



General Assembly

January Session, 2005

Amendment

LCO No. 7341

SB0009607341SD0

Offered by:
SEN. DEFRONZO, 6th Dist.

To: Subst. Senate Bill No. 96

File No. 757

Cal. No. 214

"AN ACT CONCERNING GOVERNMENT ADMINISTRATION."

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

3 "Section 1. (*Effective from passage*) The building known as the
4 Department of Public Utility Control building in New Britain shall be
5 named the "Joseph H. Harper, Jr. Building".

6 Sec. 2. (*Effective from passage*) Notwithstanding any provision of the
7 general statutes or any special act, charter or ordinance, the vote cast
8 by the electors and voters of the town of Enfield at the referendum
9 held on November 2, 2004, relating to approval of and an
10 appropriation for the reconstruction and repair of various town roads
11 and roadside elements and the authorization of the issuance of bonds,
12 notes and temporary notes and the acceptance of grants and other
13 available funds to defray said appropriation, otherwise valid except
14 for the failure to publish and post notice of said referendum, is
15 validated. All acts, votes and proceedings of the officers and officials of

16 the town of Enfield pertaining to or taken in reliance on said
17 referendum, otherwise valid except for the failure to publish and post
18 notice of said referendum, are validated and effective as of the date
19 taken.

20 Sec. 3. Subsection (b) of section 46a-13k of the general statutes is
21 repealed and the following is substituted in lieu thereof (*Effective July*
22 *1, 2005*):

23 (b) The Office of the Child Advocate shall be in the [Freedom of
24 Information Commission] Department of Administrative Services for
25 administrative purposes only.

26 Sec. 4 Subsection (b) of section 46a-13b of the general statutes is
27 repealed and the following is substituted in lieu thereof (*Effective July*
28 *1, 2005*):

29 (b) The Office of the Victim Advocate shall be in the [Freedom of
30 Information Commission] Department of Administrative Services for
31 administrative purposes only.

32 Sec. 5. Subsection (e) of section 20-280 of the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective July*
34 *1, 2005*):

35 (e) The board, subject to the provisions of chapter 67, may employ
36 an executive director and such other personnel as may be necessary to
37 carry out the provisions of sections 20-279b to 20-281m, inclusive. The
38 board may enter into such contractual agreements as may be necessary
39 for the discharge of its duties, within the limit of its appropriated
40 funds and in accordance with established procedures, as it deems
41 necessary in its administration and enforcement of said sections. It
42 may appoint committees or persons to advise or assist the board in
43 such administration and enforcement as it may see fit. Said board shall
44 be within the [office of the Secretary of the State] Office of Policy and
45 Management for administrative purposes only.

46 Sec. 6. Subsection (a) of section 28-1a of the general statutes is
47 repealed and the following is substituted in lieu thereof (*Effective from*
48 *passage*):

49 (a) There is established a Department of Emergency Management
50 and Homeland Security. [, which shall be within the Office of Policy
51 and Management for administrative purposes only.] Said department
52 shall be the designated emergency management and homeland
53 security agency for the state. The department head shall be the
54 commissioner, who shall be appointed by the Governor in accordance
55 with the provisions of sections 4-5, 4-6, 4-7 and 4-8 with the powers
56 and duties prescribed in said sections. The commissioner shall possess
57 professional training and knowledge consisting of not less than five
58 years of managerial or strategic planning experience in matters relating
59 to public safety, security, emergency services and emergency response.
60 No person possessing a record of any criminal, unlawful or unethical
61 conduct shall be eligible for or hold such position. Any person with
62 any present or past political activities or financial interests that may
63 substantially conflict with the duties of the commissioner or expose
64 such person to potential undue influence or compromise such person's
65 ability to be entrusted with necessary state or federal security
66 clearances or information shall be deemed unqualified for such
67 position and shall not be eligible to hold such position. The
68 commissioner shall be the chief administrative officer of the
69 department and shall have the responsibility for providing a
70 coordinated, integrated program for state-wide emergency
71 management and homeland security. The commissioner may do all
72 things necessary to apply for, qualify for and accept any federal funds
73 made available or allotted under any federal act relative to emergency
74 management or homeland security.

75 Sec. 7. (NEW) (*Effective July 1, 2005*) The State Comptroller shall
76 report, on an annual basis, to the Governor and the General Assembly,
77 on the CORE-CT system. Such reports shall include, but not be limited
78 to, the status of the implementation of the system, the anticipated
79 completion date, the total cost to date and projected costs for the next

80 three fiscal years, other required software or hardware necessary for
81 successful implementation and any associated costs, the date and costs
82 of future upgrades, the level of cooperation from vendors and state
83 agencies, any administrative or legislative obstacles to implementation,
84 and any other issues surrounding the CORE-CT system.

85 Sec. 8. Section 4a-5a of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective from passage*):

87 Notwithstanding any provision of the general statutes, each state
88 agency, except (1) the agencies within the Legislative Department, (2)
89 the Judicial Department, and (3) the constituent units of the state
90 system of higher education, shall use the services of the [state regional
91 laundry system, the facilities of the Central State Warehouse, the State
92 Data Center and the Office of Administrative Support,] Department of
93 Administrative Services if the Department of Administrative Services
94 can: (A) Provide the particular goods or services requested by such
95 state agency, (B) comply with the delivery schedule set forth by such
96 state agency, and (C) provide such goods or services at a cost which is
97 not more than three per cent greater than the price quoted to such state
98 agency by any private vendor.

99 Sec. 9. Section 4a-51 of the general statutes is repealed and the
100 following is substituted in lieu thereof (*Effective from passage*):

101 (a) The Commissioner of Administrative Services shall: (1) Purchase,
102 lease or contract for all supplies, materials, equipment and contractual
103 services required by any state agency, except as provided in sections 4-
104 98 and 4a-57; (2) enforce standard specifications established in
105 accordance with section 4a-56; [(3) establish store rooms and
106 warehouses for the storage of the state's property in such locations as
107 may best serve the requirements of the state agencies; (4) operate such
108 trucks and garages as are necessary to deliver supplies, materials and
109 equipment from such central store rooms and warehouses to any state
110 agency; (5)] (3) establish and operate a central duplicating and mailing
111 room for state agencies located in or near the city of Hartford and such

112 other places as he deems practical; [, provided the State Library
113 photostat and offset printing department and the duplicating facilities
114 of the Department of Public Health shall remain as constituted; and
115 (6)] and (4) establish and operate or have supervisory control over
116 [central or regional bakeries, meat cutting establishments, laundries
117 and] other central supply services in such locations as may best serve
118 the requirements of the state agencies.

119 (b) The Commissioner of Administrative Services, when purchasing
120 or contracting for the purchase of dairy products, poultry, eggs, fruits
121 or vegetables pursuant to subsection (a) of this section, shall give
122 preference to dairy products, poultry, eggs, fruits or vegetables grown
123 or produced in this state, when such products, poultry, eggs, fruits or
124 vegetables are comparable in cost to other dairy products, poultry,
125 eggs, fruits or vegetables being considered for purchase by the
126 commissioner that have not been grown or produced in this state.

127 Sec. 10. Subsection (a) of section 4b-91 of the general statutes is
128 repealed and the following is substituted in lieu thereof (*Effective from*
129 *passage*):

130 (a) Every contract for the construction, reconstruction, alteration,
131 remodeling, repair or demolition of any public building for work by
132 the state, which is estimated to cost more than five hundred thousand
133 dollars, except (1) a contract awarded by the Commissioner of Public
134 Works for (A) a community court project, as defined in subsection (j) of
135 section 4b-55, [(B) the Connecticut Juvenile Training School project, as
136 defined in subsection (k) of section 4b-55, (C)] (B) the downtown
137 Hartford higher education center project, as defined in subsection (l) of
138 section 4b-55, [(D) The University of Connecticut library project, as
139 defined in subsection (d) of section 4b-55, (E)] (C) a correctional facility
140 project, as defined in subsection (m) of section 4b-55, [(F)] (D) a
141 juvenile detention center project, as defined in subsection (n) of section
142 4b-55, or [(G)] (E) a student residential facility for the Connecticut State
143 University system that is a priority higher education facility project, as
144 defined in subsection (f) of section 4b-55, or (2) a project, as defined in

145 subdivision (16) of section 10a-109c, undertaken and controlled by The
146 University of Connecticut in accordance with section 10a-109n, shall be
147 awarded to the lowest responsible and qualified general bidder who is
148 prequalified pursuant to section 4a-100 on the basis of competitive bids
149 in accordance with the procedures set forth in this chapter, after the
150 Commissioner of Public Works or, in the case of a contract for the
151 construction of or work on a building under the supervision and
152 control of the Joint Committee on Legislative Management of the
153 General Assembly, the joint committee or, in the case of a contract for
154 the construction of or work on a building under the supervision and
155 control of one of the constituent units of the state system of higher
156 education, the constituent unit, has invited such bids by
157 advertisements inserted at least once in one or more newspapers
158 having a circulation in each county in the state. The Commissioner of
159 Public Works, the joint committee or the constituent unit, as the case
160 may be, shall indicate the prequalification classification required for
161 the contract in such advertisement. As used in this section,
162 "prequalification classification" means the prequalification
163 classifications established by the Commissioner of Administrative
164 Services pursuant to section 4a-100.

165 Sec. 11. Subsection (g) of section 4b-91 of the general statutes is
166 repealed and the following is substituted in lieu thereof (*Effective from*
167 *passage*):

168 (g) Notwithstanding the provisions of this chapter regarding
169 competitive bidding procedures, the commissioner may select and
170 interview at least three responsible and qualified general contractors
171 who are prequalified pursuant to section 4a-100 and submit the three
172 selected contractors to the construction services award panels process
173 described in section 4b-100a and any regulation adopted by the
174 commissioner. The commissioner may negotiate with the successful
175 bidder a contract which is both fair and reasonable to the state for a
176 community court project, as defined in subsection (j) of section 4b-55,
177 the downtown Hartford higher education center project, as defined in
178 subsection (l) of section 4b-55, [The University of Connecticut library

179 project, as defined in subsection (d) of section 4b-55, the Connecticut
180 Juvenile Training School project, as defined in subsection (k) of section
181 4b-55,] a correctional facility project, as defined in subsection (m) of
182 section 4b-55, a juvenile detention center project, as defined in
183 subsection (n) of section 4b-55, or a student residential facility for the
184 Connecticut State University system that is a priority higher education
185 facility project, as defined in subsection (f) of section 4b-55. The
186 Commissioner of Public Works, prior to entering any such contract or
187 performing any work on such project, shall submit such contract to the
188 State Properties Review Board for review and approval or disapproval
189 by the board, pursuant to subsection (i) of this section. Any general
190 contractor awarded a contract pursuant to this subsection shall be
191 subject to the same requirements concerning the furnishing of bonds as
192 a contractor awarded a contract pursuant to subsection (b) of this
193 section.

194 Sec. 12. Section 4b-58 of the general statutes is repealed and the
195 following is substituted in lieu thereof (*Effective from passage*):

196 (a) (1) Except in the case of a project, [The University of Connecticut
197 library project,] a priority higher education facility project, a project, as
198 defined in subdivision (16) of section 10a-109c, undertaken by The
199 University of Connecticut, a community court project, a correctional
200 facility project, a juvenile detention center project, [the Connecticut
201 Juvenile Training School project,] and the downtown Hartford higher
202 education center project, the commissioner shall negotiate a contract
203 for consultant services with the firm most qualified, in the
204 commissioner's judgment, at compensation which the commissioner
205 determines is both fair and reasonable to the state. (2) In the case of a
206 project, the commissioner shall negotiate a contract for such services
207 with the most qualified firm from among the list of firms submitted by
208 the panel at compensation which the commissioner determines in
209 writing to be fair and reasonable to the state. If the commissioner is
210 unable to conclude a contract with any of the firms recommended by
211 the panel, the commissioner shall, after issuing written findings of fact
212 documenting the reasons for such inability, negotiate with those firms

213 which the commissioner determines to be most qualified, at fair and
214 reasonable compensation, to render the particular consultant services
215 under consideration. (3) Whenever consultant services are required for
216 [The University of Connecticut library project,] a priority higher
217 education facility project, a community court project, a correctional
218 facility project, a juvenile detention center project, [the Connecticut
219 Juvenile Training School project,] or the downtown Hartford higher
220 education center project, the commissioner shall select and interview at
221 least three consultants or firms and shall negotiate a contract for
222 consultant services with the firm most qualified, in the commissioner's
223 judgment, at compensation which the commissioner determines is
224 both fair and reasonable to the state, except that if, in the opinion of the
225 commissioner, the Connecticut Juvenile Training School project needs
226 to be expedited in order to meet the needs of the Department of
227 Children and Families, the commissioner may waive such selection
228 requirement. Except for the downtown Hartford higher education
229 center project, the commissioner shall notify the State Properties
230 Review Board of the commissioner's action [within five business days,
231] not later than five business days after such action for its approval or
232 disapproval in accordance with subsection (i) of section 4b-23, except
233 that if, [within] not later than fifteen days [of] after such notice, a
234 decision has not been made, the board shall be deemed to have
235 approved such contract. [The Connecticut Juvenile Training School
236 project shall be exempt from the State Properties Review Board
237 approval process.]

238 (b) In determining fair and reasonable compensation to be paid in
239 accordance with subsection (a) of this section, the commissioner shall
240 consider, in the following order of importance, the professional
241 competence of the consultant, the technical merits of the proposal, the
242 ability of the firm to perform the required services within the time and
243 budgetary limits of the contract and the price for which the services are
244 to be rendered.

245 Sec. 13. Section 12-94a of the general statutes is repealed and the
246 following is substituted in lieu thereof (*Effective from passage*):

247 On or before July first, annually, the tax collector of each
248 municipality shall certify to the Secretary of the Office of Policy and
249 Management, on a form furnished by said secretary, the amount of tax
250 revenue which such municipality, except for the provisions of
251 subdivision (55) of section 12-81, would have received, together with
252 such supporting information as said secretary may require, except that
253 for the assessment year commencing October 1, 2003, such certification
254 shall be made to the secretary on or before August 1, 2004. Any
255 municipality which neglects to transmit to said secretary such claim
256 and supporting documentation as required by this section shall forfeit
257 two hundred fifty dollars to the state, provided said secretary may
258 waive such forfeiture in accordance with procedures and standards
259 adopted by regulation in accordance with chapter 54. Said secretary
260 shall review each such claim as provided in section 12-120b. Any
261 claimant aggrieved by the results of the secretary's review shall have
262 the rights of appeal as set forth in section 12-120b. The secretary shall,
263 on or before December ~~[first]~~ fifteenth, annually, certify to the
264 Comptroller the amount due each municipality under the provisions of
265 this section, including any modification of such claim made prior to
266 December ~~[first]~~ fifteenth, and the Comptroller shall draw an order on
267 the Treasurer on ~~[or before the fifteenth day of December]~~ the fifth
268 business day following and the Treasurer shall pay the amount thereof
269 to such municipality on or before the thirty-first day of December
270 following. If any modification is made as the result of the provisions of
271 this section on or after the December ~~[first]~~ fifteenth following the date
272 on which the tax collector has provided the amount of tax revenue in
273 question, any adjustments to the amount due to any municipality for
274 the period for which such modification was made shall be made in the
275 next payment the Treasurer shall make to such municipality pursuant
276 to this section. For the purposes of this section, "municipality" means a
277 town, city, borough, consolidated town and city or consolidated town
278 and borough. The provisions of this section shall not apply to the
279 assessment year commencing on October 1, 2002. In the fiscal year
280 commencing July 1, 2004, and in each fiscal year thereafter, the amount
281 of the grant payable to each municipality in accordance with this

282 section shall be reduced proportionately in the event that the total
283 amount of the grants payable to all municipalities exceeds the amount
284 appropriated.

285 Sec. 14. Section 32-9s of the general statutes is repealed and the
286 following is substituted in lieu thereof (*Effective from passage*):

287 The state shall make an annual grant payment to each municipality,
288 to each district, as defined in section 7-325, which is located in a
289 distressed municipality, targeted investment community or enterprise
290 zone and to each special services district created pursuant to chapter
291 105a which is located in a distressed municipality, targeted investment
292 community or enterprise zone in the amount of fifty per cent of the
293 amount of that tax revenue which the municipality or district would
294 have received except for the provisions of subdivisions (59), (60) and
295 (70) of section 12-81. On or before the first day of August of each year,
296 each municipality and district shall file a claim with the Secretary of
297 the Office of Policy and Management for the amount of such grant
298 payment to which such municipality or district is entitled under this
299 section. The claim shall be made on forms prescribed by the secretary
300 and shall be accompanied by such supporting information as the
301 secretary may require. Any municipality or district which neglects to
302 transmit to the secretary such claim and supporting documentation as
303 required by this section shall forfeit two hundred fifty dollars to the
304 state, provided the secretary may waive such forfeiture in accordance
305 with procedures and standards adopted by regulation in accordance
306 with chapter 54. The secretary shall review each such claim as
307 provided in section 12-120b. Any claimant aggrieved by the results of
308 the secretary's review shall have the rights of appeal as set forth in
309 section 12-120b. The secretary shall, on or before the December [first]
310 fifteenth next succeeding the deadline for the receipt of such claims,
311 certify to the Comptroller the amount due under this section, including
312 any modification of such claim made prior to December [first]
313 fifteenth, to each municipality or district which has made a claim
314 under the provisions of this section. The Comptroller shall draw an
315 order on the Treasurer on or before the [following December fifteenth]

316 fifth business day following December fifteenth, and the Treasurer
317 shall pay the amount thereof to each such municipality or district on or
318 before the following December thirty-first. If any modification is made
319 as the result of the provisions of this section on or after the December
320 first following the date on which the municipality or district has
321 provided the amount of tax revenue in question, any adjustment to the
322 amount due to any municipality or district for the period for which
323 such modification was made shall be made in the next payment the
324 Treasurer shall make to such municipality or district pursuant to this
325 section. In the fiscal year commencing July 1, 2003, and in each fiscal
326 year thereafter, the amount of the grant payable to each municipality
327 and district in accordance with this section shall be reduced
328 proportionately in the event that the total amount of the grants
329 payable to all municipalities and districts exceeds the amount
330 appropriated.

331 Sec. 15. Subsection (g) of section 12-170aa of the general statutes is
332 repealed and the following is substituted in lieu thereof (*Effective from*
333 *passage*):

334 (g) On or before July first, annually, each municipality shall submit
335 to the secretary, a claim for the tax reductions approved under this
336 section in relation to the assessment list of October first immediately
337 preceding. On or after December 1, 1987, any municipality which
338 neglects to transmit to the secretary the claim as required by this
339 section shall forfeit two hundred fifty dollars to the state provided the
340 secretary may waive such forfeiture in accordance with procedures
341 and standards established by regulations adopted in accordance with
342 chapter 54. Subject to procedures for review and approval of such data
343 pursuant to section 12-120b, said secretary shall, on or before
344 December [first] fifteenth next following, certify to the Comptroller the
345 amount due each municipality as reimbursement for loss of property
346 tax revenue related to the tax reductions allowed under this section.
347 The Comptroller shall draw an order on the Treasurer on or before the
348 [fifteenth day of December] fifth business day following December
349 fifteenth and the Treasurer shall pay the amount due each

350 municipality not later than the thirty-first day of December. Any
351 claimant aggrieved by the results of the secretary's review shall have
352 the rights of appeal as set forth in section 12-120b. The amount of the
353 grant payable to each municipality in any year in accordance with this
354 section shall be reduced proportionately in the event that the total of
355 such grants in such year exceeds the amount appropriated for the
356 purposes of this section with respect to such year.

357 Sec. 16. Subsection (j) of section 12-170aa of the general statutes is
358 repealed and the following is substituted in lieu thereof (*Effective from*
359 *passage*):

360 (j) (1) Notwithstanding the intent in subsections (a) to (i), inclusive,
361 of this section to provide for benefits in the form of property tax
362 reduction applicable to persons liable for payment of such property tax
363 and qualified in accordance with requirements related to age and
364 income as provided in subsection (b) of this section, a certain annual
365 benefit, determined in amount under the provisions of subsections (c)
366 and (d) of this section but payable in a manner as prescribed in this
367 subsection, shall be provided with respect to any person who (A) is
368 qualified in accordance with said requirements related to age and
369 income as provided in subsection (b) of this section, including
370 provisions concerning such person's spouse, and (B) is a resident of a
371 dwelling unit within a multiple-dwelling complex containing dwelling
372 units for occupancy by certain elderly persons under terms of a
373 contract between such resident and the owner of such complex, in
374 accordance with which contract such resident occupies a certain
375 dwelling unit subject to the express provision that such resident has no
376 legal title, interest or leasehold estate in the real or personal property
377 of such complex, and under the terms of which contract such resident
378 agrees to pay the owner of the complex a fee, as a condition precedent
379 to occupancy and a monthly or other such periodic fee thereafter as a
380 condition of continued occupancy. In no event shall any such resident
381 be qualified for benefits payable in accordance with this subsection if,
382 as determined by the assessor in the municipality in which such
383 complex is situated, such resident's contract with the owner of such

384 complex, or occupancy by such resident [(1)] (i) confers upon such
385 resident any ownership interest in the dwelling unit occupied or in
386 such complex, or [(2)] (ii) establishes a contract of lease of any type for
387 the dwelling unit occupied by such resident.

388 (2) The amount of annual benefit payable in accordance with this
389 subsection to any such resident, qualified as provided in subdivision
390 (1) of this subsection, shall be determined in relation to an assumed
391 amount of property tax liability applicable to the assessed value for the
392 dwelling unit which such resident occupies, as determined by the
393 assessor in the municipality in which such complex is situated.
394 Annually, not later than the first day of June, the assessor in such
395 municipality, upon receipt of an application for such benefit submitted
396 in accordance with this subsection by any such resident, shall
397 determine, with respect to the assessment list in such municipality for
398 the assessment year commencing October first immediately preceding,
399 the portion of the assessed value of the entire complex, as included in
400 such assessment list, attributable to the dwelling unit occupied by such
401 resident. The assumed property tax liability for purposes of this
402 subsection shall be the product of such assessed value and the mill rate
403 in such municipality as determined for purposes of property tax
404 imposed on said assessment list for the assessment year commencing
405 October first immediately preceding. The amount of benefit to which
406 such resident shall be entitled for such assessment year shall be
407 equivalent to the amount of tax reduction for which such resident
408 would qualify, considering such assumed property tax liability to be
409 the actual property tax applicable to such resident's dwelling unit and
410 such resident as liable for the payment of such tax, in accordance with
411 the schedule of qualifying income and tax reduction as provided in
412 subsection (c) of this section, subject to provisions concerning
413 maximum allowable benefit for any assessment year under subsections
414 (c) and (d) of this section. The amount of benefit as determined for
415 such resident in respect to any assessment year shall be payable by the
416 state as a grant to such resident equivalent to the amount of property
417 tax reduction to which such resident would be entitled under

418 subsections (a) to (i), inclusive, of this section if such resident were the
419 owner of such dwelling unit and qualified for tax reduction benefits
420 under said subsections (a) to (i), inclusive.

421 (3) Any such resident entitled to a grant as provided in subdivision
422 (2) of this subsection shall be required to submit application for such
423 grant to the assessor in the municipality in which such resident resides
424 at any time from February first to and including the fifteenth day of
425 May in the year in which such grant is claimed, on a form prescribed
426 and furnished for such purpose by the Secretary of the Office of Policy
427 and Management. Any such resident submitting application for such
428 grant shall be required to present to the assessor, in substantiation of
429 such application, a copy of such resident's federal income tax return,
430 and if not required to file a federal income tax return, such other
431 evidence of qualifying income, receipts for money received or
432 cancelled checks, or copies thereof, and any other evidence the
433 assessor may require. Not later than the first day of July in such year
434 the assessor shall submit to the Secretary of the Office of Policy and
435 Management (A) a copy of the application prepared by such resident,
436 together with such resident's federal income tax return, if required to
437 file such a return, and any other information submitted in relation
438 thereto, (B) determinations of the assessor concerning the assessed
439 value of the dwelling unit in such complex occupied by such resident,
440 and (C) the amount of such grant approved by the assessor. Said
441 secretary, upon approving such grant, shall certify the amount thereof
442 and not later than the [first] fifteenth day of September immediately
443 following submit approval for payment of such grant to the State
444 Comptroller. Not later than [fifteen] five business days immediately
445 following receipt of such approval for payment, the State Comptroller
446 shall draw his order upon the State Treasurer and the Treasurer shall
447 pay the amount of the grant to such resident not later than the first day
448 of October immediately following.

449 Sec. 17. Section 12-129d of the general statutes is repealed and the
450 following is substituted in lieu thereof (*Effective from passage*):

451 (a) On or before January first, annually, the tax collector of each
452 municipality shall certify to the Secretary of the Office of Policy and
453 Management, on a form furnished by the secretary, the amount of tax
454 revenue which such municipality, except for the provisions of section
455 12-129b, would have received, together with such supporting
456 information as said secretary may require. On or after December 1,
457 1989, any municipality which neglects to transmit the claim and
458 supporting information as required by this section shall forfeit two
459 hundred fifty dollars to the state, provided said secretary may waive
460 such forfeiture in accordance with procedures and standards adopted
461 by regulation in accordance with chapter 54. Said secretary shall
462 review each such claim in accordance with the procedure set forth in
463 section 12-120b. Any claimant aggrieved by the results of the
464 secretary's review shall have the rights of appeal as set forth in section
465 12-120b.

466 (b) The Secretary of the Office of Policy and Management shall, on
467 or before [~~August fifteenth~~] September first, annually, certify to the
468 Comptroller the amount due each municipality under the provisions of
469 subsection (a) of this section, including any modification of such claim
470 made prior to [~~August fifteenth~~] September first, and the Comptroller
471 shall draw an order on the Treasurer on or before the [~~first day of~~
472 September following] fifth business day following September first and
473 the Treasurer shall pay the amount thereof to such municipality on or
474 before the fifteenth day of September following. If any modification is
475 made as the result of the provisions of subsection (a) of this section on
476 or after the August fifteenth following the date on which the tax
477 collector has provided the amount of tax revenue in question, any
478 adjustments to the amount due to any municipality for the period for
479 which such modification was made shall be made in the next payment
480 the Treasurer shall make to such municipality pursuant to this section.

481 Sec. 18. Section 12-20b of the general statutes is repealed and the
482 following is substituted in lieu thereof (*Effective from passage*):

483 (a) Not later than April first in each year, any municipality to which

484 a grant is payable under the provisions of section 12-20a shall provide
485 the Secretary of the Office of Policy and Management with the assessed
486 valuation of the tax-exempt real property as of the immediately
487 preceding October first, adjusted in accordance with any gradual
488 increase in or deferment of assessed values of real property
489 implemented in accordance with section 12-62c or subsection (e) of
490 section 12-62a, which is required for computation of such grant. Any
491 municipality which neglects to transmit to the Secretary of the Office of
492 Policy and Management the assessed valuation as required by this
493 section shall forfeit two hundred fifty dollars to the state, provided the
494 secretary may waive such forfeiture in accordance with procedures
495 and standards adopted by regulation in accordance with chapter 54.
496 Said secretary may, on or before the first day of August of the state
497 fiscal year in which such grant is payable, reevaluate any such
498 property when, in his judgment, the valuation is inaccurate and shall
499 notify such municipality of such reevaluation. Any municipality
500 aggrieved by the action of said secretary under the provisions of this
501 section may, not later than ten business days following receipt of such
502 notice, appeal to the secretary for a hearing concerning such
503 reevaluation, provided such appeal shall be in writing and shall
504 include a statement as to the reasons for such appeal. The secretary
505 shall, not later than ten business days following receipt of such appeal,
506 grant or deny such hearing by notification in writing, including in the
507 event of a denial, a statement as to the reasons for such denial. If any
508 municipality is aggrieved by the action of the secretary following such
509 hearing or in denying any such hearing, the municipality may [within]
510 not later than two weeks [of] after such notice, appeal to the superior
511 court for the judicial district in which the municipality is located. Any
512 such appeal shall be privileged. Said secretary shall certify to the
513 Comptroller the amount due each municipality under the provisions of
514 section 12-20a, or under any recomputation occurring prior to
515 September [first] fifteenth which may be effected as the result of the
516 provisions of this section, and the Comptroller shall draw his order on
517 the Treasurer on or before the [fifteenth day of September following]
518 fifth business day following September fifteenth and the Treasurer

519 shall pay the amount thereof to such municipality on or before the
520 thirtieth day of September following. If any recomputation is effected
521 as the result of the provisions of this section on or after the January
522 first following the date on which the municipality has provided the
523 assessed valuation in question, any adjustments to the amount due to
524 any municipality for the period for which such adjustments were made
525 shall be made in the next payment the Treasurer shall make to such
526 municipality pursuant to this section.

527 (b) Notwithstanding the provisions of section 12-20a or subsection
528 (a) of this section, the amount due the municipality of Branford, on or
529 before the thirtieth day of September, annually, with respect to the
530 Connecticut Hospice, in Branford, shall be one hundred thousand
531 dollars, which amount shall be paid from the annual appropriation,
532 from the General Fund, for reimbursement to towns for loss of taxes on
533 private tax-exempt property.

534 Sec. 19. Section 3-55i of the general statutes is repealed and the
535 following is substituted in lieu thereof (*Effective from passage*):

536 There is established the "Mashantucket Pequot and Mohegan Fund"
537 which shall be a separate nonlapsing fund. All funds received by the
538 state of Connecticut from the Mashantucket Pequot Tribe pursuant to
539 the joint memorandum of understanding entered into by and between
540 the state and the tribe on January 13, 1993, as amended on April 30,
541 1993, and any successor thereto, shall be deposited in the General
542 Fund. During the fiscal year ending June 30, 2000, and each fiscal year
543 thereafter, one hundred thirty-five million dollars, received by the
544 state from the tribe pursuant to said joint memorandum of
545 understanding, as amended, and any successor thereto, shall be
546 transferred to the Mashantucket Pequot and Mohegan Fund and shall
547 be distributed by the Office of Policy and Management, during said
548 fiscal year, in accordance with the provisions of section 3-55j. The
549 amount of the grant payable to each municipality during any fiscal
550 year, in accordance with said section, shall be reduced proportionately
551 if the total of such grants exceeds the amount of funds available for

552 such year. The grant shall be paid in three installments as follows: The
553 Secretary of the Office of Policy and Management shall, annually, not
554 later than the [first] fifteenth day of December, the [first] fifteenth day
555 of March and the [first] fifteenth day of June certify to the Comptroller
556 the amount due each municipality under the provisions of section 3-55j
557 and the Comptroller shall draw an order on the Treasurer on or before
558 the fifth business day following the fifteenth day of December, the fifth
559 business day following the fifteenth day of March and the fifth
560 business day following the fifteenth day of June and the Treasurer
561 shall pay the amount thereof to such municipality on or before the first
562 day of January, the first day of April and the thirtieth day of June.

563 Sec. 20. Section 12-19c of the general statutes is repealed and the
564 following is substituted in lieu thereof (*Effective from passage*):

565 The Secretary of the Office of Policy and Management shall, not
566 later than September [first] fifteenth, certify to the Comptroller the
567 amount due each town or borough under the provisions of section 12-
568 19a, or under any recomputation occurring prior to said September
569 [first] fifteenth which may be effected as the result of the provisions of
570 section 12-19b, and the Comptroller shall draw an order on the
571 Treasurer on or before the [fifteenth day of September following] fifth
572 business day following September fifteenth and the Treasurer shall
573 pay the amount thereof to such town on or before the thirtieth day of
574 September following. If any recomputation is effected as the result of
575 the provisions of section 12-19b on or after the August first following
576 the date on which the town has provided the assessed valuation in
577 question, any adjustments to the amount due to any town for the
578 period for which such adjustments were made shall be made in the
579 next payment the Treasurer shall make to such town pursuant to this
580 section.

581 Sec. 21. Subsection (d) of section 20-281d of the general statutes is
582 repealed and the following is substituted in lieu thereof (*Effective from*
583 *passage*):

584 (d) The board shall issue a certificate to a holder of a certificate
585 issued by another state upon a showing that:

586 (1) The applicant passed the examination required for issuance of
587 his certificate with grades that would have been passing grades at the
588 time in this state; and

589 (2) The applicant meets all current requirements in this state for
590 issuance of a certificate at the time the application is made; or the
591 applicant, at the time of the issuance of the applicant's certificate in the
592 other state, met all such requirements then applicable in this state; or
593 the applicant has had five years of experience in the practice of public
594 accountancy [or meets equivalent requirements prescribed by the
595 board by regulation, after passing the examination upon which his
596 certificate was based and within the ten years immediately preceding
597 his application] no earlier than the ten years immediately preceding
598 the applicant's application or meets equivalent requirements
599 prescribed by the board by regulation.

600 Sec. 22. Subsection (g) of section 20-280 of the general statutes is
601 repealed and the following is substituted in lieu thereof (*Effective from*
602 *passage*):

603 (g) The board may adopt rules, in accordance with chapter 54,
604 governing its administration and enforcement of sections 20-279b to
605 20-281m, inclusive, and the conduct of licensees and registrants,
606 including, but not limited to:

607 (1) Regulations governing the board's meetings and the conduct of
608 its business;

609 (2) Regulations concerning procedures governing the conduct of
610 investigations and hearings by the board;

611 (3) Regulations specifying the educational qualifications required
612 for the issuance of certificates under section 20-281c, the experience
613 required for initial issuance of certificates under section 20-281c and

614 the continuing professional education required for renewal of licenses
615 under subsection (e) of section 20-281d;

616 (4) Regulations concerning professional conduct directed to
617 controlling the quality and probity of the practice of public
618 accountancy by licensees, and dealing among other things with
619 independence, integrity, objectivity, competence, technical standards,
620 responsibilities to the public and responsibilities to clients;

621 (5) Regulations specifying actions and circumstances that shall be
622 deemed to constitute holding oneself out as a licensee in connection
623 with the practice of public accountancy;

624 (6) Regulations governing the manner and circumstances of use by
625 holders of certificates who do not also hold licenses under sections 20-
626 279b to 20-281m, inclusive, of the titles "certified public accountant"
627 and "CPA";

628 (7) Regulations regarding quality reviews that may be required to
629 be performed under the provisions of sections 20-279b to 20-281m,
630 inclusive;

631 (8) Regulations implementing the provisions of section 20-281l,
632 including, but not limited to, specifying the terms of any disclosure
633 required by subsection (d) of said section 20-281l, the manner in which
634 such disclosure is made and any other requirements the board imposes
635 with regard to such disclosure. Such regulations shall require that any
636 disclosure: (A) Be in writing and signed by the recipient of the product
637 or service; (B) be clear and conspicuous; (C) state the amount of the
638 commission or the basis on which the commission will be calculated;
639 (D) identify the source of the payment of the commission and the
640 relationship between such source and the person receiving payment;
641 and (E) be presented to the client at or prior to the time the
642 recommendation of the product or service is made; [and]

643 (9) Regulations establishing the due date for any fee charged
644 pursuant to sections 20-281c, 20-281d, as amended by this act, and 20-

645 281e. Such regulations may establish the amount and due date of a late
646 fee charged for the failure to remit payment of any fee charged
647 pursuant to sections 20-281c, 20-281d, as amended by this act, and 20-
648 281e; and

649 [(9)] (10) Such other regulations as the board may deem necessary or
650 appropriate for implementing the provisions and the purposes of
651 sections 20-279b to 20-281m, inclusive.

652 Sec. 23. Section 4a-59a of the general statutes is repealed and the
653 following is substituted in lieu thereof (*Effective from passage*):

654 (a) No state agency may extend a contract for the purchase of
655 supplies, materials, equipment or contractual services which expires
656 on or after October 1, 1990, and is subject to the competitive bidding
657 requirements of subsection (a) of section 4a-57, without complying
658 with such requirements, unless (1) the Commissioner of
659 Administrative Services makes a written determination, supported by
660 documentation, that (A) soliciting competitive bids for such purchase
661 would cause a hardship for the state, (B) such solicitation would result
662 in a major increase in the cost of such supplies, materials, equipment
663 or contractual services, or (C) the contractor is the sole source for such
664 supplies, materials, equipment or contractual services, (2) such
665 commissioner solicits at least three competitive quotations in addition
666 to the contractor's quotation, and (3) the commissioner makes a written
667 determination that no such competitive quotation which complies with
668 the existing specifications for the contract is lower than or equal to the
669 contractor's quotation. Any such contract extension shall be based on
670 the contractor's quotation. No contract may be extended more than
671 two times under this section.

672 (b) Notwithstanding the provisions of subsection (a) of this section,
673 the [Commissioner] Commissioners of Administrative Services and
674 Public Works may, for a period of one year from the date such contract
675 would otherwise expire, extend any contract in effect on May 1, [2004]
676 2005, with a value of fifty thousand dollars or more per year, to

677 perform any of the following services for the state: Janitorial, building
678 maintenance, security and food and beverage. Any such extension
679 shall include any applicable increase in the standard wage and the
680 payroll burden to administer the standard wage, as established by the
681 Labor Department.

682 Sec. 24. Section 10a-151b of the general statutes is amended by
683 adding subsection (j) as follows (*Effective from passage*):

684 (NEW) (j) Notwithstanding the provisions of subsections (a) and (b)
685 of this section, a chief executive officer may not extend a contract with
686 a value of fifty thousand dollars or more per year to perform janitorial,
687 building maintenance, security or food and beverage services unless:
688 (1) Such contract is in effect on May 1, 2005; (2) such extension is for a
689 period of one year from the date such contract would otherwise expire;
690 and (3) any such extension includes any applicable increase in the
691 standard wage and the payroll burden to administer the standard
692 wage, as established by the Labor Department.

693 Sec. 25. (*Effective from passage*) There is established a Disabled and
694 Disadvantaged Employment Security Policy Group. Such group shall
695 consist of members appointed as follows: One member by the speaker
696 of the House of Representatives, one member by the majority leader of
697 the House of Representatives, one member by the minority leader of
698 the House of Representatives, one member by the president pro
699 tempore of the Senate, one member by the majority leader of the
700 Senate, one member by the minority leader of the Senate, two
701 members by the executive director of the Connecticut Community
702 Providers Association, two representatives by the executive director of
703 the S. E. I. U., Local 32BJ, one representative from the Labor
704 Department, as appointed by the commissioner, one representative of
705 the Department of Administrative Services, as appointed by the
706 commissioner, one disabled worker, as appointed by the executive
707 director of the Connecticut Community Providers Association, one
708 disadvantaged worker, as appointed by the executive director of the S.
709 E. I. U., Local 32BJ and one member from higher education, as

710 appointed by the chancellor of the Connecticut State University
711 System. Not later than February 1, 2006, such group shall make
712 recommendations to the joint standing committee of the General
713 Assembly having cognizance of matters relating to government
714 administration and elections concerning policies that can best achieve
715 the goal of implementing mutually beneficial methods and procedures
716 by which disabled and disadvantaged workers employed by state
717 contractors can cooperatively expand long-term employment
718 opportunities, preserve existing employment, create supportive work
719 environments, establish meaningful career ladders and maximize
720 cooperation between agencies and companies employing
721 disadvantaged and disabled workers.

722 Sec. 26. Subsections (a) and (b) of section 1-210 of the general
723 statutes are repealed and the following is substituted in lieu thereof
724 (*Effective from passage*):

725 (a) Except as otherwise provided by any federal law or state statute,
726 all records maintained or kept on file by any public agency, whether or
727 not such records are required by any law or by any rule or regulation,
728 shall be public records and every person shall have the right to (1)
729 inspect such records promptly during regular office or business hours,
730 (2) copy such records in accordance with subsection (g) of section 1-
731 212, or (3) receive a copy of such records in accordance with section 1-
732 212. Any agency rule or regulation, or part thereof, that conflicts with
733 the provisions of this subsection or diminishes or curtails in any way
734 the rights granted by this subsection shall be void. Each such agency
735 shall keep and maintain all public records in its custody at its regular
736 office or place of business in an accessible place and, if there is no such
737 office or place of business, the public records pertaining to such agency
738 shall be kept in the office of the clerk of the political subdivision in
739 which such public agency is located or of the Secretary of the State, as
740 the case may be. Any certified record hereunder attested as a true copy
741 by the clerk, chief or deputy of such agency or by such other person
742 designated or empowered by law to so act, shall be competent
743 evidence in any court of this state of the facts contained therein. Each

744 such agency shall make, keep and maintain a record of the proceedings
745 of its meetings.

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

748 (1) Preliminary drafts or notes provided the public agency has
749 determined that the public interest in withholding such documents
750 clearly outweighs the public interest in disclosure;

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

753 (3) Records of law enforcement agencies not otherwise available to
754 the public which records were compiled in connection with the
755 detection or investigation of crime, if the disclosure of said records
756 would not be in the public interest because it would result in the
757 disclosure of (A) the identity of informants not otherwise known or the
758 identity of witnesses not otherwise known whose safety would be
759 endangered or who would be subject to threat or intimidation if their
760 identity was made known, (B) signed statements of witnesses, (C)
761 information to be used in a prospective law enforcement action if
762 prejudicial to such action, (D) investigatory techniques not otherwise
763 known to the general public, (E) arrest records of a juvenile, which
764 shall also include any investigatory files, concerning the arrest of such
765 juvenile, compiled for law enforcement purposes, (F) the name and
766 address of the victim of a sexual assault under section 53a-70, 53a-70a,
767 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or risk of injury, or
768 impairing of morals under section 53-21, or of an attempt thereof, or
769 (G) uncorroborated allegations subject to destruction pursuant to
770 section 1-216;

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

775 (5) (A) Trade secrets, which for purposes of the Freedom of
776 Information Act, are defined as information, including formulas,
777 patterns, compilations, programs, devices, methods, techniques,
778 processes, drawings, cost data, or customer lists that (i) derive
779 independent economic value, actual or potential, from not being
780 generally known to, and not being readily ascertainable by proper
781 means by, other persons who can obtain economic value from their
782 disclosure or use, and (ii) are the subject of efforts that are reasonable
783 under the circumstances to maintain secrecy; and

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

786 (6) Test questions, scoring keys and other examination data used to
787 administer a licensing examination, examination for employment or
788 academic examinations;

789 (7) The contents of real estate appraisals, engineering or feasibility
790 estimates and evaluations made for or by an agency relative to the
791 acquisition of property or to prospective public supply and
792 construction contracts, until such time as all of the property has been
793 acquired or all proceedings or transactions have been terminated or
794 abandoned, provided the law of eminent domain shall not be affected
795 by this provision;

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

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

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

805 (11) Names or addresses of students enrolled in any public school or
806 college without the consent of each student whose name or address is
807 to be disclosed who is eighteen years of age or older and a parent or
808 guardian of each such student who is younger than eighteen years of
809 age, provided this subdivision shall not be construed as prohibiting the
810 disclosure of the names or addresses of students enrolled in any public
811 school in a regional school district to the board of selectmen or town
812 board of finance, as the case may be, of the town wherein the student
813 resides for the purpose of verifying tuition payments made to such
814 school;

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

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

818 (14) Adoption records and information provided for in sections 45a-
819 746, 45a-750 and 45a-751;

820 (15) Any page of a primary petition, nominating petition,
821 referendum petition or petition for a town meeting submitted under
822 any provision of the general statutes or of any special act, municipal
823 charter or ordinance, until the required processing and certification of
824 such page has been completed by the official or officials charged with
825 such duty after which time disclosure of such page shall be required;

826 (16) Records of complaints, including information compiled in the
827 investigation thereof, brought to a municipal health authority pursuant
828 to chapter 368e or a district department of health pursuant to chapter
829 368f, until such time as the investigation is concluded or thirty days
830 from the date of receipt of the complaint, whichever occurs first;

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

833 (18) Records, the disclosure of which the Commissioner of
834 Correction, or as it applies to Whiting Forensic Division facilities of the

835 Connecticut Valley Hospital, the Commissioner of Mental Health and
836 Addiction Services, has reasonable grounds to believe may result in a
837 safety risk, including the risk of harm to any person or the risk of an
838 escape from, or a disorder in, a correctional institution or facility under
839 the supervision of the Department of Correction or Whiting Forensic
840 Division facilities. Such records shall include, but are not limited to:

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

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

845 (C) Operational specifications of security systems utilized by the
846 Department of Correction at any correctional institution or facility or
847 Whiting Forensic Division facilities, except that a general description
848 of any such security system and the cost and quality of such system
849 may be disclosed;

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

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

855 (F) Minutes or recordings of staff meetings of the Department of
856 Correction or Whiting Forensic Division facilities, or portions of such
857 minutes or recordings, that contain or reveal information relating to
858 security or other records otherwise exempt from disclosure under this
859 subdivision;

860 (G) Logs or other documents that contain information on the
861 movement or assignment of inmates or staff at correctional institutions
862 or facilities; and

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

865 (19) Records when there are reasonable grounds to believe
866 disclosure may result in a safety risk, including the risk of harm to any
867 person, any government-owned or leased institution or facility or any
868 fixture or appurtenance and equipment attached to, or contained in,
869 such institution or facility, except that such records shall be disclosed
870 to a law enforcement agency upon the request of the law enforcement
871 agency. Such reasonable grounds shall be determined (A) with respect
872 to records concerning any executive branch agency of the state or any
873 municipal, district or regional agency, by the Commissioner of Public
874 Works, after consultation with the chief executive officer of the agency;
875 (B) with respect to records concerning Judicial Department facilities,
876 by the Chief Court Administrator; and (C) with respect to records
877 concerning the Legislative Department, by the executive director of the
878 Joint Committee on Legislative Management. As used in this section,
879 "government-owned or leased institution or facility" includes, but is
880 not limited to, an institution or facility owned or leased by a public
881 service company, as defined in section 16-1, a certified
882 telecommunications provider, as defined in section 16-1, a water
883 company, as defined in section 25-32a, or a municipal utility that
884 furnishes electric, gas or water service, but does not include an
885 institution or facility owned or leased by the federal government, and
886 "chief executive officer" includes, but is not limited to, an agency head,
887 department head, executive director or chief executive officer. Such
888 records include, but are not limited to:

889 (i) Security manuals or reports;

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

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

896 (iv) Training manuals prepared for government-owned or leased

897 institutions or facilities that describe, in any manner, security
898 procedures, emergency plans or security equipment;

899 (v) Internal security audits of government-owned or leased
900 institutions or facilities;

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

904 (vii) Logs or other documents that contain information on the
905 movement or assignment of security personnel at government-owned
906 or leased institutions or facilities;

907 (viii) Emergency plans and emergency recovery or response plans;
908 and

909 (ix) With respect to a water company, as defined in section 25-32a,
910 that provides water service: Vulnerability assessments and risk
911 management plans, operational plans, portions of water supply plans
912 submitted pursuant to section 25-32d that contain or reveal
913 information the disclosure of which may result in a security risk to a
914 water company, inspection reports, technical specifications and other
915 materials that depict or specifically describe critical water company
916 operating facilities, collection and distribution systems or sources of
917 supply;

918 (20) Records of standards, procedures, processes, software and
919 codes, not otherwise available to the public, the disclosure of which
920 would compromise the security or integrity of an information
921 technology system;

922 (21) The residential, work or school address of any participant in the
923 address confidentiality program established pursuant to sections 54-
924 240 to 54-240o, inclusive;

925 (22) The electronic mail address of any person that is obtained by
926 the Department of Transportation in connection with the

927 implementation or administration of any plan to inform individuals
928 about significant highway or railway incidents.

929 Sec. 27. (NEW) (*Effective from passage*) In the development and
930 administration of any plan for individuals to receive notification of
931 significant highway or railway incidents, the Department of
932 Transportation shall not permanently retain or enter in a permanent
933 database any personal information including, but not limited to, the
934 electronic mail address of any person who receives information
935 through the use of such plan. Nothing in this section shall be construed
936 to prohibit the Department of Transportation from entering the
937 electronic mail address of any person who wishes to receive such
938 information in a computer program used by the department solely for
939 the purpose of sending such person electronic mail that contains
940 notification of a significant highway or railway incident.

941 Sec. 28. Section 3-14b of the general statutes is repealed and the
942 following is substituted in lieu thereof (*Effective from passage*):

943 Prior to the sale of any parcel of land, or a portion thereof owned by
944 the state, except a transfer or conveyance to the party against whom
945 foreclosure was taken or who conveyed to the state in lieu of
946 foreclosure under the provisions of section 17b-138, the state agency,
947 department or institution responsible for the sale of such land shall
948 first notify, in writing, the chief executive officer or officers of the
949 municipality in which such land is situated and the affected state
950 representative and state senator for such municipality of the state's
951 intention to sell such land, and no agreement to sell such land may be
952 entered into or sale may be made by the state except as follows:

953 (a) [Within] Not later than forty-five days after such notice has been
954 so given, such chief executive officer or officers may give written
955 notice to the state of the municipality's desire to purchase such land
956 and shall have the right to purchase the interest in the land which the
957 state has declared its intent to sell, subject to conditions of sale
958 acceptable to the state.

959 (b) If the chief executive officer or officers of the municipality fail to
960 give notice, as provided in subsection (a) of this section, or give notice
961 to the state of the municipality's desire not to purchase such land, such
962 municipality shall have waived its right to purchase the land in
963 accordance with the terms of this section.

964 (c) [Within] Not later than sixty days after notice has been given by
965 the municipality of its desire to purchase such land, as provided in
966 subsection (a) of this section, the state acting through the state agency,
967 department or institution shall sell such land to the municipality,
968 provided the state and the municipality agree upon the conditions of
969 sale and the amount to be paid therefor.

970 (d) If the municipality fails to purchase such land [within] not later
971 than sixty days after notice has been given by the municipality of its
972 desire to purchase the land, as provided in subsection (a) of this
973 section, such municipality shall have waived rights to purchase the
974 land in accordance with the terms of this section, subject to the
975 provisions of subsection (e) of this section.

976 (e) Notwithstanding the provisions of subsections (b) and (d) of this
977 section, if the state thereafter proposes to sell such land to any person
978 upon terms different than those offered to the municipality, the state
979 shall first notify the municipality of such proposal, in the manner
980 provided in subsection (a) of this section, and of the terms of such
981 proposed sale, and such municipality shall have the option to purchase
982 such land upon such terms and may thereupon, in the same manner
983 and within the same time limitations as are provided in subsections (a)
984 and (c) [, inclusive,] of this section, proceed to purchase such land.

985 (f) Notwithstanding the provisions of subsection (d) of his section,
986 the towns of Preston and Norwich shall retain any right provided for
987 by this section with regard to the property known as the Norwich State
988 Hospital property provided the Commissioner of Public Works
989 determines that such towns continue to make good faith efforts to
990 purchase such property and have otherwise complied with the

991 provisions of this section.

992 Sec. 29. Section 4b-57 of the general statutes is repealed and the
993 following is substituted in lieu thereof (*Effective from passage*):

994 (a) Whenever consultant services are required by the commissioner
995 in fulfilling his responsibilities under section 4b-1, and in the case of
996 each project, the commissioner shall invite responses from such firms
997 by advertisements inserted at least once in one or more newspapers
998 having a circulation in each county in the state. The commissioner shall
999 prescribe, by regulations adopted in accordance with chapter 54, the
1000 advance notice required for, the manner of submission, and conditions
1001 and requirements of, such responses.

1002 (b) In the case of a project, the responses received shall be
1003 considered by the selection panel. The panel shall select from among
1004 those responding no fewer than three firms, which it determines in
1005 accordance with criteria established by the commissioner are most
1006 qualified to perform the required consultant services. In the case of any
1007 project that requires consultant services by an architect or professional
1008 engineer, additional criteria to be considered by such panel in selecting
1009 a list of the most qualified firms shall include: (1) Such firm's
1010 knowledge of this state's building and fire codes, and (2) the
1011 geographic location of such firm in relation to the geographic location
1012 of the proposed project. The selection panel shall submit a list of the
1013 most qualified firms to the commissioner for his consideration unless
1014 fewer than three responses for a particular project have been received,
1015 in which case, the panel shall submit the names of all firms who have
1016 submitted responses.

1017 Sec. 30. Subsection (e) of section 1-88 of the general statutes is
1018 repealed and the following is substituted in lieu thereof (*Effective from*
1019 *passage*):

1020 (e) Any employee or member of the commission who, in violation of
1021 this part, discloses information filed in accordance with [subparagraph
1022 (B) or] subparagraph (F) of subdivision (1) of subsection (b) of section

1023 1-83, shall be dismissed, if an employee, or removed from the
1024 commission, if a member.

1025 Sec. 31. Section 1-81 of the general statutes is repealed and the
1026 following is substituted in lieu thereof (*Effective from passage*):

1027 [(a)] The commission shall:

1028 (1) Compile and maintain an index of all reports, advisory opinions,
1029 memoranda filed under the provisions of subsection (f) of section 1-82a
1030 and statements filed by and with the commission to facilitate public
1031 access to such reports and statements as provided by this part;

1032 (2) Preserve advisory opinions permanently; preserve memoranda
1033 filed under subsection (f) of section 1-82a, and statements and reports
1034 filed by and with the commission for a period of five years from the
1035 date of receipt;

1036 (3) Upon the concurring vote of five of its members, issue advisory
1037 opinions with regard to the requirements of this part, upon the request
1038 of any person subject to the provisions of this part, and publish such
1039 advisory opinions in the Connecticut Law Journal. Advisory opinions
1040 rendered by the commission, until amended or revoked, shall be
1041 binding on the commission and shall be deemed to be final decisions
1042 of the commission for purposes of section 1-87. Any advisory opinion
1043 concerning the person who requested the opinion and who acted in
1044 reliance thereon, in good faith, shall be binding upon the commission,
1045 and it shall be an absolute defense in any criminal action brought
1046 under the provisions of this part, that the accused acted in reliance
1047 upon such advisory opinion;

1048 (4) Report annually, prior to April fifteenth, to the Governor
1049 summarizing the activities of the commission; [and]

1050 (5) Adopt regulations in accordance with chapter 54 to carry out the
1051 purposes of this part; and

1052 (6) The commission may enter into such contractual agreements as

1053 may be necessary for the discharge of its duties, within the limits of its
1054 appropriated funds and in accordance with established procedures.

1055 [(b) The commission may employ an executive director and general
1056 counsel and necessary staff within available appropriations.]

1057 Sec. 32. (NEW) (*Effective July 1, 2005*) As used in this section and
1058 sections 36 to 40, inclusive, of this act:

1059 (1) "Business with which the person is associated" means any sole
1060 proprietorship, partnership, firm, corporation, trust or other entity
1061 through which business for-profit or not-for-profit is conducted in
1062 which the person or member of the immediate family of any person
1063 who is an individual is a director, officer, owner, limited or general
1064 partner, beneficiary of a trust or holder of stock constituting five per
1065 cent or more of the total outstanding stock of any class, provided, a
1066 person who is an individual or a member of the immediate family of
1067 such individual shall not be deemed to be associated with a not-for-
1068 profit entity solely by virtue of the fact that such individual or
1069 immediate family member is an unpaid director or officer of the not-
1070 for-profit entity. "Officer" refers only to the president, executive or
1071 senior vice president or treasurer of such business.

1072 (2) "Immediate family" means any spouse, children or dependent
1073 relatives who reside in an individual's household.

1074 (3) "Large state construction or procurement contract" means any
1075 contract, having a cost of more than five hundred thousand dollars, for
1076 (A) the remodeling, alteration, repair or enlargement of any real asset,
1077 (B) the construction, alteration, reconstruction, improvement,
1078 relocation, widening or changing of the grade of a section of a state
1079 highway or a bridge, (C) the purchase or lease of supplies, materials or
1080 equipment, as defined in section 4a-50 of the general statutes, or (D)
1081 the construction, reconstruction, alteration, remodeling, repair or
1082 demolition of any public building.

1083 (4) "Person" has the same meaning as provided in section 1-79 of the

1084 general statutes, as amended by this act.

1085 (5) "Public official" has the same meaning as provided in section 1-
1086 79 of the general statutes, as amended by this act.

1087 (6) "Quasi-public agency" has the same meaning as provided in
1088 section 1-79 of the general statutes, as amended by this act.

1089 (7) "State employee" has the same meaning as provided in section 1-
1090 79 of the general statutes, as amended by this act.

1091 Sec. 33. (NEW) (*Effective July 1, 2005*) (a) Notwithstanding any
1092 provision of the general statutes, no person who (1) is, or is seeking to
1093 be, prequalified under section 4a-100 of the general statutes, (2) is a
1094 party to a large state construction or procurement contract or seeking
1095 to enter into such a contract with a state agency, board, commission or
1096 institution or a quasi-public agency, or (3) is a party to a consultant
1097 services contract or seeking to enter into such a contract with a state
1098 agency, board, commission or institution or a quasi-public agency,
1099 shall:

1100 (A) With the intent to obtain a competitive advantage over other
1101 bidders, solicit any information from a public official or state employee
1102 that the contractor knows is not and will not be available to other
1103 bidders for a large state construction or procurement contract that the
1104 contractor is seeking;

1105 (B) Intentionally, wilfully or with reckless disregard for the truth,
1106 charge a state agency, board, commission or institution or quasi-public
1107 agency for work not performed or goods not provided, including
1108 submitting meritless change orders in bad faith with the sole intention
1109 of increasing the contract price without authorization and, falsifying
1110 invoices or bills or charging unreasonable and unsubstantiated rates
1111 for services or unreasonable and unsubstantiated prices for goods to a
1112 state agency, board, commission or institution or quasi-public agency;
1113 or

1114 (C) Intentionally or wilfully violate or attempt to circumvent state
1115 competitive bidding and ethics laws.

1116 (b) No person with whom a state agency, board, commission or
1117 institution or quasi-public agency has contracted to provide consulting
1118 services to plan specifications for any contract and no business with
1119 which the person is associated may serve as a consultant to any person
1120 seeking to obtain such contract, serve as a contractor for such contract
1121 or serve as a subcontractor or consultant to the person awarded such
1122 contract.

1123 (c) Any person who violates any provision of this section may be
1124 deemed a nonresponsible bidder by a state agency, board, commission
1125 or institution or quasi-public agency.

1126 Sec. 34. (NEW) (*Effective July 1, 2005*) (a) In addition to its
1127 jurisdiction over persons who are residents of this state, the State
1128 Ethics Commission may exercise personal jurisdiction over any
1129 nonresident person, or the agent of such nonresident person, who
1130 makes a payment of money or gives anything of value to a public
1131 official or state employee in violation of section 33 of this act, or who
1132 is, or is seeking to be, prequalified under section 4a-100 of the general
1133 statutes.

1134 (b) Where personal jurisdiction is based solely upon this section, an
1135 appearance does not confer personal jurisdiction with respect to causes
1136 of action not arising from an act enumerated in this section.

1137 (c) Any nonresident person or the agent of such person over whom
1138 the State Ethics Commission may exercise personal jurisdiction, as
1139 provided in subsection (a) of this section, who does not otherwise have
1140 a registered agent in this state for service of process, shall be deemed
1141 to have appointed the Secretary of the State as the person's or agent's
1142 attorney and to have agreed that any process in any complaint,
1143 investigation or other matter conducted pursuant to section 1-82 or 1-
1144 82a of the general statutes, as amended by this act, concerning an
1145 alleged violation of section 33 of this act and brought against the

1146 nonresident person, or said person's agent, may be served upon the
1147 Secretary of the State and shall have the same validity as if served
1148 upon such nonresident person or agent personally. The process shall
1149 be served upon the Secretary of the State by the officer to whom the
1150 same is directed by leaving with or at the office of the Secretary of the
1151 State, at least twelve days before any required appearance day of such
1152 process, a true and attested copy of such process, and by sending to
1153 the nonresident person or agent so served, at the person's or agent's
1154 last-known address, by registered or certified mail, postage prepaid,
1155 return receipt requested, a like and attested copy with an endorsement
1156 thereon of the service upon the Secretary of the State. The Secretary of
1157 the State shall keep a record of each such process and the day and hour
1158 of service.

1159 Sec. 35. (NEW) (*Effective July 1, 2005*) (a) Each state agency and
1160 quasi-public agency that is a party to a large state construction or
1161 procurement contract or is planning such a contract shall appoint an
1162 ethics compliance officer. Such officer shall be responsible for the
1163 development of the ethics policies of such agency, coordination of
1164 ethics training programs for such agency and monitoring of programs
1165 of such agency for compliance with the ethics policies of the agency
1166 and the Code of Ethics for Public Officials set forth in part I of chapter
1167 10 of the general statutes. At least annually, each ethics compliance
1168 officer shall provide ethics training to agency personnel involved in
1169 contractor selection, evaluation and supervision. Such training shall
1170 include a review of current ethics laws and regulations and discussion
1171 of ethics issues concerning contracting. Any contractor and employee
1172 of such agency shall provide any requested information to such ethics
1173 compliance officer.

1174 (b) Each other state agency and quasi-public agency shall designate
1175 an agency officer or employee as a liaison to the State Ethics
1176 Commission. The liaison shall coordinate the development of ethics
1177 policies for the agency and work with the State Ethics Commission on
1178 training on ethical issues for agency personnel involved in contracting.

1179 Sec. 36. (NEW) (*Effective July 1, 2005*) Any commissioner, deputy
1180 commissioner, state agency or quasi-public agency head or deputy,
1181 person in charge of state agency procurement and contracting, ethics
1182 compliance officer or designated liaison to the State Ethics
1183 Commission who has reasonable cause to believe that a person has
1184 violated the provisions of the Code of Ethics for Public Officials set
1185 forth in part I of chapter 10 of the general statutes or any law or
1186 regulation concerning ethics in state contracting shall report such belief
1187 to the State Ethics Commission, which may further report such
1188 information to the Auditor of Public Accounts, Chief State's Attorney
1189 or the Attorney General.

1190 Sec. 37. (NEW) (*Effective July 1, 2005*) (a) A state agency or institution
1191 or quasi-public agency that is seeking a contractor for a large state
1192 construction or procurement contract shall provide the summary of
1193 state ethics laws developed by the State Ethics Commission pursuant
1194 to section 1-81b of the general statutes to any person seeking a large
1195 state construction or procurement contract. Such person shall
1196 promptly affirm to the agency or institution, in writing, (1) receipt of
1197 such summary, and (2) that key employees of such person have read
1198 and understand the summary and agree to comply with the provisions
1199 of state ethics law. No state agency or institution or quasi-public
1200 agency shall accept a bid for a large state construction or procurement
1201 contract without such affirmation.

1202 (b) Each large state construction or procurement contractor shall
1203 provide the summary of state ethics laws described in subsection (a) of
1204 this section to all subcontractors and consultants and obtain an
1205 affirmation from each subcontractor and consultant that such
1206 subcontractor and consultant has received such summary and key
1207 employees of such subcontractor and consultant have read and
1208 understand the summary and agree to comply with its provisions. The
1209 contractor shall provide such affirmations to the state agency. Failure
1210 to submit such affirmations in a timely manner shall be cause for
1211 termination of the large state construction or procurement contract.

1212 (c) Each contract with a contractor, subcontractor or consultant
1213 described in subsection (a) or (b) of this section shall incorporate such
1214 summary by reference as a part of the contract terms.

1215 Sec. 38. Subsection (e) of section 1-79 of the general statutes is
1216 repealed and the following is substituted in lieu thereof (*Effective July*
1217 *1, 2005*):

1218 (e) "Gift" means anything of value, which is directly and personally
1219 received, unless consideration of equal or greater value is given in
1220 return. "Gift" shall not include:

1221 (1) A political contribution otherwise reported as required by law or
1222 a donation or payment as described in subdivision (9) or (10) of
1223 subsection (b) of section 9-333b;

1224 (2) Services provided by persons volunteering their time, if
1225 provided to aid or promote the success or defeat of any political party,
1226 any candidate or candidates for public office or the position of
1227 convention delegate or town committee member or any referendum
1228 question;

1229 (3) A commercially reasonable loan made on terms not more
1230 favorable than loans made in the ordinary course of business;

1231 (4) A gift received from (A) an individual's spouse, fiance or fiancée,
1232 (B) the parent, brother or sister of such spouse or such individual, or
1233 (C) the child of such individual or the spouse of such child;

1234 (5) Goods or services (A) which are provided to the state (i) for use
1235 on state property, or (ii) to support an event or the participation by a
1236 public official or state employee at an event, and (B) which facilitate
1237 state action or functions. As used in this subdivision, "state property"
1238 means (i) property owned by the state, or (ii) property leased to an
1239 agency in the Executive or Judicial Department of the state;

1240 (6) A certificate, plaque or other ceremonial award costing less than
1241 one hundred dollars;

1242 (7) A rebate, discount or promotional item available to the general
1243 public;

1244 (8) Printed or recorded informational material germane to state
1245 action or functions;

1246 (9) Food or beverage or both, costing less than fifty dollars in the
1247 aggregate per recipient in a calendar year, and consumed on an
1248 occasion or occasions at which the person paying, directly or
1249 indirectly, for the food or beverage, or his representative, is in
1250 attendance;

1251 (10) Food or beverage or both, costing less than fifty dollars per
1252 person and consumed at a publicly noticed legislative reception to
1253 which all members of the General Assembly are invited and which is
1254 hosted not more than once in any calendar year by a lobbyist or
1255 business organization. For the purposes of such limit, (A) a reception
1256 hosted by a lobbyist who is an individual shall be deemed to have also
1257 been hosted by the business organization which he owns or is
1258 employed by, and (B) a reception hosted by a business organization
1259 shall be deemed to have also been hosted by all owners and employees
1260 of the business organization who are lobbyists. In making the
1261 calculation for the purposes of such fifty-dollar limit, the donor shall
1262 divide the amount spent on food and beverage by the number of
1263 persons whom the donor reasonably expects to attend the reception;

1264 (11) Food or beverage or both, costing less than fifty dollars per
1265 person and consumed at a publicly noticed reception to which all
1266 members of the General Assembly from a region of the state are
1267 invited and which is hosted not more than once in any calendar year
1268 by a lobbyist or business organization. For the purposes of such limit,
1269 (A) a reception hosted by a lobbyist who is an individual shall be
1270 deemed to have also been hosted by the business organization which
1271 he owns or is employed by, and (B) a reception hosted by a business
1272 organization shall be deemed to have also been hosted by all owners
1273 and employees of the business organization who are lobbyists. In

1274 making the calculation for the purposes of such fifty-dollar limit, the
1275 donor shall divide the amount spent on food and beverage by the
1276 number of persons whom the donor reasonably expects to attend the
1277 reception. As used in this subdivision, "region of the state" means the
1278 established geographic service area of the organization hosting the
1279 reception;

1280 (12) A gift, including but not limited to, food or beverage or both,
1281 provided by an individual for the celebration of a major life event;

1282 (13) Gifts costing less than one hundred dollars in the aggregate or
1283 food or beverage provided at a hospitality suite at a meeting or
1284 conference of an interstate legislative association, by a person who is
1285 not a registrant or is not doing business with the state of Connecticut;

1286 (14) Admission to a charitable or civic event, including food and
1287 beverage provided at such event, but excluding lodging or travel
1288 expenses, at which a public official or state employee participates in
1289 his official capacity, provided such admission is provided by the
1290 primary sponsoring entity;

1291 (15) Anything of value provided by an employer of (A) a public
1292 official, (B) a state employee, or (C) a spouse of a public official or state
1293 employee, to such official, employee or spouse, provided such benefits
1294 are customarily and ordinarily provided to others in similar
1295 circumstances; or

1296 (16) Anything having a value of not more than ten dollars, provided
1297 the aggregate value of all things provided by a donor to a recipient
1298 under this subdivision in any calendar year shall not exceed fifty
1299 dollars.

1300 Sec. 39. Section 1-82 of the general statutes is repealed and the
1301 following is substituted in lieu thereof (*Effective July 1, 2005*):

1302 (a) (1) Upon the complaint of any person on a form prescribed by
1303 the commission, signed under penalty of false statement, or upon its

1304 own complaint, the commission shall investigate any alleged violation
1305 of this part or section 33 of this act. Not later than five days after the
1306 receipt or issuance of such complaint, the commission shall provide
1307 notice of such receipt or issuance and a copy of the complaint by
1308 registered or certified mail to any respondent against whom such
1309 complaint is filed and shall provide notice of the receipt of such
1310 complaint to the complainant. When the commission undertakes an
1311 evaluation of a possible violation of this part or section 33 of this act
1312 prior to the filing of a complaint by the commission, the subject of the
1313 evaluation shall be notified [within] not later than five business days
1314 after a commission staff member's first contact with a third party
1315 concerning the matter.

1316 (2) In the conduct of its investigation of an alleged violation of this
1317 part or section 33 of this act, the commission shall have the power to
1318 hold hearings, administer oaths, examine witnesses, receive oral and
1319 documentary evidence, subpoena witnesses under procedural rules
1320 adopted by the commission as regulations in accordance with the
1321 provisions of chapter 54 to compel attendance before the commission
1322 and to require the production for examination by the commission of
1323 any books and papers which the commission deems relevant in any
1324 matter under investigation or in question. In the exercise of such
1325 powers, the commission may use the services of the state police, who
1326 shall provide the same upon the commission's request. The
1327 commission shall make a record of all proceedings conducted pursuant
1328 to this subsection. Any witness summoned before the commission
1329 shall receive the witness fee paid to witnesses in the courts of this state.
1330 During the investigation the respondent shall have the right to appear
1331 and be heard and to offer any information which may tend to clear
1332 him of probable cause to believe he has violated any provision of this
1333 part or section 33 of this act. The respondent shall also have the right to
1334 be represented by legal counsel and to examine and cross-examine
1335 witnesses. Not later than ten days prior to the commencement of any
1336 hearing conducted pursuant to this subsection, the commission shall
1337 provide the respondent with a list of its intended witnesses. The

1338 commission shall make no finding that there is probable cause to
1339 believe the respondent is in violation of any provision of this part or
1340 section 33 of this act except upon the concurring vote of five of its
1341 members.

1342 (b) If a preliminary investigation indicates that probable cause exists
1343 for the violation of a provision of this part or section 33 of this act, the
1344 commission shall initiate hearings to determine whether there has been
1345 a violation of this part or section 33 of this act. A judge trial referee,
1346 who shall be assigned by the Chief Court Administrator and who shall
1347 be compensated in accordance with section 52-434 out of funds
1348 available to the commission, shall preside over such hearing and shall
1349 rule on all matters concerning the application of the rules of evidence,
1350 which shall be the same as in judicial proceedings. The trial referee
1351 shall have no vote in any decision of the commission. All hearings of
1352 the commission held pursuant to this subsection shall be open. At such
1353 hearing the commission shall have the same powers as under
1354 subsection (a) of this section and the respondent shall have the right to
1355 be represented by legal counsel, the right to compel attendance of
1356 witnesses and the production of books, documents, records and papers
1357 and to examine and cross-examine witnesses. Not later than ten days
1358 prior to the commencement of any hearing conducted pursuant to this
1359 subsection, the commission shall provide the respondent with a list of
1360 its intended witnesses. The judge trial referee shall, while engaged in
1361 the discharge of his duties as provided in this subsection, have the
1362 same authority as is provided in section 51-35 over witnesses who
1363 refuse to obey a subpoena or to testify with respect to any matter upon
1364 which such witness may be lawfully interrogated, and may commit
1365 any such witness for contempt for a period no longer than thirty days.
1366 The commission shall make a record of all proceedings pursuant to
1367 this subsection. The commission shall find no person in violation of
1368 any provision of this part or section 33 of this act except upon the
1369 concurring vote of [seven] six of its members. Not later than fifteen
1370 days after the public hearing conducted in accordance with this
1371 subsection, the commission shall publish its finding and a

1372 memorandum of the reasons therefor. Such finding and memorandum
1373 shall be deemed to be the final decision of the commission on the
1374 matter for the purposes of chapter 54. The respondent, if aggrieved by
1375 the finding and memorandum, may appeal therefrom to the Superior
1376 Court in accordance with the provisions of section 4-183.

1377 (c) If the commission finds, after a hearing pursuant to this section,
1378 that there is no probable cause to believe that a public official or state
1379 employee has violated a provision of this part or section 33 of this act
1380 or that a public official or state employee has not violated any such
1381 provision, or if a court of competent jurisdiction overturns a finding by
1382 the commission of a violation by such a respondent, the state shall pay
1383 the reasonable legal expenses of the respondent as determined by the
1384 Attorney General or by the court if appropriate. If any complaint
1385 brought under the provisions of this part or section 33 of this act is
1386 made with the knowledge that it is made without foundation in fact,
1387 the respondent shall have a cause of action against the complainant for
1388 double the amount of damage caused thereby and if the respondent
1389 prevails in such action, he may be awarded by the court the costs of
1390 such action together with reasonable attorneys' fees.

1391 (d) No complaint may be made under this section [except within]
1392 later than five years [next] after the violation alleged in the complaint
1393 has been committed.

1394 (e) No person shall take or threaten to take official action against an
1395 individual for such individual's disclosure of information to the
1396 commission under the provisions of this part or section 33 of this act.
1397 After receipt of information from an individual under the provisions of
1398 this part or section 33 of this act, the commission shall not disclose the
1399 identity of such individual without his consent unless the commission
1400 determines that such disclosure is unavoidable during the course of an
1401 investigation. No person shall be subject to civil liability for any good
1402 faith disclosure that such person makes to the commission.

1403 Sec. 40. Subsection (a) of section 1-82a of the general statutes is

1404 repealed and the following is substituted in lieu thereof (*Effective July*
1405 *1, 2005*):

1406 (a) Unless the commission makes a finding of probable cause, a
1407 complaint alleging a violation of this part or section 33 of this act shall
1408 be confidential except upon the request of the respondent. A
1409 commission evaluation of a possible violation of this part or section 33
1410 of this act prior to the filing of a complaint by the commission shall be
1411 confidential except upon the request of the subject of the evaluation. If
1412 the evaluation is confidential, any information supplied to or received
1413 from the commission shall not be disclosed to any third party by a
1414 subject of the evaluation, a person contacted for the purpose of
1415 obtaining information or by a commission or staff member. No
1416 provision of this subsection shall prevent the Ethics Commission from
1417 reporting the possible commission of a crime to the Chief State's
1418 Attorney or other prosecutorial authority.

1419 Sec. 41. Section 1-84 of the general statutes is repealed and the
1420 following is substituted in lieu thereof (*Effective July 1, 2005*):

1421 (a) No public official or state employee shall, while serving as such,
1422 have any financial interest in, or engage in, any business, employment,
1423 transaction or professional activity, which is in substantial conflict with
1424 the proper discharge of his duties or employment in the public interest
1425 and of his responsibilities as prescribed in the laws of this state, as
1426 defined in section 1-85.

1427 (b) No public official or state employee shall accept other
1428 employment which will either impair his independence of judgment as
1429 to his official duties or employment or require him, or induce him, to
1430 disclose confidential information acquired by him in the course of and
1431 by reason of his official duties.

1432 (c) No public official or state employee shall wilfully and knowingly
1433 disclose, for financial gain, to any other person, confidential
1434 information acquired by him in the course of and by reason of his
1435 official duties or employment and no public official or state employee

1436 shall use his public office or position or any confidential information
1437 received through his holding such public office or position to obtain
1438 financial gain for himself, his spouse, child, child's spouse, parent,
1439 brother or sister or a business with which he is associated.

1440 (d) No public official or state employee or employee of such public
1441 official or state employee shall agree to accept, or be a member or
1442 employee of a partnership, association, professional corporation or
1443 sole proprietorship which partnership, association, professional
1444 corporation or sole proprietorship agrees to accept any employment,
1445 fee or other thing of value, or portion thereof, for appearing, agreeing
1446 to appear, or taking any other action on behalf of another person
1447 before the Department of Banking, the Claims Commissioner, the
1448 Office of Health Care Access, the Insurance Department, the office
1449 within the Department of Consumer Protection that carries out the
1450 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
1451 Department of Motor Vehicles, the State Insurance and Risk
1452 Management Board, the Department of Environmental Protection, the
1453 Department of Public Utility Control, the Connecticut Siting Council,
1454 the Division of Special Revenue within the Department of Revenue
1455 Services, the Gaming Policy Board within the Department of Revenue
1456 Services or the Connecticut Real Estate Commission; provided this
1457 shall not prohibit any such person from making inquiry for
1458 information on behalf of another before any of said commissions or
1459 commissioners if no fee or reward is given or promised in consequence
1460 thereof. For the purpose of this subsection, partnerships, associations,
1461 professional corporations or sole proprietorships refer only to such
1462 partnerships, associations, professional corporations or sole
1463 proprietorships which have been formed to carry on the business or
1464 profession directly relating to the employment, appearing, agreeing to
1465 appear or taking of action provided for in this subsection. Nothing in
1466 this subsection shall prohibit any employment, appearing, agreeing to
1467 appear or taking action before any municipal board, commission or
1468 council. Nothing in this subsection shall be construed as applying (1)
1469 to the actions of any teaching or research professional employee of a

1470 public institution of higher education if such actions are not in
1471 violation of any other provision of this chapter, (2) to the actions of any
1472 other professional employee of a public institution of higher education
1473 if such actions are not compensated and are not in violation of any
1474 other provision of this chapter, (3) to any member of a board or
1475 commission who receives no compensation other than per diem
1476 payments or reimbursement for actual or necessary expenses, or both,
1477 incurred in the performance of the member's duties, or (4) to any
1478 member or director of a quasi-public agency. Notwithstanding the
1479 provisions of this subsection to the contrary, a legislator, an officer of
1480 the General Assembly or part-time legislative employee may be or
1481 become a member or employee of a firm, partnership, association or
1482 professional corporation which represents clients for compensation
1483 before agencies listed in this subsection, provided the legislator, officer
1484 of the General Assembly or part-time legislative employee shall take
1485 no part in any matter involving the agency listed in this subsection and
1486 shall not receive compensation from any such matter. Receipt of a
1487 previously established salary, not based on the current or anticipated
1488 business of the firm, partnership, association or professional
1489 corporation involving the agencies listed in this subsection, shall be
1490 permitted.

1491 (e) No legislative commissioner or his partners, employees or
1492 associates shall represent any person subject to the provisions of part II
1493 concerning the promotion of or opposition to legislation before the
1494 General Assembly, or accept any employment which includes an
1495 agreement or understanding to influence, or which is inconsistent
1496 with, the performance of his official duties.

1497 (f) No person shall offer or give to a public official or state employee
1498 or candidate for public office or his spouse, his parent, brother, sister
1499 or child or spouse of such child or a business with which he is
1500 associated, anything of value, including but not limited to, a gift, loan,
1501 political contribution, reward or promise of future employment based
1502 on any understanding that the vote, official action or judgment of the
1503 public official, state employee or candidate for public office would be

1504 or had been influenced thereby.

1505 (g) No public official or state employee or candidate for public office
1506 shall solicit or accept anything of value, including but not limited to, a
1507 gift, loan, political contribution, reward or promise of future
1508 employment based on any understanding that the vote, official action
1509 or judgment of the public official or state employee or candidate for
1510 public office would be or had been influenced thereby.

1511 (h) Nothing in subsection (f) or (g) of this section shall be construed
1512 (1) to apply to any promise made in violation of subdivision (6) of
1513 section 9-333x₂ or (2) to permit any activity otherwise prohibited in
1514 section 53a-147 or 53a-148.

1515 (i) No public official or state employee or member of the official or
1516 employee's immediate family or a business with which he is associated
1517 shall enter into any contract with the state, valued at one hundred
1518 dollars or more, other than a contract of employment as a state
1519 employee or pursuant to a court appointment, unless the contract has
1520 been awarded through an open and public process, including prior
1521 public offer and subsequent public disclosure of all proposals
1522 considered and the contract awarded. In no event shall an executive
1523 head of an agency, as defined in section 4-166, including a
1524 commissioner of a department, or an executive head of a quasi-public
1525 agency, as defined in section 1-79, or the executive head's immediate
1526 family or a business with which he is associated enter into any contract
1527 with that agency or quasi-public agency. Nothing in this subsection
1528 shall be construed as applying to any public official who is appointed
1529 as a member of the executive branch or as a member or director of a
1530 quasi-public agency and who receives no compensation other than per
1531 diem payments or reimbursement for actual or necessary expenses, or
1532 both, incurred in the performance of the public official's duties unless
1533 such public official has authority or control over the subject matter of
1534 the contract. Any contract made in violation of this subsection shall be
1535 voidable by a court of competent jurisdiction if the suit is commenced
1536 [within] not later than one hundred eighty days [of] after the making

1537 of the contract.

1538 (j) No public official, state employee or candidate for public office,
1539 or a member of any such person's staff or immediate family shall
1540 knowingly accept any gift, as defined in subsection (e) of section 1-79,
1541 as amended by this act, from a person known to be a registrant or
1542 anyone known to be acting on behalf of a registrant.

1543 (k) No public official or state employee shall accept a fee or
1544 honorarium for an article, appearance or speech, or for participation at
1545 an event, in the public official's or state employee's official capacity,
1546 provided a public official or state employee may receive payment or
1547 reimbursement for necessary expenses for any such activity in his
1548 official capacity. If a public official or state employee receives such a
1549 payment or reimbursement for lodging or out-of-state travel or both,
1550 the official or employee shall, [within] not later than thirty days
1551 thereafter, file a report of the payment or reimbursement with the
1552 commission, unless the payment or reimbursement is provided by the
1553 federal government or another state government. If a public official or
1554 state employee does not file such report within such period, either
1555 intentionally or due to gross negligence on the public official's or state
1556 employee's part, the public official or state employee shall return the
1557 payment or reimbursement. If any failure to file such report is not
1558 intentional or due to gross negligence on the part of the public official
1559 or state employee, the public official or state employee shall not be
1560 subject to any penalty under this chapter. When a public official or
1561 state employee attends an event in this state in the public official's or
1562 state employee's official capacity and as a principal speaker at such
1563 event and receives admission to or food or beverage at such event from
1564 the sponsor of the event, such admission or food or beverage shall not
1565 be considered a gift and no report shall be required from such official
1566 or employee or from the sponsor of the event.

1567 (l) No public official or state employee, or any person acting on
1568 behalf of a public official or state employee, shall wilfully and
1569 knowingly interfere with, influence, direct or solicit existing or new

1570 lobbying contracts, agreements or business relationships for or on
1571 behalf of any person.

1572 (m) No public official or state employee shall knowingly accept,
1573 directly or indirectly, any gift, as defined in subsection (e) of section 1-
1574 79, as amended by this act, from any person the official or employee
1575 knows or has reason to know: (1) Is doing business with or seeking to
1576 do business with the department or agency in which the official or
1577 employee is employed; (2) is engaged in activities which are directly
1578 regulated by such department or agency; or (3) is prequalified under
1579 section 4a-100. No person shall knowingly give, directly or indirectly,
1580 any gift or gifts in violation of this provision. [For the purposes of this
1581 subsection, the exclusion to the term "gift" in subdivision (12) of
1582 subsection (e) of section 1-79 for a gift for the celebration of a major life
1583 event shall not apply.] Any person prohibited from making a gift
1584 under this subsection shall report to the State Ethics Commission any
1585 solicitation of a gift from such person by a state employee or public
1586 official.

1587 (n) (1) As used in this subsection, (A) "investment services" means
1588 investment legal services, investment banking services, investment
1589 advisory services, underwriting services, financial advisory services or
1590 brokerage firm services, and (B) "principal of an investment services
1591 firm" means (i) an individual who is a director of or has an ownership
1592 interest in an investment services firm, except for an individual who
1593 owns less than five per cent of the shares of an investment services
1594 firm which is a publicly traded corporation, (ii) an individual who is
1595 employed by an investment services firm as president, treasurer, or
1596 executive or senior vice president, (iii) an employee of such an
1597 investment services firm who has managerial or discretionary
1598 responsibilities with respect to any investment services, (iv) the spouse
1599 or dependent child of an individual described in this subparagraph, or
1600 (v) a political committee established by or on behalf of an individual
1601 described in this subparagraph.

1602 (2) The State Treasurer shall not pay any compensation, expenses or

1603 fees or issue any contract to any firm which provides investment
1604 services when (A) a political committee, as defined in section 9-333a,
1605 established by such firm, or (B) a principal of the investment services
1606 firm has made a contribution, as defined in section 9-333b, to, or
1607 solicited contributions on behalf of, any exploratory committee or
1608 candidate committee, as defined in section 9-333a, established by the
1609 State Treasurer as a candidate for nomination or election to the office
1610 of State Treasurer. The State Treasurer shall not pay any compensation,
1611 expenses or fees or issue any contract to such firms or principals
1612 during the term of office as State Treasurer, including, for an
1613 incumbent State Treasurer seeking reelection, any remainder of the
1614 current term of office.

1615 (o) [Any] If (1) any person [who (1)] (A) is doing business with or
1616 seeking to do business with the department or agency in which a
1617 public official or state employee is employed, or (B) is engaged in
1618 activities which are directly regulated by such department or agency,
1619 and (2) such person or a representative of said person gives to such
1620 public official or state employee anything of value which is subject to
1621 the reporting requirements pursuant to subsection (e) of section 1-96,
1622 such person or representative shall, not later than ten days thereafter,
1623 give such recipient and the executive head of the recipient's
1624 department or agency a written report stating the name of the donor, a
1625 description of the item or items given, the value of such items and the
1626 cumulative value of all items given to such recipient during that
1627 calendar year. The provisions of this subsection shall not apply to a
1628 political contribution otherwise reported as required by law.

1629 (p) (1) No public official or state employee or member of the
1630 immediate family of a public official or state employee shall knowingly
1631 accept, directly or indirectly, any gift costing one hundred dollars or
1632 more from a public official or state employee who is under the
1633 supervision of such public official or state employee.

1634 (2) No public official or state employee or member of the immediate
1635 family of a public official or state employee shall knowingly accept,

1636 directly or indirectly, any gift costing one hundred dollars or more
1637 from a public official or state employee who is a supervisor of such
1638 public official or state employee.

1639 (3) No public official or state employee shall knowingly give,
1640 directly or indirectly, any gift in violation of subdivision (1) or (2) of
1641 this subsection.

1642 (q) No public official or state employee shall knowingly accept,
1643 directly or indirectly, any goods or services provided to the state under
1644 subdivision (5) of subsection (e) of section 1-79, as amended by this act,
1645 by a person prohibited from making gifts to public officials and state
1646 employees under this section or section 1-97.

1647 (r) No public official or state employee shall counsel, authorize or
1648 otherwise sanction action that violates any provision of this part.

1649 Sec. 42. Section 1-88 of the general statutes is repealed and the
1650 following is substituted in lieu thereof (*Effective July 1, 2005*):

1651 (a) The commission, upon a finding made pursuant to section 1-82,
1652 as amended by this act, that there has been a violation of any provision
1653 of this part or section 33 of this act, shall have the authority to order
1654 the violator to do any or all of the following: (1) Cease and desist the
1655 violation of this part or section 33 of this act; (2) file any report,
1656 statement or other information as required by this part or section 33 of
1657 this act; and (3) pay a civil penalty of not more than ten thousand
1658 dollars for each violation of this part or section 33 of this act.

1659 (b) Notwithstanding the provisions of subsection (a) of this section,
1660 the commission may, after a hearing conducted in accordance with
1661 sections 4-176e to 4-184, inclusive, upon the concurring vote of [seven]
1662 six of its members, impose a civil penalty not to exceed ten dollars per
1663 day upon any individual who fails to file any report, statement or
1664 other information as required by this part or section 33 of this act. Each
1665 distinct violation of this subsection shall be a separate offense and in
1666 case of a continued violation, each day thereof shall be deemed a

1667 separate offense. In no event shall the aggregate penalty imposed for
1668 such failure to file exceed ten thousand dollars.

1669 (c) The commission may also report its finding to the Chief State's
1670 Attorney for any action deemed necessary. The commission, upon a
1671 finding made pursuant to section 1-82, as amended by this act, that a
1672 member or member-elect of the General Assembly has violated any
1673 provision of this part or section 33 of this act, shall notify the
1674 appropriate house of the General Assembly, in writing, of its finding
1675 and the basis for such finding.

1676 (d) Any person who knowingly acts in his financial interest in
1677 violation of section 1-84, 1-85, 1-86 or 1-86d or any person who
1678 knowingly receives a financial advantage resulting from a violation of
1679 any of said sections shall be liable for damages in the amount of such
1680 advantage. If the commission determines that any person may be so
1681 liable, it shall immediately inform the Attorney General of that
1682 possibility.

1683 (e) Any employee or member of the commission who, in violation of
1684 this part or section 33 of this act, discloses information filed in
1685 accordance with subparagraph (B) or subparagraph (F) of subdivision
1686 (1) of subsection (b) of section 1-83, shall be dismissed, if an employee,
1687 or removed from the commission, if a member.

1688 Sec. 43. Section 1-89 of the general statutes is repealed and the
1689 following is substituted in lieu thereof (*Effective July 1, 2005*):

1690 (a) Any person who intentionally violates any provision of this part
1691 or section 33 of this act shall (1) for a first violation, be guilty of a class
1692 A misdemeanor, except that, if such person derives a financial benefit
1693 of one thousand dollars or more as a result of such violation, such
1694 person shall be guilty of a class D felony, and (2) for a second or
1695 subsequent violation, be guilty of a class D felony, provided no person
1696 may be found guilty of a violation of subsection (f) or (g) of section 1-
1697 84, as amended by this act, and bribery or bribe receiving under
1698 section 53a-147 or 53a-148 upon the same incident, but such person

1699 may be charged and prosecuted for all or any of such offenses upon
1700 the same information.

1701 (b) The penalties prescribed in this part or section 33 of this act shall
1702 not limit the power of either house of the legislature to discipline its
1703 own members or impeach a public official, and shall not limit the
1704 power of agencies or commissions to discipline their officials or
1705 employees.

1706 (c) The Attorney General may bring a civil action against any person
1707 who [may be liable for damages under the provisions of subsection (d)
1708 of section 1-88] knowingly acts in the person's financial interest in, or
1709 knowingly receives a financial advantage resulting from, a violation of
1710 section 1-84, as amended by this act, 1-85 or 1-86 or section 33 of this
1711 act. In any such action, the Attorney General may, in the discretion of
1712 the court, recover any financial benefit that accrued to the person as a
1713 result of such violation and additional damages in an amount not
1714 exceeding twice the amount of the actual damages.

1715 (d) Any fines, penalties or damages paid, collected or recovered
1716 under section 1-88 or this section for a violation of any provision of this
1717 part or section 33 of this act applying to the office of the Treasurer shall
1718 be deposited on a pro rata basis in any trust funds, as defined in
1719 section 3-13c, affected by such violation.

1720 Sec. 44. Subsection (g) of section 1-91 of the general statutes is
1721 repealed and the following is substituted in lieu thereof (*Effective July*
1722 *1, 2005*):

1723 (g) "Gift" means anything of value, which is directly and personally
1724 received, unless consideration of equal or greater value is given in
1725 return. "Gift" shall not include:

1726 (1) A political contribution otherwise reported as required by law or
1727 a donation or payment described in subdivision (9) or (10) of
1728 subsection (b) of section 9-333b;

1729 (2) Services provided by persons volunteering their time, if
1730 provided to aid or promote the success or defeat of any political party,
1731 any candidate or candidates for public office or the position of
1732 convention delegate or town committee member or any referendum
1733 question;

1734 (3) A commercially reasonable loan made on terms not more
1735 favorable than loans made in the ordinary course of business;

1736 (4) A gift received from (A) the individual's spouse, fiance or
1737 fiancee, (B) the parent, brother or sister of such spouse or such
1738 individual, or (C) the child of such individual or the spouse of such
1739 child;

1740 (5) Goods or services (A) which are provided to the state (i) for use
1741 on state property, or (ii) to support an event or the participation by a
1742 public official or state employee at an event, and (B) which facilitate
1743 state action or functions. As used in this subdivision, "state property"
1744 means (i) property owned by the state, or (ii) property leased to an
1745 agency in the Executive or Judicial Department of the state;

1746 (6) A certificate, plaque or other ceremonial award costing less than
1747 one hundred dollars;

1748 (7) A rebate, discount or promotional item available to the general
1749 public;

1750 (8) Printed or recorded informational material germane to state
1751 action or functions;

1752 (9) Food or beverage or both, costing less than fifty dollars in the
1753 aggregate per recipient in a calendar year, and consumed on an
1754 occasion or occasions at which the person paying, directly or
1755 indirectly, for the food or beverage, or his representative, is in
1756 attendance;

1757 (10) Food or beverage or both, costing less than fifty dollars per
1758 person and consumed at a publicly noticed legislative reception to

1759 which all members of the General Assembly are invited and which is
1760 hosted not more than once in any calendar year by a lobbyist or
1761 business organization. For the purposes of such limit, (A) a reception
1762 hosted by a lobbyist who is an individual shall be deemed to have also
1763 been hosted by the business organization which he owns or is
1764 employed by, and (B) a reception hosted by a business organization
1765 shall be deemed to have also been hosted by all owners and employees
1766 of the business organization who are lobbyists. In making the
1767 calculation for the purposes of such fifty-dollar limit, the donor shall
1768 divide the amount spent on food and beverage by the number of
1769 persons whom the donor reasonably expects to attend the reception;

1770 (11) Food or beverage or both, costing less than fifty dollars per
1771 person and consumed at a publicly noticed reception to which all
1772 members of the General Assembly from a region of the state are
1773 invited and which is hosted not more than once in any calendar year
1774 by a lobbyist or business organization. For the purposes of such limit,
1775 (A) a reception hosted by a lobbyist who is an individual shall be
1776 deemed to have also been hosted by the business organization which
1777 he owns or is employed by, and (B) a reception hosted by a business
1778 organization shall be deemed to have also been hosted by all owners
1779 and employees of the business organization who are lobbyists. In
1780 making the calculation for the purposes of such fifty-dollar limit, the
1781 donor shall divide the amount spent on food and beverage by the
1782 number of persons whom the donor reasonably expects to attend the
1783 reception. As used in this subdivision, "region of the state" means the
1784 established geographic service area of the organization hosting the
1785 reception;

1786 (12) A gift, including but not limited to, food or beverage or both,
1787 provided by an individual for the celebration of a major life event;

1788 (13) Gifts costing less than one hundred dollars in the aggregate or
1789 food or beverage provided at a hospitality suite at a meeting or
1790 conference of an interstate legislative association, by a person who is
1791 not a registrant or is not doing business with the state of Connecticut;

1792 (14) Admission to a charitable or civic event, including food and
1793 beverage provided at such event, but excluding lodging or travel
1794 expenses, at which a public official or state employee participates in
1795 his official capacity, provided such admission is provided by the
1796 primary sponsoring entity;

1797 (15) Anything of value provided by an employer of (A) a public
1798 official, (B) a state employee, or (C) a spouse of a public official or state
1799 employee, to such official, employee or spouse, provided such benefits
1800 are customarily and ordinarily provided to others in similar
1801 circumstances; or

1802 (16) Anything having a value of not more than ten dollars, provided
1803 the aggregate value of all things provided by a donor to a recipient
1804 under this subdivision in any calendar year shall not exceed fifty
1805 dollars.

1806 Sec. 45. Subsection (a) of section 1-95 of the general statutes is
1807 repealed and the following is substituted in lieu thereof (*Effective July*
1808 *1, 2005*):

1809 (a) Each registrant shall file every two years with the commission on
1810 a registration form signed under penalty of false statement on or
1811 before January fifteenth of odd-numbered years or prior to the
1812 commencement of lobbying whichever is later. If the registrant is not
1813 an individual, an authorized officer or agent of the registrant shall sign
1814 the form. Such registration shall be on a form prescribed by the
1815 commission and shall include:

1816 (1) If the registrant is an individual, the registrant's name,
1817 permanent address and temporary address while lobbying and the
1818 name, address and nature of business of any person who compensates
1819 or reimburses, or agrees to compensate or reimburse the registrant and
1820 the terms of the compensation, reimbursement or agreement, but shall
1821 not include the compensation paid to an employee for his involvement
1822 in activities other than lobbying;

1823 (2) If the registrant is a corporation, the name, address, place of
1824 incorporation and the principal place of business of the corporation;

1825 (3) If the registrant is an association, group of persons or an
1826 organization, the name and address of the principal officers and
1827 directors of such association, group of persons or organization. If the
1828 registrant is formed primarily for the purpose of lobbying, it shall
1829 disclose the name and address of any person contributing two
1830 thousand dollars or more to the registrant's lobbying activities in any
1831 calendar year;

1832 (4) If the registrant is not an individual, the name and address of
1833 each individual who will lobby on the registrant's behalf; and

1834 (5) The identification, with reasonable particularity, of areas of
1835 legislative or administrative action on which the registrant expects to
1836 lobby, including the names of executive agencies and quasi-public
1837 agencies and, where applicable, solicitations for state contracts and
1838 procurements.

1839 Sec. 46. Section 8-7a of the general statutes is repealed and the
1840 following is substituted in lieu thereof (*Effective January 1, 2006*):

1841 The zoning commission, planning commission, planning and
1842 zoning commission and zoning board of appeals shall call in a
1843 competent stenographer to take the evidence, or shall cause the
1844 evidence to be recorded by a sound-recording device, in each hearing
1845 before such commission or board in which the right of appeal lies to
1846 the Superior Court and at each meeting in which such commission or
1847 board of appeals deliberates any formal petition, application, request
1848 or appeal.

1849 Sec. 47. Section 4-61dd of the general statutes is repealed and the
1850 following is substituted in lieu thereof (*Effective from passage*):

1851 (a) Any person having knowledge of any matter involving
1852 corruption, unethical practices, violation of state laws or regulations,

1853 mismanagement, gross waste of funds, abuse of authority or danger to
1854 the public safety occurring in any state department or agency or any
1855 quasi-public agency, as defined in section 1-120, or any person having
1856 knowledge of any matter involving corruption, violation of state or
1857 federal laws or regulations, gross waste of funds, abuse of authority or
1858 danger to the public safety occurring in any large state contract, may
1859 transmit all facts and information in [his] such person's possession
1860 concerning such matter to the Auditors of Public Accounts. The
1861 Auditors of Public Accounts shall review such matter and report their
1862 findings and any recommendations to the Attorney General. Upon
1863 receiving such a report, the Attorney General shall make such
1864 investigation as [he] the Attorney General deems proper regarding
1865 such report and any other information that may be reasonably derived
1866 from such report. Prior to conducting an investigation of any
1867 information that may be reasonably derived from such report, the
1868 Attorney General shall consult with the Auditors of Public Accounts
1869 concerning the relationship of such additional information to the
1870 report that has been issued pursuant to this subsection. Any such
1871 subsequent investigation deemed appropriate by the Attorney General
1872 shall only be conducted with the concurrence and assistance of the
1873 Auditors of Public Accounts. At the request of the Attorney General or
1874 on their own initiative, the auditors shall assist in the investigation.
1875 The Attorney General shall have power to summon witnesses, require
1876 the production of any necessary books, papers or other documents and
1877 administer oaths to witnesses, where necessary, for the purpose of an
1878 investigation pursuant to this section. Upon the conclusion of [his] the
1879 investigation, the Attorney General shall where necessary, report [his]
1880 any findings to the Governor, or in matters involving criminal activity,
1881 to the Chief State's Attorney. [The] In addition to the exempt records
1882 provision of section 1-210, the Auditors of Public Accounts and the
1883 Attorney General shall not, after receipt of any information from a
1884 person under the provisions of this section, disclose the identity of
1885 such person without [his] such person's consent unless the Auditors of
1886 Public Accounts or the Attorney General determines that such
1887 disclosure is unavoidable, and may withhold records of such

1888 investigation, during the [course] pendency of the investigation.

1889 (b) (1) No state officer or employee, as defined in section 4-141, no
1890 quasi-public agency officer or employee, no officer or employee of a
1891 large state contractor and no appointing authority shall take or
1892 threaten to take any personnel action against any state or quasi-public
1893 agency employee or any employee of a large state contractor in
1894 retaliation for such employee's or contractor's disclosure of
1895 information to an employee of (i) the Auditors of Public Accounts or
1896 the Attorney General under the provisions of subsection (a) of this
1897 section; (ii) the state agency or quasi-public agency where such state
1898 officer or employee is employed; (iii) a state agency pursuant to a
1899 mandated reporter statute; or (iv) in the case of a large state contractor,
1900 to an employee of the contracting state agency concerning information
1901 involving the large state contract.

1902 (2) If a state or quasi-public agency employee or an employee of a
1903 large state contractor alleges that a personnel action has been
1904 threatened or taken in [retaliation for such employee's disclosure of
1905 information to the Auditors of Public Accounts or the Attorney
1906 General under the provisions of subsection (a) of this section,]
1907 violation of subdivision (1) of this subsection the employee may notify
1908 the Attorney General, who shall investigate pursuant to subsection (a)
1909 of this section. [After the conclusion of such investigation, the Attorney
1910 General, the employee or]

1911 (3) (A) Not later than thirty days after learning of the specific
1912 incident giving rise to a claim that a personnel action has been
1913 threatened or has occurred in violation of subdivision (1) of this
1914 subsection, a state or quasi-public agency employee, an employee of a
1915 large state contractor or the employee's attorney may file a complaint
1916 concerning such personnel action with the Chief Human Rights
1917 Referee designated under section 46a-57. The Chief Human Rights
1918 Referee shall assign the complaint to a human rights referee appointed
1919 under said section 46a-57, who shall conduct a hearing and issue a
1920 decision concerning whether the officer or employee taking or

1921 threatening to take the personnel action violated any provision of this
1922 section. If the human rights referee finds such a violation, the referee
1923 may award the aggrieved employee reinstatement to the employee's
1924 former position, back pay and reestablishment of any employee
1925 benefits to which the employee would otherwise have been eligible if
1926 such violation had not occurred, reasonable attorneys' fees, and any
1927 other damages. For the purposes of this subsection, such human rights
1928 referee shall act as an independent hearing officer. The decision of a
1929 human rights referee under this subsection may be appealed by any
1930 person who was a party at such hearing, in accordance with the
1931 provisions of section 4-183.

1932 [(3)] (B) The Chief Human Rights Referee shall adopt regulations, in
1933 accordance with the provisions of chapter 54, establishing the
1934 procedure for filing complaints and noticing and conducting hearings
1935 under [subdivision (2) of this subsection] subparagraph (A) of this
1936 subdivision.

1937 (4) As an alternative to the provisions of subdivisions (2) and (3) of
1938 this subsection (A) a state or quasi-public agency employee who
1939 alleges that a personnel action has been threatened or taken may file an
1940 appeal [within] not later than thirty days [of knowledge] after learning
1941 of the specific incident giving rise to such claim with the Employees'
1942 Review Board under section 5-202, or, in the case of a state or quasi-
1943 public agency employee covered by a collective bargaining contract, in
1944 accordance with the procedure provided by such contract, or (B) an
1945 employee of a large state contractor alleging that such action has been
1946 threatened or taken may, after exhausting all available administrative
1947 remedies, bring a civil action in accordance with the provisions of
1948 subsection (c) of section 31-51m.

1949 (5) In any proceeding under subdivision (2), (3) or (4) of this
1950 subsection concerning a personnel action taken or threatened against
1951 any state or quasi-public agency employee or any employee of a large
1952 state contractor, which personnel action occurs [within] not later than
1953 one year after the employee first transmits facts and information

1954 concerning a matter under subsection (a) of this section to the Auditors
1955 of Public Accounts or the Attorney General, there shall be a rebuttable
1956 presumption that the personnel action is in retaliation for the action
1957 taken by the employee under subsection (a) of this section.

1958 (6) If a state officer or employee, as defined in section 4-141, a quasi-
1959 public agency officer or employee, an officer or employee of a large
1960 state contractor or an appointing authority takes or threatens to take
1961 any action to impede, fail to renew or cancel a contract between a state
1962 agency and a large state contractor, or between a large state contractor
1963 and its subcontractor, in retaliation for the disclosure of information
1964 pursuant to subsection (a) of this section to any agency listed in
1965 subdivision (1) of this subsection, such affected agency, contractor or
1966 subcontractor may, not later than ninety days from learning of such
1967 action, threat or failure to renew, bring a civil action in the superior
1968 court for the judicial district of Hartford to recover damages, attorney's
1969 fees and costs.

1970 (c) Any employee of a state or quasi-public agency or large state
1971 contractor, who is found to have knowingly and maliciously made
1972 false charges under subsection (a) of this section, shall be subject to
1973 disciplinary action by [his] such employee's appointing authority up to
1974 and including dismissal. In the case of a state or quasi-public agency
1975 employee, such action shall be subject to appeal to the Employees'
1976 Review Board in accordance with section 5-202, or in the case of state
1977 or quasi-public agency employees included in collective bargaining
1978 contracts, the procedure provided by such contracts.

1979 (d) On or before September first, annually, the Auditors of Public
1980 Accounts shall submit to the clerk of each house of the General
1981 Assembly a report indicating the number of matters for which facts
1982 and information were transmitted to the auditors pursuant to this
1983 section during the preceding state fiscal year and the disposition of
1984 each such matter.

1985 (e) Each contract between a state or quasi-public agency and a large

1986 state contractor shall provide that, if an officer, employee or
1987 appointing authority of a large state contractor takes or threatens to
1988 take any personnel action against any employee of the contractor in
1989 retaliation for such employee's disclosure of information to any
1990 employee of the contracting state or quasi-public agency or the
1991 Auditors of Public Accounts or the Attorney General under the
1992 provisions of subsection (a) of this section, the contractor shall be liable
1993 for a civil penalty of not more than five thousand dollars for each
1994 offense, up to a maximum of twenty per cent of the value of the
1995 contract. Each violation shall be a separate and distinct offense and in
1996 the case of a continuing violation each calendar day's continuance of
1997 the violation shall be deemed to be a separate and distinct offense. The
1998 executive head of the state or quasi-public agency may request the
1999 Attorney General to bring a civil action in the superior court for the
2000 judicial district of Hartford to seek imposition and recovery of such
2001 civil penalty.

2002 (f) Each large state contractor shall post a notice of the provisions of
2003 this section relating to large state contractors in a conspicuous place
2004 which is readily available for viewing by the employees of the
2005 contractor.

2006 (g) No person who, in good faith, discloses information to the
2007 Auditors of Public Accounts or the Attorney General in accordance
2008 with this section shall be liable for any civil damages resulting from
2009 such good faith disclosure.

2010 [(g)] (h) As used in this section:

2011 (1) "Large state contract" means a contract between an entity and a
2012 state or quasi-public agency, having a value of five million dollars or
2013 more; [except for a contract for the construction, alteration or repair of
2014 any public building or public work;] and

2015 (2) "Large state contractor" means an entity that has entered into a
2016 large state contract with a state or quasi-public agency.

2017 Sec. 48. (NEW) (*Effective from passage*) In the event that a public or
2018 special act authorizes the state acquisition of real property or the
2019 construction, improvement, repair or renovation of any facility, the
2020 Commissioner of Public Works, in accordance with the provisions of
2021 title 4b of the general statutes, may acquire such real property or
2022 provide design and construction services for any such construction,
2023 improvement, repair or renovation of such facility, or both if
2024 applicable.

2025 Sec. 49. Subsection (i) of section 4b-55 of the general statutes is
2026 repealed and the following is substituted in lieu thereof (*Effective from*
2027 *passage*):

2028 (i) "User agency" means the state department or agency requesting
2029 the project or the agency for which such project is being undertaken
2030 pursuant to law.

2031 Sec. 50. Section 1-95 of the general statutes is amended by adding
2032 subsection (d) as follows (*Effective from passage*):

2033 (NEW) (d) In addition to the requirements of subsections (a) to (c),
2034 inclusive, of this section, the registration of a: (1) Client lobbyist, as
2035 defined in section 1-91, shall include: (A) The name of such company
2036 or association, (B) the nature of such company or association, (C) the
2037 primary business address of such company or association, (D) the
2038 name of the person responsible for oversight of such client lobbyist's
2039 lobbying activities, (E) the job title of such person and any applicable
2040 contact information for such person, including but not limited to,
2041 phone number, facsimile number, electronic mail address and business
2042 mailing address; and (2) communicator lobbyist, as defined in section
2043 1-91, shall include the name of the person with whom such
2044 communicator lobbyist has primary contact for each client of such
2045 communicator lobbyist and any applicable contact information for
2046 such person, including but not limited to, phone number, facsimile
2047 number, electronic mail address and business mailing address.

2048 Sec. 51. (NEW) (*Effective from passage*) (a) Except for the issuance of

2049 bonds, the Auditors of Public Accounts shall have authority to review
2050 and to develop recommendations for the review of each investment of
2051 funds, disbursement of funds or assets, or authorization of agreements
2052 or series of related agreements involving obligations of the
2053 Connecticut Resources Recovery Authority that has a value of one
2054 million dollars or more in order to determine whether such
2055 investment, disbursement or agreement is in the best interest of the
2056 state and is consistent with the purposes of the Connecticut Resources
2057 Recovery Authority. The Auditors of Public Accounts may provide
2058 any such recommendation for the review of such investments to the
2059 board of directors of the Connecticut Resources Recovery Authority.

2060 (b) In the event that the Auditors of Public Accounts exercise the
2061 authority provided in subsection (a) of this section and find that any
2062 such investment, disbursement or agreement is not in the best interest
2063 of the state or is inconsistent with the purposes of the Connecticut
2064 Resources Recovery Authority, the Auditors of Public Accounts may
2065 consult with the Connecticut Resources Recovery Authority
2066 concerning such investment, disbursement or agreement and may
2067 request justification for any such investment, disbursement or
2068 agreement. If the Auditors of Public Accounts determine that an
2069 adequate justification for such investment, disbursement or agreement
2070 has not been provided by the Connecticut Resources Recovery
2071 Authority following the request for such justification by the Auditors
2072 of Public Accounts pursuant to this subsection, the Auditors of Public
2073 Accounts may refer the matter to the Attorney General.

2074 Sec. 52. (NEW) (*Effective from passage*) (a) On and after the effective
2075 date of this section, no state agency or quasi-public agency shall
2076 execute a contract for the purchase of goods or services, which contract
2077 has a total value to the state of fifty thousand dollars or more in any
2078 calendar or fiscal year, unless the state agency or quasi-public agency
2079 obtains the written affidavit described in subsection (b) of this section.

2080 (b) (1) The chief official of the bidder or vendor awarded a contract
2081 described in subsection (a) of this section or the individual awarded

2082 such contract who is authorized to execute such contract, shall attest in
2083 an affidavit as to whether any consulting agreement has been entered
2084 into in connection with such contract. Such affidavit shall be required
2085 if any duties of the consultant included communications concerning
2086 business of such state agency, whether or not direct contact with a
2087 state agency, state or public official or state employee was expected or
2088 made. As used in this section "consulting agreement" means any
2089 written or oral agreement to retain the services, for a fee, of a
2090 consultant for the purposes of (1) providing counsel to a contractor,
2091 vendor, consultant or other entity seeking to conduct, or conducting,
2092 business with the state, (2) contacting, whether in writing or orally,
2093 any executive, judicial, or administrative office of the state, including
2094 any department, institution, bureau, board, commission, authority,
2095 official or employee for the purpose of solicitation, dispute resolution,
2096 introduction, requests for information or (3) any other similar activity
2097 related to such contract. Consulting agreement does not include any
2098 agreements entered into with a consultant who is registered under the
2099 provisions of chapter 10 of the general statutes as of the date such
2100 affidavit is submitted in accordance with the provisions of this section.

2101 (2) Such affidavit shall be sworn as true to the best knowledge and
2102 belief of the person signing the certification on the affidavit and shall
2103 be subject to the penalties of false statement.

2104 (3) Such affidavit shall include the name of the consultant, the
2105 consultant's firm, the basic terms of the consulting agreement, a brief
2106 description of the services provided, and an indication as to whether
2107 the consultant is a former state employee or public official. If the
2108 consultant is a former state employee or public official, such affidavit
2109 shall indicate his or her former agency and the date such employment
2110 terminated.

2111 (4) Such affidavit shall be amended whenever the bidder or vendor
2112 awarded the contract enters into any new consulting agreement during
2113 the term of such contract.

2114 (c) Each state agency and quasi-public agency shall include a notice
2115 of the affidavit requirements of this section in the bid specifications or
2116 request for proposals for any contract that is described in subsection
2117 (a) of this section.

2118 (d) In the event that a bidder or vendor refuses to submit the
2119 affidavit required under subsection (b) of this section, such bidder or
2120 vendor shall be disqualified and the state agency or quasi-public
2121 agency shall award the contract to the next highest ranked vendor or
2122 the next lowest responsible qualified bidder or seek new bids or
2123 proposals.

2124 Sec. 53. Section 1-84b of the general statutes is amended by adding
2125 subsection (k) as follows (*Effective from passage*):

2126 (NEW) (k) No former executive, judicial or legislative branch or
2127 quasi-public agency official or state employee convicted of any felony
2128 involving corrupt practices, abuse of office or breach of the public trust
2129 shall seek or accept employment as a lobbyist or act as a registrant
2130 pursuant to this chapter.

2131 Sec. 54. (NEW) (*Effective July 1, 2005*) (a) As used in this section:

2132 (1) "Crime related to state or quasi-public agency office" means
2133 larceny by state embezzlement, or theft, as defined in subdivision (18)
2134 of section 53a-119 of the general statutes, bribery under section 53a-147
2135 of the general statutes or bribe receiving under section 53a-148 of the
2136 general statutes, committed by a person while serving as a public
2137 official or state employee;

2138 (2) "Public official" means public official as defined in section 1-79 of
2139 the general statutes, as amended by this act; and

2140 (3) "State employee" means state employee as defined in section 1-79
2141 of the general statutes, as amended by this act;

2142 (b) Notwithstanding any provision of the general statutes, no public
2143 official or state employee that is convicted of or pleads guilty or nolo

2144 contendere to a crime related to state or quasi-public agency office,
 2145 shall seek or accept employment as a lobbyist or otherwise act as a
 2146 registrant pursuant to chapter 10 of the general statutes.

2147 Sec. 55. The resolution incorporating the Ararat Widow and Orphan
 2148 Fund, approved June 7, 1858, and contained in Volume V of the Private
 2149 and Special Laws of the State of Connecticut, pages 186 and 187, and
 2150 number 388 of the special acts of 1917, approved May 19, 1917, are
 2151 repealed. (*Effective from passage*)

2152 Sec. 56. Section 5-200d of the general statutes is repealed. (*Effective*
 2153 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2005</i>	46a-13k(b)
Sec. 4	<i>July 1, 2005</i>	New section
Sec. 5	<i>July 1, 2005</i>	20-280(e)
Sec. 6	<i>from passage</i>	28-1a(a)
Sec. 7	<i>July 1, 2005</i>	New section
Sec. 8	<i>from passage</i>	4a-5a
Sec. 9	<i>from passage</i>	4a-51
Sec. 10	<i>from passage</i>	4b-91(a)
Sec. 11	<i>from passage</i>	4b-91(g)
Sec. 12	<i>from passage</i>	4b-58
Sec. 13	<i>from passage</i>	12-94a
Sec. 14	<i>from passage</i>	32-9s
Sec. 15	<i>from passage</i>	12-170aa(g)
Sec. 16	<i>from passage</i>	12-170aa(j)
Sec. 17	<i>from passage</i>	12-129d
Sec. 18	<i>from passage</i>	12-20b
Sec. 19	<i>from passage</i>	3-55i
Sec. 20	<i>from passage</i>	12-19c
Sec. 21	<i>from passage</i>	20-281d(d)
Sec. 22	<i>from passage</i>	20-280(g)
Sec. 23	<i>from passage</i>	4a-59a
Sec. 24	<i>from passage</i>	10a-151b

Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	1-210(a) and (b)
Sec. 27	<i>from passage</i>	New section
Sec. 28	<i>from passage</i>	3-14b
Sec. 29	<i>from passage</i>	4b-57
Sec. 30	<i>from passage</i>	1-88(e)
Sec. 31	<i>from passage</i>	1-81
Sec. 32	<i>July 1, 2005</i>	New section
Sec. 33	<i>July 1, 2005</i>	New section
Sec. 34	<i>July 1, 2005</i>	New section
Sec. 35	<i>July 1, 2005</i>	New section
Sec. 36	<i>July 1, 2005</i>	New section
Sec. 37	<i>July 1, 2005</i>	New section
Sec. 38	<i>July 1, 2005</i>	1-79(e)
Sec. 39	<i>July 1, 2005</i>	1-82
Sec. 40	<i>July 1, 2005</i>	1-82a(a)
Sec. 41	<i>July 1, 2005</i>	1-84
Sec. 42	<i>July 1, 2005</i>	1-88
Sec. 43	<i>July 1, 2005</i>	1-89
Sec. 44	<i>July 1, 2005</i>	1-91(g)
Sec. 45	<i>July 1, 2005</i>	1-95(a)
Sec. 46	<i>January 1, 2006</i>	8-7a
Sec. 47	<i>from passage</i>	4-61dd
Sec. 48	<i>from passage</i>	New section
Sec. 49	<i>from passage</i>	4b-55(i)
Sec. 50	<i>from passage</i>	1-95
Sec. 51	<i>from passage</i>	New section
Sec. 52	<i>from passage</i>	New section
Sec. 53	<i>from passage</i>	1-84b
Sec. 54	<i>July 1, 2005</i>	New section
Sec. 55	<i>from passage</i>	New section
Sec. 56	<i>from passage</i>	Repealer section