House of Representatives

General Assembly

File No. 540

January Session, 2005

Substitute House Bill No. 6977

House of Representatives, April 27, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

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

Section 1. Subsection (b) of section 1-1g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) As used in subsection (a) <u>of this section</u>, "general intellectual functioning" means the results obtained by assessment with one or more of the individually administered general intelligence tests developed for that purpose and standardized on a significantly adequate population and administered by a person or persons formally trained in test administration; "significantly subaverage" means an intelligence quotient more than two standard deviations below the mean for the test; "adaptive behavior" means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the

individual's age and cultural group; and "developmental period" means the period of time between birth and the eighteenth birthday.

Sec. 2. Subsection (c) of section 1-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) If the notarial act is performed by a person other than one described in subsections (a) and (b) of this section, there is sufficient proof of the authority of that person to act if the clerk of a court of record in the place in which the notarial act is performed certifies to the official character of that person and to his authority to perform the notarial act.

Sec. 3. Subsection (b) of section 1-226 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any such public agency may adopt rules governing such recording, photography or the use of such broadcasting equipment for radio and television stations but, in the absence of the adoption of such rules and regulations by such public agency prior to the meeting, such recording, photography or the use of such radio and television equipment shall be permitted as provided in subsection (a) of this section.

Sec. 4. Subsection (c) of section 2-32b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The estimate required by subsection (b) of this section shall be the estimated cost to local governments for the first fiscal year in which the bill takes effect. If such bill does not take effect on the first day of the fiscal year, the estimate shall also indicate the estimated cost to local governments for the next following fiscal year. If a bill is amended by the report of a committee on conference in such a manner as to result in a cost to local governments, the Office of Fiscal Analysis

shall append an estimate of such cost to the report before the report is made to either house of the General Assembly.

Sec. 5. Section 3-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Trust funds as used in sections 3-13 to 3-13e, inclusive, and 3-31b shall be construed to include Connecticut Municipal Employees' Retirement Fund A, Connecticut Municipal Employees' Retirement Fund B, Soldiers, Sailors and Marines Fund, State's **[**Attorney**]** Attorneys' Retirement Fund, Teachers' Annuity Fund, Teachers' Pension Fund, Teachers' Survivorship and Dependency Fund, School Fund, State Employees Retirement Fund, the Hospital Insurance Fund, Policemen and Firemen Survivor's Benefit Fund and all other trust funds administered, held or invested by the Treasurer.

Sec. 6. Subsection (b) of section 3-21b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The provisions of subsection (a) of this section shall not apply to any consolidated amounts, as defined in section 8-37rr.

Sec. 7. Subsection (a) of section 3-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsections (b) and (c) of this section, the Treasurer shall pay out the public moneys only upon the order of the General Assembly, of the Senate, of the House of Representatives, of the several courts when legally authorized or of the Comptroller for accounts legally adjusted by him or when he is authorized to order for the payment of money from the Treasury. He shall pay no warrant or order for the disbursement of public money until the same has been registered in the office of the Comptroller. The Comptroller shall not issue any warrant, draft or order except upon (1) an adequate expenditure voucher which shall be retained in his office for the period

provided by law, (2) certification by an expending agency which retains an adequate expenditure voucher in accordance with such procedures as the Comptroller may prescribe, or (3) upon certification by the chief executive officer of a constituent unit of the state system of higher education, provided, in the case of the Connecticut State University system, the certification may be made by the chief executive officer of a state university, as provided in subsection (b) of section 3-117.

Sec. 8. Subsection (a) of section 3-119 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Comptroller shall pay all salaries and wages not less than ten calendar days **[**nor**]** <u>or</u> more than fifteen calendar days after the close of the payroll period in which the services were rendered, except as provided in subsections (b) and (c) <u>of this section</u>, but shall draw no order in payment for any service of which the payroll officer of the state has official knowledge without the signed statement of the latter that all employees listed on the payroll of each agency have been duly appointed to authorized positions and have rendered the services for which payment is to be made. The Comptroller is authorized to develop, install and operate a comprehensive fully documented electronic system for effective personnel data, for payment of compensation to all state employees and officers and for maintenance of a chronological and permanent record of compensation paid to each employee and officer for the state employees retirement system and other purposes. The Comptroller is authorized to establish an accounting procedure to implement this section.

Sec. 9. Subsection (b) of section 4-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) Except as provided in subdivision (2) <u>of this subsection</u>, if a vacancy occurs in the office of any department head while the General Assembly is in regular session, the Governor shall, within thirty calendar days of the occurrence of the vacancy, submit his nomination

109 to fill the vacancy to either house of the General Assembly. The house
110 to which the nomination is submitted shall immediately refer the
111 nomination to its committee on executive nominations, which shall
112 report thereon by resolution within ten legislative days from the date
113 of reference. Such house shall confirm or reject said nomination. If
114 such house, by resolution, confirms the nomination within thirty
115 calendar days after it is submitted, the nominee shall forthwith take
116 office to serve at the pleasure of the Governor but no longer than the
117 original appointee could have served under his appointment. If such
118 house rejects the nomination within thirty calendar days after it is
119 submitted, the Governor shall, within thirty calendar days, submit
120 another nomination to either house of the General Assembly,
121 provided, if any nomination is submitted less than thirty calendar days
122 before the date established by the Constitution for adjournment of the
123 General Assembly, and the house to which it is submitted fails to
124 confirm or reject the nomination before its adjournment on said date,
125 the procedure prescribed in subsection (c) of this section shall be
126 followed.

127 (2) If a vacancy occurs in the office of any department head prior to
128 the first day of March during the first regular session of the General
129 Assembly following the election of a new Governor, the nominee of
130 the newly elected Governor may exercise the powers and duties of the
131 office as provided in section 4-8, as designate, until the nomination is
132 confirmed or rejected pursuant to subdivision (1) <u>of this subsection</u>.

133 Sec. 10. Subsection (b) of section 4-20 of the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective from*
135 *passage*):

136 (b) All state officers, state employees and other persons, other than
137 those listed in subsection (a) <u>of this section</u>, who in the opinion of the
138 board should be bonded, shall be bonded, the amount, condition and
139 form to be determined by the board. Bonds taken pursuant to this
140 subsection shall be purchased by the board, at the request of the
141 Comptroller at state expense from a company or companies authorized

142 to issue such bonds and having an office and licensed to do business in
143 this state. The Comptroller may, at any time, request that any such
144 bond be cancelled or terminated and any rebate of premium thereon
145 shall be returned to the Comptroller for deposit in the General Fund.

146 Sec. 11. Subsection (b) of section 4-58a of the general statutes is
147 repealed and the following is substituted in lieu thereof (*Effective from*
148 *passage*):

149 (b) Any employee of a state institution who is a member of its
150 regular or volunteer fire department or institutional fire brigade who is
151 injured or dies as a result of responding to, working at or returning
152 from a fire outside of such institution, in accordance with an
153 agreement entered into under subsection (a) <u>of this section</u> with the
154 municipality in which the fire occurred, shall be deemed to have been
155 injured in the course of his employment and he and his estate shall be
156 entitled to all the benefits of title 5 and chapter 568, provided the
157 superintendent of such institution shall have authorized his service at
158 such fire.

159 Sec. 12. Subsection (b) of section 4-67m of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective from*
161 *passage*):

162 (b) The goals, objectives and measures developed for each such
163 agency pursuant to subsection (a) <u>of this section</u> shall be implemented
164 for the biennium beginning July 1, 1993. The Office of Policy and
165 Management, in consultation with each such agency, shall review and
166 revise such goals, objectives and measures for each biennium
167 thereafter.

168 Sec. 13. Subsection (a) of section 4-85 of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective from*
170 *passage*):

171 (a) Before an appropriation becomes available for expenditure, each
172 budgeted agency shall submit to the Governor through the Secretary of

173 the Office of Policy and Management, not less than twenty days before
174 the beginning of the fiscal year for which such appropriation was
175 made, a requisition for the allotment of the amount estimated to be
176 necessary to carry out the purposes of such appropriation during each
177 quarter of such fiscal year. Appropriations for capital outlays may be
178 allotted in any manner the Governor deems advisable. Such requisition
179 shall contain any further information required by the Secretary of the
180 Office of Policy and Management. The Governor shall approve such
181 requisitions, subject to the provisions of subsection (b) of this section.

182 Sec. 14. Subsection (c) of section 4-85 of the general statutes is
183 repealed and the following is substituted in lieu thereof (*Effective from*
184 *passage*):

185 (c) If a plan submitted in accordance with subsection (b) of this
186 section indicates that a reduction of more than three per cent of the
187 total appropriation from any fund or more than five per cent of any
188 appropriation is required to prevent a deficit, the Governor may
189 request that the Finance Advisory Committee approve any such
190 reduction, provided any modification which would result in a
191 reduction of more than five per cent of total appropriations shall
192 require the approval of the General Assembly.

193 Sec. 15. Subsection (a) of section 4-168 of the general statutes is
194 repealed and the following is substituted in lieu thereof (*Effective from*
195 *passage*):

196 (a) Except as provided in subsection (g) of this section, an agency,
197 prior to adopting a proposed regulation, shall: (1) Give at least thirty
198 days' notice by publication in the Connecticut Law Journal of its
199 intended action. The notice shall include (A) either a statement of the
200 terms or of the substance of the proposed regulation or a description
201 sufficiently detailed so as to apprise persons likely to be affected of the
202 issues and subjects involved in the proposed regulation, (B) a
203 statement of the purposes for which the regulation is proposed, (C) a
204 reference to the statutory authority for the proposed regulation, and
205 (D) when, where and how interested persons may present their views

206 on the proposed regulation; (2) give notice by mail to each joint
207 standing committee of the General Assembly having cognizance of the
208 subject matter of the proposed regulation; (3) give notice by mail to all
209 persons who have made requests to the agency for advance notice of
210 its regulation-making proceedings. The agency may charge a
211 reasonable fee for such notice based on the estimated cost of providing
212 the service; (4) provide a copy of the proposed regulation to persons
213 requesting it. The agency may charge a reasonable fee for copies in
214 accordance with the provisions of section 1-212; (5) following
215 publication of the notice in the Connecticut Law Journal, prepare a
216 fiscal note, including (A) an estimate of the cost or of the revenue
217 impact on the state or any municipality of the state, and (B) if
218 applicable, the regulatory flexibility analysis prepared under section 4-
219 168a. The governing body of any municipality, if requested, shall
220 provide the agency, within twenty working days, with any
221 information that may be necessary for analysis in preparation of such
222 fiscal note; (6) afford all interested persons reasonable opportunity to
223 submit data, views or arguments, orally at a hearing granted under
224 subdivision (7) of this subsection or in writing, and to inspect and copy
225 the fiscal note prepared pursuant to subdivision (5) of this subsection;
226 (7) grant an opportunity to present oral argument if requested by
227 fifteen persons, by a governmental subdivision or agency or by an
228 association having not less than fifteen members, if notice of the
229 request is received by the agency within fourteen days after the date of
230 publication of the notice; and (8) consider fully all written and oral
231 submissions respecting the proposed regulation and revise the fiscal
232 note in accordance with the provisions of subdivision (5) of this
233 subsection to indicate any changes made in the proposed regulation.
234 No regulation shall be found invalid due to the failure of an agency to
235 give notice to each committee of cognizance pursuant to subdivision
236 (2) of this subsection, provided one such committee has been so
237 notified.

238 Sec. 16. Subsection (g) of section 4-168 of the general statutes is
239 repealed and the following is substituted in lieu thereof (*Effective from*
240 *passage*):

241 (g) If an agency finds (1) that technical amendments to an existing
242 regulation are necessary because of (A) the statutory transfer of
243 functions, powers or duties from the agency named in the existing
244 regulation to another agency, (B) a change in the name of the agency,
245 (C) the renumbering of the section of the general statutes containing
246 the statutory authority for the regulation, or (D) a correction in the
247 numbering of the regulation, and no substantive changes are
248 proposed, or (2) that the repeal of a regulation is necessary because the
249 section of the general statutes under which the regulation has been
250 adopted has been repealed and has not been transferred or reenacted,
251 it may elect to comply with the requirements of subsection (a) of this
252 section or may proceed without prior notice or hearing. Any such
253 amendments to or repeal of a regulation shall be submitted in the form
254 and manner prescribed in subsection (b) of section 4-170, to the
255 Attorney General, as provided in section 4-169, and to the standing
256 legislative regulation review committee, as provided in section 4-170,
257 for approval and upon approval shall be filed in the office of the
258 Secretary of the State with, in the case of renumbering of sections only,
259 a correlated table of the former and new section numbers.

260 Sec. 17. Subsection (c) of section 4-170 of the general statutes is
261 repealed and the following is substituted in lieu thereof (*Effective from*
262 *passage*):

263 (c) The committee shall review all proposed regulations and, in its
264 discretion, may hold public hearings thereon, and may approve,
265 disapprove or reject without prejudice, in whole or in part, any such
266 regulation. If the committee fails to so approve, disapprove or reject
267 without prejudice a proposed regulation, within sixty-five days after
268 the date of submission as provided in subsection (b) of this section, the
269 committee shall be deemed to have approved the proposed regulation
270 for purposes of this section.

271 Sec. 18. Subsections (a) and (b) of section 4-173 of the general
272 statutes are repealed and the following is substituted in lieu thereof
273 (*Effective from passage*):

274 (a) The Commission on Official Legal Publications shall publish and
275 distribute a compilation of all effective regulations adopted by all state
276 agencies subsequent to October 27, 1970, except regulations adopted
277 pursuant to subsection [(e)] (f) of section 4-168. Such publication may
278 be a supplement to or revision of the most current compilation, and
279 shall be published at least semiannually. The Commission on Official
280 Legal Publications may omit from such compilation (1) any regulation
281 that is incorporated by reference into a Connecticut regulation and
282 published by or otherwise available in printed form from a federal
283 agency, a government agency of another state or a commercial
284 publishing company, [or] (2) any regulation that is too expensive to
285 publish, or (3) any regulation the publication of which would be
286 unduly cumbersome. If [such] the commission omits a regulation from
287 the compilation, it shall publish in the compilation a notice identifying
288 the omitted regulation, stating the general subject matter of the
289 regulation and stating an address, telephone number and any other
290 information needed to obtain a copy of the regulation. Such address
291 and telephone number shall be kept current in each semiannual
292 publication of the compilation. The commission shall publish any
293 regulation that has been omitted from publication under subdivision
294 (2) of this subsection as soon as the commission has sufficient funds.

295 (b) The Commission on Official Legal Publications shall in addition
296 cause to be published in the Connecticut Law Journal at least monthly
297 the text of all regulations received by [such] the commission from the
298 office of the Secretary of the State pursuant to section 4-172 during the
299 preceding month. The commission may omit from the Connecticut
300 Law Journal (1) any regulation submitted in accordance with
301 subsection [(f)] (g) of section 4-168, for the purposes of renumbering
302 sections only, if a correlated table of the former and new section
303 numbers is published in lieu of the full text, (2) any regulation that is
304 incorporated by reference into a Connecticut regulation and published
305 by or otherwise available in printed form from a federal agency, a
306 government agency of another state or a commercial publishing
307 company, and (3) any regulation the publication of which would be
308 too expensive or unduly cumbersome. If [such] the commission omits

309 a regulation from publication in the Connecticut Law Journal under
310 subdivision (2) or (3) of this subsection, the commission shall publish
311 in the Connecticut Law Journal a notice identifying the omitted
312 regulation, stating the general subject matter of the regulation and
313 stating an address, telephone number and any other information
314 needed to obtain a copy of the regulation.

315 Sec. 19. Subsection (c) of section 4a-67h of the general statutes is
316 repealed and the following is substituted in lieu thereof (*Effective from*
317 *passage*):

318 (c) Not later than January 1, 2005, and annually thereafter, the
319 department shall: (1) Develop and maintain information about
320 environmentally preferable products, services and practices procured
321 through the department, including, but not limited to, products,
322 services and practices that minimize global warming impact and
323 recycled products; (2) provide assistance with the implementation of
324 the procedures developed pursuant to subsection (b) of this section
325 and provide information to agencies about the use of environmentally
326 preferable products and services; and (3) monitor the use of
327 environmentally preferable products, services and practices and
328 recycled products by state agencies. Such information compiled
329 pursuant to this subsection shall designate those products, services or
330 practices that cost the same <u>as</u> or less than other similar products,
331 services or practices.

332 Sec. 20. Subsection (b) of section 4a-72 of the general statutes is
333 repealed and the following is substituted in lieu thereof (*Effective from*
334 *passage*):

335 (b) As used in subdivision (3) of subsection (a) <u>of this section</u>, "good
336 faith dispute" means: (1) A contention by the state that goods delivered
337 or services rendered were: (A) Of less quantity or quality than ordered
338 or specified by contract; (B) faulty; or (C) installed improperly; or (2)
339 any other reason giving cause for the withholding of payment by the
340 state until such dispute is settled.

341 Sec. 21. Subsection (b) of section 4b-23 of the general statutes is
342 repealed and the following is substituted in lieu thereof (*Effective from*
343 *passage*):

344 (b) On or before December first of each even-numbered year, the
345 Commissioner of Public Works shall provide the Secretary of the
346 Office of Policy and Management with a review of the plans and
347 requests submitted pursuant to subsection (a) of this section for
348 consistency with realistic cost factors, space requirements, space
349 standards, implementation schedules, priority needs, objectives of the
350 Commissioner of Public Works in carrying out his responsibilities
351 under section 4b-30 and the need for the maintenance, improvement
352 and replacement of state facilities.

353 Sec. 22. Subsection (a) of section 4b-52 of the general statutes is
354 repealed and the following is substituted in lieu thereof (*Effective from*
355 *passage*):

356 (a) (1) No repairs, alterations or additions involving expense to the
357 state of five hundred thousand dollars or less or, in the case of repairs,
358 alterations or additions to a building rented or occupied by a
359 constituent unit of the state system of higher education, two million
360 dollars or less shall be made to any state building or premises occupied
361 by any state officer, department, institution, board, commission or
362 council of the state government and no contract for any construction,
363 repairs, alteration or addition shall be entered into without the prior
364 approval of the Commissioner of Public Works, except repairs,
365 alterations or additions to a building under the supervision and
366 control of the Joint Committee on Legislative Management and repairs,
367 alterations or additions to a building under the supervision of The
368 University of Connecticut. Repairs, alterations or additions which are
369 made pursuant to such approval of the Commissioner of Public Works
370 shall conform to all guidelines and procedures established by the
371 Department of Public Works for agency-administered projects. (2)
372 Notwithstanding the provisions of subdivision (1) of this subsection,
373 repairs, alterations or additions involving expense to the state of one

374 hundred thousand dollars or less may be made to any state building or
375 premises under the supervision of the Office of the Chief Court
376 Administrator or a constituent unit of the state system of higher
377 education, under the terms of section 4b-11, and any contract for any
378 such construction, repairs or alteration may be entered into by the
379 Office of the Chief Court Administrator or a constituent unit of the
380 state system of higher education without the approval of the
381 Commissioner of Public Works.

382 Sec. 23. Subsection (d) of section 4b-53 of the general statutes is
383 repealed and the following is substituted in lieu thereof (*Effective from*
384 *passage*):

385 (d) The Connecticut Commission on Culture and Tourism shall,
386 with respect to a work of art in any project under subsection (b) of this
387 section, be responsible for the selection of any artist, artisan or
388 craftsperson, review of any design or plan, and execution, completion,
389 acceptance and placement of such work of art, provided any work of
390 art to be located in any building under the supervision, security,
391 utilization and control of the Joint Committee on Legislative
392 Management shall be approved by said committee. The Commissioner
393 of Public Works, in consultation with said commission, (1) shall be
394 responsible for the contractual arrangements with any such artist,
395 artisan or craftsperson, and (2) shall **[**prescribe**]** adopt regulations
396 concerning implementation of the purposes of subsection (b) of this
397 section and this subsection.

398 Sec. 24. Subsection (b) of section 4b-58 of the general statutes is
399 repealed and the following is substituted in lieu thereof (*Effective from*
400 *passage*):

401 (b) In determining fair and reasonable compensation to be paid in
402 accordance with subsection (a) of this section, the commissioner shall
403 consider, in the following order of importance, the professional
404 competence of the consultant, the technical merits of the proposal, the
405 ability of the firm to perform the required services within the time and
406 budgetary limits of the contract and the price for which the services are

407 to be rendered.

408 Sec. 25. Subsections (c) and (d) of section 5-142 of the general
409 statutes are repealed and the following is substituted in lieu thereof
410 (*Effective from passage*):

411 (c) If a member of the Division of State Police within the
412 Department of Public Safety who is not subject to the federal Insurance
413 Contributions Act for such employment becomes or became disabled
414 on or after July 1, 1979, and (1) the disability is not compensable under
415 the terms of subsection (a) of this section and he elects or elected to
416 receive disability retirement benefits under the provisions of section 5-
417 169 or **[**section**]** 5-192p, or (2) he elects or elected to receive such
418 disability retirement benefits in lieu of benefits otherwise available
419 under subsection (a) of this section, the member shall be eligible to
420 receive benefits under the provisions of subsection (d) of this section.
421 Notwithstanding any **[**other**]** provision of the general statutes, the
422 benefits granted under subsection (d) <u>of this section</u> shall be deemed to
423 be federal Social Security disability benefits for purposes of calculating
424 the maximum benefits available under the provisions of section 5-169
425 or 5-192p. Any disability Social Security benefits payable to or on
426 behalf of such member shall also be recognized for purposes of
427 calculating such maximum benefits. For the purposes of this
428 subsection, "disability" means any medically determinable injury or
429 physical or mental impairment which permanently prevents the
430 discharge of normal police functions by any member of the Division of
431 State Police, provided the Commissioner of Public Safety cannot find a
432 suitable position within the agency for such member. The
433 determination as to whether a member is so disabled shall be made by
434 the board of physicians established under section 5-169.
435 Notwithstanding any provisions to the contrary in section 5-169, the
436 maximum benefit limitation as set forth in subdivisions (1) and (2) of
437 subsection (g) of section 5-169 shall apply to any member receiving the
438 new benefits provided by subsection (d) of this section.

439 (d) Commencing on May 8, 1984, or the date of disability, if later,

440 each such disabled member of the Division of State Police within the
441 Department of Public Safety shall receive a monthly allowance payable
442 by the state employees retirement system, so long as the member
443 remains so disabled, as follows: (1) To a disabled member, a monthly
444 allowance of three hundred dollars for his lifetime; (2) if such disabled
445 member is married, an additional monthly allowance of two hundred
446 fifty dollars payable to the member and payable for the member's
447 lifetime or until the spouse's divorce from the member; (3) if there are
448 less than three dependent children, a monthly allowance of two
449 hundred fifty dollars payable to the member for each child until each
450 such child reaches the age of eighteen or until the child's marriage if
451 such occurs earlier; (4) if there are three or more dependent children, a
452 monthly allowance of five hundred and seventy-five dollars payable to
453 the member but deemed to be divided equally among them. As each
454 such dependent child reaches the age of eighteen years, or marries, if
455 such occurs earlier, the child's share shall be deemed divided equally
456 among the remaining surviving children, provided each child's share
457 shall not exceed two hundred fifty dollars; when the shares payable on
458 behalf of all but one of such dependent children have ceased, the
459 disability benefit payable on behalf of the remaining child shall be two
460 hundred fifty dollars. These benefits shall be integrated with the
461 benefits of section 5-169 or 5-192p as if they were federal Social
462 Security disability benefits in order to determine the maximum
463 benefits payable to such disabled member. These benefits shall be
464 subject to increases as provided in subsection (e) <u>of this section</u>. All
465 benefits provided under this subsection shall be discontinued at the
466 earlier of the member's recovery from disability or the member's death.
467 If a disabled member dies, the survivor benefits provided under
468 sections 5-146 to 5-150, inclusive, shall be payable.

469 Sec. 26. Subsection (b) of section 5-158b of the general statutes is
470 repealed and the following is substituted in lieu thereof (*Effective from*
471 *passage*):

472 (b) The sum to be paid to the retirement system by a state employee
473 under subsection (a) <u>of this section</u> shall be without interest and may

be made in accordance with a payment schedule as may be established by the State Employees Retirement Commission.

Sec. 27. Subsection (f) of section 5-160 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) A temporary, emergency or provisional employee may elect to become a member, effective on the first day of the pay period following the date his election is received by the Retirement Commission. At any time not later than the date six months after his membership becomes mandatory under subsection (a) or (d) of this section, such employee may elect to make retirement contributions for his salary received during the period, not in excess of twelve months, prior to the effective date of his membership, without interest. Such contributions shall be paid within six months after his membership becomes mandatory.

Sec. 28. Subsection (e) of section 5-161 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Except as provided in subsection (c) of section 5-180, **[**(c),**]** a member absent from state service without pay shall make no contributions during his absence.

Sec. 29. Subsection (d) of section 5-164 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) A duly appointed and acting messenger or assistant messenger of any constituent court of the Judicial Department who has reached his retirement date may be reemployed, pursuant to section 51-78, in the service of the court in which he has been a messenger at the salary paid him at the time of his retirement. Such reemployment shall continue until such time as the judges of said court terminate the same. Subsection (b) **[**above**]** of this section does not apply to any such

505 messenger.

506 Sec. 30. Subsection (d) of section 5-164a of the general statutes is
507 repealed and the following is substituted in lieu thereof (*Effective from*
508 *passage*):

509 (d) Upon the subsequent retirement of a member who has made an
510 election under subsection (a) of this section, or upon the expiration of
511 the term of office of a member of the General Assembly who has made
512 an election under subsection (b) of this section, his retirement income
513 shall be recomputed on the basis of his total period of credited state
514 service, excluding any period for which a retirement salary was paid
515 under subdivision (1) or (2) of subsection (c) of this section, and with
516 his base salary recomputed on the basis of his three highest-paid years
517 of his total state service.

518 Sec. 31. Subsection (b) of section 5-165 of the general statutes is
519 repealed and the following is substituted in lieu thereof (*Effective from*
520 *passage*):

521 (b) Notwithstanding the provisions of subsection (a) of this section,
522 a temporary minimum shall apply whenever the Retirement
523 Commission adopts revised factors which could result in a smaller
524 benefit to a member than would have been payable under the
525 previously existing factors. Such minimum shall be determined as
526 follows: (1) The benefit the member had earned as of the date of the
527 change in factors shall be calculated, based on his final earnings and
528 service as of that date; (2) any early retirement reduction in such
529 benefit shall be based upon his age, as determined on the date benefits
530 will commence, and his type of retirement; and (3) the option factor
531 shall be determined utilizing the factors in effect prior to such change,
532 but based on appropriate ages as of the date benefits will commence. If
533 such minimum results in a larger benefit, the larger benefit shall be
534 payable.

535 Sec. 32. Section 5-166 of the general statutes is repealed and the
536 following is substituted in lieu thereof (*Effective from passage*):

537 (a) Except as provided in section 5-163a, a member who leaves state
538 service before he is eligible for retirement but after completing at least
539 ten years of state service, of which at least five years shall have
540 immediately preceded the date of his leaving state service, shall
541 continue to be a member, and shall be eligible for a retirement income
542 as provided in section 5-162, but on a reduced actuarial basis as
543 determined by the Retirement Commission, upon reaching his fifty-
544 fifth birthday. Such vested retirement income shall not be subject to
545 divestiture by subsequent employment unless the member withdraws
546 his retirement contribution.

547 (b) (1) A member who leaves state service before he is eligible for
548 retirement may elect to withdraw all of his retirement contributions,
549 without interest, in lieu of any other benefits under this chapter. (2)
550 Notwithstanding the provisions of subdivision (1) of this subsection, if
551 such departure from state service or withdrawal of contributions
552 occurs on or after October 1, 1982, the withdrawal of contributions
553 shall include interest credited from January 1, 1982, or the first July
554 first following the date of actual contribution, whichever is later, to the
555 July first coincident with or preceding the date the employee leaves
556 state service or withdraws contributions, whichever is later. Such
557 interest shall be credited at the rate of five per cent per year. In
558 addition, for the partial year during which the employee leaves state
559 service or withdraws contributions, interest shall be credited at the rate
560 of five-twelfths of one per cent multiplied by the full number of
561 months completed during that year, such interest rate to be applied to
562 the value of contributions as of the first day of that year. A member
563 who so leaves before completing the service requirements of
564 subsection (a) <u>of this section</u> and without so electing shall be
565 conclusively presumed to have made such an election if he is not
566 reemployed by the state within five years; provided, if such member
567 has not requested such withdrawal within ten years after he left state
568 service, or if his contributions are less than ten dollars and such
569 election is not made within six months after he leaves state service, his
570 contributions shall revert to the retirement fund. At any time
571 thereafter, upon application by the member, his contributions plus

572 credited interest, if any, may be withdrawn and paid to him.

573 (c) Retroactive Social Security taxes deducted from contributions
574 previously made by a member because of the retroactive effective date
575 of the Social Security Agreement shall be excluded in determining the
576 amount of any payment under subsection (b) of this section.

577 (d) A member who leaves state service before he is eligible for
578 retirement and before completing the service requirement of
579 subsection (a) of this section shall thereupon lose his status as a
580 member.

581 (e) A member who is eligible for retirement when he leaves state
582 service may not elect to withdraw his retirement contributions in lieu
583 of receiving retirement income payments at such time as they are
584 payable, provided any such member who is eligible to participate in or
585 is a participating member of the Connecticut teachers' retirement
586 system may elect to have transferred to such system his contributions
587 and earned interest in the state employees retirement system for credit
588 pursuant to the requirements of the teachers' retirement system.

589 Sec. 33. Subsections (a) and (b) of section 5-167 of the general
590 statutes are repealed and the following is substituted in lieu thereof
591 (*Effective from passage*):

592 (a) A former member who withdrew his retirement contributions
593 and who is reemployed in state service within five years after he left
594 state service, or who is reemployed and due to such reemployment is
595 covered by the provisions of the tier I plan as determined under
596 subsection (a) of section 5-192e, may elect to return his withdrawn
597 contributions and interest paid on such contributions to the state, with
598 interest as provided in subsection (c) **[**below**]** of this section. Service
599 can be restored only if payments commence within two years after
600 reemployment or on or before January 1, 1985, if later.

601 (b) A member who was in state service before September 1, 1939,
602 but did not become a member before September 1, 1941, may elect to

603 make retirement contributions in the amount which would have been
604 due from him from September 1, 1939, to the date of his election, had
605 he been a member throughout this period, with interest as provided in
606 subsection (c) **[**below**]** of this section.

607 Sec. 34. Subsection (h) of section 5-169 of the general statutes is
608 repealed and the following is substituted in lieu thereof (*Effective from*
609 *passage*):

610 (h) As of each anniversary date, as defined in section 5-162d, of such
611 retired employee, the benefits provided under this section shall be
612 subject to the following adjustments: (1) The benefits provided in
613 subsections (a) and (b) of this section shall be subject to the increase
614 provided in section 5-162d or **[**section**]** 5-162h, whichever is
615 appropriate; (2) the net maximum benefit provided in subdivision (2)
616 of subsection (g) of this section shall be subject to the increase
617 provided in section 5-162d or **[**section**]** 5-162h, whichever is
618 appropriate; (3) this subdivision shall apply only to the maximum
619 benefit provided in subdivision (1) of subsection (g) of this section
620 which shall only be considered if the member had outside earned
621 salary or wages. The salary as described in subdivision (1) of
622 subsection (g) of this section shall be increased by the percentage
623 compensation increase that would have applied to an employee in the
624 position and "step" of the member, at the date of disability had that
625 employee continued to be employed and continued automatic
626 progression to the maximum "step" for his classification. On the date of
627 recomputation of benefits, the offsets for workers' compensation and
628 federal Social Security shall be increased by that same percentage or
629 the percentage increase granted under the cost-of-living provision of
630 the Workers' Compensation Act and the Social Security Act
631 respectively, whichever is less. This offset amount shall be adjusted to
632 reflect any change in these benefits other than those resulting from the
633 cost-of-living provisions of the Workers' Compensation Act or the
634 Social Security Act. In no case shall the offset be greater than the actual
635 benefits paid. Outside earned salary or wages shall reflect actual
636 amounts earned during the preceding calendar year. In no event shall

637 the application of this subdivision and subdivision (1) of subsection (g)
638 of this section result in an income from all sources that would be less
639 than the income that would have been paid had the member remained
640 in service and progressed to the maximum "step" for his classification;
641 (4) except as specifically indicated in subdivision (3) of this subsection,
642 the maximum disability income determined under subsection (g) of
643 this section will not be affected, when the workers' compensation
644 benefits or the Social Security benefits are increased by cost-of-living
645 provisions in the Workers' Compensation Act or the Social Security
646 Act; (5) the maximum disability income under subdivision (2) of
647 subsection (g) of this section will be recalculated if either the workers'
648 compensation benefits or the Social Security benefits are decreased or
649 discontinued. Any such recalculated maximum shall not reflect any
650 increases arising after the initial application of the offset because of the
651 cost-of-living provisions in the Workers' Compensation Act or the
652 Social Security Act, except as specifically indicated in subdivision (3) of
653 this subsection.

654 Sec. 35. Subsection (b) of section 5-170 of the general statutes is
655 repealed and the following is substituted in lieu thereof (*Effective from*
656 *passage*):

657 (b) Retirement income payments made to a member receiving
658 disability payments and necessary medical and hospital expenses
659 under the provisions of the Workers' Compensation Act, as set forth in
660 chapter 568, shall be reduced for any period for which such disability
661 payments are being made or have been made, except as provided in
662 subsection (c) **[**below**]** of this section. The amount of each reduced
663 retirement income payment shall be determined in accordance with
664 section 5-169. Unless the Retirement Commission has waived the
665 overpayment in accordance with section 5-156c, in any case in which a
666 member has received retirement income payments in excess of his
667 entitlement under this subsection, the Comptroller shall act to recover
668 such overpayments by any appropriate means, including (1)
669 withholding such sums from future retirement income payments in
670 accordance with regulations to be adopted by the Retirement

671 Commission in accordance with the provisions of chapter 54, and (2)
672 petitioning the workers' compensation commissioner having
673 jurisdiction of the member's workers' compensation claim for an order
674 reducing the member's workers' compensation award by the amount
675 of such overpayment. The commissioner may enter such order
676 notwithstanding the provisions of section 31-320.

677 Sec. 36. Subsection (n) of section 5-200 of the general statutes is
678 repealed and the following is substituted in lieu thereof (*Effective from*
679 *passage*):

680 (n) Any interested employee **[,]** or his representative or any
681 appointing authority may submit to the commissioner written data,
682 views **[,]** or arguments or a request for a hearing in regard to specified
683 position classifications or allocation of a class of positions to the
684 compensation schedule. Within two months after the commissioner
685 shall have received such data, views or arguments or shall have held
686 any requested hearing, he shall forward to such employee,
687 representative or appointing authority his written decision thereon,
688 together with all written materials submitted to him by the interested
689 employee or his representative and such other information as he
690 considers appropriate.

691 Sec. 37. Subsection (a) of section 7-34a of the general statutes is
692 repealed and the following is substituted in lieu thereof (*Effective from*
693 *passage*):

694 (a) Town clerks shall receive, for recording any document, ten
695 dollars for the first page and five dollars for each subsequent page or
696 fractional part thereof, a page being not more than eight and one-half
697 by fourteen inches. Town clerks shall receive, for recording the
698 information contained in a certificate of registration for the practice of
699 any of the healing arts, five dollars. Town clerks shall receive, for
700 recording documents conforming to, or substantially similar to, section
701 47-36c, which are clearly entitled "statutory form" in the heading of
702 such documents, as follows: For the first page of a warranty deed, a
703 quitclaim deed, a mortgage deed, or an assignment of mortgage, ten

704 dollars; for each additional page of such documents, five dollars; and
705 for each marginal notation of an assignment of mortgage, subsequent
706 to the first two assignments, one dollar. Town clerks shall receive, for
707 recording any document with respect to which certain data must be
708 submitted by each town clerk to the [Commissioner of Revenue
709 Services] Secretary of the Office of Policy and Management in
710 accordance with section 10-261b, the sum of two dollars in addition to
711 the recording fee. Any person who offers any written document for
712 recording in the office of any town clerk, which document fails to have
713 legibly typed, printed or stamped directly beneath the signatures the
714 names of the persons who executed such document, the names of any
715 witnesses thereto and the name of the officer before whom the same
716 was acknowledged, shall pay one dollar in addition to the regular fee.
717 Town clerks shall receive, for recording any deed, except a mortgage
718 deed, conveying title to real estate, which deed does not contain the
719 current mailing address of the grantee, the sum of five dollars in
720 addition to the regular recording fee. Town clerks shall receive, for
721 filing any document, five dollars; [,] for receiving and keeping a survey
722 or map, legally filed in the town clerk's office, five dollars; and for
723 indexing such survey or map, in accordance with section 7-32, five
724 dollars, except with respect to indexing any such survey or map
725 pertaining to a subdivision of land as defined in section 8-18, in which
726 event town clerks shall receive fifteen dollars for each such indexing.
727 Town clerks shall receive, for a copy of any document either recorded
728 or filed in their offices, one dollar for each page or fractional part
729 thereof, as the case may be; for certifying any copy of the same, one
730 dollar; [,] for making a copy of any survey or map, the actual cost
731 thereof; and for certifying such copy of a survey or map, one dollar.
732 Town clerks shall receive, for recording the commission and oath of a
733 notary public, ten dollars; and for certifying under seal to the official
734 character of a notary, two dollars.

735 Sec. 38. Section 7-69 of the general statutes is repealed and the
736 following is substituted in lieu thereof (*Effective from passage*):

737 No person except a licensed embalmer or funeral director licensed

738 by the department, or licensed in a state having a reciprocal agreement
739 on file with the department and complying with the terms of such
740 agreement, shall remove the body of a deceased person, except that
741 once [a dead body] the body of a deceased person has been embalmed
742 or prepared in accordance with the Public Health Code and applicable
743 provisions of the general statutes, a licensed embalmer or funeral
744 director may authorize an unlicensed employee to transport such
745 body. No person except a licensed embalmer or funeral director
746 licensed by the department, or licensed in a state having a reciprocal
747 agreement on file with the department, shall remove the body of any
748 deceased person from this state to another state until a burial transit
749 removal permit has been issued in accordance with section 7-65. No
750 burial transit removal permit shall be issued unless the death
751 certificate has been signed by a licensed embalmer or funeral director
752 licensed by the department, or licensed in a state having a reciprocal
753 agreement on file with the department and complying with the terms
754 of such agreement. In the case of a deceased person who, at the time of
755 death, had a communicable disease specified by the Public Health
756 Code, the permit shall certify that the body was prepared in
757 accordance with the regulations of the Public Health Code. Such
758 permit shall be sufficient to permit the burial of such deceased person
759 in any town in this state other than the town in which such person
760 died, without a burial permit from the registrar of the town where
761 such person is to be buried. If the body of a deceased person is brought
762 into the state for burial and is accompanied by a burial transit removal
763 permit issued by the legally constituted authorities of the state from
764 which [it] such body was brought, such permit shall be received as
765 sufficient authority for burial; [but] except that, if [it] such body is not
766 accompanied by such permit, [then] the person or persons in charge of
767 [it] such body shall apply for a burial permit to the registrar of vital
768 statistics of the town in which [it] such body is to be buried, and such
769 registrar shall issue such permit when furnished with such information
770 as to the identity of the deceased person and the cause of death as is
771 required by section 7-62b concerning a person dying in this state. Any
772 person who violates any provision of this section, or who knowingly

773 signs a false permit or knowingly allows a false permit to be used in
774 lieu of a permit required by this section, shall be fined not more than
775 five hundred dollars or imprisoned not more than six months, or both.

776 Sec. 39. Section 7-137c of the general statutes is repealed and the
777 following is substituted in lieu thereof (*Effective from passage*):

778 Any municipality may appropriate funds to extend or cause to have
779 extended water mains (1) into areas to be used for industrial or
780 commercial purposes or partly for industrial or commercial purposes
781 and partly for residential purposes, or (2) into residential areas or into
782 areas zoned for residential use. Notwithstanding the provisions of any
783 special act, the municipality may pay the cost of such extension or may
784 require each owner of property which abuts any such main to
785 reimburse the municipality such owner's proportionate share of the
786 cost of such extension at such time and by such rule as the
787 municipality by ordinance determines. Whenever the municipality and
788 the Commissioner of Environmental Protection may concur in
789 determining the need for such extension in response to a community
790 pollution problem, as defined **[**by**]** in section 22a-423, or in response to
791 a bacterial contamination problem, the municipality may waive any
792 such reimbursement to the municipality. In the case of land zoned for
793 other than commercial or industrial purposes or classified, pursuant to
794 sections 12-107a to 12-107e, inclusive, as farm land, forest land or open
795 space land, on the last-completed grand list of the municipality in
796 which such land is located, which exceeds by more than one hundred
797 per cent the size of the smallest lot permitted in the lowest density
798 residential zone allowed under zoning regulations, or in the case of a
799 town having no zoning regulations, a lot size of one acre in area and
800 one hundred fifty feet in frontage, assessment of such excess land shall
801 be deferred until such time as such excess land shall be built upon or a
802 building permit issued therefor or until approval of a subdivision plan
803 of such excess property by the planning commission having
804 jurisdiction, whichever event occurs first, at which time assessment
805 may be made as **[**herein**]** provided in this section. The municipality
806 shall place a caveat on the land records in each instance where an

assessment is deferred. Such share shall represent a reasonable proportion of the total cost of such water mains, including materials, installation, pumping stations, service connections, curb, sidewalk and highway repairs and the cost of installation of gate-valves or shutoffs, if any; except that, if residential or agricultural property or property zoned for residential or agricultural use abuts lines of construction of water mains to be used for industrial or commercial purposes or partly for industrial or commercial purposes, and such property is not being used for such purposes, the proportionate share of the owners of such property shall be computed on a front-foot or other equitable basis for a standard or minimum size main. Such shares shall be proportioned in such a way as to ultimately leave the municipality free of any of the cost of the extension of the water main and expenses incidental thereto, except where any portion of such water service is to be used for a municipal purpose in which instance the municipality shall contribute a fair proportion of the expense representing such proportionate municipal share. Within sixty days of an assessment under this section, the owner of any property so assessed may appeal to the superior court for the judicial district within which such land is situated from the valuation of his assessment, by service of process made in accordance with the provisions of section **[**52-67**]** 52-57. Such appeal shall be a privileged case and shall not stay any proceeding under this section. The court shall have the power to grant such relief as to justice and equity appertains, upon such terms and in such manner and form as appears equitable.

Sec. 40. Section 7-148b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (c) of this section, any town, city or borough may, through its legislative body, create a fair rent commission to make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, except those accommodations rented on a seasonal basis, within its jurisdiction, which term shall include mobile manufactured homes and mobile manufactured home park lots, in

841 order to control and eliminate excessive rental charges on such
842 accommodations, and to carry out the provisions of sections 7-148b to
843 7-148f, inclusive, section 47a-20 and subsection (b) of section 47a-23c.
844 The commission, for such purposes, may compel the attendance of
845 persons at hearings, issue subpoenas and administer oaths, issue
846 orders and continue, review, amend, terminate or suspend any of its
847 orders and decisions. The commission may be empowered to retain
848 legal counsel to advise it.

849 (b) For purposes of subsection (a) of this section, "seasonal basis"
850 means housing accommodations rented for a period or periods
851 aggregating not more than one hundred twenty days in any one
852 calendar year.

853 (c) Any town, city or borough in which the number of renter-
854 occupied dwelling units is greater than five thousand, as determined
855 by the most recent decennial census, and which does not have a fair
856 rent commission on October 1, 1989, shall, on or before June 1, 1990,
857 conduct a public hearing or public hearings and decide by majority
858 vote of its legislative body whether to create a fair rent commission as
859 provided in subsection (a) of this section. Any such town, city or
860 borough which fails to act pursuant to the requirements of this
861 subsection shall, not later than June 1, 1991, create such fair rent
862 commission.

863 (d) Any two or more towns, cities or boroughs not subject to the
864 requirements of subsection (c) of this section may, through their
865 legislative bodies, create a joint fair rent commission.

866 Sec. 41. Section 7-294a of the general statutes is repealed and the
867 following is substituted in lieu thereof (*Effective from passage*):

868 As used in this section and sections 7-294b to 7-294e, inclusive,
869 "academy" means the Connecticut Police Academy; "applicant" means
870 a prospective police officer who has not commenced employment or
871 service with a law enforcement unit; "basic training" means the
872 minimum basic law enforcement training received by a police officer at

873 the academy or at any other certified law enforcement training
874 academy; "certification" means the issuance by the Police Officer
875 Standards and Training Council to a police officer, police training
876 school or [to a] law enforcement instructor of a signed instrument
877 evidencing satisfaction of the certification requirements imposed by
878 section 7-294d, and signed by the council; "council" means the Police
879 Officer Standards and Training Council; "Governor" includes any
880 person performing the functions of the Governor by authority of the
881 law of this state; "review training" means training received after
882 minimum basic law enforcement training; "law enforcement unit"
883 means any agency, organ or department of this state or a subdivision
884 or municipality thereof, whose primary functions include the
885 enforcement of criminal or traffic laws, the preservation of public
886 order, the protection of life and property, or the prevention, detection
887 or investigation of crime; "police officer" means a sworn member of an
888 organized local police department, an appointed constable who
889 performs criminal law enforcement duties, a special policeman
890 appointed under section 29-18, 29-18a or 29-19 or any member of a law
891 enforcement unit who performs police duties; "probationary
892 candidate" means a police officer who, having satisfied
893 preemployment requirements, has commenced employment with a
894 law enforcement unit but who has not satisfied the training
895 requirements provided for in section 7-294d; <u>and</u> "school" means any
896 school, college, university, academy or training program approved by
897 the council which offers law enforcement training and includes a
898 combination of a course curriculum, instructors and facilities.

899 Sec. 42. Subdivision (2) of subsection (b) of section 8-26a of the
900 general statutes is repealed and the following is substituted in lieu
901 thereof (*Effective from passage*):

902 (2) (A) Any construction on a vacant lot <u>shown</u> on a subdivision or
903 resubdivision plan approved before, on or after June 1, 2004, shall not
904 be required to conform to a change in the zoning regulations or
905 boundaries of zoning districts in a town, city or borough adopted after
906 the approval of the subdivision or resubdivision. Notwithstanding

907 subdivision (1) of this subsection, any construction on an improved lot
908 shown on a subdivision or resubdivision plan approved before, on or
909 after June 1, 2004, shall be required to conform to a zoning change
910 adopted subsequent to said lot becoming an improved lot.

911 (B) For purposes of this subsection, (i) a lot shall be deemed vacant
912 until the date a building permit is issued with respect thereto and a
913 foundation has been completed in accordance with such building
914 permit but shall not be deemed vacant if any structures on such lot are
915 subsequently demolished, and (ii) a lot shall be deemed improved after
916 the date a building permit is issued with respect thereto and a
917 foundation has been completed in accordance with such building
918 permit.

919 Sec. 43. Subsection (a) of section 8-208b of the general statutes is
920 repealed and the following is substituted in lieu thereof (*Effective from*
921 *passage*):

922 (a) A Neighborhood Housing Services Program Fund is hereby
923 created. There shall be deposited in said fund all moneys received by
924 or appropriated to the Department of Economic and Community
925 Development from time to time therefor. Amounts in said fund shall
926 be used for the purpose of making grants-in-aid to any duly organized
927 neighborhood housing services corporation in the state, pursuant to
928 subsection (b) of this section.

929 Sec. 44. Subsections (f) and (g) of section 8-218 of the general
930 statutes are repealed and the following is substituted in lieu thereof
931 (*Effective from passage*):

932 (f) The Commissioner of Economic and Community Development
933 shall adopt regulations, in accordance with chapter 54, to administer
934 the programs established under subsections (c) and (d) of this section.
935 Such regulations shall establish maximum income levels for tenants
936 and homeowners and provide for adjustment of income for family size
937 and medical expenses and may set maximum loan amounts for loans
938 made under subsection (c) of this section that are not secured and for

939 grants made under subsection (d) of this section.

940 (g) On and after the effective date of regulations adopted under
941 section 8-437, the Commissioner of Economic and Community
942 Development shall not accept any application for state financial
943 assistance pursuant to this section except (1) an application by a
944 community housing development corporation to establish or
945 administer a loan fund under subsection (b) of this section, or (2) an
946 application for a project or development not qualifying for financial
947 assistance pursuant to section 8-433.

948 Sec. 45. Subsection (a) of section 8-219e of the general statutes is
949 repealed and the following is substituted in lieu thereof (*Effective from*
950 *passage*):

951 (a) The state, acting by and in the discretion of the Commissioner of
952 Economic and Community Development, may enter into a contract
953 with an eligible developer, as defined in section 8-39, a community
954 housing development corporation, as defined in section 8-217, or any
955 other person approved by the commissioner for state financial
956 assistance in the form of a grant-in-aid, loan or deferred loan for
957 technical assistance and the abatement of lead-based paint, asbestos
958 and asbestos-containing material from a residential dwelling unit. In
959 the case of a deferred loan, the contract shall require that payments on
960 interest are due and payable but that payments on principal may be
961 deferred to a time certain. Such grant-in-aid, loan or deferred loan, or
962 combination thereof, shall not exceed the cost of such abatement,
963 including expenses incurred in obtaining technical assistance for such
964 abatement, and shall be awarded upon such terms and conditions as
965 the commissioner may prescribe by regulations adopted pursuant to
966 subsection (b) of this section.

967 Sec. 46. Subsection (a) of section 8-268 of the general statutes is
968 repealed and the following is substituted in lieu thereof (*Effective from*
969 *passage*):

970 (a) Whenever a program or project undertaken by a state agency or

971 under the supervision of a state agency will result in the displacement
972 of any person on or after July 6, 1971, the head of such state agency
973 shall make payment to any displaced person, upon proper application
974 as approved by such agency head, for (1) actual reasonable expenses in
975 moving himself, his family, business, farm operation or other personal
976 property, [;] (2) actual direct losses of tangible personal property as a
977 result of moving or discontinuing a business or farm operation, but not
978 to exceed an amount equal to the reasonable expenses that would have
979 been required to relocate such property, as determined by the state
980 agency, and (3) actual reasonable expenses in searching for a
981 replacement business or farm, provided, whenever any tenant in any
982 dwelling unit is displaced as the result of the enforcement of any code
983 to which this section is applicable by any town, city or borough or
984 agency thereof, the landlord of such dwelling unit shall be liable for
985 any payments made by such town, city or borough pursuant to this
986 section or by the state pursuant to subsection (b) of section 8-280, and
987 the town, city or borough or the state may place a lien on any real
988 property owned by such landlord to secure repayment to the town,
989 city or borough or the state of such payments, which lien shall have the
990 same priority as and shall be filed, enforced and discharged in the
991 same manner as a lien for municipal taxes under chapter 205.

992 Sec. 47. Section 9-323 of the general statutes is repealed and the
993 following is substituted in lieu thereof (*Effective from passage*):

994 Any elector or candidate who claims that he is aggrieved by any
995 ruling of any election official in connection with any election for
996 presidential electors and for a senator in Congress and for
997 representative in Congress or any of them, held in his town, or that
998 there was a mistake in the count of the votes cast at such election for
999 candidates for such electors, senator in Congress and representative in
1000 Congress, or any of them, at any voting district in his town, or any
1001 candidate for such an office who claims that he is aggrieved by a
1002 violation of any provision of [sections] section 9-355, 9-357 to 9-361,
1003 inclusive, 9-364, 9-364a or 9-365 in the casting of absentee ballots at
1004 such election, may bring his complaint to any judge of the Supreme

1005 Court, in which he shall set out the claimed errors of such election
1006 official, the claimed errors in the count or the claimed violations of said
1007 sections. In any action brought pursuant to the provisions of this
1008 section, the complainant shall send a copy of the complaint by first-
1009 class mail, or deliver a copy of the complaint by hand, to the State
1010 Elections Enforcement Commission. If such complaint is made prior to
1011 such election, such judge shall proceed expeditiously to render
1012 judgment on the complaint and shall cause notice of the hearing to be
1013 given to the Secretary of the State and the State Elections Enforcement
1014 Commission. If such complaint is made subsequent to the election, it
1015 shall be brought within fourteen days of the election and such judge
1016 shall forthwith order a hearing to be had upon such complaint, upon a
1017 day not more than five **[**nor**]** <u>or</u> less than three days from the making of
1018 such order, and shall cause notice of not less than three **[**nor**]** <u>or</u> more
1019 than five days to be given to any candidate or candidates whose
1020 election may be affected by the decision upon such hearing, to such
1021 election official, to the Secretary of the State, to the State Elections
1022 Enforcement Commission and to any other party or parties whom
1023 such judge deems proper parties thereto, of the time and place for the
1024 hearing upon such complaint. Such judge, with two other judges of the
1025 Supreme Court to be designated by the Chief Court Administrator,
1026 shall, on the day fixed for such hearing and without unnecessary
1027 delay, proceed to hear the parties. If sufficient reason is shown, such
1028 judges may order any voting machines to be unlocked or any ballot
1029 boxes to be opened and a recount of the votes cast, including absentee
1030 ballots, to be made. Such judges shall thereupon, in the case they, or
1031 any two of them, find any error in the rulings of the election official,
1032 any mistake in the count of such votes or any violation of said sections,
1033 certify the result of their finding or decision, or the finding or decision
1034 of a majority of them, to the Secretary of the State before the first
1035 Monday after the second Wednesday in December. Such judges may
1036 order a new election or a change in the existing election schedule,
1037 provided such order complies with Section 302 of the Help America
1038 Vote Act, P.L. 107-252, as amended from time to time. Such certificate
1039 of such judges, or a majority of them, shall be final upon all questions

1040 relating to the rulings of such election officials, to the correctness of
1041 such count and, for the purposes of this section only, such claimed
1042 violations, and shall operate to correct the returns of the moderators or
1043 presiding officers so as to conform to such finding or decision.

1044 Sec. 48. Section 9-371b of the general statutes is repealed and the
1045 following is substituted in lieu thereof (*Effective from passage*):

1046 Any person (1) claiming to have been aggrieved by any ruling of
1047 any election official in connection with a referendum, (2) claiming that
1048 there has been a mistake in the count of votes cast for a referendum, or
1049 (3) claiming to be aggrieved by a violation of any provision of section
1050 9-355, 9-357 to 9-361, inclusive, 9-364, 9-364a or 9-365 in the casting of
1051 absentee ballots at a referendum, may bring a complaint to any judge
1052 of the Superior Court for relief from such ruling, mistake or violation.
1053 In any action brought pursuant to the provisions of this section, the
1054 complainant shall send a copy of the complaint by first class mail, or
1055 deliver a copy of the complaint by hand, to the State Elections
1056 Enforcement Commission. If such complaint is made prior to such
1057 referendum, such judge shall proceed expeditiously to render
1058 judgment on the complaint and shall cause notice of the hearing to be
1059 given to the Secretary of the State and the State Elections Enforcement
1060 Commission. If such complaint is made subsequent to such
1061 referendum, it shall be brought within thirty days after such
1062 referendum to any judge of the Superior Court, in which the person
1063 shall set out the claimed errors of the election official, the claimed
1064 errors in the count or the claimed violations of said sections. Such
1065 judge shall forthwith order a hearing to be held upon such complaint,
1066 upon a day not more than five **[**nor**]** <u>or</u> less than three days from the
1067 making of such order, and shall cause notice of not less than three
1068 **[**nor**]** <u>or</u> more than five days to be given to any person who may be
1069 affected by the decision upon such hearing, to such election official, the
1070 Secretary of the State, the State Elections Enforcement Commission and
1071 to any other party or parties whom such judge deems proper parties to
1072 the hearing, of the time and place for the hearing upon such complaint.
1073 Such judge shall, on the day fixed for such hearing and without

1074 unnecessary delay, proceed to hear the parties. If sufficient reason is
1075 shown, such judge may order any voting machines to be unlocked or
1076 any ballot boxes to be opened and a recount of the votes cast, including
1077 absentee ballots, to be made. Such judge shall, if such judge finds any
1078 error in the rulings of the election official or any mistake in the count
1079 of the votes, certify the result of such judge's finding or decision to the
1080 Secretary of the State before the tenth day succeeding the conclusion of
1081 the hearing. Such judge may order a new referendum or a change in
1082 the existing referendum schedule. Such certificate of such judge's
1083 finding or decision shall be final and conclusive upon all questions
1084 relating to errors in the ruling of such election officials, to the
1085 correctness of such count, and, for the purposes of this section only,
1086 such claimed violations, and shall operate to correct the returns of the
1087 moderators or presiding officers, so as to conform to such finding or
1088 decision, except that this section shall not affect the right of appeal to
1089 the Supreme Court and it shall not prevent such judge from reserving
1090 such questions of law for the advice of the Supreme Court as provided
1091 in section 9-325. Such judge may, if necessary, issue a writ of
1092 mandamus, requiring the adverse party and those under such judge to
1093 deliver to the complainant the appurtenances of such office, and shall
1094 cause such judge's finding and decree to be entered on the records of
1095 the Superior Court in the proper judicial district.

1096 Sec. 49. Subdivision (1) of subsection (k) of section 10-145b of the
1097 general statutes is repealed and the following is substituted in lieu
1098 thereof (*Effective from passage*):

1099 (k) (1) Unless otherwise provided in regulations adopted under
1100 section 10-145d, in not less than three years **[**nor**]** <u>or</u> more than eight
1101 years after the issuance of a provisional educator certificate pursuant
1102 to subsection (g) of this section and upon the statement of the
1103 superintendent in whose school district such certificate holder was
1104 employed, or the supervisory agent of a nonpublic school approved by
1105 the State Board of Education, in whose school such certificate holder
1106 was employed, that the provisional educator certificate holder and
1107 such superintendent or supervisory agent have mutually determined

1108 or approved an individual program pursuant to subdivision (2) of
1109 subsection (j) of this section and upon the statement of such
1110 superintendent or supervisory agent that such certificate holder has a
1111 record of competency in the discharge of such certificate holder's
1112 duties during such provisional period, the state board upon receipt of
1113 a proper application shall issue such certificate holder a professional
1114 educator certificate. A signed recommendation from the
1115 superintendent of schools, or the superintendent's designee, for the
1116 local or regional board of education or from the supervisory agent of a
1117 nonpublic school approved by the State Board of Education shall be
1118 evidence of competency. Such recommendation shall state that the
1119 person who holds or has held a provisional educator certificate has
1120 successfully completed at least three school years of satisfactory
1121 teaching for one or more local or regional boards of education or such
1122 nonpublic schools. Each applicant for a certificate pursuant to this
1123 subsection shall provide to the Department of Education, in such
1124 manner and form as prescribed by the commissioner, evidence that the
1125 applicant has successfully completed coursework pursuant to
1126 subsection (h) or (j) of this section, as appropriate.

1127 Sec. 50. Subsection (d) of section 10a-185 of the general statutes is
1128 repealed and the following is substituted in lieu thereof (*Effective from*
1129 *passage*):

1130 (d) Any resolution or resolutions authorizing any bonds or any
1131 issue of bonds may contain provisions, which shall be a part of the
1132 contract with the holders of the bonds to be authorized, as to: (1)
1133 Pledging the full faith and credit of the authority, the full faith and
1134 credit of a participating institution for higher education, a participating
1135 health care institution, a participating corporation or of a participating
1136 nursing home, all or any part of the revenues of a project or any
1137 revenue-producing contract or contracts made by the authority with
1138 any individual, partnership, corporation or association or other body,
1139 public or private, any federally guaranteed security and moneys
1140 received therefrom purchased with bond proceeds or any other
1141 property, revenues, funds or legally available moneys to secure the

1142 payment of the bonds or of any particular issue of bonds, subject to
1143 such agreements with bondholders as may then exist; (2) the rentals,
1144 fees and other charges to be charged, and the amounts to be raised in
1145 each year thereby, and the use and disposition of the revenues; (3) the
1146 setting aside of reserves or sinking funds, and the regulation and
1147 disposition thereof; (4) limitations on the right of the authority or its
1148 agent to restrict and regulate the use of the project; (5) the purpose and
1149 limitations to which the proceeds of sale of any issue of bonds then or
1150 thereafter to be issued may be applied, including as authorized
1151 purposes, all costs and expenses necessary or incidental to the issuance
1152 of bonds, to the acquisition of or commitment to acquire any federally
1153 guaranteed security and to the issuance and obtaining of any federally
1154 insured mortgage note, and pledging such proceeds to secure the
1155 payment of the bonds or any issue of the bonds; (6) limitations on the
1156 issuance of additional bonds, the terms upon which additional bonds
1157 may be issued and secured and the refunding of outstanding bonds;
1158 (7) the procedure, if any, by which the terms of any contract with
1159 bondholders may be amended or abrogated, the amount of bonds the
1160 holders of which must consent thereto, and the manner in which such
1161 consent may be given; (8) limitations on the amount of moneys derived
1162 from the project to be expended for operating, administrative or other
1163 expenses of the authority; (9) defining the acts or omissions to act
1164 which shall constitute a default in the duties of the authority to holders
1165 of its obligations and providing the rights and remedies of such
1166 holders in the event of a default; **[,]** and (10) the mortgaging of a
1167 project and the site thereof for the purpose of securing the
1168 bondholders.

1169 Sec. 51. Subsection (c) of section 12-81r of the general statutes is
1170 repealed and the following is substituted in lieu thereof (*Effective from*
1171 *passage*):

1172 (c) A municipality shall notify the Commissioner of Environmental
1173 Protection, the Commissioner of Economic and Community
1174 Development and the Secretary of the Office of Policy and
1175 Management not later than thirty days after granting any abatement or

1176 forgiveness of taxes under subsection (a) of this section. Such notice
1177 shall provide the owner or purchaser's name, as the case may be, and
1178 the address of the property.

1179 Sec. 52. Subsection (f) of section 12-285c of the general statutes is
1180 repealed and the following is substituted in lieu thereof (*Effective from*
1181 *passage*):

1182 (f) The Commissioner of Revenue Services may impose a civil
1183 penalty of not more than five thousand dollars for each violation of
1184 this section. For purposes of this subsection, each shipment or
1185 transport of cigarettes shall constitute a separate violation. The
1186 Attorney General, upon request of the commissioner, may bring an
1187 action in the superior court for the judicial district of Hartford to
1188 collect such **[**fine**]** civil penalty and for any injunctive or equitable
1189 relief. In any action brought by the Attorney General to enforce the
1190 provisions of section 12-285b or this section, the state shall be entitled
1191 to recover, when it is the prevailing party, the costs of investigation,
1192 expert witness fees, costs of the action, and reasonable attorneys' fees.

1193 Sec. 53. Subparagraph (A) of subdivision (82) of section 12-412 of the
1194 general statutes is repealed and the following is substituted in lieu
1195 thereof (*Effective from passage*):

1196 (A) The sale of and the storage, use or other consumption of any
1197 commercial motor vehicle, as defined in subparagraphs (A) and (B) of
1198 subdivision (13) of subsection (a) of section 14-1, that is operating
1199 pursuant to the provisions of section 13b-88 or 13b-89, during the
1200 period commencing upon its purchase and ending one year after the
1201 date of purchase, provided seventy-five per cent of its revenue from its
1202 days in service is derived from out-of-state trips or trips crossing state
1203 lines.

1204 Sec. 54. Subsection (b) of section 12-574c of the general statutes is
1205 repealed and the following is substituted in lieu thereof (*Effective from*
1206 *passage*):

1207 (b) Notwithstanding the provisions of subsection (a) of this section,
1208 the division or the board may renew any license issued prior to May
1209 23, 1979, or issue such a license to a currently operating facility.

1210 Sec. 55. Subsection (e) of section 14-36a of the general statutes is
1211 repealed and the following is substituted in lieu thereof (*Effective from*
1212 *passage*):

1213 (e) Any person who violates any provision of subsection (d) of this
1214 section shall, for a first offense, be deemed to have committed an
1215 infraction and be fined not less than thirty-five dollars **[**nor**]** or more
1216 than fifty dollars and, for a subsequent offense, shall be fined not more
1217 than one hundred dollars or imprisoned not more than thirty days, or
1218 both.

1219 Sec. 56. Subdivision (2) of subsection (g) of section 14-44j of the
1220 general statutes is repealed and the following is substituted in lieu
1221 thereof (*Effective from passage*):

1222 (2) Any employer which knowingly permits or requires a driver to
1223 operate a commercial motor vehicle in violation of an out-of-service
1224 order shall be subject to a civil penalty of not less than two thousand
1225 seven hundred fifty dollars **[**nor**]** or more than eleven thousand
1226 dollars.

1227 Sec. 57. Subsection (i) of section 14-44k of the general statutes is
1228 repealed and the following is substituted in lieu thereof (*Effective from*
1229 *passage*):

1230 (i) (1) Except as provided in subdivision (2) of this subsection, any
1231 person who violates an out-of-service order shall be disqualified from
1232 operating a commercial motor vehicle: (A) For a period of not less than
1233 ninety days **[**nor**]** or more than one year for a first violation; (B) for a
1234 period of not less than one year **[**nor**]** or more than five years for a
1235 second violation during any ten-year period, where such violations
1236 arose from separate incidents; and (C) for a period of not less than
1237 three years **[**nor**]** or more than five years for a third or subsequent

violation during any ten-year period, where such violations arose from separate incidents.

(2) Any person who violates an out-of-service order while driving a vehicle transporting hazardous materials, required to be placarded under the Hazardous Materials Transportation Act, 49 USC 1801 to 1813, inclusive, or a commercial motor vehicle designed to transport sixteen or more passengers, including the driver, shall be disqualified from operating a commercial motor vehicle: (A) For a period of not less than one hundred eighty days **[**nor**]** <u>or</u> more than two years for a first violation, and (B) for a period of not less than three years **[**nor**]** <u>or</u> more than five years for a second or subsequent violation during any ten-year period, where such violations arose from separate incidents.

(3) In addition to the penalties provided in subdivision (1) or (2) of this subsection, any person who violates an out-of-service order shall be subject to a civil penalty of not less than one thousand one hundred dollars **[**nor**]** <u>or</u> more than two thousand seven hundred fifty dollars.

Sec. 58. Subsection (b) of section 14-96a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Whenever in said sections any requirement is declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, such requirement shall apply during the times stated in subsection (a) <u>of this section</u> in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

Sec. 59. Subsection (b) of section 14-196 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) A person who: (1) With fraudulent intent, permits another, not entitled thereto, to use or have possession of a certificate of title; (2)

wilfully fails to mail or deliver a certificate of title or application therefor to the commissioner within ten days after the time required by this chapter; (3) wilfully fails to deliver to his transferee a certificate of title within ten days after the time required by this chapter; or (4) wilfully violates any provision of this chapter, except as provided in subsection (a) of this section, shall be fined not more than one thousand dollars or imprisoned not more than two years, or both.

Sec. 60. Section 14-223a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any operator of a motor vehicle who strikes any officer, as defined in section 14-1, or any fire police officer, appointed in accordance with section 7-313a, with such motor vehicle while such officer or fire police officer is engaged in traffic control or regulation, provided such officer is in uniform or prominently displaying the badge of his office **[**,**]** and such fire police officer is in compliance with the provisions of section 7-313a, **[**such operator**]** shall be deemed to have committed an infraction and shall be fined not less than one hundred fifty dollars **[**nor**]** or more than two hundred dollars and, for a subsequent offense, shall be fined not more than two hundred fifty dollars or imprisoned not more than thirty days, or both.

Sec. 61. Subsection (a) of section 14-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The operator of each commercial motor vehicle transporting passengers, service bus or **[**of each**]** motor vehicle used for the transportation of school children and the operator of each commercial motor vehicle with a cargo tank or carrying hazardous materials, as defined in section 14-1, whether loaded or empty, before crossing at grade any track or tracks of a railroad, shall stop such vehicle not less than fifteen feet **[**nor**]** or more than fifty feet from the nearest rail of such track, and, while so stopped, shall listen and look in each direction along such track or tracks for approaching locomotives or trains before crossing such track or tracks; and such operator shall not,

1302 in any event, cross such track or tracks when warned by automatic
1303 signal, crossing gates, flagman, law enforcement officer or otherwise of
1304 the approach of a railroad locomotive or train.

1305 Sec. 62. Subsection (d) of section 14-250 of the general statutes is
1306 repealed and the following is substituted in lieu thereof (*Effective from*
1307 *passage*):

1308 (d) Any person who violates any provision of this section shall be
1309 fined not less than one hundred fifty dollars **[**nor**]** <u>or</u> more than two
1310 hundred fifty dollars.

1311 Sec. 63. Subsection (c) of section 15-13 of the general statutes is
1312 repealed and the following is substituted in lieu thereof (*Effective from*
1313 *passage*):

1314 (c) Each license shall expire on the last day of December following
1315 its issuance and may be renewed upon application and payment of the
1316 fee required by subsection (b) of this section, renewal of the bond
1317 required under subsection (b) <u>of this section</u> and proof of current
1318 federal licensure as required in subsection (a) <u>of this section</u>.

1319 Sec. 64. Subsection (a) of section 15-98 of the general statutes is
1320 repealed and the following is substituted in lieu thereof (*Effective from*
1321 *passage*):

1322 (a) The Connecticut Wing Civil Air Patrol shall be within the
1323 Department of Public Safety and may expend funds, within available
1324 appropriations, for the acquisition, installation, conditioning, rental
1325 and maintenance of equipment and facilities and for expenses incurred
1326 in connection with senior and cadet training; provided no funds shall
1327 be expended for the purpose of uniforms or personal effects, or for
1328 salaries of members of said civil air patrol, except as set forth in
1329 subsection (b) <u>of this section</u>.

1330 Sec. 65. Subsection (c) of section 16-19f of the general statutes is
1331 repealed and the following is substituted in lieu thereof (*Effective from*
1332 *passage*):

1333 (c) The Department of Public Utility Control, with respect to each
1334 electric public service company, and each municipal electric company
1335 may implement any standard determined under subsection (b) of this
1336 section to be appropriate or decline to implement any such standard. If
1337 the department or a municipal electric company declines to implement
1338 any standard determined to be appropriate, it shall state in writing its
1339 reasons for doing so and make such statement available to the public.

1340 Sec. 66. Section 16a-29 of the general statutes is repealed and the
1341 following is substituted in lieu thereof (*Effective from passage*):

1342 The secretary shall consider the comments received at the public
1343 hearings and shall make any necessary or desirable revisions to said
1344 plan and within three months of completion of the public hearings
1345 submit the plan to the continuing legislative committee on state
1346 planning and development, for its approval, revision or disapproval,
1347 in whole or in part. Notwithstanding the provisions of this section, the
1348 secretary shall submit the **[**State Plan of**]** state Conservation and
1349 Development Policies Plan, 2004-2009, to said committee on or before
1350 December 1, 2004.

1351 Sec. 67. Subsections (a) and (b) of section 16a-41h of the general
1352 statutes are repealed and the following is substituted in lieu thereof
1353 (*Effective from passage*):

1354 (a) Each electric and gas company, as defined in section 16-1, having
1355 at least seventy-five thousand customers, shall include in its monthly
1356 bills a request to each customer to add a one-dollar donation to the bill
1357 payment. Each company shall transmit all such donations received
1358 each month to Operation Fuel, Inc., a state-wide nonprofit
1359 organization designed to respond to people within the state who are in
1360 financial crisis and need emergency energy assistance. Donations shall
1361 be distributed to nonprofit social services agencies and private fuel
1362 banks in accordance with guidelines established by the board of
1363 directors of Operation Fuel, Inc., provided such funds shall be
1364 distributed on a priority basis to low-income elderly and working poor
1365 households which are not eligible for public assistance or state-

1366 administered general assistance but [who] are faced with a financial
1367 crisis and are unable to make timely payments on winter fuel,
1368 electricity or gas bills.

1369 (b) If Operation Fuel, Inc. ceases to exist, such electric and gas
1370 companies shall jointly establish a nonprofit, tax-exempt corporation
1371 for the purpose of holding in trust and distributing such customer
1372 donations. The board of directors of such corporation shall consist of
1373 eleven members appointed as follows: Four by the companies, each of
1374 which shall appoint one member; one by the president pro tempore of
1375 the Senate; one by the minority leader of the Senate; one by the speaker
1376 of the House of Representatives; one by the minority leader of the
1377 House of Representatives; and three by the Governor. The board shall
1378 distribute such funds to nonprofit organizations and social service
1379 agencies which provide emergency energy or fuel assistance. The
1380 board shall target available funding on a priority basis to low-income
1381 elderly and working poor households which are not eligible for public
1382 assistance or state-administered general assistance but [who] are faced
1383 with a financial crisis and are unable to make timely payments on
1384 winter fuel, electricity or gas bills.

1385 Sec. 68. Subsection (b) of section 17a-50 of the general statutes is
1386 repealed and the following is substituted in lieu thereof (*Effective from*
1387 *passage*):

1388 (b) There shall be established, within existing resources, a Children's
1389 Trust Fund Council which shall be within the Department of Children
1390 and Families for administrative purposes only. The council shall be
1391 composed of sixteen members as follows: (1) The Commissioners of
1392 [the Departments of] Social Services, Education, Children and Families
1393 and Public Health, or their designees; (2) a representative of the
1394 business community with experience in fund-raising, appointed by the
1395 president pro tempore of the Senate; (3) a representative of the
1396 business community with experience in fund-raising, appointed by the
1397 speaker of the House of Representatives; (4) a representative of the
1398 business community with experience in fund-raising, appointed by the

1399 minority leader of the House of Representatives; (5) a representative of
1400 the business community with experience in fund-raising, appointed by
1401 the minority leader of the Senate; (6) a parent, appointed by the
1402 majority leader of the House of Representatives; (7) a parent,
1403 appointed by the majority leader of the Senate; (8) a parent, appointed
1404 by the president pro tempore of the Senate; (9) a person with expertise
1405 in child abuse prevention, appointed by the speaker of the House of
1406 Representatives; (10) a person with expertise in child abuse prevention,
1407 appointed by the minority leader of the House of Representatives; (11)
1408 a staff member of a child abuse prevention program, appointed by the
1409 minority leader of the Senate; (12) a staff member of a child abuse
1410 prevention program, appointed by the majority leader of the House of
1411 Representatives; and (13) a pediatrician, appointed by the majority
1412 leader of the Senate. The council shall solicit and accept funds, on
1413 behalf of the Children's Trust Fund, to be used for the prevention of
1414 child abuse and neglect and family resource programs, or on behalf of
1415 the Parent Trust Fund, to be used for parent community involvement
1416 to improve the health, safety and education of children, and shall make
1417 grants to programs pursuant to subsections (a) and (c) of this section.
1418 The council may, subject to the provisions of chapter 67, employ an
1419 executive director and any necessary staff within available
1420 appropriations.

1421 Sec. 69. Section 17b-105b of the general statutes is repealed and the
1422 following is substituted in lieu thereof (*Effective from passage*):

1423 The Department of Social Services shall be required to pursue the
1424 maximum food stamp benefit extensions permitted by the Code of
1425 Federal Regulations Title 7, Part 273, Section 273.12, for those
1426 households leaving the temporary assistance **[**to**]** <u>for</u> needy families
1427 program.

1428 Sec. 70. Subsections (b) and (c) of section 17b-267 of the general
1429 statutes are repealed and the following is substituted in lieu thereof
1430 (*Effective from passage*):

1431 (b) The Commissioner of Social Services shall not enter into an

1432 agreement with any agency or organization under subsection (a) of
1433 this section unless (1) he finds (A) that to do so is consistent with the
1434 effective and efficient administration of the medical assistance
1435 program, and (B) that such agency or organization is willing and able
1436 to assist the providers to which payments are made through it in the
1437 application of safeguards against unnecessary utilization of services
1438 furnished by them to individuals entitled to hospital insurance benefits
1439 under section 17b-261 and the agreement provides for such assistance,
1440 and (2) such agency or organization agrees to furnish to the
1441 Commissioner of Social Services such of the information acquired by it
1442 in carrying out its agreement under sections 17b-267 to 17b-271,
1443 inclusive, as the Commissioner of Social Services may find necessary in
1444 performing his functions under said sections.

1445 (c) An agreement with any agency or organization under subsection
1446 (a) of this section may contain such terms and conditions as the
1447 Commissioner of Social Services finds necessary or appropriate, may
1448 provide for advances of funds to the agency or organization for the
1449 making of payments by it under said subsection (a), and shall provide
1450 for payment by the Commissioner of Social Services of so much of the
1451 cost of administration of the agency or organization as is determined
1452 by **[**said**]** the Commissioner of Social Services to be necessary and
1453 proper for carrying out the functions covered by the agreement.

1454 Sec. 71. Subsection (f) of section 17b-274d of the general statutes is
1455 repealed and the following is substituted in lieu thereof (*Effective from*
1456 *passage*):

1457 (f) Except for mental-health-related drugs and antiretroviral drugs,
1458 reimbursement for a drug not included on the preferred drug lists **[**are**]**
1459 is subject to prior authorization.

1460 Sec. 72. Subsections (e), (f) and (g) of section 17b-360 of the general
1461 statutes are repealed and the following is substituted in lieu thereof
1462 (*Effective from passage*):

1463 (e) In the case of a resident who is determined under subsection (d)

1464 of this section not to require the level of services provided by a nursing
1465 facility but to require specialized services for mental retardation or a
1466 condition related to mental retardation and who has continually
1467 resided in a nursing facility for at least thirty months before the date of
1468 the determination, the resident may elect to remain in the facility or to
1469 receive services covered by Medicaid in an alternative appropriate
1470 institutional or noninstitutional setting in accordance with the terms of
1471 the alternative disposition plan submitted by the Department of Social
1472 Services and approved by the Secretary of the United States
1473 Department of Health and Human Services.

1474 (f) In the case of a resident with mental retardation or a related
1475 condition who is determined under subsection (d) of this section not to
1476 require the level of services provided by a nursing facility but to
1477 require specialized services for mental retardation or the related
1478 condition and who has not continuously resided in a nursing facility
1479 for at least thirty months before the date of the determination, the
1480 nursing facility in consultation with the Department of Mental
1481 Retardation shall arrange for the safe and orderly discharge of the
1482 resident from the facility. If the department determines that the
1483 provision of specialized services requires an alternative residential
1484 placement, the discharge and transfer of the patient shall be in
1485 accordance with the alternative disposition plan submitted by the
1486 Department of Social Services and approved by the Secretary of the
1487 United States Department of Health and Human Services, except if an
1488 alternative residential facility is not available, the resident shall not be
1489 transferred.

1490 (g) In the case of a resident who is determined under subsection (d)
1491 of this section not to require the level of services provided by a nursing
1492 facility and not to require specialized services, the nursing facility shall
1493 arrange for the safe and orderly discharge of the resident from the
1494 facility.

1495 Sec. 73. Section 18-87 of the general statutes is repealed and the
1496 following is substituted in lieu thereof (*Effective from passage*):

1497 The Commissioner of Correction may transfer any inmate of any of
1498 the institutions of the Department of Correction to any other
1499 appropriate state institution with the concurrence of the
1500 superintendent of such institution or to the Department of Children
1501 and Families when the Commissioner of Correction finds that the
1502 welfare or health of the inmate requires it. When an inmate, after the
1503 expiration of his sentence, is committed to or otherwise remains in the
1504 institution to which he was transferred, the expense of his treatment
1505 and support shall be paid as provided by sections 17b-122, 17b-124 to
1506 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197,
1507 inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340 to
1508 17b-350, inclusive, 17b-689b, and 17b-743 to 17b-747, inclusive. No
1509 transfer of any person who has attained the age of eighteen years shall
1510 be made to the Department of Children and Families. **[**, and no**]** No
1511 transfer of any person who has not attained the age of eighteen years
1512 shall be made to the Department of Children and Families **[**shall be
1513 made**]** unless the Commissioner of Children and Families finds that
1514 such person would benefit from a transfer to the Department of
1515 Children and Families and agrees to accept such person and such
1516 person has given his written consent to such transfer. Such person
1517 transferred to the Department of Children and Families shall be
1518 deemed to be committed to the custody of the Commissioner of
1519 Children and Families. The Commissioner of Children and Families
1520 shall have the power to terminate the commitment and release such
1521 person at any time he determines such termination and release would
1522 be in such person's best interest, and shall have the power to return
1523 such person to the jurisdiction of the Commissioner of Correction. The
1524 transfer of any person under this section to the Department of
1525 Children and Families shall not result in the person so transferred
1526 being in the custody of the Commissioner of Correction and the
1527 Commissioner of Children and Families for a total of less than the
1528 minimum **[**nor**]** or more than the maximum term he would have been
1529 in the custody of the Commissioner of Correction had he not been so
1530 transferred.

1531 Sec. 74. Section 18-101i of the general statutes is repealed and the

1532 following is substituted in lieu thereof (*Effective from passage*):

1533 (a) To establish and develop noninstitutional, community-based
1534 service programs, the commissioner shall award grants or purchase of
1535 service contracts in accordance with the plan developed under
1536 subsection (b) of this section to private, nonprofit organizations, state
1537 agencies or units of local government, **[;]** provided such grants shall
1538 not be subject to the formula funding requirements of section 18-101k.
1539 Such grants or contracts shall be the predominant method by which
1540 the department develops, implements and operates community
1541 correction programs. In addition, the commissioner may administer
1542 community-based service programs under the direct control of the
1543 department.

1544 (b) To carry out the purposes of subsection (a) of this section, the
1545 commissioner shall:

1546 (1) Develop and revise annually a comprehensive state community
1547 correction plan for the delivery of services in each of the service areas
1548 established by section 18-101j. The department shall adopt regulations
1549 in accordance with chapter 54 by January 1, 1981, providing for
1550 community input into such plan;

1551 (2) Report annually to the Governor and the General Assembly
1552 regarding its community correction activities. At a minimum, such
1553 report shall include the number of clients served, services offered and
1554 prevailing concerns of the service areas;

1555 (3) Research and gather relevant statistical data concerning the
1556 impact of community correction services and make such data available
1557 to the service areas and community correction program providers on a
1558 monthly and annual basis;

1559 (4) Establish a mechanism to monitor and evaluate on a regular
1560 basis all community correction programs and report their findings in
1561 writing to each agency in a timely and regular manner; and

1562 (5) Solicit and accept for use any gift of money or property made by

1563 will or otherwise, and any grant of money, services or property from
1564 the federal government, in accordance with the state community
1565 correction plan.

1566 (c) The department shall include in its budget a separate allocation
1567 for the provision of community-based service programs as required by
1568 this part.

1569 Sec. 75. Subsection (a) of section 18-101k of the general statutes is
1570 repealed and the following is substituted in lieu thereof (*Effective from*
1571 *passage*):

1572 (a) In establishing the level of funds in each service area, and funds
1573 available for each service contract, the department shall adopt
1574 regulations in accordance with chapter 54 **[**adopt regulations**]** by
1575 February 1, 1981, providing a formula and procedures for the
1576 application, review and award or denial of requests for funds, and
1577 providing for the waiver or amendment of such formula as provided
1578 in subsection (c) of this section.

1579 Sec. 76. Subsection (b) of section 19a-281 of the general statutes is
1580 repealed and the following is substituted in lieu thereof (*Effective from*
1581 *passage*):

1582 (b) Any medical examiner or other authorized official, who acts in
1583 good faith and in accordance with the provisions of subsection (a) of
1584 this section with respect to the corneal or pituitary tissue of a decedent,
1585 shall not be liable for damages in any civil action or subject to
1586 prosecution in any criminal proceeding for his act.

1587 Sec. 77. Subsections (c) and (d) of section 19a-315c of the general
1588 statutes are repealed and the following is substituted in lieu thereof
1589 (*Effective from passage*):

1590 (c) Following the notice period provided for in subsection (b) of this
1591 section, and subject to the provisions of subsection (d) of this section, a
1592 burial ground authority may renovate an ancient burial place,
1593 cemetery or burial place by: (1) The removal of any or all fencing,

1594 railing or curbing, if such removal is determined by the burial ground
1595 authority to be necessary or desirable for the proper and efficient
1596 maintenance of the ancient burial place, cemetery or burial place as a
1597 whole; and (2) the repositioning or resetting of any monument or
1598 tombstone.

1599 (d) At any time prior to the expiration of the notice period provided
1600 for in subsection (b) of this section, the probate court may assume
1601 jurisdiction over such renovation and order a hearing, with notice of
1602 such hearing to be given to the burial ground authority, the owner, the
1603 qualified lineal descendant, the Connecticut Commission on Culture
1604 and Tourism and otherwise as the court deems appropriate, to
1605 determine whether such renovation is necessary for the proper and
1606 efficient maintenance of the ancient burial place, cemetery or burial
1607 place as a whole. Upon notice of such hearing, the burial ground
1608 authority shall not proceed with such renovation except in accordance
1609 with the order of the probate court.

1610 Sec. 78. Subsection (b) of section 19a-509a of the general statutes is
1611 repealed and the following is substituted in lieu thereof (*Effective from*
1612 *passage*):

1613 (b) Upon receipt of a written audit request pursuant to an
1614 agreement between the hospital and the payer or the provisions of
1615 subsection (a) of this section, a hospital shall, within thirty days of the
1616 request or within thirty days of receipt by the hospital of any patient
1617 authorization required prior to the release of records or information,
1618 whichever is later, provide a detailed itemization of charges to the
1619 patient and make available all medical records and supporting
1620 documentation at no cost to the party conducting the audit except as
1621 provided in subsection (a) of this section and a reasonable fee for
1622 photocopying and mailing. Within fifteen days after receipt of the
1623 audit report, which shall be in writing and set forth in detail the
1624 findings of the auditor, the hospital shall respond to the auditor. If the
1625 hospital fails to respond, the audit findings shall be deemed correct
1626 and any required adjustments to the charges or payments shall be

1627 made by the payer **[,]** or hospital. Any balance due or refund owed
1628 shall be remitted within twenty days.

1629 Sec. 79. Subsection (d) of section 19a-509a of the general statutes is
1630 repealed and the following is substituted in lieu thereof (*Effective from*
1631 *passage*):

1632 (d) When an audit request is submitted in accordance with an
1633 agreement between the hospital and the payer or the provisions of
1634 subsection (a) of this section, the hospital shall not issue, in any form,
1635 bills to the patient, nor initiate self-pay collection efforts until the audit
1636 is complete and the charges are determined to be correct either by
1637 mutual agreement of the parties or arbitration. If a balance is due to the
1638 hospital and it is not paid within twenty days, collection efforts may be
1639 initiated.

1640 Sec. 80. Subsections (a) and (b) of section 20-13e of the general
1641 statutes are repealed and the following is substituted in lieu thereof
1642 (*Effective from passage*):

1643 (a) The department shall investigate each petition filed pursuant to
1644 section 20-13d, in accordance with the provisions of subdivision (10) of
1645 subsection (a) of section 19a-14, to determine if probable cause exists to
1646 issue a statement of charges and to institute proceedings against the
1647 physician under subsection (e) of this section. Such investigation shall
1648 be concluded not later than eighteen months from the date the petition
1649 is filed with the department and, unless otherwise specified by this
1650 subsection, the record of such investigation shall be deemed a public
1651 record, in accordance with section 1-210, at the conclusion of such
1652 eighteen-month period. Any such investigation shall be confidential
1653 and no person shall disclose his knowledge of such investigation to a
1654 third party unless the physician requests that such investigation and
1655 disclosure be open. If the department determines that probable cause
1656 exists to issue a statement of charges, the entire record of such
1657 proceeding shall be public unless the department determines that the
1658 physician is an appropriate candidate for participation in a
1659 rehabilitation program in accordance with subsection (b) of this section

1660 and the physician agrees to participate in such program in accordance
1661 with terms agreed upon by the department and the physician. If at any
1662 time subsequent to the filing of a petition and during the eighteen-
1663 month period, the department makes a finding of no probable cause,
1664 the petition and the entire record of such investigation shall remain
1665 confidential unless the physician requests that such petition and record
1666 be open.

1667 (b) In any investigation pursuant to subsection (a) of this section, the
1668 department may recommend that the physician participate in an
1669 appropriate rehabilitation program, provided the department
1670 determines that the physician, during his participation in such a
1671 program in accordance with terms agreed upon by the department and
1672 the physician, does not pose a threat in his practice of medicine **[**,**]** to
1673 the health and safety of any person. Such determination shall become a
1674 part of the record of **[**said**]** such investigation. The department may
1675 seek the advice of established medical organizations in determining
1676 the appropriateness of any rehabilitation program. If the physician
1677 participates in an approved program, with the consent of the
1678 department, the department shall monitor the physician's participation
1679 in such program and require the person responsible for the physician's
1680 activities in such program to submit signed monthly reports describing
1681 the physician's progress therein. The department shall determine if
1682 participation in such a program is sufficient cause to end its
1683 investigation. Upon commencement of the rehabilitation program by
1684 the physician and during his continued participation in such program
1685 in accordance with terms agreed upon by the department and the
1686 physician, all records shall remain confidential.

1687 Sec. 81. Subsection (b) of section 20-34 of the general statutes is
1688 repealed and the following is substituted in lieu thereof (*Effective from*
1689 *passage*):

1690 (b) For purposes of subsection (a) of this section, "natural
1691 substances" **[**are**]** means substances which are not narcotic substances,
1692 as defined in subdivision (30) of section 21a-240, do not require the

1693 written or oral prescription of a licensed practitioner to be dispensed
1694 and are only administered orally.

1695 Sec. 82. Subsection (b) of section 20-114 of the general statutes is
1696 repealed and the following is substituted in lieu thereof (*Effective from*
1697 *passage*):

1698 (b) For purposes of subdivision (8) of subsection (a) of this section,
1699 fraud or material deception shall include, but not be limited to, the
1700 following practices: (1) Submission of a claim form to a third party
1701 intentionally reporting incorrect treatment dates for the purpose of
1702 assisting a patient in obtaining benefits under a dental plan, which
1703 benefits would otherwise be disallowed; (2) increasing a fee to a
1704 patient for a dental procedure or dental hygiene service in excess of the
1705 fee generally charged by the dentist for such procedure or service
1706 solely because the patient has dental insurance; (3) intentionally
1707 describing a dental procedure incorrectly on a third-party claim form
1708 in order to receive a greater payment or reimbursement or
1709 intentionally misrepresenting a dental procedure not otherwise eligible
1710 for payment or reimbursement on such claim form for the purpose of
1711 receiving payment or reimbursement; and (4) intentionally accepting
1712 payment from a third party as payment in full for patient services
1713 rendered when (A) the patient has been excused from payment of any
1714 applicable deductible by the license holder, and (B) such license holder
1715 fails to notify the third party of such action.

1716 Sec. 83. Section 20-197 of the general statutes is repealed and the
1717 following is substituted in lieu thereof (*Effective from passage*):

1718 No person shall practice veterinary medicine, surgery or dentistry
1719 until he has obtained a license as provided in section 20-199. A person
1720 shall be construed to practice veterinary medicine, surgery or
1721 dentistry, within the meaning of this chapter, who holds himself out as
1722 being able to diagnose, administer biologics for, treat, operate or
1723 prescribe for any animal or bird disease, pain, injury, deformity or
1724 physical condition, or who either offers or undertakes, by any means
1725 or methods, to diagnose, administer biologics for, treat, operate or

1726 prescribe for any animal or bird disease, pain, injury, deformity or
1727 physical condition. The euthanizing of animals in accordance with
1728 applicable state and federal drug laws by the Connecticut Humane
1729 Society, the floating of teeth in horses by persons experienced in that
1730 practice and the performance of myofascial trigger point therapy by
1731 persons experienced in that practice shall not be deemed to be the
1732 practice of veterinary medicine. For the purposes of this section,
1733 "floating teeth" means using hand-held rasps to reduce or eliminate
1734 sharp or uneven edges on a horse's upper and lower molars to avoid
1735 injury to the tongue and cheeks and to improve chewing food, but
1736 does not include treating decay **[**,**]** or tumors or extracting teeth. For
1737 the purposes of this section, "myofascial trigger point therapy" means
1738 the use of specific palpation, compression, stretching and corrective
1739 exercise for promoting optimum athleticism, and "persons experienced
1740 in that practice" means persons who, prior to October 1, 2003, have
1741 attended a minimum of two hundred hours of classroom, lecture and
1742 hands-on practice in myofascial trigger point therapy, including
1743 animal musculoskeletal anatomy and biomechanics, theory and
1744 application of animal myofascial trigger point techniques, factors that
1745 habituate a presenting condition and corrective exercise.

1746 Sec. 84. Section 20-248 of the general statutes is repealed and the
1747 following is substituted in lieu thereof (*Effective from passage*):

1748 Nothing in this chapter shall prohibit any patient of the Veterans'
1749 Home at Rocky Hill from practicing the occupation of a master barber
1750 in said home. **[**, nor shall the provisions of**]** Nothing in this chapter
1751 shall be construed to prevent any person holding a registered
1752 hairdresser and cosmetician's license under the provisions of chapter
1753 387 from cutting the hair of any person, **[**nor**]** or to prevent any person
1754 licensed under the provisions of **[**said**]** chapter 387 from carrying on
1755 the occupation of hairdresser and cosmetician. Nothing in this chapter
1756 **[**nor**]** or in chapter 387 shall be construed to prevent a licensed
1757 registered hairdresser and cosmetician from working in a barber shop
1758 **[**nor**]** or a licensed master barber from working in a hairdressing and
1759 cosmetology shop.

1760 Sec. 85. Subsection (b) of section 20-319 of the general statutes is
1761 repealed and the following is substituted in lieu thereof (*Effective from*
1762 *passage*):

1763 (b) There is hereby established an annual renewal license to be
1764 issued by the Department of Consumer Protection. Persons licensed in
1765 accordance with the provisions of this chapter shall fulfill a continuing
1766 education requirement. Applicants for an annual renewal license for
1767 real estate brokers or real estate salespersons shall, in addition to the
1768 other requirements imposed by the provisions of this chapter, in any
1769 even-numbered year, submit proof of compliance with the continuing
1770 education requirements of this subsection to the commission,
1771 accompanied by an eight-dollar processing fee. The continuing
1772 education requirement may be satisfied by successful completion of
1773 any of the following during the two-year period preceding such
1774 renewal: (1) A course or courses, approved by the commission, of
1775 continuing education in current real estate practices and licensing laws
1776 consisting of not less than twelve hours of classroom study; or (2) a
1777 written examination prepared and administered by either the
1778 Department of Consumer Protection, or by a national testing service
1779 approved by the department, which demonstrates a knowledge of
1780 current real estate practices and licensing laws; or (3) equivalent
1781 continuing educational experience or study as determined by
1782 regulations adopted pursuant to subsection (d) <u>of this section</u>. An
1783 applicant for examination under subdivision (2) of this subsection shall
1784 pay the required examination fee to the national testing service, if
1785 administered by such testing service, or to the Department of
1786 Consumer Protection, if administered by the department.

1787 Sec. 86. Subsection (a) of section 20-329f of the general statutes is
1788 repealed and the following is substituted in lieu thereof (*Effective from*
1789 *passage*):

1790 (a) The commission shall, upon completion of the investigation and
1791 inspection as provided in section 20-329e, but, in the absence of any
1792 agreement to the contrary between the applicant and the commission,

1793 not later than three months from the receipt of the completed license
1794 application, or receipt of an effective statement of record filed with the
1795 Secretary of Housing and Urban Development and filed with the
1796 commission pursuant to subsection (c) of section 20-329b, (1) approve
1797 or disapprove the prospectus, property report or offering statement
1798 submitted under subsection (c) of section 20-329b **[**,**]** or section 20-329d,
1799 as the case may be, and (2) if satisfied, issue to the applicant, upon
1800 payment to the commission of a fee computed as provided in
1801 subsection (b) of this section, a license to offer and dispose of in this
1802 state the subdivision or parcels, units or other interests in any
1803 subdivision that is the subject of the application or such effective
1804 statement of record. Such license shall be valid for one year and may
1805 be renewed annually upon payment to the commission of a fee,
1806 computed as provided in subsection (b) of this section, unless there is a
1807 material change affecting such subdivision or lot, parcels, units or
1808 other interest in any subdivision or the offer or disposition thereof, in
1809 which case all new facts shall be reported to the commission
1810 immediately. Upon receipt of such report or in the event that any such
1811 material change is discovered by or comes to the attention of the
1812 commission through other sources, the commission may, after hearing
1813 pursuant to section 20-321, take such action as the commission
1814 considers necessary, including the suspension or revocation of such
1815 license if justified.

1816 Sec. 87. Subsection (b) of section 21-41 of the general statutes is
1817 repealed and the following is substituted in lieu thereof (*Effective from*
1818 *passage*):

1819 (b) Each such pawnbroker or person carrying on such business of
1820 loaning money on the deposit or pledge of personal property or of
1821 purchasing such property on condition of selling the same back again
1822 at a stipulated price or of purchasing such property from a person who
1823 is not a wholesaler shall maintain a record-keeping system deemed
1824 appropriate by the chief of police in cities and by the selectmen in
1825 towns, in which shall be entered in English, at the time he receives any
1826 article of personal property by way of pledge, pawn or purchase, a

1827 description of such article, the name, residence, proof of identity as
1828 required in subsection (a) of this section and a general description of
1829 the person from whom, and the day and hour when, such property
1830 was received. Such record-keeping system and the place where such
1831 business is carried on and all articles of property therein may be
1832 examined at all times by any state [policeman] police officer, by any
1833 municipal police officer, by the selectmen of the town or any person by
1834 them designated or, if such business is carried on in a city, by the chief
1835 of police of such city or any person by him designated. Any state
1836 [policeman] police officer or municipal police officer of the town or
1837 city where the business is carried on who performs such an
1838 examination may require any employee on the premises to provide
1839 proof of his identity.

1840 Sec. 88. Section 22-39 of the general statutes is repealed and the
1841 following is substituted in lieu thereof (*Effective from passage*):

1842 Any person who obstructs or hinders the Commissioner of
1843 Agriculture or any of the commissioner's assistants in the performance
1844 of their duties under the provisions of sections 22-27 to 22-38,
1845 inclusive, shall be fined not less than ten dollars [nor] or more than one
1846 hundred dollars.

1847 Sec. 89. Section 22-39f of the general statutes is repealed and the
1848 following is substituted in lieu thereof (*Effective from passage*):

1849 Any person who fails to comply with the provisions of sections 22-
1850 39a to 22-39e, inclusive, or who obstructs or hinders the Commissioner
1851 of Agriculture or the Commissioner of Consumer Protection or any of
1852 their authorized agents in the performance of their duties under the
1853 provisions of said sections, shall be fined not less than twenty-five
1854 dollars [nor] or more than fifty dollars for the first offense and not less
1855 than one hundred dollars [nor] or more than two hundred dollars for
1856 each subsequent offense. In addition to such fine, the Commissioner of
1857 Agriculture is authorized to deny, suspend or revoke the license
1858 provided for in said sections issued to such person.

Sec. 90. Subsection (a) of section 22-351 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person who steals, confines or conceals any companion animal, as defined in section 22-351a, or who, with the intention of stealing such companion animal or concealing its identity or the identity of its owner or with the intention of concealing the fact that the companion animal is licensed, removes the collar or harness or tag from any licensed companion animal, or who unlawfully kills or injures any companion animal, shall be fined not more than one thousand dollars or imprisoned not more than six months, or both. For a second offense, or for an offense involving more than one companion animal, any such person shall be fined not more than two thousand dollars or imprisoned not less than one year **[**nor**]** or more than three years or be both fined and imprisoned.

Sec. 91. Subsection (a) of section 22-355 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) When any person sustains damage by dogs to his sheep, goats, horses, hogs, cattle, poultry or domestic rabbits kept in enclosures as described in subsection (f) of this section, such person shall report such damage to the chief administrative officer of the town in which such damage was sustained, or his agent, or, if such damage was sustained on land located in two or more towns, he shall report such damage to such authority of either of such towns. Thereupon such authority, with the person claiming to have sustained such damage, shall estimate the amount of such damage, including the value of the animals or poultry killed, injured or damaged by such dogs. If such authority and the person claiming to have sustained such damage are unable to agree as to the amount thereof, they shall choose some disinterested third person to assist in estimating the damage. Information required by this subsection shall be given within twenty-four hours after the person claiming **[**hereunder**]** under this section has or should have had

1892 knowledge of the same or, if the intervention of a Sunday or holiday
1893 prevents the reporting thereof, on the next succeeding business day.
1894 No claim for such damages shall be allowed to any person (1) [anyone]
1895 who owns, keeps or has in possession any unlicensed dog, (2) [anyone]
1896 whose employee, living on the premises, keeps an unlicensed dog
1897 which is six months of age or over, or (3) [any person] who fails to
1898 report such damage within the time limited by this section. The burden
1899 of proving the allegations of any claim under this section shall be on
1900 the person claiming [hereunder] under this section.

1901 Sec. 92. Subsection (c) of section 22-355 of the general statutes is
1902 repealed and the following is substituted in lieu thereof (*Effective from*
1903 *passage*):

1904 (c) When additional or increased damages are claimed to sheep,
1905 goats, horses, hogs, cattle, poultry or domestic rabbits, which damages
1906 were not apparent at, and accrued subsequent to, the first appraisal of
1907 damage, a supplemental notice of such claim for additional damage
1908 may be given to such authority at any time within thirty days from the
1909 discovery of the original damage. The supplemental notice of claim
1910 shall set forth the facts upon which such claim is based. The claim shall
1911 be made to such authority and shall be acted upon in the manner
1912 provided in subsections (a) and (b) of this section.

1913 Sec. 93. Subsection (e) of section 22a-6b of the general statutes is
1914 repealed and the following is substituted in lieu thereof (*Effective from*
1915 *passage*):

1916 (e) All hearings under this section shall be conducted pursuant to
1917 sections 4-176e to 4-184, inclusive. The final order of the commissioner
1918 assessing a civil penalty shall be subject to appeal as set forth in section
1919 4-183, except that any such appeal shall be taken to the superior court
1920 for the judicial district of New Britain and shall have precedence in the
1921 order of trial as provided in section 52-191. Such final order shall not
1922 be subject to appeal under any other provision of the general statutes.
1923 No challenge to any notice of assessment or final order of the
1924 commissioner assessing a civil penalty shall be allowed as to any issue

which could have been raised by an appeal of an earlier order, notice, permit, denial or other final decision by the commissioner. Any civil penalty authorized by this section shall become due and payable **[**(i)**]** (1) at the time of receipt of a final order in the case of a civil penalty assessed in such order after a hearing, **[**(ii)**]** (2) on the first day after the expiration of the period in which a hearing may be requested if no hearing is requested, or **[**(iii)**]** (3) on the first day after any withdrawal of a request for hearing.

Sec. 94. Subdivision (1) of subsection (b) of section 22a-41 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) In the case of an application which received a public hearing pursuant to (A) subsection (k) of section 22a-39, or (B) a finding by the inland wetlands agency that the proposed activity may have a significant impact on wetlands or watercourses, a permit shall not be issued unless the commissioner finds on the basis of the record that a feasible and prudent alternative does not exist. In making his finding, the commissioner shall consider the facts and circumstances set forth in subsection (a) of this section. The finding and the reasons therefor shall be stated on the record in writing.

Sec. 95. Subsections (e) and (f) of section 22a-94 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The commissioner may, from time to time, amend such maps described in subsection (c) of this section. Prior to the adoption of an amendment to any map, the commissioner shall hold a public hearing in the affected municipality in accordance with the provisions of chapter 54. The commissioner shall consider for amendment changes in the boundary petitioned by the coastal municipality, by any person owning real property within the boundary, or by twenty-five residents of such municipality. The commissioner shall approve, deny or modify such petition within sixty days of receipt and shall state, in writing, the reasons for his action. All amendments to the boundary shall be

consistent with subsection (b) of this section.

(f) A municipal coastal boundary may be adopted by the municipal planning commission of each coastal municipality in accordance with the notice, hearing and other procedural requirements of section 8-24. Such boundary may be delineated by roads, property lines or other identifiable natural or man-made features, provided such boundary shall approximate and in no event diminish the area within the coastal boundary as defined in subsection (b) of this section and as mapped under subsection (d) of this section. Such boundary shall be sufficiently precise to demonstrate whether the holdings of a property owner, or portions thereof, lie within the boundary. Upon adoption, such boundary shall be submitted to the commissioner for mapping in accordance with subsection (c) of this section. The municipal planning commission may, at its own discretion or upon request of a property owner, amend the coastal boundary in accordance with the procedures and criteria of this subsection.

Sec. 96. Subsection (a) of section 22a-109 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A coastal site plan shall be filed with the municipal zoning commission to aid in determining the conformity of a proposed building, use, structure **[**,**]** or shoreline flood and erosion control structure, as defined in subsection (c) of this section, fully or partially within the coastal boundary, with the specific provisions of the zoning regulations of the municipality and the provisions of sections 22a-105 and 22a-106, and in the case of shoreline flood and erosion control structures, the provisions of sections 22a-359 to 22a-363, inclusive, and any regulations adopted thereunder. A coastal site plan required under this section may be modified or denied if it fails to comply with the requirements already set forth in the zoning regulations of the municipality and, in addition, the coastal site plan may be modified, conditioned or denied in accordance with the procedures and criteria listed in sections 22a-105 and 22a-106. A coastal site plan for a

1991 shoreline flood and erosion control structure may be modified,
1992 conditioned or denied if it fails to comply with the requirements,
1993 standards and criteria of sections 22a-359 to 22a-363, inclusive, and any
1994 regulations adopted thereunder. Review of a coastal site plan under
1995 the requirements of this section shall supersede any review required
1996 by the municipality under subsection (g) of section 8-3 and shall be in
1997 addition to any applicable zoning regulations of any special district
1998 exercising zoning authority under special act. The provisions of this
1999 section shall not be construed to limit the authority of the
2000 Commissioner of Environmental Protection under sections 22a-359 to
2001 22a-363, inclusive.

2002 Sec. 97. Subsection (b) of section 22a-112 of the general statutes is
2003 repealed and the following is substituted in lieu thereof (*Effective from*
2004 *passage*):

2005 (b) Upon receipt by the commissioner of a written application from
2006 a coastal municipality, said commissioner shall make a grant to such
2007 municipality of not less than twenty-five hundred dollars to be used to
2008 carry out the responsibilities of such municipality under this chapter,
2009 provided, on or after July 1, 1980, funds shall be allocated to coastal
2010 municipalities in accordance with subsections (c) and (d) <u>of this</u>
2011 <u>section</u>.

2012 Sec. 98. Subsection (d) of section 22a-112 of the general statutes is
2013 repealed and the following is substituted in lieu thereof (*Effective from*
2014 *passage*):

2015 (d) Not less than thirty per cent of any funds received annually by
2016 the state under Section 306 of the federal Coastal Zone Management
2017 Act shall be provided annually to coastal municipalities for municipal
2018 coastal site plan reviews under sections 22a-105 to 22a-109, inclusive.
2019 Up to an additional twenty per cent of any funds received annually by
2020 the state under Section 306 of the federal Coastal Zone Management
2021 Act shall as a first priority be provided annually to assist coastal
2022 municipalities which have chosen to prepare and implement a
2023 municipal coastal program under sections 22a-101 to 22a-104,

2024 inclusive, provided, [that] if in any one year the total amount of all
2025 grants to municipalities which have agreed to adopt municipal coastal
2026 programs is less than twenty per cent of such federal funds received in
2027 that year, the difference shall be allocated for the purposes of this
2028 chapter in accordance with subsection (a) of this section.

2029 Sec. 99. Subsection (a) of section 22a-128 of the general statutes is
2030 repealed and the following is substituted in lieu thereof (*Effective from*
2031 *passage*):

2032 (a) The owner or operator of a hazardous waste facility or an owner
2033 or operator who modifies an existing hazardous waste facility
2034 constructed and operated pursuant to this chapter shall pay an
2035 assessment pursuant to subsection (b) of this section or shall pay the
2036 costs of the incentives negotiated pursuant to subsection (c) of this
2037 section, provided [that] the total amount paid shall not be more than
2038 the amount established in subsection (b) of this section. The legislative
2039 body of the municipality shall elect between payment of the
2040 assessment or the negotiated incentives prior to the commencement of
2041 negotiations. Any costs or assessments for a modification to a
2042 hazardous waste facility shall be based on the volume of waste or the
2043 gross receipts that the council determines are attributable to such
2044 modification.

2045 Sec. 100. Subsection (b) of section 22a-135 of the general statutes is
2046 repealed and the following is substituted in lieu thereof (*Effective from*
2047 *passage*):

2048 (b) In addition to the reporting required of a licensee pursuant to the
2049 provisions of subdivision (3) of subsection (a) of this section, the
2050 department may require the reporting immediately or within such
2051 time period as the department may designate of any additional
2052 occurrence, incident or other abnormal circumstance which is not
2053 required to be reported within twenty-four hours or sooner to the
2054 Nuclear Regulatory Commission. The department shall adopt
2055 regulations, in accordance with chapter 54, to carry out the provisions
2056 of this subsection.

2057 Sec. 101. Subsection (g) of section 22a-178 of the general statutes is
2058 repealed and the following is substituted in lieu thereof (*Effective from*
2059 *passage*):

2060 (g) When an order issued by the commissioner to any person
2061 pursuant to this chapter becomes final, except for an order to create or
2062 use emission reduction credits, the respondent to such order shall file a
2063 certified copy or notice of the final order on the land records in the
2064 town where the subject property is located, and such certified copy or
2065 notice shall constitute a notice to the owner's heirs, successors and
2066 assigns. Notwithstanding the provisions of this subsection, where the
2067 respondent to a final order does not own the subject property, the
2068 commissioner shall record notice of such order on the land records in
2069 the town where the subject property is located. When the order has
2070 been fully complied with or revoked, the commissioner shall issue a
2071 certificate showing such compliance or revocation, which certificate
2072 the recipient of such certificate shall record **[**,**]** on the land records in
2073 the town wherein the order was previously recorded. Notwithstanding
2074 the provisions of this subsection, where the recipient of such certificate
2075 does not own the subject property, the commissioner shall record such
2076 certificate on the land records in the town where the subject property is
2077 located. A person filing a notice, a final order or a certificate pursuant
2078 to this subsection shall submit to the commissioner a certified copy of
2079 the filing indicating the volume and page number upon which the
2080 notice, final order or certificate is filed.

2081 Sec. 102. Subdivision (4) of section 22a-200 of the general statutes is
2082 repealed and the following is substituted in lieu thereof (*Effective from*
2083 *passage*):

2084 (4) "Greenhouse gas" means any chemical or physical substance that
2085 is emitted into the air and that the Commissioner of Environmental
2086 Protection may reasonably anticipate **[**to**]** <u>will</u> cause or contribute to
2087 climate change, including, but not limited to, carbon dioxide, methane,
2088 nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur
2089 hexafluoride.

2090 Sec. 103. Subsection (b) of section 22a-200a of the general statutes is
2091 repealed and the following is substituted in lieu thereof (*Effective from*
2092 *passage*):

2093 (b) Not later than January 1, 2005, the Governor's Steering
2094 Committee on Climate Change, established in November 2002, shall
2095 develop a multisector, comprehensive climate change action plan, with
2096 the opportunity for public comment, which plan shall contain the
2097 policies and programs necessary to achieve the state's goals for the
2098 reduction of greenhouse gas emissions by 2010 and 2020. The steering
2099 committee shall notify each member of the General Assembly of the
2100 development of such plan and of such opportunity for public
2101 comment. Not later than January 1, 2005, the steering committee shall
2102 submit, in accordance with section 11-4a, such plan to the joint
2103 standing **[**committee**]** <u>committees</u> of the General Assembly having
2104 cognizance of matters relating to the environment, energy,
2105 transportation and commerce. Not later than January 15, 2005, such
2106 committees shall convene a joint informational public hearing for the
2107 purpose of reviewing such plan. Not later than February 1, 2005, such
2108 committees shall meet for the purpose of consideration of endorsement
2109 of such plan. Not later than February 15, 2005, the steering committee
2110 shall submit a final plan to such committees.

2111 Sec. 104. Subsection (e) of section 22a-200b of the general statutes is
2112 repealed and the following is substituted in lieu thereof (*Effective from*
2113 *passage*):

2114 (e) If a regional greenhouse gas registry is not developed and
2115 implemented by April 15, 2007, the commissioner shall evaluate the
2116 feasibility of establishing and administering a state-wide greenhouse
2117 gas registry for the collection of emissions data pursuant to subsections
2118 (b) and (c) of this section. If a regional greenhouse gas registry is
2119 developed after the commissioner establishes a state-wide greenhouse
2120 gas registry, **[**then**]** the reporting requirements in subsections (b) and
2121 (c) of this section shall revert **[**back**]** to the regional greenhouse gas
2122 registry in accordance with said subsections (b) and (c).

2123 Sec. 105. Section 22a-209d of the general statutes is repealed and the
2124 following is substituted in lieu thereof (*Effective from passage*):

2125 The Commissioner of Environmental Protection may establish, by
2126 regulations adopted in accordance with the provisions of chapter 54,
2127 categories of materials which, if used in accordance with standards
2128 adopted by the commissioner to protect the environment and public
2129 health, shall not be considered solid waste under section 22a-207 or
2130 subject to a permit under this chapter or chapter 446k.
2131 Notwithstanding the provisions of the regulations adopted under this
2132 section or section 22a-209, the Commissioner of Environmental
2133 Protection shall not prohibit the use of waste sand from the casting of
2134 metals as cover, road base **[**,**]** <u>or</u> fill or <u>for</u> other purposes at a solid
2135 waste disposal area permitted under section 22a-208a, provided the
2136 concentration of toxic materials in the sand is below the level of
2137 hazardous waste under the federal Resource Conservation and
2138 Recovery Act of 1976, as amended, and any regulations promulgated
2139 to carry out said act<u>,</u> and further provided any person who disposes of
2140 such sand under this section shall provide certification, to the
2141 satisfaction of the Commissioner of Environmental Protection, that
2142 such sand is not hazardous. Notwithstanding the provisions of section
2143 22a-209, a public water supply company may, by itself or in
2144 conjunction with any person or municipality, use solids that are the
2145 by-products of water treatment processes provided such use conforms
2146 to best management practices and controls described in an operations
2147 plan approved in writing by the commissioner. A public water supply
2148 company may, by itself or in conjunction with any person or
2149 municipality, use such solids in accordance with such plan until the
2150 commissioner issues a general permit to such company for the use of
2151 such solids pursuant to section 22a-209f.

2152 Sec. 106. Subsection (d) of section 22a-234a of the general statutes is
2153 repealed and the following is substituted in lieu thereof (*Effective from*
2154 *passage*):

2155 (d) Any person or municipality delivering solid waste to a facility or

2156 landfill whose owner is subject to the assessment imposed by
2157 subsection (a) of this section shall reimburse the owner for any
2158 assessment paid for the solid waste delivered by such person or
2159 municipality. The assessment shall be a debt from the person or
2160 municipality responsible for paying such assessment to the owner.

2161 Sec. 107. Subdivision (2) of subsection (a) of section 22a-449c of the
2162 general statutes is repealed and the following is substituted in lieu
2163 thereof (*Effective from passage*):

2164 (2) The account shall be used by the Commissioner of
2165 Environmental Protection to provide money for reimbursement or
2166 payment pursuant to section 22a-449f to responsible parties or parties
2167 supplying goods or services, or both, to responsible parties for costs,
2168 expenses and other obligations paid or incurred, as the case may be, as
2169 a result of releases, and suspected releases, costs of investigation of
2170 releases and suspected releases, and third party claims for bodily
2171 injury, property damage and damage to natural resources.
2172 Notwithstanding the provisions of this section regarding
2173 reimbursements of parties pursuant to section 22a-449f **[**,**]** and
2174 regulations **[**promulgated**]** adopted pursuant to section 22a-449e, and
2175 regardless of when an application for payment or reimbursement may
2176 have been submitted to the board, after June 1, 2004, no payment or
2177 reimbursement shall be made for any costs, expenses and other
2178 obligations paid or incurred for remediation, including any monitoring
2179 to determine the effectiveness of the remediation, of a release to levels
2180 more stringent than or beyond those specified in the remediation
2181 standards established pursuant to section 22a-133k, except to the
2182 extent the applicant demonstrates that it has been directed otherwise
2183 by the Department of Environmental Protection. In addition,
2184 notwithstanding the provisions of this section regarding
2185 reimbursements of parties pursuant to section 22a-449f, the responsible
2186 party for a release shall bear all costs of the release that are less than
2187 ten thousand dollars or more than one million dollars, except that for
2188 any such release which was reported to the department prior to
2189 December 31, 1987, and for which more than five hundred thousand

2190 dollars has been expended by the responsible party to remediate such
2191 release prior to June 19, 1991, the responsible party for the release shall
2192 bear all costs of such release which are less than ten thousand dollars
2193 or more than five million dollars, provided the portion of any
2194 reimbursement or payment in excess of three million dollars may, at
2195 the discretion of the commissioner, be made in annual payments for up
2196 to a five-year period. There shall be allocated to the department
2197 annually, for administrative costs, two million dollars.

2198 Sec. 108. Subdivision (3) of subsection (a) of section 22a-471 of the
2199 general statutes is repealed and the following is substituted in lieu
2200 thereof (*Effective from passage*):

2201 (3) The provisions of this section shall not affect the rights of any
2202 municipality to institute suit to recover all damages, expenses and
2203 costs incurred by the municipality from any responsible party,
2204 including, but not limited to, the costs specified in subparagraph (B)(i)
2205 and (ii) of subdivision (4) of subsection (b) of this section and, in the
2206 case of any municipality which is not responsible for the pollution of
2207 the groundwaters, the additional amounts specified in subparagraph
2208 (B)(iii) and (iv) of subdivision (4) of subsection (b) of this section.

2209 Sec. 109. Subdivision (1) of subsection (f) of section 22a-471 of the
2210 general statutes is repealed and the following is substituted in lieu
2211 thereof (*Effective from passage*):

2212 (f) (1) Notwithstanding the provisions of subsection (a) of this
2213 section, if the commissioner determines that a person whose actions
2214 have caused or can reasonably be expected to cause pollution of the
2215 groundwaters by the application of a pesticide (A) has properly
2216 applied the pesticide or arranged for a pesticide application which was
2217 properly performed, (B) was engaged in agriculture at the time the
2218 pesticide was applied and used the pesticide solely in the production
2219 of agricultural commodities, (C) has agreed to implement the plans
2220 specified in subdivision (2) of this subsection, and (D) maintained the
2221 records of the application of the pesticide as required by section 22a-58
2222 and the records and plan identified in section 22a-471a, the

2223 commissioner shall not issue an order under subsection (a) of this
2224 section to the person engaged in agriculture, but may issue an order
2225 under said subsection (a) to another responsible person, including, but
2226 not limited to, the producer of the pesticide, requiring the short-term
2227 and long-term provision of potable drinking water in accordance with
2228 said subsection (a). The commissioner shall not issue an order under
2229 said subsection (a) to a person engaged in agriculture who did not
2230 maintain the records identified under section 22a-471a if said
2231 commissioner finds such records are not relevant to a determination of
2232 the party responsible for pollution of the groundwaters. If the
2233 commissioner is unable to determine the responsible person, he may
2234 issue such order to the municipality wherein groundwaters unusable
2235 for potable drinking water are located.

2236 Sec. 110. Section 22a-471a of the general statutes is repealed and the
2237 following is substituted in lieu thereof (*Effective from passage*):

2238 (a) The provisions of subsection (f) of section 22a-471 shall apply to
2239 any person engaged in agriculture on May 26, 1988, who makes an
2240 application or arranges for the application of a general use or restricted
2241 use pesticide to agricultural or horticultural products or to the land,
2242 provided such person (1) maintains the records specified in subsection
2243 (d) of this section, and (2) develops and implements by July 1, 1989, the
2244 plan specified in subsection (e) of this section.

2245 (b) On and after July 1, 1989, the provisions of subsection (f) of
2246 section 22a-471 shall not apply to any person engaged in agriculture
2247 who (1) fails to maintain the records specified in subsection (d) of this
2248 section, or (2) has not developed and implemented the plan specified
2249 in subsection (e) of this section when such records have been
2250 maintained for less than three years.

2251 (c) The provisions of subsection (f) of section 22a-471 shall apply to
2252 any person beginning agricultural activities on or after July 1, 1989,
2253 who makes an application or arranges for the application of a general
2254 use or restricted use pesticide to agricultural or horticultural products
2255 or to the land, provided such person (1) maintains the records

2256 specified in subsection (d) of this section, and (2) develops and
2257 implements the plan specified in subsection (e) of this section.

2258 (d) The records required under subsection (a) of this section shall
2259 include a record of the following information for each application of a
2260 general or restricted use pesticide to an agricultural or horticultural
2261 product or to the land: (1) The name of the applicator; (2) the kind and
2262 amount of the pesticide used; (3) the date and place of application; (4)
2263 the crop and amount of acreage treated; (5) the name of the
2264 manufacturer and the product registration number assigned by the
2265 United States Environmental Protection Agency of each pesticide; and
2266 (6) the invoice or purchase receipt of the pesticide. Such records shall
2267 be maintained by the person engaged in agriculture for not less than
2268 twenty years after the date of application.

2269 (e) Any plan prepared under subsection (a) of this section shall be
2270 appropriate for the agricultural activities conducted on the land and
2271 shall minimize the potential for groundwater contamination from
2272 pesticides. Such plan shall include provisions for integrated pest
2273 management, if available, proper amounts and rates of pesticide
2274 applications, calibration of equipment and timing and frequency of
2275 pesticide application. The plan shall be prepared and revised as
2276 necessary in accordance with guidelines issued or approved by the
2277 College of Agriculture and Natural Resources at The University of
2278 Connecticut.

2279 Sec. 111. Subdivision (8) of subsection (c) of section 22a-478 of the
2280 general statutes is repealed and the following is substituted in lieu
2281 thereof (*Effective from passage*):

2282 (8) On or after July 1, 2002, an eligible water quality **[**projects**]**
2283 project that exclusively **[**address**]** addresses sewer collection and
2284 conveyance system improvements may receive a loan for one hundred
2285 per cent of the eligible costs provided such project does not receive a
2286 project grant. Any such sewer collection and conveyance system
2287 improvement project shall be rated, ranked, and funded separately
2288 from other water pollution control projects and shall be considered

2289 only if it is highly consistent with the state's conservation and
2290 development plan, or is primarily needed as the most cost effective
2291 solution to an existing area-wide pollution problem and incorporates
2292 minimal capacity for growth.

2293 Sec. 112. Subsection (a) of section 25-68d of the general statutes is
2294 repealed and the following is substituted in lieu thereof (*Effective from*
2295 *passage*):

2296 (a) No state agency shall undertake an activity or a critical activity
2297 within or affecting the floodplain without first obtaining approval
2298 from the commissioner of a certification submitted in accordance with
2299 subsection (b) of this section or exemption by the commissioner from
2300 such approval in accordance with subsection (d) of this section.

2301 Sec. 113. Subsection (d) of section 25-68d of the general statutes is
2302 repealed and the following is substituted in lieu thereof (*Effective from*
2303 *passage*):

2304 (d) Any state agency proposing an activity or critical activity within
2305 or affecting the floodplain may apply to the commissioner for
2306 exemption from the provisions of subsection (b) of this section. Such
2307 application shall include a statement of the reasons why such agency is
2308 unable to comply with said subsection and any other information the
2309 commissioner deems necessary. The commissioner, after public notice
2310 of the application and an opportunity for a public hearing in
2311 accordance with the provisions of chapter 54, may approve such
2312 exemption if he determines that (1) the agency has shown that the
2313 activity or critical activity is in the public interest, will not injure
2314 persons or damage property in the area of such activity or critical
2315 activity, complies with the provisions of the National Flood Insurance
2316 Program, and, in the case of a loan or grant, the recipient of the loan or
2317 grant has been informed that increased flood insurance premiums may
2318 result from the activity or critical activity, or (2) in the case of a flood
2319 control project, such project meets the criteria of subdivision (1) of this
2320 subsection and is more cost-effective to the state and municipalities
2321 than a project constructed to or above the base flood or base flood for a

2322 critical activity. Following approval for exemption for a flood control
2323 project, the commissioner shall provide notice of the hazards of a flood
2324 greater than the capacity of the project design to each member of the
2325 legislature whose district will be affected by the project and to the
2326 following agencies and officials in the area to be protected by the
2327 project: The planning and zoning commission, the inland wetlands
2328 agency, the director of civil defense, the conservation commission, the
2329 fire department, the police department, the chief elected official and
2330 each member of the legislative body, and the regional planning
2331 agency. Notice shall be given to the general public by publication in a
2332 newspaper of general circulation in each municipality in the area in
2333 which the project is to be located.

2334 Sec. 114. Subsection (b) of section 25-68m of the general statutes is
2335 repealed and the following is substituted in lieu thereof (*Effective from*
2336 *passage*):

2337 (b) On or before January 1, 2007, and annually thereafter, the
2338 Commissioner of Environmental Protection shall prepare a report on
2339 grants made under section 25-68k for the preceding fiscal year. Each
2340 such report shall include: (1) A description of the grants made,
2341 including the amount **[,]** <u>and</u> purposes and the municipalities to which
2342 they were made; and (2) any findings or recommendations concerning
2343 the operation and effectiveness of the grant program.

2344 Sec. 115. Subsection (b) of section 25-109f of the general statutes is
2345 repealed and the following is substituted in lieu thereof (*Effective from*
2346 *passage*):

2347 (b) The commissions of each town referred to in subsection (a) <u>of</u>
2348 <u>this section</u> shall study the standards established and shall, within
2349 ninety days of such submission, submit to its legislative body,
2350 recommendations as to whether the town should vote to be governed
2351 by the provisions of sections 25-109c to 25-109k, inclusive. Failure of a
2352 commission to make such recommendations within the time limited
2353 therefor shall be deemed a recommendation that the town should vote
2354 to be so governed. Such legislative body shall vote as to whether the

town shall be governed by the provisions of said sections.

Sec. 116. Subsection (c) of section 26-17a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The commissioner is authorized to take land or any interests therein by right of eminent domain in the manner provided in section 48-12 for the purposes for which he is authorized to acquire land under the provisions of subsection (b) of this section. All of the owners of different tracts of land which are included in the same tidal wetlands area may be joined in the same action.

Sec. 117. Subsection (a) of section 26-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (b), (c), (e) or (f) of this section and other provisions of this chapter providing specific license exemption, no person shall take, hunt or trap, or shall attempt to take, hunt or trap, or assist in taking, hunting or trapping, any wild bird or mammal and no person more than sixteen years of age shall take, attempt to take, or assist in taking any fish or bait species in the inland waters by any method, without first having obtained a license as provided in this chapter. No person under sixteen years of age shall hunt or trap, except as provided in section 26-38.

Sec. 118. Section 26-92 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No person shall catch, kill or purchase or attempt to catch, kill or purchase, sell, offer or expose for sale or have in possession, living or dead, any wild bird other than a game bird, or purchase or attempt to purchase, sell, offer or expose for sale or have in possession any part of any such bird or of the plumage thereof except as acquired under the provisions of this chapter. For the purposes of this section, the following shall be considered game birds: The anatidae, or waterfowl,

2386 including brant, wild ducks and geese; the rallidae, or rails, including
2387 coots, gallinules and sora and other rails; the limicolae, or shore birds,
2388 including snipe and woodcock; the gallinae, including wild turkeys,
2389 grouse, prairie chickens, pheasants, partridge and quail; the corvidae,
2390 including crows. No person shall take or destroy any nest or any egg
2391 of any wild bird or game bird. No person shall possess any nest or egg
2392 of any wild or game bird. English sparrows, starlings and, when found
2393 depredating ornamental trees, agriculture crops, livestock or wildlife,
2394 or when concentrated in such numbers as to constitute a public health
2395 or public safety hazard, crows, rock doves, monk parakeets and
2396 brown-headed cowbirds shall not be included among the birds
2397 protected by this section. Any conservation officer and any other
2398 officer having authority to serve criminal process shall have the same
2399 powers relating to violations of the provisions of this section as are
2400 conferred by section 26-6.

2401 Sec. 119. Subsection (c) of section 26-192e of the general statutes is
2402 repealed and the following is substituted in lieu thereof (*Effective from*
2403 *passage*):

2404 (c) Notwithstanding the provisions of subsection (b) of this section,
2405 when the Commissioner of Agriculture, after consultation with the
2406 Commissioner of Public Health, finds that tidal flats, shores or coastal
2407 waters which may contain shellfish are so contaminated or polluted
2408 that a health emergency exists, he may close such area for the duration
2409 of such emergency by giving notice of such emergency closure (1) in
2410 writing to the municipal or district health authority, and (2) to the
2411 general public by publication in a newspaper having general
2412 circulation in the town, city or borough within which such area lies.
2413 Such notice shall state when the closing shall take effect.

2414 Sec. 120. Section 26-216 of the general statutes is repealed and the
2415 following is substituted in lieu thereof (*Effective from passage*):

2416 Any person who violates any provision of section 26-215, or who
2417 uses any device or number not furnished by the Commissioner of
2418 Agriculture for a boat or vessel used in cultivating or dredging for

2419 shellfish, shall be fined not less than twenty-five dollars [nor] or more
2420 than fifty dollars for each day that such boat or vessel is so unlawfully
2421 used and, on conviction of a second offense, shall be fined not less than
2422 fifty dollars [nor] or more than two hundred dollars or imprisoned not
2423 more than thirty days, or both, for each day that such boat or vessel is
2424 so unlawfully used.

2425 Sec. 121. Subsection (d) of section 26-235 of the general statutes is
2426 repealed and the following is substituted in lieu thereof (*Effective from*
2427 *passage*):

2428 (d) Any person who takes clams from an area closed and posted
2429 against the taking of clams by the Department of Agriculture or from
2430 an area closed by license issuance or by order of a local health
2431 department shall be fined not less than seventy-five dollars [nor] or
2432 more than one thousand dollars or three times the market value of any
2433 clams taken, based on the quantity and type involved in the violation,
2434 if such amount is greater than one thousand dollars, or imprisoned not
2435 more than twelve months.

2436 Sec. 122. Subsection (a) of section 27-102n of the general statutes is
2437 repealed and the following is substituted in lieu thereof (*Effective from*
2438 *passage*):

2439 (a) There shall be a Board of Trustees for the Department of
2440 Veterans' Affairs. The board shall be comprised of the commissioner
2441 and sixteen members who by education or experience shall be
2442 qualified in health care, business management, social services or law
2443 and who shall have a demonstrated interest in the concerns of
2444 veterans. A majority of the members of the board shall be veterans,
2445 including veterans of World War II, the Korean hostilities and the
2446 Vietnam era. Members shall be appointed as follows: Ten by the
2447 Governor who shall serve at the pleasure of the Governor and one
2448 member each by the president pro tempore of the Senate, the speaker
2449 of the House of Representatives, the majority leader of the Senate,
2450 [and] the majority leader of the House of Representatives, the minority
2451 leader of the Senate and the minority leader of the House of

2452 Representatives, whose [term] terms shall be coterminous with the
2453 term of the appointing authority. Members shall be sworn to the
2454 faithful performance of their duties. They shall receive no
2455 compensation for their services but shall be reimbursed for their
2456 reasonable expenses in the performance of their duties.

2457 Sec. 123. Subsection (a) of section 27-106 of the general statutes is
2458 repealed and the following is substituted in lieu thereof (*Effective from*
2459 *passage*):

2460 (a) The commissioner shall adopt and enforce such rules as may be
2461 necessary to ensure order, enforce discipline and preserve the health
2462 and ensure the comfort of the patients in the Veterans' Home, [;] and
2463 shall discipline or dismiss any officer or patient of the home who
2464 disobeys or infringes upon such rules. The commissioner shall appoint,
2465 subject to the provisions of chapter 67, such officers and employees as
2466 are necessary for the administration of the affairs of the home, shall
2467 prescribe the relative rank, if any, of such officers and employees, and
2468 shall commission each such officer, who shall wear such uniform, if
2469 any, as is prescribed by the commissioner.

2470 Sec. 124. Subsection (c) of section 27-122a of the general statutes is
2471 repealed and the following is substituted in lieu thereof (*Effective from*
2472 *passage*):

2473 (c) The land transferred to the commission under subsections (a)
2474 and (b) of this section and not transferred to the Commissioner of
2475 Mental Health and Addiction Services and the Connecticut Valley
2476 Hospital shall be used by the Commissioner of Veterans' Affairs for the
2477 establishment and maintenance of a veterans' cemetery.

2478 Sec. 125. Section 27-138c of the general statutes is repealed and the
2479 following is substituted in lieu thereof (*Effective from passage*):

2480 Any person aggrieved by a decision of the administrator rendered
2481 under section 27-138b may appeal such decision to a review board
2482 composed of the Adjutant General or his or her [designate] designee,

2483 the Attorney General or his or her [designate] designee, and the
2484 Commissioner of Veterans' Affairs or his or her [designate] designee.
2485 All appeals taken pursuant to this section shall be based solely upon
2486 the record of the hearing conducted pursuant to section 27-138b. A
2487 person aggrieved by a decision of the review board may appeal to the
2488 Superior Court pursuant to the provisions of chapter 54.

2489 Sec. 126. Subsection (b) of section 28-9c of the general statutes is
2490 repealed and the following is substituted in lieu thereof (*Effective from*
2491 *passage*):

2492 (b) (1) Authority under this section shall not be exercised unless the
2493 affected political subdivision, corporation, organization or individual
2494 owning such property shall first present an unconditional
2495 authorization for removal of such debris or wreckage from public and
2496 private property and, in the case of removal of debris or wreckage
2497 from private property, shall first agree to indemnify the state against
2498 any claim arising from such removal. [; (2) whenever] (2) Whenever
2499 the Governor provides for clearance of debris or wreckage pursuant to
2500 subsection (a) of this section, employees of the designated state
2501 agencies or individuals appointed by the state are authorized to enter
2502 upon private land or waters and perform any tasks necessary to the
2503 removal or clearance operation.

2504 Sec. 127. Subsection (b) of section 29-9 of the general statutes is
2505 repealed and the following is substituted in lieu thereof (*Effective from*
2506 *passage*):

2507 (b) The provisions of subsection (a) of this section shall not apply to
2508 rewards, gifts or gratuities which are approved by the Commissioner
2509 of Public Safety, or the police chief or board of police commissioners,
2510 as the case may be, and are given to the police officer on account of his
2511 official services.

2512 Sec. 128. Subsections (b) and (c) of section 29-260 of the general
2513 statutes are repealed and the following is substituted in lieu thereof
2514 (*Effective from passage*):

2515 (b) Unless otherwise provided by ordinance, charter or special act, a
2516 local building official who fails to perform the duties of his office may
2517 be dismissed by the local appointing authority and another person
2518 shall be appointed in his place, [;] provided, [that] prior to such
2519 dismissal, such local building official shall be given an opportunity to
2520 be heard in his own defense at a public hearing in accordance with
2521 subsection (c) of this section.

2522 (c) No local building official may be dismissed under subsection (b)
2523 of this section unless he has been given notice in writing of the specific
2524 grounds for such dismissal and an opportunity to be heard in his own
2525 defense, personally or by counsel, at a public hearing before the
2526 authority having the power of dismissal. Such public hearing shall be
2527 held not less than five [nor] or more than ten days after such notice.
2528 Any person so dismissed may appeal within thirty days following
2529 such dismissal to the superior court for the judicial district in which
2530 such town, city or borough is located. Service shall be made as in civil
2531 process. [Such] The court shall review the record of such hearing and if
2532 it appears that testimony is necessary for an equitable disposition of
2533 the appeal, it may take evidence or appoint a referee or a committee to
2534 take such evidence as [it] the court may direct and report the same to
2535 the court with his or its findings of fact, which report shall constitute a
2536 part of the proceedings upon which the determination of the court
2537 shall be made. The court may affirm the action of such authority or
2538 may set the same aside if it finds that such authority acted illegally or
2539 abused its discretion.

2540 Sec. 129. Subsection (c) of section 29-307a of the general statutes is
2541 repealed and the following is substituted in lieu thereof (*Effective from*
2542 *passage*):

2543 (c) Upon receipt of any notification required under the provisions of
2544 subsection (b) of this section, the local fire marshal shall distribute the
2545 information contained in such notice to the persons providing fire
2546 protection in each town, city or borough under his jurisdiction. Such
2547 information shall be in such form and distributed in such manner as

2548 the State Fire Marshal shall require. The local fire marshal shall
2549 provide a complete copy of any information submitted pursuant to
2550 subsection (b) of this section, upon written request, to the health
2551 director of the municipality in which the establishment is located.
2552 Notwithstanding the provisions of section 1-210, the local fire marshal,
2553 any firefighter, a municipal health director or any water company shall
2554 maintain the confidentiality of and not disclose such information to
2555 any person. Any local fire marshal, firefighter, municipal health
2556 director or any water company found to have disclosed such
2557 information in violation of this subsection shall have committed an
2558 infraction.

2559 Sec. 130. Subsection (c) of section 29-313 of the general statutes is
2560 repealed and the following is substituted in lieu thereof (*Effective from*
2561 *passage*):

2562 (c) Any person who sells, offers for sale or gives to another any fire
2563 extinguisher or fire extinguishing device, containing or designed to
2564 contain an active agent having an ingredient prohibited by subsection
2565 (a) of this section shall be subject to the penalties prescribed by section
2566 29-295.

2567 Sec. 131. Subsections (d) and (e) of section 29-349 of the general
2568 statutes are repealed and the following is substituted in lieu thereof
2569 (*Effective from passage*):

2570 (d) No person shall manufacture, keep, store, sell or deal in any
2571 explosives unless such person has a valid license under the provisions
2572 of subsection (b) of this section and obtains from the Commissioner of
2573 Public Safety or from the fire marshal of the town where such business
2574 is conducted a written permit therefor, which permit shall not be valid
2575 for more than one year and for which such person shall pay a fee of
2576 twenty-five dollars. If the permit is issued by the Commissioner of
2577 Public Safety, the commissioner shall forward a copy thereof to the
2578 local fire marshal. Such permit so granted shall definitely state the
2579 location of the building where such business is to be carried on or such
2580 explosive deposited and shall state that such building or premises

complies with the regulations provided for in this section.

(e) No person shall procure, transport or use any explosives unless such person has a valid license under subsection (b) of this section and has obtained a written permit therefor signed by the Commissioner of Public Safety or by the fire marshal of the town where such explosive is to be used, specifying the name of the purchaser, the amount to be purchased and transported and the purpose for which it is to be used. Any such permit to use explosives shall state the number of years the permittee has been engaged in blasting activity. Such permit shall be valid for such period, not longer than one year, as is required to accomplish the purpose for which it was obtained. No carrier shall transport any such explosive until the vehicle transporting the explosive has been inspected and approved by the Department of Public Safety and unless such written permit accompanies the same and no person shall have in such person's possession any such explosive unless such person has a license and permit therefor. The fee for such inspection shall be twenty-five dollars. The fee for such permit shall be twenty dollars. Each person who has in such person's custody or possession any explosive or any detonating caps for explosives shall keep the same either under personal observation or securely locked up.

Sec. 132. Subdivision (14) of section 30-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(14) "Proprietor" shall include all owners of businesses or clubs, included in subdivision (5) of this section, whether such owners are individuals, partners, joint stock companies, fiduciaries, stockholders of corporations or otherwise, but shall not include persons or corporations who are merely creditors of such businesses or clubs, whether as note holders, bond holders or otherwise.

Sec. 133. Subsection (a) of section 30-86a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

2614 (a) For the purposes of section 30-86, any permittee shall require any
2615 person whose age is in question to fill out and sign a statement in the
2616 following form on one occasion when each such person makes a
2617 purchase:

2618 ...., 20..

2619 I, ..., hereby represent to ...., a permittee of the Connecticut
2620 Department of Consumer Protection, that I am over the age of 21 years,
2621 having been born on ...., 19.., at ..... This statement is made to induce
2622 said permittee to sell or otherwise furnish alcoholic beverages to the
2623 undersigned. I understand that title 30 of the general statutes prohibits
2624 the sale of alcoholic liquor to any person who is not twenty-one years
2625 of age.

2626 I understand that I am subject to a fine of one hundred dollars for
2627 the first offense and not more than two hundred fifty dollars for each
2628 subsequent offense for wilfully misrepresenting my age for the
2629 purposes set forth in this statement.

2630 .... (Name)

2631 .... (Address)

2632 Such statement once taken shall be applicable both to the particular
2633 sale in connection with which such statement was taken, as well as to
2634 all future sales at the same premises, and shall have full force and
2635 effect under subsection (b) <u>of this section</u> as to every subsequent sale or
2636 purchase. Such statement shall be printed upon appropriate forms to
2637 be furnished by the permittees and approved by the Department of
2638 Consumer Protection and shall be kept on file on the permit premises,
2639 alphabetically indexed, in a suitable file box, and shall be open to
2640 inspection by the Department of Consumer Protection or any of its
2641 agents or inspectors at any reasonable time. Any person who makes
2642 any false statement on a form signed by him as required by this section
2643 shall be fined not more than one hundred dollars for the first offense
2644 and not more than two hundred fifty dollars for each subsequent

2645 offense.

2646 Sec. 134. Subsection (g) of section 30-91 of the general statutes is
2647 repealed and the following is substituted in lieu thereof (*Effective from*
2648 *passage*):

2649 (g) Notwithstanding any provision of subsection (a) of this section
2650 to the contrary, food or nonalcoholic beverages may be sold, dispensed
2651 or consumed in places operating under an airport restaurant permit,
2652 an airport bar permit or an airport airline club permit, at any time, as
2653 allowed by agreement between the state of Connecticut and its lessees
2654 or concessionaires.

2655 Sec. 135. Subsection (d) of section 31-33 of the general statutes is
2656 repealed and the following is substituted in lieu thereof (*Effective from*
2657 *passage*):

2658 (d) The commissioner may grant to a reputable employer a
2659 certificate permitting such employer to distribute approved materials
2660 to be processed in approved homes by home workers having permits,
2661 upon proof that such processing in the homes is customary and
2662 necessary in such employer's industry, that no harmful or dangerous
2663 apparatus or substances are to be used and that the persons who are to
2664 do the processing fulfill the requirements specified for home workers
2665 in subsection (c) of this section. Each such employer shall pay a fee of
2666 twenty-five dollars each year for such certificate of permission. The
2667 commissioner may grant a permit to process specified materials in his
2668 home to a person who fulfills the requirements for a home worker
2669 specified in subsection (c) of this section. The commissioner may
2670 revoke any employer's certificate or any home worker's permit, at any
2671 time, for cause.

2672 Sec. 136. Subdivision (1) of subsection (c) of section 31-225a of the
2673 general statutes is repealed and the following is substituted in lieu
2674 thereof (*Effective from passage*):

2675 (c) (1) (A) Any week for which the employer has compensated the

2676 claimant in the form of wages in lieu of notice, dismissal payments or
2677 any similar payment for loss of wages shall be considered a week of
2678 employment for the purpose of determining employer chargeability.
2679 (B) No benefits shall be charged to any employer who paid wages of
2680 five hundred dollars or less to the claimant in his base period. (C) No
2681 dependency allowance paid to a claimant shall be charged to any
2682 employer. (D) In the event of a natural disaster declared by the
2683 President of the United States, no benefits paid on the basis of total or
2684 partial unemployment which is the result of physical damage to a
2685 place of employment caused by severe weather conditions including,
2686 but not limited to, hurricanes, snow storms, ice storms or flooding, or
2687 fire except where caused by the employer, shall be charged to any
2688 employer. (E) If the administrator finds that (i) an individual's most
2689 recent separation from a base period employer occurred under
2690 conditions which would result in disqualification by reason of
2691 subdivision (2), (6) or (9) <u>of subsection (a)</u> of section 31-236, or (ii) an
2692 individual was discharged for violating an employer's drug testing
2693 policy, provided the policy has been adopted and applied consistent
2694 with sections 31-51t to 31-51aa, inclusive, section 14-261b and any
2695 applicable federal law, no benefits paid thereafter to such individual
2696 with respect to any week of unemployment which is based upon
2697 wages paid by such employer with respect to employment prior to
2698 such separation shall be charged to such employer's account, provided
2699 such employer shall have filed a notice with the administrator within
2700 the time allowed for appeal in section 31-241. (F) No base period
2701 employer's account shall be charged with respect to benefits paid to a
2702 claimant if such employer continues to employ such claimant at the
2703 time the employer's account would otherwise have been charged to the
2704 same extent that he employed him during the individual's base period,
2705 provided the employer shall notify the administrator within the time
2706 allowed for appeal in section 31-241. (G) If a claimant has failed to
2707 accept suitable employment under the provisions of subdivision (1) <u>of</u>
2708 <u>subsection (a)</u> of section 31-236 and the disqualification has been
2709 imposed, the account of the employer who makes an offer of
2710 employment to a claimant who was a former employee shall not be

2711 charged with any benefit payments made to such claimant after such
2712 initial offer of reemployment until such time as such claimant resumes
2713 employment with such employer, provided such employer shall make
2714 application therefor in a form acceptable to the administrator. The
2715 administrator shall notify such employer whether or not his
2716 application is granted. Any decision of the administrator denying
2717 suspension of charges as herein provided may be appealed within the
2718 time allowed for appeal in section 31-241. (H) Fifty per cent of benefits
2719 paid to a claimant under the federal-state extended duration
2720 unemployment benefits program established by the federal
2721 Employment Security Act shall be charged to the experience accounts
2722 of the claimant's base period employers in the same manner as the
2723 regular benefits paid for such benefit year. (I) No base period
2724 employer's account shall be charged with respect to benefits paid to a
2725 claimant who voluntarily left suitable work with such employer (i) to
2726 care for a seriously ill spouse, parent or child or (ii) due to the
2727 discontinuance of the transportation used by the claimant to get to and
2728 from work, as provided in subparagraphs (A)(ii) and (A)(iii) of
2729 subdivision (2) <u>of subsection (a)</u> of section 31-236.

2730 Sec. 137. Subsection (a) of section 31-235 of the general statutes is
2731 repealed and the following is substituted in lieu thereof (*Effective from*
2732 *passage*):

2733 (a) An unemployed individual shall be eligible to receive benefits
2734 with respect to any week only if it has been found that (1) he has made
2735 claim for benefits in accordance with the provisions of section 31-240
2736 and has registered for work at the public employment bureau or other
2737 agency designated by the administrator within such time limits, with
2738 such frequency and in such manner as the administrator may
2739 prescribe, provided failure to comply with this condition may be
2740 excused by the administrator upon a showing of good cause therefor;
2741 (2) except as provided in subsection (b) of this section, he is physically
2742 and mentally able to work and is available for work and has been and
2743 is making reasonable efforts to obtain work, provided he shall not be
2744 considered to be unavailable for work solely because he is attending a

2745 school, college or university as a regularly enrolled student during his
2746 separation from employment, within the limitations of subdivision
2747 [(a)] (6) of subsection (a) of section 31-236, and provided further, he
2748 shall not be considered to be lacking in his efforts to obtain work if, as
2749 a student, he restricts such efforts to employment which does not
2750 conflict with his regular class hours as a student, and provided the
2751 administrator shall not use prior "patterns of unemployment" of the
2752 individual to determine whether he is available for work; (3) he has
2753 been paid wages by an employer who was subject to the provisions of
2754 this chapter during the base period of his current benefit year in an
2755 amount at least equal to forty times his benefit rate for total
2756 unemployment, [: Provided] provided an unemployed individual who
2757 is sixty-two years of age or older and is involuntarily retired under a
2758 compulsory retirement policy or contract provision shall be eligible for
2759 benefits with respect to any week, notwithstanding subdivisions (1)
2760 and (2) of this [section] subsection, if it is found by the administrator
2761 that he has made claim for benefits in accordance with the provisions
2762 of section 31-240, has registered for work at the public employment
2763 bureau, is physically and mentally able to work, is available for work,
2764 meets the requirements of this subdivision and has not refused
2765 suitable work to which he has been referred by the administrator; (4)
2766 he participates in reemployment services, such as job search assistance
2767 services, if the individual has been determined to be likely to exhaust
2768 regular benefits and need reemployment services pursuant to a
2769 profiling system established by the administrator unless the
2770 administrator determines that (A) the individual has completed such
2771 services, or (B) there is justifiable cause for the individual's failure to
2772 participate in such services. The administrator shall adopt regulations,
2773 in accordance with the provisions of chapter 54, for the administration
2774 of the profiling system. For purposes of subdivision (2) of this [section]
2775 subsection, "patterns of unemployment" means regularly recurring
2776 periods of unemployment of the claimant in the years prior to his filing
2777 the claim in question.

2778 Sec. 138. Subsection (a) of section 31-236b of the general statutes is
2779 repealed and the following is substituted in lieu thereof (*Effective from*

2780 *passage*):

2781 (a) Notwithstanding any other provisions in this chapter, an
2782 otherwise eligible individual shall not be denied benefits for any week
2783 because he is in training with the approval of the administrator by
2784 reason of the application of subdivision (2) of subsection (a) of section
2785 31-235 relating to availability for work, or the provisions of subdivision
2786 **[**(a)(1)**]** (1) of subsection (a) of section 31-236 relating to failure to apply
2787 for, or a refusal to accept, suitable work.

2788 Sec. 139. Subdivision (2) of subsection (b) of section 31-273 of the
2789 general statutes is repealed and the following is substituted in lieu
2790 thereof (*Effective from passage*):

2791 (2) Any person who has made a claim for benefits under this
2792 chapter and has knowingly made a false statement or representation or
2793 has knowingly failed to disclose a material fact in order to obtain
2794 benefits or to increase the amount of benefits to which such person
2795 may be entitled under this chapter shall forfeit benefits for not less
2796 than one **[**nor**]** or more than thirty-nine compensable weeks following
2797 determination of such offense or offenses, during which weeks such
2798 person would otherwise have been eligible to receive benefits. For the
2799 purposes of section 31-231b, such person shall be deemed to have
2800 received benefits for such forfeited weeks. This penalty shall be in
2801 addition to any other applicable penalty under this section and in
2802 addition to the liability to repay any moneys so received by such
2803 person and shall not be confined to a single benefit year.

2804 Sec. 140. Subsection (e) of section 32-9qq of the general statutes is
2805 repealed and the following is substituted in lieu thereof (*Effective from*
2806 *passage*):

2807 (e) Each grant made under this section shall be authorized pursuant
2808 to regulations adopted by the Department of Economic and
2809 Community Development in accordance with the provisions of chapter
2810 54, which regulations may include, but shall not be limited to,
2811 provisions concerning application requirements, grant amounts and

2812 eligible use of funds, provided the amount of any grant under
2813 subsection (b) of this section shall be not more than the amount
2814 specified in said subsection.

2815 Sec. 141. Section 32-70d of the general statutes is repealed and the
2816 following is substituted in lieu thereof (*Effective from passage*):

2817 Within thirty days after the Commissioner of Economic and
2818 Community Development approves the designation of an area as an
2819 enterprise zone in a municipality under subdivision (2) of subsection
2820 (c) of section 32-70, the municipality shall establish a community
2821 enterprise zone board. The board shall establish policy for the
2822 promotion and development of the zone, coordinate economic
2823 development programs in the zone with related job training and social
2824 services programs and adopt an enterprise zone revitalization plan.
2825 The plan shall specify goals and objectives for the enterprise zone,
2826 describe strategies to attain such goals and establish an
2827 implementation schedule. The municipality shall submit its plan to the
2828 Commissioner of Economic and Community Development for review
2829 and comment. The board shall consist of (1) the following officials of
2830 such municipality, or designees of such officials: The official
2831 responsible for economic development programs; the chief executive
2832 official, or his designee; a representative of the legislative body, who
2833 shall be appointed by such body; the chief of police, or his designee;
2834 the housing administrator, or his designee; and a representative of the
2835 school board, who shall be appointed by such board; (2) a
2836 representative of the regional community-technical college serving the
2837 region in which the municipality is located, if applicable, who shall be
2838 appointed by the chief executive officer of such college; (3) two
2839 representatives of the business community of the municipality, one of
2840 whom shall be a member of the chamber of commerce from the
2841 municipality; (4) two persons who own businesses located in the
2842 enterprise zone; and (5) two representatives of neighborhood
2843 community organizations serving the area in which the zone is located
2844 or, if no such organization exists, two residents of said area. The board
2845 members described in subdivisions (3), (4) and (5) of this section shall

2846 be appointed by the chief executive official of the municipality.

2847 Sec. 142. Subdivision (a) of section 38a-363 of the general statutes is
2848 repealed and the following is substituted in lieu thereof (*Effective from*
2849 *passage*):

2850 (a) "Injury" means bodily injury, sickness or disease, including death
2851 resulting therefrom, accidentally caused and arising out of the
2852 ownership, maintenance or use of a private passenger motor vehicle or
2853 a vehicle with a commercial registration, as defined in subdivision
2854 **[**(12)**]** (14) of subsection (a) of section 14-1.

2855 Sec. 143. Subsection (c) of section 42-103c of the general statutes is
2856 repealed and the following is substituted in lieu thereof (*Effective from*
2857 *passage*):

2858 (c) Each registration shall be valid for a period of one year or a part
2859 thereof and shall expire on December thirty-first of each year and may
2860 be renewed for additional one-year periods on or before January first
2861 of the next and each following year upon written application under
2862 oath in the form prescribed by the commissioner and containing such
2863 information as he may require and the filing of the bond prescribed in
2864 subsection (b) of this section.

2865 Sec. 144. Subsection (d) of section 42-116t of the general statutes is
2866 repealed and the following is substituted in lieu thereof (*Effective from*
2867 *passage*):

2868 (d) The rights and duties created under section 42-116s and this
2869 section: (1) Shall, with respect to the artist, or if any artist is deceased,
2870 his heir, legatee or designated personal representative, exist until the
2871 fiftieth anniversary of the death of such artist, (2) shall exist in addition
2872 to any other rights and duties which may be applicable on or after
2873 October 1, 1988, and (3) except as provided in subsection (e) of this
2874 section, may not be waived except by an instrument in writing
2875 expressly so providing which is signed by the artist.

2876 Sec. 145. Subsection (b) of section 42-133w of the general statutes is

2877 repealed and the following is substituted in lieu thereof (*Effective from*
2878 *passage*):

2879 (b) Compensation under subsection (a) of this section shall be paid
2880 by the manufacturer or distributor within ninety days of the effective
2881 date of termination, cancellation or nonrenewal if the dealer has title to
2882 the vehicle inventory and other items and is able to convey title to the
2883 manufacturer or distributor.

2884 Sec. 146. Section 42-205 of the general statutes is repealed and the
2885 following is substituted in lieu thereof (*Effective from passage*):

2886 A funeral service contract shall not be deemed a burial insurance
2887 policy under section [38-32] 38a-464.

2888 Sec. 147. Subdivision (4) of section 42-240 of the general statutes is
2889 repealed and the following is substituted in lieu thereof (*Effective from*
2890 *passage*):

2891 (4) "Rent-to-own agreement" means an agreement for the use of
2892 personal property by an individual primarily for personal, family or
2893 household purposes, for an initial period of four months or less,
2894 whether or not there is any obligation beyond the initial period, that is
2895 automatically renewable with each payment and that permits the
2896 consumer to become the owner of the property. Any rent-to-own
2897 agreement which complies with sections 42-240 to 42-253, inclusive,
2898 shall not be construed to be, [nor] or be governed by the laws of this
2899 state regulating, any of the following:

2900 (A) A ["retail installment contract"] retail installment contract, as
2901 defined in section 36a-770;

2902 (B) A ["security interest" as that term is] security interest, as defined
2903 in [section 42a-1-201(37)] subdivision (37) of section 42a-1-201.

2904 Sec. 148. Subsection (b) of section 45a-56 of the general statutes is
2905 repealed and the following is substituted in lieu thereof (*Effective from*
2906 *passage*):

2907 (b) Any member of the probate judges and employees retirement
2908 system who is retired and receiving benefits from such system, and the
2909 spouse of any such member, and upon the death of any such member,
2910 such member's surviving spouse, while receiving benefits from such
2911 system, may elect to participate in the group insurance plan procured
2912 by the Comptroller under subsection (a) of this section.

2913 Sec. 149. Subsection (d) of section 45a-56 of the general statutes is
2914 repealed and the following is substituted in lieu thereof (*Effective from*
2915 *passage*):

2916 (d) Any such member and spouse or surviving spouse who is a
2917 participant in the group insurance plan in effect prior to October 1,
2918 1994, may elect to participate in the plan set forth in subsection (a) of
2919 this section at the premiums set forth in subsection (c) of this section,
2920 provided such election is made within sixty days of October 1, 1994.

2921 Sec. 150. Subsection (c) of section 45a-82 of the general statutes is
2922 repealed and the following is substituted in lieu thereof (*Effective from*
2923 *passage*):

2924 (c) All payments from said fund authorized by sections 5-259, 17a-
2925 77, 17a-274, 17a-498, 17a-510, 19a-131b, 19a-131e, 19a-221, 45a-1 to 45a-
2926 12, inclusive, 45a-18 to 45a-26, inclusive, 45a-34 to 45a-56, inclusive,
2927 **[**sections**]** 45a-62 to 45a-68, inclusive, 45a-74 to 45a-83, inclusive, 45a-90
2928 to 45a-94, inclusive, 45a-98, 45a-99, 45a-105, 45a-119 to 45a-123,
2929 inclusive, 45a-128, 45a-130, 45a-131, 45a-133, 45a-152, 45a-175 to 45a-
2930 180, inclusive, 45a-199 and 45a-202, shall be made upon vouchers
2931 approved by the Probate Court Administrator.

2932 Sec. 151. Subsection (a) of section 45a-187 of the general statutes is
2933 repealed and the following is substituted in lieu thereof (*Effective from*
2934 *passage*):

2935 (a) An appeal under section 45a-186 by persons of the age of
2936 majority **[**and**]** who are present or who have legal notice to be present,
2937 or who have been given notice of their right to request a hearing or

2938 have filed a written waiver of their right to a hearing, shall be taken
2939 within thirty days, except as otherwise provided in this section. If such
2940 persons have no notice to be present and are not present, or have not
2941 been given notice of their right to request a hearing, such appeal shall
2942 be taken within twelve months, except for appeals by such persons
2943 from an order of termination of parental rights, other than an order of
2944 termination of parental rights based on consent, or a decree of
2945 adoption, in which case appeal shall be taken within ninety days. An
2946 appeal from an order of termination of parental rights based on
2947 consent, which order is issued on or after October 1, 2004, shall be
2948 taken within twenty days.

2949 Sec. 152. Subsection (c) of section 45a-676 of the general statutes is
2950 repealed and the following is substituted in lieu thereof (*Effective from*
2951 *passage*):

2952 (c) For the purposes of sections 45a-669 to **[**45a-784**]** 45a-684,
2953 inclusive, **[**and section 46b-29,**]** any alleged inability of the respondent
2954 must be evidenced by recent behavior which would cause harm or
2955 create a risk of harm, by clear and convincing proof.

2956 Sec. 153. Subdivision (4) of section 45a-690 of the general statutes is
2957 repealed and the following is substituted in lieu thereof (*Effective from*
2958 *passage*):

2959 (4) "Best interest" shall include all of the following factors: (A) Less
2960 drastic alternative contraceptive methods have proved unworkable or
2961 inapplicable, (B) the individual is physiologically sexually mature, (C)
2962 there is no evidence of infertility, (D) the individual has the capability
2963 and a reasonable opportunity for sexual activity, (E) the individual is
2964 unable to understand reproduction or contraception and there exists
2965 the likely permanence of that inability, (F) the physical or emotional
2966 inability to care for **[**the**]** a child, (G) the proponents of the sterilization
2967 are seeking sterilization in good faith and their primary concern is for
2968 the best interests of the respondent rather than their own convenience
2969 or the convenience of the public, and (H) in the case of females,
2970 procreation would endanger the life or severely impair the health of

2971 the individual.

2972 Sec. 154. Subparagraph (B) of subdivision (5) of section 46a-11 of the
2973 general statutes is repealed and the following is substituted in lieu
2974 thereof (*Effective from passage*):

2975 (B) Such person does not indicate refusal to give consent to receipt
2976 **[**to**]** of the information by the director.

2977 Sec. 155. Subsection (c) of section 46a-58 of the general statutes is
2978 repealed and the following is substituted in lieu thereof (*Effective from*
2979 *passage*):

2980 (c) Any person who places a burning cross or a simulation thereof
2981 on any public property, or on any private property without the written
2982 consent of the owner, shall be in violation of subsection (a) of this
2983 section.

2984 Sec. 156. Subdivision (4) of subsection (d) of section 46a-82e of the
2985 general statutes is repealed and the following is substituted in lieu
2986 thereof (*Effective from passage*):

2987 (4) If the commission and parties agree on a date certain, the court
2988 shall order the commission to issue a finding by said date. If the
2989 allegations of the petition are contested, the court shall hold a hearing
2990 on the petition and issue an appropriate order. Hearing of oral
2991 argument on the petition shall take precedence over other matters in
2992 the court, as provided in section 46a-96. The court shall award court
2993 costs and attorney's fees to the petitioner, provided such party is a
2994 "person", as defined in **[**subsection (l) of**]** section 4-184a, unless the
2995 commission shows good cause for not issuing the finding of reasonable
2996 cause or no reasonable cause within two years of the date of filing or
2997 the date ordered by the executive director for the investigator to issue
2998 such finding, whichever is later. An award of court costs and attorney's
2999 fees shall be subject to the court's discretion, but shall not exceed a
3000 total of five hundred dollars.

3001 Sec. 157. Subsection (e) of section 46b-38c of the general statutes is

3002 repealed and the following is substituted in lieu thereof (*Effective from*
3003 *passage*):

3004 (e) A protective order issued under this section may include
3005 provisions necessary to protect the victim from threats, harassment,
3006 injury or intimidation by the defendant, including, but not limited to,
3007 an order enjoining the defendant from (1) imposing any restraint upon
3008 the person or liberty of the victim, (2) threatening, harassing,
3009 assaulting, molesting or sexually assaulting the victim, or (3) entering
3010 the family dwelling or the dwelling of the victim. Such order shall be
3011 made a condition of the bail or release of the defendant and shall
3012 contain the following language: "In accordance with section 53a-223 of
3013 the Connecticut general statutes, any violation of this order constitutes
3014 criminal violation of a protective order which is punishable by a term
3015 of imprisonment of not more than five years, a fine of not more than
3016 five thousand dollars, or both. Additionally, in accordance with section
3017 53a-107 of the Connecticut general statutes, entering or remaining in a
3018 building or any other premises in violation of this order constitutes
3019 criminal trespass in the first degree which is punishable by a term of
3020 imprisonment of not more than one year, a fine of not more than two
3021 thousand dollars, or both. Violation of this order also violates a
3022 condition of your bail or release, and may result in raising the amount
3023 of bail or revoking release." Every order of the court made in
3024 accordance with this section after notice and hearing shall also contain
3025 the following language: "This court had jurisdiction over the parties
3026 and the subject matter when it issued this protection order.
3027 Respondent was afforded both notice and opportunity to be heard in
3028 the hearing that gave rise to this order. Pursuant to the Violence
3029 Against Women Act of 1994, 18 USC 2265, this order is valid and
3030 enforceable in all fifty states, any territory or possession of the United
3031 States, the District of Columbia, the Commonwealth of Puerto Rico
3032 and tribal lands." The information contained in and concerning the
3033 issuance of any protective order issued under this section shall be
3034 entered in the registry of protective orders pursuant to section 51-5c.

3035 Sec. 158. Subdivision (1) of subsection (m) of section 46b-231 of the

3036 general statutes is repealed and the following is substituted in lieu
3037 thereof (*Effective from passage*):

3038 (1) A family support magistrate in IV-D support cases may compel
3039 the attendance of witnesses or the obligor under a summons issued
3040 pursuant to sections 17b-745, 46b-172 **[**,**]** and 46b-215, **[**or under**]** a
3041 subpoena issued pursuant to section 52-143, or a citation for failure to
3042 obey an order of a family support magistrate or a judge of the Superior
3043 Court. If a person is served with any such summons, subpoena or
3044 citation issued by a family support magistrate or the assistant clerk of
3045 the Family Support Magistrate Division and fails to appear, a family
3046 support magistrate may issue a capias mittimus directed to a proper
3047 officer to arrest the obligor or the witness and bring him before a
3048 family support magistrate. Whenever such a capias mittimus is
3049 ordered, the family support magistrate shall establish a recognizance
3050 to the state of Connecticut in the form of a bond of such character and
3051 amount as to assure the appearance of the obligor at the next regular
3052 session of the Family Support Magistrate Division in the judicial
3053 district in which the matter is pending. If the obligor posts such a
3054 bond, and thereafter fails to appear before the family support
3055 magistrate at the time and place he is ordered to appear, the family
3056 support magistrate may order the bond forfeited, and the proceeds
3057 thereof paid to the state in TANF cases or the obligee in non-TANF
3058 cases.

3059 Sec. 159. Subdivision (4) of subsection (m) of section 46b-231 of the
3060 general statutes is repealed and the following is substituted in lieu
3061 thereof (*Effective from passage*):

3062 (4) Motions for modification of existing child and spousal support
3063 orders entered by the Superior Court in IV-D support cases, including
3064 motions to modify existing child and spousal support orders entered
3065 in actions brought pursuant to chapter 815j, shall be brought in the
3066 Family Support Magistrate Division and decided by a family support
3067 magistrate. Family support magistrates, in deciding if a spousal or
3068 child support order should be modified, shall make such

3069 determination based upon the criteria set forth in [section] sections
3070 46b-84 and [section] 46b-215b. A person who is aggrieved by a decision
3071 of a family support magistrate modifying a Superior Court order is
3072 entitled to appeal such decision in accordance with the provisions of
3073 subsection (n) of this section.

3074 Sec. 160. Subsection (c) of section 47-5 of the general statutes is
3075 repealed and the following is substituted in lieu thereof (*Effective from*
3076 *passage*):

3077 (c) Nothing in subsection (b) of this section precludes the use of any
3078 other legal form of execution of deed or other conveyance of real
3079 property.

3080 Sec. 161. Subsection (a) of section 47-12a of the general statutes is
3081 repealed and the following is substituted in lieu thereof (*Effective from*
3082 *passage*):

3083 (a) An affidavit, which states facts relating to the matters named in
3084 subsection (b) of this section and which may affect the title to or any
3085 interest in real estate in this state, and which is made by any person
3086 having knowledge of the facts or competent to testify concerning them
3087 in open court, may be recorded in the land records of the town in
3088 which the real estate is situated. If so recorded, and if the affiant is
3089 dead or otherwise not available to testify in court, then the affidavit, or
3090 a certified copy of it, is admissible as prima facie evidence of the facts
3091 stated in it, so far as those facts affect title to real estate in any action
3092 involving the title to that real estate or any interest in it.

3093 Sec. 162. Subsection (b) of section 47-70a of the general statutes is
3094 repealed and the following is substituted in lieu thereof (*Effective from*
3095 *passage*):

3096 (b) The declarant may require a unit owner or purchaser to execute
3097 and to deliver to the declarant a power of attorney or other document
3098 assigning to the declarant the right of a unit owner to vote on the
3099 amendment of condominium instruments pursuant to subsection (a) of

3100 this section, provided [that] such power of attorney or other document
3101 shall be exercised or implemented only to amend the condominium
3102 instruments for the purpose of adding additional land in an
3103 expandable condominium pursuant to section 47-71a, and to reallocate
3104 the undivided interests in the common elements resulting from such
3105 expansion [,] pursuant to subsection (c) of section 47-74, and the power
3106 of attorney or other document shall be expressly so limited.

3107 Sec. 163. Subsection (c) of section 47-88 of the general statutes is
3108 repealed and the following is substituted in lieu thereof (*Effective from*
3109 *passage*):

3110 (c) Upon removal of the property from the provisions of this
3111 chapter, any rights the unit owners may have to the assets of the unit
3112 owners' association shall be in proportion to their respective undivided
3113 interests in the common elements immediately prior to the recordation
3114 of the instrument referred to in subsection (a) of this section.

3115 Sec. 164. Subsection (c) of section 47-90a of the general statutes is
3116 repealed and the following is substituted in lieu thereof (*Effective from*
3117 *passage*):

3118 (c) Every person who directly or indirectly controls a declarant
3119 liable under subsection (a) of this section, every general partner, officer
3120 or director of a declarant and every person occupying a similar status
3121 or performing a similar function, every employee of the declarant who
3122 materially aids in the disposition, and every agent who materially aids
3123 in the disposition is also liable jointly and severally with and to the
3124 same extent as the declarant, provided the plaintiff sustains the burden
3125 of proof that such person knew or, in the exercise of reasonable care
3126 expected by such persons in the reasonable exercise of their duties,
3127 should have known of the existence of the facts by reason of which the
3128 liability is alleged to exist. There is a right to contribution in cases of
3129 contract among persons so liable. No person shall be liable under this
3130 section whose relationship to the declarant or other person consists
3131 solely of rendering professional and other customary services,
3132 including, but not limited to: (1) An attorney-at-law, architect, land

3133 surveyor or engineer; (2) a lending institution which is not a declarant
3134 whose relationship to the declarant consists solely of rendering
3135 customary banking services and holding a mortgage on all or a portion
3136 of the condominium which mortgage, or agreements or instruments
3137 relating thereto, may contain mutual covenants and agreements
3138 concerning the approval of the condominium instruments and
3139 amendments thereto, and regulates the activity of the declarant under
3140 the condominium instruments or an officer, director or employee of
3141 such lending institution; (3) a real estate broker or salesman whose
3142 relationship to the declarant consists solely of rendering services
3143 described in subdivision (3) of section 20-311 and other customary
3144 services; or (4) a person whose sole involvement in the disposition of a
3145 condominium unit occurs subsequent to the date of the act or omission
3146 out of which any liability under subsection (a) of this section arises.

3147 Sec. 165. Subsection (b) of section 47-206 of the general statutes is
3148 repealed and the following is substituted in lieu thereof (*Effective from*
3149 *passage*):

3150 (b) Except as provided in subsection (a) of this section, if part of a
3151 unit is acquired by eminent domain, the award shall compensate the
3152 unit owner for the reduction in value of the unit and its interest in the
3153 common elements, whether or not any common elements are acquired.
3154 On acquisition, unless the decree otherwise provides, (1) that unit's
3155 allocated interests are reduced in proportion to the reduction in the
3156 size of the unit, or on any other basis specified in the declaration, and
3157 (2) the portion of the allocated interests divested from the partially
3158 acquired unit are automatically reallocated to that unit and to the
3159 remaining units in proportion to the respective allocated interests of
3160 those units before the taking, with the partially-acquired unit
3161 participating in the reallocation on the basis of its reduced allocated
3162 interests.

3163 Sec. 166. Subsection (e) of section 47-237 of the general statutes is
3164 repealed and the following is substituted in lieu thereof (*Effective from*
3165 *passage*):

3166 (e) The association, on behalf of the unit owners, may contract for
3167 the sale of real property in a common interest community, but the
3168 contract is not binding on the unit owners until approved pursuant to
3169 subsections (a) and (b) of this section. If any real property is to be sold
3170 following termination, title to that real property, on termination, vests
3171 in the association as trustee for the holders of all interests in the units.
3172 Thereafter, the association has all powers necessary and appropriate to
3173 effect the sale. Until the sale has been concluded and the proceeds
3174 thereof distributed, the association continues in existence with all
3175 powers it had before termination. Proceeds of the sale shall be
3176 distributed to unit owners and lien holders, as their interests may
3177 appear, in accordance with subsections (h), (i) and (j) of this section.
3178 Unless otherwise specified in the termination agreement, as long as the
3179 association holds title to the real property, each unit owner and the
3180 unit owner's successors in interest have an exclusive right to
3181 occupancy of the portion of the real property that formerly constituted
3182 the unit. During the period of that occupancy, each unit owner and the
3183 unit owner's successors in interest remain liable for all assessments
3184 and other obligations imposed on unit owners by this chapter or the
3185 declaration.

3186 Sec. 167. Subsection (d) of section 47-245 of the general statutes is
3187 repealed and the following is substituted in lieu thereof (*Effective from*
3188 *passage*):

3189 (d) Subject to the provisions of subsection (e) of this section, the
3190 declaration may provide for a period of declarant control of the
3191 association, during which a declarant, or persons designated by him,
3192 may appoint and remove the officers and members of the executive
3193 board. Regardless of the period provided in the declaration, a period of
3194 declarant control terminates no later than the earlier of: (1) Sixty days
3195 after conveyance of sixty per cent of the units that may be created to
3196 unit owners other than a declarant, except that in the case of a master
3197 planned community, control terminates no later than sixty days after
3198 conveyance to unit owners other than the declarant of sixty per cent of
3199 the maximum number of units that may be built, if that number is

3200 specified, or, if no such number is specified, after conveyance to unit
3201 owners other than the declarant of three hundred units; (2) two years
3202 after all declarants have ceased to offer units for sale in the ordinary
3203 course of business; (3) two years after any right to add new units was
3204 last exercised; or (4) the date the declarant, after giving written notice
3205 to unit owners, records an instrument voluntarily surrendering all
3206 rights to control activities of the association. A declarant may
3207 voluntarily surrender the right to appoint and remove officers and
3208 members of the executive board before termination of that period, but
3209 in that event the declarant may require, for the duration of the period
3210 of declarant control, that specified actions of the association or
3211 executive board, as described in a recorded instrument executed by the
3212 declarant, be approved by the declarant before they become effective.

3213 Sec. 168. Subsection (a) of section 47a-30 of the general statutes is
3214 repealed and the following is substituted in lieu thereof (*Effective from*
3215 *passage*):

3216 (a) When any farm employee or any domestic servant, caretaker,
3217 manager or other employee as described in **[**subsection (b) of**]** section
3218 47a-36 occupies a dwelling, dwelling unit or tenement furnished by his
3219 employer and when his employment is terminated by himself or his
3220 employer, or such employee fails to report for employment, and fails
3221 to vacate the premises in which he is residing, he shall be given not
3222 less than three days' notice to quit possession of such premises on the
3223 form prescribed by section 47a-23.

3224 Sec. 169. Subsection (c) of section 49-32a of the general statutes is
3225 repealed and the following is substituted in lieu thereof (*Effective from*
3226 *passage*):

3227 (c) (1) If a notice of federal tax lien or other federal lien, a refiling of
3228 a notice of tax lien or other federal lien or a notice of revocation of any
3229 certificate described in subdivision (2) <u>of this subsection</u> is presented to
3230 the filing officer and (A) the filing officer is the Secretary of the State,
3231 said secretary shall cause the notice to be marked, held and indexed in
3232 accordance with the provisions of section 42a-9-519 as if the notice

3233 were a financing statement within the meaning of that section; or (B)
3234 the filing officer is a town clerk, such town clerk shall endorse thereon
3235 such town clerk's identification and the date and time of receipt and
3236 forthwith record it in accordance with section 42a-9-519. (2) If a
3237 certificate of release, nonattachment, discharge or subordination of any
3238 tax lien or other federal lien is presented to the Secretary of the State
3239 for filing, said secretary shall (A) cause a certificate of release or
3240 nonattachment to be marked, held and indexed as if the certificate
3241 were a termination statement within the meaning of the Uniform
3242 Commercial Code, and (B) cause a certificate of discharge or
3243 subordination to be held, marked and indexed as if the certificate were
3244 a release of collateral within the meaning of the Uniform Commercial
3245 Code. (3) If a refiled notice of federal tax lien or other federal lien
3246 referred to in subdivision (1) of this subsection or any of the certificates
3247 or notices referred to in subsection (b) of this section is presented for
3248 filing with any other filing officer specified in subsection (a) of this
3249 section, such filing officer shall record it in accordance with section
3250 42a-9-519 if the original was recorded or, if the original was filed,
3251 permanently attach the refiled notice or the certificate to the original
3252 notice of lien and enter the refiled notice or the certificate with the date
3253 of filing in any alphabetical federal tax lien index or other federal lien
3254 index on the line where the original notice of lien is entered. (4) Upon
3255 request of any person, the filing officer shall issue a certificate showing
3256 whether there is on file, on the date and hour stated therein, any notice
3257 of federal tax lien or other federal lien or certificate or notice affecting
3258 the lien, filed on or after July 1, 1967, naming a particular person, and
3259 if a notice or certificate is on file, giving the date and hour of filing of
3260 each notice or certificate. The fee for such a certificate and for a copy of
3261 any notice of federal tax lien or other federal lien or notice or certificate
3262 affecting a federal tax lien or other federal lien shall be computed in
3263 accordance with section 42a-9-525.

3264 Sec. 170. Section 49-92g of the general statutes is repealed and the
3265 following is substituted in lieu thereof (*Effective from passage*):

3266 Any person who stores, cares for, maintains, repairs, or furnishes

3267 any services, gasoline, accessories, materials or other supplies at the
3268 request of or with the consent of the owner, his agent or legal
3269 possessor of an aircraft, as defined in section 15-34, has a lien upon
3270 [and may retain possession of] the aircraft until the sum due for any
3271 fees, expenses or charges for such storage, care, maintenance [,] or
3272 repair or the furnishing of such services, gasoline, accessories,
3273 materials or other supplies has been paid. The lienor shall be entitled
3274 to retain possession of the aircraft until the amount of fees, expenses or
3275 charges for such storage, care, maintenance [,] or repair or the
3276 furnishing of such services, gasoline, accessories, materials or other
3277 supplies has been paid or the lien has been dissolved. The lien shall be
3278 superior to all other liens, except liens for taxes. Any person entitled to
3279 a lien pursuant to this section shall, within ninety days after the date
3280 upon which work or services were performed or when such fees,
3281 expenses or charges were incurred, file a verified statement in the
3282 office of the Secretary of the State, pursuant to the provisions of
3283 sections 49-92h and 49-92i.

3284 Sec. 171. Subsection (f) of section 51-44a of the general statutes is
3285 repealed and the following is substituted in lieu thereof (*Effective from*
3286 *passage*):

3287 (f) Except as provided in subsection (e) of this section, the
3288 commission shall seek qualified candidates for consideration by the
3289 Governor for nomination as judges for the Superior Court, Appellate
3290 Court and Supreme Court. The commission shall adopt regulations, in
3291 accordance with the provisions of chapter 54, concerning criteria by
3292 which to evaluate the qualifications of candidates, including
3293 incumbent judges who seek appointment to a different court. The
3294 commission shall investigate and interview the candidates, including
3295 incumbent judges seeking appointment to a different court. A list of
3296 such qualified candidates shall be compiled by the commission.

3297 Sec. 172. Subsection (c) of section 51-190a of the general statutes is
3298 repealed and the following is substituted in lieu thereof (*Effective from*
3299 *passage*):

3300 (c) When an action is tried by a judge of the Superior Court other
3301 than those mentioned in subsections (a) and (b) of this section, and it is
3302 not otherwise provided by law where the file and papers shall be
3303 lodged, the judge, when a decision has been reached, shall designate a
3304 clerk of the Superior Court with whom the file and papers shall be
3305 lodged and shall thereupon lodge them and a memorandum of his
3306 decision with the clerk.

3307 Sec. 173. Subdivision (1) of subsection (d) of section 51-277 of the
3308 general statutes is repealed and the following is substituted in lieu
3309 thereof (*Effective from passage*):

3310 (d) (1) The Chief State's Attorney and each deputy chief state's
3311 attorney may sign any warrants, [information] informations,
3312 applications for grand jury investigations and applications for
3313 extradition.

3314 Sec. 174. Subdivision (4) of subsection (b) of section 51-278 of the
3315 general statutes is repealed and the following is substituted in lieu
3316 thereof (*Effective from passage*):

3317 (4) Each Chief State's Attorney, deputy chief state's attorney or
3318 state's attorney who (A) is ineligible to elect under subdivision (3) of
3319 this subsection, (B) is not subject to the provisions of chapter 66, and
3320 (C) had vested under the State Employees Retirement Fund, prior to
3321 his appointment to such office, shall vest under the [State Attorney's]
3322 State's Attorneys' Retirement Fund upon reappointment to any such
3323 office by the Criminal Justice Commission.

3324 Sec. 175. Subsection (b) of section 52-57 of the general statutes is
3325 repealed and the following is substituted in lieu thereof (*Effective from*
3326 *passage*):

3327 (b) Process in civil actions against the following-described classes of
3328 defendants shall be served as follows: (1) Against a town, upon its
3329 clerk, assistant clerk, manager or one of its selectmen; (2) against a city,
3330 upon its clerk or assistant clerk or upon its mayor or manager; (3)

3331 against a borough, upon its manager, clerk or assistant clerk or upon
3332 the warden or one of its burgesses; (4) against a school district, upon
3333 its clerk or one of its committee; (5) against a board, commission,
3334 department or agency of a town, city or borough, notwithstanding any
3335 provision of law, upon the clerk of the town, city or borough, provided
3336 two copies of such process shall be served upon the clerk and the clerk
3337 shall retain one copy and forward the second copy to the board,
3338 commission, department or agency; (6) against any other municipal or
3339 quasi-municipal [corporations] corporation, upon its clerk or upon its
3340 chief presiding officer or managing agent; and (7) against an employee
3341 of a town, city or borough in a cause of action arising from the
3342 employee's duties or employment, upon the clerk of the town, city or
3343 borough, provided two copies of such process shall be served upon the
3344 clerk and the clerk shall retain one copy and forward the second copy
3345 to the employee.

3346 Sec. 176. Subsections (b) and (c) of section 52-225d of the general
3347 statutes are repealed and the following is substituted in lieu thereof
3348 (*Effective from passage*):

3349 (b) (1) If the parties agree on the terms of payment pursuant to
3350 subdivision (3) of subsection (a) of this section, with respect to
3351 recoverable economic damages and recoverable noneconomic damages
3352 in excess of two hundred thousand dollars, the court shall, subject to a
3353 determination by the court that the terms of subsection (e) of this
3354 section have been satisfied, enter an amended judgment incorporating
3355 such agreement of the parties into the amended judgment. (2) If the
3356 parties fail to agree on the terms of payment pursuant to subdivision
3357 (3) of subsection (a) of this section, with respect to the payment of
3358 damages in excess of two hundred thousand dollars, the court shall
3359 enter an amended judgment to provide for the payment of such
3360 damages in a lump sum.

3361 (c) If an amended judgment for periodic installment payments is
3362 entered pursuant to subsection (b) of this section, that portion of the
3363 contingency fee or any other payment arranged between the claimant

3364 and the attorney for professional services relating to recoverable
3365 economic damages and recoverable noneconomic damages subject to
3366 periodic installment payments as required under such amended
3367 judgment shall be payable in periodic installment payments in
3368 accordance with an order to be entered by the court simultaneously
3369 with but separate and apart from the amended judgment, unless prior
3370 to the entry of that order the claimant and such attorney have
3371 otherwise agreed and so informed the court.

3372 Sec. 177. Subsection (a) of section 52-328 of the general statutes is
3373 repealed and the following is substituted in lieu thereof (*Effective from*
3374 *passage*):

3375 (a) Except as provided in subsection (c) of this section, no personal
3376 estate which has been attached may be held to respond to the
3377 judgment obtained in the suit, either against the debtor or any other
3378 creditor, unless the judgment creditor takes out an execution and has it
3379 levied on the personal estate attached, or has demand made on the
3380 garnishee in cases of foreign attachment, within sixty days after final
3381 judgment, or, if such personal estate is encumbered by any prior
3382 attachment, unless the execution is so levied within sixty days after
3383 such encumbrance has been removed.

3384 Sec. 178. Subsection (b) of section 52-356b of the general statutes is
3385 repealed and the following is substituted in lieu thereof (*Effective from*
3386 *passage*):

3387 (b) The court may issue a turnover order pursuant to this section,
3388 after notice and hearing or as provided in subsection (c) of this section,
3389 on a showing of need for the order. If the order is to be directed against
3390 a third person, such person shall be notified of his right pursuant to
3391 section 52-356c to a determination of any interest claimed in the
3392 property.

3393 Sec. 179. Subsection (c) of section 52-412 of the general statutes is
3394 repealed and the following is substituted in lieu thereof (*Effective from*
3395 *passage*):

3396 (c) Any party to a written agreement for arbitration may make
3397 application to the Superior Court, or, when the court is not in session,
3398 to a judge thereof, having jurisdiction as provided in subsection (b) of
3399 this section, for an order directing the taking of depositions, in the
3400 manner and for the reasons prescribed by law for taking depositions to
3401 be used in a civil action, for use as evidence in an arbitration.

3402 Sec. 180. Section 52-577a of the general statutes is repealed and the
3403 following is substituted in lieu thereof (*Effective from passage*):

3404 (a) No product liability claim, as defined in section 52-572m, shall be
3405 brought but within three years from the date when the injury, death or
3406 property damage is first sustained or discovered or in the exercise of
3407 reasonable care should have been discovered, except that, subject to
3408 the provisions of subsections (c), (d) and (e) of this section, no such
3409 action may be brought against any party nor may any party be
3410 impleaded pursuant to subsection (b) of this section later than ten
3411 years from the date that the party last parted with possession or
3412 control of the product.

3413 (b) In any such action, a product seller may implead any third party
3414 who is or may be liable for all or part of the claimant's claim, if such
3415 third party defendant is served with the third party complaint within
3416 one year from the date the cause of action brought under subsection (a)
3417 of this section is returned to court.

3418 (c) The ten-year limitation provided for in subsection (a) of this
3419 section shall not apply to any product liability claim brought by a
3420 claimant who is not entitled to compensation under chapter 568,
3421 provided the claimant can prove that the harm occurred during the
3422 useful safe life of the product. In determining whether a product's
3423 useful safe life has expired, the trier of fact may consider among other
3424 factors: (1) The effect on the product of wear and tear or deterioration
3425 from natural causes; (2) the effect of climatic and other local conditions
3426 in which the product was used; (3) the policy of the user and similar
3427 users as to repairs, renewals and replacements; (4) representations,
3428 instructions and warnings made by the product seller about the useful

3429 safe life of the product; and (5) any modification or alteration of the
3430 product by a user or third party.

3431 (d) The ten-year limitation provided for in subsection (a) of this
3432 section shall be extended pursuant to the terms of any express written
3433 warranty that the product can be used for a period longer than ten
3434 years, and shall not preclude any action against a product seller who
3435 intentionally misrepresents a product or fraudulently conceals
3436 information about it, provided the misrepresentation or fraudulent
3437 concealment was the proximate cause of harm of the claimant.

3438 (e) The ten-year limitation provided for in subsection (a) of this
3439 section shall not apply to any product liability claim, whenever
3440 brought, involving injury, death or property damage caused by contact
3441 with or exposure to asbestos, except that (1) no such action for
3442 personal injury or death may be brought by the claimant later than
3443 sixty years from the date that the claimant last had contact with or
3444 exposure to asbestos, and (2) no such action for damage to property
3445 may be brought by the claimant later than thirty years from the date of
3446 last contact with or exposure to asbestos.

3447 (f) The definitions contained in section 52-572m shall apply to this
3448 section.

3449 (g) The provisions of this section shall apply to all product liability
3450 claims brought on or after October 1, 1979.

3451 Sec. 181. Subsection (e) of section 53a-29 of the general statutes is
3452 repealed and the following is substituted in lieu thereof (*Effective from*
3453 *passage*):

3454 (e) The period of probation, unless terminated sooner as provided in
3455 section 53a-32, shall be not less than ten years **[**nor**]** or more than
3456 thirty-five years for conviction of a violation of subdivision (2) of
3457 subsection (a) of section 53-21 **[**,**]** or section 53a-70, 53a-70a, 53a-70b,
3458 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-196b, 53a-196c, 53a-196d, 53a-
3459 196e or 53a-196f.

3460 Sec. 182. Subsection (e) of section 53a-30 of the general statutes is
3461 repealed and the following is substituted in lieu thereof (*Effective from*
3462 *passage*):

3463 (e) The court may require that the person subject to electronic
3464 monitoring **[**subject**]** pursuant to subsection (a) of this section pay
3465 directly to the electronic monitoring service provider a fee for the cost
3466 of such electronic monitoring services. If the court finds that the person
3467 subject to electronic monitoring is indigent and unable to pay the costs
3468 of electronic monitoring services, it shall waive such costs. Any
3469 contract entered into by the judicial branch and the electronic
3470 monitoring service provider shall include a provision stating that the
3471 total cost for electronic monitoring services shall not exceed five
3472 dollars per day. Such amount shall be indexed annually to reflect the
3473 rate of inflation.

3474 Sec. 183. Section 54-1k of the general statutes is repealed and the
3475 following is substituted in lieu thereof (*Effective from passage*):

3476 Upon the arrest of a person for a violation of section 53a-181c, 53a-
3477 181d or 53a-181e, the court may issue a protective order pursuant to
3478 this section. Such order shall be an order of the court, and the clerk of
3479 the court shall cause a certified copy of such order to be sent to the
3480 victim, and a copy of such order, or the information contained in such
3481 order, to be sent by facsimile or other means within forty-eight hours
3482 of its issuance to the appropriate law enforcement agency. A protective
3483 order issued under this section may include provisions necessary to
3484 protect the victim from threats, harassment, injury or intimidation by
3485 the defendant, including but not limited to, an order enjoining the
3486 defendant from (1) imposing any restraint upon the person or liberty
3487 of the victim, (2) threatening, harassing, assaulting, molesting or
3488 sexually assaulting the victim, or (3) entering the dwelling of the
3489 victim. Such order shall be made a condition of the bail or release of
3490 the defendant and shall contain the following language: "In accordance
3491 with section 53a-223 of the Connecticut general statutes, any violation
3492 of this order constitutes criminal violation of a protective order which

3493 is punishable by a term of imprisonment of not more than five years, a
3494 fine of not more than five thousand dollars, or both. Additionally, in
3495 accordance with section 53a-107 of the Connecticut general statutes,
3496 entering or remaining in a building or any other premises in violation
3497 of this order constitutes criminal trespass in the first degree **[**. These
3498 are criminal offenses each**]** which is punishable by a term of
3499 imprisonment of not more than one year, a fine of not more than two
3500 thousand dollars, or both. Violation of this order also violates a
3501 condition of your bail or release and may result in raising the amount
3502 of bail or revoking release." The information contained in and
3503 concerning the issuance of any protective order issued under this
3504 section shall be entered in the registry of protective orders pursuant to
3505 section 51-5c.

3506 Sec. 184. Subsection (c) of section 54-41p of the general statutes is
3507 repealed and the following is substituted in lieu thereof (*Effective from*
3508 *passage*):

3509 (c) If an investigative officer, while engaged in the interception of
3510 wire communications in accordance with the provisions of this
3511 chapter, intercepts wire communications relating to any crime not
3512 specified in the order authorizing such interception, the contents of
3513 such intercepted communications and evidence derived therefrom
3514 may be disclosed as otherwise provided in subsection (a) of this
3515 section.

3516 Sec. 185. Subsection (a) of section 54-47g of the general statutes is
3517 repealed and the following is substituted in lieu thereof (*Effective from*
3518 *passage*):

3519 (a) Within sixty days of the conclusion of the investigation, the
3520 investigatory grand jury conducting such investigation shall file its
3521 finding with the court of the judicial district designated by the Chief
3522 Court Administrator pursuant to subsection (a) of section 54-47d, and
3523 shall file a copy of its finding with the panel and with the Chief State's
3524 Attorney or a state's attorney if such Chief State's Attorney or state's
3525 attorney made application for the investigation. The stenographer shall

3526 file any record of the investigation with the court of the judicial district
3527 designated by the Chief Court Administrator pursuant to subsection
3528 (a) of section 54-47d and the panel and the Chief State's Attorney or a
3529 state's attorney, if such Chief State's Attorney or state's attorney made
3530 application for the investigation, shall have access to such record upon
3531 request made to the clerk of the court without a hearing. Such finding
3532 shall state whether or not there is probable cause to believe that a
3533 crime or crimes have been committed. Except as otherwise provided in
3534 this section, any part of the record of the investigation not disclosed
3535 with the finding pursuant to subsection (b) of this section shall be
3536 sealed, provided any person may file an application with the panel for
3537 disclosure of any such part of the record. Upon receipt of such
3538 application, the panel shall, after notice, hold a hearing and the panel,
3539 by a majority vote, may disclose any such part of the record when such
3540 disclosure is deemed by the panel to be in the public interest, except
3541 that no part of the record shall be disclosed which contains allegations
3542 of the commission of a crime by an individual if the investigatory
3543 grand jury failed to find probable cause that such individual
3544 committed such crime unless such individual requests the release of
3545 such part of the record. Any person aggrieved by an order of the panel
3546 shall have the right to appeal such order by filing a petition for review
3547 with the Appellate Court within seventy-two hours from the issuance
3548 of such order.

3549 Sec. 186. Subsection (b) of section 54-82r of the general statutes is
3550 repealed and the following is substituted in lieu thereof (*Effective from*
3551 *passage*):

3552 (b) A protective order shall set forth the reasons for the issuance of
3553 such order, be specific in terms and describe in reasonable detail, and
3554 not by reference to the complaint or other document, the act or acts
3555 being restrained. A protective order issued under this section may
3556 include provisions necessary to protect the witness from threats,
3557 harassment, injury or intimidation by the adverse party including, but
3558 not limited to, enjoining the adverse party from (1) imposing any
3559 restraint upon the person or liberty of the witness, (2) threatening,

3560 harassing, assaulting, molesting or sexually assaulting the witness, or
3561 (3) entering the dwelling of the witness. Such order shall contain the
3562 following language: "In accordance with section 53a-223 of the
3563 Connecticut general statutes, any violation of this order constitutes
3564 criminal violation of a protective order which is punishable by a term
3565 of imprisonment of not more than five years, a fine of not more than
3566 five thousand dollars, or both. Additionally, in accordance with section
3567 53a-107 of the Connecticut general statutes, entering or remaining in a
3568 building or any other premises in violation of this order constitutes
3569 criminal trespass in the first degree **[**. These are criminal offenses each**]**
3570 which is punishable by a term of imprisonment of not more than one
3571 year, a fine of not more than two thousand dollars, or both." If the
3572 adverse party is the defendant in the criminal case, such order shall be
3573 made a condition of the bail or release of the defendant and shall also
3574 contain the following language: "Violation of this order also violates a
3575 condition of your bail or release and may result in raising the amount
3576 of bail or revoking release."

3577 Sec. 187. Subsection (f) of section 54-124a of the general statutes is
3578 repealed and the following is substituted in lieu thereof (*Effective from*
3579 *passage*):

3580 (f) The Board of Pardons and Paroles shall have independent
3581 decision-making authority to (1) grant or deny parole in accordance
3582 with sections 54-125, 54-125a, 54-125e and 54-125g, (2) establish
3583 conditions of parole or special parole supervision in accordance with
3584 section 54-126, (3) rescind or revoke parole or special parole in
3585 accordance with sections 54-127 and 54-128, (4) grant commutations of
3586 punishment or releases, conditioned or absolute, in the case of any
3587 person convicted of any offense against the state and commutations
3588 from the penalty of death in accordance with section **[**18-26**]** 54-130a.

3589 Sec. 188. Subsection (c) of section 54-125e of the general statutes is
3590 repealed and the following is substituted in lieu thereof (*Effective from*
3591 *passage*):

3592 (c) The period of special parole shall be not less than one year **[**nor**]**

3593 or more than ten years, except that such period may be for more than
3594 ten years for a person convicted of a violation of subdivision (2) of
3595 section 53-21 of the general statutes in effect prior to October 1, 2000,
3596 subdivision (2) of subsection (a) of section 53-21 **[,]** or section 53a-70,
3597 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b or sentenced as a
3598 persistent dangerous felony offender pursuant to subsection (h) of
3599 section 53a-40 or as a persistent serious felony offender pursuant to
3600 subsection (j) of section 53a-40.

3601 Sec. 189. Subsections (b) and (c) of section 54-156 of the general
3602 statutes are repealed and the following is substituted in lieu thereof
3603 (*Effective from passage*):

3604 (b) If an arrest is made in this state by an officer of another state in
3605 accordance with the provisions of subsection (a) of this section, he
3606 shall, without unnecessary delay, take the person arrested before a
3607 judge of the superior court for the judicial district in which the arrest
3608 was made, who shall conduct a hearing for the purpose of determining
3609 the lawfulness of the arrest. If such judge determines that the arrest
3610 was lawful, he shall commit the person arrested to await for a
3611 reasonable time the issuance of an extradition warrant by the Governor
3612 of this state or admit him to bail for such purpose. If such judge
3613 determines that the arrest was unlawful, he shall discharge the person
3614 arrested.

3615 (c) Subsection (a) of this section shall not be construed so as to make
3616 unlawful any arrest in this state which would otherwise be lawful.

3617 Sec. 190. Subdivision (16) of subsection (b) of section 54-203 of the
3618 general statutes is repealed and the following is substituted in lieu
3619 thereof (*Effective from passage*):

3620 (16) Within available appropriations to establish a crime victims'
3621 information clearinghouse which shall be a central repository for
3622 information collected pursuant to subdivision (9) of this subsection
3623 and information made available through the criminal justice
3624 information system, to provide a toll-free telephone number for access

3625 to such information and to develop a plan, in consultation with all
3626 agencies required to provide notification to victims, outlining any
3627 needed statutory changes, resources and working agreements
3628 necessary to make the Office of Victim Services the lead agency for
3629 notification of victims, which plan shall be submitted to the General
3630 Assembly not later than February 15, 2000.

3631 Sec. 191. Subsection (a) of section 28-5 of the general statutes is
3632 repealed and the following is substituted in lieu thereof (*Effective from*
3633 *passage*):

3634 (a) The commissioner may make studies and surveys of the
3635 manpower, industries, resources and facilities of the state to ascertain
3636 the capabilities of the state for civil preparedness and to plan for their
3637 most efficient use in time of emergency. The commissioner may apply
3638 to the superior court for the judicial district of Hartford, or to a judge
3639 of said court if the court is not in session, for a subpoena to compel the
3640 attendance of <u>such</u> witnesses or the production of <u>such</u> books, papers,
3641 records or documents of individuals, firms, associations or
3642 corporations as may be necessary to the effective preparation of the
3643 civil preparedness of the state. **[**Said**]** <u>The</u> court or **[**such**]** judge shall,
3644 before issuing such subpoena, provide adequate opportunity for the
3645 commissioner and the party against whom the subpoena is requested
3646 to be heard. No such subpoena shall issue unless the court or judge
3647 certifies that the attendance of such witness or the production of such
3648 books, papers, records or documents is reasonably necessary to the
3649 effective preparation of the civil preparedness of the state and that the
3650 commissioner has made reasonable efforts to secure such attendance
3651 or such books, papers, records or documents without recourse to
3652 compulsory process.

3653 Sec. 192. Section 29-155b of the general statutes is repealed and the
3654 following is substituted in lieu thereof (*Effective October 1, 2005*):

3655 Upon being satisfied, after investigation, of the good character,
3656 competency and integrity of an applicant, or, if the applicant is an
3657 association or partnership, of the individual members thereof, or if a

3658 corporation, of all officers and directors thereof, the commissioner may
3659 grant a license to conduct such private detective business and to
3660 maintain a bureau, agency, subagency, office or branch office for the
3661 conduct of such business on the premises stated in such application.
3662 The license for an individual private detective shall be as a private
3663 detective, and **[**,**]** the license for a corporation, association or
3664 partnership shall be as a private detective agency. Such license shall be
3665 for a term of two years and application for renewal shall be on a form
3666 furnished by the commissioner. Each licensee shall permit the
3667 department to inspect, review or copy those documents, business
3668 records or training records in the licensee's possession that are
3669 required by regulation to be maintained.

3670 Sec. 193. Section 29-158 of the general statutes is repealed and the
3671 following is substituted in lieu thereof (*Effective October 1, 2005*):

3672 Any license may be suspended or revoked by the commissioner,
3673 provided notice shall have been given to the licensee to appear before
3674 the commissioner to show cause why the license should not be
3675 suspended or revoked, upon a finding by the commissioner that: (1)
3676 The licensee has violated any of the terms or provisions of sections 29-
3677 153 to 29-161, inclusive, or any of the regulations **[**promulgated**]**
3678 adopted thereunder; (2) the licensee has practiced fraud, deceit or
3679 misrepresentation to the clients of the licensee; (3) the licensee has
3680 made a material misstatement in the application for issuance or
3681 renewal of such licensee's license; (4) the licensee has demonstrated
3682 incompetence or untrustworthiness in the conduct of such licensee's
3683 business; (5) the licensee has been convicted of a felony or other crime
3684 affecting such licensee's honesty, integrity or moral fitness. If the
3685 licensee has been convicted under section 53a-61 or 53a-62, the
3686 commissioner shall consider the facts and circumstances surrounding
3687 such convictions prior to suspending or revoking **[**said**]** the license.
3688 Any party aggrieved by an order of the commissioner hereunder may
3689 appeal therefrom in accordance with the provisions of section 4-183,
3690 except venue for such appeal shall be in the judicial district of New
3691 Britain.

3692 Sec. 194. Section 29-161g of the general statutes is repealed and the
3693 following is substituted in lieu thereof (*Effective October 1, 2005*):

3694 No person shall engage in the business of, or solicit business as, a
3695 security service or make representations to be or advertise as
3696 furnishing security services without first obtaining a license from the
3697 Commissioner of Public Safety.

3698 Sec. 195. Subsection (a) of section 29-161k of the general statutes is
3699 repealed and the following is substituted in lieu thereof (*Effective*
3700 *October 1, 2005*):

3701 (a) Application for a license as a security service **[**,**]** shall be made in
3702 writing, under oath, on a form to be furnished by the Commissioner of
3703 Public Safety. The application shall state the applicant's full name, age,
3704 date and place of birth, residences and employment within the past
3705 five years and the applicant's present occupation with the names and
3706 addresses of employers, the date and place of conviction of any crime
3707 and such additional information as the commissioner requires to
3708 investigate the qualification, character, competency and integrity of the
3709 applicant. If the applicant is an association, corporation or partnership,
3710 similar information shall be required of each individual composing or
3711 intending to compose such association, corporation or partnership.

3712 Sec. 196. Section 29-271 of the general statutes is repealed and the
3713 following is substituted in lieu thereof (*Effective from passage*):

3714 Any state-assisted rental housing or rental housing project
3715 constructed or substantially rehabilitated under a building permit
3716 application filed on or after January 1, 1976, and prior to October 1,
3717 2004, **[**and which**]** <u>that</u> contains ten or more housing units shall have at
3718 least ten per cent of the units and all common use areas and facilities
3719 designed to promote safe and accessible means of entrance and egress
3720 and ease of access and use of facilities for the physically disabled, as
3721 defined in subsection (b) of section 1-1f, unless a waiver of such
3722 requirement is obtained from the Commissioner of Economic and
3723 Community Development as provided in this section. Any state-

3724 assisted rental housing or rental housing project constructed or
3725 substantially rehabilitated under a building permit application filed on
3726 or after October 1, 2004, [and which] that contains four or more
3727 dwelling units shall have the dwelling units and all common use areas
3728 and facilities designed in accordance with the State Building Code to
3729 promote the safe and accessible use of facilities for the physically
3730 disabled, as defined in subsection (b) of section 1-1f, unless such
3731 waiver is obtained. Said commissioner may, with the concurrence of
3732 the director of the Office of Protection and Advocacy for Persons with
3733 Disabilities and the State Building Inspector, waive the requirement for
3734 such units for any state-financed rental housing project awarded state
3735 assistance under sections 8-124a and 8-216b, provided all requirements
3736 concerning the provision of housing units accessible to the physically
3737 disabled promulgated by the United States Department of Housing
3738 and Urban Development have been met. Physically disabled persons
3739 and families shall receive priority in placement in no less than ten per
3740 cent of the housing units constructed or substantially rehabilitated
3741 after January 1, 1976.

3742 Sec. 197. Subsection (c) of section 29-402 of the general statutes is
3743 repealed and the following is substituted in lieu thereof (*Effective from*
3744 *passage*):

3745 (c) The provisions of this section shall not apply to (1) a person who
3746 is engaged in the disassembling, transportation and reconstruction of
3747 historic buildings for historical purposes or in the demolition of farm
3748 buildings or in the renovation, alteration or reconstruction of a single-
3749 family residence, (2) the removal of underground petroleum storage
3750 tanks, (3) the burning of a building or structure as part of an organized
3751 fire department training exercise, or (4) the demolition of a single-
3752 family residence or out building by an owner of such structure if it
3753 does not exceed a height of thirty feet, provided (A) the owner shall be
3754 present on site while such demolition work is in progress [,] and shall
3755 be held personally liable for any injury to individuals or damage to
3756 public or private property caused by such demolition, and [provided
3757 further] (B) such demolition shall be permitted only with respect to

3758 buildings which have clearance from other structures, roads or
3759 highways equal to or greater than the height of the structure subject to
3760 demolition. The local building official may require additional clearance
3761 when deemed necessary for safety.

3762 Sec. 198. Subdivision (1) of subsection (u) of section 36a-70 of the
3763 general statutes is repealed and the following is substituted in lieu
3764 thereof (*Effective from passage*):

3765 (u) (1) Each trust bank and uninsured bank shall keep assets on
3766 deposit in the amount of at least one million dollars with such banks as
3767 the commissioner may approve, provided a trust bank or uninsured
3768 bank that received its final certificate of authority prior to May 12,
3769 2004, shall keep assets on deposit as follows: At least two hundred fifty
3770 thousand dollars no later than one year from May 12, 2004, at least five
3771 hundred thousand dollars no later than two years from **[**such**]** said
3772 date, at least seven hundred fifty thousand dollars no later than three
3773 years from **[**such**]** said date and at least one million dollars no later
3774 than four years from **[**such**]** said date. No trust bank or uninsured bank
3775 shall make a deposit pursuant to this section until the bank at which
3776 the assets are to be deposited and the trust bank or uninsured bank
3777 shall have executed a deposit agreement satisfactory to the
3778 commissioner. The value of such assets shall be based upon the
3779 principal amount or market value, whichever is lower. If the
3780 commissioner determines that an asset that otherwise qualifies under
3781 this section shall be valued at less than the amount otherwise provided
3782 in this subdivision, the commissioner shall so notify the trust bank or
3783 uninsured bank, which shall thereafter value such asset as directed by
3784 the commissioner.

3785 Sec. 199. Subdivision (2) of subsection (c) of section 36a-222 of the
3786 general statutes is repealed and the following is substituted in lieu
3787 thereof (*Effective from passage*):

3788 (2) If an independent person is appointed receiver or conservator,
3789 the cost and expenses incurred in the liquidation, reorganization or
3790 administration of the bank or credit union, including any funds paid

3791 by the commissioner to the receiver or conservator [prior to] before the
3792 bank or credit union [being] was placed in receivership or
3793 conservatorship, shall be paid out of the funds of the bank or credit
3794 union, subject to the approval of the court.

3795 Sec. 200. Section 36a-226 of the general statutes is repealed and the
3796 following is substituted in lieu thereof (*Effective from passage*):

3797 The receiver shall, as soon after the receiver's appointment as is
3798 practicable, make and return to the court an inventory and appraisal of
3799 the assets of the Connecticut bank or Connecticut credit union or estate
3800 in receivership, verified by oath according to the receiver's best
3801 knowledge, information and belief, and shall, from time to time
3802 thereafter, make and return such additional or supplementary
3803 inventories and valuations, and render such reports of the receiver's
3804 actions and statements of accounts, as are necessary for the
3805 information of the court or as are required by the order of the court.
3806 The receiver shall hold all the assets which come into the receiver's
3807 possession as such receiver, subject to the order of the court, and shall
3808 convert such assets into money with all reasonable dispatch. The
3809 receiver shall deposit money collected on behalf of such bank or credit
3810 union in a bank, a Connecticut credit union, a federal credit union, an
3811 out-of-state bank that maintains in this state a branch, as defined in
3812 section 36a-410, or an out-of-state credit union that maintains in this
3813 state a branch, as defined in section 36a-435b. In cases of doubt or
3814 difficulty, the receiver may, upon written application, ask the advice of
3815 the court as to the manner in which the receiver shall execute the
3816 receiver's trust. The court may, from time to time, on its own motion,
3817 or on complaint of any interested party, make all necessary and proper
3818 orders as to the proceedings and actions of the receiver.

3819 Sec. 201. Subsection (c) of section 36a-237 of the general statutes is
3820 repealed and the following is substituted in lieu thereof (*Effective from*
3821 *passage*):

3822 (c) In the event of liquidation of a Connecticut credit union, the
3823 assets of the Connecticut credit union or the proceeds from any

3824 disposition of the assets shall be applied and distributed in the
3825 following sequence: (1) All fees and assessments due the
3826 commissioner; (2) claims of secured creditors up to the value of their
3827 collateral; (3) the costs and expenses of liquidation; (4) the wages due
3828 the employees of the Connecticut credit union; (5) the costs and
3829 expenses incurred by creditors in successfully opposing the release of
3830 the Connecticut credit union from certain debts as allowed by the
3831 commissioner; (6) all taxes owed to the United States or any other
3832 governmental unit; (7) all other debts owed to the United States or any
3833 other governmental unit; (8) claims of general creditors and secured
3834 creditors to the extent that their claims exceed the value of their
3835 collateral; (9) claims of members, to the extent of uninsured share
3836 accounts, and the organization that insured the share accounts of the
3837 Connecticut credit union; (10) in the event of liquidation of a
3838 Connecticut credit union that is a corporate Connecticut credit union,
3839 as defined in section 36a-435b, membership capital, and then paid-in
3840 capital; and (11) in the event of liquidation of a Connecticut credit
3841 union that has received a low-income designation from the National
3842 Credit Union Administration under 12 CFR 701.34, as from time to
3843 time amended, any outstanding secondary capital accounts.

3844 Sec. 202. Subdivision (1) of subsection (j) of section 36a-237f of the
3845 general statutes is repealed and the following is substituted in lieu
3846 thereof (*Effective from passage*):

3847 (j) (1) The Banking Commissioner shall deposit all money available
3848 for the benefit of persons who have not filed a claim and are, according
3849 to the bank's records, depositors and creditors of a trust bank or
3850 uninsured bank in receivership in a bank, Connecticut credit union,
3851 federal credit union, **[**an**]** out-of-state bank that maintains in this state a
3852 branch, as defined in section 36a-410, or out-of-state credit union that
3853 maintains in this state a branch, as defined in section 36a-435b. The
3854 commissioner shall pay the nonclaiming depositors and creditors on
3855 demand the undisputed amount, based on the bank's records, held for
3856 their benefit.

3857 Sec. 203. Subsection (a) of section 36a-237h of the general statutes is
3858 repealed and the following is substituted in lieu thereof (*Effective from*
3859 *passage*):

3860 (a) **[**For the purposes of this section, persons**]** Persons entitled to
3861 protection under this section shall be: (1) All receivers or conservators
3862 of trust banks or uninsured banks, including present and former
3863 receivers and conservators; and (2) the employees of such receivers or
3864 conservators. Attorneys, accountants, auditors and other professional
3865 persons or firms who are retained by the receiver or conservator as
3866 independent contractors, and their employees, shall not be considered
3867 employees of the receiver or conservator for purposes of this section.

3868 Sec. 204. Subdivision (38) of subsection (a) of section 36a-250 of the
3869 general statutes is repealed and the following is substituted in lieu
3870 thereof (*Effective from passage*):

3871 (38) Even if not expressly authorized to exercise fiduciary powers,
3872 act as trustee or custodian of a plan which qualifies as part of a
3873 retirement plan for self-employed individuals or an individual
3874 retirement account under the provisions of the Internal Revenue Code
3875 of 1986, or any subsequent corresponding internal revenue code of the
3876 United States, as from time to time amended, if the governing
3877 instrument limits the investment of the funds held pursuant to such
3878 plan to the following investments: **[**(1)**]** (A) Savings deposits and time
3879 deposits; and **[**(2)**]** (B) with respect to retirement plans for self-
3880 employed individuals, notes of members in such plans which evidence
3881 the indebtedness of such members for funds borrowed from the plans.
3882 Funds held pursuant to any plan which so qualifies may be deposited
3883 in any Connecticut bank without regard to any statutory limit on the
3884 amount which such bank may have on deposit from one depositor.

3885 Sec. 205. Subsection (a) of section 36a-380 of the general statutes is
3886 repealed and the following is substituted in lieu thereof (*Effective from*
3887 *passage*):

3888 (a) Except as provided in this section, no corporation, other than a

3889 bank or out-of-state bank that maintains in this state a branch as
3890 defined in section 36a-410, shall have or exercise in this state the power
3891 to receive, by grant, assignment, transfer, devise, bequest or otherwise,
3892 any money, securities or other personal property, or any interest in real
3893 estate from any person or corporation in trust, to hold, manage or
3894 dispose of the same for the benefit of any third person or corporation,
3895 or to accept or execute any such trust, unless such corporation is
3896 specifically empowered so to act by a general statute of this state or by
3897 a special act of the General Assembly. Any corporation so empowered
3898 to act as trustee, other than such bank or out-of-state bank, shall, before
3899 so acting, obtain a license from the commissioner as provided in
3900 subsection (b) of this section.

3901 Sec. 206. Subsection (b) of section 36a-468b of the general statutes is
3902 repealed and the following is substituted in lieu thereof (*Effective from*
3903 *passage*):

3904 (b) The Connecticut credit union proposing to convert shall file an
3905 application with the commissioner. Such application shall include **[**(A)**]**
3906 (1) a plan of conversion adopted by a majority vote of the governing
3907 board and a copy of the governing board's resolution adopting the
3908 plan of conversion, **[**(B)**]** (2) a proposed written notice of the date, time
3909 and place of a regular or special meeting of the members of the
3910 converting Connecticut credit union for the vote on the proposed
3911 conversion, including a proposed form of any proxy and mail ballot,
3912 **[**(C)**]** (3) proof of compliance with all applicable federal laws to effect
3913 the conversion, and **[**(D)**]** (4) any additional information as the
3914 commissioner may require.

3915 Sec. 207. Subsection (g) of section 36a-468b of the general statutes is
3916 repealed and the following is substituted in lieu thereof (*Effective from*
3917 *passage*):

3918 (g) The converting credit union shall, within ninety days after the
3919 receipt of a charter as a federal credit union: **[**(A)**]** (1) File with the
3920 Secretary of the State a certificate, signed by any two officers under
3921 oath, stating that the credit union has converted to a federal credit

union pursuant to this section and the approval of the commissioner; [(B)] (2) obtain from the Secretary of the State one or more certified copies of the certificate and the commissioner's approval; and [(C)] (3) record the certified copies in the office of the town clerk of each town in this state where such credit union owns real property.

Sec. 208. Subdivision (2) of section 36a-645 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) "Creditor" means [(i)] (A) any person to whom a debt is owed by a consumer debtor and such debt results from a transaction occurring in the ordinary course of such person's business, or [(ii)] (B) any person to whom such debt is assigned. "Creditor" shall not include a consumer collection agency, as defined in section 36a-800, or any department or agency of the United States, this state, any other state, or any political subdivision thereof.

Sec. 209. Subsection (b) of section 36a-685 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Proof that an extension of credit was made at an annual rate exceeding forty-five per cent calculated according to the actuarial method, and that the creditor then had a reputation for the use or threat of use of violence or other criminal means to cause harm to the person, reputation or property of any person to collect extensions of credit or to punish the nonrepayment thereof, is prima facie evidence that the extension of credit was unenforceable under subsection (a) of this section.

Sec. 210. Subsection (c) of section 42a-4-104 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) "Control" as provided in section [42a-106] 42a-7-106 and the following definitions in other articles apply to this article:

T1 "Acceptance". Section 42a-3-409.
T2 "Alteration". Section 42a-3-407.
T3 "Cashier's check". Section 42a-3-104.
T4 "Certificate of deposit". Section 42a-3-104.
T5 "Certified check". Section 42a-3-409.
T6 "Check". Section 42a-3-104.
T7 "Good faith". Section 42a-3-103.
T8 "Holder in due course". Section 42a-3-302.
T9 "Instrument". Section 42a-3-104.
T10 "Notice of dishonor". Section 42a-3-503.
T11 "Order". Section 42a-3-103.
T12 "Ordinary care". Section 42a-3-103.
T13 "Person entitled to enforce". Section 42a-3-301.
T14 "Presentment". Section 42a-3-501.
T15 "Promise". Section 42a-3-103.
T16 "Prove". Section 42a-3-103.
T17 "Teller's check". Section 42a-3-104.
T18 "Unauthorized signature". Section 42a-3-403.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	1-1g(b)
Sec. 2	*from passage*	1-58(c)
Sec. 3	*from passage*	1-226(b)
Sec. 4	*from passage*	2-32b(c)
Sec. 5	*from passage*	3-13c
Sec. 6	*from passage*	3-21b(b)
Sec. 7	*from passage*	3-25(a)
Sec. 8	*from passage*	3-119(a)
Sec. 9	*from passage*	4-7(b)
Sec. 10	*from passage*	4-20(b)
Sec. 11	*from passage*	4-58a(b)
Sec. 12	*from passage*	4-67m(b)
Sec. 13	*from passage*	4-85(a)
Sec. 14	*from passage*	4-85(c)
Sec. 15	*from passage*	4-168(a)

Sec. 16	*from passage*	4-168(g)
Sec. 17	*from passage*	4-170(c)
Sec. 18	*from passage*	4-173(a) and (b)
Sec. 19	*from passage*	4a-67h(c)
Sec. 20	*from passage*	4a-72(b)
Sec. 21	*from passage*	4b-23(b)
Sec. 22	*from passage*	4b-52(a)
Sec. 23	*from passage*	4b-53(d)
Sec. 24	*from passage*	4b-58(b)
Sec. 25	*from passage*	5-142(c) and (d)
Sec. 26	*from passage*	5-158b(b)
Sec. 27	*from passage*	5-160(f)
Sec. 28	*from passage*	5-161(e)
Sec. 29	*from passage*	5-164(d)
Sec. 30	*from passage*	5-164a(d)
Sec. 31	*from passage*	5-165(b)
Sec. 32	*from passage*	5-166
Sec. 33	*from passage*	5-167(a) and (b)
Sec. 34	*from passage*	5-169(h)
Sec. 35	*from passage*	5-170(b)
Sec. 36	*from passage*	5-200(n)
Sec. 37	*from passage*	7-34a(a)
Sec. 38	*from passage*	7-69
Sec. 39	*from passage*	7-137c
Sec. 40	*from passage*	7-148b
Sec. 41	*from passage*	7-294a
Sec. 42	*from passage*	8-26a(b)(2)
Sec. 43	*from passage*	8-208b(a)
Sec. 44	*from passage*	8-218(f) and (g)
Sec. 45	*from passage*	8-219e(a)
Sec. 46	*from passage*	8-268(a)
Sec. 47	*from passage*	9-323
Sec. 48	*from passage*	9-371b
Sec. 49	*from passage*	10-145b(k)(1)
Sec. 50	*from passage*	10a-185(d)
Sec. 51	*from passage*	12-81r(c)
Sec. 52	*from passage*	12-285c(f)
Sec. 53	*from passage*	12-412(82)(A)
Sec. 54	*from passage*	12-574c(b)
Sec. 55	*from passage*	14-36a(e)
Sec. 56	*from passage*	14-44j(g)(2)

Sec. 57	*from passage*	14-44k(i)
Sec. 58	*from passage*	14-96a(b)
Sec. 59	*from passage*	14-196(b)
Sec. 60	*from passage*	14-223a
Sec. 61	*from passage*	14-250(a)
Sec. 62	*from passage*	14-250(d)
Sec. 63	*from passage*	15-13(c)
Sec. 64	*from passage*	15-98(a)
Sec. 65	*from passage*	16-19f(c)
Sec. 66	*from passage*	16a-29
Sec. 67	*from passage*	16a-41h(a) and (b)
Sec. 68	*from passage*	17a-50(b)
Sec. 69	*from passage*	17b-105b
Sec. 70	*from passage*	17b-267(b) and (c)
Sec. 71	*from passage*	17b-274d(f)
Sec. 72	*from passage*	17b-360(e), (f) and (g)
Sec. 73	*from passage*	18-87
Sec. 74	*from passage*	18-101i
Sec. 75	*from passage*	18-101k(a)
Sec. 76	*from passage*	19a-281(b)
Sec. 77	*from passage*	19a-315c(c) and (d)
Sec. 78	*from passage*	19a-509a(b)
Sec. 79	*from passage*	19a-509a(d)
Sec. 80	*from passage*	20-13e(a) and (b)
Sec. 81	*from passage*	20-34(b)
Sec. 82	*from passage*	20-114(b)
Sec. 83	*from passage*	20-197
Sec. 84	*from passage*	20-248
Sec. 85	*from passage*	20-319(b)
Sec. 86	*from passage*	20-329f(a)
Sec. 87	*from passage*	21-41(b)
Sec. 88	*from passage*	22-39
Sec. 89	*from passage*	22-39f
Sec. 90	*from passage*	22-351(a)
Sec. 91	*from passage*	22-355(a)
Sec. 92	*from passage*	22-355(c)
Sec. 93	*from passage*	22a-6b(e)
Sec. 94	*from passage*	22a-41(b)(1)
Sec. 95	*from passage*	22a-94(e) and (f)
Sec. 96	*from passage*	22a-109(a)
Sec. 97	*from passage*	22a-112(b)

Sec. 98	*from passage*	22a-112(d)
Sec. 99	*from passage*	22a-128(a)
Sec. 100	*from passage*	22a-135(b)
Sec. 101	*from passage*	22a-178(g)
Sec. 102	*from passage*	22a-200(4)
Sec. 103	*from passage*	22a-200a(b)
Sec. 104	*from passage*	22a-200b(e)
Sec. 105	*from passage*	22a-209d
Sec. 106	*from passage*	22a-234a(d)
Sec. 107	*from passage*	22a-449c(a)(2)
Sec. 108	*from passage*	22a-471(a)(3)
Sec. 109	*from passage*	22a-471(f)(1)
Sec. 110	*from passage*	22a-471a
Sec. 111	*from passage*	22a-478(c)(8)
Sec. 112	*from passage*	25-68d(a)
Sec. 113	*from passage*	25-68d(d)
Sec. 114	*from passage*	25-68m(b)
Sec. 115	*from passage*	25-109f(b)
Sec. 116	*from passage*	26-17a(c)
Sec. 117	*from passage*	26-27(a)
Sec. 118	*from passage*	26-92
Sec. 119	*from passage*	26-192e(c)
Sec. 120	*from passage*	26-216
Sec. 121	*from passage*	26-235(d)
Sec. 122	*from passage*	27-102n(a)
Sec. 123	*from passage*	27-106(a)
Sec. 124	*from passage*	27-122a(c)
Sec. 125	*from passage*	27-138c
Sec. 126	*from passage*	28-9c(b)
Sec. 127	*from passage*	29-9(b)
Sec. 128	*from passage*	29-260(b) and (c)
Sec. 129	*from passage*	29-307a(c)
Sec. 130	*from passage*	29-313(c)
Sec. 131	*from passage*	29-349(d) and (e)
Sec. 132	*from passage*	30-1(14)
Sec. 133	*from passage*	30-86a(a)
Sec. 134	*from passage*	30-91(g)
Sec. 135	*from passage*	31-33(d)
Sec. 136	*from passage*	31-225a(c)(1)
Sec. 137	*from passage*	31-235(a)
Sec. 138	*from passage*	31-236b(a)

Sec. 139	*from passage*	31-273(b)(2)
Sec. 140	*from passage*	32-9qq(e)
Sec. 141	*from passage*	32-70d
Sec. 142	*from passage*	38a-363(a)
Sec. 143	*from passage*	42-103c(c)
Sec. 144	*from passage*	42-116t(d)
Sec. 145	*from passage*	42-133w(b)
Sec. 146	*from passage*	42-205
Sec. 147	*from passage*	42-240(4)
Sec. 148	*from passage*	45a-56(b)
Sec. 149	*from passage*	45a-56(d)
Sec. 150	*from passage*	45a-82(c)
Sec. 151	*from passage*	45a-187(a)
Sec. 152	*from passage*	45a-676(c)
Sec. 153	*from passage*	45a-690(4)
Sec. 154	*from passage*	46a-11(5)(B)
Sec. 155	*from passage*	46a-58(c)
Sec. 156	*from passage*	46a-82e(d)(4)
Sec. 157	*from passage*	46b-38c(e)
Sec. 158	*from passage*	46b-231(m)(1)
Sec. 159	*from passage*	46b-231(m)(4)
Sec. 160	*from passage*	47-5(c)
Sec. 161	*from passage*	47-12a(a)
Sec. 162	*from passage*	47-70a(b)
Sec. 163	*from passage*	47-88(c)
Sec. 164	*from passage*	47-90a(c)
Sec. 165	*from passage*	47-206(b)
Sec. 166	*from passage*	47-237(e)
Sec. 167	*from passage*	47-245(d)
Sec. 168	*from passage*	47a-30(a)
Sec. 169	*from passage*	49-32a(c)
Sec. 170	*from passage*	49-92g
Sec. 171	*from passage*	51-44a(f)
Sec. 172	*from passage*	51-190a(c)
Sec. 173	*from passage*	51-277(d)(1)
Sec. 174	*from passage*	51-278(b)(4)
Sec. 175	*from passage*	52-57(b)
Sec. 176	*from passage*	52-225d(b) and (c)
Sec. 177	*from passage*	52-328(a)
Sec. 178	*from passage*	52-356b(b)
Sec. 179	*from passage*	52-412(c)

Sec. 180	*from passage*	52-577a
Sec. 181	*from passage*	53a-29(e)
Sec. 182	*from passage*	53a-30(e)
Sec. 183	*from passage*	54-1k
Sec. 184	*from passage*	54-41p(c)
Sec. 185	*from passage*	54-47g(a)
Sec. 186	*from passage*	54-82r(b)
Sec. 187	*from passage*	54-124a(f)
Sec. 188	*from passage*	54-125e(c)
Sec. 189	*from passage*	54-156(b) and (c)
Sec. 190	*from passage*	54-203(b)(16)
Sec. 191	*from passage*	28-5(a)
Sec. 192	*October 1, 2005*	29-155b
Sec. 193	*October 1, 2005*	29-158
Sec. 194	*October 1, 2005*	29-161g
Sec. 195	*October 1, 2005*	29-161k(a)
Sec. 196	*from passage*	29-271
Sec. 197	*from passage*	29-402(c)
Sec. 198	*from passage*	36a-70(u)(1)
Sec. 199	*from passage*	36a-222(c)(2)
Sec. 200	*from passage*	36a-226
Sec. 201	*from passage*	36a-237(c)
Sec. 202	*from passage*	36a-237f(j)(1)
Sec. 203	*from passage*	36a-237h(a)
Sec. 204	*from passage*	36a-250(a)(38)
Sec. 205	*from passage*	36a-380(a)
Sec. 206	*from passage*	36a-468b(b)
Sec. 207	*from passage*	36a-468b(g)
Sec. 208	*from passage*	36a-645(2)
Sec. 209	*from passage*	36a-685(b)
Sec. 210	*from passage*	42a-4-104(c)

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 $	FY 07 $
Judicial Dept.	GF - Cost	Minimal	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill changes the statutorily specified wording of protective orders to include the penalty for violating the order. This would result in a negligible, one-time cost to the Judicial Department associated with printing. The bill also makes various technical changes that have no fiscal impact.

OLR Bill Analysis
sHB 6977

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

SUMMARY:
By law, a person who stores, cares for, maintains, repairs, or furnishes services, gasoline, accessories, materials, or other supplies for an aircraft has a lien on the aircraft for the amount due and can retain the aircraft. The bill specifies that the lien can be for any of the services provided; the person has a lien until the amount is paid; and he can retain possession of the aircraft until the amount is paid or the lien is dissolved (§ 170).

By law, protective orders in stalking cases or that prohibit witness harassment must contain a statutorily specified statement including the penalty for violating the order. PA 02-127 increased the penalty from a class A misdemeanor to a class D felony for a criminal violation of the order. The bill changes the required statement in the protective order to reflect this increased penalty (§§ 183, 186).

The bill makes many technical changes, corrects improper references, and makes conforming changes.

EFFECTIVE DATE: Upon passage except four technical changes regarding private detective and security service licenses are effective October 1, 2005.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute
Yea 37 Nay 0