



General Assembly

February Session, 2004

Amendment

LCO No. 5391

HB0568305391HDO

Offered by:
REP. DYSON, 94th Dist.

To: House Bill No. 5683

File No. 571

Cal. No. 387

**"AN ACT CONCERNING THE EXPENDITURES OF THE OFFICE
OF POLICY AND MANAGEMENT."**

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

3 "Section 1. (*Effective July 1, 2004*) The sum of \$100,000 of federal
4 funds within the Department of Social Services shall be transferred to
5 the Commission on Fire Prevention and Control, during the fiscal year
6 ending June 30, 2005, to reimburse municipalities for the costs of
7 emergency responses on limited access highways.

8 Sec. 2. (*Effective July 1, 2004*) The sum of \$1,000,000 appropriated to
9 DEBT SERVICE - STATE TREASURER, Debt Service, for the fiscal year
10 ending June 30, 2005, shall be transferred to the appropriation to DEBT
11 SERVICE - STATE TREASURER, CHEFA Day Care Security, for said
12 fiscal year.

13 Sec. 3. (*Effective July 1, 2004*) The sum of \$3,774,657 is appropriated
14 to the Labor Department, from the General Fund, for the fiscal year

15 ending June 30, 2005, for Workforce Investment Act.

16 Sec. 4. (*Effective July 1, 2004*) The sum of \$100,000 appropriated to
17 the Department of Higher Education, for the fiscal year ending June 30,
18 2004, for Education and Health Initiatives, shall not lapse June 30, 2004,
19 and shall be transferred to the Office of Workforce Competitiveness,
20 CETC Workforce, for the fiscal year ending June 30, 2005, for
21 Workforce Development.

22 Sec. 5. (*Effective July 1, 2004*) The sum of \$50,000 appropriated to the
23 Department of Higher Education, for the fiscal year ending June 30,
24 2005, for Education and Health Initiatives, shall be transferred to the
25 Office of Workforce Competitiveness, CETC Workforce, for Workforce
26 Development.

27 Sec. 6. Section 5-200 of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective from passage*):

29 (a) The Commissioner of Administrative Services or his authorized
30 agent shall administer centralized and decentralized selection
31 programs that will identify those applicants most qualified for
32 appointment to or promotion in the state classified service, and
33 establish candidate and reemployment lists for the various classes of
34 positions within occupational groups and career progression levels.
35 Upon a request from any appointing authority or indication of the
36 need for additional employees, as evidenced by the presence of a
37 temporary or provisional employee or by a request for certification of a
38 temporary employee in any class, the commissioner or his designee
39 shall certify the names of persons eligible for employment or
40 reemployment. The commissioner shall: (1) Install and administer
41 service-rating systems; (2) devise plans for, and cooperate with,
42 appointing authorities and other supervising officials in the conduct of
43 employee training programs to the end that the quality of service
44 rendered by persons in the classified service may be continually
45 improved; (3) conduct research into methods of selection, service
46 ratings and other problems of personnel administration; (4) arrange for

47 and, in cooperation with appointing authorities, effect transfers; (5)
48 cooperate with appointing authorities in employee recruitment
49 programs; (6) administer annual sick and special leaves of absence and
50 hours of work and attendance in accordance with the provisions of this
51 chapter and any regulations relating thereto; (7) establish personnel
52 standards, governing promotions, classifications, reclassifications and
53 the creation of positions, that will provide guidance to all agencies in
54 matters of personnel management and serve as a means to evaluate
55 agency performance in conducting personnel management; and (8) see
56 that all appointments, promotions, layoffs, demotions, suspensions,
57 removals and retirements are made in accordance with the applicable
58 provisions of the general statutes and regulations issued pursuant
59 thereto. The commissioner may fully or partially delegate the
60 responsibilities set forth in this subsection to the heads of state
61 agencies or their authorized agents, subject to audit, in order to
62 improve human resource management.

63 (b) The commissioner shall review position classifications in
64 accordance with subsection (c) of section 5-206.

65 (c) The commissioner shall cause to be kept for the classified service
66 suitable records of (1) regulations adopted under this chapter, (2)
67 classifications of positions, occupational groups, career progression
68 levels and schedules of compensation provided for under this chapter,
69 (3) standards for examining qualifications and measuring service, (4)
70 examinations conducted and candidate and reemployment lists
71 established, and (5) provisional and temporary appointments and
72 other official acts.

73 (d) The commissioner shall prescribe procedures for reports to be
74 submitted to him.

75 (e) The commissioner shall establish and maintain a complete roster
76 of the employees and officers in the state service, whether under the
77 classified service or not, showing for each such employee the title of
78 the position held, his departmental, agency or institution assignment,

79 rate of compensation, date of appointment and each change in his
80 status, including any increase and decrease in pay, change in title,
81 transfers or other facts which the commissioner considers desirable
82 and pertinent.

83 (f) The commissioner shall prescribe reasonable conditions and
84 procedures under which the records of the Department of
85 Administrative Services shall be open to public inspection during
86 usual business hours, except as provided in section 5-225. He shall take
87 all due precautions to prevent the securing in advance by any
88 unauthorized person of any material to be used in any examination
89 under this chapter, unless such material is available for all applicants.
90 Statements of the former employers of applicants shall be considered
91 confidential and shall not be open to inspection by any person.

92 (g) The commissioner and his agents shall have free access to
93 premises and records under the control of all officers, appointing
94 authorities and other state employees during usual business hours and
95 shall be furnished such facilities, assistance and information as he and
96 his agents require in carrying out their functions. This subsection shall
97 not apply to the medical records of state employees, unless the
98 employee gives his consent or unless the information sought is
99 necessary to assure adjudication of any responsibility on the part of the
100 state or unless medical interpretations of preemployment and other
101 examinations are requested by the commissioner.

102 (h) (1) The commissioner shall, after completion of all established
103 preliminary procedures necessary to prepare new and revised
104 regulations, print and provide current and complete personnel
105 regulations to all state agencies and to recognized state employee
106 organizations. (2) New and revised regulations prepared as the result
107 of legislative changes or development of new policies shall be
108 processed in accordance with established procedures within a period
109 of time not less than six months from their effective date and
110 distributed in the same manner.

111 (i) The commissioner may designate any two or more of his staff to
112 serve as a hearing panel with respect to any matter before the
113 commissioner. The commissioner and any hearing panel shall have the
114 power to make investigations, inquiries and hold hearings. Any such
115 panel shall report and may submit recommendations to the
116 commissioner but shall have no other power except as otherwise
117 specified in this chapter.

118 (j) The commissioner shall issue such regulations as he may find
119 necessary or appropriate for the administration of personnel pursuant
120 to the provisions of this chapter.

121 (k) The commissioner shall, subject to the approval of the Secretary
122 of the Office of Policy and Management, establish compensation
123 schedules or plans pertaining to all state employees except employees
124 of the Judicial and Legislative Departments and employees whose
125 compensation is prescribed by statute. The commissioner shall
126 prescribe higher compensation for work performed under less
127 desirable conditions or at less desirable hours.

128 (l) The commissioner shall establish classes of positions,
129 occupational groups and career progression levels for all state
130 employees holding positions in the classified service.

131 (m) The commissioner shall maintain current compensation
132 schedules pertaining to all employees specified in subsection (k) of this
133 section and a comprehensive plan of position classifications pertaining
134 to all employees specified in subsection (l) of this section.

135 (n) Any interested employee, his representative or any appointing
136 authority may submit to the commissioner written data, views,
137 arguments or request for a hearing in regard to specified position
138 classifications or allocation of a class of positions to the compensation
139 schedule. Within two months after the commissioner shall have
140 received such data, views or arguments or shall have held any
141 requested hearing, he shall forward to such employee, representative
142 or appointing authority his written decision thereon, together with all

143 written materials submitted to him by the interested employee or his
144 representative and such other information as he considers appropriate.

145 (o) The commissioner may at any time establish, abolish, divide or
146 combine classes of positions and allocation of classes of positions to the
147 compensation schedule. Any such action having a fiscal impact must
148 be approved by the Secretary of the Office of Policy and Management.
149 The commissioner may at any time, subject to the approval of the
150 Secretary of the Office of Policy and Management, amend or repeal
151 any portion of any compensation schedule. The commissioner need
152 not conduct any investigation or hearing prior to any such action.

153 (p) When such authority is not otherwise conferred by statute, the
154 commissioner may issue orders to provide that (1) executive or judicial
155 branch employees exempt from the classified service or not included in
156 any prevailing bargaining unit contract, except unclassified employees
157 of any board of trustees of the constituent units of higher education, be
158 granted rights and benefits not less than those granted to employees in
159 the classified service or covered under such contracts, or (2) retirement
160 benefits for state employees exempt from the classified service or not
161 included in any prevailing bargaining unit contract and employees of
162 state-aided institutions, as defined in section 5-175, be adjusted to
163 provide retirement benefits for such employees which are the same as
164 those most frequently provided under the terms of approved
165 bargaining unit contracts in effect at the time of such adjustment.
166 When such authority is not otherwise conferred by statute, the board
167 of trustees of any constituent unit of the state system of higher
168 education may issue orders to provide that the unclassified employees
169 of such board be granted rights and benefits not less than those
170 granted to employees of the board who are covered under a prevailing
171 bargaining unit contract. Where there is a conflict between an order
172 granting such rights and benefits and any provision of the general
173 statutes, such order shall prevail. Such orders shall be subject to the
174 approval of the Secretary of the Office of Policy and Management. If
175 the secretary approves such order, and such order is in conflict with
176 any provision of the general statutes, the secretary shall forward a

177 copy of such order to the joint committee of the General Assembly
178 having cognizance of labor matters.

179 (q) Commencing November 1, 1989, elected officials and employees
180 in the legislative branch and elected officials in the executive branch
181 shall be granted rights and benefits equal to those granted to
182 employees in the classified service covered under a prevailing
183 collective bargaining agreement negotiated in accordance with
184 subdivision (1) of subsection (f) of section 5-278.

185 ~~[(q)]~~ (r) When requested by the appropriate appointing authority,
186 the commissioner shall establish classes of positions for employees
187 holding positions in the unclassified service and shall establish
188 compensation schedules pertaining to employees of the Judicial and
189 Legislative Departments, subject to the approval of the Secretary of the
190 Office of Policy and Management.

191 ~~[(r)]~~ (s) The commissioner and any municipality or other political
192 subdivision of the state may enter into an agreement whereby the
193 Department of Administrative Services shall provide such personnel
194 administration services as may be requested by such municipality or
195 political subdivision. Such agreement shall provide for the payment by
196 such municipality or political subdivision, to the commissioner, of
197 expenses incurred in the provision of such personnel services. All
198 payments received by the commissioner pursuant to this section shall
199 be deposited in the General Fund and credited to the appropriations of
200 the Department of Administrative Services in accordance with the
201 provisions of section 4-86.

202 ~~[(s)]~~ (t) Notwithstanding the provisions of this chapter, any matters
203 involving collective bargaining shall be the responsibility of the
204 Secretary of the Office of Policy and Management.

205 Sec. 7. Section 5-257 of the general statutes is amended by adding
206 subsection (f) as follows (*Effective from passage*):

207 (NEW) (f) Commencing November 1, 1989, as used in this section,

208 "employee" includes an elected official in the executive branch.

209 Sec. 8. Section 6-38m of the general statutes, as amended by section
210 15 of public act 03-19 and section 5 of public act 03-224, is repealed and
211 the following is substituted in lieu thereof (*Effective July 1, 2004*):

212 [(a) There is established a state marshal account which shall be a
213 separate nonlapsing account within the General Fund. The account
214 shall contain any moneys required by law to be deposited into the
215 account. Any balance remaining in said account at the end of any fiscal
216 year shall be carried forward in the account for the next fiscal year.]

217 [(b)] Commencing October 1, 2001, and not later than October first
218 each year thereafter, each state marshal shall pay an annual fee of two
219 hundred fifty dollars to the State Marshal Commission, which fee shall
220 be deposited in the General Fund.

221 [(c) The additional fee paid to the Superior Court pursuant to
222 section 52-259d and any fee collected pursuant to subsection (b) of this
223 section, shall be deposited in the General Fund.

224 (d) The first two hundred fifty thousand dollars collected each fiscal
225 year, pursuant to subsections (b) and (c) of this section, shall be
226 credited to the state marshal account and be available for expenditure
227 by the State Marshal Commission for the operating expenses of the
228 commission. From July 1, 2001, until July 1, 2006, the Secretary of the
229 Office of Policy and Management shall review and approve or
230 disapprove the budget of the commission. For the fiscal year ending
231 June 30, 2004, and each fiscal year thereafter, the State Marshals
232 Advisory Board shall submit to the State Marshal Commission a
233 request for administrative support for such fiscal year. Such request
234 shall be submitted prior to the beginning of such fiscal year.

235 (e) For the fiscal year ending June 30, 2002, the next one hundred ten
236 thousand dollars collected in subsections (b) and (c) of this section
237 shall be transferred to the Judicial Department and be available for
238 expenditure by the Judicial Department for the operating expenses of

239 the Commission on Racial and Ethnic Disparity. The next two hundred
240 thirty thousand dollars shall be transferred to the Office of Policy and
241 Management for Other Expenses for the purposes of subsections (f)
242 and (g) of section 54-1m.

243 (f) The moneys made available in subsection (e) of this section may
244 be transferred by said office to agencies requiring funds for such
245 purposes.]

246 Sec. 9. Subsection (a) of section 46a-57 of the general statutes is
247 repealed and the following is substituted in lieu thereof (*Effective from*
248 *passage*):

249 (a) (1) The Governor shall appoint three human rights referees for
250 terms commencing October 1, 1998, and four human rights referees for
251 terms commencing January 1, 1999. The human rights referees so
252 appointed shall serve for a term of one year.

253 (2) (A) On and after October 1, 1999, the Governor shall appoint
254 seven human rights referees with the advice and consent of both
255 houses of the General Assembly. The Governor shall appoint three
256 human rights referees to serve for a term of two years commencing
257 October 1, 1999. The Governor shall appoint four human rights
258 referees to serve for a term of three years commencing January 1, 2000.
259 Thereafter, human rights referees shall serve for a term of three years.

260 (B) On and after July 1, 2001, there shall be five human rights
261 referees. Each of the human rights referees serving on July 1, 2001,
262 shall complete the term to which such referee was appointed.
263 Thereafter, human rights referees shall be appointed by the Governor,
264 with the advice and consent of both houses of the General Assembly,
265 to serve for a term of three years.

266 (C) On and after July 1, 2004, there shall be seven human rights
267 referees. Each of the human rights referees serving on July 1, 2004,
268 shall complete the term to which such referee was appointed and shall
269 serve until his successor is appointed and qualified. Thereafter, human

270 rights referees shall be appointed by the Governor, with the advice and
271 consent of both houses of the General Assembly, to serve for a term of
272 three years.

273 (3) When the General Assembly is not in session, any vacancy shall
274 be filled pursuant to the provisions of section 4-19. The Governor may
275 remove any human rights referee for cause.

276 Sec. 10. Subsection (h) of section 46b-231 of the general statutes is
277 repealed and the following is substituted in lieu thereof (*Effective*
278 *January 1, 2005*):

279 [(h) (1) On and after April 1, 2000, the Chief Family Support
280 Magistrate shall receive a salary of ninety-nine thousand five hundred
281 eighty-seven dollars, and other family support magistrates shall
282 receive an annual salary of ninety-four thousand five hundred eighty-
283 seven dollars.

284 (2) On and after April 1, 2001, the Chief Family Support Magistrate
285 shall receive a salary of one hundred three thousand six hundred
286 dollars, and other family support magistrates shall receive an annual
287 salary of ninety-eight thousand six hundred dollars.]

288 [(3)] (h) (1) On and after April 1, 2002, the Chief Family Support
289 Magistrate shall receive a salary of one hundred eight thousand eight
290 hundred twenty-one dollars, and other family support magistrates
291 shall receive an annual salary of one hundred three thousand five
292 hundred sixty-nine dollars.

293 (2) On and after January 1, 2005, the Chief Family Support
294 Magistrate shall receive a salary of one hundred fourteen thousand
295 eight hundred six dollars, and other family support magistrates shall
296 receive an annual salary of one hundred nine thousand two hundred
297 sixty-five dollars.

298 (3) On and after January 1, 2006, the Chief Family Support
299 Magistrate shall receive a salary of one hundred twenty-one thousand

300 one hundred twenty dollars, and other family support magistrates
301 shall receive an annual salary of one hundred fifteen thousand two
302 hundred seventy-five dollars.

303 (4) On and after January 1, 2007, the Chief Family Support
304 Magistrate shall receive a salary of one hundred twenty-seven
305 thousand seven hundred eighty-two dollars, and other family support
306 magistrates shall receive an annual salary of one hundred twenty-one
307 thousand six hundred fifteen dollars.

308 Sec. 11. Subsection (b) of section 46b-236 of the general statutes is
309 repealed and the following is substituted in lieu thereof (*Effective*
310 *January 1, 2005*):

311 (b) Each family support referee shall receive, for acting as a family
312 support referee, in addition to the retirement salary, the sum of [one
313 hundred eighty] one hundred ninety dollars and expenses, including
314 mileage, for each day a family support referee is so engaged.

315 Sec. 12. Subsection (a) of section 51-47 of the general statutes is
316 repealed and the following is substituted in lieu thereof (*Effective*
317 *January 1, 2005*):

318 (a) The judges of the Superior Court, judges of the Appellate Court
319 and judges of the Supreme Court shall receive annually salaries as
320 follows:

321 [(1) On and after April 1, 2000, (A) the Chief Justice of the Supreme
322 Court, one hundred thirty-five thousand eight hundred sixty-one
323 dollars; (B) the Chief Court Administrator if a judge of the Supreme
324 Court, Appellate Court or Superior Court, one hundred thirty
325 thousand seventeen dollars; (C) each associate judge of the Supreme
326 Court, one hundred twenty-four thousand six hundred eighty-three
327 dollars; (D) the Chief Judge of the Appellate Court, one hundred
328 twenty-three thousand one hundred fifty-two dollars; (E) each judge of
329 the Appellate Court, one hundred sixteen thousand two hundred
330 sixty-seven dollars; (F) the Deputy Chief Court Administrator if a

331 judge of the Superior Court, one hundred thirteen thousand eight
332 hundred ninety-six dollars; (G) each judge of the Superior Court, one
333 hundred eleven thousand two hundred seventy-nine dollars.

334 (2) On and after April 1, 2001, (A) the Chief Justice of the Supreme
335 Court, one hundred forty thousand five hundred eighty-two dollars;
336 (B) the Chief Court Administrator if a judge of the Supreme Court,
337 Appellate Court or Superior Court, one hundred thirty-four thousand
338 seven hundred thirty-eight dollars; (C) each associate judge of the
339 Supreme Court, one hundred twenty-nine thousand four hundred four
340 dollars; (D) the Chief Judge of the Appellate Court, one hundred
341 twenty-seven thousand eight hundred seventy-three dollars; (E) each
342 judge of the Appellate Court, one hundred twenty thousand nine
343 hundred eighty-eight dollars; (F) the Deputy Chief Court
344 Administrator if a judge of the Superior Court, one hundred eighteen
345 thousand six hundred seventeen dollars; (G) each judge of the Superior
346 Court, one hundred sixteen thousand dollars.]

347 [(3)] (1) On and after April 1, 2002, (A) the Chief Justice of the
348 Supreme Court, one hundred forty-nine thousand five hundred
349 eighty-two dollars; (B) the Chief Court Administrator if a judge of the
350 Supreme Court, Appellate Court or Superior Court, one hundred
351 forty-three thousand seven hundred thirty-eight dollars; (C) each
352 associate judge of the Supreme Court, one hundred thirty-eight
353 thousand four hundred four dollars; (D) the Chief Judge of the
354 Appellate Court, one hundred thirty-six thousand eight hundred
355 seventy-three dollars; (E) each judge of the Appellate Court, one
356 hundred twenty-nine thousand nine hundred eighty-eight dollars; (F)
357 the Deputy Chief Court Administrator if a judge of the Superior Court,
358 one hundred twenty-seven thousand six hundred seventeen dollars;
359 (G) each judge of the Superior Court, one hundred twenty-five
360 thousand dollars.

361 (2) On and after January 1, 2005, (A) the Chief Justice of the
362 Supreme Court, one hundred fifty-seven thousand eight hundred nine
363 dollars; (B) the Chief Court Administrator if a judge of the Supreme

364 Court, Appellate Court or Superior Court, one hundred fifty-one
365 thousand six hundred forty-four dollars; (C) each associate judge of
366 the Supreme Court, one hundred forty-six thousand sixteen dollars;
367 (D) the Chief Judge of the Appellate Court, one hundred forty-four
368 thousand four hundred one dollars; (E) each judge of the Appellate
369 Court, one hundred thirty-seven thousand one hundred thirty-seven
370 dollars; (F) the Deputy Chief Court Administrator if a judge of the
371 Superior Court, one hundred thirty-four thousand six hundred thirty-
372 six dollars; (G) each judge of the Superior Court, one hundred thirty-
373 one thousand eight hundred seventy-five dollars.

374 (3) On and after January 1, 2006, (A) the Chief Justice of the
375 Supreme Court, one hundred sixty-six thousand four hundred eighty-
376 nine dollars; (B) the Chief Court Administrator if a judge of the
377 Supreme Court, Appellate Court or Superior Court, one hundred fifty-
378 nine thousand nine hundred eighty-four dollars; (C) each associate
379 judge of the Supreme Court, one hundred fifty-four thousand forty-
380 seven dollars; (D) the Chief Judge of the Appellate Court, one hundred
381 fifty-two thousand three hundred forty-three dollars; (E) each judge of
382 the Appellate Court, one hundred forty-four thousand six hundred
383 eighty dollars; (F) the Deputy Chief Court Administrator if a judge of
384 the Superior Court, one hundred forty-two thousand forty-one dollars;
385 (G) each judge of the Superior Court, one hundred thirty-nine
386 thousand one hundred twenty-eight dollars.

387 (4) On and after January 1, 2007, (A) the Chief Justice of the
388 Supreme Court, one hundred seventy-five thousand six hundred forty-
389 five dollars; (B) the Chief Court Administrator if a judge of the
390 Supreme Court, Appellate Court or Superior Court, one hundred sixty-
391 eight thousand seven hundred eighty-three dollars; (C) each associate
392 judge of the Supreme Court, one hundred sixty-two thousand five
393 hundred twenty dollars; (D) the Chief Judge of the Appellate Court,
394 one hundred sixty thousand seven hundred twenty-two dollars; (E)
395 each judge of the Appellate Court, one hundred fifty-two thousand six
396 hundred thirty-seven dollars; (F) the Deputy Chief Court
397 Administrator if a judge of the Superior Court, one hundred forty-nine

398 thousand eight hundred fifty-three dollars; (G) each judge of the
399 Superior Court, one hundred forty-six thousand seven hundred eighty
400 dollars.

401 Sec. 13. Section 52-259 of the general statutes, as amended by section
402 43 of public act 03-2 and section 102 of public act 03-278, is repealed
403 and the following is substituted in lieu thereof (*Effective July 1, 2004*):

404 There shall be paid to the clerks for entering each appeal or writ of
405 error to the Supreme Court, or entering each appeal to the Appellate
406 Court, as the case may be, two hundred fifty dollars, and for each civil
407 cause in the Superior Court, [two hundred twenty] two hundred
408 twenty-five dollars, except (1) one hundred twenty dollars for entering
409 each case in the Superior Court in which the sole claim for relief is
410 damages and the amount, legal interest or property in demand is less
411 than two thousand five hundred dollars and for summary process,
412 landlord and tenant and paternity actions, and (2) there shall be no
413 entry fee for making an application to the Superior Court for relief
414 under section 46b-15, as amended, or for making an application to
415 modify or extend an order issued pursuant to section 46b-15, as
416 amended. If the amount, legal interest or property in demand by the
417 plaintiff is alleged to be less than two thousand five hundred dollars, a
418 new entry fee of seventy-five dollars shall be charged if the plaintiff
419 amends his complaint to state that such demand is not less than two
420 thousand five hundred dollars. The fee for the entry of a small claims
421 case shall be thirty-five dollars. If a motion is filed to transfer a small
422 claims case to the regular docket, the moving party shall pay a fee of
423 seventy-five dollars. There shall be paid to the clerk of the Superior
424 Court by any party who requests that a matter be designated as a
425 complex litigation case the sum of two hundred fifty dollars, to be paid
426 at the time the request is filed. There shall be paid to the clerk of the
427 Superior Court by any party who requests a finding of fact by a judge
428 of such court to be used on appeal the sum of twenty-five dollars, to be
429 paid at the time the request is filed. There shall be paid to the clerk of
430 the Superior Court a fee of seventy-five dollars for a petition for
431 certification to the Supreme Court and Appellate Court. Such clerks

432 shall also receive for receiving and filing an assessment of damages by
433 appraisers of land taken for public use or the appointment of a
434 commissioner of the Superior Court, two dollars; for recording the
435 commission and oath of a notary public or certifying under seal to the
436 official character of any magistrate, ten dollars; for certifying under
437 seal, two dollars; for exemplifying, twenty dollars; for making all
438 necessary records and certificates of naturalization, the fees allowed
439 under the provisions of the United States statutes for such services;
440 and for making copies, one dollar a page. There shall be paid to the
441 clerk of the Superior Court for a copy of a judgment file a fee of
442 twenty-five dollars, inclusive of the fees for certification and copying,
443 for a certified copy and a fee of fifteen dollars, inclusive of the fee for
444 copying, for a copy which is not certified; and for a copy of a certificate
445 of judgment in a foreclosure action, as provided by the rules of practice
446 and procedure, twenty-five dollars, inclusive of the fees for
447 certification and copying. There shall be paid to the clerk of the court a
448 fee of one hundred dollars at the time any application for a
449 prejudgment remedy is filed. A fee of twenty dollars for any check
450 issued to the court in payment of any fee which is returned as
451 uncollectible by the bank on which it is drawn may be imposed. The
452 tax imposed under chapter 219 shall not be imposed upon any fee
453 charged under the provisions of this section.

454 Sec. 14. Subsection (a) of section 52-259a of the general statutes, as
455 amended by section 44 of public act 03-2, is repealed and the following
456 is substituted in lieu thereof (*Effective July 1, 2004*):

457 (a) Any member of the Division of Criminal Justice or the Division
458 of Public Defender Services, any employee of the Judicial Department,
459 acting in the performance of such employee's duties, the Attorney
460 General, an assistant attorney general, the Consumer Counsel, any
461 attorney employed by the Office of Consumer Counsel within the
462 Department of Public Utility Control, the Department of Revenue
463 Services, the Commission on Human Rights and Opportunities, the
464 Freedom of Information Commission, the Board of Labor Relations,
465 the Office of Protection and Advocacy for Persons with Disabilities, the

466 Office of the Victim Advocate or the Department of Social Services, or
467 any attorney appointed by the court to assist any of them or to act for
468 any of them in a special case or cases, while acting in such attorney's
469 official capacity or in the capacity for which such attorney was
470 appointed, shall not be required to pay the fees specified in sections 52-
471 258, 52-259, as amended, and 52-259c, as amended, [and 52-259d,]
472 subsection (a) of section 52-356a, as amended, subsection (a) of section
473 52-361a, as amended, section 52-367a, as amended, subsection (b) of
474 section 52-367b, as amended, and subsection (n) of section 46b-231, as
475 amended.

476 Sec. 15. Subsection (f) of section 52-434 of the general statutes is
477 repealed and the following is substituted in lieu thereof (*Effective*
478 *January 1, 2005*):

479 (f) Each judge trial referee shall receive, for acting as a referee or as a
480 single auditor or committee of any court or for performing duties
481 assigned by the Chief Court Administrator with the approval of the
482 Chief Justice, in addition to the retirement salary, the sum of [two
483 hundred] two hundred eleven dollars and expenses, including
484 mileage, for each day a state referee is so engaged, said sums to be
485 taxed by the court making the reference in the same manner as other
486 court expenses.

487 Sec. 16. (NEW) (*Effective July 1, 2004*) Not later than thirty days after
488 the close of the first quarter of the fiscal year ending June 30, 2005, and
489 not later than thirty days after the close of each quarter thereafter, the
490 Banking Commissioner shall submit a report to the joint standing
491 committee of the General Assembly having cognizance of matters
492 relating to appropriations and the budgets of state agencies, through
493 the Office of Fiscal Analysis, containing the specific amount of each
494 fee, charge, assessment, fine, civil penalty, settlement payment and
495 other revenue collected by the Department of Banking during the
496 quarter covered by the report.

497 Sec. 17. Section 43 of house bill 5692 of the current session is

498 repealed and the following is substituted in lieu thereof (*Effective July*
499 *1, 2004*):

500 The sum of \$1,250,000 appropriated to the Department of
501 Correction, for the fiscal year ending June 30, 2004, for Personal
502 Services, shall not lapse on June 30, 2004, and such funds shall be
503 transferred to the appropriation to the department, for the fiscal year
504 ending June 30, 2005, for Other Expenses, for mental health
505 assessments of residents of the Northern Correctional Center and for
506 plaintiff attorney fees.

507 Sec. 18. (*Effective July 1, 2004*) The sum of \$10,000 is appropriated to
508 the Department of Environmental Protection, from the General Fund,
509 for the fiscal year ending June 30, 2005, for artesian well repairs at
510 Salmon Brook State Park.

511 Sec. 19. Section 4-141 of the general statutes is repealed and the
512 following is substituted in lieu thereof (*Effective October 1, 2004*):

513 As used in this chapter: "Claim" means a petition for the payment or
514 refund of money by the state or for permission to sue the state; "just
515 claim" means a claim which in equity and justice the state should pay,
516 provided the state has caused damage or injury or has received a
517 benefit; "person" means any individual, firm, partnership, corporation,
518 limited liability company, association or other group, including
519 political subdivisions of the state; "state agency" includes every
520 department, division, board, office, commission, arm, agency and
521 institution of the state government, whatever its title or function; []
522 and "state officers and employees" includes every person elected or
523 appointed to or employed in any office, position or post in the state
524 government, whatever such person's title, classification or function
525 and whether such person serves with or without remuneration or
526 compensation, including judges of probate courts and employees of
527 such courts. In addition to the foregoing, "state officers and employees"
528 includes attorneys appointed as victim compensation commissioners,
529 attorneys appointed by the Public [Defenders] Defender Services

530 Commission as public defenders, assistant public defenders or deputy
531 assistant public defenders [] and attorneys appointed by the court as
532 special assistant public defenders, the Attorney General, the Deputy
533 Attorney General and any associate attorney general or assistant
534 attorney general, any other attorneys employed by any state agency,
535 any commissioner of the Superior Court hearing small claims matters
536 or acting as a fact-finder, arbitrator or magistrate or acting in any other
537 quasi-judicial position, any person appointed to a committee
538 established by law for the purpose of rendering services to the Judicial
539 Department, including, but not limited to, the Legal Specialization
540 Screening Committee, the State-Wide Grievance Committee, the Client
541 Security Fund Committee, the advisory committee appointed pursuant
542 to section 51-81d, as amended by this act, and the State Bar Examining
543 Committee, any member of a multidisciplinary team established by the
544 Commissioner of Children and Families pursuant to section 17a-106a,
545 and any physicians or psychologists employed by any state agency.
546 "State officers and employees" shall not include any medical or dental
547 intern, resident or fellow of The University of Connecticut when (1) the
548 intern, resident or fellow is assigned to a hospital affiliated with the
549 university through an integrated residency program, and (2) such
550 hospital provides protection against professional liability claims in an
551 amount and manner equivalent to that provided by the hospital to its
552 full-time physician employees.

553 Sec. 20. Section 4-165 of the general statutes is repealed and the
554 following is substituted in lieu thereof (*Effective October 1, 2004*):

555 No state officer or employee shall be personally liable for damage or
556 injury, not wanton, reckless or malicious, caused in the discharge of his
557 duties or within the scope of his employment. Any person having a
558 complaint for such damage or injury shall present it as a claim against
559 the state under the provisions of this chapter. For the purposes of this
560 section, "scope of employment" shall include, but not be limited to,
561 representation by an attorney appointed by the Public Defender
562 Services Commission as a public defender, assistant public defender or
563 deputy assistant public defender or an attorney appointed by the court

564 as a special assistant public defender of an indigent accused or of a
565 child on a petition of delinquency, representation by such other
566 attorneys, referred to in section 4-141, as amended by this act, of state
567 officers and employees [.] in actions brought against such officers and
568 employees in their official and individual capacities, the discharge of
569 duties as a trustee of the state employees retirement system, the
570 discharge of duties of a commissioner of the Superior Court hearing
571 small claims matters or acting as a fact-finder, arbitrator or magistrate
572 or acting in any other quasi-judicial position, and the discharge of
573 duties of a person appointed to a committee established by law for the
574 purpose of rendering services to the Judicial Department, including,
575 but not limited to, the Legal Specialization Screening Committee, the
576 State-Wide Grievance Committee, the Client Security Fund Committee,
577 the advisory committee appointed pursuant to section 51-81d, as
578 amended by this act, and the State Bar Examining Committee;
579 provided such actions arise out of the discharge of the duties or within
580 the scope of employment of such officers or employees. For the
581 purposes of this section, members or employees of the soil and water
582 district boards established pursuant to section 22a-315 shall be
583 considered state employees.

584 Sec. 21. Section 51-81d of the general statutes, as amended by
585 section 176 of public act 03-6 of the June 30 special session, is repealed
586 and the following is substituted in lieu thereof (*Effective October 1,*
587 *2004*):

588 (a) The Superior Court, in accordance with rules established by the
589 judges of the Superior Court, may (1) establish a Client Security Fund
590 to (A) reimburse claims for losses caused by the dishonest conduct of
591 attorneys admitted to the practice of law in this state and incurred in
592 the course of an attorney-client relationship, and (B) provide for crisis
593 intervention and referral assistance to attorneys admitted to the
594 practice of law in this state who suffer from alcohol or other substance
595 abuse problems or gambling problems, or who have behavioral health
596 problems, and (2) assess any person admitted as an attorney by the
597 Superior Court, in accordance with section 51-80, an annual fee to be

598 deposited in [said] the Client Security Fund. Such crisis intervention
599 and referral assistance (i) shall be provided with the assistance of an
600 advisory committee, to be appointed by the Chief Court
601 Administrator, that includes one or more behavioral health
602 professionals, and (ii) shall not be deemed to constitute the practice of
603 medicine or mental health care.

604 (b) The Commissioner of Revenue Services, or the commissioner's
605 designee, shall collect any fee established pursuant to subsection (a) of
606 this section, record such payments with the State Comptroller and
607 deposit such payments promptly with the State Treasurer, who shall
608 credit such payments to the Client Security Fund. The State Treasurer
609 shall maintain the Client Security Fund separate and apart from all
610 other moneys, funds and accounts and shall credit any interest earned
611 from the Client Security Fund to the fund. Any interest earned from
612 the fund shall be credited to the fund.

613 (c) The Client Security Fund shall be used to satisfy the claims
614 approved in accordance with procedures established pursuant to rules
615 of the Superior Court, to provide funding for crisis intervention and
616 referral assistance provided pursuant to [subparagraph (B) of
617 subdivision (1) of subsection (a) of] this section and to pay the
618 reasonable costs of administration of the fund.

619 (d) No such fee shall be assessed to any attorney described in
620 subsection (g) of section 51-81b, except that any attorney who does not
621 engage in the practice of law as an occupation and receives less than
622 four hundred fifty dollars in legal fees or other compensation for
623 services involving the practice of law during the calendar year shall be
624 obligated to pay one-half of such fee.

625 (e) The Commissioner of Revenue Services shall notify the Chief
626 Court Administrator or his designee of the failure of any person to pay
627 any fee assessed in accordance with subsection (a) of this section.

628 (f) All information given or received in connection with crisis
629 intervention and referral assistance provided pursuant to this section,

630 including the identity of any attorney seeking or receiving such crisis
631 intervention and referral assistance, shall be confidential and shall not
632 be disclosed to any third person other than a person to whom
633 disclosure is reasonably necessary for the accomplishment of the
634 purposes of such crisis intervention and referral assistance, and shall
635 not be disclosed in any civil or criminal case or proceeding or in any
636 legal or administrative proceeding, unless the attorney seeking or
637 obtaining such crisis intervention and referral assistance waives such
638 privilege or unless disclosure is otherwise required by law. Except as
639 otherwise provided in this subsection, no attorney who provides crisis
640 intervention and referral assistance pursuant to this section shall
641 disclose any information given or received in connection with such
642 crisis intervention and referral assistance unless such disclosure is
643 required by the rules governing communications between attorney
644 and client. Unless the privilege under this subsection has been waived
645 or unless disclosure is otherwise required by law, no person in any
646 civil or criminal case or proceeding or in any legal or administrative
647 proceeding may request or require any information given or received
648 in connection with the crisis intervention and referral assistance
649 provided pursuant to this section.

650 Sec. 22. (NEW) (*Effective October 1, 2004*) No attorney appointed by
651 the court pursuant to rules of the Superior Court to inventory the files
652 of an inactive, suspended, disbarred or resigned attorney and to take
653 necessary action to protect the interests of the inactive, suspended,
654 disbarred or resigned attorney's clients shall be liable for damage or
655 injury, not wanton, reckless or malicious, caused in the discharge of
656 the appointed attorney's duties in connection with such inventory and
657 action.

658 Sec. 23. (NEW) (*Effective from passage, and applicable to assessment*
659 *years commencing on or after October 1, 2002*) (a) Notwithstanding the
660 provisions of any general statute or any municipal charter, the
661 assessors for the towns of Killingly and North Stonington shall, not
662 later than thirty days after the effective date of this section, correct the
663 October 1, 2002, and October 1, 2003, grand lists of said towns, to

664 remove any real property that was subject to property taxation on or
665 prior to October 1, 2002, by any town, village or similar taxing entity
666 located in the state of Rhode Island. Said assessors shall issue a single
667 certificate of correction for each such grand list that identifies each real
668 property account subject to such removal, and which shall include a
669 reference to the provisions of this act with respect to the reason for
670 removal.

671 (b) If the property tax applicable to any real property account
672 identified on a certificate of correction filed pursuant to subsection (a)
673 of this section has not been levied or has not been paid, such tax shall
674 be abated. If the property tax with respect to any such real property
675 account has been paid, the town that received such payment shall,
676 notwithstanding the provisions of section 12-129 of the general statutes
677 refund to the taxpayer the amount of said tax payment together with
678 any interest that may have been applied under the provisions of
679 section 12-145 of the general statutes. Such refunds shall be issued not
680 later than thirty days following the date on which such certificate of
681 correction is filed on the appropriate grand list.

682 (c) The assessors for the towns of Killingly and North Stonington
683 shall, not later than ten days after filing each certificate of correction, as
684 required under subsection (a) of this section, send a notice in writing to
685 the clerk of each district to whom a grand list for October 1, 2002, and
686 October 1, 2003, was furnished, pursuant to section 7-328 of the general
687 statutes. Such notice shall identify the real property accounts located in
688 such district that have been removed from such town's October 1, 2002,
689 and October 1, 2003, grand lists. The district clerk shall immediately
690 file such notice on the appropriate grand list for the district. The filing
691 of such notice shall serve to correct the grand list for such district by
692 removing said real property accounts. If the property tax applicable to
693 any such account identified on said notice has not been levied or has
694 not been paid, such tax shall be abated. If the property tax levied by
695 the district with respect to any account so identified has been paid, the
696 district shall, notwithstanding the provisions of section 12-129 of the
697 general statutes, refund to the taxpayer the amount of said tax together

698 with any interest that may have been applied under the provisions of
699 section 12-145 of the general statutes. Such refunds shall be issued not
700 later than thirty days following the date on which such notice is filed
701 on the appropriate grand list for such district.

702 (d) Notwithstanding the provisions of any general statute or any
703 municipal charter, an assessor for any town that has a border that
704 includes a boundary of the state of Rhode Island shall not include in
705 the October 1, 2004, and October 1, 2005, grand list of such town any
706 real property that was subject to property taxation on or prior to
707 October 1, 2002, by any town, village or similar taxing entity located in
708 the state of Rhode Island.

709 Sec. 24. Section 32-9s of the general statutes is repealed and the
710 following is substituted in lieu thereof (*Effective from passage and*
711 *applicable to assessment years commencing on or after October 1, 2002*):

712 The state shall make an annual grant payment to each municipality,
713 to each district, as defined in section 7-325, which is located in a
714 distressed municipality, targeted investment community or enterprise
715 zone and to each special services district created pursuant to chapter
716 105a which is located in a distressed municipality, targeted investment
717 community or enterprise zone [(1)] in the amount of fifty per cent of
718 the amount of that tax revenue which the municipality or district
719 would have received except for the provisions of subdivisions (59),
720 [and] (60) and (70) of section 12-81. [, and (2) in the amount of fifty per
721 cent of the amount of the tax revenue which the municipality or
722 district would have received except for the provisions of subdivision
723 (70) of section 12-81.] On or before the first day of August of each year,
724 each municipality and district shall file a claim with the Secretary of
725 the Office of Policy and Management for the amount of such grant
726 payment to which such municipality or district is entitled under this
727 section. The claim shall be made on forms prescribed by the secretary
728 and shall be accompanied by such supporting information as the
729 secretary may require. Any municipality or district which neglects to
730 transmit to the secretary such claim and supporting documentation as

731 required by this section shall forfeit two hundred fifty dollars to the
732 state, provided the secretary may waive such forfeiture in accordance
733 with procedures and standards adopted by regulation in accordance
734 with chapter 54. The secretary shall review each such claim as
735 provided in section 12-120b. Any claimant aggrieved by the results of
736 the secretary's review shall have the rights of appeal as set forth in
737 section 12-120b. The secretary shall, on or before the December first
738 next succeeding the deadline for the receipt of such claims, certify to
739 the Comptroller the amount due under this section, including any
740 modification of such claim made prior to December first, to each
741 municipality or district which has made a claim under the provisions
742 of this section. The Comptroller shall draw an order on the Treasurer
743 on or before the following December fifteenth, and the Treasurer shall
744 pay the amount thereof to each such municipality or district on or
745 before the following December thirty-first. If any modification is made
746 as the result of the provisions of this section on or after the December
747 first following the date on which the municipality or district has
748 provided the amount of tax revenue in question, any adjustment to the
749 amount due to any municipality or district for the period for which
750 such modification was made shall be made in the next payment the
751 Treasurer shall make to such municipality or district pursuant to this
752 section. In the fiscal year commencing July 1, 2003, and in each fiscal
753 year thereafter, the amount of the grant payable to each municipality
754 and district in accordance with this section shall be reduced
755 proportionately in the event that the total amount of the grants
756 payable to all municipalities and districts exceeds the amount
757 appropriated.

758 Sec. 25. (NEW) (*Effective from passage*) For calendar quarters
759 commencing on or after July 1, 2004, any retailer with sales in more
760 than one town in this state, for which sales such retailer files a return
761 under chapter 219 of the general statutes, shall disaggregate the
762 information in the return, in such form as may be prescribed by the
763 Commissioner of Revenue Services, to indicate the town in which sales
764 occurred for which tax was collected by such retailer and the amount

765 of such tax collected, by town.

766 Sec. 26. Subdivision (2) of subsection (a) of section 12-458 of the
767 general statutes is repealed and the following is substituted in lieu
768 thereof (*Effective from passage*):

769 (2) On said date and coincident with the filing of such return each
770 distributor shall pay to the commissioner for the account of the
771 purchaser or consumer a tax (A) on each gallon of such fuels sold or
772 used in this state during the preceding calendar month of twenty-six
773 cents on and after January 1, 1992, twenty-eight cents on and after
774 January 1, 1993, twenty-nine cents on and after July 1, 1993, thirty cents
775 on and after January 1, 1994, thirty-one cents on and after July 1, 1994,
776 thirty-two cents on and after January 1, 1995, thirty-three cents on and
777 after July 1, 1995, thirty-four cents on and after October 1, 1995, thirty-
778 five cents on and after January 1, 1996, thirty-six cents on and after
779 April 1, 1996, thirty-seven cents on and after July 1, 1996, thirty-eight
780 cents on and after October 1, 1996, thirty-nine cents on and after
781 January 1, 1997, thirty-six cents on and after July 1, 1997, thirty-two
782 cents on and after July 1, 1998, and twenty-five cents on and after July
783 1, 2000; and (B) in lieu of said taxes, each distributor shall pay a tax on
784 each gallon of gasohol, as defined in section 14-1, sold or used in this
785 state during such preceding calendar month, of twenty-five cents on
786 and after January 1, 1992, twenty-seven cents on and after January 1,
787 1993, twenty-eight cents on and after July 1, 1993, twenty-nine cents on
788 and after January 1, 1994, thirty cents on and after July 1, 1994, thirty-
789 one cents on and after January 1, 1995, thirty-two cents on and after
790 July 1, 1995, thirty-three cents on and after October 1, 1995, thirty-four
791 cents on and after January 1, 1996, thirty-five cents on and after April
792 1, 1996, thirty-six cents on and after July 1, 1996, thirty-seven cents on
793 and after October 1, 1996, thirty-eight cents on and after January 1,
794 1997, thirty-five cents on and after July 1, 1997, thirty-one cents on and
795 after July 1, 1998, and twenty-four cents on and after July 1, 2000, and
796 twenty-five cents on and after July 1, 2004; and (C) in lieu of such rate,
797 on each gallon of diesel fuel, propane or natural gas sold or used in
798 this state during such preceding calendar month, of eighteen cents on

799 and after September 1, 1991, and twenty-six cents on and after August
800 1, 2002.

801 Sec. 27. (NEW) (*Effective July 1, 2004*) At least two weeks before any
802 entity in the state that administers vouchers under the federal Housing
803 Choice Voucher Program, 42 USC 1437f(o), opens its waiting list for
804 the acceptance of new applications for such vouchers, such entity shall
805 notify, in writing or by electronic mail, the operator of an Internet web
806 site designated by the Department of Social Services, of (1) the date of
807 the opening of such waiting list, (2) the manner in which applicants
808 may apply, and (3) the date, if any, on which the waiting list will be
809 closed. The operator of said web site shall make such information
810 available, by electronic means or otherwise, to Infoline of Connecticut,
811 other organizations and the public.

812 Sec. 28. Section 8-64a of the general statutes is repealed and the
813 following is substituted in lieu thereof (*Effective July 1, 2004*):

814 No housing authority which receives or has received any state
815 financial assistance may sell, lease, transfer or destroy, or contract to
816 sell, lease, transfer or destroy, any housing project or portion thereof in
817 any case where such project or portion thereof would no longer be
818 available for the purpose of low or moderate income rental housing as
819 a result of such sale, lease, transfer or destruction, except the
820 Commissioner of Economic and Community Development may grant
821 written approval for the sale, lease, transfer or destruction of a housing
822 project if the commissioner finds, after a public hearing, that (1) the
823 sale, lease, transfer or destruction is in the best interest of the state and
824 the municipality in which the project is located, (2) an adequate supply
825 of low or moderate income rental housing exists in the municipality in
826 which the project is located, (3) the housing authority has developed a
827 plan for the sale, lease, transfer or destruction of such project in
828 consultation with the residents of such project and representatives of
829 the municipality in which such project is situated and has made
830 adequate provision for said residents' and representatives'
831 participation in such plan, and (4) any person who is displaced as a

832 result of the sale, lease, transfer or destruction will be relocated to a
833 comparable dwelling unit of public or subsidized housing in the same
834 municipality or will receive a tenant-based rental subsidy and will
835 receive relocation assistance under chapter 135. The commissioner
836 shall consider the extent to which the housing units which are to be
837 sold, leased, transferred or destroyed will be replaced in ways which
838 may include, but need not be limited to, newly constructed housing,
839 rehabilitation of housing which is abandoned or has been vacant for at
840 least one year, or new federal, state or local tenant-based or project-
841 based rental subsidies. The commissioner shall give the residents of the
842 housing project or portion thereof which is to be sold, leased,
843 transferred or destroyed written notice of said public hearing by first
844 class mail not less than ninety days before the date of the hearing. Said
845 written approval shall contain a statement of facts supporting the
846 findings of the commissioner. This section shall not apply to the sale,
847 lease, transfer or destruction of a housing project pursuant to the terms
848 of any contract entered into before June 3, 1988. This section shall not
849 apply to phase I of Father Panik Village in Bridgeport, Elm Haven in
850 New Haven, [and] Pequonock Gardens Project in Bridgeport,
851 Quinnipiac Terrace/Riverview in New Haven, Dutch Point in
852 Hartford, Southfield Village in Stamford and, upon approval by The
853 United States Department of Housing and Urban Development of a
854 HOPE VI revitalization application and a revitalization plan that
855 includes at least the one-for-one replacement of low and moderate
856 income units, Fairfield Court in Stamford.

857 Sec. 29. Section 31-284a of the general statutes is repealed and the
858 following is substituted in lieu thereof (*Effective July 1, 2004*):

859 (a) Notwithstanding the provisions of sections 4a-19 and 4a-20 to
860 the contrary, the Commissioner of Administrative Services shall solicit
861 proposals from any management firm engaged in the business of
862 administering workers' compensation claims, or from any authorized
863 mutual insurance company or stock company or subsidiary thereof
864 writing workers' compensation or employer's liability insurance in this
865 state, for the purposes of administering the workers' compensation

866 claims filed against the state, or of insuring the state's full liability
867 under workers' compensation and administering such claims. [Said]
868 The commissioner may, at [his] said commissioner's discretion, reject
869 any or all of such proposals if they are deemed to be inadequate to
870 effectively serve the needs of the state concerning workers'
871 compensation. [Any funds appropriated in section 1 of special act 81-
872 22* for workers' compensation payments by the state and
873 administrative expenses for the state workers' compensation program
874 shall be available and may be transferred with the approval of the
875 Governor to meet the necessary expenses of contracting for such
876 services.]

877 (b) The Commissioner of Administrative Services shall adopt
878 regulations, in accordance with the provisions of chapter 54, which
879 establish the fees payable by this state for its employees under the
880 provisions of this chapter, based on the medical procedure,
881 combination of procedures or diagnosis of the patient, provided the fee
882 schedule shall not apply to services rendered to a claimant who is
883 participating in the state's managed care plan. The regulations shall
884 limit annual growth in total medical fees payable by the state to no
885 more than the annual percentage increase in the consumer price index
886 for all urban workers. Said commissioner may exclude from
887 participation in the state workers' compensation managed care
888 program any medical provider found, through a systematic program
889 of utilization review, to exceed generally accepted standards of the
890 scope, duration or intensity of services rendered to patients with
891 similar diagnostic characteristics. The state shall not make any
892 payment to a facility owned in whole or in part by the referring
893 practitioner.

894 (c) The Commissioner of Administrative Services shall have sole
895 responsibility for establishing procedures for all executive branch
896 agencies participating in the state of Connecticut workers'
897 compensation program, except that all mandatory subjects of collective
898 bargaining pertaining to modified or alternative duty shall continue to
899 be governed by the provisions of chapter 68.

900 Sec. 30. Subsection (e) of section 210 of public act 03-6 of the June 30
901 special session is repealed and the following is substituted in lieu
902 thereof (*Effective from passage*):

903 (e) Wherever the words "State Commission on the Arts",
904 "Connecticut Historical Commission", "Office of Tourism" [and]
905 "Connecticut Film, Video and Media Office" and "Connecticut
906 Commission on Arts, Tourism, Culture, History and Film" are used in
907 the following sections of the general statutes, or in any public or
908 special act of the 2003 or 2004 session the words "Connecticut
909 Commission on [Arts, Tourism, Culture, History and Film] Culture
910 and Tourism" shall be substituted in lieu thereof: 3-110f, as amended,
911 3-110h, as amended, 3-110i, as amended, 4-9a, as amended, 4b-53, as
912 amended, 4b-60, as amended, 4b-64, as amended, 4b-66a, as amended,
913 7-147a, as amended, 7-147b, as amended, 7-147c, as amended, 7-147j, as
914 amended, 7-147p, as amended, 7-147q, as amended, 7-147y, as
915 amended, 8-2j, as amended, 10-382, as amended, 10-384, as amended,
916 10-385, as amended, 10-386, as amended, 10-387, as amended, 10-388,
917 as amended, 10-389, as amended, 10-391, as amended, 10a-111a, as
918 amended, 10a-112, as amended, 10a-112b, as amended, 10a-112g, as
919 amended, 10-384, as amended, 11-6a, as amended, 12-376d, as
920 amended, 13a-252, as amended, 19a-315b, as amended, 19a-315c, as
921 amended, 22a-1d, as amended, 22a-19b, as amended, 25-102qq, as
922 amended, 25-109q, as amended, 29-259, as amended, and 32-6a, as
923 amended.

924 Sec. 31. (NEW) (*Effective from passage*) After completion of the
925 courthouse which is to be constructed after the effective date of this
926 section in the town of Torrington and commencing with the payment
927 in lieu of taxes made under section 12-19a of the general statutes for
928 such courthouse to the town of Torrington for the grand list year the
929 courthouse was completed, such payment shall be divided between
930 the towns of Torrington and Litchfield as follows:

931 (1) For the first year such payments are made until and including
932 the seventh such year, fifty-five per cent of such payment shall be

933 made to the town of Torrington and forty-five per cent of such
934 payment shall be made to the town of Litchfield; and

935 (2) For the eighth such year until and including the fourteenth such
936 year, sixty-five per cent of such payment shall be made to the town of
937 Torrington and thirty-five per cent of such payment shall be made to
938 the town of Litchfield.

939 Sec. 32. (NEW) (*Effective October 1, 2003, and applicable to assessment*
940 *years commencing on or after October 1, 2003*) Notwithstanding the
941 provisions of section 12-62 of the general statutes, any municipality
942 required to effect a revaluation of real property under said section 12-
943 62 for the 2003, 2004 or 2005 assessment year may effect such
944 revaluation in the 2006 assessment year provided any subsequent
945 required revaluation shall be effected in accordance with the
946 provisions of said section 12-62.

947 Sec. 33. Subsections (a) and (b) of section 12-62 of the general
948 statutes are repealed and the following is substituted in lieu thereof
949 (*Effective October 1, 2003, and applicable to assessment years commencing on*
950 *or after October 1, 2003*):

951 (a) (1) Commencing October 1, 1997, the assessor or board of
952 assessors of each town shall revalue all of the real estate in their
953 respective municipalities for assessment purposes in accordance with
954 the provisions of subsection (b) of this section. The assessments
955 derived from each such revaluation shall be used for the purpose of
956 levying property taxes in such municipality in the assessment year in
957 which such revaluation becomes effective and in each assessment year
958 thereafter until the next succeeding revaluation in accordance with the
959 provisions of subsection (b) of this section. In the performance of these
960 duties, except in any municipality where there is a single assessor, at
961 least two of the assessors shall act together and all valuations shall be
962 separately approved by a majority of the assessors.

963 (2) The assessor or board of assessors of each town shall view by
964 physical inspection all of the real estate in their respective

965 municipalities for assessment purposes within the period of time
 966 provided in subdivision (3) of this subsection.

967 (3) An assessor shall have fulfilled the requirement to view by
 968 physical inspection if a physical inspection of a property has been
 969 made at any time from June 27, 1997, to October 1, 2009, inclusive, and
 970 thereafter, the assessor or board of assessors shall view by physical
 971 inspection each parcel of real estate no later than [twelve] ten years
 972 following the preceding inspection.

973 (b) [(1)] The assessor or board of assessors of each town shall
 974 revalue all of the real estate in their respective municipalities [in
 975 accordance with the schedule provided in this section. Nothing in this
 976 subsection shall be construed to prohibit a town from effecting more
 977 frequent revaluations between the implementation of each revaluation
 978 required in accordance with the provisions of this section.

T1		Year of Next	Year of Subsequent
T2	Town/City	Revaluation	Revaluation
T3	Andover	2001	2005
T4	Ansonia	2002	2006
T5	Ashford	2002	2006
T6	Avon	1999	2003
T7	Barkhamsted	1999	2003
T8	Beacon Falls	2001	2005
T9	Berlin	1997 or 1998	2002
T10	Bethany	1999	2003
T11	Bethel	1999	2003
T12	Bethlehem	1999	2003
T13	Bloomfield	2000	2004
T14	Bolton	1999	2003
T15	Bozrah	2001	2005
T16	Branford	2000	2004
T17	Bridgeport	1999	2003

T18	Bridgewater	1999	2003
T19	Bristol	1997 or 1998	2002
T20	Brookfield	2001	2005
T21	Brooklyn	2000	2004
T22	Burlington	1999	2003
T23	Canaan	1997 or 1998	2002
T24	Canterbury	2000	2004
T25	Canton	1999	2003
T26	Chaplin	1999	2003
T27	Cheshire	1999	2003
T28	Chester	1999	2003
T29	Clinton	2000	2004
T30	Colchester	2001	2005
T31	Colebrook	2000	2004
T32	Columbia	2001	2005
T33	Cornwall	2001	2005
T34	Coventry	2000	2004
T35	Cromwell	1999	2003
T36	Danbury	1997 or 1998	2002
T37	Darien	1999	2003
T38	Deep River	2001	2005
T39	Derby	2000	2004
T40	Durham	2000	2004
T41	Eastford	1997 or 1998	2002
T42	East Granby	1999	2003
T43	East Haddam	2002	2006
T44	East Hampton	2000	2004
T45	East Hartford	2001	2005
T46	East Haven	2000	2004
T47	East Lyme	2001	2005
T48	Easton	2002	2006
T49	East Windsor	2002	2006
T50	Ellington	2000	2004
T51	Enfield	2001	2005
T52	Essex	1999	2003

T53	Fairfield	2001	2005
T54	Farmington	2002	2006
T55	Franklin	1999	2003
T56	Glastonbury	2002	2006
T57	Goshen	1997 or 1998	2002
T58	Granby	1997 or 1998	2002
T59	Greenwich	2001	2005
T60	Griswold	2001	2005
T61	Groton	2001	2005
T62	Guilford	2002	2006
T63	Haddam	2001	2005
T64	Hamden	2000	2004
T65	Hampton	1999	2003
T66	Hartford	1999	2003
T67	Hartland	2001	2005
T68	Harwinton	1999	2003
T69	Hebron	2001	2005
T70	Kent	1999	2003
T71	Killingly	2002	2006
T72	Killingworth	2001	2005
T73	Lebanon	1999	2003
T74	Ledyard	2001	2005
T75	Lisbon	2001	2005
T76	Litchfield	1999	2003
T77	Lyme	1999	2003
T78	Madison	2000	2004
T79	Manchester	2000	2004
T80	Mansfield	2000	2004
T81	Marlborough	2001	2005
T82	Meriden	2001	2005
T83	Middlebury	2001	2005
T84	Middlefield	2001	2005
T85	Middletown	1997 or 1998	2002
T86	Milford	2000	2004
T87	Monroe	1999	2003

T88	Montville	2001	2005
T89	Morris	2000	2004
T90	Naugatuck	1997 or 1998	2002
T91	New Britain	2002	2006
T92	New Canaan	1999	2003
T93	New Fairfield	2000	2004
T94	New Hartford	1999	2003
T95	New Haven	2000	2004
T96	Newington	2000	2004
T97	New London	1999	2003
T98	New Milford	2001	2005
T99	Newtown	2002	2006
T100	Norfolk	1999	2003
T101	North Branford	2001	2005
T102	North Canaan	1997 or 1998	2002
T103	North Haven	2000	2004
T104	North Stonington	2000	2004
T105	Norwalk	1999	2003
T106	Norwich	1999	2003
T107	Old Lyme	2000	2004
T108	Old Saybrook	1999	2003
T109	Orange	2000	2004
T110	Oxford	2000	2004
T111	Plainfield	1997 or 1998	2002
T112	Plainville	2000	2004
T113	Plymouth	2001	2005
T114	Pomfret	2000	2004
T115	Portland	2001	2005
T116	Preston	1997 or 1998	2002
T117	Prospect	2000	2004
T118	Putnam	1999	2003
T119	Redding	1997 or 1998	2002
T120	Ridgefield	1997 or 1998	2002
T121	Rocky Hill	1999	2003
T122	Roxbury	1997 or 1998	2002

T123	Salem	2001	2005
T124	Salisbury	2000	2004
T125	Scotland	1999	2003
T126	Seymour	2001	2005
T127	Sharon	1999	2003
T128	Shelton	2001	2005
T129	Sherman	1999	2003
T130	Simsbury	2002	2006
T131	Somers	2002	2006
T132	Southbury	1997 or 1998	2002
T133	Southington	2001	2005
T134	South Windsor	2002	2006
T135	Sprague	2000	2004
T136	Stafford	2000	2004
T137	Stamford	2001	2005
T138	Sterling	1997 or 1998	2002
T139	Stonington	2002	2006
T140	Stratford	2000	2004
T141	Suffield	1999	2003
T142	Thomaston	1999	2003
T143	Thompson	2000	2004
T144	Tolland	2000	2004
T145	Torrington	1999	2003
T146	Trumbull	2000	2004
T147	Union	1999	2003
T148	Vernon	2000	2004
T149	Voluntown	2001	2005
T150	Wallingford	2000	2004
T151	Warren	1997 or 1998	2002
T152	Washington	1999	2003
T153	Waterbury	1997 or 1998	2002
T154	Waterford	1997 or 1998	2002
T155	Watertown	1999	2003
T156	Westbrook	2001	2005
T157	West Hartford	1999	2003

T158	West Haven	2000	2004
T159	Weston	1999	2003
T160	Westport	1999	2003
T161	Wethersfield	1999	2003
T162	Willington	1999	2003
T163	Wilton	2002	2006
T164	Winchester	2002	2006
T165	Windham	2001	2005
T166	Windsor	1999	2003
T167	Windsor Locks	1999	2003
T168	Wolcott	2000	2004
T169	Woodbridge	2000	2004
T170	Woodbury	1999	2003
T171	Woodstock	2000	2004

979 (2) For the assessment date four years following the date of the
 980 subsequent revaluation required under subdivision (1) of this
 981 subsection and every fourth year thereafter, the assessor or board of
 982 assessors shall revalue all of the real estate in their respective
 983 municipalities.

984 (3) Any municipality required to revalue all real property for
 985 assessment year 1997 or 1998, which revalued such real property for
 986 the assessment year 1996, shall not be required to revalue for
 987 assessment year 1997 or 1998 but shall be required to revalue all real
 988 property for assessment year 2002] not later than five years after the
 989 last revaluation conducted in each municipality, except as provided in
 990 section 501 of this act. For any municipality which elects to defer its
 991 revaluation according to the provisions of section 501 of this act, the
 992 revaluation subsequent to the revaluation effected in the 2006
 993 assessment year shall be effected in the 2011 assessment year. In
 994 carrying out the provisions of this subsection, any municipality which
 995 last effected revaluation by statistical means shall effect its next
 996 revaluation by physical inspection provided in no case shall a physical
 997 inspection be required more than once every ten years. In carrying out

1098 the provisions of this subsection, any municipality which last effected
1099 reevaluation by physical inspection may effect its next reevaluation by
1100 statistical means.

1101 Sec. 34. Subsection (g) of section 17b-239 of the general statutes, as
1102 amended by section 68 of public act 03-3 of the June 30, special session
1103 and section 3 of house bill 5689 of the current session, is repealed and
1104 the following is substituted in lieu thereof (*Effective July 1, 2004*):

1105 (g) Effective June 1, 2001, the commissioner shall establish inpatient
1106 hospital rates in accordance with the method specified in regulations
1107 adopted pursuant to this section and applied for the rate period
1108 beginning October 1, 2000, except that the commissioner shall update
1109 each hospital's target amount per discharge to the actual allowable cost
1110 per discharge based upon the 1999 cost report filing multiplied by
1111 sixty-two and one-half per cent if such amount is higher than the target
1112 amount per discharge for the rate period beginning October 1, 2000, as
1113 adjusted for the ten per cent incentive identified in Section 4005 of
1114 Public Law 101-508. If a hospital's rate is increased pursuant to this
1115 subsection, the hospital shall not receive the ten per cent incentive
1116 identified in Section 4005 of Public Law 101-508. For rate periods
1117 beginning October 1, 2001, through [~~September 30, 2004~~] March 31,
1118 2008, the commissioner shall not apply an annual adjustment factor to
1119 the target amount per discharge. Effective April 1, 2005, the revised
1120 target amount per discharge for each hospital with a target amount per
1121 discharge less than three thousand seven hundred fifty dollars shall be
1122 three thousand seven hundred fifty dollars. Effective April 1, 2006, the
1123 revised target amount per discharge for each hospital with a target
1124 amount per discharge less than four thousand dollars shall be four
1125 thousand dollars. Effective April 1, 2007, the revised target amount per
1126 discharge for each hospital with a target amount per discharge less
1127 than four thousand two hundred fifty dollars shall be four thousand
1128 two hundred fifty dollars.

1129 Sec. 35. Subsection (b) of section 17b-688c of the general statutes, as
1130 amended by section 13 of house bill 5689 of the current session, is

1031 repealed and the following is substituted in lieu thereof (*Effective July*
1032 *1, 2004*):

1033 (b) In no event shall temporary family assistance be granted to an
1034 applicant for such assistance, who is not exempt from participation in
1035 the employment services program, prior to the applicant's attendance
1036 at an initial scheduled employment services assessment interview and
1037 participation in the development of an employment services plan. The
1038 Department of Social Services shall not [~~deny~~] delay temporary family
1039 assistance to an applicant in cases where the department schedules the
1040 initial employment services assessment interview more than ten
1041 business days after the date on which application for assistance is
1042 made, or in cases where the Labor Department does not complete an
1043 employment services plan for the benefit of the applicant within ten
1044 business days of the date on which the applicant attends an
1045 employment services assessment interview. The Commissioner of
1046 Social Services shall refer any applicant denied temporary family
1047 assistance, who may be in need of emergency benefits, to other
1048 services offered by the Department of Social Services or community
1049 services that may be available to such applicant. The Department of
1050 Social Services shall reduce the benefits awarded to a family under the
1051 temporary family assistance program when a member of the family
1052 who is required to participate in employment services fails to comply
1053 with an employment services requirement without good cause. The
1054 first instance of noncompliance with an employment services
1055 requirement shall result in a twenty-five per cent reduction of such
1056 benefits for three consecutive months. The second instance of
1057 noncompliance with such requirement shall result in a thirty-five per
1058 cent reduction of such benefits for three consecutive months. A third or
1059 subsequent instance of noncompliance with such requirement shall
1060 result in the termination of such benefits for three consecutive months.
1061 If only one member of a family is eligible for temporary family
1062 assistance and such member fails to comply with an employment
1063 services requirement, the department shall terminate all benefits of
1064 such family for three consecutive months. Notwithstanding the

1065 provisions of this subsection, the department shall terminate the
1066 benefits awarded to a family under the temporary family assistance
1067 program if a member of the family who is not exempt from the twenty-
1068 one-month time limit specified in subsection (a) of section 17b-112, as
1069 amended, fails, without good cause, to: (1) Attend any scheduled
1070 assessment appointment or interview relating to the establishment of
1071 an employment services plan, except that such individual's benefits
1072 shall be reinstated if the individual attends a subsequently scheduled
1073 appointment or interview within thirty days of the date on which the
1074 department has issued notification to the individual that benefits have
1075 been terminated, or (2) comply with an employment services
1076 requirement during a six-month extension of benefits. Any individual
1077 who fails to comply with the provisions of subdivision (1) of this
1078 subsection may submit a new application for such benefits at any time
1079 after termination of benefits.

1080 Sec. 36. (*Effective July 1, 2004*) The sum of \$150,000 available for
1081 expenditure by the Department of Social Services, during the fiscal
1082 year ending June 30, 2005, from the TANF high performance bonus
1083 payments for welfare to work, for Transitional Rental Subsidies, shall
1084 be used for a grant to the Connecticut Association for United Spanish
1085 Action, Inc. (CAUSA).

1086 Sec. 37. Section 46a-70 of the general statutes, as amended by
1087 substitute senate bill 584, as amended by House Amendment Schedule
1088 "A", of the current session, is repealed and the following is substituted
1089 in lieu thereof (*Effective from passage*):

1090 (a) State officials and supervisory personnel shall recruit, appoint,
1091 assign, train, evaluate and promote state personnel on the basis of
1092 merit and qualifications, without regard for race, color, religious creed,
1093 sex, marital status, age, national origin, ancestry, mental retardation,
1094 mental disability, learning disability or physical disability, including
1095 but not limited to, blindness, unless it is shown by such state officials
1096 or supervisory personnel that such disability prevents performance of
1097 the work involved.

1098 (b) All state agencies shall promulgate written directives to carry
1099 out this policy and to guarantee equal employment opportunities at all
1100 levels of state government. They shall regularly review their personnel
1101 practices to assure compliance.

1102 (c) All state agencies shall conduct continuing orientation and
1103 training programs with emphasis on human relations and
1104 nondiscriminatory employment practices.

1105 [(d) The name and address of, and any related identifying
1106 information concerning, a sexual harassment complainant in any
1107 internal sexual harassment investigation conducted by an affirmative
1108 action officer or other designated person on behalf of a state agency
1109 shall be confidential and shall be disclosed only upon order of the
1110 Superior Court, except the state agency (1) shall disclose the name of
1111 the sexual harassment complainant to the accused during the state
1112 agency's sexual harassment investigation, and (2) may disclose the
1113 name of the sexual harassment complainant to other persons
1114 participating in the state agency's sexual harassment investigation. For
1115 purposes of this subsection, "state agency" has the same meaning as
1116 "public agency" in section 1-200.]

1117 [(e)] (d) The Commissioner of Administrative Services shall insure
1118 that the entire examination process, including qualifications appraisal,
1119 is free from bias.

1120 [(f)] (e) Appointing authorities shall exercise care to insure
1121 utilization of minority group persons.

1122 Sec. 38. (NEW) (*Effective July 1, 2004*) At the request of the
1123 Commissioner of Social Services, the Secretary of the Office of Policy
1124 and Management is authorized to cancel any receivable that has
1125 resulted from an audit against a town, including any receivables
1126 associated with the prior General Assistance program operated by
1127 towns. The secretary may direct the Commissioner of Social Services to
1128 estimate any potential receivables from future audits in the former
1129 General assistance programs run by towns and authorize the

1130 commissioner to suspend any future audits. If the secretary authorizes
1131 the suspension of future audits in the program, the commissioner shall
1132 notify the towns of such suspension.

1133 Sec. 39. (*Effective from passage*) (a) Notwithstanding any provision of
1134 the general statutes, no state employee shall be transferred to the
1135 Department of Information Technology, prior to October 1, 2004, for
1136 the purpose of the transformation or consolidation of the state's
1137 information technology services, except that an employee who was
1138 transferred prior to the effective date of this section and who is
1139 employed by said department on the effective date of this section shall
1140 not be subject to this section.

1141 (b) During the fiscal year ending June 30, 2005, the Secretary of the
1142 Office of Policy and Management may transfer funds appropriated to
1143 the Department of Information Technology, for Personal Services, for
1144 said fiscal year, to the appropriation to other General Fund agencies,
1145 for Personal Services, for said fiscal year, in order to implement the
1146 provisions of subsection (a) of this section.

1147 Sec. 40. (*Effective July 1, 2004*) (a) Up to \$2.5 million appropriated to
1148 the Office of Policy and Management, for Personal Services, in section
1149 1 of public act 03-1 of the June 30 special session, shall not lapse June
1150 30, 2004, and such funds shall be transferred to the Capital City
1151 Economic Development account, for the fiscal year ending June 30,
1152 2005.

1153 (b) The sum of \$200,000 appropriated to the Office of Policy and
1154 Management, for Justice Assistance Grants, in section 1 of public act
1155 03-1 of the June 30 special session, shall not lapse June 30, 2004, and
1156 such funds shall be transferred to the Capital City Economic
1157 Development account, for the fiscal year ending June 30, 2005.

1158 Sec. 41. Subsection (f) of section 17b-274d of the general statutes, as
1159 amended by House Amendment Schedule "C" of substitute house bill
1160 5689 of the current session, is repealed and the following is substituted
1161 in lieu thereof (*Effective July 1, 2004*):

1162 (f) Except for mental-health-related drugs and antiretroviral drugs,
1163 [and medications used to treat diabetes, asthma or cancer,]
1164 reimbursement for a drug not included in the preferred drug list is
1165 subject to prior authorization.

1166 Sec. 42. (*Effective from passage*) Not more than one million dollars of
1167 the bond funds authorized under section 4-66c of the general statutes
1168 shall be made available to the city of Milford for (1) construction of a
1169 pavilion in the parking area at Walnut Beach, (2) extension of a
1170 boardwalk from Walnut Beach to Silver Sands State Park, (3)
1171 development of the Walnut Beach arts district, and (4) development of
1172 the Stowe Farm in the Walnut Beach district.

1173 Sec. 43. (*Effective from passage*) Not more than one million five
1174 hundred thousand dollars of the bond funds authorized under various
1175 public and special acts for the State Parks Improvement Program of the
1176 Department of Environmental Protection shall be made available for
1177 (1) extension of a boardwalk from Silver Sands State Park to Walnut
1178 Beach, and (2) the creation of handicapped access to Walnut Beach.

1179 Sec. 44. Section 25-33k of the general statutes is repealed and the
1180 following is substituted in lieu thereof (*Effective October 1, 2004*):

1181 (a) For purposes of this section, "safe yield" means the maximum
1182 dependable quantity of water per unit of time that may flow or be
1183 pumped continuously from a source of supply during a critical dry
1184 period without consideration of available water limitations.

1185 (b) No source of water supply shall be abandoned by a water
1186 company or other entity without a permit from the Commissioner of
1187 Public Health. A water company or other entity shall apply for such
1188 permit in the manner prescribed by the commissioner. Not later than
1189 thirty days before filing an application for such permit, the applicant
1190 shall notify the chief elected official of any municipality in which such
1191 source of supply is located. Not later than sixty days after receipt of
1192 such notification the municipality or municipalities receiving such
1193 notice and any water company as defined in section 25-32a may

1194 submit comments on such application to the commissioner. The
1195 commissioner shall take such comments into consideration when
1196 reviewing the application.

1197 (c) (1) In [his] the commissioner's decision, the commissioner shall
1198 consider the water supply needs of the water company, the state and
1199 any comments submitted pursuant to subsection (b) of this section,
1200 and shall consult with the Commissioner of Environmental Protection,
1201 the Secretary of the Office of Policy and Management and the
1202 Department of Public Utility Control.

1203 (2) The Commissioner of Public Health shall grant a permit upon a
1204 finding that [the source shall] any groundwater source with a safe
1205 yield of less than 0.75 millions of gallons per day, any reservoir with a
1206 safe yield of less than 0.75 millions of gallons per day, any reservoir
1207 system with a safe yield of less than 0.75 millions of gallons per day, or
1208 any individual source within a reservoir system when such system has
1209 a safe yield of less than 0.75 millions of gallons per day will not be
1210 needed by such water company for present or future water supply
1211 and, in the case of a water company required to file a water supply
1212 plan under section 25-32d, as amended, that such abandonment is
1213 consistent with a water supply plan filed and approved pursuant to
1214 said section. No permit shall be granted if the commissioner
1215 determines that the source would be necessary for water supply by the
1216 company owning such source in an emergency or the proposed
1217 abandonment would impair the ability of [the] such company to
1218 provide a pure, adequate and reliable water supply for present and
1219 projected future customers. As used in this section, a future source of
1220 water supply shall be considered to be any source of water supply
1221 necessary to serve areas reasonably expected to require service by the
1222 water company owning such source for a period of not more than fifty
1223 years after the date of the application for a permit under this section.

1224 (3) The Commissioner of Public Health shall grant a permit upon a
1225 finding that any groundwater source with a safe yield of more than
1226 0.75 millions of gallons per day, any reservoir with a safe yield of more

1227 than 0.75 millions of gallons per day, any reservoir system with a safe
1228 yield of more than 0.75 millions of gallons per day, or any individual
1229 source within a reservoir system when such system has a safe yield of
1230 more than 0.75 millions of gallons per day is of a size or condition that
1231 makes it unsuitable for present or future use as a drinking water
1232 supply by the water company, other entity or the state. In making a
1233 decision, the commissioner shall consider the general utility of the
1234 source and the viability for use to meet water supply needs. The
1235 commissioner shall consider any public water supply plans filed and
1236 approved pursuant to sections 25-32d, as amended, and 25-33h, and
1237 any other water system plan approved by the commissioner, and the
1238 efficient and effective development of public water supply in the state.
1239 In assessing the general utility of the source, the commissioner shall
1240 consider factors including, but not limited to, (1) the safe yield of the
1241 source; (2) the location of the source relative to other public water
1242 supply systems, (3) the water quality of the source and the potential
1243 for treatment, (4) water quality compatibility between systems and
1244 interconnections, (5) extent of water company-owned lands for source
1245 protection of the supply, (6) types of land uses and land use controls in
1246 the aquifer protection area or watershed and their potential impact on
1247 water quality of the source, and (7) physical limitations to water
1248 service, system hydraulics and topography.

1249 Sec. 45. Subsection (d) of section 25-32 of the general statutes is
1250 repealed and the following is substituted in lieu thereof (*Effective*
1251 *October 1, 2004*):

1252 (d) The commissioner may grant a permit for (1) the sale of class I or
1253 II land to another water company, to a state agency or to a
1254 municipality, [or] (2) the sale of class II land or the sale or assignment
1255 of a conservation restriction or a public access easement on class I or
1256 class II land to a private, nonprofit land-holding conservation
1257 organization, or (3) the sale of class I land to a private nonprofit land-
1258 holding conservation organization if the water company is denied a
1259 permit to abandon a source not in current use or needed by the water
1260 company pursuant to subsection (c) of section 25-33k, as amended by

1261 this act, if the purchasing entity agrees to maintain the land subject to
1262 the provisions of this section, any regulations adopted pursuant to this
1263 section and the terms of any permit issued pursuant to this section.
1264 Such purchasing entity or assignee may not sell, lease or assign any
1265 such land or conservation restriction or public access easement or sell,
1266 lease, assign or change the use of such land without obtaining a permit
1267 pursuant to this section.

1268 Sec. 46. (NEW) (*Effective October 1, 2003, and applicable to assessment*
1269 *years commencing on or after October 1, 2003*) Notwithstanding any
1270 provision of the general statutes or any municipal charter, the rate
1271 maker, as defined in section 12-131 of the general statutes, in any
1272 municipality which elects to defer a revaluation pursuant to section 32
1273 of this act may prepare new rate bills under the provisions of chapter
1274 204 of the general statutes in order to carry out the provisions of
1275 section 32 of this act.

1276 Sec. 47. Section 83 of public act 03-1 of the June 30 special session is
1277 repealed and the following is substituted in lieu thereof (*Effective from*
1278 *passage*):

1279 A holder of property subject to part III of chapter 32 and section 71,
1280 73 and 74 of [this act] public act 03-1 of the June 30 special session may
1281 not impose on the property a dormancy charge or fee, abandoned
1282 property charge or fee, unclaimed property charge or fee, escheat
1283 charge or fee, inactivity charge or fee, or any similar charge, fee or
1284 penalty for inactivity with respect to the property. Neither the
1285 property nor an agreement with respect to the property may contain
1286 language suggesting that the property may be subject to such a charge,
1287 fee or penalty for inactivity. The provisions of this section shall not
1288 apply to property subject to subdivision (1), (2), (3) or (5) of subsection
1289 (a) of section 3-57a, as amended, provided a holder of any such
1290 property may not impose an escheat charge or fee with respect to such
1291 property.

1292 Sec. 48. Subsection (j) of section 3-65a of the general statutes, as

1293 amended by section 76 of public act 03-1 of the June 30 special session,
1294 is repealed and the following is substituted in lieu thereof (*Effective*
1295 *from passage*):

1296 (j) Notwithstanding the provisions of subsection (b) of this section,
1297 the holder of personal property presumed abandoned pursuant to
1298 subdivision (5) of subsection (a) of section 3-57a, as amended, shall sell
1299 such property and pay the proceeds arising from such sale, excluding
1300 any charges that may lawfully be withheld, to the Treasurer. A holder
1301 of such property may contract with a third party to store and sell such
1302 property and to pay the proceeds arising from such sale, excluding any
1303 charges that may be lawfully withheld, to the Treasurer, provided the
1304 third party holds a surety bond or other form of insurance coverage
1305 with respect to such activities. Any holder who sells such property and
1306 remits the excess proceeds to the Treasurer or who transmits such
1307 property to a bonded or insured third party for such purposes, shall
1308 not be responsible for any claims related to the sale or transmission of
1309 the property or proceeds to the Treasurer. If the Treasurer exempts any
1310 such property from being remitted or sold pursuant to this subsection,
1311 whether by regulations or guidelines, the holder of such property may
1312 dispose of such property in any manner such holder deems
1313 appropriate and such holder shall not be responsible for any claims
1314 related to the disposition of such property or any claims to the
1315 property itself. For purposes of this subsection, charges that may
1316 lawfully be withheld include costs of storage, appraisal, advertising
1317 and sales commissions as well as lawful charges owing under the
1318 contract governing the safe deposit box rental.

1319 Sec. 49. Subsection (a) of section 12-20a of the general statutes is
1320 repealed and the following is substituted in lieu thereof (*Effective July*
1321 *1, 2004*):

1322 (a) On or before January first, annually, the Secretary of the Office of
1323 Policy and Management shall determine the amount due to each
1324 municipality in the state, in accordance with this section, as a state
1325 grant in lieu of taxes with respect to real property owned by any

1326 private nonprofit institution of higher education or any nonprofit
1327 general hospital facility or free standing chronic disease hospital or an
1328 urgent care facility that operates for at least twelve hours a day and
1329 that had been the location of a nonprofit general hospital for at least a
1330 portion of calendar year 1996 to receive payments in lieu of taxes for
1331 such property, exclusive of any such facility operated by the federal
1332 government, except a campus of the United States Department of
1333 Veterans Affairs Connecticut Healthcare Systems, or the state of
1334 Connecticut or any subdivision thereof. As used in this section "private
1335 nonprofit institution of higher education" means any such institution
1336 engaged primarily in education beyond the high school level, the
1337 property of which is exempt from property tax under any of the
1338 subdivisions of section 12-81, as amended; "nonprofit general hospital
1339 facility" means any such facility which is used primarily for the
1340 purpose of general medical care and treatment, exclusive of any
1341 hospital facility used primarily for the care and treatment of special
1342 types of disease or physical or mental conditions; and "free standing
1343 chronic disease hospital" means a facility which provides for the care
1344 and treatment of chronic diseases, excluding any such facility having
1345 an ownership affiliation with and operated in the same location as a
1346 chronic and convalescent nursing home.

1347 (b) The grant payable to any municipality under the provisions of
1348 this section in the state fiscal year commencing July 1, 1999, and in
1349 each fiscal year thereafter, shall be equal to seventy-seven per cent of
1350 the property taxes which, except for any exemption applicable to any
1351 such institution of higher education or general hospital facility under
1352 the provisions of section 12-81, as amended, would have been paid
1353 with respect to such exempt real property on the assessment list in
1354 such municipality for the assessment date two years prior to the
1355 commencement of the state fiscal year in which such grant is payable.
1356 The amount of the grant payable to each municipality in any year in
1357 accordance with this section shall be reduced proportionately in the
1358 event that the total of such grants in such year exceeds the amount
1359 appropriated for the purposes of this section with respect to such year.

1360 (c) Notwithstanding the provisions of subsection (b) of this section,
 1361 the amount of the grant payable to any municipality under the
 1362 provisions of this section with respect to a campus of the United States
 1363 Department of Veterans Affairs Connecticut Healthcare Systems shall
 1364 be as follows: (1) For the fiscal year ending June 30, 2005, twenty per
 1365 cent of the amount payable in accordance with said subsection (b); (2)
 1366 for the fiscal year ending June 30, 2006, forty per cent of such amount;
 1367 (3) for the fiscal year ending June 30, 2007, sixty per cent of such
 1368 amount; (4) for the fiscal year ending June 30, 2008, eighty per cent of
 1369 such amount; (5) for the fiscal year ending June 30, 2009, and each
 1370 fiscal year thereafter, one hundred per cent of such amount.

1371 [(c)] (d) As used in this section and section 12-20b, as amended, the
 1372 word "municipality" means any town, consolidated town and city,
 1373 consolidated town and borough, borough, district, as defined in
 1374 section 7-324, and any city not consolidated with a town.

1375 Sec. 50. (Effective July 1, 2004) Section 52-259d of the general statutes
 1376 and section 39 of house bill 5692 of the current session are repealed."

This act shall take effect as follows:	
Section 1	July 1, 2004
Sec. 2	July 1, 2004
Sec. 3	July 1, 2004
Sec. 4	July 1, 2004
Sec. 5	July 1, 2004
Sec. 6	from passage
Sec. 7	from passage
Sec. 8	July 1, 2004
Sec. 9	from passage
Sec. 10	January 1, 2005
Sec. 11	January 1, 2005
Sec. 12	January 1, 2005
Sec. 13	July 1, 2004
Sec. 14	July 1, 2004
Sec. 15	January 1, 2005
Sec. 16	July 1, 2004

Sec. 17	<i>July 1, 2004</i>
Sec. 18	<i>July 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>
Sec. 21	<i>October 1, 2004</i>
Sec. 22	<i>October 1, 2004</i>
Sec. 23	<i>from passage, and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 24	<i>from passage and applicable to assessment years commencing on or after October 1, 2002</i>
Sec. 25	<i>from passage</i>
Sec. 26	<i>from passage</i>
Sec. 27	<i>July 1, 2004</i>
Sec. 28	<i>July 1, 2004</i>
Sec. 29	<i>July 1, 2004</i>
Sec. 30	<i>from passage</i>
Sec. 31	<i>from passage</i>
Sec. 32	<i>October 1, 2003, and applicable to assessment years commencing on or after October 1, 2003</i>
Sec. 33	<i>October 1, 2003, and applicable to assessment years commencing on or after October 1, 2003</i>
Sec. 34	<i>July 1, 2004</i>
Sec. 35	<i>July 1, 2004</i>
Sec. 36	<i>July 1, 2004</i>
Sec. 37	<i>from passage</i>
Sec. 38	<i>July 1, 2004</i>
Sec. 39	<i>from passage</i>
Sec. 40	<i>July 1, 2004</i>
Sec. 41	<i>July 1, 2004</i>
Sec. 42	<i>from passage</i>
Sec. 43	<i>from passage</i>
Sec. 44	<i>October 1, 2004</i>
Sec. 45	<i>October 1, 2004</i>
Sec. 46	<i>October 1, 2003, and applicable to assessment years commencing on or after October 1, 2003</i>
Sec. 47	<i>from passage</i>
Sec. 48	<i>from passage</i>
Sec. 49	<i>July 1, 2004</i>
Sec. 50	<i>July 1, 2004</i>