



Substitute House Bill No. 5820

Public Act No. 06-196

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS AND CERTAIN OTHER CHANGES TO THE GENERAL STATUTES, THE 2006 SUPPLEMENT TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.

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

Section 1. Subsection (a) of section 1-80 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be an Office of State Ethics that shall be an independent state agency and shall constitute a successor agency to the State Ethics Commission, in accordance with the provisions of sections 4-38d and 4-39. [Such] Said office shall consist of an executive director, general counsel, ethics enforcement officer and such other staff as hired by [such] the executive director. Within the Office of State Ethics, there shall be the Citizen's Ethics Advisory Board that shall consist of nine members, appointed as follows: One member shall be appointed by the speaker of the House of Representatives, one member by the president pro tempore of the Senate, one member by the majority leader of the Senate, one member by the minority leader of the Senate, one member by the majority leader of the House of Representatives, one member by the minority leader of the House of Representatives,

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and three members by the Governor. Members of the [commission] board shall serve for four-year terms which shall commence on October 1, 2005, except that members first appointed shall have the following terms: The Governor shall appoint two members for a term of three years and one member for a term of four years; the majority leader of the House of Representatives, minority leader of the House of Representatives and the speaker of the House of Representatives shall each appoint one member for a term of two years; the president pro tempore of the Senate, the majority leader of the Senate and the minority leader of the Senate shall each appoint one member for a term of four years. No individual shall be appointed to more than one four-year term as a member of [such] the board, provided, [that] members may not continue in office once their term has expired and members first appointed may not be reappointed. No more than five members shall be members of the same political party. The members appointed by the majority leader of the Senate and the majority leader of the House of Representatives shall be selected from a list of nominees proposed by a citizen group having an interest in ethical government. The majority leader of the Senate and the majority leader of the House of Representatives shall each determine the citizen group from which each will accept such nominations. One member appointed by the Governor shall be selected from a list of nominees proposed by a citizen group having an interest in ethical government. The Governor shall determine the citizen group from which the Governor will accept such nominations.

Sec. 2. Subsection (k) of section 1-80 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(k) No member of the board may represent any business or person, other than [themselves] himself or herself, before the board for a period of one year following the end of such member's service on the

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board. No business or person that appears before the board shall employ or otherwise engage the services of a former member of the board for a period of one year following the end of such former member's service on the board.

Sec. 3. Subsection (m) of section 1-80 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(m) Upon request of any aggrieved party, the board shall delay the effect of any decision rendered by [such] the board for a period not to exceed more than seven days following the rendering of such decision.

Sec. 4. Section 1-80d of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of section 4-38d, not later than July 1, 2005, the Commissioner of Administrative Services shall transfer all staff members of the State Ethics Commission in their current position, with existing funds allocated for such positions, to other agencies of the state. [Such] The commissioner shall not require the Office of State Ethics, as established in section 1-80, as amended, to employ any former employee of the State Ethics Commission. In transferring each such staff member, the commissioner shall: (1) Transfer each staff member to a position located not further than twenty miles from Hartford, and (2) retain such staff member's title, grade, benefits and union membership, as such staff member had while employed with the State Ethics Commission. No other state employee shall be laid off as a result of such transfers.

Sec. 5. Subsection (c) of section 1-81 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) The executive director, described in subsection (b) of this section, shall be appointed by the Citizen's Ethics Advisory Board for an open-ended term. Such appointment shall not be made until all the initial board members appointed to terms commencing on October 1, 2005, are appointed by their respective appointing authorities, pursuant to subsection (a) of section 1-80, as amended. The board shall annually evaluate the performance of [such] the executive director, in writing, and may remove the executive director, in accordance with the provisions of chapter 67.

Sec. 6. Subsection (f) of section 1-81 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) There shall be an enforcement division within the Office of State Ethics. The enforcement division shall be responsible for investigating complaints brought to or by the board. The ethics enforcement officer, described in subsection (b) of this section, shall supervise [such] the enforcement division. [Such] The enforcement division shall employ such attorneys and investigators, as necessary, within available appropriations, and may refer matters to the office of the Chief State's Attorney, as appropriate.

Sec. 7. Subsection (d) of section 1-82a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) If a judge trial referee makes a finding of no probable cause, the complaint and the record of the Office of State Ethics' investigation shall remain confidential, except upon the request of the respondent and except that some or all of the record may be used in subsequent proceedings. No complainant, respondent, witness, designated party, or board or staff member of the Office of State Ethics shall disclose to any third party any information learned from the investigation,

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including knowledge of the existence of a complaint, which the disclosing party would not otherwise have known. If such a disclosure is made, the judge trial referee may, after consultation with the respondent if the respondent is not the source of the disclosure, publish [its] the judge trial referee's finding and a summary of [its] the judge trial referee's reasons therefor.

Sec. 8. Subsection (k) of section 1-84 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(k) No public official or state employee shall accept a fee or honorarium for an article, appearance or speech, or for participation at an event, in the public official's or state employee's official capacity, provided a public official or state employee may receive payment or reimbursement for necessary expenses for any such activity in his or her official capacity. If a public official or state employee receives such a payment or reimbursement for lodging or out-of-state travel, or both, the public official or state employee shall, not later than thirty days thereafter, file a report of the payment or reimbursement with the [commission] Office of State Ethics, unless the payment or reimbursement is provided by the federal government or another state government. If a public official or state employee does not file such report within such period, either intentionally or due to gross negligence on the public official's or state employee's part, the public official or state employee shall return the payment or reimbursement. If any failure to file such report is not intentional or due to gross negligence on the part of the public official or state employee, the public official or state employee shall not be subject to any penalty under this chapter. When a public official or state employee attends an event in this state in the public official's or state employee's official capacity and as a principal speaker at such event and receives admission to or food or beverage at such event from the sponsor of the

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event, such admission or food or beverage shall not be considered a gift and no report shall be required from such public official or state employee or from the sponsor of the event.

Sec. 9. Subsection (m) of section 1-84 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 10. Subsection (o) of section 1-84 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(o) If (1) any person (A) is doing business with or seeking to do business with the department or agency in which a public official or state employee is employed, or (B) is engaged in activities which are directly regulated by such department or agency, and (2) such person or a representative of [said] such person gives to such public official or state employee anything of value which is subject to the reporting

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requirements pursuant to subsection (e) of section 1-96, as amended, such person or representative shall, not later than ten days thereafter, give such recipient and the executive head of the recipient's department or agency a written report stating the name of the donor, a description of the item or items given, the value of such items and the cumulative value of all items given to such recipient during that calendar year. The provisions of this subsection shall not apply to a political contribution otherwise reported as required by law.

Sec. 11. Section 1-92 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Citizen's Ethics Advisory Board shall adopt regulations, in accordance with chapter 54, to carry out the purposes of this part. Such regulations shall not be deemed to govern the conduct of any judge trial referee in the performance of such judge trial referee's duties pursuant to this chapter. Not later than January 1, 1992, the board shall adopt regulations which further clarify the meaning of the terms "directly and personally received" and "major life event", as used in subsection (e) of section 1-79, as amended, and subsection (g) of section 1-91, as amended. [;]

(b) The general counsel and staff of the Office of State Ethics shall compile and maintain an index of all reports and statements filed with the Office of State Ethics under the provisions of this part and advisory opinions and informal staff letters issued by the board with regard to the requirements of this part, to facilitate public access to such reports, statements, letters and advisory opinions promptly upon the filing or issuance thereof. [;]

(c) The general counsel and staff of the Office of State Ethics shall prepare quarterly and annual summaries of statements and reports filed with the Office of State Ethics and advisory opinions and

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informal staff letters issued by the Office of State Ethics. [;]

(d) The general counsel and staff of the Office of State Ethics shall preserve advisory opinions and informal staff letters permanently [;] and shall preserve memoranda, [filed under subsection (f) of section 1-93a,] statements and reports filed by and with the Office of State Ethics for a period of five years from the date of receipt. [;]

(e) Upon the concurring vote of a majority of its members present and voting, the board shall issue advisory opinions with regard to the requirements of this part, upon the request of any person, subject to the provisions of this part, and publish such advisory opinions in the Connecticut Law Journal. Advisory opinions rendered by the board, until amended or revoked, shall be binding on the board and shall be deemed to be final decisions of the board for purposes of appeal to the superior court, in accordance with the provisions of section 4-175 or 4-183. Any advisory opinion concerning any person subject to the provisions of this part who requested the opinion and who acted in reliance thereon, in good faith, shall be binding upon the board, and it shall be an absolute defense in any criminal action brought under the provisions of this part that the accused acted in reliance upon such advisory opinion. [;]

(f) [Report] The Office of State Ethics shall report annually, prior to February fifteenth, to the Governor summarizing the activities of the [commission; and] Office of State Ethics.

(g) The Office of State Ethics shall employ necessary staff within available appropriations.

Sec. 12. Subsection (a) of section 1-93a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Unless a judge trial referee makes a finding of probable cause, a

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complaint alleging a violation of this part shall be confidential except upon the request of the respondent. [A] An Office of State Ethics evaluation of a possible violation of this part undertaken prior to a complaint being filed shall be confidential except upon the request of the subject of the evaluation. If the evaluation is confidential, any information supplied to or received from the Office of State Ethics shall not be disclosed to any third party by a subject of the evaluation, a person contacted for the purpose of obtaining information or by a board or staff member of the Office of State Ethics. No provision of this subsection shall prevent the board or the Office of State Ethics from reporting the possible commission of a crime to the Chief State's Attorney or other prosecutorial authority.

Sec. 13. Subsection (e) of section 1-93a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The judge trial referee shall make public a finding of probable cause not later than five business days after any such finding. At such time, the entire record of the investigation shall become public, except that the Office of State Ethics may postpone examination or release of such public records for a period not to exceed fourteen days for the purpose of reaching a stipulation agreement pursuant to subsection (c) of section 4-177. Any stipulation agreement or settlement entered into for a violation of this part shall be approved by a majority ~~[if]~~ of its members present and voting.

Sec. 14. Subsection (d) of section 1-95 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) In addition to the requirements of subsections (a) to (c), inclusive, of this section, the registration of a: (1) Client lobbyist, as defined in section 1-91, as amended, shall include: (A) The name of

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such company or association, (B) the nature of such company or association, (C) the primary business address of such company or association, (D) the name of the person responsible for oversight of such client lobbyist's lobbying activities, (E) the job title of such person and any applicable contact information for such person, including, but not limited to, phone number, facsimile number, electronic mail address and business mailing address; and (2) communicator lobbyist, as defined in section 1-91, as amended, shall include the name of the person with whom such communicator lobbyist has primary contact for each client of such communicator lobbyist and any applicable contact information for such person, including, but not limited to, phone number, facsimile number, electronic mail address and business mailing address.

Sec. 15. Section 1-101mm of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section [, sections 1-82, 1-101pp and 1-101qq, subsection (e) of section 1-79 and subsection (a) of section 1-82a] and sections 1-101nn to 1-101rr, inclusive:

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

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senior vice president or treasurer of such business.

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

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

(4) "Person" has the same meaning as provided in section 1-79, as amended.

(5) "Public official" has the same meaning as provided in section 1-79, as amended.

(6) "Quasi-public agency" has the same meaning as provided in section 1-79, as amended.

(7) "State employee" has the same meaning as provided in section 1-79, as amended.

Sec. 16. Section 1-101oo of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In addition to its jurisdiction over persons who are residents of this state, the [State Ethics Commission] Office of State Ethics may exercise personal jurisdiction over any nonresident person, or the agent of such nonresident person, who makes a payment of money or

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gives anything of value to a public official or state employee in violation of section 1-101nn, or who is, or is seeking to be, prequalified under section 4a-100.

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

(c) Any nonresident person or the agent of such person over whom the [State Ethics Commission] Office of State Ethics may exercise personal jurisdiction, as provided in subsection (a) of this section, who does not otherwise have a registered agent in this state for service of process, shall be deemed to have appointed the Secretary of the State as the person's or agent's attorney and to have agreed that any process in any complaint, investigation or other matter conducted pursuant to section 1-82, as amended, or 1-82a, as amended, concerning an alleged violation of section 1-101nn and brought against the nonresident person, or [said] such person's agent, may be served upon the Secretary of the State and shall have the same validity as if served upon such nonresident person or agent personally. The process shall be served upon the Secretary of the State by the officer to whom the same is directed by leaving with or at the office of the Secretary of the State, at least twelve days before any required appearance day of such process, a true and attested copy of such process, and by sending to the nonresident person or agent so served, at the person's or agent's last-known address, by registered or certified mail, postage prepaid, return receipt requested, a like and attested copy with an endorsement thereon of the service upon the Secretary of the State. The Secretary of the State shall keep a record of each such process and the day and hour of service.

Sec. 17. Section 1-101pp of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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Any commissioner, deputy commissioner, state agency or quasi-public agency head or deputy, or person in charge of state agency procurement and contracting who has reasonable cause to believe that a person has violated the provisions of the Code of Ethics for Public Officials set forth in part I of this chapter or any law or regulation concerning ethics in state contracting shall report such belief to the [State Ethics Commission] Office of State Ethics, which may further report such information to the Auditor of Public Accounts, the Chief State's Attorney or the Attorney General.

Sec. 18. Subsection (a) of section 1-101qq of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A state agency or institution or quasi-public agency that is seeking a contractor for a large state construction or procurement contract shall provide the summary of state ethics laws developed by the [State Ethics Commission] Office of State Ethics pursuant to section 1-81b, as amended, to any person seeking a large state construction or procurement contract. Such person shall promptly affirm to the agency or institution, in writing, (1) receipt of such summary, and (2) that key employees of such person have read and understand the summary and agree to comply with the provisions of state ethics law. No state agency or institution or quasi-public agency shall accept a bid for a large state construction or procurement contract without such affirmation.

Sec. 19. Subsection (b) of section 1-101rr of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each other state agency and quasi-public agency shall designate an agency officer or employee as a liaison to the [State Ethics Commission] Office of State Ethics. The liaison shall coordinate the

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development of ethics policies for the agency and work with the [State Ethics Commission] Office of State Ethics on training on ethical issues for agency personnel involved in contracting.

Sec. 20. Subsection (c) of section 2-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Rules or regulations may be adopted with respect to the following matters, among others, without limitation by reason of such specification: (1) Regulating admission to the legislative chambers, galleries, lobbies, offices and other areas of the buildings wherein they are located which provide access thereto; (2) limiting the size of groups of persons permitted within such areas, for reasons of health and safety and in case of fire or other emergency; (3) prohibiting or restricting the bringing of signs, banners, placards or other display materials into any such areas, or possessing them therein, without proper authorization; (4) prohibiting or restricting the bringing of radio or television equipment, recording equipment, sound-making or amplifying equipment and photographic equipment into any such areas, or possessing them therein, without proper authorization; (5) prohibiting or restricting the bringing of packages, bags, baggage or briefcases into any such areas, or possessing them therein, without proper authorization; (6) establishing rules of conduct for visitors to the galleries; (7) authorizing the clearing of the public from the chambers, lobbies and galleries, or from any room in which a public legislative hearing or meeting is being conducted, in the event of any disturbance therein which disrupts legislative proceedings or endangers any member, officer or employee of the General Assembly or the general public, except that duly accredited representatives of the news media not participating in any such disturbance shall be permitted to remain therein. The closing of such areas to the public shall continue only [so] as long as necessary to avoid disruption of the

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legislative proceedings or to preserve and protect the safety of the members, officers or employees of the General Assembly or the general public; (8) authorizing the construction of safety barriers and other protective measures for the galleries and other areas under the jurisdiction of the General Assembly and the acquisition of security equipment, all from the funds made available therefor; (9) protecting the records and property of the General Assembly from unlawful damage or destruction; and (10) any and all other matters which may be necessary or appropriate to the orderly conduct of the affairs of the General Assembly and the protection of the health, safety and welfare of the members, officers and employees of the General Assembly and the general public in connection therewith.

Sec. 21. Section 2-50a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Motor Vehicles shall issue, in respect to not more than two motor vehicles owned or regularly used by each member of the General Assembly, on application by such member, on or before January fifteenth in the odd-numbered years, number plates bearing the assembly district number or the senatorial district number, as the case may be, of the member, and a distinguishing mark indicating his or her membership in either house of the General Assembly; and the commissioner shall issue a certificate of registration, as provided in section 14-12, as amended, in connection therewith. Such registration shall be valid, subject to renewal, [so] as long as the member remains a member of the General Assembly, and thereafter the registration number and number plates, if any, which were assigned to such motor vehicle before a registration and number plates were issued under this section, shall be in effect. The provisions of this section shall apply to not more than two motor vehicles regularly used by a member who is the president or a vice president of a person, firm or corporation to which a license was issued in

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accordance with section 14-52, even if such member does not own a motor vehicle that is registered with the Commissioner of Motor Vehicles in accordance with section 14-12, as amended.

Sec. 22. Subdivision (3) of subsection (b) of section 3-131 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "Investment professional" means an individual or firm whose primary business is bringing together institutional funds and investment opportunities and who (A) is a broker-dealer or investment adviser agent licensed or registered (i) under the Connecticut Uniform Securities Act; (ii) in the case of an investment adviser agent, with the Securities and Exchange Commission, in accordance with the Investment Advisors' Act of 1940; or (iii) in the case of a broker-dealer, with the National Association of Securities Dealers in accordance with the Securities Exchange Act of 1934, or (B) is licensed under section 20-312, as amended, or under a comparable statute of the jurisdiction in which the subject property is located, or (C) (i) furnishes an investment manager with marketing services including, but not limited to, developing an overall marketing strategy focusing on more than one institutional fund, designing or publishing marketing brochures or other presentation material such as logos and brands for investment products, responding to requests for proposals, completing due diligence questionnaires, identifying a range of potential investors, or such other services as may be identified in regulations adopted under [subparagraph] clause (ii) of this subparagraph; and (ii) meets criteria prescribed (I) by the Treasurer until regulations are adopted under this subparagraph, or (II) by the Citizen's Ethics Advisory Board, in consultation with the Treasurer, in regulations adopted in accordance with the provisions of chapter 54. Prior to adopting such regulations, the Citizen's Ethics Advisory Board shall transmit the proposed regulations to the Treasurer not later than one hundred twenty days

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before any period for public comment on such regulations commences and shall consider any comments or recommendations the Treasurer may have regarding such regulations. In developing such regulations, the [commission] Citizen's Ethics Advisory Board shall ensure that the state will not be competitively disadvantaged by such regulations relative to any legitimate financial market.

Sec. 23. Subsection (e) of section 3-14b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 24. Subsection (a) of section 3-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No bonds, notes or other evidences of indebtedness for borrowed money payable from General Fund tax receipts of the state shall be authorized by the General Assembly or issued except such as shall not cause the aggregate amount of the total amount of bonds, notes or other evidences of indebtedness payable from General Fund tax receipts authorized by the General Assembly but which have not been issued and the total amount of such indebtedness which has been issued and remains outstanding to exceed one and six-tenths times the total General Fund tax receipts of the state for the fiscal year in which

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any such authorization will become effective or in which such indebtedness is issued, as estimated for such fiscal year by the joint standing committee of the General Assembly having cognizance of finance, revenue and bonding in accordance with section 2-35. In computing such aggregate amount of indebtedness at any time, there shall be excluded or deducted, as the case may be, (1) the principal amount of all such obligations as may be certified by the Treasurer (A) as issued in anticipation of revenues to be received by the state during the period of twelve calendar months next following their issuance and to be paid by application of such revenue, or (B) as having been refunded or replaced by other indebtedness the proceeds and projected earnings on which or other funds are held in escrow to pay and are sufficient to pay the principal, interest and any redemption premium until maturity or earlier planned redemption of such indebtedness, or (C) as issued and outstanding in anticipation of particular bonds then unissued but fully authorized to be issued in the manner provided by law for such authorization, provided, [so] as long as any of [said] such obligations are outstanding, the entire principal amount of such particular bonds thus authorized shall be deemed to be outstanding and be included in such aggregate amount of indebtedness, or (D) as payable solely from revenues of particular public improvements, (2) the amount which may be certified by the Treasurer as the aggregate value of cash and securities in debt retirement funds of the state to be used to meet principal of outstanding obligations included in such aggregate amount of indebtedness, (3) every such amount as may be certified by the Secretary of the Office of Policy and Management as the estimated payments on account of the costs of any public work or improvement thereafter to be received by the state from the United States or agencies thereof and to be used, in conformity with applicable federal law, to meet principal of obligations included in such aggregate amount of indebtedness, (4) all authorized and issued indebtedness to fund any budget deficits of the state for any fiscal year ending on or before June

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30, 1991, (5) all authorized indebtedness to fund the program created pursuant to section 32-285, as amended, (6) all authorized and issued indebtedness to fund any budget deficits of the state for any fiscal year ending on or before June 30, 2002, (7) all indebtedness authorized and issued pursuant to section 1 of public act 03-1 of the September 8 special session, (8) all authorized indebtedness issued pursuant to section 3-62h, and (9) any indebtedness represented by any agreement entered into pursuant to subsection (b) or (c) of section 3-20a as certified by the Treasurer, provided the indebtedness in connection with which such agreements were entered into shall be included in such aggregate amount of indebtedness. In computing the amount of outstanding indebtedness, only the accreted value of any capital appreciation obligation or any zero coupon obligation which has accreted and been added to the stated initial value of such obligation as of the date of any computation shall be included.

Sec. 25. Section 3-38 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Prior to July 1, 2005, the Treasurer is directed to hold the fund known as the posthumous fund of Fitch's Home for the Soldiers in trust, to credit the income from [such] said fund to the Department of Veterans' Affairs to be used for the welfare and entertainment of the patients of the Veterans' Home or any other home established by the state for the care of veterans and to pay from the principal thereof any claim which may be lawfully established against the same.

(b) Effective July 1, 2005, the Treasurer shall consolidate the posthumous fund of Fitch's Home for the Soldiers and the Fitch Fund. The name of the consolidated fund shall be the Fitch Fund. On and after July 1, 2005, the Treasurer shall hold the Fitch Fund in trust, to credit the income from [such] said fund to the Department of Veterans' Affairs to be used for the welfare and entertainment of the residents of

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the Veterans' Home or any other home established by the state for the care of veterans and to pay from the principal thereof any claim that may be lawfully established against [such] said fund.

Sec. 26. Subsection (b) of section 4-61dd of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) No state officer or employee, as defined in section 4-141, no quasi-public agency officer or employee, no officer or employee of a large state contractor and no appointing authority shall take or threaten to take any personnel action against any state or quasi-public agency employee or any employee of a large state contractor in retaliation for such employee's or contractor's disclosure of information to (A) an employee of [(i)] the Auditors of Public Accounts or the Attorney General under the provisions of subsection (a) of this section; [(ii)] (B) an employee of the state agency or quasi-public agency where such state officer or employee is employed; [(iii)] (C) an employee of a state agency pursuant to a mandated reporter statute; or [(iv)] (D) in the case of a large state contractor, [to] an employee of the contracting state agency concerning information involving the large state contract. agency concerning information involving the large state contract.

(2) If a state or quasi-public agency employee or an employee of a large state contractor alleges that a personnel action has been threatened or taken in violation of subdivision (1) of this subsection, the employee may notify the Attorney General, who shall investigate pursuant to subsection (a) of this section.

(3) (A) Not later than thirty days after learning of the specific incident giving rise to a claim that a personnel action has been threatened or has occurred in violation of subdivision (1) of this subsection, a state or quasi-public agency employee, an employee of a

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large state contractor or the employee's attorney may file a complaint concerning such personnel action with the Chief Human Rights Referee designated under section 46a-57. The Chief Human Rights Referee shall assign the complaint to a human rights referee appointed under [said] section 46a-57, who shall conduct a hearing and issue a decision concerning whether the officer or employee taking or threatening to take the personnel action violated any provision of this section. If the human rights referee finds such a violation, the referee may award the aggrieved employee reinstatement to the employee's former position, back pay and reestablishment of any employee benefits [to] for which the employee would otherwise have been eligible if such violation had not occurred, reasonable attorneys' fees, and any other damages. For the purposes of this subsection, such human rights referee shall act as an independent hearing officer. The decision of a human rights referee under this subsection may be appealed by any person who was a party at such hearing, in accordance with the provisions of section 4-183.

(B) The Chief Human Rights Referee shall adopt regulations, in accordance with the provisions of chapter 54, establishing the procedure for filing complaints and noticing and conducting hearings under subparagraph (A) of this subdivision.

(4) As an alternative to the provisions of subdivisions (2) and (3) of this subsection: (A) [a] A state or quasi-public agency employee who alleges that a personnel action has been threatened or taken may file an appeal not later than thirty days after learning of the specific incident giving rise to such claim with the Employees' Review Board under section 5-202, or, in the case of a state or quasi-public agency employee covered by a collective bargaining contract, in accordance with the procedure provided by such contract; [.] or (B) an employee of a large state contractor alleging that such action has been threatened or taken may, after exhausting all available administrative remedies, bring a

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civil action in accordance with the provisions of subsection (c) of section 31-51m.

(5) In any proceeding under subdivision (2), (3) or (4) of this subsection concerning a personnel action taken or threatened against any state or quasi-public agency employee or any employee of a large state contractor, which personnel action occurs not later than one year after the employee first transmits facts and information concerning a matter under subsection (a) of this section to the Auditors of Public Accounts or the Attorney General, there shall be a rebuttable presumption that the personnel action is in retaliation for the action taken by the employee under subsection (a) of this section.

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

Sec. 27. Subsection (g) of section 4-67x of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) Not later than July 1, 2006, the Office of Policy and Management shall, within available appropriations, develop a protocol requiring state contracts for programs aimed at reducing poverty for children and families to include performance-based standards and outcome

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measures related to the child poverty reduction goal specified in subsection (a) of this section. Not later than July 1, 2007, the Office of Policy and Management shall, within available appropriations, require such state contracts to include such performance-based standards and [outcomes] outcome measures. The Secretary of the Office of Policy and Management may consult with the Commission on Children to identify academic, private and other available funding sources and may accept and utilize funds from private and public sources to implement the provisions of this section.

Sec. 28. Subsection (d) of section 4-124l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) If at any time after the establishment within a planning region of a regional council of governments the members of the council shall constitute less than forty per cent of all eligible towns, cities and boroughs within such planning region, the council shall thereafter be deemed a regional council of elected officials without the rights and duties of a regional planning agency for [so] as long as and until the membership of the council shall again constitute not less than sixty per cent of all such eligible cities, towns and boroughs within the planning region. Whenever the members of the council shall constitute less than forty per cent of all such eligible towns, cities and boroughs within the planning region, a regional council of elected officials and a regional planning agency may be established within such region under the general statutes, as amended.

Sec. 29. Subsection (a) of section 4-124hh of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Office of Workforce Competitiveness shall, within available appropriations, establish a grant program to provide a flexible source

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of funding for the creation and generation of talent in institutions of higher education and, with appropriate connections to vocational-technical schools and other secondary schools, for student outreach and development. Grants pursuant to this subsection shall be awarded to institutions of higher education and may be used to:

(1) Upgrade instructional laboratories to meet specific industry-standard laboratory and instrumentation skill requirements;

(2) Develop new curriculum and certificate and degree programs at the [level of] associate, [bachelor] bachelor's, master's and doctorate levels, tied to industry identified needs;

(3) Develop seamlessly articulated career development programs in workforce shortage areas forecasted pursuant to subdivision (9) of subsection (b) of section 4-124w in collaboration with vocational-technical schools and other secondary schools and institutions of higher education; and

(4) Support undergraduate and graduate student research projects and experimental learning activities.

Sec. 30. Subsection (c) of section 4-124hh of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Office of Workforce Competitiveness shall, within available appropriations, establish a grant program to provide funding for the promotion of collaborative research applications between industry and institutions of higher education. Grants pursuant to this subsection shall be awarded to institutions of higher education, technology-focused organizations and business entities and may be used:

(1) To improve technology infrastructure by advancing the development of shared use between institutions of higher education

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and business entities of laboratories and equipment, including, but not limited to, technology purchase, lease and installation, operating and necessary support personnel and maintenance; and

(2) As matching grants for joint projects between an industry, a technology-focused organization or a university. The office shall structure the matching grants to provide two rounds of funding annually and shall do outreach to companies. The matching grant part of the program shall include, but not be limited to, (A) one-to-one matching grants not to exceed one hundred thousand dollars, with in-kind match allowed for small and mid-sized companies, (B) involvement of a competitive process with outside reviewers using as key criteria (i) the demonstration of commercial relevance, and (ii) a clear path to the marketplace for any innovations developed in the course of the research, and (C) an aggressive marketing campaign through business organizations to raise industry awareness of resources from universities or technology-focused organizations.

Sec. 31. Subsection (a) of section 4a-59a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No state agency may extend a contract for the purchase of supplies, materials, equipment or contractual services which expires on or after October 1, 1990, and is subject to the competitive bidding requirements of subsection (a) of section 4a-57, without complying with such requirements, unless (1) the Commissioner of Administrative Services makes a written determination, supported by documentation, that (A) soliciting competitive bids for such purchase would cause a hardship for the state, (B) such solicitation would result in a major increase in the cost of such supplies, materials, equipment or contractual services, or (C) the contractor is the sole source for such supplies, materials, equipment or contractual services, (2) [such] the commissioner solicits at least three competitive quotations in addition

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to the contractor's quotation, and (3) the commissioner makes a written determination that no such competitive quotation which complies with the existing specifications for the contract is lower than or equal to the contractor's quotation. Any such contract extension shall be based on the contractor's quotation. No contract may be extended more than two times under this section.

Sec. 32. Subsection (b) of section 4b-57 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 33. Subsection (d) of section 5-142 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Commencing on May 8, 1984, or the date of disability, if later, each such disabled member of the Division of State Police within the Department of Public Safety shall receive a monthly allowance payable

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by the state employees retirement system, [so] as long as the member remains so disabled, as follows: (1) To a disabled member, a monthly allowance of three hundred dollars for [his] such disabled member's lifetime; (2) if such disabled member is married, an additional monthly allowance of two hundred fifty dollars payable to the member and payable for the member's lifetime or until the spouse's divorce from the member; (3) if there are less than three dependent children, a monthly allowance of two hundred fifty dollars payable to the member for each child until each such child reaches the age of eighteen or until the child's marriage if such occurs earlier; (4) if there are three or more dependent children, a monthly allowance of five hundred and seventy-five dollars payable to the member but deemed to be divided equally among them. As each such dependent child reaches the age of eighteen years, or marries, if such occurs earlier, the child's share shall be deemed divided equally among the remaining surviving children, provided each child's share shall not exceed two hundred fifty dollars; when the shares payable on behalf of all but one of such dependent children have ceased, the disability benefit payable on behalf of the remaining child shall be two hundred fifty dollars. These benefits shall be integrated with the benefits of section 5-169, as amended, or 5-192p, as amended, as if they were federal Social Security disability benefits in order to determine the maximum benefits payable to such disabled member. These benefits shall be subject to increases as provided in subsection (e) of this section. All benefits provided under this subsection shall be discontinued at the earlier of the member's recovery from disability or the member's death. If a disabled member dies, the survivor benefits provided under sections 5-146 to 5-150, inclusive, shall be payable.

Sec. 34. Subsection (a) of section 5-248a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Each permanent employee, as defined in subdivision [(21)] (20) of section 5-196, shall be entitled to the following: (1) A maximum of twenty-four weeks of family leave of absence within any two-year period upon the birth or adoption of a child of such employee, or upon the serious illness of a child, spouse or parent of such employee; and (2) a maximum of twenty-four weeks of medical leave of absence within any two-year period upon the serious illness of such employee or in order for such employee to serve as an organ or bone marrow donor. Any such leave of absence shall be without pay. Upon the expiration of any such leave of absence, the employee shall be entitled (A) to return to the employee's original job from which the leave of absence was provided or, if not available, to an equivalent position with equivalent pay, except that in the case of a medical leave, if the employee is medically unable to perform the employee's original job upon the expiration of such leave, the Personnel Division of the Department of Administrative Services shall endeavor to find other suitable work for such employee in state service, and (B) to all accumulated seniority, retirement, fringe benefit and other service credits the employee had at the commencement of such leave. Such service credits shall not accrue during the period of the leave of absence.

Sec. 35. Subsection (d) of section 5-257 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The insurance of any employee insured under this section shall cease on termination of employment, and of any member of the General Assembly at the end of [his] such member's term of office, subject to any conversion privilege provided in the group life insurance policy or policies. Notwithstanding [anything to the contrary in] any provision of this section, the amounts of life insurance of insured employees retired in accordance with any retirement plan

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for state employees shall be as follows: The amount of life insurance of an insured employee retired before, on or after July 1, 1998, with twenty-five or more years of state service, as defined in subdivision (25) of section 5-196, or a member of the General Assembly who is retired on or after July 1, 1988, with twenty-five or more years of service, shall be one-half of the amount of life insurance for which the employee was insured immediately before retirement, provided in no case shall the amount be less than ten thousand dollars, those with less than twenty-five years of service shall receive the proportionate amount that such years of service is to twenty-five years rounded off to the nearest hundred dollars of coverage, except that the amount of life insurance of an insured employee who is retired on or after July 1, 1982, under the provisions of section 5-173 shall be one-half of the amount of life insurance for which the employee was insured immediately before retirement, regardless of the number of years of service by such employee. In no case shall a retired employee be required to contribute to the cost of any such reduced insurance. For the purposes of this section, no employee shall be deemed to be retired [so] as long as [his] such employee's employment continues under subsections (b) and (e) of section 5-164, as amended.

Sec. 36. Subsection (a) of section 5-276a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In the event that either the employer, as defined in subsection (a) of section 5-270, or a designated employee organization, as defined in subsection (d) of said section, may desire negotiations with respect to an original or successor collective bargaining agreement, such party, not more than three hundred thirty days prior to the expiration of the existing collective bargaining agreement [nor] or less than one hundred fifty days prior thereto, shall serve written notice thereof upon the other party. Negotiations shall commence within thirty days

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of such service. Negotiations as to wage reopeners shall commence within twenty days of receipt by one party of a written notice with respect thereto, served in accordance with the provisions of any such reopener in the affected contract or, if none is stated therein, not more than sixty days [nor] or less than thirty days prior to the effective date of such reopener.

Sec. 37. Subsection (a) of section 7-130g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The authority may issue bonds from time to time in its discretion, subject to the approval of the legislative body when required by the provisions of sections 7-130a to 7-130w, inclusive, for the purpose of paying all or any part of the cost of acquiring, purchasing, constructing, reconstructing, improving or extending any project and acquiring necessary land and equipment therefor. The authority may issue such types of bonds as it may determine, including, without limiting the generality of the foregoing, bonds payable as to principal and interest: (1) From its revenues generally; (2) exclusively from the income and revenues of a particular project; or (3) exclusively from the income and revenues of certain designated projects, whether or not they are financed in whole or in part from the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any grant or contribution from a participating municipality, the state or any political subdivision, agency or instrumentality thereof, any federal agency or any private corporation, copartnership, association or individual, or a pledge of any income or revenues of the authority, or a mortgage on any project or other property of the authority. Whenever and for [so] as long as any authority has issued and has outstanding bonds pursuant to sections 7-130a to 7-130w, inclusive, the authority shall fix, charge and collect rates, rents, fees and other charges in accordance with the second

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sentence of section 7-130i. Neither the commissioners of the authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of the authority, and such bonds and obligations shall so state on their face, shall not be a debt of the state or any political subdivision thereof, except when the authority or a participating municipality which in accordance with section 7-130s has guaranteed payment of principal and of interest on the same, and no person other than the authority or such a public body shall be liable thereon, nor shall such bonds or obligations be payable out of any funds or properties other than those of the authority or such a participating municipality. Except to the extent and for the purpose therein expressly provided by other laws, such bonds shall not constitute an indebtedness within the meaning of any statutory limitation on the indebtedness of any participating municipality. Bonds of the authority are declared to be issued for an essential public and governmental purpose. In anticipation of the sale of such revenue bonds the authority may issue negotiable bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof, shall not exceed five years from the date of issue of the original note. Such notes shall be paid from any revenues of the authority available therefor and not otherwise pledged, or from the proceeds of sale of the revenue bonds of the authority in anticipation of which they were issued. The notes shall be issued in the same manner as the revenue bonds. Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions or limitations which a bond resolution of the authority may contain.

Sec. 38. Subsection (a) of section 7-136n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Two or more municipalities may jointly issue bonds from time to time at their discretion, subject to the approval of the legislative body of each municipality for the purpose of paying all or any part of the cost of any project or activity, including acquisition of necessary land and equipment therefor, entered into jointly. The municipalities may issue such types of bonds as they may determine, including, without limiting the generality of the foregoing, bonds payable as to principal and interest: (1) From their revenues generally; (2) exclusively from the income and revenues of a particular project; or (3) exclusively from the income and revenues of certain designated projects, whether or not they are financed in whole or in part from the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any grant or contribution from a participating municipality, the state or any political subdivision, agency or instrumentality thereof, any federal agency or any private corporation, copartnership, association or individual, or a pledge of any income or revenues of the municipalities, or a mortgage on any project or other property of the municipalities. Whenever and for [so] as long as the municipalities have issued and have outstanding bonds pursuant to sections 7-136n to 7-136s, inclusive, the municipalities shall fix, charge and collect rates, rents, fees and other charges. No person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of the municipalities, and such bonds and obligations shall so state on their face, shall not be a debt of the state or any political subdivision thereof except the municipalities issuing such bonds, and no person other than the municipalities shall be liable thereon, nor shall such bonds or obligations be payable out of any funds or properties other than those of a participating municipality. Except to the extent and for the purpose therein expressly provided by other laws, such bonds shall not constitute an indebtedness within the meaning of any statutory limitation on the indebtedness of any participating municipality. Bonds of participating municipalities are declared to be issued for an

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essential public and governmental purpose. In anticipation of the sale of such revenue bonds the municipalities may issue negotiable bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof, shall not exceed five years from the date of issue of the original note. Such notes shall be paid from any revenues of the municipalities available therefor and not otherwise pledged, or from the proceeds of sale of the revenue bonds of the municipalities in anticipation of which they were issued. The notes shall be issued in the same manner as the revenue bonds. Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions or limitations which a bond resolution of the municipalities may contain.

Sec. 39. Subsection (b) of section 7-147k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The provisions of this part shall not apply to any property owned by a nonprofit institution of higher education, for [so] as long as a nonprofit institution of higher education owns such property.

Sec. 40. Subsection (a) of section 7-329g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The port authority may issue bonds from time to time in its discretion, subject to the approval of the legislative body when required by the provisions of sections 7-329a to 7-329u, inclusive, for the purpose of paying all or any part of the cost of acquiring, purchasing, constructing, reconstructing, improving or extending any project and acquiring necessary land and equipment therefor. The port authority may issue such types of bonds as it may determine, including, without limiting the generality of the foregoing, bonds payable as to principal and interest: (1) From its revenues generally; (2)

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exclusively from the income and revenues of a particular project; or (3) exclusively from the income and revenues of certain designated projects, whether or not they are financed in whole or in part from the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any grant or contribution from a participating municipality, the state or any political subdivision, agency or instrumentality thereof, any federal agency or any private corporation, copartnership, association or individual, or a pledge of any income or revenues of the port authority, or a mortgage on any project or other property of the port authority, provided such pledge shall not create any liability on the entity making such grant or contribution beyond the amount of such grant or contribution. Whenever and for [so] as long as any port authority has issued and has outstanding bonds pursuant to sections 7-329a to 7-329f, inclusive, the port authority shall fix, charge and collect rates, rents, fees and other charges in accordance with section 7-329i. Neither the members of the port authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of the port authority, and such bonds and obligations shall so state on their face, shall not be a debt of the state or any political subdivision thereof, except when the port authority or a participating municipality which in accordance with section 7-329r, has guaranteed payment of principal and of interest on the same, and no person other than the port authority or such a public body shall be liable thereon, nor shall such bonds or obligations be payable out of any funds or properties other than those of the port authority or such a participating municipality. Except to the extent and for the purpose therein expressly provided by other laws, such bonds shall not constitute an indebtedness within the meaning of any statutory limitation on the indebtedness of any participating municipality. Bonds of the port authority are declared to be issued for an essential public and governmental purpose. In anticipation of the sale of such revenue bonds the port authority may issue negotiable bond anticipation notes

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and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof, shall not exceed five years from the date of issue of the original note. Such notes shall be paid from any revenues of the port authority available therefor and not otherwise pledged, or from the proceeds of sale of the revenue bonds of the port authority in anticipation of which they were issued. The notes shall be issued in the same manner as the revenue bonds. Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions or limitations which a bond resolution of the port authority may contain.

Sec. 41. Subdivision (2) of subsection (c) of section 7-374c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) [So] As long as the pension deficit funding bonds or any bond refunding such bonds are outstanding, the municipality shall (A) meet any actuarially recommended contribution in each fiscal year of the municipality commencing with the fiscal year in which the bonds are issued, and (B) notify the secretary annually, who shall in turn notify the Treasurer, of the amount and the rate of any such actuarially recommended contribution and the amount and the rate, if any, of the actual annual contribution by the municipality to the pension plan to meet such actuarially recommended contribution.

Sec. 42. Subsection (c) of section 7-450a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any municipality subject to the requirements in subsection (a) of this section shall have prepared, within six months following the adoption of any amendment to such system increasing benefits to any extent, in addition to such evaluations as required under subsection (a) of this section, a revision of the last preceding evaluation reflecting the

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increase in potential municipal liability under such system. If such amendment is adopted within one year preceding a date on which an actuarial evaluation is required under subsection (a) of this section, an additional evaluation shall not be required.

Sec. 43. Subsection (b) of section 7-489 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) In order to assure that development property is developed or used in accordance with the purposes of this chapter, a municipality, upon the sale, lease or other disposition of such property, shall obligate purchasers, lessees or other users (1) to use such property for the purposes of this chapter, (2) to begin the building or installation of their improvements on any such property, and to complete the same, within such periods of time as the municipality may fix as reasonable, and (3) to comply with such other conditions as are necessary or desirable to carry out the purposes of this chapter. Any such obligations imposed on a purchaser of real property shall be covenants and conditions running with the land for [so] as long as any bonds issued in connection with such development property are outstanding.

Sec. 44. Subsection (b) of section 7-601 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The neighborhood revitalization planning committee shall develop a strategic plan for short-term and long-term revitalization of the neighborhood. The plan shall be designed to promote self-reliance in the neighborhood and home ownership, property management, sustainable economic development, effective relations between landlords and tenants, coordinated and comprehensive delivery of services to the neighborhood and creative leveraging of financial resources and shall build neighborhood capacity for self-

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empowerment. The plan shall consider provisions for obtaining funds from public and private sources. The plan shall consider provisions for property usage, neighborhood design, traditional and nontraditional financing of development, marketing and outreach, property management, utilization of municipal facilities by communities, recreation and the environment. The plan may contain an inventory of abandoned, foreclosed and deteriorated property, as defined in section 7-600, located within the revitalization zone and may analyze federal, state and local environmental, health and safety codes and regulations that impact revitalization of the neighborhood. The plan shall include recommendations for waivers of state and local environmental, health and safety codes that unreasonably jeopardize implementation of the plan, provided any waiver shall be in accordance with section 7-605 and shall not create a substantial threat to the environment, public health, safety or welfare of residents or occupants of the neighborhood. The plan may include components for public safety, education, job training, [youth] youths, the elderly and the arts and culture. The plan may contain recommendations for the establishment by the municipality of multiagency collaborative delivery teams, including code enforcement teams. The plan shall assign responsibility for implementing each aspect of the plan and may have recommendations for providing authority to the chief executive official to enter into tax agreements and to allocate municipal funds to achieve the purposes of the plan. The plan shall include a list of members and the bylaws of the committee.

Sec. 45. Subsection (a) of section 8-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A tenant in a moderate rental housing project shall vacate the dwelling unit occupied by [him] such tenant not later than sixty days after the housing authority or developer has mailed to such tenant,

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properly addressed, postage prepaid, written notice that the annual income of such tenant's family, determined under section 8-72, is in excess of that permitted for continued occupancy of such dwelling unit under said section. Upon the failure of such tenant to vacate such dwelling unit on or before the expiration of such sixty-day period and [so] as long as such tenant continues to occupy such dwelling unit after the expiration thereof, such tenant shall be obligated, notwithstanding the provisions of section 8-72, to pay to the authority or developer monthly as rent for such dwelling unit an amount equal to the going rental therefor as fixed by the authority or developer plus an amount equal to two per cent of the excess of the annual income of such family over that permitted for continued occupancy of such dwelling unit under section 8-72.

Sec. 46. Subsection (a) of section 8-216 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The state, acting by and in the discretion of the Commissioner of Economic and Community Development, may enter into a contract with a municipality for state financial assistance for housing, or any part thereof, solely for low or moderate-income persons or families, or for housing or any part thereof, on property classified by the municipality pursuant to section 8-215, for use for housing solely for low or moderate-income persons or families, in the form of reimbursement for tax abatements under said section, provided the construction or rehabilitation of such housing shall have been commenced after July 1, 1967, or, in the case of apartment buildings containing three or more stories, under construction on July 1, 1967. Such contract shall provide for state financial assistance in the form of a state grant-in-aid to the municipality not to exceed the amount of taxes abated by the municipality pursuant to section 8-215, provided no payment shall be made to any municipality under any contract

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entered into on or after October 1, 1973, unless the assessment on such housing or part thereof is determined as provided in section 8-216a except when such contract is a modification, amendment, or replacement of a contract already in existence on or before October 1, 1973. In such contract, the commissioner may require assurances that the amount of tax abatement will be used for the purposes stated in section 8-215, and that the commissioner shall have the right of inspection to determine that [said] such purposes are being achieved. With respect to housing for which tax abatement has been provided pursuant to said section 8-215, such grant-in-aid shall be paid to the municipality each year, in an amount not to exceed the tax abatement for such year, [so] as long as the housing continues to fulfill the purposes stated in said section, but in no case shall payments of such state financial assistance continue for more than forty consecutive fiscal years of the municipality.

Sec. 47. Section 8-248 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The authority shall have perpetual succession as constituted in section 8-244 and shall adopt procedures for the conduct of its affairs in accordance with the provisions of section 1-121, provided regulation-making proceedings commenced before January 1, 1989, shall be governed by chapter 54. Such succession shall continue until the existence of the authority is terminated by law, but no such law shall take effect [so] as long as the authority shall have bonds, notes or other obligations outstanding. Upon termination of the authority, its rights and properties shall pass to the state.

Sec. 48. Subsection (c) of section 8-265i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Connecticut Housing Finance Authority shall not foreclose

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on any home with respect to which a loan has been made pursuant to this section [so] as long as the homeowner to whom such loan was made continues to reside in such home. The Connecticut Housing Finance Authority shall, from its own resources, repay loans on properties not sold at the termination of the loan agreement with the owner due to the continued residence of such owner in such property.

Sec. 49. Subsection (a) of section 8-269 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In addition to payments otherwise authorized by this chapter, the state agency shall make an additional payment not in excess of fifteen thousand dollars to any displaced person who is displaced from a dwelling actually owned and occupied by such displaced person for not less than one hundred and eighty days prior to the initiation of negotiations for the acquisition of the property. Such additional payment shall include the following elements: (1) The amount, if any, which when added to the acquisition cost of the dwelling acquired, equals the reasonable cost of a comparable replacement dwelling which is a decent, safe and sanitary dwelling adequate to accommodate such displaced person, reasonably accessible to public services and places of employment and available on the private market. All determinations required to carry out this [subparagraph] subdivision shall be made by the applicable regulations issued pursuant to section 8-273; (2) the amount, if any, which will compensate such displaced person for any increased interest cost which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred and eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess

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in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate on savings deposits by commercial banks in the general area in which the replacement dwelling is located; (3) reasonable expenses incurred by such displaced person for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

Sec. 50. Subdivision (36) of section 8-430 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(36) "Mutual housing" means housing provided by an eligible developer, owned and managed by a nonprofit mutual housing association or by an entity controlled by a nonprofit mutual housing association, in which residents (A) participate in ongoing operation and management; (B) have the right to continue residing in such housing [so] as long as they comply with the terms of their respective occupancy agreement; and (C) have an ownership interest in such occupancy agreement, conditional upon compliance with its terms, but do not possess an equity interest in such housing.

Sec. 51. Subdivision (4) of subsection (b) of section 9-311 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) The commission shall hear such appeal not later than twenty-one days after notice of appeal is filed with the commission. [and] Such hearing shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. The commission may consider the record of the hearing delivered by the

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registrars or the board and may examine witnesses, documents and any other evidence that it determines may have a bearing on the proper determination of the issues brought on appeal. The commission's hearing shall be recorded.

Sec. 52. Section 9-38 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The registrars of all towns shall, on the second Friday preceding a regular election, deposit in the town clerk's office the final registry list arranged as provided in section 9-35 and certified by them to be correct, and shall retain a sufficient number of copies to be used by them at such election for the purpose of checking the names of those who vote. They shall place on such final list, in the order provided in section 9-35, the names of all persons who have been admitted as electors. In each municipality said registrars shall also cause to be prepared and printed and deposited in the town clerk's office a supplementary or updated list containing the names and addresses of electors to be transferred, restored or added to such list prior to the fourth day before such election, provided in municipalities having a population of less than twenty-five thousand, such additional names may be inserted in writing in such final list. Such final registry list and supplementary or updated list deposited in the town clerk's office shall be on file in such office for public inspection for a period of two years, and any elector may make copies thereof.

Sec. 53. Subsection (e) of section 9-46a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The Commissioner of Correction shall, on or before the fifteenth day of each month, transmit to the Secretary of the State a list of all persons convicted of a felony and committed to the custody of said

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commissioner [and] who, during the preceding calendar month, have been released from confinement in a correctional institution or facility or a community residence and, if applicable, discharged from parole. Such lists shall include the names, birth dates and addresses of such persons, with the dates of their convictions and the crimes of which such persons have been convicted. The Secretary of the State shall transmit such lists to the registrars of the municipalities in which such convicted persons resided at the time of their convictions and to the registrars of any municipalities where the secretary believes such persons may be electors.

Sec. 54. Subsection (b) of section 9-192a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The committee shall adopt criteria for the training, examination and certification requirements of registrars, deputies and permanent assistants. In the adoption of [said] such criteria, the committee (1) shall consider whether the prescribed training leading to certification may, in part, be satisfied through participation in the required two conferences a year called by the Secretary of the State, pursuant to section 9-6, for purposes of discussing the election laws, procedures or matters related to election laws and procedures, and (2) may recommend programs at one or more institutions of higher education that satisfy [said] such criteria. Any registrar of voters, deputy or permanent assistant may participate in the course of training prescribed by the committee and, upon completing such training and successfully completing any examination or examinations prescribed by the committee, shall be recommended by the committee [,] to the Secretary of the State as a candidate for certification as a certified Connecticut registrar of voters. The Secretary of the State shall certify any such qualified, recommended candidate as a certified Connecticut registrar of voters. The Secretary of the State may rescind any such

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certificate only upon a finding, by a majority of the committee, of sufficient cause as defined by the criteria adopted pursuant to this subsection. No provision of this subsection shall require any registrar of voters, deputy or permanent assistant to be a certified registrar of voters.

Sec. 55. Subsection (b) of section 9-333w of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective December 31, 2006, and applicable to elections held on or after said date*):

(b) In addition to the requirements of subsection (a) of this section:

(1) No candidate or candidate committee or exploratory committee established by a candidate shall make or incur any expenditure for television advertising or Internet video advertising, which promotes the success of [said] such candidate's campaign for nomination at a primary or election or the defeat of another candidate's campaign for nomination at a primary or election, unless (A) at the end of such advertising there appears simultaneously, for a period of not less than four seconds, (i) a clearly identifiable photographic or similar image of the candidate making such expenditure, (ii) a clearly readable printed statement identifying [said] such candidate, and indicating that [said] such candidate has approved the advertising, and (iii) a simultaneous, personal audio message, in the following form: "I am (candidate's name) and I approved this message", and (B) the candidate's name and image appear in, and the candidate's voice is contained in, the narrative of the advertising, before the end of such advertising;

(2) No candidate or candidate committee or exploratory committee established by a candidate shall make or incur any expenditure for radio advertising or Internet audio advertising, which promotes the success of [said] such candidate's campaign for nomination at a primary or election or the defeat of another candidate's campaign for

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nomination at a primary or election, unless (A) the advertising ends with a personal audio statement by the candidate making such expenditure (i) identifying [said] such candidate and the office [said] such candidate is seeking, and (ii) indicating that [said] such candidate has approved the advertising in the following form: "I am (candidate's name) and I approved this message", and (B) the candidate's name and voice are contained in the narrative of the advertising, before the end of such advertising; and

(3) No candidate or candidate committee or exploratory committee established by a candidate shall make or incur any expenditure for automated telephone calls which promote the success of [said] such candidate's campaign for nomination at a primary or election or the defeat of another candidate's campaign for nomination at a primary or election, unless the candidate's name and voice are contained in the narrative of the call, before the end of such call.

Sec. 56. Subdivision (4) of subsection (b) of section 9-333y of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective December 31, 2006, and applicable to elections held on or after said date*):

(4) The penalty for any violation of section 9-333e, as amended, 9-333f, as amended, or 9-333j, as amended, or subsection (g) of section 9-333l, as amended, shall be a fine of not less than two hundred dollars [nor] or more than two thousand dollars or imprisonment for not more than one year, or both.

Sec. 57. Section 9-358 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person who, upon oath or affirmation, legally administered, wilfully and corruptly testifies or affirms, before any registrar of

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voters, any moderator of any election, primary or referendum, any board for admission of electors or the State Elections Enforcement Commission, falsely, to any material fact concerning the identity, age, residence or other qualifications of any person whose right to be registered or admitted as an elector or to vote at any election, primary or referendum [for the purpose of] is being passed upon and decided, shall be guilty of a class D felony and shall be disfranchised.

Sec. 58. Section 9-360 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote, and any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum, shall be fined not less than three hundred dollars [nor] or more than five hundred dollars and shall be imprisoned not less than one year [nor] or more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised.

Sec. 59. Subdivisions (4) and (5) of section 9-700 of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) "Eligible minor party candidate" means a candidate for election to an office who is nominated by a minor party pursuant to subpart B of part III [B] of chapter 153.

(5) "Eligible petitioning party candidate" means a candidate for election to an office pursuant to subpart C of part III [C] of chapter 153

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whose nominating petition has been approved by the Secretary of the State pursuant to section 9-453o.

Sec. 60. Section 9-710 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective December 31, 2006, and applicable to elections held on or after said date*):

(a) The candidate committee for a candidate who intends to participate in the Citizens' Election Program may borrow moneys on behalf of a campaign for a primary or a general election from one or more financial institutions, as defined in section 36a-41, in an aggregate amount not to exceed one thousand dollars. The amount borrowed shall not constitute a qualifying contribution under section 9-704. No individual, political committee or party committee, except the candidate or, in a general election, the state central committee of a political party, shall endorse or guarantee such a loan in an aggregate amount in excess of five hundred dollars. An endorsement or guarantee of such a loan shall constitute a contribution by such individual or committee for [so] as long as the loan is outstanding. The amount endorsed or guaranteed by such individual or committee shall cease to constitute a contribution upon repayment of the amount endorsed or guaranteed.

(b) All such loans shall be repaid in full prior to the date such candidate committee applies for a grant from the Citizens' Election Fund pursuant to section 9-706. A candidate who fails to repay such loans or fails to certify such repayment to the State Elections Enforcement Commission shall not be eligible to receive and shall not receive grants from the fund.

(c) A candidate who intends to participate in the Citizens' Election Program may provide personal funds for such candidate's campaign for nomination or election in an amount not exceeding: (1) For a candidate for the office of Governor, twenty thousand dollars; (2) for a

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candidate for the office of Lieutenant Governor, Attorney General, State Comptroller, State Treasurer [] or Secretary of the State, ten thousand dollars; (3) for a candidate for the office of state senator, two thousand dollars; or (4) for a candidate for the office of state representative, one thousand dollars. Such personal funds shall not constitute a qualifying contribution under section 9-704.

Sec. 61. Subsection (a) of section 9-711 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective December 31, 2006, and applicable to elections held on or after said date*):

(a) If an expenditure in excess of the applicable expenditure limit set forth in subsection (c) of section 9-702 is made or incurred by a qualified candidate committee that receives a grant from the Citizens' Election Fund pursuant to section 9-706, (1) the candidate and campaign treasurer of said committee shall be jointly and severally liable for paying for the excess expenditure, (2) the committee shall not receive any additional grants or moneys from the fund for the remainder of the election cycle if the State Elections Enforcement Commission determines that the candidate or campaign treasurer of said committee had knowledge of the excess expenditure, (3) the campaign treasurer shall be subject to penalties under section 9-7b, as amended, and (4) the candidate of said candidate committee shall be deemed to be a nonparticipating candidate for the purposes of sections 9-700 to 9-716, inclusive, if the commission determines that the candidate or campaign treasurer of said committee had knowledge of the excess expenditure. The commission may waive the provisions of this subsection upon determining that an excess expenditure is de [minus] minimis. The commission shall adopt regulations, in accordance with the provisions of chapter 54, establishing standards for making such determinations. Such standards shall include, but not be limited to, a finding by the commission that the candidate or

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campaign treasurer has, from the candidate's or campaign treasurer's personal funds, either paid the excess expenditure or reimbursed the qualified candidate committee for its payment of the excess expenditure.

Sec. 62. Subsections (a) and (b) of section 10-19m of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of this section, "youth" [shall mean] means a person from birth to eighteen years of age. Any one or more municipalities or any one or more private [youth serving] youth-serving organizations, designated to act as agents of one or more municipalities, may establish a multipurpose youth service bureau for the purposes of evaluation, planning, coordination and implementation of services, including prevention and intervention programs for delinquent, predelinquent, pregnant, parenting and troubled [youth] youths referred to such bureau by schools, police, juvenile courts, adult courts, local youth-serving agencies, parents and self-referrals. A youth service bureau shall be the coordinating unit of community-based services to provide comprehensive delivery of prevention, intervention, treatment and follow-up services.

(b) A youth service bureau established pursuant to subsection (a) of this section may provide, but shall not be limited to the delivery of, the following services: (1) Individual and group counseling; (2) parent training and family therapy; (3) work placement and employment counseling; (4) alternative and special educational opportunities; (5) recreational and youth enrichment programs; (6) outreach programs to insure participation and planning by the entire community for the development of regional and community-based youth services; (7) preventive programs, including youth pregnancy, youth suicide, violence, alcohol and drug prevention; and (8) programs that develop positive youth involvement. Such services shall be designed to meet

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the needs of [youth] youths by the diversion of troubled [youth] youths from the justice system as well as by the provision of opportunities for all [youth] youths to function as responsible members of their communities.

Sec. 63. Section 10-156 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each professional employee certified by the State Board of Education and employed by a local or regional board of education shall be entitled to a minimum of sick leave with full pay of fifteen school days in each school year. Unused sick leave shall be accumulated from year to year, [so] as long as the employee remains continuously in the service of the same board of education, and as authorized by such board, but such authorized accumulation of sick leave shall not be less than one hundred and fifty school days.

Sec. 64. Subsection (e) of section 10-221 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Not later than July 1, 1990, each local and regional board of education shall adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts. Each such board of education may establish a student assistance program to identify risk factors for youth suicide, procedures to intervene with such [youth] youths, referral services and training for teachers and other school professionals and students who provide assistance in the program.

Sec. 65. Section 10-262r of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Education may establish, within available

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appropriations, a pilot program for the use of technology in providing computer-assisted writing, instruction and testing, in the ninth and tenth grades in the public schools, including the regional vocational-technical schools. The Commissioner of Education for purposes of the program may award grants to local and regional boards of education and regional vocational-technical schools for demonstration projects. Boards of education and vocational-technical schools seeking to participate in the pilot program shall apply to the department at such time and in such form as the commissioner prescribes. The commissioner shall select a diverse group of participants based on the population, geographic location and economic characteristics of the school district or school. Local and regional ~~[board of educations]~~ boards of education and regional vocational-technical schools awarded grants under the program may use grant funds for expenses for computer hardware, computer software, professional development, technical consulting assistance and other related activities.

Sec. 66. Section 10-311a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The case records of the Board of Education and Services for the Blind maintained for the purposes of this chapter shall be confidential and the names and addresses of recipients of assistance under this chapter shall not be published [nor] or used for purposes not directly connected with the administration of this chapter, except as necessary to carry out the provisions of sections 10-298, as amended, and 17b-6.

Sec. 67. Section 10a-12a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be a Technical Education Coordinating Council. The council shall consist of the following members: The chairpersons and

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ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to education and commerce, or their designees; the Commissioners of Higher Education and Economic and Community Development and the Labor Commissioner or their designees; the chief executive officers of each constituent unit of the state system of higher education, or their designees; the president of the Connecticut Conference of Independent Colleges; the superintendent of the vocational-technical school system; one member who is a teacher at a regional vocational-technical school designated by the exclusive representative of the vocational-technical school teachers' bargaining unit; two members who are parents of students enrolled in vocational-technical schools designated by the vocational-technical schools parents' association; one member representing each of the economic clusters identified pursuant to section 32-1m designated by the Commissioner of Economic and Community Development; one member designated by the Connecticut Business and Industry Association; one member designated by the Manufacturing Assistance Council; and one member designated by the Connecticut Technology Council. The [cochairperson] cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to education, or their designees, shall jointly convene a meeting of the council not later than October 1, 1998. The council shall meet at least six times a year to review and evaluate the coordinated delivery of technical and technological education to meet the employment needs of business and industry. The council shall also explore ways to: (1) Encourage students to pursue technical careers, including the development or expansion of alternative training methods that may improve the delivery and accessibility of vocational-technical training; (2) ensure a successful transition for students from the regional vocational-technical schools to post secondary education; and (3) improve public awareness regarding manufacturing careers. On or before January 1, 1999, and annually thereafter, the Commissioner of Education shall report, in accordance with section 11-

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4a, to the joint standing committees of the General Assembly having cognizance of matters relating to education and commerce on the activities of the council in the prior year.

Sec. 68. Subdivisions (3) and (4) of section 10a-29 of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) Upon moving to this state, an emancipated person employed full-time who provides evidence of domicile may apply for in-state classification for [his] such person's spouse and unemancipated children after six consecutive months of residency and, provided such person is not himself or herself in this state primarily as a full-time student, [his] such person's spouse and unemancipated children may at once be so classified, and may continue to be so classified [so] as long as such person continues [his] such person's domicile in this state;

(4) Any unemancipated person who remains in this state when [his] such person's parent, having theretofore been domiciled in this state, removes from this state, shall be entitled to classification as an in-state student until attainment of the degree for which [he] such person is currently enrolled, [so] as long as [his] such person's attendance at a school or schools in this state shall be continuous.

Sec. 69. Section 10a-102 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The University of Connecticut shall remain an institution for the education of [youth] youths whose parents are citizens of this state. The leading object of said university shall be, without excluding scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the General Assembly prescribes, in order to promote the liberal and practical education of the industrial

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classes in accordance with the provisions of an Act of Congress, approved July 2, 1862, entitled "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts", and also in accordance with an Act of Congress, approved August 30, 1890, entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an Act of Congress, approved July 2, 1862". The number of students who are to reside in university dormitories shall be determined by the board of trustees, preference in enrollment in the university being given to qualified students taking the full agricultural course. Said university is authorized to confer the academic and professional degrees appropriate to the courses prescribed by its board of trustees. The board shall establish policies which protect academic freedom and the content of course and degree programs, provided such policies shall be consistent with state-wide policy and guidelines established by the Board of Governors of Higher Education.

Sec. 70. Section 10a-103 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall continue to be a Board of Trustees for The University of Connecticut to consist of twenty-one persons, twelve to be appointed by the Governor, who shall reflect the state's geographic, racial and ethnic diversity; two to be elected by the university alumni; two to be elected by the students enrolled at the institutions under the jurisdiction of said board; and five members ex officio. On or before July 1, 1983, the Governor shall appoint members to the board as follows: Four members for a term of two years from said date; four members for a term of four years from said date; and four members for a term of six years from said date. Thereafter, the Governor shall

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appoint trustees of said university to succeed those appointees whose terms expire, and each trustee so appointed shall hold office for a period of six years from the first day of July in the year of his or her appointment, provided two of the trustees appointed for terms commencing July 1, 1995, and their successors shall be alumni of the university, one of the trustees appointed for a term commencing July 1, 1997, and his or her successors shall be such alumni and one of the members appointed for a term commencing July 1, 1999, and his or her successors shall be such alumni. The Commissioner of Agriculture, the Commissioner of Education, the Commissioner of Economic and Community Development and the chairperson of The University of Connecticut Health Center Board of Directors shall be, *ex officio*, members of the board of trustees. The Governor shall be, *ex officio*, president of said board. The graduates of all of the schools and colleges of said university shall, prior to September first in the odd-numbered years, elect one trustee, who shall be a graduate of the institution and who shall hold office for four years from the first day of September succeeding his or her election. Not less than two [nor] or more than four nominations for each such election shall be made by the alumni association of said university, provided no person who has served as an alumni trustee for the two full consecutive terms immediately prior to the term for which such election is to be held shall be nominated for any such election. Such election shall be conducted by mail prior to September first under the supervision of a canvassing board consisting of three members, one appointed by the board of trustees, one by the board of directors of the alumni association of the university and one by the president of the university. No ballot in such election shall be opened until the date by which ballots must be returned to the canvassing board. In such election, all graduates shall be entitled to vote by signed ballots which have been circulated to them by mail and which shall be returned by mail. Vacancies occurring by death or resignation of either of such alumni trustees shall be filled for the unexpired portion of the term by special

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election, if such unexpired term is for more than eighteen months. When the unexpired term is eighteen months or less, such vacancy shall be filled by appointment by the board of directors of said alumni association. On or before November 1, 1975, the students of The University of Connecticut shall, in such manner as the board of trustees of said university shall determine, elect two trustees, each of whom shall be enrolled as a full-time student of said university at the time of his or her election. One such member shall be elected for a term of one year from November 1, 1975, and one for a term of two years from said date. Prior to July first, annually, such students shall, in accordance with this section and in such manner as the board shall determine, elect one member of said board, who shall be so enrolled at said university at the time of his or her election and who shall serve for a term of two years from July first in the year of his or her election. The student member elected to fill the term expiring on June 30, 2003, and such elected member's successors shall be enrolled as full-time undergraduate students at a school or college of the university and shall be elected by the undergraduate students of the schools and colleges of the university. The student member elected to fill the term expiring on June 30, 2004, and such elected member's successors shall be enrolled as a full-time student in the School of Law, the School of Medicine, the School of Dentistry, the School of Social Work, or as a graduate student of a school or college of the university, and shall be elected by the students of the School of Law, the School of Medicine, the School of Dentistry, the School of Social Work and the graduate students of the schools and colleges of the university. Any vacancies in the elected membership of said board shall, except as otherwise provided in this section, be filled by special election for the balance of the unexpired term.

Sec. 71. Subdivision (15) of section 10a-109c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(15) "Minimum state operating provision" means the commitment of the state to appropriate, annually, an amount for the university for operations after receiving a request from the university therefor and consideration of other amounts available to the university for its operations which amount so appropriated shall be consistent with the university continuing to operate in furtherance and pursuant to the provisions of section 2 of article eighth of the Constitution of the state and applicable law as an institution dedicated to the excellence in higher education, including the operation of the components of UConn 2000 at Storrs and elsewhere in the state pursuant to section 10a-109e; provided, [however,] nothing in sections 10a-109a to 10a-109y, inclusive, shall be construed to preclude the state from appropriating a lower or higher amount than the amount appropriated in the previous fiscal year [so] as long as the Appropriation Act provides and determines that the university can continue to operate as an institution dedicated to excellence in higher education and such amount so appropriated shall then constitute the minimum state operating provision.

Sec. 72. Subsections (c) and (d) of section 10a-109e of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The amount of the state debt service commitment in each fiscal year shall be pledged by the university for the punctual payment of special debt service requirements as the same arise and shall become due and payable. As part of the contract of the state with the holders of the securities secured by the state debt service commitment and pursuant to section 10a-109u, appropriation of all amounts of the state debt service commitment is hereby made out of the resources of the General Fund and the Treasurer shall pay such amount in each fiscal year, to the paying agent on the securities secured by the state debt service commitment or otherwise as the Treasurer shall provide. The

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university shall be entitled to rely on the amount of the state debt service commitment and minimum state operating provision as and for assured revenues in any financing transaction proceeding, provided, to the extent any such proceeding includes reliance on such state debt service commitment and such minimum state operating provision, the university commits to a rate covenant and covenants, in substance, with the state and the holders of its securities to the effect that [so] as long as any securities thereunder are outstanding that it has established and will charge, collect and increase, from time to time, and in time tuition fees and charges for its educational services, its auxiliary enterprises, including dormitory housing, food services and sale of textbooks and use of the physical university plant and for all other services and goods provided by the university, the amount of which, together with other assured revenues or other revenues otherwise available to the university including proceeds available from the Special External Gift Fund shall in each of its fiscal years be sufficient to pay when due, the special debt service requirements on outstanding securities and to permit the university to operate and maintain itself as an institution dedicated to excellence in higher education and to operate and maintain the physical university plant in sound operating condition and to otherwise permit the performance of all covenants included in the financing documents.

(d) With respect to UConn 2000 and within the authorized funding amount, the university may, from time to time, and shall whenever appropriate or necessary, revise, delete and add a particular project or projects, provided (1) a formal approving vote of its board of trustees shall be needed for a material revision, deletion or addition dictated by a change in university planning as determined by its board of trustees or otherwise necessary because of reasons beyond the control of the university, (2) any material revision shall be subject only to such formal approval of the board of trustees [so] as long as the board finds and determines that such revision is consistent with the intent or

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purpose of the original project, (3) a material addition or deletion shall be conditioned not only upon such formal approval of the board of trustees but also upon a request by the board of trustees for, and enactment of, a subsequent public or special act approving such addition or deletion, if such addition is to add a project not outlined in subsection (a) of this section or the deletion is the deletion of a project outlined in subsection (a) of this section, and (4) no revision, addition or deletion shall reduce the amount of any state debt service commitment. Further, with respect to UConn 2000 and subject to the limitations in the authorized funding amount, the university may determine the sequencing and timing of such project or projects, revise estimates of cost and reallocate from any amounts estimated in subdivision (a) of this section, for one or more projects to one or more other projects then constituting a component of UConn 2000 [so] as long as, at the time of such reallocation, it has found that any such project to which a reallocation is made has been revised or added in accordance with this section and such project from which a reallocation is made either has been so revised or added and can be completed within the amounts remaining allocated to it, or has been so deleted. University actions under this section shall be included in reports to the General Assembly under section 10a-109y.

Sec. 73. Subsection (g) of section 10a-109g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) The proceeds of the securities of any issue shall be used solely for the purpose or purposes identified in the master indenture, and shall be disbursed in such manner and under such restrictions, if any, as the university may provide in the resolution authorizing the issuance of such securities or in the indenture or resolution securing the same. The university shall not lease or finance or lease-finance any land or building outside the Storrs campus through any other state

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agency or quasi-public agency other than those leases, financings or lease purchases in the ordinary course of its activities and provided the annual expenditure thereof during the period of agreements related thereto whether expressed as rent, debt service, lease purchase payments or the like does not exceed for each item which is the subject matter of the lease, finance or lease-finance agreement, fifty thousand dollars in any year and such limitation shall apply [so] as long as the university is authorized in accordance with subsection (a) of this section to issue securities under sections 10a-109a to 10a-109y, inclusive. The resolution providing for the issuance of securities, and any indenture or resolution securing such securities, may contain such limitations upon the issuance of additional securities as the university may deem proper, and such additional securities shall be issued under such restrictions and limitations as may be prescribed by such indenture or resolution, provided, no such resolution or indenture shall include a covenant committing the university to the issuance of additional securities secured by a pledge of the state debt service commitment. The university may provide for the replacement of any securities which become mutilated, or are destroyed, stolen or lost. Securities may be issued under sections 10a-109a to 10a-109y, inclusive, without obtaining the consent of any department, division, commission, board, bureau, or agency of the state and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions or things which are specifically required by sections 10a-109a to 10a-109y, inclusive.

Sec. 74. Section 10a-109v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The university shall have perpetual succession as a body politic and corporate and an instrumentality and agency of the state. Such succession shall continue until the existence of the university is terminated by law, but no such law shall take effect [so] as long as the

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university shall have securities and contracts outstanding unless adequate provision by law is made for the discharge of the obligations of the university to the holders of such securities and for the protection of those entering into contracts with the university. Upon termination or dissolution of the university pursuant to law, all of its rights and properties shall pass to and be vested in its successor entity and if there is no successor entity, in the state.

Sec. 75. Subsection (c) of section 10a-114a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Notwithstanding the provisions of any general statute or public or special act which may require that any revenue from the operation of facilities of The University of Connecticut Health Center or any other revenue of The University of Connecticut Health Center be paid to the State Treasurer for the payment of debt service on any bonds issued by the state for The University of Connecticut Health Center, any revenues pledged by the board of trustees pursuant to this section shall be applied first to the extent necessary to fulfill the obligations for which such revenues are pledged, and only thereafter to the State Treasurer.

Sec. 76. Section 10a-169 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the fiscal year commencing on July 1, 1987, and thereafter, any student (1) who is a resident of the state as defined under sections 10a-28, 10a-29, as amended, and 10a-30, (2) who has not received a baccalaureate degree, and (3) who has been accepted for study on a full-time or part-time basis at any postsecondary school, technical institute, college or university within the state or in any other state which permits its students to bring state student financial assistance

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funds into Connecticut shall be eligible for financial assistance under the capitol scholarship grant program at any stage of postsecondary study. All such institutions shall be previously approved or accredited by the Board of Governors of Higher Education or by the State Board of Education for postsecondary study. Grants under said program shall be based on financial need and either previous high school academic achievement or performance on standardized academic aptitude tests, as determined by the Board of Governors of Higher Education. The maximum award tendered to a student attending an institution in the state shall not exceed three thousand dollars annually. The maximum award tendered to a student attending an out-of-state institution shall not exceed five hundred dollars annually. Sums so awarded shall be disbursed by the accepting institution on behalf of the student for tuition fees, books, board or any legitimate educational expense.

Sec. 77. Section 10a-176 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

It is declared that, for the benefit of the people of the state, the increase of their commerce, welfare and prosperity and the improvement of their health and living conditions, it is essential that this and future generations of [youth] youths be given the fullest opportunity to learn and to develop their intellectual and mental capacities; that it is essential that institutions for higher education within the state be provided with appropriate additional means to assist such [youth] youths in achieving the required levels of learning and development of their intellectual and mental capacities; that it is essential that health care institutions within the state be provided with appropriate additional means to expand, enlarge and establish health care, hospital and other related facilities; that it is essential that nursing homes be provided with the means to care for persons in need of assistance and that it is the purpose of this chapter to provide a

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measure of assistance and an alternative method to enable institutions for higher education in the state, health care institutions and qualified nonprofit organizations to provide and finance the facilities, structures and equipment which are needed to accomplish the purposes of this chapter, all to the public benefit and good, to the extent and manner provided herein.

Sec. 78. Subsection (a) of section 10a-186a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In connection with the issuance of bonds to finance a project at a participating nursing home or to refund bonds previously issued by the authority to finance a project at a participating nursing home, or in connection with the issuance of bonds to effect a refinancing or other restructuring with respect to one or more participating nursing homes as permitted by subsection (b) of this section, to finance dormitories, residential facilities, student centers, food service facilities and other auxiliary service facilities and related buildings and improvements at a public institution of higher education, to finance The University of Connecticut Health Center clinical services projects, as defined in subsection (g) of section 10a-114a, or to finance up to one hundred million dollars, in the aggregate, for equipment, including installation and any necessary building renovations or alterations for the installation and operation of such equipment, for participating health care institutions at the discretion of the Secretary of the Office of Policy and Management and the Treasurer, the authority may create and establish one or more reserve funds to be known as special capital reserve funds and may pay into such special capital reserve funds (1) any moneys appropriated and made available by the state for the purposes of such funds, (2) any proceeds of the sale of notes or bonds for a project, to the extent provided in the resolution of the authority authorizing the issuance thereof, and (3) any other moneys which may

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be made available to the authority for the purpose of such funds from any other source or sources. The moneys held in or credited to any special capital reserve fund established under this section, except as hereinafter provided, shall be used solely for the payment of the principal of and interest, when due, whether at maturity or by mandatory sinking fund installments, on bonds of the authority secured by such capital reserve fund as the same become due, the purchase of such bonds of the authority, the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity, including in any such case by way of reimbursement of a provider of bond insurance or of a credit or liquidity facility that has paid such amounts; provided the authority shall have power to provide that moneys in any such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such funds to less than the maximum amount of principal and interest becoming due by reasons of maturity or a required sinking fund installment in the then current or any succeeding calendar year on the bonds of the authority then outstanding or the maximum amount permitted to be deposited in such fund by the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, to permit the interest on [said] such bonds to be excluded from gross income for federal tax purposes and secured by such special capital reserve fund, such amount being herein referred to as the "required minimum capital reserve", except for the purpose of paying such principal of, redemption premium and interest on such bonds of the authority secured by such special capital reserve becoming due and for the payment of which other moneys of the authority are not available. The authority may provide that it shall not issue bonds secured by a special capital reserve fund at any time if the required minimum capital reserve on the bonds outstanding and the bonds then to be issued and secured by the same special capital reserve fund at the time of issuance, unless the authority, at the time of

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the issuance of such bonds, shall deposit in such special capital reserve fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such special capital reserve fund, will be not less than the required minimum capital reserve. On or before December first, annually, there is deemed to be appropriated from the state General Fund such sums, if any, as shall be certified by the chairman or vice-chairman of the authority to the Secretary of the Office of Policy and Management and the Treasurer of the state, as necessary to restore each such special capital reserve fund to the amount equal to the required minimum capital reserve of such fund, and such amounts shall be allotted and paid to the authority. For the purpose of evaluation of any such special capital reserve fund, obligations acquired as an investment for any such fund shall be valued at market. Nothing contained in this section shall preclude the authority from establishing and creating other debt service reserve funds in connection with the issuance of bonds or notes of the authority which are not special capital reserve funds. Subject to any agreement or agreements with holders of outstanding notes and bonds of the authority, any amount or amounts allotted and paid to the authority pursuant to this section shall be repaid to the state from moneys of the authority at such time as such moneys are not required for any other of its corporate purposes and in any event shall be repaid to the state on the date one year after all bonds and notes of the authority theretofore issued on the date or dates such amount or amounts are allotted and paid to the authority or thereafter issued, together with interest on such bonds and notes, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the holders thereof, are fully met and discharged. No bonds secured by a special capital reserve fund shall be issued to pay project costs unless the authority is of the opinion and determines that the revenues from the project shall be sufficient (A) to pay the principal of and interest on the bonds issued to finance the project, (B) to establish, increase and

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maintain any reserves deemed by the authority to be advisable to secure the payment of the principal of and interest on such bonds, (C) to pay the cost of maintaining the project in good repair and keeping it properly insured, and (D) to pay such other costs of the project as may be required.

Sec. 79. Subsection (a) of section 10a-203 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Said corporation shall be governed and all of its corporate powers exercised by a board of directors which shall consist of fourteen members, as follows: The chairperson of the Board of Governors of Higher Education and the Commissioner of Higher Education; seven public members appointed by the Governor, at least one of whom shall represent the private colleges, and commencing with the next regular appointments made on and after July 1, 1984, at least one of whom shall be a financial aid officer at an eligible institution and at least one of whom shall be a person having a favorable reputation for skill, knowledge and experience in management of a private company or lending institution at least as large as the corporation and all of whom shall be electors of this state; one public member appointed by the board of directors, who shall have, through education or experience, an understanding of relevant accounting principles and practices, financial statements and audit committee functions and knowledge of internal controls, [whom] who shall be an elector of this state; two members from the House of Representatives, one appointed by the speaker of the House of Representatives and one appointed by the minority leader of the House of Representatives; and two members from the Senate, one appointed by the president pro tempore of the Senate and one appointed by the minority leader of the Senate. Those members who are appointed by the Governor and by the board of directors shall

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serve for terms of four years each from July first in the year of their appointment and until their successors have been appointed. Those members who are appointed by the speaker of the House of Representatives, the minority leader of the House of Representatives, the president pro tempore of the Senate and the minority leader of the Senate shall be appointed for terms of two years from January fifteenth in the year of their appointment. The term of each appointed member of the board shall be coterminous with the term of the appointing authority or until a successor is chosen, whichever is later. The board of directors shall elect, from its own members each year, a chairperson and a vice-chairperson who shall serve for terms of one year and who shall be eligible for reelection for successive terms. Vacancies shall be filled for the unexpired term in the same manner as original appointments. Directors shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this chapter. Any member may designate in writing to the chairperson of the board of directors a representative to act in the place of such member at a meeting or meetings, with all rights and obligations at such meeting as the member represented would have had at the meeting.

Sec. 80. Subsection (c) of section 10a-204b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any provision of any law to the contrary notwithstanding, any bonds, notes or other obligations issued by the corporation pursuant to this section shall be fully negotiable within the meaning and for all purposes of title 42a, whether or not the form and character [to] so qualify under the terms thereof, subject only to the provisions of the authorizing resolution. Any such bonds are hereby made securities in which public officers and public bodies of the state and its political

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subdivisions, all insurance companies, credit unions, savings and loan associations, investment companies, banking associations, trust companies, executors, administrators, trustees and other fiduciaries and pension, profit-sharing and retirement funds may properly and legally invest funds, including capital in their control or belonging to them, and are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds or other obligations of the state is now or may hereafter be authorized by law.

Sec. 81. Subsection (b) of section 10a-206 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding anything to the contrary provided in this section, the corporation may make or guarantee a loan under terms and conditions with respect to repayment which are more lenient or more restrictive as to the borrower than those prescribed by this section if the board determines that such action on its part conforms to Title IV, Part B of the Higher Education Act of 1965, where applicable.

Sec. 82. Section 10a-211 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The corporation and its corporate existence shall continue until terminated by law upon a finding that there no longer exists any need for such a corporation; provided no such law shall take effect [so] as long as the corporation shall have bonds, notes or other obligations outstanding. For the purpose of this section, any appropriation or advance made to the corporation by the state, which has not been repaid, shall not be deemed to be an outstanding obligation of the corporation. Upon the dissolution of the corporation or the cessation of

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its activities, all the assets, property and moneys of such corporation shall be paid over, upon dissolution, to the respective undergraduate scholarship funds of higher educational institutions located in Connecticut, gifts to which are deductible or exempt from income, estate and succession taxation as more specifically described in Sections 170(c)(2), 501(c)(3) and 2055(a)(2) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and section 12-347, in such proportions as a majority of the board shall in its absolute discretion determine.

Sec. 83. Section 10a-221 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

It is declared that, for the benefit of the people of the state, the increase of their commerce, welfare and prosperity and the improvement of their health and living conditions, it is essential that this and future generations of [youth] youths be given the fullest opportunity to learn and to develop their intellectual capacity and skills. It is recognized that costs connected with collegiate education are increasingly burdensome and that it is essential that students attending institutions for higher education, and parents and others responsible for paying the costs thereof, be provided with lower cost financial assistance in order to help such students to achieve higher levels of learning and development of their intellectual capacity and skills. It is also recognized that Connecticut institutions for higher education should be provided with appropriate additional means to assist qualified students financially to achieve the required levels of learning and development of their intellectual capacity and skills. It is the purpose of this chapter and policy of the state to provide a measure of financial assistance to students in or from the state, their parents and others responsible for the costs of their education and an alternative method to enable Connecticut institutions for higher education to

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assist qualified students to attend such institutions, all to the public benefit and good, to the extent and manner provided herein.

Sec. 84. Subsection (f) of section 10a-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) The corporation shall continue as long as it has contracts outstanding and until its existence is terminated by law. Upon the termination of the corporation, all of its rights and properties shall pass to and be vested in the hospital [so] as long as the hospital is part of The University of Connecticut and if not, in The University of Connecticut [so] as long as the university is a part of the state and if not, in the state.

Sec. 85. Section 12-74 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All property owned by any town or city, which is located in another town and used for the purposes of an airport, shall be exempt from taxation [so] as long as it continues to be used for such purposes and [so] as long as the town in which it is located has the same privileges as to the use of such airport as are possessed by the municipality owning the same; but, if any such airport is leased to any person, association or private corporation, or is used in such manner as to become a source of profit to the municipality owning the same, the land so occupied and situated in any adjoining town or towns shall thereupon be subject to taxation.

Sec. 86. Section 12-94 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The exemptions granted in sections 12-81, as amended, and 12-82 to soldiers, sailors, marines and members of the Coast Guard and Air Force, and their spouses, widows, widowers, fathers and mothers, and

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to blind or totally disabled persons and their spouses shall first be made in the town in which the person entitled thereto resides, and any person asking such exemption in any other town shall annually make oath before, or forward his or her affidavit to, the assessors of such town, deposing that such exemptions, except the exemption provided in subdivision (55) of section 12-81, as amended, if allowed, will not, together with any other exemptions granted under said sections, exceed the amount of exemption thereby allowed to such person. Such affidavit shall be filed with the assessors within the period the assessors have to complete their duties in the town where the exemption is claimed. The assessors of each town shall annually make a certified list of all persons who are found to be entitled to exemption under the provisions of said sections, which list shall be filed in the town clerk's office, and shall be prima facie evidence that the persons whose names appear thereon and who are not required by law to give annual proof are entitled to such exemption [so] as long as they continue to reside in such town; but such assessors may, at any time, require any such person to appear before them for the purpose of furnishing additional evidence, provided, any person who by reason of [his] such person's disability is unable to so appear may furnish such assessors a statement from [his] such person's attending physician certifying that such person is totally disabled and is unable to make a personal appearance and such other evidence of total disability as such assessors may deem appropriate.

Sec. 87. Subdivision (3) of subsection (j) of section 12-170aa of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) Any such resident entitled to a grant as provided in subdivision (2) of this subsection shall be required to submit an application for such grant to the assessor in the municipality in which such resident resides at any time from February first to and including the fifteenth

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day of May in the year in which such grant is claimed, on a form prescribed and furnished for such purpose by the Secretary of the Office of Policy and Management. Any such resident submitting an application for such grant shall be required to present to the assessor, in substantiation of such application, a copy of such resident's federal income tax return, and if not required to file a federal income tax return, such other evidence of qualifying income, receipts for money received or cancelled checks, or copies thereof, and any other evidence the assessor may require. Not later than the first day of July in such year, the assessor shall submit to the Secretary of the Office of Policy and Management (A) a copy of the application prepared by such resident, together with such resident's federal income tax return, if required to file such a return, and any other information submitted in relation thereto, (B) determinations of the assessor concerning the assessed value of the dwelling unit in such complex occupied by such resident, and (C) the amount of such grant approved by the assessor. Said secretary, upon approving such grant, shall certify the amount thereof and not later than the fifteenth day of September immediately following submit approval for payment of such grant to the State Comptroller. Not later than five business days immediately following receipt of such approval for payment, the State Comptroller shall draw his or her order upon the State Treasurer and the Treasurer shall pay the amount of the grant to such resident not later than the first day of October immediately following.

Sec. 88. Subsection (a) of section 12-211 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) When by the laws of any other state or foreign country any premium or income or other taxes or any fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions are imposed upon Connecticut insurance companies doing business in

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such other state or foreign country, or upon the authorized agents thereof, which are in excess of such taxes, fees, fines, penalties, licenses, deposit requirements or other obligations, prohibitions or restrictions directly imposed upon insurance companies, or upon the authorized agents thereof, of such other state or foreign country doing business in Connecticut, [so] as long as such laws continue in force the same obligations, prohibitions and restrictions of whatever kind, computed by the Commissioner of Revenue Services on an aggregate state-wide or foreign-country-wide basis, shall be imposed upon insurance companies and authorized agents thereof of such other state or foreign country doing business in Connecticut.

Sec. 89. Subsections (a) and (b) of section 12-233 of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) The commissioner shall examine the tax return filed under this chapter by a taxpayer and may make such further audit or investigation as the commissioner deems necessary, and if the commissioner determines that there is a deficiency with respect to the payment of any tax due under this chapter, the commissioner shall notify the taxpayer thereof. Except as otherwise provided in this section, the commissioner shall (A) in the case of a return on which an operating loss is not reported, not later than three years after the due date for the filing of such return or not later than three years after the date on which such return was received by [such] the commissioner, whichever period expires later, or (B) in the case of a return on which an operating loss is reported, not later than three years after the due date or the date of receipt by the commissioner, whichever period expires later, of the return on which a carry-over of such loss is fully utilized or deemed fully utilized because such loss is not available for deduction in any subsequent income year, examine it and, in case any error is disclosed by such examination, shall mail a notice of deficiency

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assessment to the taxpayer. Where, within the sixty-day period ending on the day on which the time prescribed in this section for mailing a notice of deficiency assessment for any income year would otherwise expire, the commissioner receives a written document signed by such taxpayer showing that such taxpayer owes an additional amount of tax for such income year, the commissioner then shall have up to sixty days after the day such written document is received in which to mail a notice of deficiency assessment.

(2) A notice of deficiency assessment may be mailed to the taxpayer at any time in the case of (A) failure to file a return, including any amended return required pursuant to section 12-226, or (B) a deficiency due to fraud or intent to evade the provisions of this chapter or regulations [promulgated] adopted thereunder.

(3) In the case of an omission from gross income of an amount properly includable therein that is in excess of twenty-five per cent of the amount of gross income stated in the return, a notice of deficiency assessment may be mailed to the taxpayer at any time not later than six years after the return was filed. For purposes of this subdivision, there shall not be taken into account any amount that is omitted from gross income stated in the return if such amount is disclosed in the return or in a statement attached to the return, in a manner adequate to apprise the commissioner of the nature and amount of such item.

(4) In the case of a failure to disclose a listed transaction, as defined in Section 6707A of the Internal Revenue Code, on the taxpayer's federal income tax return, a notice of deficiency assessment may be mailed to the taxpayer at any time not later than six years after the return required under this chapter for the same income year was filed.

(b) (1) When it appears that any part of the deficiency for which a deficiency assessment is made is due to negligence or intentional disregard of the provisions of this part or regulations [promulgated]

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adopted thereunder, there shall be imposed a penalty equal to ten per cent of the amount of such deficiency assessment, or fifty dollars, whichever is greater. When it appears that any part of the deficiency for which a deficiency assessment is made is due to fraud or intent to evade the provisions of this part or regulations [promulgated] adopted thereunder, there shall be imposed a penalty equal to twenty-five per cent of the amount of such deficiency assessment. For audits of returns commencing on or after January 1, 2006, when it appears that any part of the deficiency for which a deficiency assessment is made pursuant to [section 12-233] this section is due to failure to disclose a listed transaction, as defined in Section 6707A of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, on the taxpayer's federal tax return, there shall be imposed a penalty equal to seventy-five per cent of the amount of such deficiency assessment.

(2) No taxpayer shall be subject to more than one penalty under this section in relation to the same tax period.

(3) Any decision rendered by any federal court holding that a taxpayer has filed a fraudulent return with the Director of Internal Revenue shall subject the taxpayer to the penalty imposed by this section without the necessity of further proof thereof, except when it can be shown that the return to the state so differed from the return to the federal government as to afford a reasonable presumption that the attempt to defraud did not extend to the return to the state.

Sec. 90. Section 12-481 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A motor carrier may give a bond, issued by a surety company authorized to issue bonds in the state, in an amount satisfactory to the Commissioner of Revenue Services which shall be not less than one thousand dollars [nor] or more than ten thousand dollars payable to

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the state of Connecticut and conditioned that the carrier will pay all taxes due and to become due under this chapter from the date of the bond to the date when either the carrier or the bonding company notifies the Commissioner of Revenue Services that the bond has been cancelled. [So] As long as the bond remains in force, the Commissioner of Revenue Services may order refunds to the motor carrier in the amounts appearing to be due on applications filed by the carrier under section 12-480 without first auditing the records of the carrier. The surety shall be liable for all omitted taxes assessed against the carrier, including the penalties and interest on such taxes provided in section 12-488, even though the assessment is made after cancellation of the bond, but only for such taxes due and payable while the bond was in force and penalties and interest on such taxes.

Sec. 91. Section 12-635 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Revenue Services shall grant a credit against any tax due under the provisions of chapter 207, 208, 209, 210, 211 or 212 in an amount not to exceed sixty per cent of the total cash amount invested during the taxable year by the business firm in programs operated or created pursuant to proposals approved pursuant to section 12-632 for energy conservation projects directed toward properties occupied by persons, at least seventy-five per cent of whom are at an income level not exceeding one hundred fifty per cent of the poverty level for the year next preceding the year during which such tax credit is to be granted, or at properties occupied by charitable corporations, foundations, trusts or other entities as determined under regulations adopted pursuant to this chapter; in employment and training programs directed at [youth] youths, at least seventy-five per cent of whom are at an income level not exceeding one hundred fifty per cent of the poverty level for the year next preceding the year during which such tax credit is to be granted; in employment and

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training programs directed at handicapped persons as determined under regulations adopted pursuant to this chapter; in employment and training programs for unemployed workers who are fifty years of age or older; in education and employment training programs for recipients in the temporary family assistance program; or in child care services. Any other program which serves persons at least seventy-five per cent of whom are at an income level not exceeding one hundred fifty per cent of the poverty level for the year next preceding the year during which such tax credit is to be granted and which meets the standards for eligibility under this chapter shall be eligible for tax credit under this section.

Sec. 92. Subdivisions (1) and (2) of subsection (b) of section 12-704 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) If, as a direct result of the change to or correction of a taxpayer's income tax return filed with another state of the United States or a political subdivision thereof or the District of Columbia by the tax officers or other competent authority of such jurisdiction, the amount of tax of such other jurisdiction that the taxpayer is finally required to pay is different [than] from the amount used to determine the credit allowed to any taxpayer under this section for any taxable year, the taxpayer shall provide notice of such difference to the commissioner by filing, on or before the date that is ninety days after the final determination of such amount, an amended return under this chapter, and shall concede the accuracy of such determination or state wherein it is erroneous. The commissioner may redetermine, and the taxpayer shall be required to pay, the tax for any taxable year affected, regardless of any otherwise applicable statute of limitations.

(2) If, as a direct result of a taxpayer filing an amended income tax return with another state of the United States or a political subdivision thereof or the District of Columbia, the amount of tax of such other

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jurisdiction that the taxpayer is required to pay is different [than] from the amount used to determine the credit allowed to any taxpayer under this section for any taxable year, the taxpayer shall provide notice of such difference to the commissioner by filing, on or before the date that is ninety days after the date of filing of such amended return, an amended return under this chapter and shall give such information as the commissioner may require. The commissioner may redetermine, and the taxpayer shall be required to pay, the tax for any taxable year affected, regardless of any otherwise applicable statute of limitations.

Sec. 93. Subdivision (f) of section 13b-59 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) "Motor vehicle receipts" means all fees and other charges required by [,] or levied pursuant to subsection (c) of section 14-12, as amended, section 14-15, subsection (a) of section 14-25a, section 14-28, subsection (b) of section 14-35, subsection (b) of section 14-41, as amended, section 14-41a, subsection (b) of section 14-44, as amended, sections 14-47 and 14-48b, subsection (a) of section 14-49, as amended, [subsection (b)(1)] subdivision (1) of subsection (b) of section 14-49, as amended, except as provided under [subsection (b)(2)] subdivision (2) of subsection (b) of said section, subsections (c), (d), (e), (f), (g), (h), (i), (k), (l), (m), (n), (o), (p), (q), (s), (t), (u), (x), (y) and (aa) of section 14-49, as amended, section 14-49a, subsections (a) and (g) of section 14-50, [subsections (a)(1), (a)(2), (a)(3), (a)(4), (a)(9), (a)(10) and (a)(14)] subdivisions (1), (2), (3), (4), (9), (10) and (14) of subsection (a) of section 14-50a, [section] sections 14-59, [section] 14-61 [, section] and 14-65, subsection (c) of section 14-66, as amended, subsection (e) of section 14-67, subsection (f) of section 14-67a, sections 14-67d, 14-160 and 14-381, and subsection (b) of section 14-382.

Sec. 94. Subsection (b) of section 14-37a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective from passage*):

(b) The commissioner may, in the commissioner's discretion upon a showing of significant hardship, grant each such application that is submitted in proper form and contains such information and attestation by the applicant as the commissioner may require. In determining whether to grant such application, the commissioner may also consider the driving record of the applicant and shall ascertain that the suspension is a final order that is not under appeal pursuant to section 4-183. A special operator's permit shall not be issued pursuant to this section to any person for the operation of a motor vehicle for which a public passenger transportation permit or commercial driver's license is required or to any person whose operator's license has been suspended previously pursuant to section 14-227a, as amended, or 14-227b, as amended. A special operator's permit shall not be issued pursuant to this section to any person whose operator's license has been suspended pursuant to subparagraph (C) of subdivision (1) of subsection (i) of section 14-227b, as amended, for refusing to submit to a blood, breath or urine test or analysis until such operator's license has been under suspension for a period of not less than ninety days. A person shall not be ineligible to be issued a special operator's [license] permit under this section solely on the basis of being convicted of two violations of section 14-227a, as amended, unless such second conviction is for a violation committed after a prior conviction.

Sec. 95. Subsection (c) of section 14-164i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any person, as defined in subsection (g) of [section 14-164i] this section, whose vehicle fails to pass an inspection under subsection (b) of this section shall have the vehicle repaired and, within forty-five consecutive calendar days, present proof of emissions-related repairs of such vehicle in such form as the commissioner shall require. The

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commissioner shall issue a two-year intrastate waiver from compliance with emissions standards to any such vehicle failing to meet such standards but complying with the minimum repair requirements. For purposes of this section, the minimum repair requirements for diesel-powered commercial motor vehicles shall be the expenditure of one thousand dollars towards emissions-related repairs of such vehicle. The Commissioner of Motor Vehicles shall suspend the commercial registration, issued pursuant to the provisions of this chapter, of any vehicle for which no proof of emissions-related repairs has been submitted within such forty-five-day period.

Sec. 96. Subsection (b) of section 14-213b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any person convicted of violating any provision of subsection (a) of this section shall be fined not less than one hundred dollars [nor] or more than one thousand dollars, except that any owner of a motor vehicle with a commercial registration who knowingly violates the provisions of subsection (a) of this section with respect to such vehicle shall be guilty of a class D felony.

Sec. 97. Subsection (m) of section 15-129 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(m) Any person who violates any provision of subsection (a) of this section shall have committed an infraction. Any person who fails to comply with a request or direction of an officer made pursuant to subsection (e) of this section shall be fined not less than three hundred fifty dollars [nor] or more than five hundred fifty dollars and shall be fined not less than four hundred fifty dollars [nor] or more than six hundred fifty dollars for each subsequent offense. Any person who violates the provisions of any other subsection of this section shall be

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fined not less than one hundred dollars [nor] or more than five hundred dollars.

Sec. 98. Subsection (c) of section 16-247s of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Unless required by law, no carrier may disclose the cellular mobile telephone number, name or address of a customer to another person for use as a listing in a directory assistance data base or for publication or listing in a directory unless such customer authorizes such disclosure in accordance with the provisions of subsection (d) of this section.

Sec. 99. Subsection (a) of section 16-247t of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this section, [and section 16-49,] "carrier" means a cellular mobile telephone carrier or a reseller of service provided by a cellular mobile telephone carrier.

Sec. 100. Subdivision (9) of section 17a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(9) "Individual service plan" means a written plan to access specialized, coordinated and integrated care for a child or youth with complex behavioral health service needs that is designed to meet the needs of the child or youth and his or her family and may include, when appropriate (A) an assessment of the individual needs of the child or youth, (B) an identification of service needs, (C) an identification of services that are currently being provided, (D) an identification of opportunities for full participation by parents or emancipated minors, (E) [include] a reintegration plan when an out-of-

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home placement is made or recommended, (F) an identification of criteria for evaluating the effectiveness and appropriateness of such plan, and (G) coordination of the individual service plan with any educational services provided to the child or youth. The plan shall be subject to review at least every six months or upon reasonable request by the parent based on a changed circumstance, and be approved, in writing, by the parents, guardian of a child or youth and emancipated minors.

Sec. 101. Subdivision (16) of section 17a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(16) "Community collaborative" means a local consortium of public and private health care providers, parents and guardians of children with behavioral health needs and service and education agencies that have organized to develop coordinated comprehensive community resources for children or [youth] youths with complex behavioral health service needs and their families in accordance with principles and goals of Connecticut Community KidCare.

Sec. 102. Subsections (a) and (b) of section 17a-3 of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The department shall plan, create, develop, operate or arrange for, administer and evaluate a comprehensive and integrated state-wide program of services, including preventive services, for children and [youth] youths whose behavior does not conform to the law or to acceptable community standards, or who are mentally ill, including deaf and hearing impaired children and [youth] youths who are mentally ill, emotionally disturbed, substance abusers, delinquent, abused, neglected or uncared for, including all children and [youth] youths who are or may be committed to it by any court, and all

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children and [youth] youths voluntarily admitted to the department for services of any kind. Services shall not be denied to any such child or youth solely because of other complicating or multiple disabilities. The department shall work in cooperation with other child-serving agencies and organizations to provide or arrange for preventive programs, including, but not limited to, teenage pregnancy and youth suicide prevention, for children and [youth] youths and their families. The program shall provide services and placements that are clinically indicated and appropriate to the needs of the child or youth. In furtherance of this purpose, the department shall: (1) Maintain the Connecticut Juvenile Training School and other appropriate facilities exclusively for delinquents; (2) develop a comprehensive program for prevention of problems of children and [youth] youths and provide a flexible, innovative and effective program for the placement, care and treatment of children and [youth] youths committed by any court to the department, transferred to the department by other departments, or voluntarily admitted to the department; (3) provide appropriate services to families of children and [youth] youths as needed to achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-49, inclusive, as amended, and 17a-51; (4) establish incentive paid work programs for children and [youth] youths under the care of the department and the rates to be paid such children and [youth] youths for work done in such programs and may provide allowances to children and [youth] youths in the custody of the department; (5) be responsible to collect, interpret and publish statistics relating to children and [youth] youths within the department; (6) conduct studies of any program, service or facility developed, operated, contracted for or supported by the department in order to evaluate its effectiveness; (7) establish staff development and other training and educational programs designed to improve the quality of departmental services and programs, provided no social worker trainee shall be assigned a case load prior to completing training, and may establish educational or training programs for children, [youth]

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youths, parents or other interested persons on any matter related to the promotion of the well-being of children, or the prevention of mental illness, emotional disturbance, delinquency and other disabilities in children and [youth] youths; (8) develop and implement aftercare and follow-up services appropriate to the needs of any child or youth under the care of the department; (9) establish a case audit unit to monitor each area office's compliance with regulations and procedures; (10) develop and maintain a database listing available community service programs funded by the department; (11) provide outreach and assistance to persons caring for children whose parents are unable to do so by informing such persons of programs and benefits for which they may be eligible; and (12) collect data sufficient to identify the housing needs of children served by the department and share such data with the Department of Economic and Community Development.

(b) The department shall prepare and submit biennially to the General Assembly a five-year master plan. The master plan shall include, but not be limited to: (1) The long-range goals and the current level of attainment of such goals of the department; (2) a detailed description of the types and amounts of services presently provided to the department's clients; (3) a detailed forecast of the service needs of current and projected target populations; (4) detailed cost projections for alternate means of meeting projected needs; (5) funding priorities for each of the five years included in the plan and specific plans indicating how the funds are to be used; (6) a written plan for the prevention of child abuse and neglect; (7) a comprehensive mental health plan for children and adolescents, including children with complicating or multiple disabilities; (8) a comprehensive plan for children and [youth] youths who are substance abusers, developed in conjunction with the Department of Mental Health and Addiction Services pursuant to the provisions of sections 19a-2a and 19a-7; and (9) an overall assessment of the adequacy of children's services in

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Connecticut. The plan shall be prepared within existing funds appropriated to the department.

Sec. 103. Section 17a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be a State Advisory Council on Children and Families which shall consist of seventeen members appointed by the Governor, including at least five persons who are child care professionals, one child psychiatrist licensed to practice medicine in this state and at least one attorney. The balance of the advisory council shall be representative of young persons, parents and others interested in the delivery of services to children and [youth] youths. No less than fifty per cent of the council's members shall be parents or family members of children who have received, or are receiving, behavioral health services, child welfare services or juvenile services and no more than half the members of the council shall be persons who receive income from a private practice or any public or private agency that delivers mental health, substance abuse, child abuse prevention and treatment, child welfare services or juvenile services. Members of the council shall serve without compensation, except for necessary expenses incurred in the performance of their duties. Members shall serve on the council for terms of two years each and no member shall serve for more than two consecutive terms. The commissioner shall be an ex-officio member of the council without vote and shall attend its meetings. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings during any calendar year shall be deemed to have resigned. The council shall elect a chairperson and vice-chairperson to act in the chairperson's absence.

(b) The council shall meet quarterly, and more often upon the call of the chair or a majority of the members. A majority of the members in office, but not less than six members, shall constitute a quorum. The council shall have complete access to all records of the institutions and

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facilities of the department in furtherance of its duties, while at all times protecting the right of privacy of all individuals involved, as provided in section 17a-28, as amended.

(c) The duties of the council shall be to: (1) Recommend to the commissioner programs, legislation or other matters which will improve services for children and [youth] youths; (2) annually review and advise the commissioner regarding the proposed budget; (3) interpret to the community at large the policies, duties and programs of the department; and (4) issue any reports it deems necessary to the Governor and the Commissioner of Children and Families.

Sec. 104. Section 17a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The commissioner, or the commissioner's designee, shall:

(a) Establish or contract for the use of a variety of facilities and services for identification, evaluation, discipline, rehabilitation, aftercare, treatment and care of children and [youth] youths in need of the department's services;

(b) Administer in a coordinated and integrated manner all institutions and facilities which are or may come under the jurisdiction of the department and may appoint advisory groups for any such institution or facility;

(c) Encourage the development of programs and the establishment of facilities for children and [youth] youths by public or private agencies and groups;

(d) Enter into cooperative arrangements with public or private agencies outside the state;

(e) Insure that all children under the commissioner's supervision

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have adequate food, clothing, shelter and adequate medical, dental, psychiatric, psychological, social, religious and other services;

(f) Provide, in the commissioner's discretion, needed service to any municipality, agency, or person, whether or not such person is committed to the commissioner;

(g) Adopt and enforce regulations and establish rules for the internal operation and administration of the department in accordance with chapter 54;

(h) Undertake, contract for or otherwise stimulate research concerning children and [youth] youths;

(i) Subject to the provisions of chapter 67, appoint such professional, technical and other personnel as may be necessary for the efficient operation of the department;

(j) Coordinate the activities of the department with those of other state departments, municipalities and private agencies concerned with providing services for children and [youth] youths and their families;

(k) Act as administrator of the Interstate Compact on Juveniles established by section 46b-151a, when so designated by the Governor in accordance with section 46b-151c;

(l) Provide or arrange for the provision of suitable education for every child under the commissioner's supervision, either in public schools, special educational programs, private schools, educational programs within the institutions or facilities under the commissioner's jurisdiction, or work and training programs otherwise provided by law. The suitability of educational programs provided by the commissioner shall be subject to review by the Department of Education;

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(m) Submit to the state advisory council for its comment proposals for new policies or programs and the proposed budget for the department;

(n) Have any and all other powers and duties as are necessary to administer the department and implement the purposes of sections 17a-1 to 17a-26, inclusive, and 17a-28 to 17a-49, inclusive, as amended;

(o) Conduct and render a final decision in administrative hearings; and

(p) Provide programs for juvenile offenders that are gender specific in that they comprehensively address the unique needs of a targeted gender group.

Sec. 105. Subsection (a) of section 17a-6c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before June 1, 2004, and annually thereafter, the Department of Children and Families shall report, in accordance with section 11-4a, to the select committee of the General Assembly having cognizance of matters relating to children and to the joint standing committees of the General Assembly having cognizance of matters relating to criminal law and the Department of Children and Families on: (1) The number of adjudicated [youth] youths, by gender and age, in the care and custody of the department, (2) the facilities in which such [youth] youths are being housed, (3) the number, age and gender of such [youth] youths who have left department custody in an unauthorized manner, (4) the number of police reports filed with respect to such [youth] youths, and (5) the status of new construction or preparation of facilities to house adjudicated [youth] youths in the care and custody of the department.

Sec. 106. Subsection (a) of section 17a-8 of the general statutes is

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

(a) All children and [youth] youths who are or have been committed to the custody of the Commissioner of Children and Families as delinquent shall remain in such custody until such custody expires or terminates as provided by [the] order of the Superior Court. Any child or youth who while placed in an institution administered by the Department of Children and Families escapes from such institution or any child or youth who violates the terms or conditions of parole may be returned to actual custody. The request of the Commissioner of Children and Families, or [his] the commissioner's designee, shall be sufficient warrant to authorize any officer of the Department of Children and Families or any officer authorized by law to serve criminal process within this state to return any such child or youth into actual custody; and any such officer, police officer or constable shall arrest and hold any such child or youth when so requested, without written warrant.

Sec. 107. Subsection (b) of section 17a-10 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The commissioner shall pay for the support and maintenance of any delinquent child who is in residence in any of the department's institutions or facilities or in transit from one institution or facility to another. The commissioner, in [his] the commissioner's sole discretion, may, if [he] the commissioner has sufficient funds, pay for the support and maintenance of any other child or youth who is in [his] the custody of the commissioner. If a child is in the custody of the commissioner and is also committed to the Commissioner of Social Services, the Commissioner of Social Services shall pay for [his] such child's support and maintenance when [he] such child is living elsewhere than in an institution or facility of the Department of

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Children and Families, unless there is other provision for [his] such child's support. Nothing in this section shall exempt any person from liability of support of children or [youth] youths under the supervision of the commissioner, when otherwise provided by law.

Sec. 108. Subsection (c) of section 17a-11 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Not more than one hundred twenty days after admitting a child or youth on a voluntary basis, the department shall petition the probate court for the district in which a parent or guardian of the child or youth resides for a determination as to whether continuation in care is in the child's or youth's best interest and, if so, whether there is an appropriate case service or permanency plan. A case service plan shall be required for all children and [youth] youths receiving services voluntarily from the department who are not in an out-of-home placement. A permanency plan shall be required for all children and [youth] youths voluntarily admitted to the department and placed by the department in a foster home licensed pursuant to section 17a-114, as amended, or a facility licensed pursuant to section 17a-145, as amended, or 17a-154. Upon receipt of such application, the court shall set a time and place for hearing to be held within thirty days of receipt of the application, unless continued by the court for cause shown. The court shall order notice of the hearing to be given by regular mail at least five days prior to the hearing to the Commissioner of Children and Families, and by certified mail, return receipt requested, at least five days prior to the hearing to the parents or guardian of the child and the minor, if over twelve years of age. If the whereabouts of the parent or guardian are unknown, or if delivery cannot reasonably be effected, then notice shall be ordered to be given by publication. In making its determination, the court shall consider the items specified in subsection (d) of this section. The court shall possess continuing

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jurisdiction in proceedings under this section.

Sec. 109. Subdivision (1) of subsection (e) of section 17a-16 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) Each child or youth shall be permitted to receive visitors subject to reasonable restrictions consistent with the child's or youth's treatment objectives. The head of each facility shall establish visiting hours and inform all children and [youth] youths and their families and other visitors of these hours. Any special restriction shall be noted in writing, signed by the head of the facility, and made a part of the child's or youth's permanent clinical record.

Sec. 110. Subsections (a) and (b) of section 17a-20 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the [purpose] purposes of this section, [a psychiatric clinic] "psychiatric clinic" means an organization licensed by the Department of Children and Families and staffed by psychiatrists, psychologists, social workers and such other professional, paraprofessional and clerical personnel as local circumstances may require, working in collaboration with other social service agencies, to provide mental health services that are designed to (1) effectively decrease the prevalence and incidence of mental illness, emotional disturbance and social disfunctioning, and (2) promote mental health in individuals, groups and institutions, and includes a general hospital with such clinic services. The Department of Children and Families shall develop and maintain a program of outpatient psychiatric clinics for children and [youth] youths and their families.

(b) For the purposes of this section, [a child guidance clinic] "child guidance clinic" means a subset of psychiatric clinics for children

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designated by the Department of Children and Families pursuant to this section to receive grant funds for the purpose of assisting the department to provide community-based psychiatric services for children, [youth] youths and families. In order to meet such mandate, the department shall designate a subset of outpatient psychiatric clinics for children to be known as child guidance clinics. The department shall provide grants to such child guidance clinics in accordance with the provisions of this section. Any town having a population of not less than forty thousand, as most recently determined by the Secretary of the Office of Policy and Management, or any combination of towns with a combined population of not less than forty thousand as similarly determined, or any nonprofit corporation organized or existing for the purpose of establishing or maintaining a psychiatric clinic for children and [youth] youths or for children and [youth] youths and their families, or any clinic designated by the Department of Children and Families as of January 1, 1995, may apply to the Department of Children and Families for funds to be used to assist in establishing, maintaining or expanding a psychiatric clinic. The applications, and any grant of funds pursuant thereto, shall not be subject to the provisions of section 17a-476, except to the extent required by federal law. The department shall base any grant of funds on the services provided to children and [youth] youths under eighteen years of age and on the effectiveness of the services. No grant shall exceed two-thirds of the ordinary recurring operating expenses of the clinic, nor shall any grant be made to pay for any portion of capital expenditures for the clinic. No clinic in existence as of October 1, 1995, shall be eligible for grants of any funds under this section unless it has obtained a license within six months of the adoption of regulations under subsection (c) of this section. No clinic receiving funds under this section shall refuse services to any resident of this state solely because of his or her place of residence.

Sec. 111. Section 17a-21 of the general statutes is repealed and the

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

Psychiatric hospitals and general hospitals providing psychiatric care to children and [youth] youths, licensed under sections 19a-490 to 19a-503, inclusive, as amended, shall report to the Commissioner of Children and Families on a quarterly basis the date of and reason for admission, diagnosis, date of birth, sex, town of residence and date of discharge of all children and [youth] youths who have been admitted and treated for a psychiatric illness at [these] such facilities.

Sec. 112. Section 17a-21a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Children and Families shall, within available resources and with the assistance of The University of Connecticut Health Center, (1) establish guidelines for the use and management of psychotropic medications with children and [youth] youths in the care of the Department of Children and Families, and (2) establish and maintain a database to track the use of psychotropic medications with children and [youth] youths committed to the care of the Department of Children and Families.

Sec. 113. Section 17a-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Children and Families shall develop and maintain a program of day treatment centers and extended day treatment programs for emotionally disturbed, mentally ill, behaviorally disordered or multiply handicapped children and [youth] youths. For the purposes of this section, "day treatment center" means a facility for outpatient therapy, care and training of children and [youth] youths who, after appropriate evaluation, are deemed in need of such therapy, care and training. Any nonprofit corporation organized or existing for the purpose of establishing or maintaining a

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day treatment center or an extended day treatment program, as defined in section 17a-147, for emotionally disturbed, mentally ill, behaviorally disordered or multiply handicapped children and [youth] youths, any hospital, any psychiatric clinic or any regional educational service center, as established in accordance with section 10-66a, may apply to the Department of Children and Families for funds to be used to assist in establishing, maintaining or expanding a day treatment center or an extended day treatment program, as defined in section 17a-147, for emotionally disturbed, mentally ill, behaviorally disordered or multiply handicapped children and [youth] youths. No grant to assist in establishing, maintaining or expanding a day treatment center or an extended day treatment program under the provisions of this section shall exceed the ordinary and recurring operating expenses of any such day treatment center or extended day treatment program, nor shall any grant be made to pay for all or any part of the capital expenditures for any such center or program. The Department of Children and Families shall (1) establish minimum eligibility requirements for the receipt of such grants in regard to qualification and number of staff members and the operation of day treatment centers and extended day treatment programs, including, but not limited to, physical plant and record keeping; (2) establish procedures to be used in making application for such funds; and (3) prescribe regulations governing the granting of funds to assist in establishing, maintaining and expanding day treatment centers and extended day treatment programs. Upon receipt of proper application and approval by said department of the plans for financing and the standards of operation of a day treatment center or extended day treatment program, said department shall authorize the payment of such grant. Any application for a grant, and any grant of funds pursuant thereto, shall not be subject to the provisions of section 17a-476, except to the extent required by federal law.

Sec. 114. Subsection (a) of section 17a-22a of the general statutes is

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

(a) The Commissioner of Social Services and the Commissioner of Children and Families shall, within available appropriations, develop and administer an integrated behavioral health service delivery system to be known as Connecticut Community KidCare. Said system shall provide services to children and [youth] youths with behavioral health needs who are in the custody of the Department of Children and Families, who are eligible to receive services from the HUSKY Plan, Part A or the federally subsidized portion of Part B, or receive services under the voluntary services program operated by the Department of Children and Families. All necessary changes to the IV-E, Title XIX and Title XXI state plans shall be made to maximize federal financial participation. The Commissioner of Social Services may amend the state Medicaid plan to facilitate the claiming of federal reimbursement for private nonmedical institutions as defined in the Social Security Act. The Commissioner of Social Services may implement policies and procedures necessary to provide reimbursement for the services provided by private nonmedical institutions, as defined in 42 CFR Part 434, while in the process of adopting such policies and procedures in regulation form, provided the commissioner prints notice of intention to adopt the regulations in the Connecticut Law Journal within twenty days of implementing such policies and procedures. Policies and procedures implemented pursuant to this subsection shall be valid until the time such regulations are effective.

Sec. 115. Subsections (d) and (e) of section 17a-22a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Commissioner of Social Services and the Commissioner of Children and Families shall enter into a memorandum of understanding for the purpose of the joint administration of

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Connecticut Community KidCare. Such memorandum of understanding shall establish mechanisms to administer funding for, establish standards for and monitor implementation of Connecticut Community KidCare and specify that (1) the Department of Social Services, which is the agency designated as the single state agency for the administration of the Medicaid program pursuant to Title XIX of the Social Security Act and is the agency responsible for the administration of the HUSKY Plan, Part B under Title XXI of the Social Security Act, manage all Medicaid and HUSKY Plan modifications, waiver amendments, federal reporting and claims processing and provide financial management, and (2) the Department of Children and Families, which is the state agency responsible for administering and evaluating a comprehensive and integrated state-wide program of services for children and [youth] youths with behavioral health needs, define the services to be included in the continuum of care and develop state-wide training programs for providers, families and other persons.

(e) Said commissioners shall consult with the Commissioner of Mental Health and Addiction Services, the Commissioner of Mental Retardation, the Commissioner of Public Health and the Commissioner of Education during the development of Connecticut Community KidCare in order to (1) ensure coordination of a delivery system of behavioral health services across the life span of children, [youth] youths and adults with behavioral health needs, (2) maximize federal reimbursement and revenue, and (3) ensure the coordination of care and funding among agencies.

Sec. 116. Section 17a-22b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each community collaborative shall, within available appropriations, (1) complete a local needs assessment which shall

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include objectives and performance measures, (2) specify the number of children and [youth] youths requiring behavioral health services, (3) specify the number of children and [youth] youths actually receiving community-based and residential services and the type and frequency of such services, and (4) complete an annual self-evaluation process and a review of discharge summaries. Each community collaborative shall submit its local needs assessment to the Commissioner of Children and Families and the Commissioner of Social Services.

(b) The area offices of the Department of Children and Families shall contract with lead service agencies, within available appropriations, to coordinate the care of all children and [youth] youths enrolled in Connecticut Community KidCare residing within their designated catchment areas, including children and [youth] youths with complex behavioral health service needs. The lead service agencies shall employ or subcontract for the employment of care coordinators to assist families in establishing and implementing individual service plans for children and [youth] youths with complex behavioral health service needs and to improve clinical outcomes and cost effectiveness. Parents shall be afforded a choice of contracted providers for authorized services.

(c) Each community collaborative may establish the number of members and the type of representatives to ensure that the membership of such collaborative is appropriately balanced. The chief elected officers of municipalities served by a community collaborative may designate a member to serve as a representative of the chief elected officials. A community collaborative, at a minimum, shall consist of representatives from the local or regional board of education, special education program, youth services bureau, local departments of social services and public health, representatives from private organizations serving children and [youth] youths and a substantial number of parents of children and [youth] youths with behavioral

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health needs. A community collaborative shall participate in the area advisory councils established under section 17a-30, as amended, provide outreach to community resources, coordinate behavioral health services by forming, with the consent of the family, child specific teams for children and [youth] youths with complex behavioral health service needs, conduct community need assessments to identify service gaps and service barriers, identify priority investment areas for the state and lead service agencies and provide public education and support. A community collaborative shall establish a governance structure, determine membership and identify or establish a fiscal agent.

(d) The Commissioner of Children and Families and the Commissioner of Social Services shall, within available appropriations, provide or arrange for the administrative services necessary to operate Connecticut Community KidCare.

Sec. 117. Subsections (b) and (c) of section 17a-22c of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Children and Families shall develop and implement, within available appropriations, culturally appropriate and competency-based curricula including best practices for the care of children and [youth] youths with, or at risk of, behavioral health needs and offer training to all willing persons involved in Connecticut Community KidCare, including, but not limited to, employees in education and child care and appropriate employees within the judicial system.

(c) The Commissioners of Children and Families and Social Services shall, within available appropriations, design and conduct a five-year independent longitudinal evaluation with evaluation goals and methods utilizing an independent evaluator. The evaluation shall

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assess changes in outcomes for individual children, [youth] youths and families, evaluate the effectiveness of the overall initiative in the early phases to guide future expansion of Connecticut Community KidCare and examine benefits, costs and cost avoidance achieved by it. Such evaluation may include, but is not limited to, the following: (1) Utilization of out-of-home placements; (2) adherence to system of care principles; (3) school attendance; (4) delinquency recidivism rates; (5) satisfaction of families and children and [youth] youths with Connecticut Community KidCare as assessed through client satisfaction surveys; (6) coordination of Connecticut Community KidCare with the juvenile justice, child protection, adult behavioral health and education systems; and (7) the quality of transition services.

Sec. 118. Section 17a-22d of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Children and Families may, within available appropriations, provide financial assistance for the establishment of an organization, with local chapters in each area served by the Department of Children and Families, that shall provide family-to-family support and family advocates for children, [youth] youths and their families, and when requested by the family, assist the family with the individual service plan process and otherwise encourage active family participation in treatment and Connecticut Community KidCare planning. Such organization shall assure that families have input into the development and implementation of their individual service plans, including those established pursuant to section 17a-127, and into policy and planning for, and the implementation and evaluation of, Connecticut Community KidCare.

Sec. 119. Section 17a-30 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) The commissioner shall create distinct service areas and shall create in each such area, an area advisory council to advise the commissioner and the area director on the development and delivery of services of the department in that area and to facilitate the coordination of services for children, [youth] youths and their families in the area.

(b) Each area advisory council shall consist of no more than twenty-one persons, a majority of whom shall be persons who earn less than fifty per cent of their salaries from the provision of services to children, [youth] youths and their families, and the balance representative of private providers of human services throughout the area. The commissioner, or the commissioner's designee, shall appoint one-third of the representatives of each group for a term of three years, one-third for a term of two years, and one-third for a term of one year. No person may serve more than two consecutive three-year terms. All subsequent appointments to replace those whose terms have expired shall be for a term of three years. No person may serve on more than one area advisory council at a time. The area director shall make a good faith effort to ensure that, to the extent possible, the membership is qualified and closely reflects the gender and racial diversity of the area. All members shall serve without compensation. Each area advisory council shall elect two cochairpersons. Each area advisory council shall meet at least quarterly, or more often at the call of the cochairpersons or a majority of the council members. The area director, or a designee of the area director, shall be an ex-officio member of the council without the right to vote. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings during any calendar year shall be deemed to have resigned. A majority of the members in office, but not less than six members, shall constitute a quorum.

Sec. 120. Subsection (b) of section 17a-52 of the general statutes is

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

(b) The board shall: (1) Increase public awareness of the existence of youth suicide and means of prevention; (2) make recommendations to the commissioner for the development of state-wide training in the prevention of youth suicide; (3) develop a strategic youth suicide prevention plan; (4) recommend interagency policies and procedures for the coordination of services for [youth] youths and families in the area of suicide prevention; (5) make recommendations for the establishment and implementation of suicide prevention procedures in schools and communities; (6) establish a coordinated system for the utilization of data for the prevention of youth suicide; and (7) make recommendations concerning the integration of suicide prevention and intervention strategies into other youth focused prevention and intervention programs.

Sec. 121. Section 17a-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Children and Families shall establish, within available appropriations, community-based, multiservice parent education and support centers. The goal of each center shall be to improve parenting and enhance family functioning in order to provide children and [youth] youths increased opportunities for positive development. Each center shall provide: (1) [parent] Parent education and training services; (2) parent support services; (3) information about and coordination of other community services; (4) consultation services; and (5) coordination of child care and transportation services to facilitate participation in the center's programs. Each center shall conduct outreach programs and shall be accessible with respect to schedule and location.

Sec. 122. Subdivision (h) of section 17a-93 of the 2006 supplement to

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

(h) "Child care facility" means a congregate residential setting licensed by the Department of Children and Families for the out-of-home placement of children or [youth] youths under eighteen years of age, or any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or state accredited job training program and was placed in a congregate residential setting prior to such person's eighteenth birthday.

Sec. 123. Subsection (a) of section 17a-127 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The following shall be established for the purposes of developing and implementing an individual service plan: Within available appropriations, a child specific team may be developed by the family of a child or youth with complex behavioral health service needs which shall provide for family participation in all aspects of assessment, planning and implementation of services and may include, but need not be limited to, family members, the child or adolescent if appropriate, clergy, school personnel, representatives of local or regional agencies providing programs and services for children and [youth] youths, a family advocate, and other community or family representatives. The team shall designate one member to be the team coordinator. The team coordinator shall, with the consent of the parent, guardian, youth or emancipated minor, compile the results of all assessments and evaluations completed prior to the preparation of an individual service plan that document the service needs of the child or youth, make decisions affecting the implementation of an individual service plan, and make referrals to community agencies and resources in accordance with an individual service plan. The care coordinator shall not make decisions affecting the implementation of the individual

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service plan without the consent of the parent, guardian, youth or emancipated minor, except as otherwise provided by law.

Sec. 124. Section 17a-128 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Children and Families shall establish a liaison to the Department of Social Services to ensure that Medicaid-eligible children and [youth] youths receive mental health services in accordance with federal law.

Sec. 125. Subsections (a) and (b) of section 17a-147 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of this section and section 17a-22, "extended day treatment" means a supplementary care community-based program providing a comprehensive multidisciplinary approach to treatment and rehabilitation of emotionally disturbed, mentally ill, behaviorally disordered or multiply handicapped children and [youth] youths during the hours immediately before and after school while they reside with their parents or surrogate family. Extended day treatment programs, except any such program provided by a regional educational service center established in accordance with section 10-66a, shall be licensed by the Department of Children and Families.

(b) The goal of extended day treatment is to improve the functioning of the child or youth as an individual and the family as a unit with the least possible interruption of beneficial relationships with the family and the community. An extended day treatment program (1) shall offer the broadest range of therapeutic services consistent with the needs of the children and youths it serves, including, but not limited to, (A) a therapeutic setting, (B) the integration of the family into the treatment and the treatment planning process, (C) support and

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emergency services to families designed to allow continued residence of the children and [youth] youths in their homes, (D) professional clinical services, (E) access to educational services, and (F) the coordination of community services in support of the treatment effort, or (2) if provided for children requiring special education by a regional educational service center, shall offer such services as are specified in the prescribed educational program for each such child in accordance with section 10-76d, as amended.

Sec. 126. Section 17a-459 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Connecticut Mental Health Center shall be a facility of the Department of Mental Health and Addiction Services and shall include the Connecticut Mental Health Center in New Haven and such satellite locations as the department may approve. The department shall operate the center in collaboration with Yale University under mutual agreement of the parties. The department may provide treatment at the center to adults, children or [youth] youths with psychiatric disabilities, substance abuse disabilities or both such disabilities. Admissions shall be within the control of the Commissioner of Mental Health and Addiction Services and no court may commit or transfer any person to or place or confine any person in the center without the approval of the commissioner or the commissioner's designee.

Sec. 127. Subsections (b) and (c) of section 17a-485 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The account established under subsection (a) of this section shall be used to provide assistance for persons with mental illness, including, but not limited to, eligible households, as defined in section 17a-484a, and such persons who are community-supervised offenders supervised by the executive or judicial branch, and children or [youth]

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youths not within the care of the Department of Children and Families for the development of new or expanded community-based clinical and nonclinical facilities, related mental health services and supportive housing for persons with mental health needs.

(c) Within the account established under subsection (a) of this section, there shall be two subaccounts: (1) A community mental health restoration subaccount for the purpose of providing financial assistance for new or expanded community-based mental health facilities and services, including, but not limited to, rental subsidies, case management, assertive community treatment teams, intensive residential programs, specialized treatment programs, hospital outpatient behavioral health services, regional independent living grants, multicultural services, training, technical assistance and evaluation, and grants to nonprofit providers for the enhancement of home and community-based services for the early detection, diagnosis and treatment of mental illness and emotional disturbance among children and [youth] youths from birth through transition to adult services; and (2) a supportive housing enhancement subaccount for the purpose of carrying out section 17a-485c, as amended.

Sec. 128. Section 17a-560 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in sections 17a-560 to 17a-576, inclusive, unless specifically provided otherwise, "division", means the Whiting Forensic Division, including the diagnostic unit established under the provisions of section 17a-562, or any other facility of the Department of Mental Health and Addiction Services which the commissioner may designate as appropriate. The words "institute" or "diagnostic unit", as used in sections 17a-566, 17a-567, 17a-570 and 17a-576 when applied to children or [youth] youths under the age of eighteen, mean any facility of the Department of Children and Families designated by the Commissioner of Children and Families. "Board" means the advisory

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and review board appointed under the provisions of section 17a-565. "Commissioner" means the Commissioner of Mental Health and Addiction Services or in the case of children, the Commissioner of Children and Families.

Sec. 129. Section 17a-616 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Pursuant to said compact, the Governor is authorized to designate a compact administrator for mentally ill adults, a compact administrator for mentally ill children and [youth] youths under the age of eighteen and a compact administrator for the mentally deficient who, acting jointly with like officers of other party states, shall have power to promulgate rules and regulations to carry out more effectively the terms of the compact. [Said] The compact administrators shall serve subject to the pleasure of the Governor. The compact administrators are directed to cooperate with all departments, agencies and officers of the government of this state and its subdivisions in facilitating the proper administration of the compact or of any supplementary agreement or agreements entered into by this state thereunder, and the compact administrators are hereby directed to consult with the immediate family of any proposed transferee and, in the case of a person proposed to be transferred without [his] such person's consent or the consent of [his] such person's guardian from an institution in this state to an institution in another party state, to take no final action without approval of the Superior Court in the state of Connecticut. On the admission of any such transferee to an institution in this state, the procedure outlined in section 17b-136 shall be followed.

Sec. 130. Subsection (a) of section 17b-3 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Social Services shall administer all law

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under the jurisdiction of the Department of Social Services. The commissioner shall have the power and duty to do the following: (1) Administer, coordinate and direct the operation of the department; (2) adopt and enforce such regulations, in accordance with chapter 54, as are necessary to implement the purposes of the department as established by statute; (3) establish rules for the internal operation and administration of the department; (4) establish and develop programs and administer services to achieve the purposes of the department as established by statute; (5) contract for facilities, services and programs to implement the purposes of the department as established by statute; (6) process applications and requests for services promptly; (7) with the approval of the Comptroller and in accordance with such procedures as may be specified by the Comptroller, make payments to providers of services for individuals who are eligible for benefits from the department as appropriate; (8) make no duplicate awards for items of assistance once granted, except for replacement of lost or stolen checks on which payment has been stopped; (9) promote economic self-sufficiency where appropriate in the department's programs, policies, practices and staff interactions with recipients; (10) act as advocate for the need of more comprehensive and coordinated programs for persons served by the department; (11) plan services and programs for persons served by the department; (12) coordinate outreach activities by public and private agencies assisting persons served by the department; (13) consult and cooperate with area and private planning agencies; (14) advise and inform municipal officials and officials of social service agencies about social service programs and collect and disseminate information pertaining thereto, including information about federal, state, municipal and private assistance programs and services; (15) encourage and facilitate effective communication and coordination among federal, state, municipal and private agencies; (16) inquire into the utilization of state and federal government resources which offer solutions to problems of the delivery of social services; (17) conduct, encourage and maintain

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research and studies relating to social services development; (18) prepare, review and encourage model comprehensive social service programs; (19) maintain an inventory of data and information and act as a clearing house and referral agency for information on state and federal programs and services; and (20) conduct, encourage and maintain research and studies and advise municipal officials and officials of social service agencies about forms of intergovernmental cooperation and coordination between public and private agencies designed to advance social service programs. The commissioner may require notice of the submission of all applications by municipalities, any agency thereof, and social service agencies, for federal and state financial assistance to carry out social services. The commissioner shall establish state-wide and regional advisory councils.

Sec. 131. Subdivision (7) of subsection (d) of section 17b-99 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(7) The commissioner, or any entity with [whom] which the commissioner contracts, for the purpose of conducting an audit of a service provider, shall produce a final written report concerning any audit conducted pursuant to this subsection. Such final written report shall be provided to the provider that was the subject of the audit [,] not more than sixty days after the date of the exit conference conducted pursuant to subdivision (6) of this subsection, unless the commissioner, or any entity with [whom] which the commissioner contracts, for the purpose of conducting an audit of a service provider, [agree] agrees to a later date or there are other referrals or investigations pending concerning the provider.

Sec. 132. Section 17b-239b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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The Commissioner of Social Services shall establish prior authorization procedures under the Medicaid program for admissions and lengths of stay in chronic disease hospitals. The Commissioner of Social Services may contract with an entity for administration of any aspect of such prior authorization or may expand the scope of an existing contract with an entity that performs utilization review services on behalf of the Department of Social Services. The commissioner, pursuant to section 17b-10, may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies and procedures as [regulation] regulations, provided the commissioner prints notice of intent to adopt regulations in the Connecticut Law Journal not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

Sec. 133. Section 17b-242a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Social Services shall establish prior authorization procedures under the Medicaid program for home health services, such that prior authorization shall be required for skilled nursing visits that exceed two per week. Unless there are revisions to the prior authorization received during the month, providers shall not be required to submit prior authorization requests more than once a month. The Commissioner of Social Services may contract with an entity for administration of any such aspect of prior authorization or may expand the scope of an existing contract with an entity that performs utilization review services on behalf of the department. The commissioner, pursuant to section 17b-10, may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies

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and procedures as [regulation] regulations, provided the commissioner prints notice of intent to adopt regulations in the Connecticut Law Journal not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

Sec. 134. Subsection (a) of section 17b-261 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Medical assistance shall be provided for any otherwise eligible person whose income, including any available support from legally liable relatives and the income of the person's spouse or dependent child, is not more than one hundred forty-three per cent, pending approval of a federal waiver applied for pursuant to subsection (d) of this section, of the benefit amount paid to a person with no income under the temporary family assistance program in the appropriate region of residence and if such person is an institutionalized individual as defined in Section 1917(c) of the Social Security Act, 42 USC 1396p(c), and has not made an assignment or transfer or other disposition of property for less than fair market value for the purpose of establishing eligibility for benefits or assistance under this section. Any such disposition shall be treated in accordance with Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of property made on behalf of an applicant or recipient or the spouse of an applicant or recipient by a guardian, conservator, person authorized to make such disposition pursuant to a power of attorney or other person so authorized by law shall be attributed to such applicant, recipient or spouse. A disposition of property ordered by a court shall be evaluated in accordance with the standards applied to any other such disposition for the purpose of determining eligibility. The commissioner shall establish the standards for eligibility for medical assistance at one hundred forty-three per cent of the benefit

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amount paid to a family unit of equal size with no income under the temporary family assistance program in the appropriate region of residence, pending federal approval, except that the medical assistance program shall provide coverage to persons under the age of nineteen up to one hundred eighty-five per cent of the federal poverty level without an asset limit. Said medical assistance program shall also provide coverage to persons under the age of nineteen and their parents and needy caretaker relatives who qualify for coverage under Section 1931 of the Social Security Act with family income up to one hundred fifty per cent of the federal poverty level without an asset limit, upon the request of such a person or upon a redetermination of eligibility. Such levels shall be based on the regional differences in such benefit amount, if applicable, unless such levels based on regional differences are not in conformance with federal law. Any income in excess of the applicable amounts shall be applied as may be required by said federal law, and assistance shall be granted for the balance of the cost of authorized medical assistance. All contracts entered into on and after July 1, 1997, pursuant to this section shall include provisions for collaboration of managed care organizations with the [Healthy Families Connecticut Program] Nurturing Families Network established pursuant to section 17a-56, as amended. The Commissioner of Social Services shall provide applicants for assistance under this section, at the time of application, with a written statement advising them of the effect of an assignment or transfer or other disposition of property on eligibility for benefits or assistance.

Sec. 135. Subsection (a) of section 17b-295 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner shall impose cost-sharing requirements, including the payment of a premium or copayment, in connection with services provided under the HUSKY Plan, Part B, to the extent

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permitted by federal law, and in accordance with the following limitations:

(1) On and after July 1, 2005, the commissioner may increase the maximum annual aggregate cost-sharing requirements, provided [that] such cost-sharing requirements shall not exceed five per cent of the family's gross annual income. The commissioner may impose a premium requirement on families whose income exceeds two hundred thirty-five per cent of the federal poverty level [,] as a component of the family's cost-sharing responsibility, provided: (A) The family's annual combined premiums and copayments do not exceed the maximum annual aggregate cost-sharing requirement, and (B) premium requirements shall not exceed the sum of thirty dollars per month per child, with a maximum premium of fifty dollars per month per family. The commissioner shall not impose a premium requirement on families [,] whose income exceeds one hundred eighty-five per cent of the federal poverty level but does not exceed two hundred thirty-five per cent of the federal poverty level; and

(2) The commissioner shall require each managed care plan to monitor copayments and premiums under the provisions of subdivision (1) of this subsection.

Sec. 136. Subdivision (7) of subsection (a) of section 17b-320 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(7) "Contractual allowances" [mean] means the amount of discounts allowed by a nursing home to certain payers from amounts billed for room, board and ancillary services.

Sec. 137. Subparagraph (B) of subdivision (1) of subsection (b) of section 17b-320 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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passage):

(B) Commencing with the calendar quarter in which approval of the waiver of federal requirements for uniform and broad-based user fees in accordance with 42 CFR 433.68 pursuant to section [17b-322] 17b-323 is granted, the resident day user fee shall be the product of the nursing home's total resident days during the calendar quarter multiplied by the user fee, as redetermined by the Commissioner of Social Services pursuant to subsection (b) of section 17b-321.

Sec. 138. Subsection (d) of section 17b-320 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The commissioner shall notify the Commissioner of Social Services of any amount delinquent under [public act 05-251] sections 17b-320 to 17b-323, inclusive, and, upon receipt of such notice, the Commissioner of Social Services shall deduct and withhold such amount from amounts otherwise payable by the Department of Social Services to the delinquent nursing home.

Sec. 139. Subsections (a) and (b) of section 17b-321 of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before July 1, 2005, and on or before July first of each succeeding calendar year, the Commissioner of Social Services shall determine the amount of the user fee and promptly notify the commissioner and nursing homes of such amount. The user fee shall be [the] (1) the sum of each nursing home's anticipated nursing home net revenue, including, but not limited to, its estimated net revenue from any increases in Medicaid payments, during the twelve-month period ending on June thirtieth of the succeeding calendar year, (2) which sum shall be multiplied by six per cent, and (3) which product

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shall be divided by the sum of each nursing home's anticipated resident days during the twelve-month period ending on June thirtieth of the succeeding calendar year. The Commissioner of Social Services, in anticipating nursing home net revenue and resident days, shall use the most recently available nursing home net revenue and resident day information.

(b) Upon approval of the waiver of federal requirements for uniform and broad-based user fees in accordance with 42 CFR 433.68 pursuant to section 17b-323, the Commissioner of Social Services shall redetermine the amount of the user fee and promptly notify the commissioner and nursing homes of such amount. The user fee shall be [the] (1) the sum of each nursing home's anticipated nursing home net revenue, including, but not limited to, its estimated net revenue from any increases in Medicaid payments, during the twelve-month period ending on June thirtieth of the succeeding calendar year but not including any such anticipated net revenue of any nursing home exempted from such user fee due to waiver of federal requirements pursuant to section 17b-323, (2) which sum shall be multiplied by six per cent, and (3) which product shall be divided by the sum of each nursing home's anticipated resident days, but not including the anticipated resident days of any nursing home exempted from such user fee due to waiver of federal requirements pursuant to section 17b-323. Notwithstanding the provisions of this subsection, the amount of the user fee for each nursing home licensed for more than two hundred thirty beds or owned by a municipality shall be equal to the amount necessary to comply with federal provider tax uniformity waiver requirements as determined by the Commissioner of Social Services. The Commissioner of Social Services may increase retroactively the user fee for nursing homes not licensed for more than two hundred thirty beds and not owned by a municipality to the effective date of waiver of said federal requirements to offset user fee reductions necessary to meet the federal waiver requirements.

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Thereafter, on or before July first of each succeeding calendar year, the Commissioner of Social Services shall determine the amount of the user fee in accordance with this subsection. The Commissioner of Social Services, in anticipating nursing home net revenue and resident days, shall use the most recently available nursing home net revenue and resident day information.

Sec. 140. Section 17b-323 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Not later than fifteen days after approval of the Medicaid state plan amendment required to implement subdivision (4) of subsection (f) of section 17b-340, as amended, the Commissioner of Social Services shall seek approval from the Centers for Medicare and Medicaid Services for, and shall file a provider user fee uniformity waiver request regarding, the user fee set forth in [public act 05-251] sections 17b-320 and 17b-321. The request for approval shall include a request for a waiver of federal requirements for uniform and broad-based user fees in accordance with 42 CFR 433.68, to (1) exempt from the user fee prescribed by section 17b-320 any nursing home that is owned and operated as of May 1, 2005, by the legal entity that is registered as a continuing care facility with the Department of Social Services, in accordance with section 17b-521, regardless of whether such nursing home [participants] participates in the Medicaid program and any nursing home licensed after May 1, 2005, that is owned and operated by the legal entity that is registered as a continuing care facility with the Department of Social Services in accordance with section 17b-521; and (2) impose a user fee in an amount less than the fee determined pursuant to section 17b-320 as necessary to meet the requirements of 42 CFR 433.68(e)(2) on (A) nursing homes owned by a municipality, and (B) nursing homes licensed for more than [230] two hundred thirty beds. Notwithstanding any [section] provision of the general statutes,

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the provisions of section 17b-8 shall not apply to the waiver sought pursuant to this section.

Sec. 141. Section 17b-324 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the fiscal year ending June 30, 2006, any nursing home that receives a net gain in revenue shall not [be applied] apply such net gain in revenue to wage and salary increases provided to the administrator, assistant administrator, owners or related party employees. For the purposes of this section, "net gain in revenue" means the difference between the rate in effect June 30, 2005, and the rate in effect on July 1, 2005, multiplied by the number of resident days eligible for state payment for the period between July 1, 2005, and June 30, 2006, less resident day user fees accrued for the period between July 1, 2005, and June 30, 2006. The Commissioner of Social Services may compare expenditures for wages, and salary increases provided to administrators, assistant administrators, owners or related party employees for the fiscal year ending June 30, 2006, to such expenditures in the year ending June 30, 2005, to verify compliance with this section. In the event that the commissioner determines that a facility did apply its net gain in revenue to wage and salary increases for administrators, assistant administrators, owners or related party employees, the commissioner shall recover such amounts from the facility through rate adjustments or other means. The commissioner may require facilities to file cost reporting forms, in addition to the annual cost report, as may be necessary, to verify the appropriate application of any net gain.

Sec. 142. Subdivision (4) of subsection (f) of section 17b-340 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(4) For the fiscal year ending June 30, 1992, (A) no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1991; (B) no facility whose rate, if determined pursuant to this subsection, would exceed one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is five and one-half per cent more than the rate it received for the rate year ending June 30, 1991; and (C) no facility whose rate, if determined pursuant to this subsection, would be less than one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is six and one-half per cent more than the rate it received for the rate year ending June 30, 1991. For the fiscal year ending June 30, 1993, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1992, or six per cent more than the rate it received for the rate year ending June 30, 1992. For the fiscal year ending June 30, 1994, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1993, or six per cent more than the rate it received for the rate year ending June 30, 1993. For the fiscal year ending June 30, 1995, no facility shall receive a rate that is more than five per cent less than the rate it received for the rate year ending June 30, 1994, or six per cent more than the rate it received for the rate year ending June 30, 1994. For the fiscal years ending June 30, 1996, and June 30, 1997, no facility shall receive a rate that is more than three per cent more than the rate it received for the prior rate year. For the fiscal year ending June 30, 1998, a facility shall receive a rate increase that is not more than two per cent more than the rate that the facility received in the prior year. For the fiscal year ending June 30, 1999, a facility shall receive a rate increase that is not more than three per cent more than the rate that the facility received in the prior year and that is not less than one per cent more than the rate that the facility received in the prior year, exclusive of rate increases associated with a wage, benefit and staffing enhancement rate adjustment added for the period from April 1, 1999, to June 30, 1999, inclusive. For the

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fiscal year ending June 30, 2000, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 1999, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2000, shall receive a rate increase equal to one per cent applied to the rate the facility received for the fiscal year ending June 30, 1999, exclusive of the facility's wage, benefit and staffing enhancement rate adjustment. For the fiscal year ending June 30, 2000, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2000, shall receive a rate increase that is more than one per cent more than the rate the facility received in the fiscal year ending June 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 2000, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2001, shall receive a rate increase equal to two per cent applied to the rate the facility received for the fiscal year ending June 30, 2000, subject to verification of wage enhancement adjustments pursuant to subdivision (15) of this subsection. For the fiscal year ending June 30, 2001, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2001, shall receive a rate increase that is more than two per cent more than the rate the facility received for the fiscal year ending June 30, 2000. For the fiscal year ending June 30, 2002, each facility shall receive a rate that is two and one-half per cent more than the rate the facility received in the prior fiscal year. For the fiscal year ending June 30, 2003, each facility shall receive a rate that is two per cent more than the rate the facility received in the prior fiscal year, except that such increase shall be effective January 1, 2003, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until December 31, 2002, except any facility that would have been issued a

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lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate increased two per cent effective June 1, 2003. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until December 31, 2004, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective January 1, 2005, each facility shall receive a rate that is one per cent greater than the rate in effect December 31, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in this subdivision, but in no event earlier than July 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, for the fiscal year ending June 30, 2006, the department shall compute the rate for each facility based upon its 2003 cost report filing or, a subsequent cost year filing for facilities having an interim rate for the period ending June 30, 2005, as provided under section 17-311-55 of the regulations of Connecticut state agencies. For each facility not having an interim rate for the period ending June 30, 2005, the rate for the period ending June 30, 2006, shall be determined beginning with the higher of the computed rate based upon its 2003 cost report filing or the rate in effect for the period ending June 30, 2005. Such rate shall then be increased by ~~[\$11.80]~~ eleven dollars and eighty cents per day except that in no event shall the rate for the period ending June 30, 2006, be ~~[\$32.00]~~ thirty-two dollars more than the rate in effect for the period

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ending June 30, 2005, and for any facility with a rate below ~~[\$195.00]~~ one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not be greater than ~~[\$217.43]~~ two hundred seventeen dollars and forty-three cents per day and for any facility with a rate equal to or greater than ~~[\$195.00]~~ one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. For each facility with an interim rate for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by ~~[\$11.80]~~ eleven dollars and eighty cents per day plus the per day cost of the user fee payments made pursuant to section 17b-320 divided by annual resident service days, except for any facility with an interim rate below ~~[\$195.00]~~ one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not be greater than ~~[\$217.43]~~ two hundred seventeen dollars and forty-three cents per day and for any facility with an interim rate equal to or greater than ~~[\$195.00]~~ one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. Such July 1, 2005, rate adjustments shall remain in effect unless (i) the federal financial participation matching funds associated with the rate increase are no longer available; or (ii) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, all facility rates in effect for the period ending June 30, 2006, shall remain in effect, except ~~[for]~~ any facility that would have been issued a lower rate effective July 1, 2006, than for the rate period ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. The Commissioner of Social Services shall add fair rent increases to any

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other rate increases established pursuant to this subdivision for a facility which has undergone a material change in circumstances related to fair rent. Interim rates may take into account reasonable costs incurred by a facility, including wages and benefits.

Sec. 143. Subsection (a) of section 17b-354 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except for applications deemed complete as of August 9, 1991, the Department of Social Services shall not accept or approve any requests for additional nursing home beds or modify the capital cost of any prior approval for the period from September 4, 1991, through June 30, 2007, except (1) beds restricted to use by patients with acquired immune deficiency syndrome or traumatic brain injury; (2) beds associated with a continuing care facility which guarantees life care for its residents; (3) Medicaid certified beds to be relocated from one licensed nursing facility to another licensed nursing facility, provided (A) the availability of beds in an area of need will not be adversely affected; (B) no such relocation shall result in an increase in state expenditures; and (C) the relocation results in a reduction in the number of nursing facility beds in the state; (4) a request for no more than twenty beds submitted by a licensed nursing facility that participates in neither the Medicaid program nor the Medicare program, admits residents and provides health care to [said] such residents without regard to their income or assets and demonstrates its financial ability to provide lifetime nursing home services to such residents without participating in the Medicaid program to the satisfaction of the department, provided the department does not accept or approve more than one request pursuant to this subdivision; and (5) a request for [not nor] no more than twenty beds associated with a free standing facility dedicated to providing hospice care services for terminally ill persons operated by an organization

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previously authorized by the Department of Public Health to provide hospice services in accordance with section 19a-122b. Notwithstanding the provisions of this subsection, any provision of the general statutes or any decision of the Office of Health Care Access, (i) the date by which construction shall begin for each nursing home certificate of need in effect August 1, 1991, shall be December 31, 1992, (ii) the date by which a nursing home shall be licensed under each such certificate of need shall be October 1, 1995, and (iii) the imposition of such dates shall not require action by the Commissioner of Social Services. Except as provided in subsection (c) of this section, a nursing home certificate of need in effect August 1, 1991, shall expire if construction has not begun or licensure has not been obtained in compliance with the dates set forth in subparagraphs (i) and (ii) of this subsection.

Sec. 144. Subdivision (13) of section 17b-890 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(13) To designate violence-free zones in accordance with the federal Community Services Block Grant Program, [(42 USC 9908)] 42 USC 9908, for the purpose of addressing the needs of [youth] youths through programs that support the primary role of the family, give priority to the prevention of youth problems and crime, and promote increased community coordination and collaboration. As used in this subdivision, "violence-free zone" means a geographic area within a targeted investment community, as defined in section 32-222, that has chronically high levels of crime, violence, unemployment, family dissolution and juvenile delinquency and a low rate of home ownership.

Sec. 145. Subsection (b) of section 18-81r of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(b) The Department of Administrative Services shall contract for the provision of ombudsman services and shall annually report the name of the person or persons with whom [he or she] the department has so contracted to the joint standing committee of the General Assembly having cognizance of matters relating to the Department of Correction in accordance with the provisions of section 11-4a.

Sec. 146. Subsection (a) of section 19a-17m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Public Health shall, within available appropriations, establish a program to purchase and maintain malpractice liability insurance for the following professionals and retired professionals who have been licensed by the state of Connecticut for a minimum of one year, whose licenses are in good standing and who provide primary health care services at community health centers and at other locations authorized by the department: Physicians, dentists, chiropractors, optometrists, podiatrists, natureopaths, psychologists, dental hygienists, [physicians] physician assistants and nurse practitioners. The following conditions shall apply to the program:

(1) Primary health care services shall only be provided at community health centers or at other locations as determined by the department, located in public investment communities, as defined in subdivision (9) of subsection (a) of section 7-545;

(2) Primary health care services provided shall be offered to low-income patients based on their ability to pay;

(3) Professionals providing health care services shall not receive compensation for their services;

(4) Professionals must provide not less than one hundred fifty hours

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per year of such primary health care services; and

(5) The department shall contract with a liability insurer authorized to offer malpractice liability insurance in this state or with the Connecticut Primary Care Association or other eligible primary health care providers to purchase insurance for professionals working in primary health care settings. The Connecticut Primary Care Association may subcontract with community health centers to purchase malpractice liability insurance for eligible professionals providing primary care services at the community health centers. Liability insurance shall be purchased only from a provider authorized to offer malpractice liability insurance in this state.

Sec. 147. Subsection (d) of section 19a-29a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Each registration or certificate of approval shall be issued for a period of not less than twenty-four [, nor] or more than twenty-seven months from the deadline for applications. Renewal applications shall be made (1) biennially within the twenty-fourth month of the current registration or certificate of approval; (2) before any change in ownership or change in director is made; and (3) prior to any major expansion or alteration in quarters.

Sec. 148. Section 19a-121g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Public Health shall establish and administer a program of services for children and [youth] youths who experience the illness or death of one or more family members to HIV disease. The commissioner shall, within available appropriations, annually provide funds for pilot projects, for purposes of the program, with local providers of child mental health services and AIDS services

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in the four areas of greatest AIDS prevalence in the state to establish and provide culturally-appropriate therapeutic support groups and outpatient and in-home mental health services, and to provide transportation to such services for children and [youth] youths. Contracts with such providers shall require collaboration between child mental health service providers and local AIDS service providers in the design and delivery of services to AIDS-affected children and their families. Eligibility for such services shall be limited to children who lack private, third-party insurance that covers such services and whose family income is equal to or less than two hundred fifty per cent of the federal poverty level, as well as to children eligible for Medicaid to the extent that Medicaid does not wholly cover the services provided through this program.

(b) The commissioner shall, within available appropriations, conduct a training and outreach program designed to educate professionals in education, health, probate and juvenile law, and juvenile justice with regard to the program, the needs of children affected by AIDS and the importance of family-centered, culturally-appropriate services. Such training shall include information about the psychological impacts of parental illness and death from AIDS on children and [youth] youths, the epidemiology and clinical course of the disease, legal options available to families to assure permanency in placement for affected children and the services that are available within the state to children affected by AIDS.

Sec. 149. Subsection (c) of section 19a-491a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) A person seeking to renew a nursing home license shall furnish the department with any information required under subsection (a) of this section that was not previously submitted and with satisfactory written proof that the owner of the nursing home consents to such

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renewal, if the owner is different [than] from the person seeking renewal, and shall provide data on any change in the information submitted. The commissioner shall refuse to issue or renew a nursing home license if the person seeking renewal fails to provide the information required under this section. Upon such refusal, the commissioner shall grant such license to the holder of the certificate of need, provided such holder meets all requirements for such licensure. If such holder does not meet such requirements, the commissioner shall proceed in accordance with sections 19a-541 to 19a-549, inclusive. If the commissioner is considering a license renewal application pursuant to an order of the commissioner, the procedures in this subsection shall apply to such consideration.

Sec. 150. Subdivision (1) of section 19a-600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Counselor" means: (A) A psychiatrist, (B) a psychologist licensed under chapter 383, (C) clinical social worker licensed under chapter 383b, (D) a marital and family therapist licensed under chapter 383a, (E) an ordained member of the clergy, (F) a physician's physician assistant licensed under section 20-12b, (G) a nurse-midwife licensed under chapter 377, (H) a certified guidance counselor, (I) a registered professional nurse licensed under chapter 378, or (J) a practical nurse licensed under chapter 378.

Sec. 151. Subsection (b) of section 19a-900 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon the request and with the written authorization of the parent or guardian of a child attending any before or after school program, day camp or day care facility, and pursuant to the written order of (1) a physician licensed to practice medicine, (2) a physician

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assistant licensed to prescribe in accordance with section 20-12d, as amended, or (3) an advanced practice registered nurse licensed to prescribe in accordance with sections 20-94a and 20-94b, the owner or operator of such before or after school program, day camp or day care facility shall approve and provide general supervision to an identified staff member trained to administer medication with a cartridge injector to such child if the child has a medically diagnosed allergic condition that may require prompt treatment in order to protect the child against serious harm or death. Such staff member shall be trained in the use of a cartridge injector by a licensed physician, [physician's] physician assistant, advanced practice registered nurse or registered nurse or shall complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health.

Sec. 152. Subsection (d) of section 21a-79 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Commissioner of Consumer Protection, after providing notice and conducting a hearing in accordance with the provisions of chapter 54, may issue a warning citation or impose a civil penalty of not more than one hundred dollars for the first offense and not more than five hundred dollars for each subsequent offense on any person, firm, partnership, association or corporation that violates any provision of subsection (b) of this section or any regulation adopted pursuant to subsection (c) of this section. Any person, firm, partnership, association or corporation that violates any provision of subsection (b) of this section or any regulation adopted pursuant to subsection (c) of this section shall be fined not more than two hundred dollars for the first offense [nor] and not more than one thousand dollars for each subsequent offense. Each violation with respect to all units of a particular consumer commodity on any single day shall be

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deemed a single offense.

Sec. 153. Subsection (b) of section 22-6e of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any permit issued pursuant to subsection (a) of this section may be terminated by the commissioner, without cause, upon written notice to the permittee.

Sec. 154. Section 22-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Labor Commissioner shall have charge of the administration of sections 22-13 to 22-17, inclusive. The commissioner shall establish regulations and standards for the administration of said sections necessary to the health and welfare of [the youth] youths employed in agriculture. The commissioner may make such inspections as [he] the commissioner deems necessary or desirable, under said sections, in order to ascertain that the provisions are observed.

Sec. 155. Subsection (b) of section 23-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The commissioner may provide tree seedlings at no cost to any elementary or secondary school or conservation commission for the celebration of Arbor Day in accordance with any proclamation issued pursuant to [subsection (c)] subdivision (3) of subsection (a) of section 10-29a, as amended.

Sec. 156. Subsection (c) of section 28-1a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) The commissioner shall be responsible for: (1) Coordinating with state and local government personnel, agencies [,] and authorities and the private sector to ensure adequate planning, equipment, training and exercise activities by such personnel, agencies [,] and authorities and the private sector with regard to homeland security; (2) coordinating, and as may be necessary, consolidating homeland security communications and communications systems of the state government with state and local government personnel, agencies [,] and authorities, the general public and the private sector; (3) distributing and, as may be appropriate, coordinating the distribution of information and security warnings to state and local government personnel, agencies [,] and authorities and the general public; and (4) establishing standards and security protocols for the use of any intelligence information.

Sec. 157. Subdivision (5) of subsection (a) of section 28-24 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) Coordinate and assist in state-wide planning for [911 and E911] 9-1-1 and E 9-1-1 systems.

Sec. 158. Subsection (a) of section 29-7n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of sections 7-294l and 7-294x, subsection (a) of section 10-16b, subsection (b) of this section and sections 3 and 8 of public act 93-416, "gang" means a group of juveniles or [youth] youths who, acting in concert with each other, or with adults, engage in illegal activities.

Sec. 159. Subdivision (8) of subsection (b) of section 31-3h of the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective from passage*):

(8) Developing a strategy for providing comprehensive services to eligible [youth] youths, which strategy shall include developing youth preapprentice and apprentice programs through, but not limited to, regional vocational-technical schools, and improving linkages between academic and occupational learning and other youth development activities.

Sec. 160. Subdivision (16) of subsection (b) of section 31-11p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(16) A strategy for the establishment of (A) regional youth councils by the regional workforce development boards, which regional youth councils shall (i) recommend eligible providers of youth activities to the council and conduct oversight of eligible providers of youth activities; (ii) in cooperation with local boards of education, identify available programs and activities to assist [youth] youths in completing education programs; (iii) identify available programs and activities to assist [youth] youths in securing and preserving employment; and (iv) coordinate youth activities with Job Corps services, coordinate youth activities authorized under the federal Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended, and improve the connection between court-involved [youth] youths and the state labor market; and (B) criteria for selection of regional youth council members and awarding youth program grants for state-wide youth activities described in Section 129(b) of the federal Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended.

Sec. 161. Subsection (c) of section 31-53 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) The Labor Commissioner may make complaint to the proper prosecuting authorities for the violation of any provision of subsection (b) of this section.

Sec. 162. Subdivision (2) of subsection (d) of section 31-223a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) If the person is not an employer, such person shall be subject to a civil penalty of not less than five hundred dollars [nor] or more than five thousand dollars. Any such [fine] penalty shall be deposited into the Employment Security Special Administration Fund established under subsection (d) of section 31-259.

Sec. 163. Subdivision (2) of section 32-23r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Where the funds involved are to be used for the purchase, lease or alteration of an existing facility which has been inoperative and the borrower or mortgagee intends to make, assemble or produce products different [than] from those previously made, assembled or produced at the facility, preference in employment and training shall be given to those previously employed at such facility within the twelve-month period immediately preceding its closing in the order of their total length of employment at the closed facility, provided such training shall not exceed twelve weeks.

Sec. 164. Subsection (a) of section 38a-479cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Whenever a preferred provider network is providing services pursuant to a contract with a managed care organization, the preferred provider network may not establish any terms, conditions or

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requirements for access, diagnosis or treatment that are different [than] from the terms, conditions or requirements for access, diagnosis or treatment in the managed care organization's plan, except that no preferred provider network shall be required to provide an enrollee access to a provider who does not participate in the preferred provider network unless the preferred provider network is required to provide such access under its contract with the managed care organization.

Sec. 165. Subsection (a) of section 38a-676 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) With respect to rates pertaining to commercial risk insurance, and subject to the provisions of subsection (b) of this section with respect to workers' compensation and employers' liability insurance and professional liability insurance for physicians and surgeons, hospitals, [advance] advanced practice registered nurses and physician assistants, on or before the effective date of such rates, each admitted insurer shall submit to the Insurance Commissioner for the commissioner's information, except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans, each manual of classifications, rules and rates, and each minimum, class rate, rating plan, rating schedule and rating system and any modification of the foregoing which it uses. Such submission by a licensed rating organization of which an insurer is a member or subscriber shall be sufficient compliance with this section for any insurer maintaining membership or subscribership in such organization, to the extent that the insurer uses the manuals, minimums, class rates, rating plans, rating schedules, rating systems, policy or bond forms of such organization. The information shall be open to public inspection after its submission.

Sec. 166. Subsection (a) of section 38a-676a of the 2006 supplement to the general statutes is repealed and the following is substituted in

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lieu thereof (*Effective from passage*):

(a) Not earlier than October 1, 2008, the Insurance Commissioner shall review professional liability insurance rates in this state for physicians and surgeons, hospitals, advanced practice registered nurses and [physicians] physician assistants to determine whether (1) the amount or frequency of insured awards and settlements against physicians and surgeons, hospitals, advanced practice registered nurses and [physicians assistance] physician assistants have decreased since October 1, 2005, (2) such rates reflect any such decrease, and (3) such rates bear a reasonable relationship to the costs of writing such insurance in this state. In conducting the review, the commissioner shall examine the rates for such insurance under policies issued by (A) captive insurers and risk retention groups, to the extent such information is available to the commissioner, and (B) insurers licensed in this state.

Sec. 167. Subsection (e) of section 42-133l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) No franchisor shall terminate, cancel or fail to renew a franchise for the failure or refusal of the franchisee to do any of the following: (1) Refusal to take part in promotional campaigns of the franchisor's products; (2) failure to meet sales quotas suggested by the franchisor; (3) refusal to sell any product at a price suggested by the franchisor or supplier; (4) refusal to keep the premises open and operating during those hours which are documented by the franchisee to be unprofitable to the franchisee or to preclude the franchisee from establishing [his] the franchisee's own hours of operation beyond the hour of [10:00] ten o'clock p.m. and prior to [6:00] six o'clock a.m.; (5) refusal to give the franchisor or supplier financial records of the operation of the franchise which are not related or necessary to the franchisee's obligations under the franchise agreement. Subdivisions (1) to (5),

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inclusive, of this subsection shall not be deemed material and reasonable obligations, substantial failure to comply with franchise terms, or good cause under subsection (a) of this section.

Sec. 168. Subsection (b) of section 42-133mm of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) When a franchisor sells, transfers or assigns the franchisor's interest in two or more marketing premises marketed as a package to a successor owner, any change in the terms and conditions of the franchise agreement in effect at the time of the sale, transfer or assignment shall be by mutual agreement of the franchisee and the successor owner. Such successor owner shall, at the expiration of the franchise agreement in effect at the time of the sale, transfer or assignment, renew the franchise agreement of each franchisee for the same number of years as the agreement in effect at the time of the sale, transfer or assignment, provided such renewal shall not exceed five years. Any changes to the franchise agreement shall be submitted in good faith by the successor owner and negotiated in good faith by the successor owner and the franchisee. The successor owner shall not require the franchisee to do the following: (1) Take part in promotional campaigns of the successor owner's products; (2) meet sales quotas; (3) sell any product at a price suggested by the successor owner or supplier; (4) keep the premises open and operating during hours which are documented by the franchisee to be unprofitable to the franchisee or during the hours after [10] ten o'clock p.m. and prior to [6] six o'clock a.m.; or (5) disclose to the successor owner or supplier financial records of the operation of the franchise which are not related or necessary to the franchisee's obligations under the franchise agreement. Nothing in this subsection shall affect the successor owner's ability to terminate, cancel or fail to renew a franchise agreement for good cause shown.

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Sec. 169. Subdivision (2) of section 45a-707 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) "Child care facility" means a congregate residential setting for the out-of-home placement of children or [youth] youths under eighteen years of age, licensed by the Department of Children and Families.

Sec. 170. Subsection (d) of section 46b-38c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) In all cases of family violence, a written or oral report and recommendation of the local family violence intervention unit shall be available to a judge at the first court date appearance to be presented at any time during the court session on that date. A judge of the Superior Court may consider and impose the following conditions to protect the parties, including, but not limited to: (1) Issuance of a protective order pursuant to subsection (e) of this section; (2) prohibition against subjecting the victim to further violence; (3) referral to a family violence education program for batterers; and (4) immediate referral for more extensive case assessment. Such protective order shall be an order of the court, and the clerk of the court shall cause (A) a certified copy of such order to be sent to the victim, and (B) a copy of such order, or the information contained in such order, to be sent by facsimile or other means within forty-eight hours of its issuance to the law enforcement agency for the town in which the victim resides and, if the defendant resides in a town different [than] from the town in which the victim resides, to the law enforcement agency for the town in which the defendant resides. If the victim is employed in a town different [than] from the town in which the victim resides, the clerk of the court shall, upon the request of the victim, send, by facsimile or other means, a copy of such order, or the information contained in such order, to the law enforcement agency for the town in which the

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victim is employed within forty-eight hours of the issuance of such order.

Sec. 171. Subsection (c) of section 46b-66 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The provisions of chapter 909 shall be applicable to any agreement to arbitrate in an action for dissolution of marriage under this chapter, provided (1) an arbitration pursuant to such agreement may proceed only after the court has made a thorough inquiry and is satisfied that (A) each party entered into such agreement voluntarily and without coercion, and (B) such agreement is fair and equitable under the circumstances, and (2) such agreement and an arbitration pursuant to such agreement shall not include issues related to child support, visitation and custody. An arbitration award in such action shall be confirmed, modified or vacated in accordance with the provisions of [said] chapter 909.

Sec. 172. Subsection (a) of section 46b-121 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or dependent children and [youth] youths within this state, termination of parental rights of children committed to a state agency, matters concerning families with service needs, contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court, the emancipation of minors and [youth] youths in crisis, but does not include matters of guardianship and adoption or matters affecting property rights of any child, youth or youth in crisis over which the Probate Court has jurisdiction, provided appeals from probate concerning adoption, termination of parental rights and removal of a

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parent as guardian shall be included. Juvenile matters in the criminal session include all proceedings concerning delinquent children in the state and persons sixteen years of age and older who are under the supervision of a juvenile probation officer while on probation or a suspended commitment to the Department of Children and Families, for purposes of enforcing any court orders entered as part of such probation or suspended commitment.

Sec. 173. Subsection (l) of section 46b-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(l) The Commissioner of Children and Families shall pay directly to the person or persons furnishing goods or services determined by said commissioner to be necessary for the care and maintenance of such child or youth the reasonable expense thereof, payment to be made at intervals determined by said commissioner; and the Comptroller shall draw his or her order on the Treasurer, from time to time, for such part of the appropriation for care of committed children or [youth] youths as may be needed in order to enable the commissioner to make such payments. Said commissioner shall include in [his] the commissioner's annual budget a sum estimated to be sufficient to carry out the provisions of this section. Notwithstanding that any such child or youth has income or estate, the commissioner may pay the cost of care and maintenance of such child or youth. The commissioner may bill to and collect from the person in charge of the estate of any child or youth aided under this chapter, including [his] such child's or youth's decedent estate, or the payee of such child's or youth's income, the total amount expended for care of such child or youth or such portion thereof as any such estate or payee is able to reimburse.

Sec. 174. Subsection (f) of section 46b-133c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(f) Whenever a proceeding has been designated a serious juvenile repeat offender prosecution pursuant to subsection (b) of this section and the child does not waive [his] such child's right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if [he] such child were sixteen years of age, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and [youth until he] youths until such child attains sixteen years of age or until [he] such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume [his] such child's status as a juvenile regarding [said] such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which [he] such child was transferred, the child shall resume [his] such child's status as a juvenile until [he] such child attains sixteen years of age.

Sec. 175. Subsection (f) of section 46b-133d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) When a proceeding has been designated a serious sexual offender prosecution pursuant to subsection (c) of this section and the child does not waive the right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if such child were sixteen years of age, except that no such child shall be placed in a correctional facility

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but shall be maintained in a facility for children and [youth] youths until such child attains sixteen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains sixteen years of age.

Sec. 176. Subsection (b) of section 47-5 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) In addition to the requirements of subsection (a) of this section, the execution of a deed or other conveyance of real property pursuant to a power of attorney shall be deemed sufficient if done in substantially the following form:

Name of Owner of Record
By: (Signature of Attorney-in-Fact) L.S.
Name of Signatory
His/Her Attorney-in-Fact

Sec. 177. Subsection (b) of section 47-88 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon removal of the property from the provisions of this chapter, the unit owners shall own the property as tenants in common

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with undivided interests equal to the percentage of undivided interests in the common elements owned by each such owner immediately prior to the recordation of the instrument referred to in subsection (a) of this section. As long as such tenancy in common continues, each unit owner shall have an exclusive right of occupancy of that portion of [said] such property which formerly constituted his or her unit.

Sec. 178. Subsection (c) of section 47a-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Any person who fails to correct any violation prior to the date set forth in the notice of violation shall be subject to a cumulative civil penalty of five dollars per day for each violation from the date set for correction in the notice of violation to the date such violation is corrected, except that in any case, the penalty shall not exceed five hundred dollars per day [nor shall] and the total penalty shall not exceed [seventy-five hundred] seven thousand five hundred dollars. The penalty may be collected by the enforcing agency by action against the owner or other responsible person or by an action against the real property. An action against the owner may be joined with an action against the real property.

Sec. 179. Subdivision (10) of subsection (b) of section 51-10c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(10) Annually prepare and distribute a juvenile justice plan having as its goal the reduction of the number of African-Americans and Latinos in the juvenile justice system, which plan shall include the development of standard risk assessment policies and a system of impartial review, culturally appropriate diversion programs for minority juveniles accused of nonviolent felonies, intensive in-home services to families of pretrial delinquents and [youth] youths on

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probation, school programs for juveniles being transferred from detention centers, Long Lane School or the Connecticut Juvenile Training School, the recruitment of minority employees to serve at all levels of the juvenile justice system, the utilization of minority juvenile specialists to guide minority juvenile offenders and their families through the juvenile justice system, and community service options in lieu of detention for juveniles arrested for nonserious offenses.

Sec. 180. Section 51-349 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Actions shall be made returnable to geographical areas as follows:

(1) In landlord and tenant matters arising under chapter 830 or chapter 831, in the geographical area where the premises are located;

(2) In summary process matters, in the geographical area (A) where the defendant resides or where the leased premises or trailer is located, or (B) if the defendant is a corporation, where it has an office or place of business, or (C) if the defendant is a nonresident, where the plaintiff resides or where the land lies;

(3) In matters regarding state and local health and building code violations, in the geographical area where the premises are located; [,] and

(4) In any other matter, in such geographical area as is prescribed by statute.

Sec. 181. Subdivision (2) of subsection (e) of section 52-557b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Any volunteer worker associated with, or any person employed to work for, a program offered to children sixteen years of age or

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younger by a corporation, other than a licensed health care provider, that is exempt from federal income taxation under Section 501 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, who (A) has been trained in the use of a cartridge injector by a licensed physician, [physician's] physician assistant, advanced practice registered nurse or registered nurse, (B) has obtained the consent of a parent or legal guardian to use a cartridge injector on his or her child, and (C) uses a cartridge injector on such child in apparent need thereof participating in such program, shall not be liable to such child assisted or to such child's parent or guardian for civil damages for any personal injury or death which results from acts or omissions by such worker in using a cartridge injector which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence.

Sec. 182. Subsection (h) of section 52-557b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) Any person who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, or has been trained in the use of a cartridge injector by a licensed physician, [physician's] physician assistant, advanced practice registered nurse or registered nurse, and who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, [or is an identified staff member of a before or after school program, day camp or day care facility as provided in section 19a-900,] renders emergency assistance by using a cartridge injector on another person in need thereof, or any person who is an

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identified staff member of a before or after school program, day camp or day care facility, as provided in section 19a-900, and who renders emergency assistance by using a cartridge injector on another person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in using a cartridge injector, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence. For the purposes of this subsection, "cartridge injector" has the same meaning as provided in subdivision (1) of subsection (e) of this section.

Sec. 183. Section 52-557q of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No claim for damages shall be made against a broadcaster, as defined in subsection (l) of section 12-218, or an outdoor advertising establishment, as described in the United States Department of Labor Standard Industrial Classification System Code 7312, that, pursuant to a voluntary program between broadcasters and law enforcement agencies, or between law enforcement agencies and outdoor advertising [establishment] establishments, broadcasts or disseminates an emergency alert and information provided by a law enforcement agency concerning the abduction of a child, including, but not limited to, a description of the abducted child, a description of the suspected abductor and the circumstances of the abduction. Nothing in this section shall be construed to (1) limit or restrict in any way any legal protection a broadcaster or outdoor advertising establishment may have under any other law for broadcasting, outdoor advertising or otherwise disseminating any information, or (2) relieve a law enforcement agency from acting reasonably in providing information to the broadcaster or outdoor advertising establishment.

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Sec. 184. Subsection (b) of section 53a-19 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using deadly physical force upon another person if he or she knows that he or she can avoid the necessity of using such force with complete safety (1) by retreating, except that the actor shall not be required to retreat if he or she is in his or her dwelling, as defined in section 53a-100, as amended, or place of work and was not the initial aggressor, or if he or she is a peace officer or a special policeman appointed under section 29-18b or a private person assisting such peace officer or special policeman at his or her direction, and acting pursuant to section 53a-22, as amended, or (2) by surrendering possession of property to a person asserting a claim of right thereto, or (3) by complying with a demand that he or she abstain from performing an act which he or she is not obliged to perform.

Sec. 185. Subsection (a) of section 53a-167c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A person is guilty of assault of public safety or emergency medical personnel when, with intent to prevent a reasonably identifiable peace officer, special policeman appointed under section 29-18b, firefighter or employee of an emergency medical service organization, as defined in section 53a-3, emergency room physician or nurse, employee of the Department of Correction, member or employee of the Board of Pardons and Paroles, probation officer, employee of the judicial branch assigned to provide pretrial secure detention and programming services to juveniles accused of the commission of a delinquent act, employee of the Department of Children and Families assigned to provide direct services to children and [youth] youths in the care or custody of the department, employee

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of a municipal police department assigned to provide security at the police department's lockup and holding facility or active individual member of a volunteer canine search and rescue team, as defined in section 5-249, from performing his or her duties, and while such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member is acting in the performance of his or her duties, (1) such person causes physical injury to such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (2) such person throws or hurls, or causes to be thrown or hurled, any rock, bottle, can or other article, object or missile of any kind capable of causing physical harm, damage or injury, at such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (3) such person uses or causes to be used any mace, tear gas or any like or similar deleterious agent against such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (4) such person throws or hurls, or causes to be thrown or hurled, any paint, dye or other like or similar staining, discoloring or coloring agent or any type of offensive or noxious liquid, agent or substance at such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member, or (5) such person throws or hurls, or causes to be thrown or hurled, any bodily fluid including, but not limited to, urine, feces, blood or saliva at such peace officer, special policeman, firefighter, employee, physician, nurse, member, probation officer or active individual member.

Sec. 186. Subsection (d) of section 54-76l of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The records of any such youth, or any part thereof, shall be

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available to the victim of the crime committed by such youth to the same extent as the record of the case of a defendant in a criminal proceeding in the regular criminal docket of the Superior Court is available to a victim of the crime committed by such defendant. The court shall designate an official from whom such victim may request such information. Information disclosed pursuant to this subsection shall not be further disclosed.

Sec. 187. Section 54-142r of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any data in the offender-based tracking system, as defined in section 54-142q, as amended, shall be available to the Chief Information Officer of the Department of Information Technology and the executive director of a division or unit within the Judicial Department that oversees information technology, or to such persons' designees, for the purpose of maintaining and administering [such] said system.

(b) Any data in [such] said system from an information system of a criminal justice agency, as defined in subsection (b) of section 54-142g, that is available to the public under the provisions of the Freedom of Information Act, as defined in section 1-200, shall be obtained from the agency from which such data originated. The Secretary of the Office of Policy and Management shall provide to any person who submits a request for such data to the Criminal Justice Information System Governing Board, pursuant to said act, the name and address of the agency from which such data originated.

Sec. 188. Subsection (c) of section 4-9a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) Notwithstanding any provision of law to the contrary, the term of each member of each board and commission within the executive branch, except the State Board of Education, the Board of Governors of Higher Education, the Gaming Policy Board, the Commission on Human Rights and Opportunities, the State Elections Enforcement Commission, the State Properties Review Board, the Citizen's Ethics Advisory Board, the Commission on Medicolegal Investigations, the Psychiatric Security Review Board, the Commission on Fire Prevention and Control, the E 9-1-1 Commission, the Connecticut Commission on Culture and Tourism, the Commission on Aging [,] and the board of trustees of each constituent unit of the state system of higher education, [and the Board of Pardons and Paroles,] commencing on or after July 1, 1979, shall be coterminous with the term of the Governor or until a successor is chosen, whichever is later.

Sec. 189. Section 4a-67e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All recycled xerographic or copy paper purchased by the state for use in state offices shall meet the applicable minimum recycled content standards established in federal Executive Order No. [12873] 13101, and any regulations or guidelines promulgated by the United States Environmental Protection Agency to carry out the purposes of said order, for purchase of paper by the federal government, provided such paper shall have a composition such that at least ten per cent of the fiber material used to produce such paper is derived from postconsumer recovered paper. Any recycled white paper used for state lottery tickets and tax return forms shall meet the standards provided therein for xerographic copy paper, provided at least thirty per cent of the fiber material used to produce such paper is derived from postconsumer recovered paper, and further provided the recycled paper for lottery tickets meets lottery security requirements. All tax return booklets prepared by the Department of Revenue

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Services shall be printed on recycled paper which meets the minimum recycled content standards for white paper or newsprint, whichever is used in such booklets, established by the United States Environmental Protection Agency, provided at least ten per cent of the fiber material used to produce such white paper is derived from postconsumer recovered paper.

Sec. 190. Section 4a-67f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Administrative Services shall revise the specifications for printing and writing paper purchased by the state to (1) incorporate the standards provided for in federal Executive Order No. [12873] 13101 and any regulations or guidelines promulgated by the United States Environmental Protection Agency to carry out the purposes of said order, and (2) provide for the purchase and use by state agencies of paper composed entirely of materials manufactured using processes (A) which do not involve the harvesting of trees or which are otherwise derived entirely from sources other than trees, and (B) which can be categorized as having less adverse impact on the environment than conventional processes.

(b) The commissioner may provide for alternative standards in such specifications if [he] the commissioner determines that (1) a satisfactory level of competition does not exist with regard to the market for a particular paper item specified in such standards, (2) a particular paper item is not available within a reasonable time period, or (3) the available items fail to meet reasonable performance standards established by the agency for which such items are being procured.

Sec. 191. Subdivision (4) of section 8-267 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(4) "Nonprofit organization" means [associations] an association incorporated under [chapters 598 and 600] chapter 598 or 602, or any predecessor statutes thereto.

Sec. 192. Subsection (b) of section 8-293 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon receipt of the list of the abandoned properties pursuant to subsection (a) of this section, the urban rehabilitation agency shall serve notice to each owner of such properties by mailing to the owner by certified mail to the last known address of such owner or in the case of the owner who cannot be identified or whose address is unknown by publishing a copy of such notice in a newspaper having general circulation in the municipality, stating such property has been determined to be abandoned and setting a date for a hearing before the urban rehabilitation agency, or any hearing examiner appointed by the urban rehabilitation agency, for the purpose of determining whether the owner is willing and able to rehabilitate or demolish the vacant structure on such abandoned property within a reasonable time. At such hearing, the owner may contest the designation of such property as abandoned and such hearing shall be held in the same manner as under sections 4-176e to 4-181, inclusive. A decision rendered by a hearing examiner after such hearing shall be in writing and shall be filed with the urban rehabilitation agency for its final decision. All decisions of the urban rehabilitation agency shall be in writing and shall be mailed, by certified mail, return receipt requested, to each owner and to all parties to the proceedings. A decision of the urban rehabilitation agency may be appealed to the Superior Court in accordance with the provisions of section 4-183.

Sec. 193. Section 8-294 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Upon acquisition of real property by the urban rehabilitation agency under section 8-293, the urban rehabilitation agency shall publish at least twice a notice in a newspaper having general circulation in the municipality that such property is available. Such notice shall include the estimated purchase price, the qualifications of the applicant, procedures for bidding on the property and the closing date for such bidding. The second notice shall be published not less than two weeks before such closing date.

(b) Within thirty days after the closing date for bidding, the urban rehabilitation agency shall recommend to the legislative body the transfer of abandoned property to a qualified applicant under such terms and conditions as are determined by the agency, provided the applicant shall be selected in accordance with priorities established under section 8-295.

(c) The legislative body may, by resolution, vote to transfer the urban rehabilitation property with or without compensation to the person selected pursuant to subsection (b) of this section. Such transfer shall be made pursuant to a contract of sale and rehabilitation which shall provide among other things that (1) the property transferred be rehabilitated predominantly for industrial or commercial use and be brought into and maintained in conformity with applicable health, housing and building code standards; (2) that the rehabilitation shall commence and be completed within a period of time as determined by the urban rehabilitation agency; (3) prior to the issuance of a certificate of occupancy by the building official, no transfer of the property or any interest therein, except a transfer to a bona fide mortgagee or similar lien holder, may be made by the rehabilitator without the approval of the urban rehabilitation agency, provided any such transfer may only be made for a consideration not in excess of the cost of the property to the rehabilitator together with the costs of any improvements made thereon by the rehabilitator; (4) in the sale or rental of the property, or

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any portion of such property, no person shall be discriminated against because of such person's race, color, religion, sex or national origin; (5) representatives of the urban rehabilitation agency, representatives of the municipality, and [where] if state or federal assistance is involved, representatives of the federal and state governments shall be allowed access to the property during normal business hours for the purpose of inspecting compliance with the provisions of this subsection.

Sec. 194. Subdivisions (6) and (7) of section 10-183b of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(6) "Child" means a natural child, an adopted child, or a stepchild of a deceased member who has been a stepchild for at least one year immediately prior to the date on which the member died. A child is a "dependent child" of a deceased member if at the time of the member's death (A) the member was living with the child or providing or obligated to provide, by agreement or court order, a reasonable portion of the support of the child, and (B) the child (i) is unmarried and has not attained age eighteen, or (ii) is disabled and such disability began prior to the [child] child's attaining age eighteen.

(7) "Contributions" [mean] means amounts withheld pursuant to this chapter and paid to the board by an employer from compensation payable to a member. Prior to July 1, 1989, "mandatory contributions" are contributions required to be withheld under this chapter and consist of five per cent regular contributions and "one per cent contributions". From July 1, 1989, to June 30, 1992, "mandatory contributions" are contributions required to be withheld under this chapter and consist of five per cent regular contributions and one per cent health contributions. From July 1, 1992, to June 30, 2004, "mandatory contributions" are contributions required to be withheld under this chapter and consist of six per cent "regular contributions" and one per cent health contributions. On or after July 1, 2004,

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"mandatory contributions" are contributions required to be withheld under this chapter and consist of six per cent regular contributions and one and one-fourth per cent health contributions. "Voluntary contributions" are contributions by a member authorized to be withheld under section 10-183i.

Sec. 195. Subsection (d) of section 13a-123 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The regulations promulgated by the commissioner shall, in the case of such other limited access state highways, exclude any area along either side of such highways which is zoned for industrial or commercial use under local ordinance or zoning regulation and which, upon application, is determined by the commissioner to be in actual use as an industrial or commercial area at the time of application, provided such exclusion shall remain operative only [so] as long as such area remains so zoned.

Sec. 196. Subsection (b) of section 13a-124a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Transportation may issue permits for the erection and maintenance of specific information signs and business signs within the rights-of-way of any portion of a state-maintained limited access highway, except a parkway. The commissioner shall not issue any such permit to any person or company until such person or company files with the commissioner a bond or recognizance to the state, satisfactory to the commissioner and in such amount as the commissioner determines, subject to forfeiture upon failure to comply with (1) the requirements of this section, (2) regulations adopted pursuant to this section, or (3) any orders of the commissioner relating to the erection and maintenance of specific information signs and

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business signs. Any such bond or recognizance shall remain in full force and effect [so] as long as such person or company is subject to any such requirements, regulations or orders as provided in this section.

Sec. 197. Section 13b-226 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

It is hereby declared that the improvement of railroads transporting freight or passengers within this state or between this state and other states is a public purpose in furtherance whereof the tax exemptions provided in sections 12-251 and 13b-226 to 13b-233, inclusive, may properly be granted, such exemptions to continue, however, only [so] as long as they result in the preservation of service, or the increase thereof over present levels, or the rehabilitation and improvement of the plant and equipment used by railroad companies providing freight or passenger transportation service within this state or between this state and other states.

Sec. 198. Subsection (d) of section 15-144 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Each certificate of number and certificate of registration issued by the Commissioner of Motor Vehicles, shall expire on the last day of April of the year following its issuance. At least thirty days prior to the expiration date of each certificate, the Commissioner of Motor Vehicles shall notify the owner of such expiration and the certificate may be renewed as prescribed by the Commissioner of Motor Vehicles upon application and upon payment of the fee provided in subsection (b) of this section. The registration number assigned to a vessel shall remain the same [so] as long as the vessel is registered in this state.

Sec. 199. Subsection (a) of section 15-145 of the 2006 supplement to

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

(a) A marine dealer or marine engine manufacturer may obtain one or more marine dealer's registration numbers upon application to the Commissioner of Environmental Protection, and upon payment of a fee of fifty dollars for each number. Such funds shall be deposited in the boating account of the Conservation Fund. Such application shall contain an affidavit stating that (1) such marine dealer is a person engaged in the business of manufacturing, selling or repairing new or used vessels and that such person has an established place of business for the sale, trade, display or repair of such vessels, or (2) such marine engine manufacturer is a person engaged in the business of manufacturing, selling or repairing marine engines and that such person has an established place of business for the sale, trade, display or repair of such engines. A marine dealer's or marine engine manufacturer's registration certificate shall be denominated as such and shall state the dealer's or engine manufacturer's name, residence address, business address, registration number, the expiration date of the certificate and such other information as the Commissioner of Environmental Protection may prescribe. The certificate, or a copy of the certificate, shall be carried aboard and shall be available for inspection upon each vessel which displays the dealer's registration number whenever such vessel is in operation. A number or certificate may not be used on more than one vessel at a time. Each certificate shall be renewed on the first day of May of the year following the date of issue and shall expire on the last day of April of the year following such renewal, unless sooner terminated or surrendered. At least thirty days prior to the expiration [day] date of each certificate, the Commissioner of Environmental Protection shall notify each dealer and manufacturer of such expiration. Within ninety days before its expiration, each dealer's or manufacturer's certificate may be renewed upon application and upon payment of the fee provided in this

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section. Each registration number assigned to a marine dealer or marine engine manufacturer shall remain the same [so] as long as such dealer or manufacturer continues, under the same name, in the business described in such dealer's or manufacturer's application affidavit as required pursuant to this subsection.

Sec. 200. Subsection (a) of section 16-41 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each (1) public service company and its officers, agents and employees, (2) electric supplier or person providing electric generation services without a license in violation of section 16-245, and its officers, agents and employees, (3) certified telecommunications provider or person providing telecommunications services without authorization pursuant to sections 16-247f to 16-247h, inclusive, and its officers, agents and employees, (4) person, public agency or public utility, as such terms are defined in section 16-345, subject to the requirements of chapter 293, (5) person subject to the registration requirements under section 16-258a, (6) [each] cellular mobile telephone carrier, as described in section 16-250b, and (7) company, as defined in section 16-49, shall obey, observe and comply with all applicable provisions of this title and each applicable order made or applicable regulations adopted by the Department of Public Utility Control by virtue of this title [so] as long as the same remains in force. Any such company, electric supplier, certified telecommunications provider, cellular mobile telephone carrier, person, any officer, agent or employee thereof, public agency or public utility which the department finds has failed to obey or comply with any such provision of this title, order or regulation shall be fined by order of the department in accordance with the penalty prescribed for the violated provision of this title or, if no penalty is prescribed, not more than ten thousand dollars for each offense, except that the penalty shall be a fine of not more than forty

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thousand dollars for failure to comply with an order of the department made in accordance with the provisions of section 16-19 or 16-247k or within thirty days of such order or within any specific time period for compliance specified in such order. Each distinct violation of any such provision of this title, order or regulation shall be a separate offense and, in case of a continued violation, each day thereof shall be deemed a separate offense. Each such penalty and any interest charged pursuant to subsection (g) or (h) of section 16-49 shall be excluded from operating expenses for purposes of rate-making.

Sec. 201. Subsection (b) of section 16-46 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any public service company may, with such consent, or in the case of a water company, as defined in section 16-262n, for which a decision has been issued pursuant to section 16-262o, as amended, [said] such water company shall, dissolve and terminate its corporate existence in the manner provided for dissolution and termination by such company's charter or certificate of incorporation, provided, if such charter or certificate requires stockholder approval, such approval shall be by not less than two-thirds of the voting power of the shares entitled to vote thereon. If there is no provision for dissolution and termination in such charter or certificate, such company may, with the consent of the Department of Public Utility Control, or in the case of a water company, the consent of both the Department of Public Utility Control and the Department of Public Health, dissolve and terminate its corporate existence in any manner provided in part XIV of chapter 601 in the case of a company organized with capital stock or part XI of chapter 602 in the case of a company organized without capital stock. Such dissolution and termination shall take effect upon (1) for a corporation, the filing with the Secretary of the State of a certificate of dissolution, and (2) for an unincorporated entity, the

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filing of a certificate of dissolution with the Department of Public Utility Control and the Department of Public Health. In the event of such cessation, dissolution or termination, all claims and rights of creditors shall constitute liens upon the property and franchises of the company and shall continue in existence [so] as long as may be necessary to preserve the same.

Sec. 202. Subdivision (2) of subsection (a) of section 16-333e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) "Cable programming service" means any video programming provided over a cable system, regardless of service tier, including installation or rental of equipment used for the receipt of such video programming, other than (A) video programming carried on the basic service tier as defined in this section, (B) video programming offered on a pay-per-channel or pay-per-program basis, or (C) a combination of multiple channels of pay-per-channel or pay-per-program video programming offered on a multiplexed or time-shifted basis [so] as long as the combined service (i) consists of commonly-identified video programming, and (ii) is not bundled with any regulated tier of service.

Sec. 203. Subsection (b) of section 16a-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon the institution of such civil action, the Attorney General shall have the right to take the deposition of any witness [he] the Attorney General believes, or has reason to believe, has information relative to the prosecution of [said] such action, upon application made to the Superior Court, notwithstanding the provisions of other statutes limiting depositions. The Attorney General shall also have the right to take such depositions in other states and to utilize the laws of [said]

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such other states relative to the taking of depositions where allowed by the laws of [those] such states. The state of Connecticut shall allow similar depositions to be taken within this state on behalf of any governmental agency of another state or any territory or possession of the United States seeking to pursue litigation similar to that permitted under sections 16a-17 to 16a-20, inclusive, [so] as long as such other state allows the Attorney General to take depositions within its jurisdiction. In so doing, the Superior Court shall enforce the orders of the courts of such other state relative to the deposition requested and issue subpoenas or subpoenas duces tecum, as necessary, as well as enforcing [said] such subpoenas through citations of contempt or other available remedies.

Sec. 204. Subsection (b) of section 17a-22f of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) For purposes of this section, the term "clinical management" describes the process of evaluating and determining the appropriateness of the utilization of behavioral health services [,] and providing assistance to clinicians or beneficiaries to ensure appropriate use of resources and may include, but is not limited to, authorization, concurrent and retrospective review, discharge review, quality management, provider certification and provider performance enhancement. The Commissioners of Social Services and Children and Families shall jointly develop clinical management policies and procedures. The Department of Social Services may implement policies and procedures necessary to carry out the purposes of this section, including any necessary changes to existing behavioral health policies and procedures concerning utilization management, while in the process of adopting such policies and procedures in regulation form, provided the commissioner publishes notice of intention to adopt the regulations in the Connecticut Law Journal within twenty days of

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implementing such policies and procedures. Policies and procedures implemented pursuant to this subsection shall be valid until the earlier of (1) the time such regulations are effective, or (2) December 31, 2006.

Sec. 205. Section 17a-152 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person or entity, before bringing or sending any child into the state for the purpose of placing or caring for [him] such child in any home or institution, either free or for board, shall make application to the Commissioner of Children and Families, giving the name, the age and a personal description of such child, the name and address of the person, home or institution with [whom] which the child is to be placed, and such other information as may be required by the commissioner. Such person or institution shall be licensed by said commissioner under the provisions of section 17a-145, as amended, and section 17a-151. When the permission of said commissioner has been received for the placement of such child, the person or entity, before placing the child, shall undertake: (1) That if, prior to becoming eighteen years of age or being adopted, such child becomes a public charge, such person or entity will, within thirty days after notice requesting the child's removal has been given by the commissioner, remove the child from the state; (2) that such person or entity shall report annually, and more often if requested to do so by the commissioner, as to the location and condition of the child [so] as long as the child remains in the state prior to [his] such child's becoming eighteen years of age or prior to [his] such child's legal adoption, and shall, at the discretion of the commissioner, execute and deliver to the commissioner a bond payable to the state, and in the penal sum of one thousand dollars, with surety or security acceptable to the Attorney General, conditioned on the performance of such undertaking. The provisions of this section shall not apply in the case of (A) the bringing of a child to the home of any relative who is a resident of this state, (B)

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any summer camp operating ninety days or less in any consecutive twelve months, or (C) any educational institution as determined by the State Board of Education.

Sec. 206. Subsection (a) of section 17a-248b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The lead agency shall establish a State Interagency Birth-to-Three Coordinating Council and shall provide staff assistance and other resources to the council. The council shall consist of the following members, appointed by the Governor: (1) Parents, including minority parents, of children with disabilities twelve years of age or younger, with knowledge of, or experience with, programs for children with disabilities from birth to thirty-six months of age, [with disabilities,] the total number of whom shall equal not less than twenty per cent of the total membership of the council, and at least one of whom shall be a parent of a child six years of age or younger, with a disability; (2) two members of the General Assembly at the time of their appointment, one of whom shall be designated by the speaker of the House of Representatives and one of whom shall be designated by the president pro tempore of the Senate; (3) one person involved in the training of personnel who provide early intervention services; (4) one person who is a member of the American Academy of Pediatrics; (5) one person from each of the participating agencies, who shall be designated by the commissioner or executive director of the participating agency and who have authority to engage in policy planning and implementation on behalf of the participating agency; (6) public or private providers of early intervention services, the total number of whom shall equal not less than twenty per cent of the total membership of the council; and (7) a representative of a Head Start program or agency. The Governor shall designate the chairperson of the council who shall not be the designee of the lead agency.

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Sec. 207. Subsection (b) of section 17a-248c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each local interagency coordinating council established pursuant to subsection (a) of this section shall meet at least four times a year and shall advise and assist the regional birth-to-three managers regarding any matter relating to early intervention policies and procedures within the towns served by that council [as are] that is brought to its attention by parents, providers, public agencies or others, including the transition from early intervention services to services and programs under sections 10-76a to 10-76g, inclusive, as amended, and other early childhood programs.

Sec. 208. Section 17b-79 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No person shall be deemed ineligible to receive an award under the state supplement program, medical assistance program, temporary family assistance program, state-administered general assistance program or food stamps program for himself or herself or for any person for whose support he or she is liable by reason of having an interest in real property, maintained as his or her home, provided the equity in such property shall not exceed the limits established by the commissioner. The commissioner may place a lien against any property to secure the claim of the state for all amounts which it has paid or may thereafter pay to [him] such person or in [his] such person's behalf under [the provisions of said sections] any such program, or to or on behalf of any person for whose support he or she is liable, except for property maintained as a home in aid to families of dependent children cases, in which case such lien shall secure the state only for that portion of the assistance grant awarded for amortization of a mortgage or other encumbrance beginning with the fifth month after the original grant for principal payment on any such

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encumbrance is made, and each succeeding month of such grant thereafter. The claim of the state shall be secured by filing a certificate in the land records of the town or towns in which any such real estate is situated, describing such real estate. Any such lien may, at any time during which the amount [by it] secured by such lien remains unpaid, be foreclosed in an action brought in a court of competent jurisdiction by the commissioner on behalf of the state. Any real estate to which title has been taken by foreclosure under this section, or which has been conveyed to the state in lieu of foreclosure, may be sold, transferred or conveyed for the state by the commissioner with the approval of the Attorney General, and the commissioner may, in the name of the state, execute deeds for such purpose. Such lien shall be released by the commissioner upon payment of the amount [by it] secured by such lien, or an amount equal to the value of the beneficiary's interest in such property if the value of such interest is less than the amount secured by such lien, at [his] the commissioner's discretion, and with the advice and consent of the Attorney General, upon a compromise of the amount due to the state. At the discretion of the commissioner, the beneficiary, or, in the case of a husband and wife living together, the survivor of them, [so] as long as he or she lives, or a dependent child or children, may be permitted to occupy such real property.

Sec. 209. Subsection (b) of section 19a-32g of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) All members shall be deemed public officials and shall adhere to the code of ethics for public officials set forth in chapter 10. No member shall participate in the affairs of the committee with respect to the review or consideration of any grant-in-aid application filed by such member or by any eligible institution [with whom] in which such member has a financial interest, [in,] or with which such member

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engages in any business, employment, transaction or professional activity.

Sec. 210. Subsection (a) of section 19a-55 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to every such infant in its care an HIV-related test, as defined in section 19a-581, a test for phenylketonuria and other metabolic diseases, hypothyroidism, galactosemia, sickle cell disease, maple syrup urine disease, homocystinuria, biotinidase deficiency, congenital adrenal hyperplasia and such other tests for inborn errors of metabolism as shall be prescribed by the Department of Public Health. The tests shall be administered as soon after birth as is medically appropriate. If the mother has had an HIV-related test pursuant to section 19a-90 or 19a-593, the person responsible for testing under this section may omit an HIV-related test. The Commissioner of Public Health shall (1) administer the newborn screening program, (2) direct persons identified through the screening program to appropriate specialty centers for treatments, consistent with any applicable confidentiality requirements, and (3) set the fees to be charged to institutions to cover all expenses of the comprehensive screening program including testing, tracking and treatment. The fees to be charged pursuant to subdivision (3) of this [section] subsection shall be set at a minimum of twenty-eight dollars. The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section. The Commissioner of Public Health shall publish a list of all the abnormal conditions for which the department screens newborns under the newborn screening program, which shall include screening for amino acid disorders, organic acid disorders and fatty acid oxidation disorders, including, but not limited to, long-chain 3-

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hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain acyl-CoA dehydrogenase (MCAD).

Sec. 211. Subsection (b) of section 19a-515 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each licensee shall complete a minimum of forty hours of continuing education every two years. Such two-year period shall commence on the first date of renewal of the licensee's license after January 1, 2004. The continuing education shall be in areas related to the licensee's practice. Qualifying continuing education activities are courses offered or approved by the Connecticut Association of Healthcare Facilities, the Connecticut Association of Not-For-Profit Providers for the Aging, the Connecticut Chapter of the American College of Health Care Administrators, the Association For Long Term Care Financial Managers [,] or any accredited college or university, or programs presented or approved by the National Continuing Education Review Service of the National Association of Boards of Examiners of Long Term Care Administrators, or by federal or state departments or agencies.

Sec. 212. Section 19a-577 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] Any person eighteen years of age or older may execute a document that may, but need not, be in substantially the following form:

DOCUMENT CONCERNING THE APPOINTMENT
OF HEALTH CARE AGENT

"I appoint (Name) to be my health care agent. If my attending physician determines that I am unable to understand and appreciate

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the nature and consequences of health care decisions and to reach and communicate an informed decision regarding treatment, my health care agent is authorized to:

(1) Convey to my physician my wishes concerning the withholding or removal of life support systems.

(2) Take whatever actions are necessary to ensure that my wishes are given effect.

If this person is unwilling or unable to serve as my health care agent, I appoint (Name) to be my alternative health care agent."

"This request is made, after careful reflection, while I am of sound mind."

.... (Signature)

.... (Date)

This document was signed in our presence, by the above-named (Name) who appeared to be eighteen years of age or older, of sound mind and able to understand the nature and consequences of health care decisions at the time the document was signed.

.... (Witness)

.... (Address)

.... (Witness)

.... (Address)

Sec. 213. Subdivision (1) of section 19a-630 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Health care facility or institution" means any facility or institution engaged primarily in providing services for the prevention, diagnosis or treatment of human health conditions, including, but not

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limited to: Outpatient clinics; outpatient surgical facilities; imaging centers; home health agencies [,] and critical access [hospital] hospitals, as defined in section 19a-490, as amended; clinical laboratory or central service facilities serving one or more health care facilities, practitioners or institutions; hospitals; nursing homes; rest homes; nonprofit health centers; diagnostic and treatment facilities; rehabilitation facilities; and mental health facilities. "Health care facility or institution" includes any parent company, subsidiary, affiliate or joint venture, or any combination thereof, of any such facility or institution, but does not include any health care facility operated by a nonprofit educational institution solely for the students, faculty and staff of such institution and their dependents, or any Christian Science sanatorium operated, or listed and certified, by the First Church of Christ, Scientist, Boston, Massachusetts.

Sec. 214. Subdivision (4) of subsection (a) of section 19a-638 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) Except as provided in sections 19a-639a to 19a-639c, inclusive, as amended, each applicant, prior to submitting a certificate of need application under this section [,] or section 19a-639, as amended, or under both sections, shall submit a request, in writing, for application forms and instructions to the office. The request shall be known as a letter of intent. A letter of intent shall include: (A) The name of the applicant or applicants; (B) a statement indicating whether the application is for (i) a new, replacement or additional facility, service or function, (ii) the expansion or relocation of an existing facility, service or function, (iii) a change in ownership or control, (iv) a termination of a service or a reduction in total bed capacity and the bed type, (v) any new or additional beds and their type, (vi) a capital expenditure over one million dollars, (vii) the purchase, lease or donation acceptance of major medical equipment costing over four

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hundred thousand dollars, (viii) a CT scanner, PET scanner, PET/CT scanner [,] or MRI scanner, cineangiography equipment, a linear accelerator or other similar equipment utilizing technology that is new or being introduced into the state, or (ix) any combination thereof; (C) the estimated capital cost, value or expenditure; (D) the town where the project is or will be located; and (E) a brief description of the proposed project. The office shall provide public notice of any complete letter of intent submitted under this section [,] or section 19a-639, as amended, or both, by publication in a newspaper having a substantial circulation in the area served or to be served by the applicant. Such notice shall be submitted for publication not later than fifteen business days after a determination that a letter of intent is complete. No certificate of need application will be considered submitted to the office unless a current letter of intent, specific to the proposal and in compliance with this subsection, has been on file with the office at least sixty days. A current letter of intent is a letter of intent that has been on file at the office up to and including one hundred twenty days, except that an applicant may request a one-time extension of a letter of intent of up to an additional thirty days for a maximum total of up to one hundred fifty days if, prior to the expiration of the current letter of intent, the office receives a written request to so extend the letter of intent's current status. The extension request shall fully explain why an extension is requested. The office shall accept or reject the extension request not later than five business days from the date [it] the office receives such request and shall so notify the applicant.

Sec. 215. Subsection (a) of section 21a-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person within this state shall manufacture, wholesale, repackage, supply, compound, mix, cultivate or grow, or by other

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process produce or prepare, controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection and no person within this state shall operate a laboratory for the purpose of research or analysis using controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection, except that such activities by pharmacists or pharmacies in the filling and dispensing of prescriptions or activities incident thereto, or the dispensing or administering of controlled substances by dentists, podiatrists, physicians [,] or veterinarians, or other persons acting under their supervision, in the treatment of patients shall not be subject to the provisions of this section, and provided laboratories for instruction in dentistry, medicine, nursing, pharmacy, pharmacology and pharmacognosy in institutions duly licensed for such purposes in this state shall not be subject to the provisions of this section except with respect to narcotic drugs and schedule I and II controlled substances. Upon application of any physician licensed pursuant to chapter 370, the Commissioner of Consumer Protection shall without unnecessary delay, license such physician to possess and supply marijuana for the treatment of glaucoma or the side effects of chemotherapy. No person [without] outside this state shall sell or supply controlled substances within [the] this state without first obtaining a license to do so from the Commissioner of Consumer Protection, provided no such license shall be required of a manufacturer whose principal place of business is located outside [the] this state and who is registered with the federal Drug Enforcement [Agency] Administration or other federal agency, and who files a copy of such registration with the appropriate licensing authority under this chapter.

Sec. 216. Subdivision (47) of section 36a-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(47) "Person" means an individual, company, including a company described in subparagraphs (A) and (B) of subdivision [(10)] (11) of this section, or any other legal entity, including a federal, state or municipal government or agency or any political subdivision thereof.

Sec. 217. Subsection (a) of section 46a-83a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) If a complaint is dismissed pursuant to subsection (b) of section 46a-83, as amended, or is dismissed for failure to accept full relief pursuant to subsection (c) of said section, [46a-83,] and the complainant does not request reconsideration of such [a] dismissal as provided in subsection (e) of said section, [46a-83] the executive director of the commission shall issue a release and the complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with [section] sections 46a-100 and [sections] 46a-102 to 46a-104, inclusive.

Sec. 218. Subdivisions (4) and (5) of section 7-244h of the 2006 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) Sell, lease, grant options to purchase or to renew a lease for any interest in all or any portion of property of such authority, real or personal, tangible or intangible, determined by such authority to be no longer used by or useful to such authority, on such terms as such authority may determine to be necessary, desirable or convenient, subject to the provisions of applicable law concerning such sale, lease or options, except that such authority may not sell, lease or otherwise convey any interest in land classified under [subsection (c) of section 25-37] section 25-37c as class I or class II water-company-owned land unless specifically authorized in subdivision (5) or (17) of this section;

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(5) Mortgage or otherwise encumber all or any portion of the property of such authority, real or personal, tangible or intangible, or assume all [of] or any portion of any obligations incurred by a constituent municipality in connection with the acquisition, construction or operation of any system transferred to or operated by such authority, or any person operating a system on behalf of such authority whenever, in the opinion of such authority, such action is deemed to be in furtherance of the purposes of sections 7-244g to 7-244s, inclusive.

Sec. 219. Subdivision (20) of section 7-244h of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(20) Subject to approval by a majority of members of such authority's board of directors and such other requirements as such authority may establish, indemnify and hold harmless any person in connection with the business of such authority, including [,] indemnification against taxation by the federal and state governments respecting any state or local property taxes and any realization of tax benefits or incentives associated with ownership of a system or of ownership of any interest in property, real or personal, tangible or intangible.

Sec. 220. Subdivision (23) of section 7-244h of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(23) Establish and impose fees, rates, charges and penalties on users of the system, including the state and any political subdivision thereof, including municipalities, and levy assessments on property benefited by the system, including property owned by the state and any political subdivisions thereof, including municipalities, in accordance with sections 7-244g to 7-244s, inclusive, for the services it performs and

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waive, suspend, reduce or otherwise modify such fees, rates, charges, penalties or assessments, provided each such fee, rate, charge, penalty or assessment applies uniformly to all users and benefited properties within the constituent municipality with respect to a given type or category of water supply, in accordance with criteria established by such authority, and further provided no change may be made in user fees to users within the constituent municipality without at least sixty days prior notice to the users affected thereby.

Sec. 221. Section 7-244q of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Without limiting the generality of any and all rights, privileges and powers granted to an authority under the provisions of sections 7-244g to 7-244s, inclusive, and subject to the [provision of said] provisions of sections 7-244g to 7-244s, inclusive, an authority shall have the same rights, privileges and powers related to the issuance of bonds as are granted to a municipality or town, as such terms are defined in chapter 109. Where [said] chapter 109 authorizes or requests action by a municipal or town official, officer or body, the board of directors of an authority shall designate an official, officer or body of such authority to take such action on behalf of such authority, except that the provisions of sections 7-373 to 7-374a, inclusive, [~~7-347c~~] 7-374c, 7-378b, 7-378d and 7-378f do not apply to such authority. For purposes of this section, references in [said] chapter 109 to "taxes" or "taxation" mean charges or assessments by an authority.

Sec. 222. Subsection (a) of section 10-16x of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education, in consultation with the after school committee established pursuant to section 10-16v, may, within

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available appropriations, administer a grant program to provide grants for after school programs to local and regional boards of education, municipalities and not-for-profit organizations that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended. For purposes of this subsection, "after school program" means a program that takes place when school is not in session and is for the educational, enrichment and recreational activities [for] of children in grades kindergarten to twelve, inclusive.

Sec. 223. Section 10-231a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in sections 10-231b to 10-231d, inclusive, as amended, and section 19a-79a, as amended, (1) "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or [a] pesticide bait, (2) [a] "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas, and (3) "integrated pest management" means use of all available pest control techniques, including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.

Sec. 224. Subsection (b) of section 10-231b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) No person shall apply a lawn care pesticide on the grounds of any public or private preschool or public or private elementary school, except that (1) on and after January 1, 2006, until July 1, 2008, an application of a lawn care pesticide may be made at a public or private

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elementary school on the playing fields and playgrounds of such [schools] school pursuant to an integrated pest management plan, which plan (A) shall be consistent with the model pest control management plan developed by the Commissioner of Environmental Protection pursuant to section 22a-66l, and (B) may be developed by a local or regional board of education for all public schools under its control, and (2) an emergency application of a lawn care pesticide may be made to eliminate a threat to human health, as determined by the local health director, the Commissioner of Public Health, the Commissioner of Environmental Protection [] or, in the case of a public elementary school, the school superintendent.

Sec. 225. Subsection (g) of section 10a-178 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) "Health care institution" means [(i)] (1) any nonprofit, state-aided hospital or other health care institution, including The University of Connecticut Health Center, which is entitled, under the laws of the state, to receive assistance from the state by means of a grant made pursuant to a budgetary appropriation made by the [general assembly, (ii)] General Assembly, (2) any other hospital or other health care institution which is licensed, or any nonprofit, nonstock corporation which shall receive financing or shall undertake to construct or acquire a project which is or will be eligible to be licensed, as an institution under the provisions of sections 19a-490 to 19a-503, inclusive, as amended, or any nonprofit, nonstock, nonsectarian facility which is exempt from taxation under the provisions of section 12-81, as amended, or 38a-188 and which is a health care center under the provisions of sections 38a-175 to 38a-191, inclusive, or [(iii)] (3) any nonprofit corporation wholly owned by two or more hospitals or other health care institutions which operates for and on behalf of such hospitals or other health care institutions a project, as defined in

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subsection (b) [hereof] of this section, or is a nursing home.

Sec. 226. Subsection (h) of section 12-263m of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) On or after February 1, 2000, and annually thereafter, the Commissioner of Economic and Community Development shall submit a report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment regarding the account and grant program established under this section. Such report shall include information as to the number of applications received, and the number and amounts of grants made, since the inception of the program, the names of the applicants, the time period between submission of an application and the decision to [grant] approve or deny the [loan] grant, which applications were approved and which applications were denied and the reasons for denial. Such report shall further include a recommendation as to whether the surcharge and the grant program established under this section should continue.

Sec. 227. Subsection (a) of section 12-643 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The term "taxable gifts" means the transfers by gift which are included in taxable gifts for federal gift tax purposes under Section 2503 and Sections 2511 to 2514, inclusive, and Sections 2516 to 2519, inclusive, of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, less the deductions allowed in Sections 2522 to 2524, inclusive, of said Internal Revenue Code, except in the event of repeal of the federal gift tax, [than] then all references to the Internal Revenue Code in this section shall mean the Internal Revenue Code as in force

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on the day prior to the effective date of such repeal.

Sec. 228. Subsection (g) of section 15-140j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) Any person who violates any provision of this section shall be fined not less than sixty dollars [nor] or more than two hundred fifty dollars for each such violation.

Sec. 229. Subsection (d) of section 16-19b of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Department of Public Utility Control shall adjust the retail rate charged by each electric distribution company for electric transmission services periodically to recover all transmission costs prudently incurred by each electric distribution company. The Department of Public Utility Control, after notice and hearing, shall design the retail transmission rate to provide for recovery of all Federal Energy Regulatory Commission approved transmission costs, rates, tariffs and charges and of other transmission costs prudently incurred by an electric distribution company in accordance with section 16-19e. Notwithstanding the provisions of section 16-19, the department shall adjust the retail transmission rate in accordance with the provisions of subsections (e) and (h) of this section. A transmission rate adjustment clause approved pursuant to this section shall apply to all electric distribution companies similarly affected by transmission costs. The department's authority to review the [prudency] prudence of costs shall not apply to any matter over which any agency, department or instrumentality of the federal government has exclusive jurisdiction, or has jurisdiction concurrent with that of the state and has exercised such jurisdiction to the exclusion of regulation of such matter by the state.

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Sec. 230. Subdivision (2) of subsection (c) of section 16-32f of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Programs included in the plan shall be screened through cost-effectiveness testing that compares the value and payback period of program benefits to program costs to ensure that the programs are designed to obtain gas savings whose value is greater than the costs of the program. Program cost-effectiveness shall be reviewed annually by the department, or otherwise as is practicable. If the department determines that a program fails the cost-effectiveness test as part of the review process, the program shall either be modified to meet the test or [shall] be terminated. On or before January 1, 2007, and annually thereafter, the board shall provide a report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to energy and the environment, that documents expenditures and funding for such programs and evaluates the cost-effectiveness of such programs conducted in the preceding year, including any increased cost-effectiveness owing to offering programs that save more than one fuel resource.

Sec. 231. Subsection (a) of section 16-50k of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (b) of section 16-50z, no person shall exercise any right of eminent domain in contemplation of, commence the preparation of the site for, or commence the construction or supplying of a facility, or commence any modification of a facility, that may, as determined by the council, have a substantial adverse environmental effect in the state without having first obtained a certificate of environmental compatibility and public need, hereinafter referred to as a "certificate", issued with respect to such

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facility or modification by the council, except fuel cells with a generating capacity of ten kilowatts or less which shall not require such certificate. Any facility with respect to which a certificate is required shall thereafter be built, maintained and operated in conformity with such certificate and any terms, limitations or conditions contained therein. Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling (1) the construction of a facility solely for the purpose of generating electricity, other than an electric generating facility that uses nuclear materials or coal as fuel, at a site where an electric generating facility operated prior to July 1, 2004, (2) the construction or location of any fuel cell, unless the council finds a substantial adverse environmental effect, or of any customer-side distributed resources project or facility or grid-side distributed resources project or facility with a capacity of not more than sixty-five megawatts, [so] as long as such project meets air quality standards of the Department of Environmental Protection, and (3) the siting of temporary generation solicited by the Department of Public Utility Control pursuant to section 16-19ss, as amended.

Sec. 232. Subsection (c) of section 16-243m of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) On or before February 1, 2006, the department shall conduct a proceeding to develop and issue a request for proposals to solicit the development of long-term projects designed to reduce federally mandated congestion charges for the period commencing on May 1, 2006, and ending on December 31, 2010, or such later date specified by the department. For purposes of this section, projects shall include (1) customer-side distributed resources, (2) grid-side distributed resources, (3) new generation facilities, including expanded or repowered generation, and (4) contracts for a term of no more than

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fifteen years between a person and an electric distribution company for the purchase of electric capacity rights. Such request for proposals shall encourage responses from a variety of resource types and encourage diversity in the fuel mix used in generation. An electric distribution company may submit proposals pursuant to this subsection on the same basis as other respondents to the solicitation. A proposal submitted by an electric distribution company shall include its full projected costs such that any project costs recovered from or defrayed by ratepayers are included in the projected costs. An electric distribution company submitting a bid under this subsection shall demonstrate to the satisfaction of the department that its bid is not supported in any form of cross subsidization by affiliated entities. If such electric distribution company's proposal is approved pursuant to subsection (g) of this section, the costs and revenues of such proposal shall not be included in calculating such company's earning for purposes of, or in determining whether its rates are just and reasonable under, sections 16-19, 16-19a and 16-19e. Electric distribution companies may under no circumstances recover more than the full costs identified in the proposals, as approved under subsection (g) of this section and consistent with subsection (h) of this section. Affiliates of the electric distribution company may submit proposals consistent with section 16-244h, regulations adopted under [said] section 16-244h and other requirements the department may impose. The department may request from a person submitting a proposal further information [.] that the department determines to be in the public interest [.] to be used in evaluating the proposal. The department shall determine whether costs associated with subsection (l) of this section shall be considered in the evaluation or selection of bids.

Sec. 233. Subdivision (2) of subsection (j) of section 16-244c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(2) Notwithstanding the provisions of subsection (d) of this section regarding an alternative transitional standard offer option or an alternative standard service option, an electric distribution company providing transitional standard offer service, standard service, supplier of last resort service or back-up electric generation service in accordance with this section shall, not later than July 1, 2008, file with the Department of Public Utility Control for its approval one or more long-term power purchase contracts from Class I renewable energy source projects that receive funding from the Renewable Energy Investment Fund and that are not less than one megawatt in size, at a price that is either, at the determination of the project owner, [(1)] (A) not more than the total of the comparable wholesale market price for generation plus five and one-half cents per kilowatt hour, or [(2)] (B) fifty per cent of the wholesale market electricity cost at the point at which transmission lines intersect with each other or interface with the distribution system, plus the project cost of fuel indexed to natural gas futures contracts on the New York Mercantile Exchange at the natural gas pipeline interchange located in Vermillion Parish, Louisiana that serves as the delivery point for such futures contracts, plus the fuel delivery charge for transporting fuel to the project, plus five and one-half cents per kilowatt hour. In its approval of such contracts, the department shall give preference to purchase contracts from those projects that would provide a financial benefit to ratepayers or would enhance the reliability of the electric transmission system of the state. Such projects shall be located in this state. The owner of a fuel cell project principally manufactured in this state shall be allocated all available air emissions credits and tax credits attributable to the project and no less than fifty per cent of the energy credits in the Class I renewable energy credits program established in section 16-245a, as amended, attributable to the project. Such contracts shall be comprised of not less than a total, apportioned among each electric distribution company, of one hundred megawatts. The cost of such contracts and the administrative costs for the procurement of such contracts directly

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incurred shall be eligible for inclusion in the adjustment to the transitional standard offer as provided in this section and any subsequent rates for standard service, provided such contracts are for a period of time sufficient to provide financing for such projects, but not less than ten years, and are for projects which began operation on or after July 1, 2003. Except as provided in this subdivision, the amount from Class I renewable energy sources contracted under such contracts shall be applied to reduce the applicable Class I renewable energy source portfolio standards. For purposes of this subdivision, the department's determination of the comparable wholesale market price for generation shall be based upon a reasonable estimate.

Sec. 234. Subdivision (6) of subsection (a) of section 16-244e of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(6) Once unbundling is completed to the satisfaction of the department and consistent with the provisions of section 16-244, (A) any corporate affiliate or separate division that provides electric generation services as a result of unbundling pursuant to this subsection shall be considered a generation entity or affiliate of the electric company, and the division or corporate affiliate of the electric company that provides transmission and distribution services shall be considered an electric distribution company, and (B) an electric distribution company shall not own or operate generation assets, except as provided in [subsection (e) of] this section and section 16-243m.

Sec. 235. Subsection (a) of section 16-245d of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Public Utility Control shall, by regulations adopted pursuant to chapter 54, develop a standard billing format that

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enables customers to compare pricing policies and charges among electric suppliers. Not later than January 1, 2006, the department shall adopt regulations, in accordance with the provisions of chapter 54, to provide that an electric supplier may provide direct billing and collection services for electric generation services and related federally mandated congestion charges that such supplier provides to its customers that have a maximum demand of not less than one hundred kilowatts and that choose to receive a bill directly from such supplier. An electric company, electric distribution company or electric supplier that provides direct billing of the electric generation service component and related federally mandated congestion charges, as the case may be, shall, in accordance with the billing format developed by the department, include the following information in each customer's bill, as appropriate: (1) The total amount owed by the customer, which shall be itemized to show, (A) the electric generation services component and any additional charges imposed by the electric supplier, if applicable, (B) the distribution charge, including all applicable taxes and the systems benefits charge, as provided in section 16-245l, as amended, (C) the transmission rate as adjusted pursuant to subsection (d) of section 16-19b, as amended, (D) the competitive transition assessment, as provided in section 16-245g, (E) federally mandated congestion charges, and (F) the conservation and renewable energy charge, consisting of the conservation and load management program charge, as provided in section 16-245m, as amended, and the renewable energy investment charge, as provided in section 16-245n, as amended; (2) any unpaid amounts from previous bills which shall be listed separately from current charges; (3) except for customers subject to a demand charge, the rate and usage for the current month and each of the previous twelve months in the form of a bar graph or other visual form; (4) the payment due date; (5) the interest rate applicable to any unpaid amount; (6) the toll-free telephone number of the electric distribution company to report power losses; (7) the toll-free telephone number of the Department of Public

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Utility Control for questions or complaints; (8) the toll-free telephone number and address of the electric supplier; and (9) a statement about the availability of information concerning electric suppliers pursuant to section 16-245p, as amended.

Sec. 236. Subdivision (2) of subsection (e) of section 16a-23t of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) The secretary, in the performance of the secretary's duties, may summon and examine, under oath, such witnesses, and may direct the production of, and examine or cause to be produced and examined, such books, records, vouchers, memoranda, documents, letters, contracts or other papers in relation to the affairs of any home heating oil seller or distributor at the wholesale or retail level operating in the state as [it] the secretary may find advisable.

Sec. 237. Section 17a-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Children and Families shall have general supervision over the welfare of children who require the care and protection of the state.

(b) [He] The Commissioner of Children and Families shall furnish protective services or provide and pay, wholly or in part, for the care and protection of children other than those committed by the Superior Court whom [he] the commissioner finds in need of such care and protection from the state, and such payments shall be made in accordance with the provisions of subsection [(k)] (l) of section 46b-129, provided the Commissioner of Administrative Services shall be responsible for billing and collecting such sums as are determined to be owing and due from the parent of the noncommitted child in accordance with section 4a-12 and subsection (b) of section 17b-223.

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(c) [He] The Commissioner of Children and Families shall [issue] adopt such regulations as [he] the commissioner may find necessary and proper to assure the adequate care, health and safety of children under [his] the commissioner's care and general supervision.

(d) [He] The Commissioner of Children and Families may provide temporary emergency care for any child whom [he] the commissioner deems to be in need thereof.

(e) [He] The Commissioner of Children and Families may provide care for children in [his] the commissioner's guardianship through the resources of appropriate voluntary agencies.

(f) Whenever requested to do so by the Superior Court, [he] the Commissioner of Children and Families shall provide protective supervision to children.

(g) [He] The Commissioner of Children and Families may make reciprocal agreements with other states and with agencies outside the state in matters relating to the supervision of the welfare of children.

Sec. 238. Subsection (f) of section 17b-261 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) To the extent permitted by federal law, Medicaid eligibility shall be extended for one year to a family that becomes ineligible for medical assistance under Section 1931 of the Social Security Act due to income from employment by one of its members who is a caretaker relative [is employed] or due to receipt of child support income. A family receiving extended benefits on July 1, 2005, shall receive the balance of such extended benefits, provided no such family shall receive more than twelve additional months of such benefits.

Sec. 239. Subsection (f) of section 17b-360 of the 2006 supplement to

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

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

Sec. 240. Subdivision (4) of section 17b-450 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) The term "protective services" means services provided by the state or other governmental or private organizations or individuals which are necessary to prevent abuse, neglect, exploitation or abandonment. Abuse includes, but is not limited to, the wilful infliction of physical pain, injury or mental anguish, or the wilful deprivation by a caretaker of services which are necessary to maintain physical and mental health. Neglect refers to an elderly person who is either living alone and not able to provide for [oneself] himself or herself the services which are necessary to maintain physical and mental health or is not receiving [the said] such necessary services

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from the responsible caretaker. Exploitation refers to the act or process of taking advantage of an elderly person by another person or caretaker whether for monetary, personal or other benefit, gain or profit. Abandonment refers to the desertion or wilful forsaking of an elderly person by a caretaker or the foregoing of duties or the withdrawal or neglect of duties and obligations owed an elderly person by a caretaker or other person.

Sec. 241. Section 19a-25c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A health care institution licensed by the Department of Public Health pursuant to chapter 368v may create, maintain or utilize medical records or a medical records system in electronic format, paper format or both, provided such records or system [are] is designed to store medical records or patient health information in a medium that is reproducible and secure.

Sec. 242. Subsection (k) of section 19a-265 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(k) If the court, at such hearing, finds by clear and convincing evidence that the director of health has met [his] the burden of proof [as] set forth in subsection (j) of this section, [it] the court shall: (1) In the case of examination orders: (A) Order such person to be examined; or (B) enter an order with such terms and conditions as [it] the court deems appropriate to protect the public health in the manner least restrictive of the individual's liberty and privacy; (2) in the case of a continuation of an emergency commitment issued pursuant to subdivision (4) of subsection (c) of this section, (A) enter an order, authorizing the continued commitment of such person only for [so] as long as the person remains infectious and poses a risk of transmission

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to others, or (B) enter an order with such terms and conditions as [it] the court deems appropriate to protect the public health in the manner least restrictive of the individual's liberty and privacy; and (3) in the case of a petition for a commitment order for treatment issued pursuant to subdivision (5) of subsection (c) of this section, (A) order the continued commitment, but only for [so] as long as is necessary to complete the prescribed course of treatment or to demonstrate adherence to treatment, or (B) enter an order with such terms and conditions as [it] the court deems appropriate to protect the public health in the manner least restrictive of the individual's liberty and privacy. If the court, at such hearing, finds that the director of health has failed to meet [his] such burden of proof, [it] the court shall enter no orders, provided, if the person has been subject to an emergency commitment, [it] the court shall order a release from such commitment.

Sec. 243. Subsection (a) of section 19a-639 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in sections 19a-639a to 19a-639c, inclusive, as amended, each health care facility or institution, including, but not limited to, any inpatient rehabilitation facility, any health care facility or institution or any state health care facility or institution proposing (1) a capital expenditure exceeding one million dollars, (2) to purchase, lease or accept donation of major medical equipment requiring a capital expenditure, as defined in regulations adopted pursuant to section 19a-643, as amended, in excess of four hundred thousand dollars, or (3) to purchase, lease or accept donation of a CT scanner, PET scanner, PET/CT scanner [,] or MRI scanner, cineangiography equipment, a linear accelerator or other similar equipment utilizing technology that is new or being introduced into this state, including the purchase, lease or donation of equipment or a facility, shall submit

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a request for approval of such expenditure to the office, with such data, information and plans as the office requires in advance of the proposed initiation date of such project.

Sec. 244. Subsection (c) of section 19a-639 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Each person or provider, other than a health care or state health care facility or institution subject to subsection (a) of this section, proposing to purchase, lease, accept donation of or replace (1) major medical equipment with a capital expenditure in excess of four hundred thousand dollars, or (2) a CT scanner, PET scanner, PET/CT scanner [,] or MRI scanner, cineangiography equipment, a linear accelerator or other similar equipment utilizing technology that is new or being introduced into the state, shall submit a request for approval of any such purchase, lease, donation or replacement pursuant to the provisions of subsection (a) of this section. In determining the capital cost or expenditure for an application under this section or section 19a-638, as amended, the office shall use the greater of (A) the fair market value of the equipment as if it were to be used for full-time operation, whether or not the equipment is to be used, shared or rented on a part-time basis, or (B) the total value or estimated value determined by the office of any capitalized lease computed for a three-year period. Each method shall include the costs of any service or financing agreements plus any other cost components or items the office specifies in regulations, adopted in accordance with chapter 54, or deems appropriate.

Sec. 245. Section 19a-639c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of section 19a-638, as amended, or

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section 19a-639, as amended, the office may waive the requirements of [those] said sections and grant a certificate of need to any health care facility or institution or provider or any state health care facility or institution or provider proposing to replace major medical equipment, a CT scanner, PET scanner, PET/CT scanner [,] or MRI scanner, cineangiography equipment or a linear accelerator if:

(1) The health care facility or institution or provider has previously obtained a certificate of need for the equipment to be replaced;

(2) The replacement value or expenditure for the replacement equipment is not more than the original cost plus an increase of ten per cent for each twelve-month period that has elapsed since the date of the original certificate of need; and

(3) The replacement value or expenditure is less than two million dollars.

Sec. 246. Subsection (c) of section 20-7a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Each practitioner of the healing arts who (1) has an ownership or investment interest in an entity that provides diagnostic or therapeutic services, or (2) receives compensation or remuneration for referral of [such patient] patients to an entity that provides diagnostic or therapeutic services shall disclose such interest to any patient prior to referring such patient to such entity for diagnostic or therapeutic services and provide reasonable referral alternatives. Such information shall be verbally disclosed to each patient or shall be posted in a conspicuous place visible to patients in the practitioner's office. The posted information shall list the therapeutic and diagnostic services in which the practitioner has an ownership or investment interest and therapeutic and diagnostic services from which the practitioner

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receives compensation or remuneration for referrals and state that alternate referrals will be made upon request. Therapeutic services include physical therapy, radiation therapy, intravenous therapy and rehabilitation services including physical therapy, occupational therapy or speech and language pathology, or any combination of such therapeutic services. This subsection shall not apply to in-office ancillary services. As used in this subsection, "ownership or investment interest" does not include ownership of investment securities that are purchased by the practitioner on terms available to the general public and [that] are publicly traded; and "entity that provides diagnostic or therapeutic services" includes services provided by an entity that is within a hospital but [that] is not owned by the hospital. Violation of this subsection constitutes conduct subject to disciplinary action under subdivision (6) of subsection (a) of section 19a-17.

Sec. 247. Subsection (a) of section 20-12d of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A physician assistant who has complied with the provisions of sections 20-12b and 20-12c, as amended, may perform medical functions delegated by a supervising physician when: (1) The supervising physician is satisfied as to the ability and competency of the physician assistant; (2) such delegation is consistent with the health and welfare of the patient and in keeping with sound medical practice; and (3) [when] such functions are performed under the oversight, control and direction of the supervising physician. The functions that may be performed under such delegation are those that are within the scope of the supervising physician's license, within the scope of such physician's competence as evidenced by such physician's postgraduate education, training and experience and within the normal scope of such physician's actual practice. Delegated functions shall be

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implemented in accordance with written protocols established by the supervising physician. All orders written by physician assistants shall be followed by the signature of the physician assistant and the printed name of the supervising physician. A physician assistant may, as delegated by the supervising physician within the scope of such physician's license, (A) prescribe and administer drugs, including controlled substances in schedule IV or V in all settings, (B) renew prescriptions for controlled substances in schedule II, III, IV or V in all settings, and (C) prescribe and administer controlled substances in schedule II or III in all settings, provided in all cases where the physician assistant prescribes a controlled substance in schedule II or III, the physician under whose supervision the physician assistant is prescribing shall document such physician's approval of the order in the patient's medical record not later than one calendar day thereafter. The physician assistant may, as delegated by the supervising physician within the scope of such physician's license, request, sign for, receive and dispense drugs to patients, in the form of professional samples, as defined in section 20-14c, or when dispensing in an outpatient clinic as defined in the regulations of Connecticut state agencies and licensed pursuant to subsection (a) of section 19a-491, as amended, that operates on a not-for-profit basis, or when dispensing in a clinic operated by a state agency or municipality. Nothing in this subsection shall be construed to allow the physician assistant to request, sign for, receive or dispense any drug the physician assistant is not authorized under this subsection to prescribe.

Sec. 248. Subdivision (5) of section 20-126c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) "Registration period" means the one-year period for which a license renewed in accordance with section 19a-88, as amended, [and] is current and valid.

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Sec. 249. Subsection (a) of section 20-138a of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person shall engage in the practice of optometry in this state unless such person has first obtained a license from the Department of Public Health, but the provisions of this chapter shall not prevent a licensed optometrist from delegating optometric services to either a trained optometric assistant or to an optometric technician. Such delegated services shall be performed only under the supervision, control, and responsibility of the licensed optometrist, except that optometric assistants or optometric technicians shall not be authorized to refract eyes, detect eye health [,] or prescribe spectacles, eyeglasses or contact lenses. A licensed optometrist may delegate to an optometric assistant, optometric technician or appropriately trained person the use and application of any ocular agent, provided such delegated service is performed only under the supervision, control and responsibility of the licensed optometrist. Optometric services that may be delegated to an optometric assistant or to an optometric technician may be delegated to an optometric assistant trainee, provided such services are performed only under the direct supervision, control and responsibility of the employing licensed optometrist.

Sec. 250. Section 20-230c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If the person who has custody and control of the remains of a deceased person pursuant to section 45a-318, as amended, requests the disposal of the deceased person's body by cremation or if the deceased person had executed a cremation authorization [form] document in accordance with the provisions of [said] section 45a-318, as amended, the funeral director shall complete a written form containing the

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following information: (1) The name and address of the funeral service business that is responsible for the disposal of the deceased person's body; (2) the name of the deceased person; (3) the place and time of the cremation; (4) the name of the licensed funeral director or embalmer; (5) the name and address of the person who has custody and control of the remains of the deceased person; (6) a summary of the disposition, in accordance with section 20-230d, of the cremated remains, if unclaimed; and (7) a statement indicating the disposition of the cremated remains requested by the person who has custody and control of the remains of the deceased person or a statement indicating that the deceased person had executed a cremation authorization [form] document in accordance with the provisions of section 45a-318, as amended. The written form shall be signed and dated by the person who has custody and control of the remains of the deceased person and by the funeral director. A copy of the signed form shall be provided to the person who has custody and control of the remains of the deceased person. The original signed form shall be retained at the funeral service business for not less than twenty years from the date on which [it was] such form is signed by the person who has custody and control of the remains of the deceased person.

Sec. 251. Section 20-281b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Persons and firms who, prior to October 1, 1992, were authorized to practice as public accountants and hold licenses and permits to practice public accountancy issued pursuant to [sections 20-279 to 20-287, inclusive,] this chapter prior to October 1, 1992, shall be entitled to have their licenses and permits to practice renewed under sections 20-281d, as amended, and 20-281e, provided they fulfill all requirements for renewal under [those] such provisions. [So] As long as such licensees hold valid licenses and permits to practice under sections 20-281d, as amended, and 20-281e, they shall be entitled to engage in the

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practice of public accountancy to the same extent as other holders of such permits, and in addition they shall be entitled to use the designations "public accountants" and "PA", but no other designation, in connection with the practice of public accountancy.

Sec. 252. Subdivision (3) of section 20-408 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "The practice of audiology" means the application of principles, methods and procedures of measurement, testing, appraisal, prediction, consultation [,] and counseling and the determination and use of appropriate amplification related to hearing and disorders of hearing, including the fitting or selling of hearing aids, for the purpose of modifying communicative disorders involving speech, language, auditory function or other aberrant behavior related to hearing loss.

Sec. 253. Subsection (a) of section 21-35c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) All state licenses issued under this chapter shall expire ninety days from the date thereof or on the termination date designated in the original application, whichever occurs first. Each state license upon expiration, or voluntary surrender prior to expiration, shall be returned to the Commissioner of Consumer Protection who shall cancel the same, endorse the date of delivery and cancellation thereon and place the same on file. [He] The commissioner shall then hold the special deposit of each such licensee for [the] a period of sixty days and, after satisfying all claims made upon the same under this section, shall return such deposit or such portion of the same, if any, as may remain in [his] the commissioner's hands to the licensee depositing it, or as directed by the licensee in the original application. Each deposit made with the commissioner shall be subject, [so] as long as it remains

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in [his] the commissioner's hands, to attachment or execution [in] on behalf of creditors or consumers whose claims may arise in connection with business done under the authorized sale. Said commissioner may also be held to answer as garnishee under process of foreign attachment, where such process is used, in any civil action brought against any licensee. [He] The commissioner shall pay over, under order of court or upon execution of a judgment, such sum of money as [he] the commissioner may be chargeable with upon [his] the commissioner's disclosure or otherwise. Such deposit shall not be paid over by said commissioner on garnishee process or to such licensee until the expiration of [sixty days] the sixty-day period specified in this section. Such deposit shall also be subject to the payment of any fine or penalty imposed on the licensee for violation of any provision of this chapter, [;] provided written notice of the name of such licensee and of the amount of such fine or penalty shall be given during [said] such period to the commissioner by the clerk of the court in which such fine or penalty was imposed.

Sec. 254. Subsection (a) of section 21a-278 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person who manufactures, distributes, sells, prescribes, dispenses, compounds, transports with the intent to sell or dispense, possesses with the intent to sell or dispense, offers, gives or administers to another person one or more preparations, compounds, mixtures or substances containing an aggregate weight of one ounce or more of heroin or methadone or an aggregate weight of one-half ounce or more of cocaine or one-half ounce or more of cocaine in a free-base form, or a substance containing five milligrams or more of lysergic acid diethylamide, except as authorized in this chapter, and who is not, at the time of such action, a drug-dependent person, shall be imprisoned for a minimum term of not less than five years [nor] or

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more than twenty years; and, a maximum term of life imprisonment. The execution of the mandatory minimum sentence imposed by the provisions of this subsection shall not be suspended, except the court may suspend the execution of such mandatory minimum sentence if at the time of the commission of the offense (1) such person was under the age of eighteen years, or (2) such person's mental capacity was significantly impaired, but not so impaired as to constitute a defense to prosecution.

Sec. 255. Section 22-231 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Agriculture may refuse to grant or renew a license, or may suspend, revoke or refuse to transfer a license already granted, after the commissioner has determined that the applicant or dealer: (1) Has failed to comply, or has been a responsible member or officer of a partnership or corporation which failed to comply, with any provision of this part or any order, ruling, regulation or direction issued hereunder; (2) has insufficient financial responsibility, personnel or equipment to properly to conduct the milk business; (3) is a person, partnership, corporation or other business entity, in which any individual holding a material position, interest or power of control has previously been responsible in whole or in part for any act on account of which a license was or may be denied, suspended or revoked under the provisions of this part; (4) has failed to file a bond required by the commissioner under the provisions of this part; (5) if located out of the state, has failed to obtain a satisfactory milk sanitation compliance rating from a certified state milk sanitation rating officer or is not in compliance with all laws and regulations of the state pertaining to health and sanitation in the production, processing, handling or sale of milk; (6) has rejected, without reasonable cause, any milk purchased from a producer, or has refused

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to accept, without either reasonable cause or reasonable advance notice, milk delivered by or on behalf of a producer in ordinary continuance of a previous course of dealing, except when the contract has been lawfully terminated; provided, in the absence of an express or implied fixing of a period in the contract, "reasonable advance notice" shall be construed to mean not less than one week [nor] or more than two weeks; (7) has continued in a course of dealing of such nature as to show an intent to deceive, defraud or impose upon producers or consumers; (8) has violated any stipulation or written agreement entered into with the commissioner in the course of any proceeding under this part; (9) has made a false material statement in his or her application; or (10) has failed to provide information required under this chapter.

Sec. 256. Subsection (b) of section 22a-19 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) In any administrative, licensing or other proceeding, the agency shall consider the alleged unreasonable pollution, impairment or destruction of the public trust in the air, water or other natural resources of the state and no conduct shall be authorized or approved which does, or is reasonably likely to, have such effect [so] as long as, considering all relevant surrounding circumstances and factors, there is a feasible and prudent alternative consistent with the reasonable requirements of the public health, safety and welfare.

Sec. 257. Section 22a-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Sections 22a-14 to 22a-20, inclusive, shall be supplementary to existing administrative and regulatory procedures provided by law and in any action maintained under said sections, the court may remand the parties to such procedures. Nothing in this section shall

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prevent the granting of interim equitable relief where required and for [so] as long as is necessary to protect the rights recognized herein. Any person entitled to maintain an action under said sections may intervene as a party in all such procedures. Nothing herein shall prevent the maintenance of an action, as provided in said sections, to protect the rights recognized herein, where existing administrative and regulatory procedures are found by the court to be inadequate for the protection of the rights. At the initiation of any person entitled to maintain an action under said sections, such procedures shall be reviewable in a court of competent jurisdiction to the extent necessary to protect the rights recognized herein. In any judicial review, the court shall be bound by the provisions, standards and procedures of said sections and may order that additional evidence be taken with respect to the environmental issues involved.

Sec. 258. Section 22a-305 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

With respect to the state of Connecticut and [so] as long as the Interstate Environmental Commission shall be engaged in a program relating to air pollution on behalf of the state of New York or the states of New York and New Jersey, the Interstate Environmental Commission shall, in addition to its other powers, duties and functions, have authority, in accordance with Article III of the tri-state compact set forth in section 22a-294, to engage in activities with respect to interstate air pollution problems between or among the states of Connecticut and New York or Connecticut, New York and New Jersey, as the case may be, as follows: (1) To conduct studies; (2) to undertake research, testing and development; (3) to gather, exchange and disseminate information with and among public or private bodies, persons or organizations and to cooperate with any of them in solving air pollution problems; (4) to take samplings and to trace sources of air pollutants; (5) to refer complaints to an appropriate enforcement

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agency or agencies of the states in which the sources are located and to which air pollutants are carried, along with such data and information as it may have obtained with respect to the nature, characteristics, source, path and effect of air pollutants; (6) to make recommendations and reports to the governors and legislatures of the participating states. The primary effort of the Interstate Environmental Commission under this section shall be directed to air contaminant solids, liquids or gases which are toxic, disagreeable or irritant, or which are destructive. In carrying out its functions under this section, the Interstate Environmental Commission shall make use of the services, facilities and information of existing state, local and federal agencies wherever feasible and available. In furtherance of the purposes of this section, the Interstate Environmental Commission is empowered to accept moneys, property and other donations or gifts from any person whatever, whether public, private or governmental, real or artificial. No trade secret or secret process shall be inquired into by the Interstate Environmental Commission under this section, whether with respect to one or more of the substances or one or more of the processes, operations, techniques or devices used in connection therewith, and whenever a trade secret or secret process is involved, the activity under this section shall be limited to the identification of the device or facility from which the effluent discharged into the outer air derives, and the nature, rate and period of emission of such effluent. All information obtained from any sampling, tracing or other specific inquiry performed under this section shall be kept and maintained as a confidential disclosure and, except as may be essential for the purpose of referring a complaint to an appropriate enforcement agency and of any enforcement proceeding by or before any such agency, shall not be disclosed or published in any way other than such as will not identify a given substance, process, operation, technique or device with the physical location or identity of the source plant or facility, or with the product made or service performed, or with the person or persons using the same. A printed copy of the provisions of this section shall be

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furnished on request to any person furnishing information to the Interstate Environmental Commission and, in case of an inquiry at a plant or facility, to the person then in charge of the same.

Sec. 259. Subdivision (2) of subsection (e) of section 22a-449c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Any person who at any time receives or expects to receive payment or reimbursement from any source other than the account for any cost, expense, obligation, damage or injury for which such person has received or has applied for payment or reimbursement from the account, shall notify the board, in writing, of such supplemental or expected payment and shall, not more than thirty days after receiving such supplemental payment, repay the underground storage tank petroleum clean-up [fund] account all such amounts received from any other source.

Sec. 260. Subsection (b) of section 22a-449f of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) In addition to all other applicable requirements, a person seeking payment or reimbursement from the account shall demonstrate that when the total costs, expenses or other obligations in response to a release or suspected release (A) are two hundred fifty thousand dollars or less, that all labor, equipment and materials provided after October 1, 2005, and all services and activities undertaken after October 1, 2005, shall be approved, in writing, either by the commissioner or by a licensed environmental professional with a currently valid and effective license issued pursuant to section 22a-133v; and (B) [~~exceeds~~] exceed two hundred fifty thousand dollars, that all labor, equipment and materials provided after October 1, 2005, and all services and activities undertaken after October 1, 2005, shall be

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approved, in writing, by the commissioner or that the commissioner has authorized, in writing, an environmental professional with a currently valid and effective license issued pursuant to section 22a-133v to approve, in writing, such labor, equipment, materials, services and activities, in lieu of a written approval by the commissioner. The provisions of this subsection shall apply to all costs, expenses or other obligations for which a person is seeking payment or reimbursement from the account and the board shall not order and the commissioner shall not make payment or reimbursement from the account for any cost, expense or other obligation, unless the person seeking such payment or reimbursement includes with an application or with a request for payment or reimbursement all written approvals required by this subdivision.

(2) The fees charged by a licensed environmental professional regarding labor or services rendered in response to a release or suspected release may be included in any application or request for payment or reimbursement submitted to the board. The amount to be paid or reimbursed from the account for such fees may also be established in the schedule adopted by the commissioner pursuant to subsection (b) of section 22a-449e, as amended.

(3) Providing it is true and accurate, a licensed environmental professional shall submit the following certification regarding any approval provided under subdivision (1) of this subsection and section 22a-449p: "I hereby agree that all of the labor, equipment, materials, services, and activities described in or covered by this certification [was] were appropriate under the circumstances to abate an emergency or [was] were performed as part of a plan specifically designed to ensure that the release or suspected release is or has been investigated in accordance with prevailing standards and guidelines and remediated consistent with and to achieve compliance with the remediation standards adopted under section 22a-133k of the general

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statutes."

Sec. 261. Section 22a-449p of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding any provision of sections 22a-449a to 22a-449i, inclusive, as amended, or any regulation adopted pursuant to said sections, except as provided for in subdivision (6) of this section, with respect to the investigation and remediation of a release, the underground storage tank petroleum clean-up account established pursuant to section 22a-449c, as amended, shall be used to provide payment or reimbursement only when any of the following milestones are completed:

(1) A release response report prepared by an environmental professional, as defined in section 22a-133v, has been submitted to the Commissioner of Environmental Protection which report describes:

(A) All initial response actions taken that are necessary to prevent an on-going release and to mitigate an explosion, fire or other safety hazard resulting from the release; [] (B) the results of an initial site investigation that determines the presence and extent of free product from the release, the potential for or existence of groundwater pollution from the release which threatens the quality of drinking water well or wells, and whether the release has resulted in soil vapors or indoor air that threatens public health; [] and (C) all interim actions taken and proposed to remove such free product to the extent technically practicable, to provide potable water to any person whose drinking water has been polluted by a substance from the release which is above the groundwater protection criteria or above a level determined by the Commissioner of Public Health to be an unacceptable risk of injury to the health or safety of persons using such groundwater as a public or private source of water for drinking or other personal or domestic uses, whichever is more stringent, and to

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mitigate any risk to public health from polluted soil vapor or indoor air resulting from the release.

(2) An interim remedial action report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or an interim remedial action report has been approved, in writing, by the commissioner. Such interim remedial action report shall describe in detail all interim remedial action taken to: (A) Remove free product to the maximum extent technically practicable; (B) ensure that all persons whose drinking water was polluted by the release have been provided potable water; and (C) ensure that soil vapors which pose a risk to public health are prevented from migrating into any overlying buildings.

(3) An investigation report and remedial action plan approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or an investigation report and remedial action plan has been approved, in writing, by the commissioner. Such investigation report and remedial action plan shall include a detailed description of an investigation which determines the existing and potential extent and degree of soil, surface water, soil vapor and groundwater pollution, on and off-site, resulting from the release and describes all actions proposed to remediate soil, surface water, air or groundwater polluted by the release in accordance with the regulations adopted pursuant to section 22a-133k.

(4) A soil remedial action report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or a soil remedial action report has been approved, in writing, by the commissioner. Such soil remedial action report shall describe in detail the extent of soil pollution resulting from the release, all remedial actions taken to abate such soil pollution, and all documentation that demonstrates that such soil pollution has been

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remediated in accordance with the regulations adopted pursuant to section 22a-133k.

(5) A groundwater remedial action progress report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or a groundwater remedial action progress report has been approved, in writing, by the commissioner. Such report may only be submitted after all construction necessary to implement the approved groundwater remedial actions [have] has been completed and [that] the groundwater remedial actions have been operated and monitored for one year. Such report shall include a detailed description of the remedial actions, the results of groundwater or any other monitoring conducted, an analysis of whether the remedial actions are effective, and a proposal for any changes in the groundwater remedial actions and monitoring that may be necessary to achieve compliance with the regulations adopted pursuant to section 22a-133k.

(6) An annual groundwater remedial action progress report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or approved, in writing, by the commissioner. Such report shall include a detailed description of the remedial actions, the results of groundwater or any other monitoring conducted for the year covered by the report, an analysis of whether the remedial actions are effective, and a proposal for any changes in the groundwater remedial actions and monitoring that may be necessary to achieve compliance with the regulations adopted pursuant to section 22a-133k. A responsible party [of] pursuant to section 22a-449f, as amended, may submit to the board up to, but not more than, four separate applications or requests for payment or reimbursement in a calendar year regarding costs, expenses or obligations paid or incurred concerning annual groundwater monitoring or compliance with this subdivision.

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(7) A final remedial action report approved by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or a final remedial action report has been approved, in writing, by the commissioner, that documents that the release has been investigated in accordance with prevailing standards and guidelines and that the soil, surface water, groundwater and air polluted by the release has been remediated in accordance with the regulations adopted pursuant to section 22a-133k.

(8) The Commissioner of Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, establishing milestones for investigation and remediation of releases or suspected releases from underground storage tank systems, including milestones that differ from those set forth in this section. Upon the adoption of such regulations, the milestones for investigation and remediation for which payment or reimbursement is available from the account shall be those set forth in the regulations.

(9) This section shall apply to an application or request for reimbursement or payment received by the board on or after October 1, 2005, regardless of when the release or suspected release occurred, whether actions in response to the release or suspected release have already occurred or whether prior applications or requests seeking payment or reimbursement have already been submitted to the board.

Sec. 262. Subsection (f) of section 22a-500 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) Any authority and its corporate existence shall continue until terminated by law or the withdrawal of one of the last two constituent municipalities of such authority, provided no such law shall take effect [so] as long as the authority shall have bonds, notes or other obligations outstanding unless adequate provision has been made for

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the payment or satisfaction of such obligations. Upon termination of the existence of the authority, all of the rights and properties of the authority then remaining shall pass to and vest in the constituent municipality in which it is located unless otherwise provided in an agreement of the authority and except as otherwise may be specified in such law.

Sec. 263. Section 31-92a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each public member of the Board of Mediation and Arbitration, including alternates, shall be sworn once at the beginning of [his] such member's term of office (1) to support the Constitution of the United States, and the Constitution of the state of Connecticut, [so] as long as [he] such member continues to be a citizen thereof, (2) to faithfully discharge, according to law, the duties of the office of member of the Board of Mediation and Arbitration for the state of Connecticut to the best of [his] such member's abilities, (3) to hear and examine all matters in controversy which come before [him] such member during [his] such member's term faithfully and fairly, and (4) to make a just award according to the best of [his] such member's understanding. Notwithstanding the provisions of subsection (d) of section 52-414, the taking of this oath shall cover all matters heard during the term and the completion of any matter pending at the expiration of such term.

(b) Each member of the Board of Mediation and Arbitration representing the interests of employees or employers, including alternate members, shall be sworn once at the beginning of [his] such member's term of office (1) to support the Constitution of the United States, and the Constitution of the state of Connecticut, [so] as long as [he] such member continues to be a citizen thereof, (2) to faithfully discharge, according to law, the duties of the office of member of the Board of Mediation and Arbitration for the state of Connecticut to the best of [his] such member's abilities, (3) to represent the interests of

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employees or employers respectively in hearing and examining all matters in controversy, and (4) to make a just award according to the best of [his] such member's understanding. Notwithstanding the provisions of subsection (d) of section 52-414, the taking of this oath shall cover all matters heard during the term and the completion of any matter pending at the expiration of such term.

Sec. 264. Subsection (e) of section 31-372 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) Any employer may apply to the commissioner for a temporary order granting a variance from a standard or any provision thereof promulgated under this section. Such temporary order shall be granted only if the employer files an application which meets the requirements of subsection (f) of this section and establishes that the employer (1) [he] is unable to comply with a standard by its effective date because of unavailability of professional or technical personnel or of materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date, (2) [he] is taking all available steps to safeguard employees against the hazards covered by the standard, and (3) [he] has an effective program for coming into compliance with the standard as quickly as practicable. Any temporary order issued under this subsection shall prescribe the practices, means, methods, operations, and processes which the employer must adopt and use while the order is in effect and state in detail [his] the employer's program for coming into compliance with the standard. Such a temporary order may be granted only after notice to employees and an opportunity for a hearing, provided the commissioner may issue one interim order to be effective until a decision is made on the basis of the hearing. No temporary order may be in effect for longer than the period needed by the employer to achieve compliance with

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the standard or one year, whichever is shorter, except that such an order may be renewed not more than twice [so] as long as the requirements of this subsection are met and if an application for renewal is filed at least ninety days prior to the expiration date of the order. No interim renewal of an order may remain in effect longer than one hundred eighty days.

Sec. 265. Subparagraph (B) of subdivision (12) of section 32-1m of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(B) A production and preservation analysis, including [the] (i) the total number of units created, itemized by municipality for the total portfolio and projects receiving an assistance award in the preceding state fiscal year, (ii) the total number of elderly units created for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (iii) the total number of family units created for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (iv) the total number of units preserved, itemized by municipality for the total portfolio and projects receiving an assistance award in the preceding state fiscal year, (v) the total number of elderly units preserved for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (vi) the total number of family units preserved for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (vii) an analysis by income group, of households served by the department's housing construction, substantial rehabilitation, purchase and rental assistance programs, for each housing development, if applicable, and for each program, including number of households served under each program by race and data for all households, and (viii) a summary of the department's efforts in promoting fair housing choice and racial and economic integration, including data on the racial composition of the occupants

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and persons on the waiting list of each housing project that is assisted under any housing program established by the general statutes or a special act or that is supervised by the department, provided no information shall be required to be disclosed by any occupant or person on a waiting list for the preparation of such summary. As used in this subparagraph, "elderly units" means dwelling units for which occupancy is restricted by age, and "family units" means dwelling units for which occupancy is not restricted by age.

Sec. 266. Subdivision (1) of subsection (b) of section 33-1083 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The certificate of incorporation or, subject to the provisions of subdivision (2) of this subsection, the bylaws, may provide that persons occupying certain positions within or without the corporation shall be ex-officio directors, but, unless otherwise provided in the certificate of incorporation or bylaws, such ex-officio directors shall not be counted in determining a quorum nor shall they be entitled to a vote. An ex-officio director shall continue to be a director [so] as long as he or she continues to hold the office from which his or her ex-officio status derives, and shall cease to be an ex-officio director immediately and automatically upon ceasing to hold such office, without the need for any action by the corporation, its directors or its members. The provisions of sections 33-1085, 33-1087, 33-1088 and 33-1091 shall not apply to ex-officio directors.

Sec. 267. Subsection (b) of section 34-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The articles of organization may be amended in any and as many respects as may be desired, [so] as long as the articles of organization as amended contain only provisions that may be lawfully

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contained in articles of organization at the time of making the amendment.

Sec. 268. Subsection (d) of section 34-324 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Except as otherwise provided in subsection (g) of this section, a filed statement of partnership authority supplements the authority of a partner to enter into transactions on behalf of the partnership as follows:

(1) Except for transfers of real property, a grant of authority contained in a filed statement of partnership authority is conclusive in favor of a person who gives value without knowledge to the contrary, [so] as long as and to the extent that a limitation on that authority is not then contained in another filed statement. A filed cancellation of a limitation on authority revives the previous grant of authority.

(2) A grant of authority to transfer real property held in the name of the partnership contained in a certified copy of a filed statement of partnership authority recorded in the office for recording transfers of that real property is conclusive in favor of a person who gives value without knowledge to the contrary, [so] as long as and to the extent that a certified copy of a filed statement containing a limitation on that authority is not then of record in the office for recording transfers of that real property. The recording in the office for recording transfers of that real property of a certified copy of a filed cancellation of a limitation on authority revives the previous grant of authority.

Sec. 269. Subsections (i) and (j) of section 36b-19 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) Every registration statement is effective for one year from its

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effective date, except during the time a stop order is in effect under section 36b-20. All outstanding securities of the same class as a registered security are considered to be registered for the purpose of any nonissuer transaction (1) [so] as long as the registration statement is effective, and (2) between the thirtieth day after the entry of any stop order suspending or revoking the effectiveness of the registration statement under section 36b-20 if the registration statement did not relate in whole or in part to a nonissuer distribution and one year from the effective date of the registration statement. A registration statement may not be withdrawn for one year from its effective date if any securities of the same class are outstanding; provided, if within such one-year period the security or transaction covered by such registration statement becomes eligible for an exemption from registration, the registration statement shall be terminated if the commissioner is notified in writing within such one-year period of the exempt status of the security or transaction. A registration statement may be withdrawn otherwise only in the discretion of the commissioner.

(j) [So] As long as a registration statement is effective, the commissioner may by regulation or order require the person who filed the registration statement to file reports not more often than quarterly, to keep reasonably current the information contained in the registration statement and to disclose the progress of the offering.

Sec. 270. Subsection (c) of section 42-133n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The pendency of any civil, criminal or administrative proceeding against a franchisor, its agents or representatives, brought by federal or state authorities or any of their respective agencies under any federal or state act relating to antitrust laws or to franchising, or under [sections] section 42-133l or 42-133m, shall toll the limitation of any

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civil action brought under sections 42-133j to 42-133n, inclusive, if the action hereunder is then instituted within one year after the final judgment or order in such proceedings, provided [that said] such limitation of actions shall in any case toll the law [so] as long as there is actual concealment on the part of any franchisor, its agents or representatives.

Sec. 271. Subsection (g) of section 42b-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) Whenever an issuer shall issue an uncertificated registered public obligation, the system of registration may provide that a true copy of the official actions of the issuer relating to such uncertificated registered public obligation be maintained by the issuer or by the person, if any, maintaining such system on behalf of the issuer, [so] as long as the uncertificated registered public obligation remains outstanding and unpaid. A copy of such official actions, verified to be such by an authorized officer, shall be admissible before any court of record, administrative body or arbitration panel without further authentication.

Sec. 272. Subsection (a) of section 42b-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) An issuer or an issuer's official or official body on behalf of the issuer may appoint for such term as may be agreed, including for [so] as long as a registered public obligation may be outstanding, corporate or other authenticating agents, transfer agents, registrars, paying or other agents and specify the terms of their appointment, including their rights, their compensation and duties, limits upon their liabilities and provision for their payment of liquidated damages in the event of breach of certain of the duties imposed, which liquidated damages

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may be made payable to the issuer, the owner or a financial intermediary. None of such agents need have an office or do business within this state. The provisions of this subsection shall not relieve any issuer from any obligation applicable to it pursuant to section 7-373.

Sec. 273. Subsection (b) of section 45a-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Such corporation shall not act in such capacity until it has appointed in writing the Secretary of the State and his or her successors in office to be its attorney, upon whom all process in any action or proceeding against it may be served in any action or proceeding relating to its activities in such capacity. In such writing, such corporation shall agree that any process against it which is served on the Secretary of the State shall be of the same legal force and validity as if served on such corporation, and that such appointment shall continue [so] as long as any liability on account of such activities remains outstanding against the corporation in this state.

Sec. 274. Subsection (c) of section 45a-318 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) In the absence of a written designation of an individual pursuant to subsection (a) of this section, or in the event that an individual and any alternate designated pursuant to subsection (a) of this section [declines] decline to act or cannot be located within forty-eight hours after the time of death or the discovery of the body, the following individuals, in the priority listed, shall have the right to custody and control of the disposition of a person's body upon the death of such person, subject to any directions for disposition made by such person pursuant to subdivision (1) of subsection (a) of this section:

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(1) The deceased person's spouse, unless such spouse abandoned the deceased person prior to the deceased person's death or has been adjudged incapable by a court of competent jurisdiction;

(2) The deceased person's surviving adult children;

(3) The deceased person's surviving parents;

(4) The deceased person's surviving siblings;

(5) Any adult person in the next degree of kinship in the order named by law to inherit the deceased person's estate, provided such adult person shall be of the third degree of kinship or higher;

(6) Such adult person as the Probate Court shall determine.

Sec. 275. Subsection (b) of section 45a-487 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Unless a will or governing trust instrument expressly provides otherwise, the lack of such discretionary power by one trustee shall not impair any authority granted by the will or governing trust instrument to any other trustee or cotrustee to make such distributions with respect to the same trust to or for the benefit of the trustee who lacks such power, [so] as long as such other trustee exercises the power without participation by the trustee who lacks such power.

Sec. 276. Subsection (a) of section 46b-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) All judges and retired judges, either elected or appointed and including federal judges and judges of other states who may legally join persons in marriage in their jurisdictions, family support magistrates, state referees and justices of the peace may join persons in

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marriage in any town in the state and all ordained or licensed clergymen, belonging to this state or any other state, [so] as long as they continue in the work of the ministry may join persons in marriage. All marriages solemnized according to the forms and usages of any religious denomination in this state, including marriages witnessed by a duly constituted Spiritual Assembly of the Bahais, are valid. All marriages attempted to be celebrated by any other person are void.

Sec. 277. Section 46b-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The parents of a minor child for whom care or support of any kind has been provided under the provisions of this chapter [L] shall be liable to reimburse the state for such care or support to the same extent, and under the same terms and conditions, as are the parents of recipients of public assistance. Upon receipt of foster care maintenance payments under Title IV-E of the Social Security Act by a minor child, the right of support, present, past, and future, from a parent of such child shall, by this section, be assigned to the Commissioner of Children and Families. Referral by the commissioner shall promptly be made to the Child Support Enforcement Unit of the Department of Social Services for pursuit of support for [said] such minor child in accordance with the provisions of section 17b-179. Any child who reimburses the state under the provisions of subsection [(k)] (l) of section 46b-129 for any care or support [he] such child received shall have a right of action to recover such payments from [his] such child's parents.

Sec. 278. Section 13a-126 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section, "public service facility" includes all

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privately, publicly or cooperatively owned lines, facilities and systems for producing, transmitting or distributing communications, cable television, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage and any other similar commodities, including fire and police signal systems and street lighting systems which directly or indirectly serve the public. Whenever the commissioner determines that any public service facility located within, on, along, over or under any land comprising the right-of-way of a state highway or any other public highway when necessitated by the construction or reconstruction of a state highway shall be readjusted or relocated in or removed from such right-of-way, the commissioner shall issue an appropriate order to the company, corporation or municipality owning or operating such facility, and such company, corporation or municipality shall readjust, relocate or remove the same promptly in accordance with such order; provided an equitable share of the cost of such readjustment, relocation or removal, including the cost of installing and constructing a facility of equal capacity in a new location, shall be borne by the state, except that the state shall not bear any share of the cost of a project to readjust, relocate or remove any facility, as defined in subsection (a) of section 16-50i, as amended, used for transmitting electricity or as an electric trunkline. The Department of Transportation shall evaluate the total costs of such a project, including department costs for construction or reconstruction and electric distribution company costs for readjusting, relocating or removing such facility, so as to minimize the overall costs incurred by the state and the electric distribution company. The electric distribution company may provide the department with proposed alternatives to the relocation, readjustment or removal proposed by the department and shall be responsible for any changes to project costs attributable to adoption of the company's proposed alternative designs for such project, including changes to the area of the relocation, readjustment or removal and any incremental costs incurred by the department to

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evaluate such alternatives. If such electric distribution company and the department cannot agree on a plan for such project, the Commissioner of Transportation and the chairperson of the Department of Public Utility Control shall, on request of the company, jointly determine the alternative for the project. Such equitable share, in the case of or in connection with the construction or reconstruction of any limited access highway, shall be the entire cost, less the deductions provided in this section, and, in the case of or in connection with the construction or reconstruction of any other state highway, shall be such portion or all of the entire cost, less the deductions provided in this section, as may be fair and just under all the circumstances, but shall not be less than fifty per cent of such cost after the deductions provided in this section. In establishing the equitable share of the cost to be borne by the state, there shall be deducted from the cost of the readjusted, relocated or removed facilities a sum based on a consideration of the value of materials salvaged from existing installations, the cost of the original installation, the life expectancy of the original facility and the unexpired term of such life use. When any facility is removed from the right-of-way of a public highway to a private right-of-way, the state shall not pay for such private right-of-way, provided, when a municipally-owned facility is thus removed from a municipally-owned highway, the state shall pay for the private right-of-way needed by the municipality for such relocation. If the commissioner and the company, corporation or municipality owning or operating such facility cannot agree upon the share of the cost to be borne by the state, either may apply to the superior court for the judicial district within which such highway is situated, or, if said court is not in session, to any judge thereof, for a determination of the cost to be borne by the state, and said court or such judge, after causing notice of the pendency of such application to be given to the other party, shall appoint a state referee to make such determination. Such referee, having given at least ten days' notice to the parties interested of the time and place of the hearing, shall hear both parties, shall view such

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highway, shall take such testimony as such referee deems material and shall thereupon determine the amount of the cost to be borne by the state and immediately report to the court. If the report is accepted by the court, such determination shall, subject to right of appeal as in civil actions, be conclusive upon both parties.

Sec. 279. Section 13a-126c of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding any provision of the general statutes, the Commissioner of Transportation may enter into an agreement with the owner or operator of a public service facility, as [such facility is] defined in section 13a-126, as amended, desiring the longitudinal use of the right-of-way of a state highway to accommodate trunkline or transmission type utility facilities and to fix the terms, conditions and rates and charges for use of such right-of-way; provided, no such agreement shall exempt a public service facility from the provisions of chapter 277a. In the case of public service companies, as defined in subdivision (1) of subsection (a) of section 16-1, as amended, such charges or rates shall not exceed the actual administrative, construction, operation and maintenance costs of the department incurred as a result of the public service company's use of a nonlimited access state highway. The department may estimate such charges or rates and require prepayment of such charges or rates, provided any amount in excess of the actual amount [is] shall be refunded to the public service company.

Sec. 280. Subsection (c) of section 14-12h of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) [In addition, if] If the number plates of [the] a vehicle, [whose] the registration of which was suspended, have been confiscated, the

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owner of such motor vehicle shall pay [an additional] a confiscation fee of fifty dollars. Such confiscation fee shall be collected from the owner of the motor vehicle and remitted by the commissioner to the constable who confiscated the number plates or, if the plates were confiscated by a police officer, such confiscation fee shall be remitted to the governmental entity which employed such officer at the time of the confiscation and shall be deposited in the asset forfeiture fund. In the event there is no such fund, such confiscation fee shall be deposited in the general fund of such entity.

Sec. 281. Subsection (d) of section 14-36 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) No motor vehicle operator's license shall be issued to any applicant who is sixteen or seventeen years of age unless the applicant has held a learner's permit and has satisfied the requirements specified in this subsection. The applicant shall (A) present to the commissioner a certificate of the successful completion (i) in a public secondary school, a state vocational school or a private secondary school of a full course of study in motor vehicle operation prepared as provided in section 14-36e, as amended, (ii) of training of similar nature provided by a licensed drivers' school approved by the commissioner, or (iii) of home training in accordance with subdivision (2) of this subsection, including, in each case, or by a combination of such types of training, successful completion of not less than twenty clock hours of behind-the-wheel, on-the-road instruction; (B) present to the commissioner a certificate of the successful completion of a course of not less than eight hours relative to safe driving practices, including a minimum of four hours on the nature and the medical, biological and physiological effects of alcohol and drugs and their impact on the operator of a motor vehicle, the dangers associated with the operation of a motor vehicle after the consumption of alcohol or drugs by the operator, the

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problems of alcohol and drug abuse and the penalties for alcohol and drug-related motor vehicle violations; and (C) pass an examination which shall include a comprehensive test as to knowledge of the laws concerning motor vehicles and the rules of the road and an on-the-road skills test as prescribed by the commissioner. At the time of application and examination for a motor vehicle operator's license, an applicant sixteen or seventeen years of age shall have held a learner's permit for not less than one hundred eighty days, except that an applicant who presents a certificate under subparagraph (A) of this subdivision shall have held a learner's permit for not less than one hundred twenty days and an applicant who is undergoing training and instruction by the handicapped driver training unit in accordance with the provisions of section 14-11b shall have held such permit for the period of time required by said unit. The Commissioner of Motor Vehicles shall approve the content of the safe driving instruction at drivers' schools, high schools and other secondary schools. Such hours of instruction required by this subdivision shall be included as part of or in addition to any existing instruction programs. Any fee charged for the course required under subparagraph (B) of this subdivision shall not exceed an amount prescribed by the commissioner by regulation, adopted in accordance with chapter 54. Any applicant sixteen or seventeen years of age who, while a resident of another state, completed the course required in subparagraph (A) of this subdivision, but did not complete the safe driving course required in subparagraph (B) of this subdivision, shall complete the safe driving course, and any fee charged for the course shall not exceed an amount prescribed by the commissioner by regulation, adopted in accordance with chapter 54. The commissioner may waive any requirement in this subdivision, except for that in subparagraph (C) of this subdivision, in the case of an applicant sixteen or seventeen years of age who holds a valid motor vehicle operator's license issued by any other state, provided the commissioner is satisfied that the applicant has received training and instruction of a similar nature. (2) The commissioner may accept as

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evidence of sufficient training under subparagraph (A) of subdivision (1) of this subsection home training as evidenced by a written statement signed by the spouse of a married minor applicant, or by a parent, grandparent, foster parent or [the] legal guardian of an applicant which states that the applicant has obtained a learner's permit and has successfully completed a driving course taught by the person signing the statement, that the signer has had an operator's license for at least four years preceding the date of the statement, and that the signer has not had such license suspended by the commissioner for at least four years preceding the date of the statement or, if the applicant has no spouse, parent, grandparent, foster parent or guardian so qualified and available to give the instruction, a statement signed by the applicant's stepparent, brother, sister, uncle or aunt, by blood or marriage, provided the person signing the statement is qualified. (3) If the commissioner requires a written test of any applicant under this section, the test shall be given in English or Spanish at the option of the applicant, provided the commissioner shall require that the applicant shall have sufficient understanding of English for the interpretation of traffic control signs. (4) The Commissioner of Motor Vehicles may adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of this subsection concerning the content of safe driving instruction at drivers' schools, high schools and other secondary schools.

Sec. 282. Subdivision (1) of subsection (a) of section 14-36g of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) Except as provided in subsection (b) of this section, for the period of three months after the date of issuance of such license, such person shall not transport more than (A) such person's parents or legal guardian, at least one of whom holds a motor vehicle operator's

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license, or (B) [not more than] one passenger who is a driving instructor licensed by the Department of Motor Vehicles, or a person twenty years of age or older who has been licensed to operate, for at least four years preceding the time of being transported, a motor vehicle of the same class as the motor vehicle being operated and who has not had his or her motor vehicle operator's license suspended by the commissioner during such four-year period.

Sec. 283. Subsection (e) of section 14-197 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The commissioner may suspend the registration of a vehicle [whose] the theft or conversion of which is reported to [him] the commissioner pursuant to this section. [~~;~~ until] Until the commissioner learns of its recovery or that the report of its theft or conversion was erroneous, [he] the commissioner shall not issue a certificate of title for the vehicle.

Sec. 284. Section 14-296aa of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this [subsection and subsections (b), (c) and (d) of this] section, the following terms have the following meanings:

(1) "Mobile telephone" means a cellular, analog, wireless or digital telephone capable of sending or receiving telephone communications without an access line for service.

(2) "Using" or "use" means holding a hand-held mobile telephone to, or in the immediate proximity of, the user's ear.

(3) "Hand-held mobile telephone" means a mobile telephone with which a user engages in a call using at least one hand.

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(4) "Hands-free accessory" means an attachment, add-on, built-in feature, or addition to a mobile telephone, whether or not permanently installed in a motor vehicle, that, when used, allows the vehicle operator to maintain both hands on the steering wheel.

(5) "Hands-free mobile telephone" means a hand-held mobile telephone that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such hand-held mobile telephone, by which a user engages in a call without the use of either hand, whether or not the use of either hand is necessary to activate, deactivate or initiate a function of such telephone.

(6) "Engage in a call" means talking into or listening on a hand-held mobile telephone, but does not include holding a hand-held mobile telephone to activate, deactivate or initiate a function of such telephone.

(7) "Immediate proximity" means the distance that permits the operator of a hand-held mobile telephone to hear telecommunications transmitted over such hand-held mobile telephone, but does not require physical contact with such operator's ear.

(8) "Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more persons, including a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital photographs are taken or transmitted, or any combination thereof, but does not include any audio equipment or any equipment installed in a motor vehicle for the purpose of providing navigation, emergency assistance to the operator of such motor vehicle or video entertainment to the passengers in the rear seats of such motor vehicle.

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(b) (1) Except as otherwise provided in this subsection and subsections [(a),] (c) and (d) of this section, no person shall operate a motor vehicle upon a highway, as defined in subsection (a) of section 14-1, as amended, while using a hand-held mobile telephone to engage in a call or while using a mobile electronic device while such vehicle is in motion. (2) An operator of a motor vehicle who holds a hand-held mobile telephone to, or in the immediate proximity of, his or her ear while such vehicle is in motion is presumed to be engaging in a call within the meaning of this section. The presumption established by this subdivision is rebuttable by evidence tending to show that the operator was not engaged in a call. (3) The provisions of this subsection [and subsection (a) of this section] shall not be construed as authorizing the seizure or forfeiture of a hand-held mobile telephone or a mobile electronic device, unless otherwise provided by law. (4) Subdivision (1) of this subsection does not apply to: (A) The use of a hand-held mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: An emergency response operator; a hospital, physician's office or health clinic; an ambulance company; a fire department; or a police department, or (B) any of the following persons while in the performance of [his or her] their official duties and within the scope of [his or her] their employment: A peace officer, as defined in subdivision (9) of section 53a-3, a firefighter or an operator of an ambulance or authorized emergency vehicle, as defined in subsection (a) of section 14-1, as amended, or (C) the use of a hands-free mobile telephone.

(c) No person shall use a hand-held mobile telephone or other electronic device, including those with hands-free accessories, or a mobile electronic device while operating a moving school bus that is carrying passengers, except that this subsection does not apply to (1) a school bus driver who places an emergency call to school officials, or (2) the use of a hand-held mobile telephone as provided in

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subparagraph (A) of subdivision (4) of subsection (b) of this section.

(d) No person under eighteen years of age shall use any hand-held mobile telephone, including one with a hands-free accessory, or a mobile electronic device while operating a moving motor vehicle on a public highway, except as provided in subparagraph (A) of subdivision (4) of subsection (b) of this section.

(e) Except as provided in subsections [(a)] (b) to (d), inclusive, of this section, no person shall engage in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such vehicle on any highway, as defined in subsection (a) of section 14-1, as amended.

(f) Any law enforcement officer who issues a summons for a violation of [subsections (a),] subsection (b), (c), (d) or (i) of this section shall record, on any summons form issued in connection with the matter, the specific nature of any distracted driving behavior observed by such officer that contributed to the issuance of such summons.

(g) Any person who violates subsection [(a) or] (b) of this section shall be fined not more than one hundred dollars, except that the fine shall be suspended for a first time violator who provides proof of acquisition of a hands-free accessory subsequent to the violation but prior to the imposition of a fine.

(h) Any person who violates subsection (c) or (d) of this section shall be fined not more than one hundred dollars.

(i) An operator of a motor vehicle who commits a moving violation, as defined in subsection (a) of section 14-111g, while engaged in any activity prohibited under subsection (e) of this section shall be fined one hundred dollars in addition to any penalty or fine imposed for the moving violation.

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Sec. 285. Subdivision (1) of subsection (b) of section 2 of public act 06-77 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The ad hoc committee [shall be appointed by the Commissioner of Public Health and] shall consist of the Commissioners of Public Health and Economic and Community Development, or their designees, [~~one~~] and the following members appointed by the Commissioner of Public Health: One member of the Stem Cell Research Advisory Committee established pursuant to section 19a-32f of the 2006 supplement to the general statutes, selected by the Stem Cell Research Advisory Committee; one researcher from a private institution of higher education in the state; one researcher from a public institution of higher education in the state; one representative of an educational and business support network organization for bioscience in the state; one individual who is a member in good standing of the American Association of Blood Banks, with expertise in umbilical cord blood banking and the Food and Drug Administration's federal safety standards for umbilical cord blood banks; and one individual with multiple years of experience in establishing, executing and administering an umbilical cord blood registry. The Commissioner of Public Health shall serve as chairperson of the committee.

Sec. 286. Section 14-105 of the 2006 supplement to the general statutes, amended by public act 06-130, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No television screen or other device of a similar nature, except a video display unit used for instrumentation purposes or a closed video monitor for backing, provided such monitor screen is disabled blank no later than fifteen seconds after the transmission of a vehicle so equipped is shifted out of reverse, shall be installed or used in this state in any position or location in a motor vehicle where it may be visible to the driver or where it may in any other manner interfere with

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the safe operation and control of the vehicle. [Violation of any provision of this section shall be an infraction.]

(b) Notwithstanding the provisions of subsection (a) of this section, the driver of a commercial motor vehicle equipped with a garbage compactor, detachable container or a curbside recycling body may, when engaged in the activity of refuse collection on any public highway, use a closed video monitor for backing after such vehicle is shifted out of reverse and placed into forward motion, for such time as may be necessary to observe motor vehicles or pedestrians that may be behind such vehicle in a position that cannot be viewed using such vehicle's mirror system.

(c) Violation of any provision of this section shall be an infraction.

Sec. 287. Subdivision (1) of subsection (c) of section 12-63 of the general statutes, as amended by public act 06-83, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(c) (1) For the assessment years commencing October 1, 2006, October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and October 1, 2011, the annual declaration of tangible personal property that a taxpayer files with the assessor of the town, shall be accompanied by a supplement to said declaration on which the taxpayer shall provide the following information for machinery and equipment eligible for a grant pursuant to section 12-94b, as amended by this act, or section 13 of this act: (A) The assessment year during which such property was acquired and installed; (B) the original cost of acquisition for such property, including charges for such property's transportation and installation; (C) the value of such property depreciated in accordance with the schedule provided by the assessor; (D) the total of the original cost of acquisition for all such property; and (E) the total depreciated value of such property for all such property. The assessor shall provide a declaration of tangible personal

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property, [declaration,] together with such [to] supplement, to the owner of each manufacturing facility, as defined in subparagraph [(a)] (A) of subdivision (72) of section 12-81 of the 2006 supplement to the general statutes, and to the owner of each facility engaged in biotechnology, as defined in said subparagraph.

Sec. 288. Subdivision (8) of subsection (a) of section 10 of public act 06-136 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(8) "Proceedings" means the proceedings of the State Bond Commission authorizing or relating to the issuance of bonds pursuant to [subsection (b)] subdivision (5) of subsection (d) of this section, the provisions of any indenture of trust securing bonds, which provisions are incorporated into such proceedings, the provisions of any other documents or agreements which are incorporated into such proceedings and, to the extent applicable, a certificate of determination filed by the Treasurer in accordance with subdivision (3) of subsection (d) of this section.

Sec. 289. Subsection (j) of section 17b-261 of the 2006 supplement to the general statutes, as amended section 49 of public act 06-188, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(j) The Commissioner of Social Services shall provide Early and Periodic [,] Screening, Diagnostic and Treatment program services, as required and defined as of December 31, 2005, by 42 USC 1396a(a)(43), 42 USC 1396d(r) and 42 USC 1396d(a)(4)(B) and applicable federal regulations, to all persons who are under the age of twenty-one and otherwise eligible for medical assistance under this section.

Sec. 290. (*Effective from passage*) Section 2 of public act 06-128 shall take effect from passage.

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Sec. 291. (*Effective from passage*) Section 28 of public act 06-187 shall take effect July 1, 2007.

Sec. 292. (*Effective from passage*) Sections 29, 31 to 40, inclusive, and 42 of public act 06-187 shall take effect October 1, 2006.

Sec. 293. Subsection (a) of section 22 of public act 06-188 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) The Department of Social Services, in consultation with the Connecticut Pharmacists Association and the Connecticut Association of Community Pharmacies, shall review the impact of the implementation of average manufacturer price reimbursement methodology that shall take effect on January 1, 2007, as required under the federal Deficit Reduction Act of 2005. Such review shall include, but not be limited to, the financial impact of the required change in pharmacy reimbursement received under the Medicaid fee-for-service program and recommendations for potential changes in the dispensing fee, both for brand name drugs and generic drug products.

Sec. 294. Subdivision (7) of section 38a-479aa of the general statutes, as amended by public act 06-90, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(7) "Preferred provider network" means a person, which is not a managed care organization, but which pays claims for the delivery of health care services, accepts financial risk for the delivery of health care services and establishes, operates or maintains an arrangement or contract with providers relating to (A) the health care services rendered by the providers, and (B) the amounts to be paid to the providers for such services. "Preferred provider network" does not include (i) a workers' compensation preferred provider organization established pursuant to section 31-279-10 of the regulations of Connecticut state agencies, (ii) an independent practice association or

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physician hospital organization whose primary function is to contract with insurers and provide services to providers, or (iii) a [private] clinical laboratory, licensed pursuant to section 19a-30, whose primary payments for any contracted or referred services are made to other licensed clinical laboratories or for associated pathology services.

Sec. 295. Subsection (a) of section 30 of public act 06-187 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) There is established a Risk Assessment Board consisting of the Commissioner of Correction, the Commissioner of Mental Health and Addiction Services, the Commissioner of Public Safety, the Chief State's Attorney, the Chief Public Defender, the Chairperson of the Board of Pardons and Paroles, [the Victim Advocate,] the Executive Director of the Court Support Services Division of the Judicial Department and the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety, or their designees, a victim advocate with experience working with sexual assault victims and sexual offenders appointed by the Governor, a forensic psychiatrist with experience in the treatment of sexual offenders appointed by the Governor and a person trained in the identification, assessment and treatment of sexual offenders appointed by the Governor.

Sec. 296. (*Effective from passage*) Section 3 of public act 06-176 shall take effect October 1, 2006, and be applicable to assessment years commencing on or after October 1, 2005.

Sec. 297. Subsection (a) of section 12-62c of the general statutes, as amended by section 3 of public act 06-176, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006, and applicable to assessment years commencing on or after October 1, 2005*):

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(a) (1) A town implementing a revaluation of all real property may phase in a real property assessment increase or a portion of such increase resulting from such revaluation, by requiring the assessor to gradually increase the assessment or the rate of assessment applicable to such property in the assessment year preceding that in which the revaluation is implemented, in accordance with one of the methods set forth in subsection (b) of this section. The legislative body of the town shall approve the decision to provide for such phase-in, the method by which it is accomplished and its term, provided the number of assessment years over which such gradual increases are reflected shall not exceed five assessment years, including the assessment year for which the revaluation is effective. [If the legislative body is a town meeting, the board of selectmen shall approve such decision, method and term.] If a town chooses to phase in a portion of the increase in the assessment of each parcel of real property resulting from said revaluation, said legislative body [or board] shall establish a factor, which shall be not less than twenty-five per cent, and shall apply such factor to such increases for all parcels of real property, regardless of property classification. A town choosing to phase in a portion of assessment increase shall multiply such factor by the total assessment increase for each such parcel to determine the amount of such increase that shall not be subject to the phase in. The assessment increase for each parcel that shall be subject to the gradual increases in amounts or rates of assessment, as provided in subsection (b) of this section, shall be (A) the difference between the result of said multiplication and the total assessment increase for any such parcel, or (B) the result derived when such factor is subtracted from the actual percentage by which the assessment of each such parcel increased as a result of such revaluation, over the assessment of such parcel in the preceding assessment year and said result is multiplied by such parcel's total assessment increase.

(2) The legislative body [or board of selectmen, as the case may be,]

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may approve the discontinuance of a phase-in of real property assessment increases resulting from the implementation of a revaluation, at any time prior to the completion of the phase-in term originally approved, provided such approval shall be made on or before the assessment date that is the commencement of the assessment year in which such discontinuance is effective. In the assessment year following the completion or discontinuance of the phase-in, assessments shall reflect the valuation of real property established for such revaluation, subject to additions for new construction and reductions for demolitions occurring subsequent to the date of revaluation and on or prior to the date of its completion or discontinuance, and the rate of assessment applicable in such year, as required by section 12-62a, as amended by [this act] public act 06-176.

Sec. 298. Subsection (d) of section 12-62c of the general statutes, as amended by section 3 of public act 06-176, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006, and applicable to assessment years commencing on or after October 1, 2005*):

(d) Not later than thirty business days after the date a town's legislative body [or board of selectmen, as the case may be,] votes to phase in real property assessment increases resulting from such revaluation, or votes to discontinue such a phase-in, the chief executive officer of the town shall notify the Secretary of the Office of Policy and Management, in writing, of the action taken. Any chief executive officer failing to submit a notification to said secretary as required by this subsection, shall forfeit one hundred dollars to the state for each such failure.

Sec. 299. (*Effective from passage*) Section 89 of public act 06-187 is repealed.

Approved June 7, 2006