shall similarly inscribe such envelope with his  
8307 name and address for the return thereof. All outer envelopes shall be  
8308 serially numbered. The ballots shall be returned to the municipal clerk  
8309 by the close of business on the day specified, and such clerk shall  
8310 compare each ballot to the list of property owners to whom such  
8311 ballots were mailed to insure that each such ballot has been properly  
8312 signed and returned.

8313 Sec. 236. Subdivision (1) of section 7-425 of the general statutes is  
8314 repealed and the following is substituted in lieu thereof (*Effective from*  
8315 *passage*):

8316 (1) "Municipality" means any town, city, borough, school district,  
8317 taxing district, fire district, district department of health, probate  
8318 district, housing authority, regional work force development board  
8319 established under section 31-3k, regional emergency  
8320 telecommunications center, tourism district established under section  
8321 [32-302] 215 of this act, flood commission or authority established by  
8322 special act or regional planning agency.

8323 Sec. 237. Subsection (b) of section 10a-111a of the general statutes is  
8324 repealed and the following is substituted in lieu thereof (*Effective from*  
8325 *passage*):

8326 (b) The State Historian shall: (1) Be a member of the [Connecticut  
8327 Historical Commission pursuant to section 10-320b] Connecticut  
8328 Commission on Arts, Tourism, Culture, History and Film, established  
8329 pursuant to section 210 of this act, (2) edit or supervise the editing and  
8330 publication of the public records of the state, (3) provide information  
8331 and advice to members of the government at all levels, (4) assist the  
8332 State Board of Education in efforts to promote the teaching of history

8333 in schools and teacher preparation programs, (5) respond to requests  
8334 for advice from historical societies, (6) respond to requests for  
8335 information on the state's history, (7) make public appearances and  
8336 addresses on the state's history, (8) prepare bibliographies and other  
8337 research aids relating to the history of the state, and (9) promote by  
8338 appropriate informative and educational programs the celebration or  
8339 commemoration of significant historical events.

8340 Sec. 238. Subsection (b) of section 12-15 of the general statutes is  
8341 repealed and the following is substituted in lieu thereof (*Effective from*  
8342 *passage*):

8343 (b) The commissioner may disclose (1) returns or return information  
8344 to (A) an authorized representative of another state agency or office,  
8345 upon written request by the head of such agency or office, when  
8346 required in the course of duty or when there is reasonable cause to  
8347 believe that any state law is being violated, or (B) an authorized  
8348 representative of an agency or office of the United States, upon written  
8349 request by the head of such agency or office, when required in the  
8350 course of duty or when there is reasonable cause to believe that any  
8351 federal law is being violated, provided no such agency or office shall  
8352 disclose such returns or return information, other than in a judicial or  
8353 administrative proceeding to which such agency or office is a party  
8354 pertaining to the enforcement of state or federal law, as the case may  
8355 be, in a form which can be associated with, or otherwise identify,  
8356 directly or indirectly, a particular taxpayer except that the names and  
8357 addresses of jurors or potential jurors and the fact that the names were  
8358 derived from the list of taxpayers pursuant to chapter 884 may be  
8359 disclosed by the judicial branch; (2) returns or return information to  
8360 the Auditors of Public Accounts, when required in the course of duty  
8361 under chapter 23; (3) returns or return information to tax officers of  
8362 another state or of a Canadian province or of a political subdivision of  
8363 such other state or province or of the District of Columbia or to any  
8364 officer of the United States Treasury Department or the United States  
8365 Department of Health and Human Services, authorized for such

8366 purpose in accordance with an agreement between this state and such  
8367 other state, province, political subdivision, the District of Columbia or  
8368 department, respectively, when required in the administration of taxes  
8369 imposed under the laws of such other state, province, political  
8370 subdivision, the District of Columbia or the United States, respectively,  
8371 and when a reciprocal arrangement exists; (4) returns or return  
8372 information in any action, case or proceeding in any court of  
8373 competent jurisdiction, when the commissioner or any other state  
8374 department or agency is a party, and when such information is directly  
8375 involved in such action, case or proceeding; (5) returns or return  
8376 information to a taxpayer or its authorized representative, upon  
8377 written request for a return filed by or return information on such  
8378 taxpayer; (6) returns or return information to a successor, receiver,  
8379 trustee, executor, administrator, assignee, guardian or guarantor of a  
8380 taxpayer, when such person establishes, to the satisfaction of the  
8381 commissioner, that such person has a material interest which will be  
8382 affected by information contained in such returns or return  
8383 information; (7) information to the assessor or an authorized  
8384 representative of the chief executive officer of a Connecticut  
8385 municipality, when the information disclosed is limited to (A) a list of  
8386 real or personal property that is or may be subject to property taxes in  
8387 such municipality, or (B) a list containing the name of each person who  
8388 is issued any license, permit or certificate which is required, under the  
8389 provisions of this title, to be conspicuously displayed and whose  
8390 address is in such municipality; (8) real estate conveyance tax return  
8391 information or controlling interest transfer tax return information to  
8392 the town clerk or an authorized representative of the chief executive  
8393 officer of a Connecticut municipality to which the information relates;  
8394 (9) estate tax returns and estate tax return information to the Probate  
8395 Court Administrator or to the court of probate for the district within  
8396 which a decedent resided at the date of the decedent's death, or within  
8397 which the commissioner contends that a decedent resided at the date  
8398 of the decedent's death or, if a decedent died a nonresident of this  
8399 state, in the court of probate for the district within which real estate or

8400 tangible personal property of the decedent is situated, or within which  
8401 the commissioner contends that real estate or tangible personal  
8402 property of the decedent is situated; (10) returns or return information  
8403 to the Secretary of the Office of Policy and Management for purposes  
8404 of subsection (b) of section 12-7a; (11) return information to the Jury  
8405 Administrator, when the information disclosed is limited to the names,  
8406 addresses, federal Social Security numbers and dates of birth, if  
8407 available, of residents of this state, as defined in subdivision (1) of  
8408 subsection (a) of section 12-701; (12) pursuant to regulations adopted  
8409 by the commissioner, returns or return information to any person to  
8410 the extent necessary in connection with the processing, storage,  
8411 transmission or reproduction of such returns or return information,  
8412 and the programming, maintenance, repair, testing or procurement of  
8413 equipment, or the providing of other services, for purposes of tax  
8414 administration; (13) without written request and unless the  
8415 commissioner determines that disclosure would identify a confidential  
8416 informant or seriously impair a civil or criminal tax investigation,  
8417 returns and return information which may constitute evidence of a  
8418 violation of any civil or criminal law of this state or the United States to  
8419 the extent necessary to apprise the head of such agency or office  
8420 charged with the responsibility of enforcing such law, in which event  
8421 the head of such agency or office may disclose such return information  
8422 to officers and employees of such agency or office to the extent  
8423 necessary to enforce such law; (14) names and addresses of operators,  
8424 as defined in section 12-407, to tourism districts, as defined in section  
8425 [32-302] 215 of this act; and (15) names of each licensed dealer, as  
8426 defined in section 12-285, and the location of the premises covered by  
8427 the dealer's license.

8428 Sec. 239. Subsection (93) of section 12-412 of the general statutes is  
8429 repealed and the following is substituted in lieu thereof (*Effective from*  
8430 *passage*):

8431 (93) Sales of tangible personal property or services to any tourism  
8432 district, as defined in section [32-302] 215 of this act.

8433 Sec. 240. Subsection (i) of section 32-656 of the general statutes is  
8434 repealed and the following is substituted in lieu thereof (*Effective from*  
8435 *passage*):

8436 (i) The secretary and the authority shall jointly select and appoint an  
8437 independent construction contract compliance officer or agent, which  
8438 may be an officer or agency of a political subdivision of the state, other  
8439 than the authority, or a private consultant experienced in similar  
8440 public contract compliance matters, to monitor compliance by the  
8441 secretary, the authority, the project manager and each prime  
8442 construction contractor with the provisions of applicable state law,  
8443 including subdivision (1) of section 12-412, subsection (a) of section 12-  
8444 498, sections 12-541 and 13a-25, subdivision (1) of section 22a-134,  
8445 [subsection (f) of section 32-305,] section 32-600, subsection (c) of  
8446 section 32-602, subsection (e) of section 32-605, section 32-610,  
8447 subsections (a) and (b) of section 32-614, sections 32-617, 32-617a, 32-  
8448 650, 32-651 to 32-658, inclusive, 32-660 and 32-661, subsection (b) of  
8449 section 32-662, section 32-663, subsections (j) to (l), inclusive, of section  
8450 32-664, sections 32-665 to 32-666a, inclusive, sections 32-668 and 48-21  
8451 and sections 29 and 30 of public act 00-140\*, and with applicable  
8452 requirements of contracts with the secretary or the authority, relating  
8453 to set-asides for small contractors and minority business enterprises  
8454 and required efforts to hire available and qualified members of  
8455 minorities and available and qualified residents of the city of Hartford  
8456 and the town of East Hartford for construction jobs with respect to the  
8457 overall project and the on-site related private development. Such  
8458 independent contract compliance officer or agent shall file a written  
8459 report of his or her findings and recommendations with the secretary  
8460 and the authority each quarter during the period of project  
8461 development.

8462 Sec. 241. Section 4-5 of the general statutes is repealed and the  
8463 following is substituted in lieu thereof (*Effective from passage*):

8464 As used in sections 4-6, 4-7 and 4-8, the term "department head"

8465 means Secretary of the Office of Policy and Management,  
8466 Commissioner of Administrative Services, Commissioner of Revenue  
8467 Services, Commissioner of Banking, Commissioner of Children and  
8468 Families, Commissioner of Consumer Protection, Commissioner of  
8469 Correction, Commissioner of Economic and Community Development,  
8470 State Board of Education, Commissioner of Environmental Protection,  
8471 Commissioner of Agriculture, Commissioner of Public Health,  
8472 Insurance Commissioner, Labor Commissioner, Liquor Control  
8473 Commission, Commissioner of Mental Health and Addiction Services,  
8474 Commissioner of Public Safety, Commissioner of Social Services,  
8475 Commissioner of Mental Retardation, Commissioner of Motor  
8476 Vehicles, Commissioner of Transportation, Commissioner of Public  
8477 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
8478 Care Access, Chief Information Officer, [and] the chairperson of the  
8479 Public Utilities Control Authority and the executive director of the  
8480 Connecticut Commission on Arts, Tourism, Culture, History and Film.

8481 Sec. 242. Section 26-55 of the general statutes, as amended by public  
8482 act 03-192, is repealed and the following is substituted in lieu thereof  
8483 (*Effective October 1, 2003*):

8484 No person shall import or introduce into the state, or possess or  
8485 liberate therein, any live fish, wild bird, wild mammal, reptile,  
8486 amphibian or invertebrate unless such person has obtained a permit  
8487 therefor from the commissioner provided nothing in this section shall  
8488 be construed to require such permit for any live fish, wild bird, wild  
8489 mammal, reptile amphibian or invertebrate that was imported,  
8490 introduced into the state, possessed or liberated in the state prior to  
8491 October 1, 2003. Such permit may be issued at the discretion of the  
8492 commissioner under such regulations as the commissioner may  
8493 prescribe. The commissioner may by regulation prescribe the numbers  
8494 of live fish, wild birds, wild mammals, reptiles, amphibians or  
8495 invertebrates of certain species which may be imported, possessed,  
8496 introduced into the state or liberated therein. The commissioner may  
8497 by regulation exempt certain species or groups of live fish from the

8498 permit requirements. The commissioner may by regulation determine  
8499 which species of wild birds, wild mammals, reptiles, amphibians or  
8500 invertebrates must meet permit requirements. The commissioner may  
8501 totally prohibit the importation, possession, introduction into the state  
8502 or liberation therein of certain species which the commissioner has  
8503 determined may be a potential threat to humans, agricultural crops or  
8504 established species of plants, fish, birds, mammals, reptiles,  
8505 amphibians or invertebrates. The commissioner may by regulation  
8506 exempt from permit requirements organizations or institutions such as  
8507 zoos, research laboratories, colleges or universities, public nonprofit  
8508 aquaria or nature centers where live fish, wild birds, wild mammals,  
8509 reptiles, amphibians or invertebrates are held in strict confinement.  
8510 Any such fish, bird, mammal, reptile, amphibian or invertebrate  
8511 illegally imported into the state or illegally possessed therein shall be  
8512 seized by any representative of the Department of Environmental  
8513 Protection and shall be disposed of as determined by the  
8514 commissioner. Any person, except as provided in section 26-55a, who  
8515 violates any provision of this section or any regulation issued by the  
8516 commissioner as herein provided shall be guilty of an infraction.  
8517 Importation, liberation or possession of each fish, wild bird, wild  
8518 mammal, reptile, amphibian or invertebrate in violation of this section  
8519 or such regulation shall be a separate and distinct offense and, in the  
8520 case of a continuing violation each day of continuance thereof shall be  
8521 deemed to be a separate and distinct offense.

8522 Sec. 243. (*Effective from passage*) (a) The sum of \$4,780,000  
8523 appropriated in various accounts, as determined by the Secretary of  
8524 the Office of Policy and Management, in section 11 of special act 01-1  
8525 of the June special session, as amended by section 19 of public act 02-1  
8526 of the May 9 special session, shall not lapse on June 30, 2003, and such  
8527 funds shall be transferred and made available during the fiscal year  
8528 ending June 30, 2004, for the following purposes: The sum of  
8529 \$4,480,000 shall be deposited in the Connecticut Commission on Arts,  
8530 Tourism, Culture, History and Film account for expenditure by the  
8531 Commission on Arts, Tourism, Culture, History and Film; the sum of

8532 \$125,000 shall be transferred to the Office of Policy and Management  
8533 for Other Expenses for the benefit of the Institute for Municipal and  
8534 Regional Policy at Central Connecticut State University; the sum of  
8535 \$50,000 shall be transferred to the Office of Policy and Management,  
8536 for Other Expenses, to support continuing activities of the Council on  
8537 Environmental Quality; the sum of \$100,000 shall be transferred to the  
8538 Office of Policy and Management, for Other Expenses, for a grant to  
8539 the Washington Center, in Washington, D. C., to benefit UConn and  
8540 CSU students obtaining college credit through internships in  
8541 Washington, D.C., and the sum of \$25,000 shall be transferred to the  
8542 Office of Policy and Management, for Other Expenses to be used at the  
8543 discretion of the Secretary.

8544 (b) The sum of \$400,000 appropriated to the Department of Social  
8545 Services, for Medicaid, in section 1 of public act 03-1 of the June 30  
8546 special session, shall be transferred to the Office of Policy and  
8547 Management, for Other Expenses, for use at the discretion of the  
8548 Secretary, during the fiscal year ending June 30, 2004.

8549 (c) The sum of \$100,000 appropriated to the Department of Social  
8550 Services for Other Expenses in section 1 of public act 03-1 of the June  
8551 30 special session shall be used for a grant to the Hartford Foundation  
8552 for Public Giving for the Children's Health Council during the fiscal  
8553 year ending June 30, 2004.

8554 (d) Up to \$100,000 appropriated to the Reserve for Salary  
8555 Adjustment, in section 1 of public act 03-1 of the June 30 special  
8556 session, may be transferred to the Department of Higher Education, for  
8557 Personal Services, to support one additional position at the  
8558 department.

8559 (e) The sum of \$70,000 appropriated to the Department of Higher  
8560 Education, for the Minority Advancement Program, in section 1 of  
8561 public act 03-1 of the June 30 special session, shall be transferred to  
8562 Other Expenses, to be used during the fiscal year ending June 30, 2004,  
8563 for an international initiative in Germany.

8564        Sec. 244. (*Effective from passage*) Sections 10-320i, 10-369, 10-371, 10-  
 8565        372, 10-372a, 10-373m, 13a-248, 32-86, 32-86b to 32-90, inclusive, 32-300  
 8566        to 32-305, inclusive, and subdivisions (13) and (14) of subsection (e) of  
 8567        section 2c-2b of the general statutes, section 20 of public act 03-2, as  
 8568        amended by section 47 of public act 03-1 of the June 30 special session,  
 8569        and sections 48, 85 and 91 of public act 03-1 of the June 30 special  
 8570        session are repealed.

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>
Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>
Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>
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Sec. 27	<i>from passage</i>
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Sec. 29	<i>from passage</i>

Sec. 30	<i>from passage</i>
Sec. 31	<i>from passage</i>
Sec. 32	<i>from passage</i>
Sec. 33	<i>from passage</i>
Sec. 34	<i>from passage</i>
Sec. 35	<i>from passage</i>
Sec. 36	<i>from passage</i>
Sec. 37	<i>from passage</i>
Sec. 38	<i>from passage</i>
Sec. 39	<i>from passage</i>
Sec. 40	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 41	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 42	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 43	<i>from passage</i>
Sec. 44	<i>from passage</i>
Sec. 45	<i>from passage</i>
Sec. 46	<i>from passage</i>
Sec. 47	<i>from passage</i>
Sec. 48	<i>from passage</i>
Sec. 49	<i>from passage</i>
Sec. 50	<i>from passage</i>
Sec. 51	<i>from passage</i>
Sec. 52	<i>October 1, 2003</i>
Sec. 53	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 54	<i>from passage and applicable to sales occurring on or after July 1, 2005</i>
Sec. 55	<i>from passage</i>
Sec. 56	<i>from passage</i>
Sec. 57	<i>from passage</i>
Sec. 58	<i>from passage</i>
Sec. 59	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 60	<i>from passage</i>
Sec. 61	<i>from passage</i>
Sec. 62	<i>from passage</i>
Sec. 63	<i>from passage</i>

Sec. 64	<i>from passage</i>
Sec. 65	<i>from passage</i>
Sec. 66	<i>from passage</i>
Sec. 67	<i>from passage</i>
Sec. 68	<i>from passage</i>
Sec. 69	<i>from passage</i>
Sec. 70	<i>October 1, 2003</i>
Sec. 71	<i>October 1, 2003</i>
Sec. 72	<i>from passage and applicable to taxable years commencing on and after January 1, 2003</i>
Sec. 73	<i>October 1, 2003</i>
Sec. 74	<i>October 1, 2003</i>
Sec. 75	<i>from passage</i>
Sec. 76	<i>from passage</i>
Sec. 77	<i>from passage</i>
Sec. 78	<i>from passage and applicable to income years commencing on or after January 1, 2003</i>
Sec. 79	<i>from passage</i>
Sec. 80	<i>from passage and applicable to income years commencing on or after January 1, 2003</i>
Sec. 81	<i>from passage and applicable to income years commencing on or after January 1, 2003</i>
Sec. 82	<i>from passage</i>
Sec. 83	<i>January 1, 2004</i>
Sec. 84	<i>January 1, 2004</i>
Sec. 85	<i>January 1, 2004</i>
Sec. 86	<i>January 1, 2004</i>
Sec. 87	<i>January 1, 2004</i>
Sec. 88	<i>January 1, 2004</i>
Sec. 89	<i>January 1, 2004</i>
Sec. 90	<i>January 1, 2004</i>
Sec. 91	<i>January 1, 2004</i>
Sec. 92	<i>January 1, 2004</i>
Sec. 93	<i>January 1, 2004</i>
Sec. 94	<i>January 1, 2004</i>
Sec. 95	<i>January 1, 2004</i>
Sec. 96	<i>January 1, 2004</i>
Sec. 97	<i>January 1, 2004</i>
Sec. 98	<i>January 1, 2004</i>
Sec. 99	<i>January 1, 2004</i>

Sec. 100	<i>January 1, 2004</i>
Sec. 101	<i>January 1, 2004</i>
Sec. 102	<i>January 1, 2004</i>
Sec. 103	<i>January 1, 2004</i>
Sec. 104	<i>from passage</i>
Sec. 105	<i>from passage</i>
Sec. 106	<i>from passage</i>
Sec. 107	<i>from passage</i>
Sec. 108	<i>from passage</i>
Sec. 109	<i>from passage</i>
Sec. 110	<i>from passage</i>
Sec. 111	<i>from passage</i>
Sec. 112	<i>from passage</i>
Sec. 113	<i>from passage</i>
Sec. 114	<i>from passage</i>
Sec. 115	<i>from passage</i>
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Sec. 139	<i>from passage</i>

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Sec. 140	<i>October 1, 2003</i>
Sec. 141	<i>October 1, 2003</i>
Sec. 142	<i>October 1, 2003</i>
Sec. 143	<i>October 1, 2003</i>
Sec. 144	<i>October 1, 2003</i>
Sec. 145	<i>from passage</i>
Sec. 146	<i>July 1, 2004</i>
Sec. 147	<i>July 1, 2004</i>
Sec. 148	<i>July 1, 2004</i>
Sec. 149	<i>from passage</i>
Sec. 150	<i>October 1, 2003</i>
Sec. 151	<i>from passage</i>
Sec. 152	<i>from passage</i>
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Sec. 165	<i>October 1, 2003</i>
Sec. 166	<i>from passage</i>
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Sec. 168	<i>from passage</i>
Sec. 169	<i>October 1, 2003</i>
Sec. 170	<i>from passage</i>
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Sec. 176	<i>from passage</i>
Sec. 177	<i>October 1, 2003</i>
Sec. 178	<i>from passage</i>
Sec. 179	<i>from passage</i>
Sec. 180	<i>from passage</i>

Sec. 181	<i>October 1, 2003</i>
Sec. 182	<i>October 1, 2003</i>
Sec. 183	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 184	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 185	<i>from passage</i>
Sec. 186	<i>from passage</i>
Sec. 187	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 188	<i>from passage</i>
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Sec. 242	<i>October 1, 2003</i>
Sec. 243	<i>from passage</i>
Sec. 244	<i>from passage</i>