



General Assembly

February Session, 2004

**Raised Bill No. 604**

LCO No. 2365

\*02365\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS  
TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.**

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

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 Section 1-1e of the general statutes is repealed and the  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

3 Nothing in sections 1-1d, 3-94b to 3-94e, inclusive, 7-6, 7-51, 7-53, as  
4 amended, 7-54, as amended, 7-172, as amended, 9-12, as amended, 10a-  
5 207, 14-14, 14-36, as amended, 14-40a, as amended, 14-41, as amended,  
6 14-44, as amended, 14-61, 14-73, 14-214, 14-276, 17a-1, 17a-152, 17b-75,  
7 17b-81, 17b-223, [17b-748,] 17b-745, as amended, 18-73, 18-87, as  
8 amended, 19a-512, 20-10, 20-130, 20-146, 20-188, 20-213, 20-217, 20-236,  
9 20-250, 20-252, 20-270, 20-291, as amended, 20-316, as amended, 20-361,  
10 20-590, as amended, 20-592, 26-38, 29-156a, 30-1, as amended, 30-45, as  
11 amended, 30-86a, as amended, 31-222, 38a-482, 38a-609, 38a-633, 38a-  
12 786, 45a-263, 45a-502, 45a-504, 45a-606, 45a-754, 46b-129, as amended,  
13 46b-215, as amended, 52-572, 53-304, 53-330, 53a-70 or 53a-87 shall  
14 impair or affect any act done, offense committed or right accruing,  
15 accrued or acquired, or an obligation, liability, penalty, forfeiture or  
16 punishment incurred prior to October 1, 1972, and the same may be

17 enjoyed, asserted and enforced, as fully and to the same extent and in  
18 the same manner as they might under the laws existing prior to said  
19 date, and all matters civil or criminal pending on said date or  
20 instituted thereafter for any act done, offense committed, right  
21 accruing, accrued, or acquired, or obligation, liability, penalty,  
22 forfeiture, or punishment incurred prior to said date may be continued  
23 or instituted under and in accordance with the provisions of the law in  
24 force at the time of the commission of said act done, offense  
25 committed, right accruing, accrued, or acquired, or obligation, liability,  
26 penalty, forfeiture or punishment incurred.

27 Sec. 2. Section 4-141 of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective from passage*):

29 As used in this chapter: "Claim" means a petition for the payment or  
30 refund of money by the state or for permission to sue the state; "just  
31 claim" means a claim which in equity and justice the state should pay,  
32 provided the state has caused damage or injury or has received a  
33 benefit; "person" means any individual, firm, partnership, corporation,  
34 limited liability company, association or other group, including  
35 political subdivisions of the state; "state agency" includes every  
36 department, division, board, office, commission, arm, agency and  
37 institution of the state government, whatever its title or function; [ ]  
38 and "state officers and employees" includes every person elected or  
39 appointed to or employed in any office, position or post in the state  
40 government, whatever such person's title, classification or function  
41 and whether such person serves with or without remuneration or  
42 compensation, including judges of probate courts and employees of  
43 such courts. In addition to the foregoing, "state officers and employees"  
44 includes attorneys appointed as victim compensation commissioners,  
45 attorneys appointed by the Public [Defenders] Defender Services  
46 Commission as public defenders, assistant public defenders or deputy  
47 assistant public defenders [ ] and attorneys appointed by the court as  
48 special assistant public defenders, the Attorney General, the Deputy  
49 Attorney General and any associate attorney general or assistant

50 attorney general, any other attorneys employed by any state agency,  
51 any commissioner of the Superior Court hearing small claims matters  
52 or acting as a fact-finder, arbitrator or magistrate or acting in any other  
53 quasi-judicial position, any person appointed to a committee  
54 established by law for the purpose of rendering services to the Judicial  
55 Department, including, but not limited to, the Legal Specialization  
56 Screening Committee, the State-Wide Grievance Committee, the Client  
57 Security Fund Committee, and the State Bar Examining Committee,  
58 any member of a multidisciplinary team established by the  
59 Commissioner of Children and Families pursuant to section 17a-106a,  
60 and any physicians or psychologists employed by any state agency.  
61 "State officers and employees" shall not include any medical or dental  
62 intern, resident or fellow of The University of Connecticut when (1) the  
63 intern, resident or fellow is assigned to a hospital affiliated with the  
64 university through an integrated residency program, and (2) such  
65 hospital provides protection against professional liability claims in an  
66 amount and manner equivalent to that provided by the hospital to its  
67 full-time physician employees.

68 Sec. 3. Section 4-165 of the general statutes is repealed and the  
69 following is substituted in lieu thereof (*Effective from passage*):

70 No state officer or employee shall be personally liable for damage or  
71 injury, not wanton, reckless or malicious, caused in the discharge of his  
72 duties or within the scope of his employment. Any person having a  
73 complaint for such damage or injury shall present it as a claim against  
74 the state under the provisions of this chapter. For the purposes of this  
75 section, "scope of employment" shall include, but not be limited to,  
76 representation by an attorney appointed by the Public Defender  
77 Services Commission as a public defender, assistant public defender or  
78 deputy assistant public defender or an attorney appointed by the court  
79 as a special assistant public defender of an indigent accused or of a  
80 child on a petition of delinquency, representation by such other  
81 attorneys, referred to in section 4-141, of state officers and employees,  
82 in actions brought against such officers and employees in their official

83 and individual capacities, the discharge of duties as a trustee of the  
84 state employees retirement system, the discharge of duties of a  
85 commissioner of the Superior Court hearing small claims matters or  
86 acting as a fact-finder, arbitrator or magistrate or acting in any other  
87 quasi-judicial position, and the discharge of duties of a person  
88 appointed to a committee established by law for the purpose of  
89 rendering services to the Judicial Department, including, but not  
90 limited to, the Legal Specialization Screening Committee, the State-  
91 Wide Grievance Committee, the Client Security Fund Committee and  
92 the State Bar Examining Committee; provided such actions arise out of  
93 the discharge of the duties or within the scope of employment of such  
94 officers or employees. For the purposes of this section, members or  
95 employees of the soil and water district boards established pursuant to  
96 section 22a-315 shall be considered state employees.

97 Sec. 4. Subsection (h) of section 7-147b of the general statutes, as  
98 amended by sections 210 and 235 of public act 03-6 of the June 30  
99 special session, is repealed and the following is substituted in lieu  
100 thereof (*Effective from passage*):

101 (h) The form of the ballot to be mailed to each owner shall be  
102 consistent with the model ballot prepared by the Historic Preservation  
103 Council of the Connecticut Commission on Arts, Tourism, Culture,  
104 History and Film established pursuant to section 10-320b, as amended.  
105 The ballot shall be a secret ballot and shall set the date by which such  
106 ballots shall be received by the clerk of the municipality. The ballots  
107 shall be mailed by first class mail to each owner eligible to vote in such  
108 balloting at least fifteen days in advance of the day on which ballots  
109 must be returned. Notice of balloting shall be published in the form of  
110 a legal advertisement appearing in a newspaper having a substantial  
111 circulation in the municipality at least twice, at intervals of not less  
112 than two days, the first not more than fifteen days [nor] or less than ten  
113 days and the last not less than two days before the day on which the  
114 ballots must be returned. Such ballot shall be returned to the municipal  
115 clerk, inserted in an inner envelope which shall have endorsed on the

116 face thereof a form containing a statement as follows: "I, the  
117 undersigned, do hereby state under the penalties of false statement  
118 that I am an owner of record of real property to be included in the  
119 proposed historic district and that I am, or my predecessors in title  
120 were, liable to the municipality for taxes on an assessment of not less  
121 than one thousand dollars on the last grand list of the municipality of  
122 real property within the district, or who would be or would have been  
123 so liable if not entitled to an exemption under subdivision (7), (8), (10),  
124 (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or  
125 (49) of section 12-81." Such statement shall be signed and dated. Any  
126 person who intentionally falsely signs such ballot shall be guilty of  
127 false statement as [defined] provided in section 53a-157b. The inner  
128 envelope, in which the ballot has been inserted by the owner, shall be  
129 returned to the municipal clerk in an outer envelope endorsed on the  
130 outside with the words: "Official ballot". Such outer envelope shall also  
131 contain, in the upper left corner of the face thereof, blank spaces for the  
132 name and return address of the sender. In the lower left corner of such  
133 outer envelope, enclosed in a printed box, there shall be spaces upon  
134 which the municipal clerk, before issuance of the ballot and envelopes,  
135 shall inscribe the name, street and number of the elector's voting  
136 residence and the date by which the ballot must be returned, and  
137 before issuance the municipal clerk shall similarly inscribe such  
138 envelope with his name and address for the return thereof. All outer  
139 envelopes shall be serially numbered. The ballots shall be returned to  
140 the municipal clerk by the close of business on the day specified, and  
141 such clerk shall compare each ballot to the list of property owners to  
142 whom such ballots were mailed to insure that each such ballot has  
143 been properly signed and returned.

144 Sec. 5. Subsection (i) of section 7-169 of the general statutes, as  
145 amended by section 1 of public act 03-178, is repealed and the  
146 following is substituted in lieu thereof (*Effective from passage*):

147 (i) Prizes offered for the winning of bingo games may consist of  
148 cash, merchandise, tickets for any lottery conducted under chapter 226,

149 the value of which shall be the purchase price printed on such tickets,  
150 or other personal property. No permittee may offer a prize which  
151 exceeds fifty dollars in value, except that (1) a permittee may offer a  
152 prize or prizes on any one day of not less than fifty-one dollars [nor] or  
153 more than two hundred dollars in value, provided the total value of  
154 such prizes on any one day does not exceed six hundred dollars, (2) a  
155 permittee may offer one or two winner-take-all games or series of  
156 games played on any day on which the permittee is allowed to  
157 conduct bingo, provided ninety per cent of all receipts from the sale of  
158 bingo cards for [said] such winner-take-all game or series of games  
159 shall be awarded as prizes and provided each prize awarded does not  
160 exceed five hundred dollars in value, (3) the holder of a Class A permit  
161 may offer two additional prizes on a weekly basis not to exceed one  
162 hundred twenty-five dollars each as a special grand prize and in the  
163 event such a special grand prize is not won, the money reserved for  
164 such prize shall be added to the money reserved for the next week's  
165 special grand prize, provided no such special grand prize may  
166 accumulate for more than sixteen weeks or exceed a total of two  
167 thousand dollars, and (4) a permittee may award door prizes the  
168 aggregate value of which shall not exceed two hundred dollars in  
169 value. When more than one player wins on the call of the same  
170 number, the designated prize shall be divided equally to the next  
171 nearest dollar. If a permittee elects, no winner may receive a prize  
172 which amounts to less than ten per cent of the announced prize and in  
173 such case the total of such multiple prizes may exceed the statutory  
174 limit of such game.

175 Sec. 6. Subsection (a) of section 8-7d of the general statutes, as  
176 amended by section 5 of public act 03-177, is repealed and the  
177 following is substituted in lieu thereof (*Effective from passage*):

178 (a) In all matters wherein a formal petition, application, request or  
179 appeal must be submitted to a zoning commission, planning and  
180 zoning commission [,] or zoning board of appeals under this chapter, a  
181 planning commission under chapter 126 or an inland wetlands agency

182 under chapter 440 and a hearing is required or otherwise held on such  
183 petition, application, request or appeal, such hearing shall commence  
184 within sixty-five days after receipt of such petition, application,  
185 request or appeal and shall be completed within thirty-five days after  
186 such hearing commences, unless a shorter period of time is required  
187 under this chapter or chapter 126 or 440. Notice of the hearing shall be  
188 published in a newspaper having a general circulation in such  
189 municipality where the land that is the subject of the hearing is located  
190 at least twice, at intervals of not less than two days, the first not more  
191 than fifteen days [ , nor] or less than ten days [,] and the last not less  
192 than two days before the date set for the hearing. In addition to such  
193 notice, such commission, board or agency may, by regulation, provide  
194 for notice to persons who own or occupy land that is adjacent to the  
195 land that is the subject of the hearing. All applications and maps and  
196 documents relating thereto shall be open for public inspection. At such  
197 hearing any person or persons may appear and be heard and may be  
198 represented by agent or by attorney. All decisions on such matters  
199 shall be rendered within sixty-five days after completion of such  
200 hearing unless a shorter period of time is required pursuant to this  
201 chapter, chapter 126 or chapter 440. The petitioner or applicant may  
202 consent to one or more extensions of any period specified in this  
203 subsection, provided the total extension of all such periods shall not be  
204 for longer than sixty-five days, or may withdraw such petition,  
205 application, request or appeal.

206 Sec. 7. Subsection (d) of section 9-150a of the general statutes, as  
207 amended by section 97 of public act 03-6 of the June 30 special session,  
208 is repealed and the following is substituted in lieu thereof (*Effective*  
209 *from passage*):

210 (d) (1) If the statement on the inner envelope has not been signed as  
211 required by section 9-140a, as amended, such inner envelope shall not  
212 be opened [nor] or the ballot removed therefrom, and such inner  
213 envelope shall be replaced in the opened outer envelope which shall be  
214 marked "Rejected" and the reason therefor endorsed thereon by the

215 counters. (2) If such statement is signed but the individual completing  
216 the ballot is an individual described in subsection (a) of section 90 of  
217 [this act] public act 03-6 of the June 30 special session and has not met  
218 the requirements of subsection (e) of section 90 of [this act] public act  
219 03-6 of the June 30 special session, the counters shall replace the ballot  
220 in the opened inner envelope, replace the inner envelope in the opened  
221 outer envelope and mark "Rejected as an Absentee Ballot" and endorse  
222 the reason for such rejection on the outer envelope, and the ballot shall  
223 be treated as a provisional ballot for federal offices only, pursuant to  
224 sections 83 to 89, inclusive, of [this act] public act 03-6 of the June 30  
225 special session.

226 Sec. 8. Section 9-391 of the general statutes, as amended by section  
227 22 of public act 03-241, is repealed and the following is substituted in  
228 lieu thereof (*Effective from passage*):

229 (a) Each endorsement of a candidate to run in a primary for the  
230 nomination of candidates for municipal office to be voted upon at a  
231 municipal election, or for the election of town committee members  
232 shall be made under the provisions of section 9-390, as amended, not  
233 earlier than the fifty-sixth day [nor] or later than the forty-ninth day  
234 preceding the day of such primary. The endorsement shall be certified  
235 to the clerk of the municipality by the chairman or presiding officer  
236 and the secretary of the town committee, caucus or convention, as the  
237 case may be, not later than four o'clock p.m. on the forty-eighth day  
238 preceding the day of such primary. Such certification shall contain the  
239 name and street address of each person so endorsed, the title of the  
240 office or the position as committee member and the name or number of  
241 the political subdivision or district, if any, for which each such person  
242 is endorsed. If such a certificate of a party's endorsement is not  
243 received by the town clerk by such time, such party, for purposes of  
244 sections 9-417, as amended, 9-418 and 9-419, shall be deemed to have  
245 neither made nor certified such endorsement of any candidate for such  
246 office.

247 (b) Each selection of delegates to a state or district convention shall  
248 be made in accordance with the provisions of section 9-390, as  
249 amended, not earlier than the one-hundred-sixty-eighth day and not  
250 later than the one-hundred-sixty-first day preceding the day of the  
251 primary for such state or district office. Such selection shall be certified  
252 to the clerk of the municipality by the chairman or presiding officer  
253 and the secretary of the town committee or caucus, as the case may be,  
254 not later than four o'clock p.m. on the one-hundred-sixtieth day  
255 preceding the day of such primary. Each such certification shall  
256 contain the name and street address of each person so selected, the  
257 position as delegate, and the name or number of the political  
258 subdivision or district, if any, for which each such person is selected. If  
259 such a certificate of a party's selection is not received by the town clerk  
260 by such time, such party, for purposes of sections 9-417, as amended,  
261 and 9-420, as amended, shall be deemed to have neither made nor  
262 certified any selection of any person for the position of delegate.

263 (c) Each endorsement of a candidate to run in a primary for the  
264 nomination of candidates for a municipal office to be voted upon at a  
265 state election shall be made under the provisions of section 9-390, as  
266 amended, not earlier than the eighty-fourth day [nor] or later than the  
267 seventy-seventh day preceding the day of such primary. Any  
268 certification to be filed under this section shall be received by the town  
269 clerk not later than four o'clock p.m. on the fourteenth day after the  
270 close of the town committee meeting, caucus or convention, as the case  
271 may be. If such a certificate of a party's endorsement is not received by  
272 the town clerk by such time, such party, for the purposes of sections 9-  
273 417, as amended, and 9-418, shall be deemed to have neither made nor  
274 certified any endorsement of any candidate for such office. The  
275 candidate so endorsed for a municipal office to be voted upon at a  
276 state election, other than the office of justice of the peace, shall file with  
277 the town clerk a certificate, signed by that candidate, stating that such  
278 candidate was so endorsed, the candidate's name as the candidate  
279 authorizes it to appear on the ballot, the candidate's full street address  
280 and the title and district of the office for which the candidate was

281 endorsed. Such certificate shall be attested by the chairman or  
282 presiding officer and the secretary of the town committee, caucus or  
283 convention which made such endorsement. The endorsement of  
284 candidates for the office of justice of the peace shall be certified to the  
285 clerk of the municipality by the chairman or presiding officer and the  
286 secretary of the town committee, caucus or convention, and shall  
287 contain the name and street address of each person so endorsed and  
288 the title of the office for which each such person is endorsed.

289 Sec. 9. Subsection (c) of section 10-27 of the general statutes, as  
290 amended by section 40 of public act 03-76, is repealed and the  
291 following is substituted in lieu thereof (*Effective from passage*):

292 (c) State agencies, including the educational institutions, may  
293 exchange a limited number of professional personnel and students  
294 with institutions of other states and other countries and may pay the  
295 salaries of such personnel and may assign scholarships and grants-in-  
296 aid to the exchangees. The authorized exchange of personnel and  
297 students need not be parallel and simultaneous [nor] or specific with  
298 regard to the assignment of persons between institutions. If a vacancy  
299 exists on the staff of any state agency, including the educational  
300 institutions, because a leave of absence without pay has been granted,  
301 such agency may engage the services of professional personnel of  
302 other countries, and may pay such personnel so engaged from the  
303 funds which otherwise would have been paid to such staff members  
304 on leave of absence without pay.

305 Sec. 10. Subdivision (1) of subsection (a) of section 10-71 of the  
306 general statutes, as amended by section 8 of public act 03-76 and  
307 section 4 of public act 03-100, is repealed and the following is  
308 substituted in lieu thereof (*Effective from passage*):

309 (1) The percentage of the eligible costs for adult education a local  
310 board of education shall receive, under the provisions of this section,  
311 shall be determined as follows: (A) Each town shall be ranked in  
312 descending order from one to one hundred sixty-nine according to

313 such town's adjusted equalized net grand list per capita, as defined in  
314 section 10-261, as amended; and (B) based upon such ranking, a  
315 percentage of not less than zero [nor] or more than sixty-five shall be  
316 determined for each town on a continuous scale, except that the  
317 percentage for a priority school district pursuant to section 10-266p, as  
318 amended, shall not be less than twenty. Any such percentage shall be  
319 increased by seven and one-half percentage points but shall not exceed  
320 sixty-five per cent for any local board of education which provides  
321 basic adult education programs for adults at facilities operated by or  
322 within the general administrative control and supervision of the  
323 Department of Mental Health and Addiction Services, provided such  
324 adults reside at such facilities.

325 Sec. 11. Subdivision (1) of subsection (b) of section 10-217a of the  
326 general statutes, as amended by section 1 of public act 03-6 of the June  
327 30 special session, is repealed and the following is substituted in lieu  
328 thereof (*Effective from passage*):

329 (1) The percentage of the amount paid from local tax revenues for  
330 such services reimbursed to a local board of education shall be  
331 determined by (A) ranking each town in the state in descending order  
332 from one to one hundred sixty-nine according to such town's adjusted  
333 equalized net grand list per capita, as defined in section 10-261, as  
334 amended; (B) based upon such ranking, (i) for reimbursement paid in  
335 the fiscal year ending June 30, 1990, a percentage of not less than forty-  
336 five [nor] or more than ninety shall be determined for each town on a  
337 continuous scale, except that for any town in which the number of  
338 children under the temporary family assistance program, as defined in  
339 subdivision (17) of section 10-262f, is greater than one per cent of the  
340 total population of the town, as defined in subdivision (7) of  
341 subsection (a) of section 10-261, the percentage shall be not less than  
342 eighty, (ii) for reimbursement paid in the fiscal years ending June 30,  
343 1991, to June 30, 2001, inclusive, a percentage of not less than ten [nor]  
344 or more than ninety shall be determined for each town on a continuous  
345 scale, except that for any town in which the number of children under

346 the temporary family assistance program, as defined in said  
347 subdivision (17) of section 10-262f, is greater than one per cent of the  
348 total population of the town, as defined in subdivision (7) of  
349 subsection (a) of section 10-261, and for any town which has a wealth  
350 rank greater than thirty when towns are ranked pursuant to  
351 subparagraph (A) of this subdivision and which provides such services  
352 to greater than one thousand five hundred children who are not  
353 residents of the town, the percentage shall be not less than eighty, and  
354 (iii) for reimbursement paid in the fiscal [years] year ending June 30,  
355 2002, and each fiscal year thereafter, a percentage of not less than ten  
356 [nor] or more than ninety shall be determined for each town on a  
357 continuous scale, except that for any town in which the number of  
358 children under the temporary family assistance program, as defined in  
359 said subdivision (17) of section 10-262f, for the fiscal year ending June  
360 30, 1997, was greater than one per cent of the total population of the  
361 town, as defined in subdivision (7) of subsection (a) of section 10-261  
362 for the fiscal year ending June 30, 1997, and for any town which has a  
363 wealth rank greater than thirty when towns are ranked pursuant to  
364 subparagraph (A) of this subdivision and which provides such services  
365 to greater than one thousand five hundred children who are not  
366 residents of the town, the percentage shall be not less than eighty.

367 Sec. 12. Subsection (b) of section 10-264l of the general statutes is  
368 repealed and the following is substituted in lieu thereof (*Effective from*  
369 *passage*):

370 (b) Applications for interdistrict magnet school program operating  
371 grants awarded pursuant to this section shall be submitted annually to  
372 the Commissioner of Education at such time and in such manner as the  
373 commissioner prescribes. In determining whether an application shall  
374 be approved and funds awarded pursuant to this section, the  
375 commissioner shall consider, but such consideration shall not be  
376 limited to: (1) Whether the program offered by the school is likely to  
377 increase student achievement; (2) whether the program is likely to  
378 reduce racial, ethnic and economic isolation; (3) the percentage of the

379 student enrollment in the program from each participating district;  
380 and (4) the proposed operating budget and the sources of funding for  
381 the interdistrict magnet school. If requested by the commissioner, the  
382 applicant shall meet with the commissioner or the commissioner's  
383 designee to discuss the budget and sources of funding. The  
384 commissioner shall not award a grant to a program that is in operation  
385 prior to July 1, 2005, if more than eighty per cent of its total enrollment  
386 is from one school district, except that the commissioner may award a  
387 grant for good cause, for any one year, on behalf of an otherwise  
388 eligible magnet school program, if more than eighty per cent of the  
389 total enrollment is from one district. The commissioner shall not award  
390 a grant to a program that begins operations on or after July 1, 2005, if  
391 more than seventy-five per cent of its total enrollment is from one  
392 school district or if less than twenty-five or more than seventy-five per  
393 cent of the students enrolled are pupils of racial minorities, as defined  
394 in section 10-226a, as amended, except that the commissioner may  
395 award a grant for good cause, for one year, on behalf of an otherwise  
396 eligible interdistrict magnet school program, if more than seventy-five  
397 per cent of the total enrollment is from one district or less than twenty-  
398 five or more than seventy-five [percent] per cent of the students  
399 enrolled are pupils of racial minorities. The commissioner may not  
400 award grants pursuant to such an exception for a second consecutive  
401 year.

402 Sec. 13. Subsection (d) of section 10a-6 of the general statutes is  
403 repealed and the following is substituted in lieu thereof (*Effective from*  
404 *passage*):

405 (d) The Board of Governors shall request and receive, or be  
406 provided electronic access to, data, reports and other information from  
407 the constituent units of the state system of higher education that is  
408 necessary for the board to carry out its responsibilities pursuant to this  
409 section.

410 Sec. 14. Section 10a-6b of the general statutes is repealed and the

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

412 (a) The accountability measures developed by the Higher Education  
413 Coordinating Council pursuant to subsection (b) of section 10a-6a shall  
414 be used by the Department of Higher Education and each constituent  
415 unit of the state system of higher education in assessing the constituent  
416 unit's progress toward meeting the following goals to: (1) Enhance  
417 student learning and promote academic excellence; (2) join with  
418 elementary and secondary schools to improve teaching and learning at  
419 all levels; (3) ensure access to and affordability of higher education; (4)  
420 promote the economic development of the state to help business and  
421 industry sustain strong economic growth; (5) respond to the needs and  
422 problems of society; and (6) ensure the efficient use of resources. The  
423 council shall develop an implementation plan for use of the  
424 accountability measures.

425 (b) In developing the measures pursuant to subsection (a) of this  
426 section, the council shall consider graduation rates, student retention  
427 rates, tuition and fees, student financial need and available aid, trends  
428 in enrollment and the percentage of incoming students who are state  
429 residents, strategic plans pursuant to section 10a-11, data on graduates  
430 by academic program, faculty productivity, and any other factor that it  
431 deems relevant. In considering faculty productivity measures, the  
432 council shall consult with the committee established under section 10a-  
433 3.

434 (c) The council shall submit the accountability measures to the  
435 Board of Governors of Higher Education for the board's review and  
436 approval. Once the measures are approved, each constituent unit shall  
437 provide the data to the department that is necessary for purposes of  
438 applying the measures.

439 (d) The Commissioner of Higher Education, on behalf of the council,  
440 shall report, in accordance with section 11-4a, to the joint standing  
441 committee of the General Assembly having cognizance of matters  
442 relating to education on the accountability measures and the

443 implementation plan developed pursuant to this section by February 1,  
444 2000. The report shall include recommendations: (1) For any statutory  
445 changes needed for purposes of assessing the constituent units and  
446 public institutions of higher education based on the accountability  
447 measures; (2) to clarify and streamline planning and accountability  
448 reporting requirements of the constituent units and public institutions  
449 of higher education; (3) concerning goals, actions to achieve such goals  
450 and analysis of performance; and (4) for options to revise budgeting  
451 policies and programs to meet accountability goals and measures as  
452 outlined in subsections (a) and (b) of this section.

453 (e) The Commissioner of Higher Education shall develop, in  
454 concurrence with the Higher Education Coordinating Council, an  
455 accountability report prototype. Upon review and approval by the  
456 Board of Governors of Higher Education, the commissioner shall  
457 submit the report prototype to the joint standing committee of the  
458 General Assembly having cognizance of matters relating to education  
459 by October 1, 2000. The report prototype shall include accountability  
460 measures developed and approved under this section for which data  
461 collection mechanisms exist as determined by the commissioner.

462 (f) Each constituent unit of the state system of higher education shall  
463 submit to the Commissioner of Higher Education its first  
464 accountability report by January 1, 2001. The commissioner shall  
465 compile and consolidate the reports. The commissioner shall submit, in  
466 accordance with section 11-4a, an accountability report that covers the  
467 state system of higher education and each constituent unit and public  
468 institution of higher education to the joint standing committee of the  
469 General Assembly having cognizance of matters relating to education  
470 by February 1, 2001. The report shall include baseline data for the  
471 accountability measures developed under this section for which data  
472 collection mechanisms exist and comparable peer data, as determined  
473 by the commissioner after consultation with the Higher Education  
474 Coordinating Council and reviewed and approved by the Board of  
475 Governors of Higher Education. The report shall also include a

476 timeline for the collection of data and reporting of the remaining  
477 accountability measures and for the identification of performance  
478 improvement targets.

479 (g) Each constituent unit of the state system of higher education  
480 shall submit an accountability report to the Commissioner of Higher  
481 Education annually, by January first. The commissioner shall compile  
482 the reports and shall submit, in accordance with section 11-4a, a  
483 consolidated accountability report for the state system of higher  
484 education to the joint standing committee of the General Assembly  
485 having cognizance of matters relating to education annually, by  
486 February first. The report shall contain accountability measures for  
487 each constituent unit and public institution of higher education  
488 pursuant to subsections (a) and (b) of this section. The report shall  
489 include updated baseline and peer comparison data, performance  
490 improvement targets for each measure, and other information as  
491 determined by the commissioner.

492 Sec. 15. Subsection (c) of section 10a-19b of the general statutes, as  
493 amended by section 25 of public act 03-278, is repealed and the  
494 following is substituted in lieu thereof (*Effective from passage*):

495 (c) Not later than July 1, 2002, and annually thereafter, the council,  
496 in consultation with the Departments of Education and Higher  
497 Education and the boards of trustees of the constituent units of the  
498 state system of higher education, shall report to the joint standing  
499 committees of the General Assembly having cognizance of matters  
500 relating to education and higher education and employment  
501 advancement on all articulation agreements involving higher  
502 education institutions and any progress made on the establishment of  
503 additional agreements, in accordance with section 11-4a.

504 Sec. 16. Section 10a-151e of the general statutes is repealed and the  
505 following is substituted in lieu thereof (*Effective from passage*):

506 On and after July 1, 1999, each constituent unit of the state system of

507 higher education and each public institution of higher education that  
508 negotiates a contract with a vendor for the provision of course books  
509 for purchase by students shall ensure that such contract: (1) Includes a  
510 provision requiring the vendor to post its policies concerning the  
511 return of used books and the exchange rate for books used the  
512 previous semester that are in good condition, and (2) does not prevent  
513 student organizations from holding used book exchange programs.

514 Sec. 17. Section 10a-153 of the general statutes is repealed and the  
515 following is substituted in lieu thereof (*Effective from passage*):

516 The constituent units of the state system of higher education shall  
517 comply with the provisions of section 4a-60g when undertaking  
518 remodeling, alteration, repair or enlargement projects pursuant to the  
519 provisions of sections 4b-51, as amended, 4b-52, as amended, 4b-55, as  
520 amended, and 4b-91, as amended.

521 Sec. 18. Subsection (e) of section 12-62k of the general statutes is  
522 repealed and the following is substituted in lieu thereof (*Effective from*  
523 *passage*):

524 (e) On and after July 1, 2002, the provisions of this section and  
525 section 12-62 shall [supersede] supersede the provisions of any special  
526 act, charter or home rule ordinance to the contrary concerning the year  
527 a revaluation is required to be implemented.

528 Sec. 19. Subsection (d) of section 12-81f of the general statutes, as  
529 amended by section 1 of public act 03-44, is repealed and the following  
530 is substituted in lieu thereof (*Effective from passage*):

531 (d) Any person who has submitted an application and been  
532 approved in any year for the additional exemption under subsection  
533 (a) or (b) of this section shall, in the year immediately following  
534 approval, be presumed to be qualified for such exemption. During the  
535 year immediately following such approval, the assessor shall notify, in  
536 writing, each person presumed to be qualified pursuant to this

537 subsection. If any such person has qualifying income in excess of the  
538 maximum allowed under said subsection (a) or (b), such person shall  
539 notify the assessor on or before the next filing date for such exemption  
540 and shall be denied such exemption for the assessment year  
541 immediately following and for any subsequent year until such person  
542 has reapplied and again qualified for such exemption. Any person  
543 who fails to notify the assessor of such disqualification shall make  
544 payment to the municipality in the amount of property tax loss related  
545 to the exemption improperly taken.

546 Sec. 20. Subsection (b) of section 13a-247 of the general statutes, as  
547 amended by section 39 of public act 03-115, is repealed and the  
548 following is substituted in lieu thereof (*Effective from passage*):

549 (b) Any person, firm or corporation violating any provision of  
550 subsection (a) of this section shall be fined not more than one hundred  
551 dollars for a first offense and not less than one hundred dollars [nor] or  
552 more than five hundred dollars for each subsequent offense.

553 Sec. 21. Subsection (b) of section 13b-44 of the general statutes, as  
554 amended by section 51 of public act 03-115, is repealed and the  
555 following is substituted in lieu thereof (*Effective from passage*):

556 (b) The commissioner shall cause a public hearing to be held at the  
557 expense of the department in each municipality in which such lands or  
558 interests in such lands are located. At such hearing, the commissioner  
559 shall present and explain the plan of development, and any persons  
560 who are opposed to such plan may be heard and may state their  
561 reasons for such opposition. Such hearing shall be held not earlier than  
562 thirty days after such plan has been filed in the office of the town clerk  
563 of the municipality. Notice of the time and place of such hearing shall  
564 be published in a newspaper having a substantial circulation in such  
565 municipality at least twice, at intervals of not less than two days, the  
566 first not more than fifteen days [nor] or less than ten days and the  
567 second not less than two days before such hearing.

568 Sec. 22. Subsection (g) of section 14-36 of the general statutes, as  
569 amended by section 1 of public act 03-171, is repealed and the  
570 following is substituted in lieu thereof (*Effective from passage*):

571 (g) Any person who violates any provision of this section shall, for a  
572 first offense, be deemed to have committed an infraction and be fined  
573 not less than seventy-five dollars [nor] or more than ninety dollars  
574 and, for any subsequent offense, shall be fined not less than two  
575 hundred fifty dollars [nor] or more than three hundred fifty dollars or  
576 be imprisoned not more than thirty days, or both.

577 Sec. 23. Subsection (d) of section 14-40a of the general statutes, as  
578 amended by section 4 of public act 03-171, is repealed and the  
579 following is substituted in lieu thereof (*Effective from passage*):

580 (d) Any person who violates any provision of subsection (a), (b) or  
581 (c) of this section shall, for a first offense, be deemed to have  
582 committed an infraction and be fined not less than thirty-five dollars  
583 [nor] or more than fifty dollars and, for any subsequent offense, shall  
584 be fined not more than one hundred dollars or imprisoned not more  
585 than thirty days, or both.

586 Sec. 24. Subsection (h) of section 15-133 of the general statutes, as  
587 amended by section 1 of public act 03-244, is repealed and the  
588 following is substituted in lieu thereof (*Effective from passage*):

589 (h) Any person who violates the provisions of subsection (d) of this  
590 section shall: (1) For conviction of a first violation, (A) be fined not less  
591 than five hundred dollars [nor] or more than one thousand dollars,  
592 and (B) be (i) imprisoned not more than six months, forty-eight  
593 consecutive hours of which may not be suspended or reduced in any  
594 manner, or (ii) imprisoned not more than six months, with the  
595 execution of such sentence of imprisonment suspended entirely and a  
596 period of probation imposed requiring as a condition of such  
597 probation that such person perform one hundred hours of community  
598 service, as defined in section 14-227e, and (C) have such person's safe

599 boating certificate or certificate of personal watercraft operation, if any,  
600 or right to operate a vessel that requires a safe boating certificate for  
601 operation suspended for one year; (2) for conviction of a second  
602 violation not later than ten years after a prior conviction for the same  
603 offense, (A) be fined not less than one thousand dollars [nor] or more  
604 than four thousand dollars, (B) be imprisoned not more than two  
605 years, one hundred twenty consecutive days of which may not be  
606 suspended or reduced in any manner, and sentenced to a period of  
607 probation requiring as a condition of such probation that such person  
608 perform one hundred hours of community service, as defined in  
609 section 14-227e, and (C) have such person's safe boating certificate or  
610 certificate of personal watercraft operation, if any, or right to operate a  
611 vessel that requires a safe boating certificate for operation suspended  
612 for three years or until the date of such person's twenty-first birthday,  
613 whichever is longer; and (3) for conviction of a third and subsequent  
614 violation not later than ten years after a prior conviction for the same  
615 offense, (A) be fined not less than two thousand dollars [nor] or more  
616 than eight thousand dollars, (B) be imprisoned not more than three  
617 years, one year of which may not be suspended or reduced in any  
618 manner, and sentenced to a period of probation requiring as a  
619 condition of such probation that such person perform one hundred  
620 hours of community service, as defined in section 14-227e, and (C)  
621 have such person's safe boating certificate or certificate of personal  
622 watercraft operation, if any, or right to operate a vessel that requires a  
623 safe boating certificate for operation permanently revoked upon such  
624 third offense.

625 Sec. 25. Subsection (b) of section 15-140l of the general statutes, as  
626 amended by section 2 of public act 03-244, is repealed and the  
627 following is substituted in lieu thereof (*Effective from passage*):

628 (b) Any person guilty of reckless operation of a vessel in the first  
629 degree while under the influence shall be fined not less than two  
630 thousand five hundred dollars [nor] or more than five thousand  
631 dollars or imprisoned not more than two years, or both.

632 Sec. 26. Subsection (b) of section 15-140n of the general statutes, as  
633 amended by section 3 of public act 03-244, is repealed and the  
634 following is substituted in lieu thereof (*Effective from passage*):

635 (b) Any person guilty of reckless operation of a vessel in the second  
636 degree while under the influence shall be fined not less than five  
637 hundred dollars [nor] or more than one thousand dollars or  
638 imprisoned not more than six months, or both.

639 Sec. 27. Subsection (h) of section 15-144 of the general statutes, as  
640 amended by section 14 of public act 03-244, is repealed and the  
641 following is substituted in lieu thereof (*Effective from passage*):

642 (h) (1) Any person who operates or any owner who permits the  
643 operation of a vessel on the waters of this state which has not been  
644 numbered or registered in accordance with the provisions of this  
645 chapter and any other applicable section of the general statutes [,] shall  
646 have committed a violation and shall be fined not less than twenty-five  
647 [nor] or more than two hundred dollars for the first offense and for  
648 each subsequent offense shall be fined not less than two hundred  
649 dollars [nor] or more than five hundred dollars. (2) No person shall use  
650 any vessel registration or registration decals that have been issued to  
651 another person pursuant to sections 15-142 to 15-144, inclusive. No  
652 person shall use a vessel registration or registration decals on any  
653 vessel other than the vessel for which such registration number or  
654 registration decals have been issued. Any person who violates any  
655 provision of this subdivision shall be fined not more than one hundred  
656 dollars or imprisoned not more than thirty days, or both. (3) Any  
657 officer empowered to enforce the provisions of this chapter and any  
658 other applicable section of the general statutes who finds a vessel  
659 which is not numbered or registered in accordance with the provisions  
660 of this chapter and such discovery is subsequent to a violation of this  
661 chapter may make application to the court for a warrant to seize such  
662 vessel and take it into custody pending proof of payment of proper  
663 numbering or registration fees. No officer shall be liable for any act

664 performed under the provisions of this subsection.

665 Sec. 28. Subsection (b) of section 15-154 of the general statutes, as  
666 amended by section 7 of public act 03-244, is repealed and the  
667 following is substituted in lieu thereof (*Effective from passage*):

668 (b) When engaged in the enforcement of this chapter and chapter  
669 446k, such officer shall have the authority to stop and board any vessel  
670 which is under way or which is moored on the waters of this state for  
671 the purposes of (1) examining decals, certificates and other documents,  
672 (2) inspecting safety equipment and waste disposal systems, (3)  
673 determining if the operation of such vessel exceeds the noise levels  
674 established in subsection (b) of section 15-129, (4) searching when such  
675 officer has probable cause to believe that any provision of any law of  
676 this state or any rule or regulation of the Department of Environmental  
677 Protection relating to boating or water pollution has been violated, (5)  
678 determining compliance with sections 15-140l, as amended, and 15-  
679 140n, as amended, and subsections (d) and (e) of section 15-133, as  
680 amended, when such authorized officer has probable cause to believe  
681 said section or subsection has been violated, and (6) making arrests.  
682 No person operating a vessel shall refuse to stop such vessel or, if sea  
683 conditions make stopping in that area unsafe, refuse to take such  
684 vessel to a designated area after being requested or signalled to do so  
685 by such officer. Any person operating a vessel who refuses to stop or  
686 refuses to take such vessel to the designated area shall have committed  
687 an infraction. Any person, when signalled to stop by such officer in a  
688 law enforcement vessel using an audible signal device or flashing blue  
689 lights, who operates such vessel in disregard of such signal so as to (A)  
690 interfere with or endanger the operation of the law enforcement vessel  
691 or any other vessel, (B) endanger or cause damage to property or  
692 person, or (C) increase speed in an attempt to escape or elude such law  
693 enforcement officer shall be fined not less than one hundred dollars  
694 [nor] or more than five hundred dollars for a first offense and for any  
695 subsequent offense shall be fined not less than five hundred dollars  
696 [nor] or more than one thousand dollars. Proof of the registration

697 number of the vessel shall be prima facie evidence in any prosecution  
698 that the owner was the operator.

699 Sec. 29. Subsection (a) of section 16-50m of the general statutes, as  
700 amended by section 8 of public act 03-140, is repealed and the  
701 following is substituted in lieu thereof (*Effective October 1, 2004*):

702 (a) The council shall promptly fix a commencement date and  
703 location for a public hearing on an application for a certificate  
704 complying with section 16-50l, as amended, (1) where no proposals are  
705 received pursuant to the request-for-proposal process, not less than  
706 thirty days after the deadline for submission of such proposals [nor] or  
707 more than sixty days after such deadline; (2) where a proposal is  
708 received pursuant to the request-for-proposal process, not less than  
709 thirty days after the deadline of submission of an application pursuant  
710 to subdivision (3) of subsection (a) of section 16-50l, as amended, [nor]  
711 or more than sixty days after such deadline; or (3) where the  
712 application is for a facility described in subdivision (5) or (6) of  
713 subsection (a) of section 16-50i, as amended, not less than thirty days  
714 after receipt of an application [nor] or more than one hundred fifty  
715 days after such receipt. Applications that are common to a request-for-  
716 proposal shall be heard under a consolidated public hearing process.  
717 At least one session of such hearing shall be held at a location selected  
718 by the council in the county in which the facility or any part thereof is  
719 to be located after six-thirty p.m. for the convenience of the general  
720 public. After holding at least one hearing session in the county in  
721 which the facility or any part thereof is to be located, the council may,  
722 in its discretion, hold additional hearing sessions at other locations. If  
723 the proposed facility is to be located in more than one county, the  
724 council shall fix the location for at least one public hearing session in  
725 whichever county it determines is most appropriate, provided the  
726 council may hold hearing sessions in more than one county.

727 Sec. 30. Subsection (a) of section 16-245d of the general statutes, as  
728 amended by section 22 of public act 03-135, is repealed and the

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

730 (a) The Department of Public Utility Control shall, by regulations  
731 adopted pursuant to chapter 54, develop a standard billing format that  
732 enables customers to compare pricing policies and charges among  
733 electric suppliers. On and after January 1, 2000, each electric company  
734 or electric distribution company, as the case may be, shall, in  
735 accordance with the billing format developed by the department,  
736 include at a minimum the following information in each customer's  
737 bill: (1) The total amount owed by the customer, which shall be  
738 itemized to show, (A) the electric generation services component and  
739 any additional charges imposed by the electric supplier, if applicable,  
740 (B) the electric transmission and distribution charge, including all  
741 applicable taxes and the systems benefits charge, as provided in  
742 section 16-245l, as amended, (C) the competitive transition assessment,  
743 as provided in section 16-245g, as amended, (D) [federally-mandated]  
744 federally mandated congestion costs, and (E) the conservation and  
745 renewable energy charge, consisting of the conservation and load  
746 management program charge, as provided in section 16-245m, as  
747 amended, and the renewable energy investment charge, as provided in  
748 section 16-245n, as amended; (2) any unpaid amounts from previous  
749 bills which shall be listed separately from current charges; (3) except  
750 for customers subject to a demand charge, the rate and usage for the  
751 current month and each of the previous twelve months in the form of a  
752 bar graph or other visual form; (4) the payment due date; (5) the  
753 interest rate applicable to any unpaid amount; (6) the toll-free  
754 telephone number of the electric distribution company to report power  
755 losses; (7) the toll-free telephone number of the Department of Public  
756 Utility Control for questions or complaints; (8) the toll-free telephone  
757 number and address of the electric supplier; and (9) a statement about  
758 the availability of information concerning electric suppliers pursuant  
759 to section 16-245p, as amended.

760 Sec. 31. Section 17b-28e of the general statutes is repealed and the  
761 following is substituted in lieu thereof (*Effective from passage*):

762 Not later than September 30, 2002, the Commissioner of Social  
763 Services shall submit an amendment to the Medicaid state plan to  
764 implement the provisions of public act 02-1 of the May 9 special  
765 session\* concerning optional services under the Medicaid program.  
766 Said state plan amendment shall [~~supercede~~] supersede any  
767 regulations of Connecticut state agencies concerning such optional  
768 services.

769 Sec. 32. Section 17b-222 of the general statutes is repealed and the  
770 following is substituted in lieu thereof (*Effective from passage*):

771 As used in this section and sections 17b-223, 17b-228, 17b-229 and  
772 [~~17b-748,~~] 17b-745, as amended, "state humane institution" or "humane  
773 institution" means [and includes] state mental hospitals, community  
774 mental health centers, treatment facilities for children and adolescents,  
775 or any other facility or program administered by the Departments of  
776 Mental Health and Addiction Services, Mental Retardation, or  
777 Children and Families. The person in charge of each state humane  
778 institution shall furnish the Commissioner of Administrative Services  
779 with a daily report of changes in the patient roster and the date of  
780 formal commitment of each patient.

781 Sec. 33. Subsection (b) of section 17b-229 of the general statutes is  
782 repealed and the following is substituted in lieu thereof (*Effective from*  
783 *passage*):

784 (b) The provisions of sections 17a-278, 17a-502, 17b-222, 17b-223,  
785 17b-228, 17b-232, [~~17b-748,~~] 17b-745, as amended, 46b-215, as amended,  
786 and 53-304 shall not affect or impair the responsibility of any patient or  
787 patient's estate for his care in a state humane institution prior to July 1,  
788 1955, and the same may be enforced by any action by which such  
789 responsibility would have been enforceable prior to July 1, 1955, but  
790 only to the extent of that portion of such estate as is not needed for the  
791 support of the spouse, parents and dependent children of such patient.

792 Sec. 34. Section 17b-429 of the general statutes is repealed and the

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

794 The Commissioner of Social Services shall, within available  
795 appropriations, make information available to senior citizens and  
796 disabled persons concerning any pharmaceutical company's drug  
797 program for indigent persons by utilizing the ConnPACE program, the  
798 CHOICES health insurance [counseling and] assistance program, as  
799 defined in section [17b-427a] 17b-427, as amended, and Infoline of  
800 Connecticut to deliver such information.

801 Sec. 35. Subsection (c) of section 19a-42 of the general statutes is  
802 repealed and the following is substituted in lieu thereof (*Effective from*  
803 *passage*):

804 (c) An amended certificate shall [supersede] supersede the original  
805 certificate that has been changed and shall be marked "Amended",  
806 except for amendments due to parentage or gender change. The  
807 original certificate in the case of parentage or gender change shall be  
808 physically or electronically sealed and kept in a confidential file by the  
809 department and the registrar of any town in which the birth was  
810 recorded, and may be unsealed for viewing or issuance only upon a  
811 written order of a court of competent jurisdiction. The amended  
812 certificate shall become the public record.

813 Sec. 36. Subsection (a) of section 19a-77a of the general statutes, as  
814 amended by section 10 of public act 03-243, is repealed and the  
815 following is substituted in lieu thereof (*Effective from passage*):

816 (a) Any retail establishment in this state may establish a drop-in  
817 supplementary child-care operation on the premises of such retail  
818 establishment in accordance with the following requirements:

819 (1) The hours of operation may only be between six o'clock a.m. and  
820 nine o'clock p.m.

821 (2) No child receiving care shall be less than three years [nor] or  
822 more than ten years of age.

823 (3) A child may not receive more than two hours of care per day.

824 (4) The operation may immediately notify appropriate law  
825 enforcement or state agencies if any child receiving care at such  
826 operation is not picked up by a parent or guardian after three hours.

827 (5) A parent or guardian shall be on the premises at the retail  
828 establishment at all times while the child is receiving care.

829 (6) The retail establishment shall provide a clean and safe area for  
830 the drop-in supplementary child-care operation.

831 (7) At all times the operation shall provide (A) at least one child-care  
832 staff person for every ten children, and (B) at least one child-care staff  
833 person who is twenty years of age or older who has experience in child  
834 care.

835 (8) The operation shall submit the names of all child-care staff to the  
836 Commissioner of Public Health, who shall request a check of such  
837 names from the state child abuse registry established pursuant to  
838 section 17a-101k for perpetrator information.

839 Sec. 37. Section 19a-302 of the general statutes, as amended by  
840 section 24 of public act 03-252, is repealed and the following is  
841 substituted in lieu thereof (*Effective from passage*):

842 If at any time such association fails to comply with the provisions of  
843 section 19a-301, the selectmen of the town in which such cemetery is  
844 located shall take over the care of said fund and file an annual report  
845 with the Probate Court in accordance with the provisions of section  
846 19a-301. The selectmen may appoint a cemetery committee consisting  
847 of not fewer than three [nor] or more than seven members who are  
848 residents of such town. If three members are appointed, one shall serve  
849 for a term of two years, one for a term of four years and one for a term  
850 of six years; if four members are appointed, one shall serve for a term  
851 of two years, one for a term of four years and two for a term of six  
852 years; if five members are appointed, one shall serve for a term of two

853 years, two for a term of four years and two for a term of six years; if six  
854 members are appointed, two shall serve for a term of two years, two  
855 for a term of four years and two for a term of six years; and if seven  
856 members are appointed, two shall serve for a term of two years, two  
857 for a term of four years and three for a term of six years. Biennially  
858 thereafter, they may appoint one member for a term of six years to  
859 replace each member whose term expires. Said committee shall have  
860 all of the powers and duties of a committee established as provided in  
861 section 19a-301.

862 Sec. 38. Subsection (i) of section 19a-343a of the general statutes, as  
863 amended by section 8 of public act 03-231, is repealed and the  
864 following is substituted in lieu thereof (*Effective from passage*):

865 (i) At the evidentiary hearing upon the public nuisance complaint,  
866 the state shall have the burden of proving, by clear and convincing  
867 evidence, [of] the existence of a public nuisance upon the real property  
868 as [defined] provided in section 19a-343, as amended. If the state  
869 presents clear and convincing evidence that there have been three or  
870 more arrests, or the issuance of three or more arrest warrants  
871 indicating a pattern of criminal activity and not isolated incidents, for  
872 conduct on the real property or any portion thereof documented by a  
873 law enforcement officer for any of the offenses enumerated in  
874 subdivisions (1) to (11), inclusive, of subsection (c) of section 19a-343,  
875 as amended, within the three hundred sixty-five days preceding  
876 commencement of the action, [this] such evidence shall create a  
877 rebuttable presumption of the existence of a public nuisance. Any  
878 defendant may offer evidence by way of an affirmative defense that  
879 such defendant has taken reasonable steps to abate the public  
880 nuisance, but has been unable to abate the nuisance.

881 Sec. 39. Subsection (c) of section 19a-673 of the general statutes, as  
882 amended by section 5 of public act 03-266, is repealed and the  
883 following is substituted in lieu thereof (*Effective from passage*):

884 (c) Each collection agent, as defined in section 19a-509b, as

885 amended, engaged in collecting a debt from a patient arising from  
886 services provided at a hospital shall provide written notice to such  
887 patient as to whether the hospital deems the patient an insured patient  
888 or an uninsured patient [as defined in subsection (a) of this section]  
889 and the reasons for such determination.

890 Sec. 40. Section 20-205 of the general statutes, as amended by section  
891 2 of public act 03-198, is repealed and the following is substituted in  
892 lieu thereof (*Effective from passage*):

893 The provisions of this chapter shall not apply to any person in  
894 governmental employ while acting in the scope of his or her  
895 employment, [nor] or to any person who furnishes medical or surgical  
896 assistance without compensation in an emergency, [nor] or to any  
897 veterinarian, licensed in another state, who is employed as a direct  
898 consultant for not more than ten days during any calendar year with  
899 any practitioner licensed in conformity with the provisions of section  
900 20-197, as amended. The provisions of this chapter shall not apply to  
901 any hospital, educational institution or laboratory or any state or  
902 federal institution, or any employee of, student in or person associated  
903 with any such hospital, educational institution or laboratory or state or  
904 federal institution, while engaged in research or studies involving the  
905 use of medical, surgical or dental procedures, or to the owner of any  
906 animal or livestock or his or her employee while administering to such  
907 animal or livestock.

908 Sec. 41. Section 22-333 of the general statutes, as amended by section  
909 2 of public act 03-123, is repealed and the following is substituted in  
910 lieu thereof (*Effective from passage*):

911 Any dog, cat or other animal captured or impounded under the  
912 provisions of this chapter shall be redeemed by the owner or keeper  
913 thereof, or the agent of such owner or keeper, upon proper  
914 identification, and, if the animal in question is a dog, upon  
915 presentation to the municipal animal control officer of a license and tag  
916 for such dog, and upon the payment by such owner or keeper or his

917 agent of (1) the redemption fee established by the municipality, which  
918 shall not exceed fifteen dollars, and (2) the cost of advertising incurred  
919 under the provisions of section 22-332, as amended; provided no dog,  
920 cat or other animal seized for doing damage under the provisions of  
921 section 22-355 shall be released except upon written order of the  
922 commissioner, the Chief Animal Control Officer or an animal control  
923 officer. When the owner or keeper of any such impounded dog, cat or  
924 other animal fails to redeem such dog, cat or other animal within  
925 twenty-four hours after receiving notification to do so, or, where the  
926 owner was unknown, within twenty-four hours after notification was  
927 effected by means of publication in a newspaper, such owner or keeper  
928 shall pay, in addition to such redemption fee and the cost of  
929 advertising, the amount determined by the municipality to be the full  
930 cost of detention and care of such impounded dog, cat or other animal.  
931 The owner or keeper of any dog, cat or other animal impounded for  
932 the purposes of quarantine, as set forth in sections 22-358 and 22-359,  
933 shall pay the amount determined by the municipality to be the full cost  
934 of detention and care of such quarantined animal. In addition, any  
935 owner or keeper of any such impounded dog, cat or other animal who  
936 fails to redeem such dog, cat or other animal within one hundred [and]  
937 twenty hours after receiving notification to do so shall have committed  
938 an infraction. The legislative body of the municipality shall set any fees  
939 imposed by the municipality under this section.

940 Sec. 42. Section 26-55 of the general statutes, as amended by section  
941 3 of public act 03-192 and section 242 of public act 03-6 of the June 30  
942 special session, is repealed and the following is substituted in lieu  
943 thereof (*Effective from passage*):

944 No person shall import or introduce into the state, or possess or  
945 liberate therein, any live fish, wild bird, wild mammal, reptile,  
946 amphibian or invertebrate unless such person has obtained a permit  
947 therefor from the commissioner, provided nothing in this section shall  
948 be construed to require such permit for any live fish, wild bird, wild  
949 mammal, reptile, amphibian or invertebrate that was imported,

950 introduced into the state, possessed or liberated in the state prior to  
951 October 1, 2003. Such permit may be issued at the discretion of the  
952 commissioner under such regulations as the commissioner may  
953 prescribe. The commissioner may by regulation prescribe the numbers  
954 of live fish, wild birds, wild mammals, reptiles, amphibians or  
955 invertebrates of certain species which may be imported, possessed,  
956 introduced into the state or liberated therein. The commissioner may  
957 by regulation exempt certain species or groups of live fish from the  
958 permit requirements. The commissioner may by regulation determine  
959 which species of wild birds, wild mammals, reptiles, amphibians or  
960 invertebrates must meet permit requirements. The commissioner may  
961 totally prohibit the importation, possession, introduction into the state  
962 or liberation therein of certain species which the commissioner has  
963 determined may be a potential threat to humans, agricultural crops or  
964 established species of plants, fish, birds, mammals, reptiles,  
965 amphibians or invertebrates. The commissioner may by regulation  
966 exempt from permit requirements organizations or institutions such as  
967 zoos, research laboratories, colleges or universities, public nonprofit  
968 aquaria or nature centers where live fish, wild birds, wild mammals,  
969 reptiles, amphibians or invertebrates are held in strict confinement.  
970 Any such fish, bird, mammal, reptile, amphibian or invertebrate  
971 illegally imported into the state or illegally possessed therein shall be  
972 seized by any representative of the Department of Environmental  
973 Protection and shall be disposed of as determined by the  
974 commissioner. Any person, except as provided in section 26-55a, who  
975 violates any provision of this section or any regulation issued by the  
976 commissioner as [herein] provided in this section shall be guilty of an  
977 infraction. Importation, liberation or possession of each fish, wild bird,  
978 wild mammal, reptile, amphibian or invertebrate in violation of this  
979 section or such regulation shall be a separate and distinct offense and,  
980 in the case of a continuing violation, each day of continuance thereof  
981 shall be deemed to be a separate and distinct offense.

982 Sec. 43. Section 26-57 of the general statutes, as amended by section  
983 4 of public act 03-192, is repealed and the following is substituted in

984 lieu thereof (*Effective from passage*):

985 No person shall transport within the state or transport out of the  
986 state any fish, bird, mammal, reptile, amphibian or invertebrate for  
987 which a closed season is provided without a permit from the  
988 commissioner, except as provided [herein] in this section. The  
989 commissioner may issue a permit to any person to transport within the  
990 state or to transport out of the state any fish, bird, mammal, reptile,  
991 amphibian or invertebrate protected under the provisions of this  
992 chapter under such regulations as the commissioner may prescribe. No  
993 fish, bird, mammal, reptile, amphibian or invertebrate shall be  
994 transported out of the state unless each unit, package or container is  
995 conspicuously tagged or labeled, and such tag or label contains in  
996 legible writing the full name and address of the person legally  
997 authorized to transport out of the state such fish, bird, mammal,  
998 reptile, amphibian or invertebrate. Any such fish, bird, mammal,  
999 reptile, amphibian or invertebrate received by any person or by any  
1000 common carrier within the state, addressed for shipment to any point  
1001 without the state and not having such tag or label conspicuously  
1002 attached shall be prima facie evidence of a violation of the provisions  
1003 of this section. A permit shall not be required to transport within the  
1004 state or to transport out of the state any fish, bird, mammal, reptile,  
1005 amphibian or invertebrate which has been legally taken, bred,  
1006 propagated or possessed by a person to whom a license, registration or  
1007 permit has been issued under the provisions of this chapter  
1008 authorizing the taking, breeding, propagating or possessing of fish,  
1009 birds, mammals, reptiles, amphibians or invertebrates, and no permit  
1010 shall be required to transport within the state or to transport out of the  
1011 state any fish, bird, mammal, reptile, amphibian or invertebrate that  
1012 has been legally taken or acquired by a person exempt from license  
1013 requirements under the provisions of this chapter. Any person who  
1014 violates any provision of this section shall be fined not less than ten  
1015 dollars [nor] or more than two hundred dollars or imprisoned not  
1016 more than sixty days, or be both fined and imprisoned.

1017 Sec. 44. Subsection (b) of section 26-82 of the general statutes, as  
1018 amended by section 6 of public act 03-192, is repealed and the  
1019 following is substituted in lieu thereof (*Effective from passage*):

1020 (b) Any person who violates any provision of this section shall be  
1021 fined not less than two hundred dollars [nor] or more than five  
1022 hundred dollars or imprisoned not less than thirty days [nor] or more  
1023 than six months, or shall be both fined and imprisoned, for the first  
1024 offense, and for each subsequent offense shall be fined not less than  
1025 two hundred dollars [nor] or more than one thousand dollars or  
1026 imprisoned not more than one year, or shall be both fined and  
1027 imprisoned.

1028 Sec. 45. Subsection (e) of section 28-1 of the general statutes, as  
1029 amended by section 166 of public act 03-6 of the June 30 special  
1030 session, is repealed and the following is substituted in lieu thereof  
1031 (*Effective from passage*):

1032 (e) "Civil preparedness forces" means any organized personnel  
1033 engaged in carrying out civil preparedness functions in accordance  
1034 with the provisions of this chapter or any regulation or order  
1035 thereunder. All the police and fire forces of the state or any political  
1036 subdivision of the state, or any part of any political subdivision,  
1037 including all the auxiliaries of these forces, shall be construed to be a  
1038 part of the civil preparedness forces. The Connecticut Disaster Medical  
1039 Assistance Team and the Medical Reserve Corps, under the auspices of  
1040 the Department of Public Health, the Connecticut Urban Search and  
1041 Rescue Team, under the auspices of the Department of Public Safety,  
1042 and the Connecticut behavioral health regional crisis response teams,  
1043 under the auspices of the Department of Mental Health and Addiction  
1044 Services and the Department of Children and Families, and their  
1045 members, shall be construed to be a part of the civil preparedness  
1046 forces while engaging in authorized civil preparedness duty or while  
1047 assisting or engaging in authorized training for the purpose of  
1048 eligibility for immunity from liability as provided in section 28-13 and

1049 for death, disability and injury benefits as provided in section 28-14.  
1050 Any member of the civil preparedness forces who is called upon either  
1051 by civil preparedness personnel or state or municipal police personnel  
1052 to assist in any emergency shall be deemed to be engaging in civil  
1053 preparedness duty while assisting in such emergency or while  
1054 engaging in training under the auspices of the Office of Emergency  
1055 Management, [or the state] the Division of State Police within the  
1056 Department of Public Safety or a municipal police department, for the  
1057 purpose of eligibility for death, disability and injury benefits as  
1058 provided in section 28-14.

1059 Sec. 46. Section 29-231 of the general statutes, as amended by section  
1060 1 of public act 03-15, is repealed and the following is substituted in lieu  
1061 thereof (*Effective from passage*):

1062 The provisions of this chapter shall not apply to: (1) Boilers under  
1063 federal control; (2) portable boilers used in pumping, heating,  
1064 steaming and drilling in the open field; (3) portable boilers used solely  
1065 for agricultural purposes; (4) steam heating boilers, hot water heaters  
1066 and hot water heating boilers, when used in private homes or  
1067 apartment houses of not more than five families; (5) hot water heaters  
1068 approved by a nationally recognized testing agency that are equipped  
1069 with adequate safety devices including a temperature and pressure  
1070 relief valve, having a nominal water capacity of not more than one  
1071 hundred twenty gallons and a heat input of not more than two  
1072 hundred thousand British thermal units per hour and used solely for  
1073 hot water supply carrying a pressure of not more than one hundred  
1074 sixty pounds per square inch and operating at temperatures of not  
1075 more than two hundred [and] ten degrees Fahrenheit, provided such  
1076 heaters are not installed in schools, day care centers, public or private  
1077 hospitals, nursing or boarding homes, churches or public buildings, as  
1078 defined in section 1-1; (6) antique or model boilers used in public,  
1079 nonprofit engineering or scientific museums and operated for  
1080 educational, historical or exhibition purposes having a shell diameter  
1081 of less than twelve inches and a grate surface area of less than one

1082 square foot; and (7) public service companies, as defined in section 16-  
1083 1, as amended.

1084 Sec. 47. Section 29-381 of the general statutes, as amended by section  
1085 2 of public act 03-231, is repealed and the following is substituted in  
1086 lieu thereof (*Effective from passage*):

1087 (a) No owner, proprietor, manager or agent of any theater, concert  
1088 or music hall or assembly hall or of any building, auditorium or  
1089 [rooms] room used for public gatherings shall permit any person to  
1090 occupy any aisle in any such theater, concert or music hall, assembly  
1091 hall or other building used for such purpose, or permit any person to  
1092 occupy the back or sides of any such building or room used [as  
1093 aforesaid] for such purpose, to such an extent as to prevent the free  
1094 and unobstructed passage to and from the entrance to any aisle or any  
1095 of the exits in such place. [; but the] The provisions of this [section]  
1096 subsection shall not apply to town halls which are on the ground floor.

1097 (b) Before any performance or event at any theater, concert or music  
1098 hall or assembly hall or at any building, auditorium or room used for  
1099 public gatherings of more than one hundred persons, the owner,  
1100 proprietor, manager or agent of such theater, hall, building,  
1101 auditorium or room shall make a public announcement that describes  
1102 the location of emergency exits.

1103 (c) Any person who violates any provision of subsection (a) or (b) of  
1104 this section shall be fined not more than fifty dollars.

1105 Sec. 48. Section 30-88a of the general statutes, as amended by section  
1106 14 of public act 03-171, is repealed and the following is substituted in  
1107 lieu thereof (*Effective from passage*):

1108 Each person who attains the age of twenty-one years and has a  
1109 motor vehicle operator's license, containing a full-face photograph of  
1110 such person, may use, and each permittee may accept, such license as  
1111 legal proof of the age of the licensee for the purposes of this chapter.

1112 Any person who, for the purpose of procuring alcoholic liquor,  
1113 misrepresents his or her age or uses or exhibits [, for the purpose of  
1114 procuring alcoholic liquor,] an operator's license belonging to any  
1115 other person [,] shall be fined not less than two hundred [nor] or more  
1116 than five hundred dollars or imprisoned not more than thirty days, or  
1117 both.

1118 Sec. 49. Section 31-51ll of the general statutes, as amended by section  
1119 2 of public act 03-213, is repealed and the following is substituted in  
1120 lieu thereof (*Effective from passage*):

1121 (a) (1) Subject to section 31-51mm, an eligible employee shall be  
1122 entitled to a total of sixteen workweeks of leave during any twenty-  
1123 four-month period, such twenty-four-month period to be determined  
1124 utilizing any one of the following methods: [(1)] (A) Consecutive  
1125 calendar years; [(2)] (B) any fixed twenty-four-month period, such as  
1126 two consecutive fiscal years or a twenty-four-month period measured  
1127 forward from an employee's first date of employment; [(3)] (C) a  
1128 twenty-four-month period measured forward from an employee's first  
1129 day of leave taken under sections 31-51kk to 31-51qq, inclusive; or [(4)]  
1130 (D) a rolling twenty-four-month period measured backward from an  
1131 employee's first day of leave taken under sections 31-51kk to 31-51qq,  
1132 inclusive. [,]

1133 (2) Leave under this subsection may be taken for one or more of the  
1134 following reasons:

1135 [(1)] (A) Upon the birth of a son or daughter of the employee;

1136 [(2)] (B) Upon the placement of a son or daughter with the employee  
1137 for adoption or foster care;

1138 [(3)] (C) In order to care for the spouse, or a son, daughter or parent  
1139 of the employee, if such spouse, son, daughter or parent has a serious  
1140 health condition; or

1141 [(4)] (D) Because of a serious health condition of the employee.

1142 (b) Entitlement to leave under subparagraph (A) or (B) of  
1143 subdivision [(1) or] (2) of subsection (a) of this section may accrue prior  
1144 to the birth or placement of a son or daughter when such leave is  
1145 required because of such impending birth or placement.

1146 (c) (1) Leave under subparagraph (A) or (B) of subdivision [(1) or]  
1147 (2) of subsection (a) of this section for the birth or placement of a son or  
1148 daughter may not be taken by an employee intermittently or on a  
1149 reduced leave schedule unless the employee and the employer agree  
1150 otherwise. Subject to subdivision (2) of this subsection concerning an  
1151 alternative position, subdivision (2) of subsection (f) of this section  
1152 concerning the duties of the employee and subdivision (5) of  
1153 subsection (b) of section 31-51mm concerning sufficient certification,  
1154 leave under subparagraph (C) or (D) of subdivision [(3) or (4)] (2) of  
1155 subsection (a) of this section for a serious health condition may be  
1156 taken intermittently or on a reduced leave schedule when medically  
1157 necessary. The taking of leave intermittently or on a reduced leave  
1158 schedule pursuant to this subsection shall not result in a reduction of  
1159 the total amount of leave to which the employee is entitled under  
1160 subsection (a) of this section beyond the amount of leave actually  
1161 taken.

1162 (2) If an employee requests intermittent leave or leave on a reduced  
1163 leave schedule under subparagraph (C) or (D) of subdivision [(3) or  
1164 (4)] (2) of subsection (a) of this section that is foreseeable based on  
1165 planned medical treatment, the employer may require the employee to  
1166 transfer temporarily to an available alternative position offered by the  
1167 employer for which the employee is qualified and that (A) has  
1168 equivalent pay and benefits, and (B) better accommodates recurring  
1169 periods of leave than the regular employment position of the  
1170 employee, provided the exercise of this authority shall not conflict  
1171 with any provision of a collective bargaining agreement between such  
1172 employer and a labor organization which is the collective bargaining  
1173 representative of the unit of which the employee is a part.

1174 (d) Except as provided in subsection (e) of this section, leave  
1175 granted under subsection (a) of this section may consist of unpaid  
1176 leave.

1177 (e) (1) If an employer provides paid leave for fewer than sixteen  
1178 workweeks, the additional weeks of leave necessary to attain the  
1179 sixteen workweeks of leave required under sections 5-248a and 31-  
1180 51kk to 31-51qq, inclusive, may be provided without compensation.

1181 (2) (A) An eligible employee may elect, or an employer may require  
1182 the employee, to substitute any of the accrued paid vacation leave,  
1183 personal leave or family leave of the employee for leave provided  
1184 under subparagraph (A), (B) or (C) of subdivision [(1), (2) or (3)] (2) of  
1185 subsection (a) of this section for any part of this sixteen-week period of  
1186 such leave under said subsection.

1187 (B) An eligible employee may elect, or an employer may require the  
1188 employee, to substitute any of the accrued paid vacation leave,  
1189 personal leave, or medical or sick leave of the employee for leave  
1190 provided under subparagraph (C) or (D) of subdivision [(3) or (4)] (2)  
1191 of subsection (a) of this section for any part of the sixteen-week period  
1192 of such leave under said subsection, except that nothing in section 5-  
1193 248a or sections 31-51kk to 31-51qq, inclusive, shall require an  
1194 employer to provide paid sick leave or paid medical leave in any  
1195 situation in which such employer would not normally provide any  
1196 such paid leave.

1197 (f) (1) In any case in which the necessity for leave under  
1198 subparagraph (A) or (B) of subdivision [(1) or] (2) of subsection (a) of  
1199 this section is foreseeable based on an expected birth or placement of a  
1200 son or daughter, the employee shall provide the employer with not  
1201 less than thirty days' notice, before the date of the leave is to begin, of  
1202 the employee's intention to take leave under said [subdivision (1) or  
1203 (2)] subparagraph (A) or (B), except that if the date of the birth or  
1204 placement of a son or daughter requires leave to begin in less than  
1205 thirty days, the employee shall provide such notice as is practicable.

1206 (2) In any case in which the necessity for leave under subparagraph  
1207 (C) or (D) of subdivision [(3) or (4)] (2) of subsection (a) of this section  
1208 is foreseeable based on planned medical treatment, the employee (A)  
1209 shall make a reasonable effort to schedule the treatment so as not to  
1210 disrupt unduly the operations of the employer, subject to the approval  
1211 of the health care provider of the employee or the health care provider  
1212 of the son, daughter, spouse or parent of the employee, as appropriate;  
1213 and (B) shall provide the employer with not less than thirty days'  
1214 notice, before the date the leave is to begin, of the employee's intention  
1215 to take leave under said [subdivision (3) or (4)] subparagraph (C) or  
1216 (D), except that if the date of the treatment requires leave to begin in  
1217 less than thirty days, the employee shall provide such notice as is  
1218 practicable.

1219 (g) In any case in which a husband and wife entitled to leave under  
1220 subsection (a) of this section are employed by the same employer, the  
1221 aggregate number of workweeks of leave to which both may be  
1222 entitled may be limited to sixteen workweeks during any twenty-four-  
1223 month period, if such leave is taken: (1) Under subparagraph (A) or (B)  
1224 of subdivision [(1) or] (2) of subsection (a) of this section; or (2) to care  
1225 for a sick parent under [subdivision (3) of said subsection]  
1226 subparagraph (C) of said subdivision.

1227 (h) Unpaid leave taken pursuant to sections 5-248a and 31-51kk to  
1228 31-51qq, inclusive, shall not be construed to affect an employee's  
1229 qualification for exemption under chapter 558.

1230 (i) Notwithstanding the provisions of sections 5-248a and 31-51kk to  
1231 31-51qq, inclusive, all further rights granted by federal law shall  
1232 remain in effect.

1233 Sec. 50. Section 31-51mm of the general statutes is repealed and the  
1234 following is substituted in lieu thereof (*Effective from passage*):

1235 (a) An employer may require that request for leave based on a  
1236 serious health condition in subparagraph (C) or (D) of subdivision [(3)

1237 or (4)] (2) of subsection (a) of section 31-51ll, as amended, be supported  
1238 by a certification issued by the health care provider of the eligible  
1239 employee or of the son, daughter, spouse or parent of the employee, as  
1240 appropriate. The employee shall provide, in a timely manner, a copy of  
1241 such certification to the employer.

1242 (b) Certification provided under subsection (a) of this section shall  
1243 be sufficient if it states:

1244 (1) The date on which the serious health condition commenced;

1245 (2) The probable duration of the condition;

1246 (3) The appropriate medical facts within the knowledge of the  
1247 health care provider regarding the condition;

1248 (4) (A) For purposes of leave under subparagraph (C) of subdivision  
1249 [(3)] (2) of subsection (a) of section 31-51ll, as amended, a statement  
1250 that the eligible employee is needed to care for the son, daughter,  
1251 spouse or parent and an estimate of the amount of time that such  
1252 employee needs to care for the son, daughter, spouse or parent; and (B)  
1253 for purposes of leave under subparagraph (D) of subdivision [(4)] (2)  
1254 of subsection (a) of section 31-51ll, as amended, a statement that the  
1255 employee is unable to perform the functions of the position of the  
1256 employee;

1257 (5) In the case of certification for intermittent leave or leave on a  
1258 reduced leave schedule for planned medical treatment, the dates on  
1259 which such treatment is expected to be given and the duration of such  
1260 treatment;

1261 (6) In the case of certification for intermittent leave or leave on a  
1262 reduced leave schedule under subparagraph (D) of subdivision [(4)] (2)  
1263 of subsection (a) of section 31-51ll, as amended, a statement of the  
1264 medical necessity of the intermittent leave or leave on a reduced leave  
1265 schedule, and the expected duration of the intermittent leave or  
1266 reduced leave schedule; and

1267 (7) In the case of certification for intermittent leave or leave on a  
1268 reduced leave schedule under subparagraph (C) of subdivision [(3)] (2)  
1269 of subsection (a) of section 31-51ll, as amended, a statement that the  
1270 employee's intermittent leave or leave on a reduced leave schedule is  
1271 necessary for the care of the son, daughter, parent or spouse who has a  
1272 serious health condition, or will assist in their recovery, and the  
1273 expected duration and schedule of the intermittent leave or reduced  
1274 leave schedule.

1275 (c) (1) In any case in which the employer has reason to doubt the  
1276 validity of the certification provided under subsection (a) of this  
1277 section for leave under subparagraph (C) or (D) of subdivision [(3) or  
1278 (4)] (2) of subsection (a) of section 31-51ll, as amended, the employer  
1279 may require, at the expense of the employer, that the eligible employee  
1280 obtain the opinion of a second health care provider designated or  
1281 approved by the employer concerning any information certified under  
1282 subsection (b) of this section for such leave.

1283 (2) A health care provider designated or approved under  
1284 subdivision (1) of this subsection shall not be employed on a regular  
1285 basis by the employer.

1286 (d) (1) In any case in which the second opinion described in  
1287 subsection (c) of this section differs from the opinion in the original  
1288 certification provided under subsection (a) of this section, the  
1289 employer may require, at the expense of the employer, that the  
1290 employee obtain the opinion of a third health care provider designated  
1291 or approved jointly by the employer and the employee concerning the  
1292 information certified under subsection (b) of this section.

1293 (2) The opinion of the third health care provider concerning the  
1294 information certified under subsection (b) of this section shall be  
1295 considered to be final and shall be binding on the employer and the  
1296 employee.

1297 (e) The employer may require that the eligible employee obtain

1298 subsequent recertifications on a reasonable basis, provided the  
1299 standards for determining what constitutes a reasonable basis for  
1300 recertification may be governed by a collective bargaining agreement  
1301 between such employer and a labor organization which is the  
1302 collective bargaining representative of the unit of which the worker is  
1303 a part if such a collective bargaining agreement is in effect. Unless  
1304 otherwise required by the employee's health care provider, the  
1305 employer may not require recertification more than once during a  
1306 thirty-day period and, in any case, may not unreasonably require  
1307 recertification. The employer shall pay for any recertification that is not  
1308 covered by the employee's health insurance.

1309 Sec. 51. Subsection (d) of section 31-51nn of the general statutes is  
1310 repealed and the following is substituted in lieu thereof (*Effective from*  
1311 *passage*):

1312 (d) As a condition of restoration under subsection (a) of this section  
1313 for an employee who has taken leave under subparagraph (D) of  
1314 subdivision [(4)] (2) of subsection (a) of section 31-51ll, as amended, the  
1315 employer may have a uniformly applied practice or policy that  
1316 requires each such employee to receive certification from the health  
1317 care provider of the employee that the employee is able to resume  
1318 work, except that nothing in this subsection shall supersede a valid  
1319 law of this state or a collective bargaining agreement that governs the  
1320 return to work of such employees.

1321 Sec. 52. Subsection (c) of section 33-883 of the general statutes, as  
1322 amended by section 28 of public act 03-18, is repealed and the  
1323 following is substituted in lieu thereof (*Effective from passage*):

1324 (c) After the revocation of dissolution is authorized, the corporation  
1325 may revoke the dissolution by delivering to the Secretary of the State  
1326 for filing a certificate of revocation of dissolution that (1) sets forth:  
1327 [(1)] (A) The name of the corporation; [(2)] (B) the effective date of the  
1328 dissolution that was revoked; [(3)] (C) the date that the revocation of  
1329 dissolution was authorized; [(4)] (D) if the corporation's board of

1330 directors, or incorporators, revoked the dissolution, a statement to that  
1331 effect; [(5)] (E) if the corporation's board of directors revoked a  
1332 dissolution authorized by the shareholders, a statement that revocation  
1333 was permitted by action by the board of directors alone pursuant to  
1334 that authorization; [(6)] and (F) if shareholder action was required to  
1335 revoke the dissolution, the information required by subdivision (3) of  
1336 subsection (a) of section 33-882, as amended; and [(7)] (2) if the name of  
1337 the corporation whose dissolution is to be revoked is no longer  
1338 available, [be] is accompanied by an amendment of the certificate of  
1339 incorporation which changes the name of the corporation to an  
1340 available name.

1341 Sec. 53. Subsection (c) of section 33-1173 of the general statutes, as  
1342 amended by section 50 of public act 03-18, is repealed and the  
1343 following is substituted in lieu thereof (*Effective from passage*):

1344 (c) After the revocation of dissolution is authorized, the corporation  
1345 may revoke the dissolution by delivering to the Secretary of the State  
1346 for filing a certificate of revocation of dissolution that (1) sets forth:  
1347 [(1)] (A) The name of the corporation; [(2)] (B) the effective date of the  
1348 dissolution that was revoked; [(3)] (C) the date that the revocation of  
1349 dissolution was authorized; [(4)] (D) if the corporation's board of  
1350 directors, or incorporators, revoked the dissolution, a statement to that  
1351 effect; [(5)] (E) if the corporation's board of directors revoked a  
1352 dissolution authorized by members, a statement that revocation was  
1353 permitted by action of the board of directors alone pursuant to that  
1354 authorization; [(6)] and (F) if member action was required to revoke  
1355 the dissolution, the information required by subdivision (3) of  
1356 subsection (a) of section 33-1172, as amended; and [(7)] (2) if the name  
1357 of the corporation whose dissolution is to be revoked is no longer  
1358 available, [be] is accompanied by an amendment of the certificate of  
1359 incorporation which changes the name of the corporation to an  
1360 available name.

1361 Sec. 54. Subsection (c) of section 34-38p of the general statutes is

1362 repealed and the following is substituted in lieu thereof (*Effective from*  
1363 *passage*):

1364 (c) A foreign limited partnership's appointment of the [secretary of  
1365 the state] Secretary of the State and his successors in office as its initial  
1366 agent upon whom process may be served shall be included in the  
1367 application for registration as provided in section 34-38g. A  
1368 subsequent appointment of the Secretary of the State and his  
1369 successors in office as a foreign limited partnership's agent upon  
1370 whom process may be served shall be filed in the office of the  
1371 Secretary of the State in such form as the secretary shall prescribe.

1372 Sec. 55. Subdivision (14) of section 34-101 of the general statutes, as  
1373 amended by section 61 of public act 03-18, is repealed and the  
1374 following is substituted in lieu thereof (*Effective from passage*):

1375 (14) "Member" or "members" means a person or persons who have  
1376 been admitted to membership in a limited liability company as  
1377 provided in section 34-179 and who [has] have not disassociated from  
1378 the limited liability company as provided in section 34-180.

1379 Sec. 56. Subsection (b) of section 34-406 of the general statutes is  
1380 repealed and the following is substituted in lieu thereof (*Effective from*  
1381 *passage*):

1382 (b) The name of a registered limited liability partnership or foreign  
1383 registered limited liability partnership shall be such as to distinguish it  
1384 upon the records of the Secretary of the State from: (1) The name of  
1385 any registered limited liability partnership, limited partnership,  
1386 limited liability company or corporation existing under the laws of this  
1387 state; (2) the name of any foreign registered limited liability  
1388 partnership, foreign limited partnership, foreign limited liability  
1389 company or foreign corporation authorized to transact business in this  
1390 state; or (3) any name reserved under section 34-407 or reserved or  
1391 registered under section 33-656, 33-657, 33-1045, 33-1046, 33-1047, 34-13  
1392 or 34-103. [or subsection (a) of section 34-13.]

1393       Sec. 57. Subdivision (3) of subsection (a) of section 36a-468a of the  
1394 general statutes, as amended by section 69 of public act 03-84, is  
1395 repealed and the following is substituted in lieu thereof (*Effective from*  
1396 *passage*):

1397       (3) A terminating Connecticut credit union shall give written notice  
1398 of the date, time and place of the meeting at which its members shall  
1399 vote on the plan of merger. Such notice shall state that the purpose of  
1400 the meeting is to consider the plan of merger and contain or be  
1401 accompanied by a copy or summary of the plan. The notice shall be  
1402 hand-delivered or mailed to each member at such member's last-  
1403 known address as shown on the records of the credit union not less  
1404 than thirty [nor] or more than fifty days prior to the date of the  
1405 meeting. Unless waived by the commissioner in accordance with  
1406 subdivision (2) of subsection (b) of this subsection, the affirmative vote  
1407 of two-thirds of the members of the terminating Connecticut credit  
1408 union voting on the plan of merger shall be required for approval of  
1409 the merger. The terminating Connecticut credit union shall file with  
1410 the commissioner a verified statement that the merger has been duly  
1411 noticed and approved by its members in accordance with this  
1412 subdivision.

1413       Sec. 58. Subsection (c) of section 36a-468b of the general statutes, as  
1414 amended by section 70 of public act 03-84, is repealed and the  
1415 following is substituted in lieu thereof (*Effective from passage*):

1416       (c) The converting Connecticut credit union shall give written notice  
1417 of the date, time and place of the meeting at which the plan of  
1418 conversion is to be considered, which notice shall be hand-delivered or  
1419 mailed to each member of the converting Connecticut credit union at  
1420 such member's last-known address as shown on the records of such  
1421 Connecticut credit union not less than thirty [nor] or more than fifty  
1422 days prior to the date of the meeting.

1423       Sec. 59. Subdivision (4) of subsection (a) of section 36a-469c of the  
1424 general statutes, as amended by section 72 of public act 03-84 and

1425 section 17 of public act 03-196, is repealed and the following is  
1426 substituted in lieu thereof (*Effective from passage*):

1427 (4) In the case of a converting Connecticut credit union, the plan of  
1428 conversion shall require the approval of a majority of the governing  
1429 board. After approving the plan of conversion, the governing board of  
1430 the converting Connecticut credit union shall establish the date and  
1431 time of a regular or special meeting of members for vote on the  
1432 proposal. Written notice of the meeting at which the proposal is to be  
1433 considered together with a mail ballot and a disclosure statement shall  
1434 be hand-delivered or mailed to each member, at such member's last-  
1435 known address as shown on the records of the converting Connecticut  
1436 credit union, not more than thirty days [nor] or less than fourteen days  
1437 prior to the date of the meeting. The disclosure statement shall include,  
1438 at a minimum, a description of (A) the reasons for the proposed  
1439 conversion; (B) the differences between membership rights in the  
1440 converting credit union and depositor rights in the proposed mutual  
1441 savings bank, mutual savings and loan association or mutual  
1442 community bank; and (C) the significant differences between the  
1443 authorized powers of the converting credit union and those of the  
1444 proposed mutual savings bank, mutual savings and loan association or  
1445 mutual community bank. The notice, disclosure statement and mail  
1446 ballot shall be submitted to the commissioner for approval prior to  
1447 distribution to members. Each member of the converting Connecticut  
1448 credit union may cast one vote on the proposal. The affirmative vote of  
1449 two-thirds of all the members voting, including those votes cast in  
1450 person and those ballots properly completed and received by the  
1451 converting Connecticut credit union prior to the time of the meeting,  
1452 shall be required for approval of the conversion.

1453 Sec. 60. Subsection (b) of section 36a-470a of the general statutes, as  
1454 amended by section 73 of public act 03-84, is repealed and the  
1455 following is substituted in lieu thereof (*Effective from passage*):

1456 (b) Within three days after a majority of the governing board has

1457 adopted a plan of dissolution of the Connecticut credit union, the  
1458 governing board shall file with the commissioner a copy of such plan  
1459 of dissolution, attested by the chairman or vice chairman and the  
1460 secretary or treasurer, and inform the commissioner of the date on  
1461 which the plan will be voted on by the members of the Connecticut  
1462 credit union. The plan of dissolution shall be approved at an annual or  
1463 special meeting of the members. Written notice of the date, time and  
1464 place of the meeting at which the plan of dissolution is to be  
1465 considered shall be hand-delivered or mailed to each member at such  
1466 member's last-known address as shown on the records of the  
1467 Connecticut credit union, not more than thirty [nor] or less than seven  
1468 days prior to the date of the vote. The written notice shall clearly  
1469 describe the plan and the reasons for the plan and shall notify the  
1470 member of such member's right to vote on the plan in person, by proxy  
1471 or by mail ballot, and shall have an official form of proxy or mail ballot  
1472 attached. The affirmative vote of two-thirds of those members voting  
1473 shall be required to approve the proposal. Upon receipt of the filing,  
1474 the commissioner may by order appoint the National Credit Union  
1475 Administration or its successor agency to act as liquidating agent.

1476 Sec. 61. Section 36b-41 of the general statutes, as amended by section  
1477 88 of public act 03-19 and section 27 of public act 03-84, is repealed and  
1478 the following is substituted in lieu thereof (*Effective from passage*):

1479 Except as otherwise provided in sections 36b-40 to 36b-52, inclusive,  
1480 all terms used in said sections shall have the meanings ascribed to  
1481 them under section 36-321 of the general statutes, revision of 1958,  
1482 revised to January 1, 1977. As used in said sections:

1483 (1) "Target company" means any stock corporation which is  
1484 organized under the laws of this state, has its principal executive office  
1485 in this state and has, on a consolidated basis, five hundred or more  
1486 employees and fifty million dollars of tangible assets in this state, other  
1487 than: (A) A domestic insurance company, as defined in section 38a-1,  
1488 as amended; (B) a bank, as defined in subdivision (3) of subsection (a)

1489 of section 36-419 of the general statutes, revision of 1958, revised to  
1490 January 1, 1993, or a bank holding company, as defined in subdivision  
1491 (1) of subsection (a) of section 36-419 of the general statutes, revision of  
1492 1958, revised to January 1, 1993; (C) a public utility company or a  
1493 holding company, as defined in Section 2 of the Federal Public Utility  
1494 Holding Company Act of 1935, presently constituted as Section 79b of  
1495 Title 15 of the United States Code, an acquisition of or by, or merger  
1496 with which, is subject to approval by the appropriate federal agency as  
1497 provided in said act; (D) a bank or bank holding company subject to  
1498 the Federal Bank Holding Company Act of 1956, presently constituted  
1499 as Section 1841 et seq. of Title 12 of the United States Code, an  
1500 acquisition of or by, or merger with which, is subject to approval by  
1501 the appropriate federal agency as provided in said act; or (E) a savings  
1502 and loan holding company, as defined in Section 2 of the Federal  
1503 Savings and Loan Holding Company Amendments of 1967, presently  
1504 constituted as Section 1730a of Title 12 of the United States Code, an  
1505 acquisition of or by, or merger with which, is subject to approval by  
1506 the appropriate federal agency as provided in said act.

1507 (2) "Equity security" means (A) any stock or similar security  
1508 carrying, at the time of the tender offer, the right to vote on any matter  
1509 by virtue of the certificate of incorporation, bylaws or governing  
1510 instrument of the target company or the right to vote for directors or  
1511 persons performing substantially similar functions by operation of  
1512 law; (B) any security, including debt securities, convertible into such  
1513 stock or similar security; (C) any warrant or right to purchase such  
1514 stock or similar security; (D) any security carrying any warrant to  
1515 purchase such stock or similar security; or (E) any other security which  
1516 for the protection of investors is deemed an equity security pursuant to  
1517 regulation of the commissioner.

1518 (3) "Offeror" means a person who makes or in any way participates  
1519 in making a tender offer, and includes all affiliates and associates of  
1520 that person. The term does not include a financial institution, broker or  
1521 dealer loaning funds or extending credit to any offeror in the ordinary

1522 course of its business, or any accountant, attorney, financial institution,  
1523 broker, dealer, newspaper or magazine of general circulation,  
1524 consultant or other person furnishing services or advice to or  
1525 performing ministerial or administrative duties for an offeror and not  
1526 otherwise participating in the takeover offer.

1527 (4) "Affiliate" of a person means any person controlling, controlled  
1528 by, or under common control with that person.

1529 (5) "Associate" of a person means any person acting jointly or in  
1530 concert with that person for the purpose of acquiring, holding or  
1531 disposing of, or exercising any voting rights attached to, the equity  
1532 securities of a target company.

1533 (6) "Control", including the terms "controlling", "controlled by", and  
1534 "under common control with", means the possession of the power to  
1535 direct or cause the direction of the management and policies of a  
1536 person unless the power is the result of an official position or office.

1537 (7) "Offeree" means a record or beneficial owner of equity securities  
1538 which an offeror acquires or offers to acquire in connection with a  
1539 tender offer.

1540 (8) "Tender offer" means the offer to acquire, or the acquisition of,  
1541 any equity security of a target company, pursuant to a tender offer or  
1542 request or invitation for tenders, if after acquisition the offeror would  
1543 be directly or indirectly a record or beneficial owner of more than ten  
1544 per cent of any class of the outstanding equity securities of the target  
1545 company, but shall not include: (A) A bid made by a dealer for that  
1546 dealer's own account in the ordinary course of that dealer's business of  
1547 buying and selling such equity securities; (B) broker transactions  
1548 effected by or through a broker or dealer in the ordinary course of its  
1549 business; (C) an offer to exchange the securities of one issuer for the  
1550 securities of another issuer, if the offer is registered or exempt from  
1551 registration under the Federal Securities Act of 1933; (D) any offer to  
1552 acquire such equity securities for the sole account of the offeror if there

1553 are no more than one hundred record owners of the voting securities  
1554 of the target company at the time of the offer; (E) an offer which, if  
1555 accepted by all offerees, will not result in the offeror having acquired  
1556 more than two per cent of the same class of equity securities of the  
1557 issuer within the preceding twelve-month period; (F) an offer by the  
1558 issuer to acquire its own equity securities; (G) an isolated offer to  
1559 purchase equity securities from individual security holders and not  
1560 made to security holders generally; (H) an offer involving a vote of  
1561 shareholders of the target company on a merger, consolidation or sale  
1562 of corporate assets in consideration of cash or the issuance of securities  
1563 of another corporation; and (I) any offer which the commissioner, by  
1564 regulation or order, and after notice to the offeror and target company,  
1565 shall exempt from the definition of tender offer as not being entered  
1566 into for the purpose of, and not having the effect of, changing or  
1567 influencing the control of the target company or otherwise as not  
1568 comprehended within the purposes of sections 36b-40 to 36b-52,  
1569 inclusive.

1570 (9) "Commissioner" means the Banking Commissioner or any  
1571 person designated by the Banking Commissioner to administer  
1572 sections 36b-40 to 36b-52, inclusive.

1573 (10) "Schedule 14D-1" means the schedule 14D-1 as prescribed by  
1574 the Securities and Exchange Commission or such other form  
1575 pertaining to disclosures in tender offers as the commissioner by  
1576 regulation, rule or order may designate.

1577 Sec. 62. Section 38a-475 of the general statutes is repealed and the  
1578 following is substituted in lieu thereof (*Effective from passage*):

1579 The Insurance Department shall only precertify long-term care  
1580 insurance policies which (1) alert the purchaser to the availability of  
1581 consumer information and public education provided by the  
1582 Department of Social Services pursuant to section [17a-307] 17b-251; (2)  
1583 offer the option of home and community-based services in addition to  
1584 nursing home care; (3) in all home care plans, include case

1585 management services delivered by an access agency approved by the  
1586 Office of Policy and Management and the Department of Social  
1587 Services as meeting the requirements for such agency as defined in  
1588 regulations adopted pursuant to subsection (e) of section 17b-342,  
1589 which services shall include, but need not be limited to, the  
1590 development of a comprehensive individualized assessment and care  
1591 plan and, as needed, the coordination of appropriate services and the  
1592 monitoring of the delivery of such services; (4) provide inflation  
1593 protection; (5) provide for the keeping of records and an explanation of  
1594 benefit reports on insurance payments which count toward Medicaid  
1595 resource exclusion; and (6) provide the management information and  
1596 reports necessary to document the extent of Medicaid resource  
1597 protection offered and to evaluate the Connecticut Partnership for  
1598 Long-Term Care. No policy shall be precertified if it requires prior  
1599 hospitalization or a prior stay in a nursing home as a condition of  
1600 providing benefits. The commissioner may adopt regulations, in  
1601 accordance with chapter 54, to carry out the precertification provisions  
1602 of this section.

1603 Sec. 63. Subdivision (c) of section 38a-556 of the general statutes, as  
1604 amended by section 68 of public act 03-6 of the June 30 special session,  
1605 is repealed and the following is substituted in lieu thereof (*Effective*  
1606 *from passage*):

1607 (c) Every member shall participate in the association in accordance  
1608 with the provisions of this subdivision. (1) A participating member  
1609 shall determine the particular risks it elects to have written by or  
1610 through the association. A member shall designate which of the  
1611 following classes of risks it shall underwrite in the state, from which  
1612 classes of risk it may elect to reinsure selected risks: (A) Individual,  
1613 excluding group conversion; and (B) individual, including group  
1614 conversion. (2) No member shall be permitted to select out individual  
1615 lives from an employer group to be insured by or through the  
1616 association. Members electing to administer risks which are insured by  
1617 or through the association shall comply with the benefit determination

1618 guidelines and the accounting procedures established by the  
1619 association. A risk insured by or through the association cannot be  
1620 withdrawn by the participating member except in accordance with the  
1621 rules established by the association. (3) Rates for coverage issued by or  
1622 through the association shall not be excessive, inadequate or unfairly  
1623 discriminatory. Separate scales of premium rates based on age shall  
1624 apply but rates shall not be adjusted for area variations in provider  
1625 costs. Premium rates shall take into consideration the substantial extra  
1626 morbidity and administrative expenses for association risks,  
1627 reimbursement or reasonable expenses incurred for the writing of  
1628 association risks and the level of rates charged by insurers for groups  
1629 of ten lives, provided incurred losses which result from provision of  
1630 coverage in accordance with section 38a-537 shall not be considered. In  
1631 no event shall the rate for a given classification or group be less than  
1632 one hundred twenty-five per cent [nor] or more than one hundred fifty  
1633 per cent of the average rate charged for that classification with similar  
1634 characteristics under a policy covering ten lives. All rates shall be  
1635 promulgated by the association through an actuarial committee  
1636 consisting of five persons who are members of the American Academy  
1637 of Actuaries, shall be filed with the commissioner and may be  
1638 disapproved within sixty days from the filing thereof if excessive,  
1639 inadequate, or unfairly discriminatory.

1640 Sec. 64. Subsection (d) of section 38a-702g of the general statutes is  
1641 repealed and the following is substituted in lieu thereof (*Effective from*  
1642 *passage*):

1643 (d) Notwithstanding any other provision of sections 38a-702a to 38a-  
1644 702r, inclusive, a person licensed as a surplus lines broker in the  
1645 person's home state shall receive a nonresident surplus lines broker  
1646 license pursuant to subsection (a) of this section. Except as provided in  
1647 subsection (a) of this section, nothing in this section otherwise amends  
1648 or [supercedes] supersedes any provision of sections 38a-740 to 38a-  
1649 745, inclusive.

1650 Sec. 65. Subsection (b) of section 38a-981 of the general statutes, as  
1651 amended by section 3 of public act 03-119, is repealed and the  
1652 following is substituted in lieu thereof (*Effective from passage*):

1653 (b) (1) An insurance institution or a third-party administrator  
1654 providing insurance or administrative services with respect to an  
1655 employer's employee benefit plan which provides its employees with  
1656 health benefits shall, upon written request of an exclusive bargaining  
1657 agent for such employees, provide such bargaining agent with  
1658 information regarding description of health benefits available to such  
1659 employees, claim experience regarding such benefits and the cost to  
1660 the employer for such coverage or administrative services, as the case  
1661 may be, for employees in the bargaining unit represented by such  
1662 bargaining agent. If such employees constitute a subgroup of a multi-  
1663 bargaining-unit group, the information provided by the [insurer]  
1664 insurance institution or administrator shall, upon written request of  
1665 the exclusive bargaining agent for the subgroup, include a description  
1666 of available health benefits, claim experience regarding such benefits  
1667 and the cost to the employer for such coverage or administrative  
1668 services, as the case may be, for the entire multi-bargaining-unit group  
1669 or for subgroups within the multi-bargaining-unit group. A copy of  
1670 such information shall be provided at the same time to the employer  
1671 by the insurance institution or administrator. Such information shall be  
1672 made available to the bargaining agent and the employer only if the  
1673 bargaining agent agrees in writing to pay all reasonable costs, as  
1674 determined by the insurance institution or administrator, that are  
1675 incurred by the insurance institution or administrator in developing  
1676 and distributing the information. The information provided to such  
1677 agent shall relate to the group of employees as a whole and shall not  
1678 include any information relating to specific individuals. No requests  
1679 made pursuant to this subdivision may seek information which relates  
1680 to a period of time more than twenty-four months prior to the date  
1681 such request was made.

1682 (2) Prior to providing any information pursuant to subdivision (1) of

1683 this subsection, an insurance institution or third-party administrator  
1684 may require the bargaining agent requesting such information to  
1685 provide evidence in writing that such bargaining agent is currently  
1686 designated or certified by the proper state or federal authority as the  
1687 exclusive bargaining representative or agent of the employees who are  
1688 the subject of the request.

1689 (3) The provisions of this subsection shall not apply to employees  
1690 participating in an employee welfare benefit plan subject to the  
1691 provisions of Title I of the Employee Retirement Income Security Act  
1692 of 1974 (ERISA), Public Law 93-406, as amended from time to time, or  
1693 to the exclusive bargaining agents of such employees.

1694 Sec. 66. Subsection (d) of section 45a-8 of the general statutes is  
1695 repealed and the following is substituted in lieu thereof (*Effective from*  
1696 *passage*):

1697 (d) Any town located in a probate district that desires to (1)  
1698 consolidate such probate district with one or more districts, (2) be  
1699 removed from such probate district to a separate district established  
1700 for any such town, or (3) be located in another probate district, may, by  
1701 resolution of its legislative body, petition the General Assembly for  
1702 such consolidation, separation and creation of a new probate district or  
1703 relocation. The Probate Court Administrator shall provide such  
1704 assistance in the preparation of the petition as the officials of the town  
1705 or towns may request. At the time of submission of a petition to the  
1706 General Assembly, a copy of the petition shall be sent to the judges of  
1707 probate in the probate districts to be affected. No probate district may  
1708 be consolidated with another district until the expiration of the term of  
1709 office of any probate judge in an affected probate district.

1710 Sec. 67. Subsection (b) of section 45a-78 of the general statutes is  
1711 repealed and the following is substituted in lieu thereof (*Effective from*  
1712 *passage*):

1713 (b) The Probate Court Administrator shall, from time to time,

1714 compile into a probate practice book all rules regarding practice and  
1715 procedure in the courts of probate, and all forms prescribed for use in  
1716 probate courts. He shall cause the probate practice book to be  
1717 published, shall pay for the probate practice book from the [trust] fund  
1718 [provided for by] established under section 45a-82, as amended, and  
1719 shall sell the probate practice book, at a price determined by him. The  
1720 proceeds from the sales shall be added to and shall become a part of  
1721 [such trust] said fund.

1722 Sec. 68. Section 45a-80 of the general statutes is repealed and the  
1723 following is substituted in lieu thereof (*Effective from passage*):

1724 (a) The Commissioner of Public Works shall provide such office  
1725 space for the conduct of the duties of the office of the Probate Court  
1726 Administrator as the [administrator] Probate Court Administrator  
1727 approves. The expenses of the office space shall be paid from the  
1728 [trust] fund established under section 45a-82, as amended.

1729 (b) The Probate Court Administrator shall purchase furniture,  
1730 stationery, office supplies, typewriters, filing cabinets and [whatever]  
1731 such other equipment, apparatus and supplies, contractual services  
1732 and other services as the Probate Court Administrator deems  
1733 necessary or advisable for the expeditious conduct of the duties of the  
1734 office and shall pay for them from the [trust] fund established under  
1735 section 45a-82, as amended, subject to the provisions of section 45a-83.

1736 Sec. 69. Subsection (i) of section 45a-82 of the general statutes is  
1737 repealed and the following is substituted in lieu thereof (*Effective from*  
1738 *passage*):

1739 (i) The State Treasurer shall, on or before October first, annually,  
1740 give an accounting of the Probate Court Administration Fund,  
1741 showing the receipts and disbursements and the balance or condition  
1742 thereof, as of the preceding June thirtieth, to the Probate Assembly and  
1743 to the joint standing committee [on] of the General Assembly having  
1744 cognizance of matters relating to the judiciary.

1745 Sec. 70. Section 45a-83 of the general statutes is repealed and the  
1746 following is substituted in lieu thereof (*Effective from passage*):

1747 If at any time the [trust] fund established [by] under section 45a-82,  
1748 as amended, is insufficient to pay the several charges to be paid from  
1749 it, the Comptroller shall draw his order on the Treasurer for payment,  
1750 from the General Fund, of such sums as are necessary to pay such  
1751 charges. When the amount in the [trust] fund established [by] under  
1752 said section is more than sufficient to meet the requirements imposed  
1753 upon it by law, other than amounts which are required to make the  
1754 retirement fund established [by] under section 45a-35 actuarially  
1755 sound, all as certified by the Probate Court Administrator, there shall  
1756 be paid over to the General Fund from the [trust] fund established [by]  
1757 under section 45a-82, as amended, any moneys paid from the General  
1758 Fund under this section.

1759 Sec. 71. Section 45a-668 of the general statutes, as amended by  
1760 section 1 of public act 03-51, is repealed and the following is  
1761 substituted in lieu thereof (*Effective from passage*):

1762 Guardians of the property, and limited guardians of the property, of  
1763 persons who are not minors and who are persons with mental  
1764 retardation, appointed as such guardians or limited guardians under  
1765 chapter 779a prior to October 1, 1982, shall serve on or after October 1,  
1766 1982, as conservators of the estates of such persons as if appointed  
1767 conservators under the provisions of sections 45a-644 to 45a-662,  
1768 inclusive, and in accordance with the provisions of said sections. Any  
1769 guardian of the person or property of a [minor person who is mentally  
1770 retarded] person with mental retardation who is a minor, appointed  
1771 under chapter 779a, prior to October 1, 1982, may continue to serve as  
1772 such guardian on or after October 1, 1982, as if appointed under and in  
1773 accordance with the provisions of sections 45a-132, 45a-593 to 45a-597,  
1774 inclusive, 45a-603 to 45a-662, inclusive, or 45a-629 to 45a-638, inclusive,  
1775 relative to guardians of minors. Such guardianship shall terminate  
1776 upon the [minor] minor's reaching the age of eighteen. Continuation of

1777 the guardianship of the estate shall be by application made pursuant to  
1778 the provisions of sections 45a-644 to 45a-662, inclusive. Continuation of  
1779 the guardianship of the person shall be by application made pursuant  
1780 to the provisions of sections 45a-668 to 45a-684, inclusive. Any  
1781 guardian of the person of a person with mental retardation who is not  
1782 a minor, appointed under chapter 779a prior to October 1, 1982, may  
1783 continue to serve as such guardian after October 1, 1982. Upon filing of  
1784 a periodic account by any guardian appointed under the provisions of  
1785 chapter 779a, prior to October 1, 1982, the court shall require a probate  
1786 bond in the same manner as under sections 45a-132, 45a-593 to 45a-597,  
1787 inclusive, 45a-603 to 45a-622, inclusive, 45a-629 to 45a-638, inclusive, or  
1788 45a-644 to 45a-662, inclusive. Failure to furnish a probate bond or  
1789 written acceptance of guardianship required under the provisions of  
1790 said sections [ ] shall be cause for termination of the continued service  
1791 of the fiduciary provided for in this section.

1792 Sec. 72. Subdivision (5) of section 46a-11 of the general statutes, as  
1793 amended by section 1 of public act 03-88, is repealed and the following  
1794 is substituted in lieu thereof (*Effective from passage*):

1795 (5) Request and receive information, including personal data,  
1796 concerning a person with a disability from any state or private agency,  
1797 with the consent of such person with a disability, or the parent or  
1798 guardian of such person, as appropriate. With respect to a  
1799 developmentally disabled adult who has no guardian or whose  
1800 guardian is an employee of the Department of Mental Retardation, the  
1801 director may request and receive such information only if:

1802 (A) A request for advocacy services has been made on [his] such  
1803 person's behalf;

1804 (B) Such person does not indicate refusal to give consent to receipt  
1805 to the information by the director;

1806 (C) Such person resides in a facility for developmentally disabled  
1807 persons, including any institution, as defined in subsection (a) of

1808 section 19a-490, as amended, or has been placed in a boarding home,  
1809 group home or other residential facility pursuant to section 17a-277;

1810 (D) Such person has received an explanation of the manner in which  
1811 any information obtained concerning [him] such person will be used  
1812 by the advocacy office;

1813 (E) Such person has received an explanation of [his] such person's  
1814 right to refuse to allow the director to request or receive such  
1815 information; [,] and

1816 (F) The director has documented [his] the director's conscientious  
1817 efforts to provide the required explanations and verified that the  
1818 developmentally disabled person has not indicated refusal to give  
1819 consent.

1820 Sec. 73. Section 46b-35 of the general statutes is repealed and the  
1821 following is substituted in lieu thereof (*Effective from passage*):

1822 The certificates required by sections 46b-24, [to 46b-27, inclusive,] as  
1823 amended, 46b-24a, as amended, 46b-25 and 46b-29 to 46b-34, inclusive,  
1824 or an affidavit recorded pursuant to subsection (b) of section 46b-34,  
1825 shall be prima facie evidence of the facts stated in them.

1826 Sec. 74. Subdivision (2) of subsection (a) of section 46b-220 of the  
1827 general statutes is repealed and the following is substituted in lieu  
1828 thereof (*Effective from passage*):

1829 (2) "License" means each license, certification or permit to engage in  
1830 a profession or occupation regulated pursuant to the provisions of title  
1831 19a, 20 or 21, a motor vehicle operator's license or a commercial  
1832 driver's license issued by the Commissioner of Motor Vehicles in  
1833 accordance with chapter 246, and [licensees] licenses and permits  
1834 issued by the Department of Environmental Protection pursuant to  
1835 part III of chapter 490. [of title 26;]

1836 Sec. 75. Section 47-34a of the general statutes, as amended by section

1837 82 of public act 03-115, is repealed and the following is substituted in  
1838 lieu thereof (*Effective from passage*):

1839 (a) Any person who knowingly injures, destroys, disturbs or  
1840 removes any marker properly placed on any tract of land or street or  
1841 highway line by a surveyor, or by any person at the direction of a  
1842 surveyor, for the purpose of designating any point, course or line in  
1843 the boundary of such tract of land, street or highway, shall be fined not  
1844 less than five hundred dollars [nor] or more than one thousand dollars.

1845 (b) Notwithstanding the provisions of subsection (a) of this section,  
1846 a surveyor licensed under chapter 391, or a person acting at the  
1847 direction of any such licensed surveyor, may remove an existing  
1848 marker in order to place an upgraded marker in the same location.

1849 (c) Any person who knowingly injures, destroys, disturbs or  
1850 removes any monument that has been established by the National  
1851 Geodetic Survey or Connecticut Geodetic Survey for use in the  
1852 determination of spatial location relative to the Connecticut coordinate  
1853 systems specified in section 13a-255, as amended, or precise elevation  
1854 datum shall be fined not less than two thousand dollars [nor] or more  
1855 than five thousand dollars.

1856 Sec. 76. Subsection (b) of section 49-15 of the general statutes, as  
1857 amended by section 9 of public act 03-202, is repealed and the  
1858 following is substituted in lieu thereof (*Effective from passage*):

1859 (b) Upon the filing of a bankruptcy petition by a mortgagor under  
1860 Chapter 13 of Title 11 of the United States Code, any judgment against  
1861 the mortgagor foreclosing the title to real estate by strict foreclosure  
1862 shall be opened automatically without action by any party or the court,  
1863 provided, the provisions of such judgment, other than the  
1864 establishment of law days, shall not be set aside under this subsection;  
1865 but no such judgment shall be opened after the title has become  
1866 absolute in any encumbrancer or the mortgagee, or any person  
1867 claiming under such encumbrancer or mortgagee. The mortgagor shall

1868 file a copy of the bankruptcy petition, or an affidavit setting forth the  
1869 date the bankruptcy petition was filed, with the clerk of the court in  
1870 which the foreclosure matter is pending. Upon the [determination]  
1871 termination of the automatic stay authorized pursuant to 11 USC 362,  
1872 the mortgagor shall file with such clerk an affidavit setting forth the  
1873 date the stay was terminated.

1874 Sec. 77. Subsection (a) of section 49-55a of the general statutes is  
1875 repealed and the following is substituted in lieu thereof (*Effective from*  
1876 *passage*):

1877 (a) Upon the possession of the vessel by a lienor, he shall cause a  
1878 notice of a vessel lien, in quadruplicate, to be filed on a form provided  
1879 by the Secretary of the State with the office of [said] the secretary on  
1880 which he shall also indicate the date and place of the sale of the vessel,  
1881 which date of sale shall be at least sixty days next succeeding the filing  
1882 of the notice. The lienor shall, within seven days of the filing, send by  
1883 certified mail a copy of [this] such notice to the person indicated as the  
1884 owner of the vessel, and to anyone who has filed with the Secretary of  
1885 the State claiming a legal or equitable interest in the vessel. The fees for  
1886 [this] such notice and procedure shall be set by the Secretary of the  
1887 State.

1888 Sec. 78. Subsection (a) of section 49-92h of the general statutes is  
1889 repealed and the following is substituted in lieu thereof (*Effective from*  
1890 *passage*):

1891 (a) Upon the possession of the aircraft by a lienor, he shall cause a  
1892 notice of an aircraft lien, in quadruplicate, to be filed on a form  
1893 provided by the Secretary of the State with the office of [said] the  
1894 secretary on which he shall also indicate the date and place of the sale  
1895 of the aircraft, which date of sale shall be at least sixty days next  
1896 succeeding the filing of the notice. The lienor shall, within seven days  
1897 of the filing, send by certified mail a copy of [this] such notice to the  
1898 person indicated as the owner of the aircraft, and to anyone who has  
1899 filed with the Secretary of the State claiming a legal or equitable

1900 interest in the aircraft. The fees for [this] such notice and procedure  
1901 shall be set by the [secretary of the state] Secretary of the State.

1902 Sec. 79. Subsection (d) of section 52-50 of the general statutes is  
1903 repealed and the following is substituted in lieu thereof (*Effective from*  
1904 *passage*):

1905 (d) Service of motions for modification, motions for contempt and  
1906 wage withholdings in any matter involving child support, including,  
1907 but not limited to, petitions for support authorized under sections  
1908 [17b-748] 17b-745, as amended, and 46b-215, as amended, and those  
1909 matters involving a beneficiary of care or assistance from the state,  
1910 may be made by a support enforcement officer or support services  
1911 investigator of the Superior Court.

1912 Sec. 80. Section 52-367a of the general statutes, as amended by  
1913 section 48 of public act 03-2, section 22 of public act 03-62, section 40 of  
1914 public act 03-84 and section 12 of public act 03-224, is repealed and the  
1915 following is substituted in lieu thereof (*Effective from passage*):

1916 (a) As used in this section and section 52-367b, as amended,  
1917 "financial institution" means any bank, savings bank, savings and loan  
1918 association or credit union organized, chartered or licensed under the  
1919 laws of this state or the United States and having its main office in this  
1920 state, or any similar out-of-state institution having a branch office in  
1921 this state.

1922 (b) Execution may be granted pursuant to this section against any  
1923 debts due from any financial institution to a judgment debtor which is  
1924 not a natural person. If execution is desired against any such debt, the  
1925 plaintiff requesting the execution shall make application to the clerk of  
1926 the court. The application shall be accompanied by a fee of thirty-five  
1927 dollars payable to the clerk of the court for the administrative costs of  
1928 complying with the provisions of this section which fee may be  
1929 recoverable by the judgment creditor as a taxable cost of the action.  
1930 The clerk shall issue such execution containing a direction that the

1931 officer serving such execution shall make demand (1) upon the main  
1932 office of any financial institution having its main office within the  
1933 county of the serving officer, or (2) if such main office is not within the  
1934 serving officer's county and such financial institution has one or more  
1935 branch offices within such county, upon an employee of such a branch  
1936 office, such employee and branch office having been designated by the  
1937 financial institution in accordance with regulations adopted by the  
1938 Banking Commissioner, in accordance with chapter 54, for the  
1939 payment of any debt due to the judgment debtor, and, after having  
1940 made such demand, shall serve a true and attested copy thereof, with  
1941 the serving officer's actions thereon endorsed, with the financial  
1942 institution officer upon whom such demand is made.

1943 (c) If any such financial institution upon which such execution is  
1944 served and upon which such demand is made is indebted to the  
1945 judgment debtor, the [banking] financial institution shall remove from  
1946 the judgment debtor's account the amount of such indebtedness not  
1947 exceeding the amount due on such execution. Except as provided in  
1948 subsection (d) of this section, the [banking] financial institution shall  
1949 immediately pay to such serving officer the amount removed from the  
1950 judgment debtor's account, which amount shall be received and  
1951 applied on such execution by such serving officer. Such financial  
1952 institution shall act upon such execution according to section 42a-4-303  
1953 before its midnight deadline, as defined in section 42a-4-104. Nothing  
1954 in this subsection shall be construed to affect any other rights or  
1955 obligations of the [banking] financial institution with regard to funds  
1956 in the judgment debtor's account.

1957 (d) If the deposit account is subject to a security interest of a secured  
1958 party, other than the [banking] financial institution upon which such  
1959 execution is served and upon which such demand is made, pursuant  
1960 to a control agreement between the [banking] financial institution and  
1961 such secured party under article 9 of title 42a, and if any funds are  
1962 removed from the judgment debtor's account pursuant to subsection  
1963 (c) of this section, the [banking] financial institution shall forthwith

1964 mail a copy of the execution when received from the serving officer,  
1965 postage prepaid, to the judgment debtor and to such other secured  
1966 party at the last known address of such parties with respect to the  
1967 affected accounts on the records of the [banking] financial institution.  
1968 The [banking] financial institution shall hold the amount removed  
1969 from the judgment debtor's account pursuant to subsection (c) of this  
1970 section for twenty days from the date of the mailing to the judgment  
1971 debtor and such other secured party, and during such period shall not  
1972 pay the serving officer.

1973 (e) To prevent the [banking] financial institution from paying the  
1974 serving officer, as provided in subsection (h) of this section, such other  
1975 secured party shall give notice of its prior perfected security interest in  
1976 such deposit account, by delivering to the clerk of the court that issued  
1977 the execution a written claim for determination of interests in property  
1978 pursuant to section 52-356c and by delivering a copy of such claim to  
1979 the [banking] financial institution upon which such execution is  
1980 served.

1981 (f) Upon receipt of a written claim for determination of interests in  
1982 property made pursuant to subsection (e) of this section, the clerk of  
1983 the court shall enter the appearance of the secured party with the  
1984 address set forth in the written claim. The clerk shall forthwith send  
1985 file-stamped copies of the written claim to the judgment creditor, the  
1986 judgment debtor and the [banking] financial institution upon which  
1987 such execution was served with a notice stating that the disputed  
1988 funds are being held until a court order is entered regarding the  
1989 disposition of the funds.

1990 (g) If a written claim for determination of interests in property is  
1991 made pursuant to subsection (e) of this section, the [banking] financial  
1992 institution shall continue to hold the amount removed from the  
1993 judgment debtor's account until a court order is received regarding  
1994 disposition of the funds.

1995 (h) If no written claim for determination of interests in property is

1996 made pursuant to subsection (e) of this section, the [banking] financial  
1997 institution shall, upon demand, forthwith pay the serving officer the  
1998 amount removed from the judgment debtor's account, and the serving  
1999 officer shall thereupon pay such sum, less such serving officer's fees, to  
2000 the judgment creditor, except to the extent otherwise ordered by a  
2001 court.

2002 (i) If a written claim for determination of interests in property is  
2003 made pursuant to subsection (e) of this section, the clerk of the court,  
2004 after a judgment or order is entered pursuant to section 52-356c, shall  
2005 forthwith send a copy of such judgment or order to the [banking]  
2006 financial institution. Such judgment or order shall be deemed to be a  
2007 final judgment for the purposes of appeal. No appeal shall be taken  
2008 except within seven days of the rendering of the judgment or order.  
2009 The judgment or order of the court may be implemented during such  
2010 seven-day period, unless stayed by the court.

2011 (j) If records or testimony are subpoenaed from a [banking] financial  
2012 institution in connection with a hearing conducted pursuant to section  
2013 52-356c on a written claim for determination of interests in property  
2014 made pursuant to subsection (e) of this section, the reasonable costs  
2015 and expenses of the [banking] financial institution in complying with  
2016 the subpoena shall be recoverable by the [banking] financial institution  
2017 from the party requiring such records or testimony, provided the  
2018 [banking] financial institution shall be under no obligation to attempt  
2019 to obtain records or documentation relating to the account executed  
2020 against that are held by any other [banking] financial institution. The  
2021 records of a [banking] financial institution as to the dates and amounts  
2022 of deposits into an account in the [banking] financial institution shall,  
2023 if certified as true and accurate by an officer of the [banking] financial  
2024 institution, be admissible as evidence without the presence of the  
2025 officer in any hearing conducted pursuant to section 52-356c to  
2026 determine the legitimacy of a claim of an interest in property made  
2027 under subsection (e) of this section.

2028 (k) If such financial institution fails or refuses to pay over to such  
2029 serving officer the amount of such debt, not exceeding the amount due  
2030 on such execution, such financial institution shall be liable in an action  
2031 therefor to the judgment creditor named in such execution, and the  
2032 amount so recovered by such judgment creditor shall be applied  
2033 toward the payment of the amount due on such execution.

2034 (l) Except as provided in subsection (k) of this section, no [banking]  
2035 financial institution or any officer, director or employee of such  
2036 [banking] financial institution shall be liable to any person with respect  
2037 to any act done or omitted in good faith or through the commission of  
2038 a bona fide error that occurred despite reasonable procedures  
2039 maintained by the [banking] financial institution to prevent such errors  
2040 in complying with the provisions of this section.

2041 (m) Nothing in this section shall in any way restrict the rights and  
2042 remedies otherwise available to a judgment debtor or to any such  
2043 secured party at law or in equity.

2044 Sec. 81. Subsections (d) and (e) of section 52-367b of the general  
2045 statutes, as amended by section 23 of public act 03-62 and section 13 of  
2046 public act 03-224, are repealed and the following is substituted in lieu  
2047 thereof (*Effective from passage*):

2048 (d) If any funds are removed from the judgment debtor's account  
2049 pursuant to subsection (c) of this section, upon receipt of the execution  
2050 and exemption claim form from the serving officer, the financial  
2051 institution shall forthwith mail copies thereof, postage prepaid, to the  
2052 judgment debtor and to any secured party that is party to a control  
2053 agreement between the [banking] financial institution and such  
2054 secured party under article 9 of title 42a at the last known address of  
2055 the judgment debtor and of any such secured party with respect to the  
2056 affected accounts on the records of the financial institution. The  
2057 financial institution shall hold the amount removed from the judgment  
2058 debtor's account pursuant to subsection (c) of this section for fifteen  
2059 days from the date of the mailing to the judgment debtor and any such

2060 secured party, and during such period shall not pay the serving officer.

2061 (e) To prevent the financial institution from paying the serving  
2062 officer, as provided in subsection (h) of this section, the judgment  
2063 debtor shall give notice of a claim of exemption by delivering to the  
2064 financial institution, by mail or other means, the exemption claim form  
2065 or other written notice that an exemption is being claimed and any  
2066 such secured party shall give notice of its claim of a prior perfected  
2067 security interest in such deposit account by delivering to the [banking]  
2068 financial institution, by mail or other means, written notice thereof.  
2069 The financial institution may designate an address to which the notice  
2070 of a claim of exemption, or a secured party claim notice, shall be  
2071 delivered. Upon receipt of such notice, the financial institution shall,  
2072 within two business days, send a copy of such notice to the clerk of the  
2073 court which issued the execution.

2074 Sec. 82. Subsection (a) of section 53-304 of the general statutes is  
2075 repealed and the following is substituted in lieu thereof (*Effective from*  
2076 *passage*):

2077 (a) Any person who neglects or refuses to furnish reasonably  
2078 necessary support to the person's spouse, child under the age of  
2079 eighteen or parent under the age of sixty-five shall be deemed guilty of  
2080 nonsupport and shall be imprisoned not more than one year, unless  
2081 the person shows to the court before which the trial is had that, owing  
2082 to physical incapacity or other good cause, the person is unable to  
2083 furnish such support. [Such] The court may suspend the execution of  
2084 any community correctional center sentence imposed, upon any terms  
2085 or conditions that it deems just, may suspend the execution of the  
2086 balance of any such sentence in a like manner, and, in addition to any  
2087 other sentence or in lieu thereof, may order that the person convicted  
2088 shall pay to the Commissioner of Administrative Services directly or  
2089 through Support Enforcement Services of the Superior Court, such  
2090 support, in such amount as the court may find commensurate with the  
2091 necessities of the case and the ability of such person, for such period as

2092 the court shall determine. Any such order of support may, at any time  
2093 thereafter, be set aside or altered by [such] the court for cause shown.  
2094 Failure of any defendant to make any payment may be punished as  
2095 contempt of court and, in addition thereto or in lieu thereof, the court  
2096 may order the issuance of a wage withholding in the same manner as  
2097 is provided in section [17b-748,] 17b-745, as amended, which  
2098 withholding order shall have the same precedence as is provided in  
2099 section 52-362, as amended. The amounts withheld under such  
2100 withholding order shall be remitted to the Department of  
2101 Administrative Services by the person or corporation to whom the  
2102 withholding order is presented at such intervals as such withholding  
2103 order directs. For the purposes of this section, [the term] "child" [shall  
2104 include] includes one born out of wedlock whose father has  
2105 acknowledged in writing his paternity of such child or has been  
2106 adjudged the father by a court of competent jurisdiction.

2107 Sec. 83. Subsection (b) of section 54-1m of the general statutes, as  
2108 amended by section 1 of public act 03-160, is repealed and the  
2109 following is substituted in lieu thereof (*Effective from passage*):

2110 (b) Commencing on January 1, 2000, each municipal police  
2111 department and the Department of Public Safety shall, using the form  
2112 developed and promulgated pursuant to subsection [(i)] (h) of this  
2113 section, record and retain the following information: (1) The number of  
2114 persons stopped for traffic violations; (2) characteristics of race, color,  
2115 ethnicity, gender and age of such persons, provided the identification  
2116 of such characteristics shall be based on the observation and  
2117 perception of the police officer responsible for reporting the stop and  
2118 the information shall not be required to be provided by the person  
2119 stopped; (3) the nature of the alleged traffic violation that resulted in  
2120 the stop; (4) whether a warning or citation was issued, an arrest made  
2121 or a search conducted as a result of the stop; and (5) any additional  
2122 information that such municipal police department or the Department  
2123 of Public Safety, as the case may be, deems appropriate, provided such  
2124 information does not include any other identifying information about

2125 any person stopped for a traffic violation such as the person's  
2126 operator's license number, name or address.

2127 Sec. 84. Subsection (c) of section 54-128 of the general statutes is  
2128 repealed and the following is substituted in lieu thereof (*Effective from*  
2129 *passage*):

2130 (c) Any person who, during the service of a period of special parole  
2131 imposed in accordance with subdivision (9) of subsection (b) of section  
2132 53a-28, has been returned to the custody of the Commissioner of  
2133 Correction or any institution of the Department of Correction for  
2134 violation of his parole, may be retained in the institution from which  
2135 he was paroled for a period equal to the unexpired portion of the  
2136 period of special parole. The total length of the term of incarceration  
2137 and term of special parole combined shall not exceed the maximum  
2138 sentence of incarceration authorized for the offense for which the  
2139 person was convicted.

2140 Sec. 85. Subsection (d) of section 2 of public act 03-114 is repealed  
2141 and the following is substituted in lieu thereof (*Effective from passage*):

2142 (d) Any person under the minimum age for the purchase of  
2143 alcoholic liquor under the provisions of chapter 545 who, for the  
2144 purpose of gaining access to a gaming facility, (1) misrepresents such  
2145 person's age, or (2) uses or exhibits (A) a forged, counterfeit or altered  
2146 government-issued identity card, passport or motor vehicle operator's  
2147 license, or (B) a government-issued identity card, passport or motor  
2148 vehicle operator's license belonging to any other person, shall be fined  
2149 not less than one hundred dollars [nor] or more than five hundred  
2150 dollars or imprisoned not more than thirty days, or both.

2151 Sec. 86. Subsection (b) of section 1 of public act 03-233 is repealed  
2152 and the following is substituted in lieu thereof (*Effective from passage*):

2153 (b) Any person who violates the provisions of subsection (a) of this  
2154 section shall, for a first offense, be fined not less than one hundred fifty

2155 dollars [nor] or more than two hundred dollars or imprisoned not  
2156 more than ninety days, or both, and, for any subsequent offense, be  
2157 fined not less than two hundred dollars [nor] or more than six  
2158 hundred dollars or imprisoned not more than one year, or both.

2159 Sec. 87. Section 38 of public act 03-259 is repealed and the following  
2160 is substituted in lieu thereof (*Effective from passage*):

2161 [(a)] A violation of section 33 or sections 35 to 37, inclusive, of [this  
2162 act] public act 03-259 shall be deemed an unfair or deceptive trade  
2163 practice under subsection (a) of section 42-110b, provided the  
2164 provisions of section 42-110g, as amended, shall not apply to such  
2165 violation.

2166 Sec. 88. Section 3 of public act 03-266 is repealed and the following is  
2167 substituted in lieu thereof (*Effective from passage*):

2168 (a) No hospital shall refer to a collection agent, as defined in section  
2169 [19-509b] 19a-509b, as amended, or initiate an action against an  
2170 individual patient or such patient's estate to collect fees arising from  
2171 care provided at a hospital on or after October 1, 2003, unless the  
2172 hospital has made a determination that such individual is an  
2173 uninsured patient, as defined in section 19a-673, as amended, and is  
2174 not eligible for the hospital bed fund.

2175 (b) Nothing in this section shall [effect] affect a hospital's ability to  
2176 initiate an action against an individual patient or such patient's estate  
2177 to collect coinsurance, deductibles or fees arising from care provided at  
2178 a hospital where such coinsurance, deductibles or fees may be eligible  
2179 for reimbursement through awards, settlements or judgments arising  
2180 from claims, suits or proceedings. In addition, nothing in this section  
2181 shall affect a hospital's ability to initiate an action against an individual  
2182 patient or such patient's estate where payment or reimbursement has  
2183 been made, or likely is to be made, directly to the patient.

2184 Sec. 89. Section 7 of public act 03-267 is repealed and the following is

2185 substituted in lieu thereof (*Effective from passage*):

2186 (a) A person is guilty of abuse in the first degree when such person  
 2187 intentionally commits abuse of an elderly, blind, disabled or mentally  
 2188 retarded person and causes serious physical injury to such elderly,  
 2189 blind, disabled or mentally retarded [, or disabled] person.

2190 (b) Abuse in the first degree is a class C felony.

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>
Sec. 21	<i>from passage</i>
Sec. 22	<i>from passage</i>
Sec. 23	<i>from passage</i>
Sec. 24	<i>from passage</i>
Sec. 25	<i>from passage</i>
Sec. 26	<i>from passage</i>
Sec. 27	<i>from passage</i>
Sec. 28	<i>from passage</i>

Sec. 29	<i>October 1, 2004</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</i>
Sec. 41	<i>from passage</i>
Sec. 42	<i>from passage</i>
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Sec. 69	<i>from passage</i>
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Sec. 79	<i>from passage</i>
Sec. 80	<i>from passage</i>
Sec. 81	<i>from passage</i>
Sec. 82	<i>from passage</i>
Sec. 83	<i>from passage</i>
Sec. 84	<i>from passage</i>
Sec. 85	<i>from passage</i>
Sec. 86	<i>from passage</i>
Sec. 87	<i>from passage</i>
Sec. 88	<i>from passage</i>
Sec. 89	<i>from passage</i>

**Statement of Purpose:**

To make various technical changes concerning grammar, gender neutrality, accuracy of internal references and consistency in the general statutes and certain public acts.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*