



General Assembly

January Session, 2003

**Amendment**

LCO No. 5051

\*HB0535505051SD0\*

Offered by:

SEN. SULLIVAN, 5<sup>th</sup> Dist.  
SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. WILLIAMS, 29<sup>th</sup> Dist.  
SEN. PETERS, 20<sup>th</sup> Dist.  
SEN. MCDONALD, 27<sup>th</sup> Dist.

To: Subst. House Bill No. 5355

File No. 316

Cal. No. 213

**"AN ACT CONCERNING THE COMPOSITION OF THE JUDICIAL  
SELECTION COMMISSION."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsections (a) to (d), inclusive, of section 51-44a of the  
4 general statutes are repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (a) There is established a Judicial Selection Commission comprised  
7 of twelve members. [Two persons shall be appointed from each  
8 congressional district, one of whom shall be an attorney-at-law and  
9 one of whom shall not be an attorney-at-law.] Six of the members shall  
10 be attorneys-at-law and six of the members shall not be attorneys-at-  
11 law. Not more than six of the members shall belong to the same

12 political party. None of the members shall be an elected or appointed  
13 official of the state or hold state-wide office in a political party.

14 (b) The members of the commission shall be appointed as follows:  
15 [The Governor shall appoint six members, one from each congressional  
16 district, who shall be attorneys-at-law; the president pro tempore of  
17 the Senate and the speaker of the House of Representatives shall each  
18 appoint one member who shall not be an attorney-at-law; the majority  
19 leader of the Senate and the majority leader of the House of  
20 Representatives shall each appoint one member who shall not be an  
21 attorney-at-law; and the minority leader of the Senate and the minority  
22 leader of the House of Representatives shall each appoint one member,  
23 who shall not be an attorney-at-law.] The Governor shall appoint six  
24 members, one from each congressional district and one at-large  
25 member, three of whom shall be attorneys-at-law and three of whom  
26 shall not be attorneys-at-law; the president pro tempore of the Senate  
27 shall appoint one member who shall be an attorney-at-law; the speaker  
28 of the House of Representatives shall appoint one member who shall  
29 not be an attorney-at-law; the majority leader of the Senate shall  
30 appoint one member who shall not be an attorney-at-law; the majority  
31 leader of the House of Representatives shall appoint one member who  
32 shall be an attorney-at-law; the minority leader of the Senate shall  
33 appoint one member who shall not be an attorney-at-law; and the  
34 minority leader of the House of Representatives shall appoint one  
35 member who shall be an attorney-at-law.

36 (c) The members of the commission shall elect a [chairman]  
37 chairperson from among the members appointed by the Governor.

38 [(d) (1) The members first appointed by the Governor prior to June  
39 22, 1989, shall complete their terms of office. Of the members  
40 appointed by the Governor for terms commencing November 20, 1992,  
41 two members shall serve for a term of one year, two members shall  
42 serve for a term of two years and two members shall serve for a term  
43 of three years. Thereafter, the members of the commission so  
44 appointed shall serve for terms of three years. At the expiration of the

45 terms of the members appointed for terms commencing November 20,  
46 1992, such members shall be eligible for appointment to a consecutive  
47 term.

48 (2) The terms of office of the members first appointed by the  
49 legislative leaders prior to June 22, 1989, shall expire on September 30,  
50 1989. Such members shall be eligible for appointment to a term  
51 commencing October 1, 1989. Of the members whose terms commence  
52 October 1, 1989, the president pro tempore of the Senate and the  
53 speaker of the House of Representatives shall each appoint one  
54 member for a term of three years; the majority leader of the Senate and  
55 the majority leader of the House of Representatives shall each appoint  
56 one member for a term of one year; and the minority leader of the  
57 Senate and the minority leader of the House of Representatives shall  
58 each appoint one member for a term of two years. Thereafter, the  
59 members so appointed shall serve for terms of three years.]

60 (d) (1) The members of the commission shall serve for terms of three  
61 years.

62 (2) Members appointed on or after the effective date of this section  
63 shall serve for terms of three years and, notwithstanding the  
64 provisions of section 4-1, until their successors are appointed and have  
65 qualified or ninety days after the completion of their terms, whichever  
66 is earlier.

67 (3) Members serving on the effective date of this section shall  
68 continue to serve as members until the end of their terms and,  
69 notwithstanding the provisions of section 4-1, until their successors are  
70 appointed and have qualified or ninety days after the completion of  
71 their terms, whichever is earlier, except that members serving on the  
72 effective date of this section who have completed their terms and are  
73 still serving until their successors are appointed and have qualified shall,  
74 notwithstanding the provisions of section 4-1, continue to serve until  
75 their successors are appointed and have qualified, but not later than  
76 January 1, 2004.

77        [(3)] (4) Any vacancy in the membership of the commission shall be  
78 filled for the unexpired portion of the term by the appointing  
79 authority. The members of the commission shall receive no  
80 compensation for their services but shall be reimbursed for any  
81 necessary expenses incurred in the performance of their duties. [Except  
82 as provided in subdivisions (1) and (2) of this subsection, no member]

83        (5) No member of the commission may serve consecutive terms,  
84 [and if a] except that if, on or after the effective date of this section, a  
85 person is appointed a member of the commission to fill a vacancy and  
86 complete an unexpired term, such person may serve an additional  
87 term. If a commission member is an attorney, no member of [his] the  
88 commission member's firm may serve a term consecutive to such  
89 commission member.

90        Sec. 2. Section 9-9 of the general statutes is repealed and the  
91 following is substituted in lieu thereof (*Effective from passage*):

92        For the purpose of representation in the Congress of the United  
93 States, there shall be elected in the manner provided by law one  
94 representative from each of the [six] five congressional districts, [into  
95 which the state shall be divided, as follows:

96        (Districts omitted. See footnote\*.)]

97        Sec. 3. Section 10a-170h of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective from passage*):

99        Loan candidates shall make application to the Commissioner of  
100 Higher Education on such forms and at such time as prescribed by said  
101 commissioner. Loan recipients shall be selected by the Commissioners  
102 of Education and Higher Education, provided said commissioners  
103 shall consider affirmative action and equal opportunity goals when  
104 selections are made. In the event the number of eligible applicants is in  
105 excess of the number of loans available, academic standing and  
106 financial need may be considered by the commissioners in selecting  
107 loan recipients. Loans under this program shall be in an amount not

108 greater than five thousand dollars per year for not more than four  
109 years for students attending independent colleges and universities and  
110 not greater than three thousand dollars per year for not more than four  
111 years for students attending public colleges and universities. In order  
112 to maintain eligible status under this grant program, each recipient  
113 shall continue to be enrolled in an accredited college or university and  
114 shall demonstrate compliance with the academic standards established  
115 by the Commissioners of Education and Higher Education through an  
116 annual reapplication process, at such time and in such manner as  
117 prescribed by the Commissioner of Higher Education. No student shall  
118 receive the proceeds of a loan until said student has submitted a letter  
119 from an accredited college or university certifying full-time  
120 enrollment. Sixty per cent of the loans awarded annually shall be  
121 divided equally among the resident applicants of the state's [six] five  
122 congressional districts with the balance awarded on a state-wide basis.  
123 If any of the loans designated for resident applicants of any one  
124 congressional district are not accepted by a date to be determined by  
125 the Commissioner of Higher Education, all such loans not accepted  
126 shall be awarded on a state-wide basis.

127 Sec. 4. Section 22-63 of the general statutes is repealed and the  
128 following is substituted in lieu thereof (*Effective from passage*):

129 There shall continue to be a Marketing Authority within the  
130 Department of Agriculture. The authority shall continue to have and  
131 exercise the powers and duties authorized for it by this chapter. Such  
132 authority shall consist of eleven members. The authority shall be  
133 composed of one public member from each congressional district of  
134 the state, [an] two at-large public [member] members, the  
135 Commissioner of Agriculture or his designee, and the Commissioner  
136 of Economic and Community Development or his designee. The  
137 Governor shall appoint three members of the authority and the  
138 president pro tempore of the Senate, the Senate minority leader, the  
139 speaker of the House of Representatives and the minority leader of the  
140 House of Representatives shall each appoint one member. In addition,  
141 the Governor shall appoint two members of the authority who shall be

142 tenants of the Hartford market facility. Any vacancy in the  
143 membership of said authority shall be filled by appointment for the  
144 unexpired portion of the term. The name of the authority shall be  
145 "Connecticut Marketing Authority". The members of the authority  
146 shall serve without compensation, but their necessary expenses  
147 incurred in the performance of their duties shall be paid by the state.  
148 Any member absent from three consecutive meetings shall be deemed  
149 to have resigned. Notwithstanding any provision of the general  
150 statutes, the terms of all appointed members of the authority serving  
151 before and on January 1, 2004, shall expire on said date. Not later than  
152 January 1, 2004, new members shall be appointed to the authority in  
153 accordance with the provisions of this section and such members shall  
154 begin serving on said date and shall complete the terms of their  
155 predecessors.

156 Sec. 5. Subsections (b) and (c) of section 22a-134bb of the general  
157 statutes are repealed and the following is substituted in lieu thereof  
158 (*Effective from passage*):

159 (b) The powers of the service shall be vested in and exercised by a  
160 board of directors. The membership of the board shall consist of (1)  
161 four ex-officio nonvoting members which shall include the Secretary of  
162 the Office of Policy and Management or his designee, and the  
163 Commissioners of Public Health, Transportation and Environmental  
164 Protection or their designees, (2) six members appointed by the  
165 Governor, [each] at least one of whom shall be from [a different] each  
166 congressional district, and (3) one member appointed by the Governor  
167 who shall be the chairman of the board. Two of such members shall be  
168 representatives of the scientific community; two shall be  
169 representatives of the general public with no financial interest in the  
170 hazardous waste disposal industry and two shall be members of the  
171 business community. No elected official shall be eligible for  
172 appointment to the board during the term of his elected office. After  
173 the date upon which the board has selected a site for the location of a  
174 low-level radioactive waste facility, the Secretary of the Office of Policy  
175 and Management or his designee, and the Commissioners of Public

176 Health, Transportation and Environmental Protection or their  
177 designees shall become voting members of the board, provided if the  
178 Nuclear Regulatory Commission fails to approve the licensure of the  
179 facility such members of the board shall again become nonvoting  
180 members until such time as the board selects another site for the  
181 location of the facility.

182 (c) The terms of two of the initial appointments shall expire on the  
183 last day of January, 1984; the terms of two shall expire on the last day  
184 of January, 1985, and the terms of two shall expire on the last day of  
185 January, 1986. On or before the first day of January, 1984, and annually  
186 thereafter, the Governor shall appoint members to succeed the  
187 members whose term expires. Said members shall serve a term of four  
188 years. At the end of a term a member may continue to serve until a  
189 successor is appointed and qualified. A member shall be eligible for  
190 reappointment. Any vacancy occurring other than by expiration of a  
191 term shall be filled in the same manner as the original appointment for  
192 the balance of the unexpired term. Notwithstanding the provisions of  
193 this subsection, the terms of the six members appointed under  
194 subdivision (2) of subsection (b) of this section and serving before and  
195 on January 1, 2004, shall expire on said date. Not later than January 1,  
196 2004, the Governor shall appoint six new members in accordance with  
197 the provisions of said subdivision (2), who shall begin serving on said  
198 date and shall complete the terms of their predecessors.

199 Sec. 6. Subsection (b) of section 27-1021 of the general statutes is  
200 repealed and the following is substituted in lieu thereof (*Effective from*  
201 *passage*):

202 (b) The commissioner shall appoint a deputy, to administer a  
203 veterans' advocacy and assistance unit for the aid and benefit of  
204 veterans, their spouses and eligible dependents and family members.  
205 The unit shall have a staff of not less than eight men and women,  
206 including six service officers, and clerical personnel. The department  
207 head, the deputy commissioner and the service officers shall be  
208 veterans as defined in section 27-103 or veterans who were awarded

209 the armed forces expeditionary medal for service by the armed forces.  
210 At least one of the service officers shall be a woman having a  
211 demonstrated interest in the concerns of women veterans, who shall be  
212 responsible for addressing those concerns. Each service officer shall  
213 successfully complete a course in veterans' benefits within one year of  
214 commencement of employment and shall be assigned to one of the  
215 [six] five congressional districts of the state."

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>