



General Assembly

**Amendment**

February Session, 2006

LCO No. 5795

\*HB0582005795HDO\*

Offered by:  
REP. LAWLOR, 99<sup>th</sup> Dist.

To: Subst. House Bill No. 5820      File No. 473      Cal. No. 321

**"AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND THE 2006 SUPPLEMENT TO THE GENERAL STATUTES."**

1      Strike lines 569 to 581, inclusive, in their entirety and insert the  
2      following in lieu thereof:

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

16 state contract."

17 After the last section, add the following and renumber sections and  
18 internal references accordingly:

19 "Sec. 501. Subdivisions (4) and (5) of section 7-244h of the 2006  
20 supplement to the general statutes are repealed and the following is  
21 substituted in lieu thereof (*Effective from passage*):

22 (4) Sell, lease, grant options to purchase or to renew a lease for any  
23 interest in all or any portion of property of such authority, real or  
24 personal, tangible or intangible, determined by such authority to be no  
25 longer used by or useful to such authority, on such terms as such  
26 authority may determine to be necessary, desirable or convenient,  
27 subject to the provisions of applicable law concerning such sale, lease  
28 or options, except that such authority may not sell, lease or otherwise  
29 convey any interest in land classified under [subsection (c) of section  
30 25-37] section 25-37c as class I or class II water-company-owned land  
31 unless specifically authorized in subdivision (5) or (17) of this section;

32 (5) Mortgage or otherwise encumber all or any portion of the  
33 property of such authority, real or personal, tangible or intangible, or  
34 assume all [of] or any portion of any obligations incurred by a  
35 constituent municipality in connection with the acquisition,  
36 construction or operation of any system transferred to or operated by  
37 such authority, or any person operating a system on behalf of such  
38 authority whenever, in the opinion of such authority, such action is  
39 deemed to be in furtherance of the purposes of sections 7-244g to 7-  
40 244s, inclusive.

41 Sec. 502. Subdivision (20) of section 7-244h of the 2006 supplement  
42 to the general statutes is repealed and the following is substituted in  
43 lieu thereof (*Effective from passage*):

44 (20) Subject to approval by a majority of members of such  
45 authority's board of directors and such other requirements as such  
46 authority may establish, indemnify and hold harmless any person in

47 connection with the business of such authority, including [ ]  
48 indemnification against taxation by the federal and state governments  
49 respecting any state or local property taxes and any realization of tax  
50 benefits or incentives associated with ownership of a system or of  
51 ownership of any interest in property, real or personal, tangible or  
52 intangible.

53 Sec. 503. Subdivision (23) of section 7-244h of the 2006 supplement  
54 to the general statutes is repealed and the following is substituted in  
55 lieu thereof (*Effective from passage*):

56 (23) Establish and impose fees, rates, charges and penalties on users  
57 of the system, including the state and any political subdivision thereof,  
58 including municipalities, and levy assessments on property benefited  
59 by the system, including property owned by the state and any political  
60 subdivisions thereof, including municipalities, in accordance with  
61 sections 7-244g to 7-244s, inclusive, for the services it performs and  
62 waive, suspend, reduce or otherwise modify such fees, rates, charges,  
63 penalties or assessments, provided each such fee, rate, charge, penalty  
64 or assessment applies uniformly to all users and benefited properties  
65 within the constituent municipality with respect to a given type or  
66 category of water supply, in accordance with criteria established by  
67 such authority, and further provided no change may be made in user  
68 fees to users within the constituent municipality without at least sixty  
69 days prior notice to the users affected thereby.

70 Sec. 504. Section 7-244q of the 2006 supplement to the general  
71 statutes is repealed and the following is substituted in lieu thereof  
72 (*Effective from passage*):

73 Without limiting the generality of any and all rights, privileges and  
74 powers granted to an authority under the provisions of sections 7-244g  
75 to 7-244s, inclusive, and subject to the [provision of said] provisions of  
76 sections 7-244g to 7-244s, inclusive, an authority shall have the same  
77 rights, privileges and powers related to the issuance of bonds as are  
78 granted to a municipality or town, as such terms are defined in chapter

79 109. Where [said] chapter 109 authorizes or requests action by a  
80 municipal or town official, officer or body, the board of directors of an  
81 authority shall designate an official, officer or body of such authority  
82 to take such action on behalf of such authority, except that the  
83 provisions of sections 7-373 to 7-374a, inclusive, [7-347c] 7-374c, 7-378b,  
84 7-378d and 7-378f do not apply to such authority. For purposes of this  
85 section, references in [said] chapter 109 to "taxes" or "taxation" mean  
86 charges or assessments by an authority.

87 Sec. 505. Subsection (a) of section 10-16x of the 2006 supplement to  
88 the general statutes is repealed and the following is substituted in lieu  
89 thereof (*Effective from passage*):

90 (a) The Department of Education, in consultation with the after  
91 school committee established pursuant to section 10-16v, may, within  
92 available appropriations, administer a grant program to provide grants  
93 for after school programs to local and regional boards of education,  
94 municipalities and not-for-profit organizations that are exempt from  
95 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,  
96 or any subsequent corresponding internal revenue code of the United  
97 States, as from time to time amended. For purposes of this subsection,  
98 "after school program" means a program that takes place when school  
99 is not in session and is for the educational, enrichment and recreational  
100 activities [for] of children in grades kindergarten to twelve, inclusive.

101 Sec. 506. Section 10-231a of the 2006 supplement to the general  
102 statutes is repealed and the following is substituted in lieu thereof  
103 (*Effective from passage*):

104 As used in sections 10-231b to 10-231d, inclusive, as amended, and  
105 section 19a-79a, as amended, (1) "pesticide" means a fungicide used on  
106 plants, an insecticide, a herbicide or a rodenticide, but does not mean a  
107 sanitizer, disinfectant, antimicrobial agent or [a] pesticide bait, (2) [a]  
108 "lawn care pesticide" means a pesticide registered by the United States  
109 Environmental Protection Agency and labeled pursuant to the federal  
110 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and

111 ornamental sites or areas, and (3) "integrated pest management" means  
112 use of all available pest control techniques, including judicious use of  
113 pesticides, when warranted, to maintain a pest population at or below  
114 an acceptable level, while decreasing the use of pesticides.

115 Sec. 507. Subsection (b) of section 10-231b of the 2006 supplement to  
116 the general statutes is repealed and the following is substituted in lieu  
117 thereof (*Effective from passage*):

118 (b) No person shall apply a lawn care pesticide on the grounds of  
119 any public or private preschool or public or private elementary school,  
120 except that (1) on and after January 1, 2006, until July 1, 2008, an  
121 application of a lawn care pesticide may be made at a public or private  
122 elementary school on the playing fields and playgrounds of such  
123 [schools] school pursuant to an integrated pest management plan,  
124 which plan (A) shall be consistent with the model pest control  
125 management plan developed by the Commissioner of Environmental  
126 Protection pursuant to section 22a-66l, and (B) may be developed by a  
127 local or regional board of education for all public schools under its  
128 control, and (2) an emergency application of a lawn care pesticide may  
129 be made to eliminate a threat to human health, as determined by the  
130 local health director, the Commissioner of Public Health, the  
131 Commissioner of Environmental Protection [,] or, in the case of a  
132 public elementary school, the school superintendent.

133 Sec. 508. Subsection (g) of section 10a-178 of the 2006 supplement to  
134 the general statutes is repealed and the following is substituted in lieu  
135 thereof (*Effective from passage*):

136 (g) "Health care institution" means [(i)] (1) any nonprofit, state-aided  
137 hospital or other health care institution, including The University of  
138 Connecticut Health Center, which is entitled, under the laws of the  
139 state, to receive assistance from the state by means of a grant made  
140 pursuant to a budgetary appropriation made by the [general assembly,  
141 (ii)] General Assembly, (2) any other hospital or other health care  
142 institution which is licensed, or any nonprofit, nonstock corporation

143 which shall receive financing or shall undertake to construct or acquire  
144 a project which is or will be eligible to be licensed, as an institution  
145 under the provisions of sections 19a-490 to 19a-503, inclusive, as  
146 amended, or any nonprofit, nonstock, nonsectarian facility which is  
147 exempt from taxation under the provisions of section 12-81, as  
148 amended, or 38a-188 and which is a health care center under the  
149 provisions of sections 38a-175 to 38a-191, inclusive, or [(iii)] (3) any  
150 nonprofit corporation wholly owned by two or more hospitals or other  
151 health care institutions which operates for and on behalf of such  
152 hospitals or other health care institutions a project, as defined in  
153 subsection (b) [hereof] of this section, or is a nursing home.

154 Sec. 509. Subsection (h) of section 12-263m of the 2006 supplement  
155 to the general statutes is repealed and the following is substituted in  
156 lieu thereof (*Effective from passage*):

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

171 Sec. 510. Subsection (a) of section 12-643 of the 2006 supplement to  
172 the general statutes is repealed and the following is substituted in lieu  
173 thereof (*Effective from passage*):

174 (a) The term "taxable gifts" means the transfers by gift which are

175 included in taxable gifts for federal gift tax purposes under Section  
176 2503 and Sections 2511 to 2514, inclusive, and Sections 2516 to 2519,  
177 inclusive, of the Internal Revenue Code of 1986, or any subsequent  
178 corresponding internal revenue code of the United States, as from time  
179 to time amended, less the deductions allowed in Sections 2522 to 2524,  
180 inclusive, of said Internal Revenue Code, except in the event of repeal  
181 of the federal gift tax, [than] then all references to the Internal Revenue  
182 Code in this section shall mean the Internal Revenue Code as in force  
183 on the day prior to the effective date of such repeal.

184 Sec. 511. Subsection (g) of section 15-140j of the general statutes is  
185 repealed and the following is substituted in lieu thereof (*Effective from*  
186 *passage*):

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

190 Sec. 512. Subsection (d) of section 16-19b of the 2006 supplement to  
191 the general statutes is repealed and the following is substituted in lieu  
192 thereof (*Effective from passage*):

193 (d) The Department of Public Utility Control shall adjust the retail  
194 rate charged by each electric distribution company for electric  
195 transmission services periodically to recover all transmission costs  
196 prudently incurred by each electric distribution company. The  
197 Department of Public Utility Control, after notice and hearing, shall  
198 design the retail transmission rate to provide for recovery of all Federal  
199 Energy Regulatory Commission approved transmission costs, rates,  
200 tariffs and charges and of other transmission costs prudently incurred  
201 by an electric distribution company in accordance with section 16-19e.  
202 Notwithstanding the provisions of section 16-19, the department shall  
203 adjust the retail transmission rate in accordance with the provisions of  
204 subsections (e) and (h) of this section. A transmission rate adjustment  
205 clause approved pursuant to this section shall apply to all electric  
206 distribution companies similarly affected by transmission costs. The

207 department's authority to review the [prudency] prudence of costs  
208 shall not apply to any matter over which any agency, department or  
209 instrumentality of the federal government has exclusive jurisdiction, or  
210 has jurisdiction concurrent with that of the state and has exercised  
211 such jurisdiction to the exclusion of regulation of such matter by the  
212 state.

213 Sec. 513. Subdivision (2) of subsection (c) of section 16-32f of the  
214 2006 supplement to the general statutes is repealed and the following  
215 is substituted in lieu thereof (*Effective from passage*):

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

233 Sec. 514. Subsection (a) of section 16-50k of the 2006 supplement to  
234 the general statutes is repealed and the following is substituted in lieu  
235 thereof (*Effective from passage*):

236 (a) Except as provided in subsection (b) of section 16-50z, no person  
237 shall exercise any right of eminent domain in contemplation of,  
238 commence the preparation of the site for, or commence the

239 construction or supplying of a facility, or commence any modification  
240 of a facility, that may, as determined by the council, have a substantial  
241 adverse environmental effect in the state without having first obtained  
242 a certificate of environmental compatibility and public need,  
243 hereinafter referred to as a "certificate", issued with respect to such  
244 facility or modification by the council, except fuel cells with a  
245 generating capacity of ten kilowatts or less which shall not require  
246 such certificate. Any facility with respect to which a certificate is  
247 required shall thereafter be built, maintained and operated in  
248 conformity with such certificate and any terms, limitations or  
249 conditions contained therein. Notwithstanding the provisions of this  
250 chapter or title 16a, the council shall, in the exercise of its jurisdiction  
251 over the siting of generating facilities, approve by declaratory ruling  
252 (1) the construction of a facility solely for the purpose of generating  
253 electricity, other than an electric generating facility that uses nuclear  
254 materials or coal as fuel, at a site where an electric generating facility  
255 operated prior to July 1, 2004, (2) the construction or location of any  
256 fuel cell, unless the council finds a substantial adverse environmental  
257 effect, or of any customer-side distributed resources project or facility  
258 or grid-side distributed resources project or facility with a capacity of  
259 not more than sixty-five megawatts, [so] as long as such project meets  
260 air quality standards of the Department of Environmental Protection,  
261 and (3) the siting of temporary generation solicited by the Department  
262 of Public Utility Control pursuant to section 16-19ss, as amended.

263 Sec. 515. Subsection (c) of section 16-243m of the 2006 supplement to  
264 the general statutes is repealed and the following is substituted in lieu  
265 thereof (*Effective from passage*):

266 (c) On or before February 1, 2006, the department shall conduct a  
267 proceeding to develop and issue a request for proposals to solicit the  
268 development of long-term projects designed to reduce federally  
269 mandated congestion charges for the period commencing on May 1,  
270 2006, and ending on December 31, 2010, or such later date specified by  
271 the department. For purposes of this section, projects shall include (1)  
272 customer-side distributed resources, (2) grid-side distributed

273 resources, (3) new generation facilities, including expanded or  
274 repowered generation, and (4) contracts for a term of no more than  
275 fifteen years between a person and an electric distribution company for  
276 the purchase of electric capacity rights. Such request for proposals  
277 shall encourage responses from a variety of resource types and  
278 encourage diversity in the fuel mix used in generation. An electric  
279 distribution company may submit proposals pursuant to this  
280 subsection on the same basis as other respondents to the solicitation. A  
281 proposal submitted by an electric distribution company shall include  
282 its full projected costs such that any project costs recovered from or  
283 defrayed by ratepayers are included in the projected costs. An electric  
284 distribution company submitting a bid under this subsection shall  
285 demonstrate to the satisfaction of the department that its bid is not  
286 supported in any form of cross subsidization by affiliated entities. If  
287 such electric distribution company's proposal is approved pursuant to  
288 subsection (g) of this section, the costs and revenues of such proposal  
289 shall not be included in calculating such company's earning for  
290 purposes of, or in determining whether its rates are just and reasonable  
291 under, sections 16-19, 16-19a and 16-19e. Electric distribution  
292 companies may under no circumstances recover more than the full  
293 costs identified in the proposals, as approved under subsection (g) of  
294 this section and consistent with subsection (h) of this section. Affiliates  
295 of the electric distribution company may submit proposals consistent  
296 with section 16-244h, regulations adopted under [said] section 16-244h  
297 and other requirements the department may impose. The department  
298 may request from a person submitting a proposal further information  
299 [.] that the department determines to be in the public interest [.] to be  
300 used in evaluating the proposal. The department shall determine  
301 whether costs associated with subsection (l) of this section shall be  
302 considered in the evaluation or selection of bids.

303 Sec. 516. Subdivision (2) of subsection (j) of section 16-244c of the  
304 2006 supplement to the general statutes is repealed and the following  
305 is substituted in lieu thereof (*Effective from passage*):

306 (2) Notwithstanding the provisions of subsection (d) of this section

307 regarding an alternative transitional standard offer option or an  
308 alternative standard service option, an electric distribution company  
309 providing transitional standard offer service, standard service,  
310 supplier of last resort service or back-up electric generation service in  
311 accordance with this section shall, not later than July 1, 2008, file with  
312 the Department of Public Utility Control for its approval one or more  
313 long-term power purchase contracts from Class I renewable energy  
314 source projects that receive funding from the Renewable Energy  
315 Investment Fund and that are not less than one megawatt in size, at a  
316 price that is either, at the determination of the project owner, [(1)] (A)  
317 not more than the total of the comparable wholesale market price for  
318 generation plus five and one-half cents per kilowatt hour, or [(2)] (B)  
319 fifty per cent of the wholesale market electricity cost at the point at  
320 which transmission lines intersect with each other or interface with the  
321 distribution system, plus the project cost of fuel indexed to natural gas  
322 futures contracts on the New York Mercantile Exchange at the natural  
323 gas pipeline interchange located in Vermillion Parish, Louisiana that  
324 serves as the delivery point for such futures contracts, plus the fuel  
325 delivery charge for transporting fuel to the project, plus five and one-  
326 half cents per kilowatt hour. In its approval of such contracts, the  
327 department shall give preference to purchase contracts from those  
328 projects that would provide a financial benefit to ratepayers or would  
329 enhance the reliability of the electric transmission system of the state.  
330 Such projects shall be located in this state. The owner of a fuel cell  
331 project principally manufactured in this state shall be allocated all  
332 available air emissions credits and tax credits attributable to the project  
333 and no less than fifty per cent of the energy credits in the Class I  
334 renewable energy credits program established in section 16-245a, as  
335 amended, attributable to the project. Such contracts shall be comprised  
336 of not less than a total, apportioned among each electric distribution  
337 company, of one hundred megawatts. The cost of such contracts and  
338 the administrative costs for the procurement of such contracts directly  
339 incurred shall be eligible for inclusion in the adjustment to the  
340 transitional standard offer as provided in this section and any  
341 subsequent rates for standard service, provided such contracts are for a

342 period of time sufficient to provide financing for such projects, but not  
343 less than ten years, and are for projects which began operation on or  
344 after July 1, 2003. Except as provided in this subdivision, the amount  
345 from Class I renewable energy sources contracted under such contracts  
346 shall be applied to reduce the applicable Class I renewable energy  
347 source portfolio standards. For purposes of this subdivision, the  
348 department's determination of the comparable wholesale market price  
349 for generation shall be based upon a reasonable estimate.

350 Sec. 517. Subdivision (6) of subsection (a) of section 16-244e of the  
351 2006 supplement to the general statutes is repealed and the following  
352 is substituted in lieu thereof (*Effective from passage*):

353 (6) Once unbundling is completed to the satisfaction of the  
354 department and consistent with the provisions of section 16-244, (A)  
355 any corporate affiliate or separate division that provides electric  
356 generation services as a result of unbundling pursuant to this  
357 subsection shall be considered a generation entity or affiliate of the  
358 electric company, and the division or corporate affiliate of the electric  
359 company that provides transmission and distribution services shall be  
360 considered an electric distribution company, and (B) an electric  
361 distribution company shall not own or operate generation assets,  
362 except as provided in [subsection (e) of] this section and section 16-  
363 243m.

364 Sec. 518. Subsection (a) of section 16-245d of the 2006 supplement to  
365 the general statutes is repealed and the following is substituted in lieu  
366 thereof (*Effective from passage*):

367 (a) The Department of Public Utility Control shall, by regulations  
368 adopted pursuant to chapter 54, develop a standard billing format that  
369 enables customers to compare pricing policies and charges among  
370 electric suppliers. Not later than January 1, 2006, the department shall  
371 adopt regulations, in accordance with the provisions of chapter 54, to  
372 provide that an electric supplier may provide direct billing and  
373 collection services for electric generation services and related federally

374 mandated congestion charges that such supplier provides to its  
375 customers that have a maximum demand of not less than one hundred  
376 kilowatts and that choose to receive a bill directly from such supplier.  
377 An electric company, electric distribution company or electric supplier  
378 that provides direct billing of the electric generation service  
379 component and related federally mandated congestion charges, as the  
380 case may be, shall, in accordance with the billing format developed by  
381 the department, include the following information in each customer's  
382 bill, as appropriate: (1) The total amount owed by the customer, which  
383 shall be itemized to show, (A) the electric generation services  
384 component and any additional charges imposed by the electric  
385 supplier, if applicable, (B) the distribution charge, including all  
386 applicable taxes and the systems benefits charge, as provided in  
387 section 16-245l, as amended, (C) the transmission rate as adjusted  
388 pursuant to subsection (d) of section 16-19b, as amended, (D) the  
389 competitive transition assessment, as provided in section 16-245g, (E)  
390 federally mandated congestion charges, and (F) the conservation and  
391 renewable energy charge, consisting of the conservation and load  
392 management program charge, as provided in section 16-245m, as  
393 amended, and the renewable energy investment charge, as provided in  
394 section 16-245n, as amended; (2) any unpaid amounts from previous  
395 bills which shall be listed separately from current charges; (3) except  
396 for customers subject to a demand charge, the rate and usage for the  
397 current month and each of the previous twelve months in the form of a  
398 bar graph or other visual form; (4) the payment due date; (5) the  
399 interest rate applicable to any unpaid amount; (6) the toll-free  
400 telephone number of the electric distribution company to report power  
401 losses; (7) the toll-free telephone number of the Department of Public  
402 Utility Control for questions or complaints; (8) the toll-free telephone  
403 number and address of the electric supplier; and (9) a statement about  
404 the availability of information concerning electric suppliers pursuant  
405 to section 16-245p, as amended.

406 Sec. 519. Subdivision (2) of subsection (e) of section 16a-23t of the  
407 2006 supplement to the general statutes is repealed and the following

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

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

416 Sec. 520. Section 17a-90 of the general statutes is repealed and the  
417 following is substituted in lieu thereof (*Effective from passage*):

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

421 (b) [He] The Commissioner of Children and Families shall furnish  
422 protective services or provide and pay, wholly or in part, for the care  
423 and protection of children other than those committed by the Superior  
424 Court whom [he] the commissioner finds in need of such care and  
425 protection from the state, and such payments shall be made in  
426 accordance with the provisions of subsection [(k)] (l) of section 46b-  
427 129, provided the Commissioner of Administrative Services shall be  
428 responsible for billing and collecting such sums as are determined to  
429 be owing and due from the parent of the noncommitted child in  
430 accordance with section 4a-12 and subsection (b) of section 17b-223.

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

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

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

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

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

447 Sec. 521. Subsection (f) of section 17b-261 of the 2006 supplement to  
448 the general statutes is repealed and the following is substituted in lieu  
449 thereof (*Effective from passage*):

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

458 Sec. 522. Subsection (f) of section 17b-360 of the 2006 supplement to  
459 the general statutes is repealed and the following is substituted in lieu  
460 thereof (*Effective from passage*):

461 (f) In the case of a resident with mental retardation or a related  
462 condition who is determined under subsection (d) of this section not to  
463 require the level of services provided by a nursing facility but to  
464 require specialized services for mental retardation or [the] a related  
465 condition and who has not continuously resided in a nursing facility  
466 for at least thirty months before the date of the determination, the  
467 nursing facility, in consultation with the Department of Mental  
468 Retardation, shall arrange for the safe and orderly discharge of the

469 resident from the facility. If the department determines that the  
470 provision of specialized services requires an alternative residential  
471 placement, the discharge and transfer of the patient shall be in  
472 accordance with the alternative disposition plan submitted by the  
473 Department of Social Services and approved by the Secretary of the  
474 United States Department of Health and Human Services, except if an  
475 alternative residential facility is not available, the resident shall not be  
476 transferred.

477 Sec. 523. Subdivision (4) of section 17b-450 of the general statutes is  
478 repealed and the following is substituted in lieu thereof (*Effective from*  
479 *passage*):

480 (4) The term "protective services" means services provided by the  
481 state or other governmental or private organizations or individuals  
482 which are necessary to prevent abuse, neglect, exploitation or  
483 abandonment. Abuse includes, but is not limited to, the wilful  
484 infliction of physical pain, injury or mental anguish, or the wilful  
485 deprivation by a caretaker of services which are necessary to maintain  
486 physical and mental health. Neglect refers to an elderly person who is  
487 either living alone and not able to provide for [oneself] himself or  
488 herself the services which are necessary to maintain physical and  
489 mental health or is not receiving [the said] such necessary services  
490 from the responsible caretaker. Exploitation refers to the act or process  
491 of taking advantage of an elderly person by another person or  
492 caretaker whether for monetary, personal or other benefit, gain or  
493 profit. Abandonment refers to the desertion or wilful forsaking of an  
494 elderly person by a caretaker or the foregoing of duties or the  
495 withdrawal or neglect of duties and obligations owed an elderly  
496 person by a caretaker or other person.

497 Sec. 524. Section 19a-25c of the 2006 supplement to the general  
498 statutes is repealed and the following is substituted in lieu thereof  
499 (*Effective from passage*):

500 A health care institution licensed by the Department of Public

501 Health pursuant to chapter 368v may create, maintain or utilize  
502 medical records or a medical records system in electronic format,  
503 paper format or both, provided such records or system [are] is  
504 designed to store medical records or patient health information in a  
505 medium that is reproducible and secure.

506 Sec. 525. Subsection (k) of section 19a-265 of the general statutes is  
507 repealed and the following is substituted in lieu thereof (*Effective from*  
508 *passage*):

509 (k) If the court, at such hearing, finds by clear and convincing  
510 evidence that the director of health has met [his] the burden of proof  
511 [as] set forth in subsection (j) of this section, [it] the court shall: (1) In  
512 the case of examination orders: (A) Order such person to be examined;  
513 or (B) enter an order with such terms and conditions as [it] the court  
514 deems appropriate to protect the public health in the manner least  
515 restrictive of the individual's liberty and privacy; (2) in the case of a  
516 continuation of an emergency commitment issued pursuant to  
517 subdivision (4) of subsection (c) of this section, (A) enter an order,  
518 authorizing the continued commitment of such person only for [so] as  
519 long as the person remains infectious and poses a risk of transmission  
520 to others, or (B) enter an order with such terms and conditions as [it]  
521 the court deems appropriate to protect the public health in the manner  
522 least restrictive of the individual's liberty and privacy; and (3) in the  
523 case of a petition for a commitment order for treatment issued  
524 pursuant to subdivision (5) of subsection (c) of this section, (A) order  
525 the continued commitment, but only for [so] as long as is necessary to  
526 complete the prescribed course of treatment or to demonstrate  
527 adherence to treatment, or (B) enter an order with such terms and  
528 conditions as [it] the court deems appropriate to protect the public  
529 health in the manner least restrictive of the individual's liberty and  
530 privacy. If the court, at such hearing, finds that the director of health  
531 has failed to meet [his] such burden of proof, [it] the court shall enter  
532 no orders, provided, if the person has been subject to an emergency  
533 commitment, [it] the court shall order a release from such  
534 commitment.

535 Sec. 526. Subsection (a) of section 19a-639 of the 2006 supplement to  
536 the general statutes is repealed and the following is substituted in lieu  
537 thereof (*Effective from passage*):

538 (a) Except as provided in sections 19a-639a to 19a-639c, inclusive, as  
539 amended, each health care facility or institution, including, but not  
540 limited to, any inpatient rehabilitation facility, any health care facility  
541 or institution or any state health care facility or institution proposing  
542 (1) a capital expenditure exceeding one million dollars, (2) to purchase,  
543 lease or accept donation of major medical equipment requiring a  
544 capital expenditure, as defined in regulations adopted pursuant to  
545 section 19a-643, as amended, in excess of four hundred thousand  
546 dollars, or (3) to purchase, lease or accept donation of a CT scanner,  
547 PET scanner, PET/CT scanner [ ] or MRI scanner, cineangiography  
548 equipment, a linear accelerator or other similar equipment utilizing  
549 technology that is new or being introduced into this state, including  
550 the purchase, lease or donation of equipment or a facility, shall submit  
551 a request for approval of such expenditure to the office, with such  
552 data, information and plans as the office requires in advance of the  
553 proposed initiation date of such project.

554 Sec. 527. Subsection (c) of section 19a-639 of the 2006 supplement to  
555 the general statutes is repealed and the following is substituted in lieu  
556 thereof (*Effective from passage*):

557 (c) Each person or provider, other than a health care or state health  
558 care facility or institution subject to subsection (a) of this section,  
559 proposing to purchase, lease, accept donation of or replace (1) major  
560 medical equipment with a capital expenditure in excess of four  
561 hundred thousand dollars, or (2) a CT scanner, PET scanner, PET/CT  
562 scanner [ ] or MRI scanner, cineangiography equipment, a linear  
563 accelerator or other similar equipment utilizing technology that is new  
564 or being introduced into the state, shall submit a request for approval  
565 of any such purchase, lease, donation or replacement pursuant to the  
566 provisions of subsection (a) of this section. In determining the capital  
567 cost or expenditure for an application under this section or section 19a-

568 638, as amended, the office shall use the greater of (A) the fair market  
569 value of the equipment as if it were to be used for full-time operation,  
570 whether or not the equipment is to be used, shared or rented on a part-  
571 time basis, or (B) the total value or estimated value determined by the  
572 office of any capitalized lease computed for a three-year period. Each  
573 method shall include the costs of any service or financing agreements  
574 plus any other cost components or items the office specifies in  
575 regulations, adopted in accordance with chapter 54, or deems  
576 appropriate.

577 Sec. 528. Section 19a-639c of the 2006 supplement to the general  
578 statutes is repealed and the following is substituted in lieu thereof  
579 (*Effective from passage*):

580 Notwithstanding the provisions of section 19a-638, as amended, or  
581 section 19a-639, as amended, the office may waive the requirements of  
582 [those] said sections and grant a certificate of need to any health care  
583 facility or institution or provider or any state health care facility or  
584 institution or provider proposing to replace major medical equipment,  
585 a CT scanner, PET scanner, PET/CT scanner [,] or MRI scanner,  
586 cineangiography equipment or a linear accelerator if:

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

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

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

595 Sec. 529. Subsection (c) of section 20-7a of the 2006 supplement to  
596 the general statutes is repealed and the following is substituted in lieu  
597 thereof (*Effective from passage*):

598 (c) Each practitioner of the healing arts who (1) has an ownership or  
599 investment interest in an entity that provides diagnostic or therapeutic  
600 services, or (2) receives compensation or remuneration for referral of  
601 [such patient] patients to an entity that provides diagnostic or  
602 therapeutic services shall disclose such interest to any patient prior to  
603 referring such patient to such entity for diagnostic or therapeutic  
604 services and provide reasonable referral alternatives. Such information  
605 shall be verbally disclosed to each patient or shall be posted in a  
606 conspicuous place visible to patients in the practitioner's office. The  
607 posted information shall list the therapeutic and diagnostic services in  
608 which the practitioner has an ownership or investment interest and  
609 therapeutic and diagnostic services from which the practitioner  
610 receives compensation or remuneration for referrals and state that  
611 alternate referrals will be made upon request. Therapeutic services  
612 include physical therapy, radiation therapy, intravenous therapy and  
613 rehabilitation services including physical therapy, occupational  
614 therapy or speech and language pathology, or any combination of such  
615 therapeutic services. This subsection shall not apply to in-office  
616 ancillary services. As used in this subsection, "ownership or  
617 investment interest" does not include ownership of investment  
618 securities that are purchased by the practitioner on terms available to  
619 the general public and [that] are publicly traded; and "entity that  
620 provides diagnostic or therapeutic services" includes services provided  
621 by an entity that is within a hospital but [that] is not owned by the  
622 hospital. Violation of this subsection constitutes conduct subject to  
623 disciplinary action under subdivision (6) of subsection (a) of section  
624 19a-17.

625 Sec. 530. Subsection (a) of section 20-12d of the 2006 supplement to  
626 the general statutes is repealed and the following is substituted in lieu  
627 thereof (*Effective from passage*):

628 (a) A physician assistant who has complied with the provisions of  
629 sections 20-12b and 20-12c, as amended, may perform medical  
630 functions delegated by a supervising physician when: (1) The  
631 supervising physician is satisfied as to the ability and competency of

632 the physician assistant; (2) such delegation is consistent with the health  
633 and welfare of the patient and in keeping with sound medical practice;  
634 and (3) [when] such functions are performed under the oversight,  
635 control and direction of the supervising physician. The functions that  
636 may be performed under such delegation are those that are within the  
637 scope of the supervising physician's license, within the scope of such  
638 physician's competence as evidenced by such physician's postgraduate  
639 education, training and experience and within the normal scope of  
640 such physician's actual practice. Delegated functions shall be  
641 implemented in accordance with written protocols established by the  
642 supervising physician. All orders written by physician assistants shall  
643 be followed by the signature of the physician assistant and the printed  
644 name of the supervising physician. A physician assistant may, as  
645 delegated by the supervising physician within the scope of such  
646 physician's license, (A) prescribe and administer drugs, including  
647 controlled substances in schedule IV or V in all settings, (B) renew  
648 prescriptions for controlled substances in schedule II, III, IV or V in all  
649 settings, and (C) prescribe and administer controlled substances in  
650 schedule II or III in all settings, provided in all cases where the  
651 physician assistant prescribes a controlled substance in schedule II or  
652 III, the physician under whose supervision the physician assistant is  
653 prescribing shall document such physician's approval of the order in  
654 the patient's medical record not later than one calendar day thereafter.  
655 The physician assistant may, as delegated by the supervising physician  
656 within the scope of such physician's license, request, sign for, receive  
657 and dispense drugs to patients, in the form of professional samples, as  
658 defined in section 20-14c, or when dispensing in an outpatient clinic as  
659 defined in the regulations of Connecticut state agencies and licensed  
660 pursuant to subsection (a) of section 19a-491, as amended, that  
661 operates on a not-for-profit basis, or when dispensing in a clinic  
662 operated by a state agency or municipality. Nothing in this subsection  
663 shall be construed to allow the physician assistant to request, sign for,  
664 receive or dispense any drug the physician assistant is not authorized  
665 under this subsection to prescribe.

666 Sec. 531. Subdivision (5) of section 20-126c of the 2006 supplement  
667 to the general statutes is repealed and the following is substituted in  
668 lieu thereof (*Effective from passage*):

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

672 Sec. 532. Subsection (a) of section 20-138a of the 2006 supplement to  
673 the general statutes is repealed and the following is substituted in lieu  
674 thereof (*Effective from passage*):

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

694 Sec. 533. Section 20-230c of the 2006 supplement to the general  
695 statutes is repealed and the following is substituted in lieu thereof  
696 (*Effective from passage*):

697 If the person who has custody and control of the remains of a

698 deceased person pursuant to section 45a-318, as amended, requests the  
699 disposal of the deceased person's body by cremation or if the deceased  
700 person had executed a cremation authorization [form] document in  
701 accordance with the provisions of [said] section 45a-318, as amended,  
702 the funeral director shall complete a written form containing the  
703 following information: (1) The name and address of the funeral service  
704 business that is responsible for the disposal of the deceased person's  
705 body; (2) the name of the deceased person; (3) the place and time of the  
706 cremation; (4) the name of the licensed funeral director or embalmer;  
707 (5) the name and address of the person who has custody and control of  
708 the remains of the deceased person; (6) a summary of the disposition,  
709 in accordance with section 20-230d, of the cremated remains, if  
710 unclaimed; and (7) a statement indicating the disposition of the  
711 cremated remains requested by the person who has custody and  
712 control of the remains of the deceased person or a statement indicating  
713 that the deceased person had executed a cremation authorization  
714 [form] document in accordance with the provisions of section 45a-318,  
715 as amended. The written form shall be signed and dated by the person  
716 who has custody and control of the remains of the deceased person  
717 and by the funeral director. A copy of the signed form shall be  
718 provided to the person who has custody and control of the remains of  
719 the deceased person. The original signed form shall be retained at the  
720 funeral service business for not less than twenty years from the date on  
721 which [it was] such form is signed by the person who has custody and  
722 control of the remains of the deceased person.

723 Sec. 534. Section 20-281b of the general statutes is repealed and the  
724 following is substituted in lieu thereof (*Effective from passage*):

725 Persons and firms who, prior to October 1, 1992, were authorized to  
726 practice as public accountants and hold licenses and permits to  
727 practice public accountancy issued pursuant to [sections 20-279 to 20-  
728 287, inclusive,] this chapter prior to October 1, 1992, shall be entitled to  
729 have their licenses and permits to practice renewed under sections 20-  
730 281d, as amended, and 20-281e, provided they fulfill all requirements  
731 for renewal under [those] such provisions. [So] As long as such

732 licensees hold valid licenses and permits to practice under sections 20-  
733 281d, as amended, and 20-281e, they shall be entitled to engage in the  
734 practice of public accountancy to the same extent as other holders of  
735 such permits, and in addition they shall be entitled to use the  
736 designations "public accountants" and "PA", but no other designation,  
737 in connection with the practice of public accountancy.

738 Sec. 535. Subdivision (3) of section 20-408 of the 2006 supplement to  
739 the general statutes is repealed and the following is substituted in lieu  
740 thereof (*Effective from passage*):

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

748 Sec. 536. Subsection (a) of section 21-35c of the general statutes is  
749 repealed and the following is substituted in lieu thereof (*Effective from*  
750 *passage*):

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

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

781 Sec. 537. Subsection (a) of section 21a-278 of the 2006 supplement to  
782 the general statutes is repealed and the following is substituted in lieu  
783 thereof (*Effective from passage*):

784 (a) Any person who manufactures, distributes, sells, prescribes,  
785 dispenses, compounds, transports with the intent to sell or dispense,  
786 possesses with the intent to sell or dispense, offers, gives or  
787 administers to another person one or more preparations, compounds,  
788 mixtures or substances containing an aggregate weight of one ounce or  
789 more of heroin or methadone or an aggregate weight of one-half ounce  
790 or more of cocaine or one-half ounce or more of cocaine in a free-base  
791 form, or a substance containing five milligrams or more of lysergic  
792 acid diethylamide, except as authorized in this chapter, and who is not,  
793 at the time of such action, a drug-dependent person, shall be  
794 imprisoned for a minimum term of not less than five years [nor] or  
795 more than twenty years; and, a maximum term of life imprisonment.  
796 The execution of the mandatory minimum sentence imposed by the  
797 provisions of this subsection shall not be suspended, except the court

798 may suspend the execution of such mandatory minimum sentence if at  
799 the time of the commission of the offense (1) such person was under  
800 the age of eighteen years, or (2) such person's mental capacity was  
801 significantly impaired, but not so impaired as to constitute a defense to  
802 prosecution.

803 Sec. 538. Section 22-231 of the 2006 supplement to the general  
804 statutes is repealed and the following is substituted in lieu thereof  
805 (*Effective from passage*):

806 The Commissioner of Agriculture may refuse to grant or renew a  
807 license, or may suspend, revoke or refuse to transfer a license already  
808 granted, after the commissioner has determined that the applicant or  
809 dealer: (1) Has failed to comply, or has been a responsible member or  
810 officer of a partnership or corporation which failed to comply, with  
811 any provision of this part or any order, ruling, regulation or direction  
812 issued hereunder; (2) has insufficient financial responsibility,  
813 personnel or equipment to properly to conduct the milk business; (3) is  
814 a person, partnership, corporation or other business entity, in which  
815 any individual holding a material position, interest or power of control  
816 has previously been responsible in whole or in part for any act on  
817 account of which a license was or may be denied, suspended or  
818 revoked under the provisions of this part; (4) has failed to file a bond  
819 required by the commissioner under the provisions of this part; (5) if  
820 located out of the state, has failed to obtain a satisfactory milk  
821 sanitation compliance rating from a certified state milk sanitation  
822 rating officer or is not in compliance with all laws and regulations of  
823 the state pertaining to health and sanitation in the production,  
824 processing, handling or sale of milk; (6) has rejected, without  
825 reasonable cause, any milk purchased from a producer, or has refused  
826 to accept, without either reasonable cause or reasonable advance  
827 notice, milk delivered by or on behalf of a producer in ordinary  
828 continuance of a previous course of dealing, except when the contract  
829 has been lawfully terminated; provided, in the absence of an express or  
830 implied fixing of a period in the contract, "reasonable advance notice"  
831 shall be construed to mean not less than one week [nor] or more than

832 two weeks; (7) has continued in a course of dealing of such nature as to  
833 show an intent to deceive, defraud or impose upon producers or  
834 consumers; (8) has violated any stipulation or written agreement  
835 entered into with the commissioner in the course of any proceeding  
836 under this part; (9) has made a false material statement in his or her  
837 application; or (10) has failed to provide information required under  
838 this chapter.

839 Sec. 539. Subsection (b) of section 22a-19 of the general statutes is  
840 repealed and the following is substituted in lieu thereof (*Effective from*  
841 *passage*):

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

850 Sec. 540. Section 22a-20 of the general statutes is repealed and the  
851 following is substituted in lieu thereof (*Effective from passage*):

852 Sections 22a-14 to 22a-20, inclusive, shall be supplementary to  
853 existing administrative and regulatory procedures provided by law  
854 and in any action maintained under said sections, the court may  
855 remand the parties to such procedures. Nothing in this section shall  
856 prevent the granting of interim equitable relief where required and for  
857 [so] as long as is necessary to protect the rights recognized herein. Any  
858 person entitled to maintain an action under said sections may  
859 intervene as a party in all such procedures. Nothing herein shall  
860 prevent the maintenance of an action, as provided in said sections, to  
861 protect the rights recognized herein, where existing administrative and  
862 regulatory procedures are found by the court to be inadequate for the  
863 protection of the rights. At the initiation of any person entitled to

864 maintain an action under said sections, such procedures shall be  
865 reviewable in a court of competent jurisdiction to the extent necessary  
866 to protect the rights recognized herein. In any judicial review, the court  
867 shall be bound by the provisions, standards and procedures of said  
868 sections and may order that additional evidence be taken with respect  
869 to the environmental issues involved.

870 Sec. 541. Section 22a-305 of the general statutes is repealed and the  
871 following is substituted in lieu thereof (*Effective from passage*):

872 With respect to the state of Connecticut and [so] as long as the  
873 Interstate Environmental Commission shall be engaged in a program  
874 relating to air pollution on behalf of the state of New York or the states  
875 of New York and New Jersey, the Interstate Environmental  
876 Commission shall, in addition to its other powers, duties and  
877 functions, have authority, in accordance with Article III of the tri-state  
878 compact set forth in section 22a-294, to engage in activities with respect  
879 to interstate air pollution problems between or among the states of  
880 Connecticut and New York or Connecticut, New York and New Jersey,  
881 as the case may be, as follows: (1) To conduct studies; (2) to undertake  
882 research, testing and development; (3) to gather, exchange and  
883 disseminate information with and among public or private bodies,  
884 persons or organizations and to cooperate with any of them in solving  
885 air pollution problems; (4) to take samplings and to trace sources of air  
886 pollutants; (5) to refer complaints to an appropriate enforcement  
887 agency or agencies of the states in which the sources are located and to  
888 which air pollutants are carried, along with such data and information  
889 as it may have obtained with respect to the nature, characteristics,  
890 source, path and effect of air pollutants; (6) to make recommendations  
891 and reports to the governors and legislatures of the participating  
892 states. The primary effort of the Interstate Environmental Commission  
893 under this section shall be directed to air contaminant solids, liquids or  
894 gases which are toxic, disagreeable or irritant, or which are destructive.  
895 In carrying out its functions under this section, the Interstate  
896 Environmental Commission shall make use of the services, facilities  
897 and information of existing state, local and federal agencies wherever

898 feasible and available. In furtherance of the purposes of this section,  
899 the Interstate Environmental Commission is empowered to accept  
900 moneys, property and other donations or gifts from any person  
901 whatever, whether public, private or governmental, real or artificial.  
902 No trade secret or secret process shall be inquired into by the Interstate  
903 Environmental Commission under this section, whether with respect  
904 to one or more of the substances or one or more of the processes,  
905 operations, techniques or devices used in connection therewith, and  
906 whenever a trade secret or secret process is involved, the activity  
907 under this section shall be limited to the identification of the device or  
908 facility from which the effluent discharged into the outer air derives,  
909 and the nature, rate and period of emission of such effluent. All  
910 information obtained from any sampling, tracing or other specific  
911 inquiry performed under this section shall be kept and maintained as a  
912 confidential disclosure and, except as may be essential for the purpose  
913 of referring a complaint to an appropriate enforcement agency and of  
914 any enforcement proceeding by or before any such agency, shall not be  
915 disclosed or published in any way other than such as will not identify  
916 a given substance, process, operation, technique or device with the  
917 physical location or identity of the source plant or facility, or with the  
918 product made or service performed, or with the person or persons  
919 using the same. A printed copy of the provisions of this section shall be  
920 furnished on request to any person furnishing information to the  
921 Interstate Environmental Commission and, in case of an inquiry at a  
922 plant or facility, to the person then in charge of the same.

923 Sec. 542. Subdivision (2) of subsection (e) of section 22a-449c of the  
924 2006 supplement to the general statutes is repealed and the following  
925 is substituted in lieu thereof (*Effective from passage*):

926 (2) Any person who at any time receives or expects to receive  
927 payment or reimbursement from any source other than the account for  
928 any cost, expense, obligation, damage or injury for which such person  
929 has received or has applied for payment or reimbursement from the  
930 account, shall notify the board, in writing, of such supplemental or  
931 expected payment and shall, not more than thirty days after receiving

932 such supplemental payment, repay the underground storage tank  
933 petroleum clean-up [fund] account all such amounts received from any  
934 other source.

935 Sec. 543. Subsection (b) of section 22a-449f of the 2006 supplement to  
936 the general statutes is repealed and the following is substituted in lieu  
937 thereof (*Effective from passage*):

938 (b) (1) In addition to all other applicable requirements, a person  
939 seeking payment or reimbursement from the account shall  
940 demonstrate that when the total costs, expenses or other obligations in  
941 response to a release or suspected release (A) are two hundred fifty  
942 thousand dollars or less, that all labor, equipment and materials  
943 provided after October 1, 2005, and all services and activities  
944 undertaken after October 1, 2005, shall be approved, in writing, either  
945 by the commissioner or by a licensed environmental professional with  
946 a currently valid and effective license issued pursuant to section 22a-  
947 133v; and (B) [exceeds] exceed two hundred fifty thousand dollars,  
948 that all labor, equipment and materials provided after October 1, 2005,  
949 and all services and activities undertaken after October 1, 2005, shall be  
950 approved, in writing, by the commissioner or that the commissioner  
951 has authorized, in writing, an environmental professional with a  
952 currently valid and effective license issued pursuant to section 22a-  
953 133v to approve, in writing, such labor, equipment, materials, services  
954 and activities, in lieu of a written approval by the commissioner. The  
955 provisions of this subsection shall apply to all costs, expenses or other  
956 obligations for which a person is seeking payment or reimbursement  
957 from the account and the board shall not order and the commissioner  
958 shall not make payment or reimbursement from the account for any  
959 cost, expense or other obligation, unless the person seeking such  
960 payment or reimbursement includes with an application or with a  
961 request for payment or reimbursement all written approvals required  
962 by this subdivision.

963 (2) The fees charged by a licensed environmental professional  
964 regarding labor or services rendered in response to a release or

965 suspected release may be included in any application or request for  
966 payment or reimbursement submitted to the board. The amount to be  
967 paid or reimbursed from the account for such fees may also be  
968 established in the schedule adopted by the commissioner pursuant to  
969 subsection (b) of section 22a-449e, as amended.

970 (3) Providing it is true and accurate, a licensed environmental  
971 professional shall submit the following certification regarding any  
972 approval provided under subdivision (1) of this subsection and section  
973 22a-449p: "I hereby agree that all of the labor, equipment, materials,  
974 services, and activities described in or covered by this certification  
975 [was] were appropriate under the circumstances to abate an  
976 emergency or [was] were performed as part of a plan specifically  
977 designed to ensure that the release or suspected release is or has been  
978 investigated in accordance with prevailing standards and guidelines  
979 and remediated consistent with and to achieve compliance with the  
980 remediation standards adopted under section 22a-133k of the general  
981 statutes."

982 Sec. 544. Section 22a-449p of the 2006 supplement to the general  
983 statutes is repealed and the following is substituted in lieu thereof  
984 (*Effective from passage*):

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

993 (1) A release response report prepared by an environmental  
994 professional, as defined in section 22a-133v, has been submitted to the  
995 Commissioner of Environmental Protection which report describes:  
996 (A) All initial response actions taken that are necessary to prevent an

997 on-going release and to mitigate an explosion, fire or other safety  
998 hazard resulting from the release; [ ] (B) the results of an initial site  
999 investigation that determines the presence and extent of free product  
1000 from the release, the potential for or existence of groundwater  
1001 pollution from the release which threatens the quality of drinking  
1002 water well or wells, and whether the release has resulted in soil vapors  
1003 or indoor air that threatens public health; [ ] and (C) all interim actions  
1004 taken and proposed to remove such free product to the extent  
1005 technically practicable, to provide potable water to any person whose  
1006 drinking water has been polluted by a substance from the release  
1007 which is above the groundwater protection criteria or above a level  
1008 determined by the Commissioner of Public Health to be an  
1009 unacceptable risk of injury to the health or safety of persons using such  
1010 groundwater as a public or private source of water for drinking or  
1011 other personal or domestic uses, whichever is more stringent, and to  
1012 mitigate any risk to public health from polluted soil vapor or indoor  
1013 air resulting from the release.

1014 (2) An interim remedial action report approved, in writing, by a  
1015 licensed environmental professional has been submitted to the  
1016 Commissioner of Environmental Protection or an interim remedial  
1017 action report has been approved, in writing, by the commissioner.  
1018 Such interim remedial action report shall describe in detail all interim  
1019 remedial action taken to: (A) Remove free product to the maximum  
1020 extent technically practicable; (B) ensure that all persons whose  
1021 drinking water was polluted by the release have been provided  
1022 potable water; and (C) ensure that soil vapors which pose a risk to  
1023 public health are prevented from migrating into any overlying  
1024 buildings.

1025 (3) An investigation report and remedial action plan approved, in  
1026 writing, by a licensed environmental professional has been submitted  
1027 to the Commissioner of Environmental Protection, or an investigation  
1028 report and remedial action plan has been approved, in writing, by the  
1029 commissioner. Such investigation report and remedial action plan shall  
1030 include a detailed description of an investigation which determines the

1031 existing and potential extent and degree of soil, surface water, soil  
1032 vapor and groundwater pollution, on and off-site, resulting from the  
1033 release and describes all actions proposed to remediate soil, surface  
1034 water, air or groundwater polluted by the release in accordance with  
1035 the regulations adopted pursuant to section 22a-133k.

1036 (4) A soil remedial action report approved, in writing, by a licensed  
1037 environmental professional has been submitted to the Commissioner  
1038 of Environmental Protection, or a soil remedial action report has been  
1039 approved, in writing, by the commissioner. Such soil remedial action  
1040 report shall describe in detail the extent of soil pollution resulting from  
1041 the release, all remedial actions taken to abate such soil pollution, and  
1042 all documentation that demonstrates that such soil pollution has been  
1043 remediated in accordance with the regulations adopted pursuant to  
1044 section 22a-133k.

1045 (5) A groundwater remedial action progress report approved, in  
1046 writing, by a licensed environmental professional has been submitted  
1047 to the Commissioner of Environmental Protection or a groundwater  
1048 remedial action progress report has been approved, in writing, by the  
1049 commissioner. Such report may only be submitted after all  
1050 construction necessary to implement the approved groundwater  
1051 remedial actions [have] has been completed and [that] the  
1052 groundwater remedial actions have been operated and monitored for  
1053 one year. Such report shall include a detailed description of the  
1054 remedial actions, the results of groundwater or any other monitoring  
1055 conducted, an analysis of whether the remedial actions are effective,  
1056 and a proposal for any changes in the groundwater remedial actions  
1057 and monitoring that may be necessary to achieve compliance with the  
1058 regulations adopted pursuant to section 22a-133k.

1059 (6) An annual groundwater remedial action progress report  
1060 approved, in writing, by a licensed environmental professional has  
1061 been submitted to the Commissioner of Environmental Protection or  
1062 approved, in writing, by the commissioner. Such report shall include a  
1063 detailed description of the remedial actions, the results of groundwater

1064 or any other monitoring conducted for the year covered by the report,  
1065 an analysis of whether the remedial actions are effective, and a  
1066 proposal for any changes in the groundwater remedial actions and  
1067 monitoring that may be necessary to achieve compliance with the  
1068 regulations adopted pursuant to section 22a-133k. A responsible party  
1069 [of] pursuant to section 22a-449f, as amended, may submit to the board  
1070 up to, but not more than, four separate applications or requests for  
1071 payment or reimbursement in a calendar year regarding costs,  
1072 expenses or obligations paid or incurred concerning annual  
1073 groundwater monitoring or compliance with this subdivision.

1074 (7) A final remedial action report approved by a licensed  
1075 environmental professional has been submitted to the Commissioner  
1076 of Environmental Protection, or a final remedial action report has been  
1077 approved, in writing, by the commissioner, that documents that the  
1078 release has been investigated in accordance with prevailing standards  
1079 and guidelines and that the soil, surface water, groundwater and air  
1080 polluted by the release has been remediated in accordance with the  
1081 regulations adopted pursuant to section 22a-133k.

1082 (8) The Commissioner of Environmental Protection may adopt  
1083 regulations, in accordance with the provisions of chapter 54,  
1084 establishing milestones for investigation and remediation of releases or  
1085 suspected releases from underground storage tank systems, including  
1086 milestones that differ from those set forth in this section. Upon the  
1087 adoption of such regulations, the milestones for investigation and  
1088 remediation for which payment or reimbursement is available from  
1089 the account shall be those set forth in the regulations.

1090 (9) This section shall apply to an application or request for  
1091 reimbursement or payment received by the board on or after October  
1092 1, 2005, regardless of when the release or suspected release occurred,  
1093 whether actions in response to the release or suspected release have  
1094 already occurred or whether prior applications or requests seeking  
1095 payment or reimbursement have already been submitted to the board.

1096 Sec. 545. Subsection (f) of section 22a-500 of the general statutes is  
1097 repealed and the following is substituted in lieu thereof (*Effective from*  
1098 *passage*):

1099 (f) Any authority and its corporate existence shall continue until  
1100 terminated by law or the withdrawal of one of the last two constituent  
1101 municipalities of such authority, provided no such law shall take effect  
1102 [so] as long as the authority shall have bonds, notes or other  
1103 obligations outstanding unless adequate provision has been made for  
1104 the payment or satisfaction of such obligations. Upon termination of  
1105 the existence of the authority, all of the rights and properties of the  
1106 authority then remaining shall pass to and vest in the constituent  
1107 municipality in which it is located unless otherwise provided in an  
1108 agreement of the authority and except as otherwise may be specified in  
1109 such law.

1110 Sec. 546. Section 31-92a of the general statutes is repealed and the  
1111 following is substituted in lieu thereof (*Effective from passage*):

1112 (a) Each public member of the Board of Mediation and Arbitration,  
1113 including alternates, shall be sworn once at the beginning of [his] such  
1114 member's term of office (1) to support the Constitution of the United  
1115 States, and the Constitution of the state of Connecticut, [so] as long as  
1116 [he] such member continues to be a citizen thereof, (2) to faithfully  
1117 discharge, according to law, the duties of the office of member of the  
1118 Board of Mediation and Arbitration for the state of Connecticut to the  
1119 best of [his] such member's abilities, (3) to hear and examine all  
1120 matters in controversy which come before [him] such member during  
1121 [his] such member's term faithfully and fairly, and (4) to make a just  
1122 award according to the best of [his] such member's understanding.  
1123 Notwithstanding the provisions of subsection (d) of section 52-414, the  
1124 taking of this oath shall cover all matters heard during the term and  
1125 the completion of any matter pending at the expiration of such term.

1126 (b) Each member of the Board of Mediation and Arbitration  
1127 representing the interests of employees or employers, including

1128 alternate members, shall be sworn once at the beginning of [his] such  
1129 member's term of office (1) to support the Constitution of the United  
1130 States, and the Constitution of the state of Connecticut, [so] as long as  
1131 [he] such member continues to be a citizen thereof, (2) to faithfully  
1132 discharge, according to law, the duties of the office of member of the  
1133 Board of Mediation and Arbitration for the state of Connecticut to the  
1134 best of [his] such member's abilities, (3) to represent the interests of  
1135 employees or employers respectively in hearing and examining all  
1136 matters in controversy, and (4) to make a just award according to the  
1137 best of [his] such member's understanding. Notwithstanding the  
1138 provisions of subsection (d) of section 52-414, the taking of this oath  
1139 shall cover all matters heard during the term and the completion of  
1140 any matter pending at the expiration of such term.

1141 Sec. 547. Subsection (e) of section 31-372 of the general statutes is  
1142 repealed and the following is substituted in lieu thereof (*Effective from*  
1143 *passage*):

1144 (e) Any employer may apply to the commissioner for a temporary  
1145 order granting a variance from a standard or any provision thereof  
1146 promulgated under this section. Such temporary order shall be  
1147 granted only if the employer files an application which meets the  
1148 requirements of subsection (f) of this section and establishes that the  
1149 employer (1) [he] is unable to comply with a standard by its effective  
1150 date because of unavailability of professional or technical personnel or  
1151 of materials and equipment needed to come into compliance with the  
1152 standard or because necessary construction or alteration of facilities  
1153 cannot be completed by the effective date, (2) [he] is taking all  
1154 available steps to safeguard employees against the hazards covered by  
1155 the standard, and (3) [he] has an effective program for coming into  
1156 compliance with the standard as quickly as practicable. Any temporary  
1157 order issued under this subsection shall prescribe the practices, means,  
1158 methods, operations, and processes which the employer must adopt  
1159 and use while the order is in effect and state in detail [his] the  
1160 employer's program for coming into compliance with the standard.  
1161 Such a temporary order may be granted only after notice to employees

1162 and an opportunity for a hearing, provided the commissioner may  
1163 issue one interim order to be effective until a decision is made on the  
1164 basis of the hearing. No temporary order may be in effect for longer  
1165 than the period needed by the employer to achieve compliance with  
1166 the standard or one year, whichever is shorter, except that such an  
1167 order may be renewed not more than twice [so] as long as the  
1168 requirements of this subsection are met and if an application for  
1169 renewal is filed at least ninety days prior to the expiration date of the  
1170 order. No interim renewal of an order may remain in effect longer than  
1171 one hundred eighty days.

1172 Sec. 548. Subparagraph (B) of subdivision (12) of section 32-1m of  
1173 the 2006 supplement to the general statutes is repealed and the  
1174 following is substituted in lieu thereof (*Effective from passage*):

1175 (B) A production and preservation analysis, including [the] (i) the  
1176 total number of units created, itemized by municipality for the total  
1177 portfolio and projects receiving an assistance award in the preceding  
1178 state fiscal year, (ii) the total number of elderly units created for the  
1179 total portfolio and for projects receiving an assistance award in the  
1180 preceding state fiscal year, (iii) the total number of family units created  
1181 for the total portfolio and for projects receiving an assistance award in  
1182 the preceding state fiscal year, (iv) the total number of units preserved,  
1183 itemized by municipality for the total portfolio and projects receiving  
1184 an assistance award in the preceding state fiscal year, (v) the total  
1185 number of elderly units preserved for the total portfolio and for  
1186 projects receiving an assistance award in the preceding state fiscal  
1187 year, (vi) the total number of family units preserved for the total  
1188 portfolio and for projects receiving an assistance award in the  
1189 preceding state fiscal year, (vii) an analysis by income group, of  
1190 households served by the department's housing construction,  
1191 substantial rehabilitation, purchase and rental assistance programs, for  
1192 each housing development, if applicable, and for each program,  
1193 including number of households served under each program by race  
1194 and data for all households, and (viii) a summary of the department's  
1195 efforts in promoting fair housing choice and racial and economic

1196 integration, including data on the racial composition of the occupants  
1197 and persons on the waiting list of each housing project that is assisted  
1198 under any housing program established by the general statutes or a  
1199 special act or that is supervised by the department, provided no  
1200 information shall be required to be disclosed by any occupant or  
1201 person on a waiting list for the preparation of such summary. As used  
1202 in this subparagraph, "elderly units" means dwelling units for which  
1203 occupancy is restricted by age, and "family units" means dwelling  
1204 units for which occupancy is not restricted by age.

1205 Sec. 549. Subdivision (1) of subsection (b) of section 33-1083 of the  
1206 general statutes is repealed and the following is substituted in lieu  
1207 thereof (*Effective from passage*):

1208 (b) (1) The certificate of incorporation or, subject to the provisions of  
1209 subdivision (2) of this subsection, the bylaws, may provide that  
1210 persons occupying certain positions within or without the corporation  
1211 shall be ex-officio directors, but, unless otherwise provided in the  
1212 certificate of incorporation or bylaws, such ex-officio directors shall not  
1213 be counted in determining a quorum nor shall they be entitled to a  
1214 vote. An ex-officio director shall continue to be a director [so] as long  
1215 as he or she continues to hold the office from which his or her ex-  
1216 officio status derives, and shall cease to be an ex-officio director  
1217 immediately and automatically upon ceasing to hold such office,  
1218 without the need for any action by the corporation, its directors or its  
1219 members. The provisions of sections 33-1085, 33-1087, 33-1088 and 33-  
1220 1091 shall not apply to ex-officio directors.

1221 Sec. 550. Subsection (b) of section 34-122 of the general statutes is  
1222 repealed and the following is substituted in lieu thereof (*Effective from*  
1223 *passage*):

1224 (b) The articles of organization may be amended in any and as  
1225 many respects as may be desired, [so] as long as the articles of  
1226 organization as amended contain only provisions that may be lawfully  
1227 contained in articles of organization at the time of making the

1228 amendment.

1229 Sec. 551. Subsection (d) of section 34-324 of the general statutes is  
1230 repealed and the following is substituted in lieu thereof (*Effective from*  
1231 *passage*):

1232 (d) Except as otherwise provided in subsection (g) of this section, a  
1233 filed statement of partnership authority supplements the authority of a  
1234 partner to enter into transactions on behalf of the partnership as  
1235 follows:

1236 (1) Except for transfers of real property, a grant of authority  
1237 contained in a filed statement of partnership authority is conclusive in  
1238 favor of a person who gives value without knowledge to the contrary,  
1239 [so] as long as and to the extent that a limitation on that authority is  
1240 not then contained in another filed statement. A filed cancellation of a  
1241 limitation on authority revives the previous grant of authority.

1242 (2) A grant of authority to transfer real property held in the name of  
1243 the partnership contained in a certified copy of a filed statement of  
1244 partnership authority recorded in the office for recording transfers of  
1245 that real property is conclusive in favor of a person who gives value  
1246 without knowledge to the contrary, [so] as long as and to the extent  
1247 that a certified copy of a filed statement containing a limitation on that  
1248 authority is not then of record in the office for recording transfers of  
1249 that real property. The recording in the office for recording transfers of  
1250 that real property of a certified copy of a filed cancellation of a  
1251 limitation on authority revives the previous grant of authority.

1252 Sec. 552. Subsections (i) and (j) of section 36b-19 of the general  
1253 statutes are repealed and the following is substituted in lieu thereof  
1254 (*Effective from passage*):

1255 (i) Every registration statement is effective for one year from its  
1256 effective date, except during the time a stop order is in effect under  
1257 section 36b-20. All outstanding securities of the same class as a  
1258 registered security are considered to be registered for the purpose of

1259 any nonissuer transaction (1) [so] as long as the registration statement  
1260 is effective, and (2) between the thirtieth day after the entry of any stop  
1261 order suspending or revoking the effectiveness of the registration  
1262 statement under section 36b-20 if the registration statement did not  
1263 relate in whole or in part to a nonissuer distribution and one year from  
1264 the effective date of the registration statement. A registration statement  
1265 may not be withdrawn for one year from its effective date if any  
1266 securities of the same class are outstanding; provided, if within such  
1267 one-year period the security or transaction covered by such  
1268 registration statement becomes eligible for an exemption from  
1269 registration, the registration statement shall be terminated if the  
1270 commissioner is notified in writing within such one-year period of the  
1271 exempt status of the security or transaction. A registration statement  
1272 may be withdrawn otherwise only in the discretion of the  
1273 commissioner.

1274 (j) [So] As long as a registration statement is effective, the  
1275 commissioner may by regulation or order require the person who filed  
1276 the registration statement to file reports not more often than quarterly,  
1277 to keep reasonably current the information contained in the  
1278 registration statement and to disclose the progress of the offering.

1279 Sec. 553. Subsection (c) of section 42-133n of the general statutes is  
1280 repealed and the following is substituted in lieu thereof (*Effective from*  
1281 *passage*):

1282 (c) The pendency of any civil, criminal or administrative proceeding  
1283 against a franchisor, its agents or representatives, brought by federal or  
1284 state authorities or any of their respective agencies under any federal  
1285 or state act relating to antitrust laws or to franchising, or under  
1286 [sections] section 42-133l or 42-133m, shall toll the limitation of any  
1287 civil action brought under sections 42-133j to 42-133n, inclusive, if the  
1288 action hereunder is then instituted within one year after the final  
1289 judgment or order in such proceedings, provided [that said] such  
1290 limitation of actions shall in any case toll the law [so] as long as there is  
1291 actual concealment on the part of any franchisor, its agents or

1292 representatives.

1293 Sec. 554. Subsection (g) of section 42b-3 of the general statutes is  
1294 repealed and the following is substituted in lieu thereof (*Effective from*  
1295 *passage*):

1296 (g) Whenever an issuer shall issue an uncertificated registered  
1297 public obligation, the system of registration may provide that a true  
1298 copy of the official actions of the issuer relating to such uncertificated  
1299 registered public obligation be maintained by the issuer or by the  
1300 person, if any, maintaining such system on behalf of the issuer, [so] as  
1301 long as the uncertificated registered public obligation remains  
1302 outstanding and unpaid. A copy of such official actions, verified to be  
1303 such by an authorized officer, shall be admissible before any court of  
1304 record, administrative body or arbitration panel without further  
1305 authentication.

1306 Sec. 555. Subsection (a) of section 42b-7 of the general statutes is  
1307 repealed and the following is substituted in lieu thereof (*Effective from*  
1308 *passage*):

1309 (a) An issuer or an issuer's official or official body on behalf of the  
1310 issuer may appoint for such term as may be agreed, including for [so]  
1311 as long as a registered public obligation may be outstanding, corporate  
1312 or other authenticating agents, transfer agents, registrars, paying or  
1313 other agents and specify the terms of their appointment, including  
1314 their rights, their compensation and duties, limits upon their liabilities  
1315 and provision for their payment of liquidated damages in the event of  
1316 breach of certain of the duties imposed, which liquidated damages  
1317 may be made payable to the issuer, the owner or a financial  
1318 intermediary. None of such agents need have an office or do business  
1319 within this state. The provisions of this subsection shall not relieve any  
1320 issuer from any obligation applicable to it pursuant to section 7-373.

1321 Sec. 556. Subsection (b) of section 45a-206 of the general statutes is  
1322 repealed and the following is substituted in lieu thereof (*Effective from*  
1323 *passage*):

1324 (b) Such corporation shall not act in such capacity until it has  
1325 appointed in writing the Secretary of the State and his or her  
1326 successors in office to be its attorney, upon whom all process in any  
1327 action or proceeding against it may be served in any action or  
1328 proceeding relating to its activities in such capacity. In such writing,  
1329 such corporation shall agree that any process against it which is served  
1330 on the Secretary of the State shall be of the same legal force and  
1331 validity as if served on such corporation, and that such appointment  
1332 shall continue [so] as long as any liability on account of such activities  
1333 remains outstanding against the corporation in this state.

1334 Sec. 557. Subsection (c) of section 45a-318 of the 2006 supplement to  
1335 the general statutes is repealed and the following is substituted in lieu  
1336 thereof (*Effective from passage*):

1337 (c) In the absence of a written designation of an individual pursuant  
1338 to subsection (a) of this section, or in the event that an individual and  
1339 any alternate designated pursuant to subsection (a) of this section  
1340 [declines] decline to act or cannot be located within forty-eight hours  
1341 after the time of death or the discovery of the body, the following  
1342 individuals, in the priority listed, shall have the right to custody and  
1343 control of the disposition of a person's body upon the death of such  
1344 person, subject to any directions for disposition made by such person  
1345 pursuant to subdivision (1) of subsection (a) of this section:

1346 (1) The deceased person's spouse, unless such spouse abandoned  
1347 the deceased person prior to the deceased person's death or has been  
1348 adjudged incapable by a court of competent jurisdiction;

1349 (2) The deceased person's surviving adult children;

1350 (3) The deceased person's surviving parents;

1351 (4) The deceased person's surviving siblings;

1352 (5) Any adult person in the next degree of kinship in the order  
1353 named by law to inherit the deceased person's estate, provided such

1354 adult person shall be of the third degree of kinship or higher;

1355 (6) Such adult person as the Probate Court shall determine.

1356 Sec. 558. Subsection (b) of section 45a-487 of the general statutes is  
1357 repealed and the following is substituted in lieu thereof (*Effective from*  
1358 *passage*):

1359 (b) Unless a will or governing trust instrument expressly provides  
1360 otherwise, the lack of such discretionary power by one trustee shall not  
1361 impair any authority granted by the will or governing trust instrument  
1362 to any other trustee or cotrustee to make such distributions with  
1363 respect to the same trust to or for the benefit of the trustee who lacks  
1364 such power, [so] as long as such other trustee exercises the power  
1365 without participation by the trustee who lacks such power.

1366 Sec. 559. Subsection (a) of section 46b-22 of the general statutes is  
1367 repealed and the following is substituted in lieu thereof (*Effective from*  
1368 *passage*):

1369 (a) All judges and retired judges, either elected or appointed and  
1370 including federal judges and judges of other states who may legally  
1371 join persons in marriage in their jurisdictions, family support  
1372 magistrates, state referees and justices of the peace may join persons in  
1373 marriage in any town in the state and all ordained or licensed  
1374 clergymen, belonging to this state or any other state, [so] as long as  
1375 they continue in the work of the ministry may join persons in  
1376 marriage. All marriages solemnized according to the forms and usages  
1377 of any religious denomination in this state, including marriages  
1378 witnessed by a duly constituted Spiritual Assembly of the Baha'is, are  
1379 valid. All marriages attempted to be celebrated by any other person  
1380 are void.

1381 Sec. 560. Section 46b-130 of the general statutes is repealed and the  
1382 following is substituted in lieu thereof (*Effective from passage*):

1383 The parents of a minor child for whom care or support of any kind

1384 has been provided under the provisions of this chapter [ ] shall be  
1385 liable to reimburse the state for such care or support to the same  
1386 extent, and under the same terms and conditions, as are the parents of  
1387 recipients of public assistance. Upon receipt of foster care maintenance  
1388 payments under Title IV-E of the Social Security Act by a minor child,  
1389 the right of support, present, past, and future, from a parent of such  
1390 child shall, by this section, be assigned to the Commissioner of  
1391 Children and Families. Referral by the commissioner shall promptly be  
1392 made to the Child Support Enforcement Unit of the Department of  
1393 Social Services for pursuit of support for [said] such minor child in  
1394 accordance with the provisions of section 17b-179. Any child who  
1395 reimburses the state under the provisions of subsection [(k)] (l) of  
1396 section 46b-129 for any care or support [he] such child received shall  
1397 have a right of action to recover such payments from [his] such child's  
1398 parents.

1399 Sec. 561. Section 13a-126 of the 2006 supplement to the general  
1400 statutes is repealed and the following is substituted in lieu thereof  
1401 (*Effective from passage*):

1402 As used in this section, "public service facility" includes all  
1403 privately, publicly or cooperatively owned lines, facilities and systems  
1404 for producing, transmitting or distributing communications, cable  
1405 television, power, electricity, light, heat, gas, oil, crude products,  
1406 water, steam, waste, storm water not connected with highway  
1407 drainage and any other similar commodities, including fire and police  
1408 signal systems and street lighting systems which directly or indirectly  
1409 serve the public. Whenever the commissioner determines that any  
1410 public service facility located within, on, along, over or under any land  
1411 comprising the right-of-way of a state highway or any other public  
1412 highway when necessitated by the construction or reconstruction of a  
1413 state highway shall be readjusted or relocated in or removed from such  
1414 right-of-way, the commissioner shall issue an appropriate order to the  
1415 company, corporation or municipality owning or operating such  
1416 facility, and such company, corporation or municipality shall readjust,  
1417 relocate or remove the same promptly in accordance with such order;

1418 provided an equitable share of the cost of such readjustment,  
1419 relocation or removal, including the cost of installing and constructing  
1420 a facility of equal capacity in a new location, shall be borne by the  
1421 state, except that the state shall not bear any share of the cost of a  
1422 project to readjust, relocate or remove any facility, as defined in  
1423 subsection (a) of section 16-50i, as amended, used for transmitting  
1424 electricity or as an electric trunkline. The Department of  
1425 Transportation shall evaluate the total costs of such a project, including  
1426 department costs for construction or reconstruction and electric  
1427 distribution company costs for readjusting, relocating or removing  
1428 such facility, so as to minimize the overall costs incurred by the state  
1429 and the electric distribution company. The electric distribution  
1430 company may provide the department with proposed alternatives to  
1431 the relocation, readjustment or removal proposed by the department  
1432 and shall be responsible for any changes to project costs attributable to  
1433 adoption of the company's proposed alternative designs for such  
1434 project, including changes to the area of the relocation, readjustment or  
1435 removal and any incremental costs incurred by the department to  
1436 evaluate such alternatives. If such electric distribution company and  
1437 the department cannot agree on a plan for such project, the  
1438 Commissioner of Transportation and the chairperson of the  
1439 Department of Public Utility Control shall, on request of the company,  
1440 jointly determine the alternative for the project. Such equitable share,  
1441 in the case of or in connection with the construction or reconstruction  
1442 of any limited access highway, shall be the entire cost, less the  
1443 deductions provided in this section, and, in the case of or in connection  
1444 with the construction or reconstruction of any other state highway,  
1445 shall be such portion or all of the entire cost, less the deductions  
1446 provided in this section, as may be fair and just under all the  
1447 circumstances, but shall not be less than fifty per cent of such cost after  
1448 the deductions provided in this section. In establishing the equitable  
1449 share of the cost to be borne by the state, there shall be deducted from  
1450 the cost of the readjusted, relocated or removed facilities a sum based  
1451 on a consideration of the value of materials salvaged from existing  
1452 installations, the cost of the original installation, the life expectancy of

1453 the original facility and the unexpired term of such life use. When any  
1454 facility is removed from the right-of-way of a public highway to a  
1455 private right-of-way, the state shall not pay for such private right-of-  
1456 way, provided, when a municipally-owned facility is thus removed  
1457 from a municipally-owned highway, the state shall pay for the private  
1458 right-of-way needed by the municipality for such relocation. If the  
1459 commissioner and the company, corporation or municipality owning  
1460 or operating such facility cannot agree upon the share of the cost to be  
1461 borne by the state, either may apply to the superior court for the  
1462 judicial district within which such highway is situated, or, if said court  
1463 is not in session, to any judge thereof, for a determination of the cost to  
1464 be borne by the state, and said court or such judge, after causing notice  
1465 of the pendency of such application to be given to the other party, shall  
1466 appoint a state referee to make such determination. Such referee,  
1467 having given at least ten days' notice to the parties interested of the  
1468 time and place of the hearing, shall hear both parties, shall view such  
1469 highway, shall take such testimony as such referee deems material and  
1470 shall thereupon determine the amount of the cost to be borne by the  
1471 state and immediately report to the court. If the report is accepted by  
1472 the court, such determination shall, subject to right of appeal as in civil  
1473 actions, be conclusive upon both parties.

1474 Sec. 562. Section 13a-126c of the 2006 supplement to the general  
1475 statutes is repealed and the following is substituted in lieu thereof  
1476 (*Effective from passage*):

1477 Notwithstanding any provision of the general statutes, the  
1478 Commissioner of Transportation may enter into an agreement with the  
1479 owner or operator of a public service facility, as [such facility is]  
1480 defined in section 13a-126, as amended, desiring the longitudinal use  
1481 of the right-of-way of a state highway to accommodate trunkline or  
1482 transmission type utility facilities and to fix the terms, conditions and  
1483 rates and charges for use of such right-of-way; provided, no such  
1484 agreement shall exempt a public service facility from the provisions of  
1485 chapter 277a. In the case of public service companies, as defined in  
1486 subdivision (1) of subsection (a) of section 16-1, as amended, such

1487 charges or rates shall not exceed the actual administrative,  
1488 construction, operation and maintenance costs of the department  
1489 incurred as a result of the public service company's use of a nonlimited  
1490 access state highway. The department may estimate such charges or  
1491 rates and require prepayment of such charges or rates, provided any  
1492 amount in excess of the actual amount [is] shall be refunded to the  
1493 public service company.

1494 Sec. 563. Subsection (c) of section 14-12h of the 2006 supplement to  
1495 the general statutes is repealed and the following is substituted in lieu  
1496 thereof (*Effective from passage*):

1497 (c) [In addition, if] If the number plates of [the] a vehicle, [whose]  
1498 the registration of which was suspended, have been confiscated, the  
1499 owner of such motor vehicle shall pay [an additional] a confiscation fee  
1500 of fifty dollars. Such confiscation fee shall be collected from the owner  
1501 of the motor vehicle and remitted by the commissioner to the constable  
1502 who confiscated the number plates or, if the plates were confiscated by  
1503 a police officer, such confiscation fee shall be remitted to the  
1504 governmental entity which employed such officer at the time of the  
1505 confiscation and shall be deposited in the asset forfeiture fund. In the  
1506 event there is no such fund, such confiscation fee shall be deposited in  
1507 the general fund of such entity.

1508 Sec. 564. Subsection (d) of section 14-36 of the 2006 supplement to  
1509 the general statutes is repealed and the following is substituted in lieu  
1510 thereof (*Effective from passage*):

1511 (d) (1) No motor vehicle operator's license shall be issued to any  
1512 applicant who is sixteen or seventeen years of age unless the applicant  
1513 has held a learner's permit and has satisfied the requirements specified  
1514 in this subsection. The applicant shall (A) present to the commissioner  
1515 a certificate of the successful completion (i) in a public secondary  
1516 school, a state vocational school or a private secondary school of a full  
1517 course of study in motor vehicle operation prepared as provided in  
1518 section 14-36e, as amended, (ii) of training of similar nature provided

1519 by a licensed drivers' school approved by the commissioner, or (iii) of  
1520 home training in accordance with subdivision (2) of this subsection,  
1521 including, in each case, or by a combination of such types of training,  
1522 successful completion of not less than twenty clock hours of behind-  
1523 the-wheel, on-the-road instruction; (B) present to the commissioner a  
1524 certificate of the successful completion of a course of not less than eight  
1525 hours relative to safe driving practices, including a minimum of four  
1526 hours on the nature and the medical, biological and physiological  
1527 effects of alcohol and drugs and their impact on the operator of a  
1528 motor vehicle, the dangers associated with the operation of a motor  
1529 vehicle after the consumption of alcohol or drugs by the operator, the  
1530 problems of alcohol and drug abuse and the penalties for alcohol and  
1531 drug-related motor vehicle violations; and (C) pass an examination  
1532 which shall include a comprehensive test as to knowledge of the laws  
1533 concerning motor vehicles and the rules of the road and an on-the-road  
1534 skills test as prescribed by the commissioner. At the time of application  
1535 and examination for a motor vehicle operator's license, an applicant  
1536 sixteen or seventeen years of age shall have held a learner's permit for  
1537 not less than one hundred eighty days, except that an applicant who  
1538 presents a certificate under subparagraph (A) of this subdivision shall  
1539 have held a learner's permit for not less than one hundred twenty days  
1540 and an applicant who is undergoing training and instruction by the  
1541 handicapped driver training unit in accordance with the provisions of  
1542 section 14-11b shall have held such permit for the period of time  
1543 required by said unit. The Commissioner of Motor Vehicles shall  
1544 approve the content of the safe driving instruction at drivers' schools,  
1545 high schools and other secondary schools. Such hours of instruction  
1546 required by this subdivision shall be included as part of or in addition  
1547 to any existing instruction programs. Any fee charged for the course  
1548 required under subparagraph (B) of this subdivision shall not exceed  
1549 an amount prescribed by the commissioner by regulation, adopted in  
1550 accordance with chapter 54. Any applicant sixteen or seventeen years  
1551 of age who, while a resident of another state, completed the course  
1552 required in subparagraph (A) of this subdivision, but did not complete  
1553 the safe driving course required in subparagraph (B) of this

1554 subdivision, shall complete the safe driving course, and any fee  
1555 charged for the course shall not exceed an amount prescribed by the  
1556 commissioner by regulation, adopted in accordance with chapter 54.  
1557 The commissioner may waive any requirement in this subdivision,  
1558 except for that in subparagraph (C) of this subdivision, in the case of  
1559 an applicant sixteen or seventeen years of age who holds a valid motor  
1560 vehicle operator's license issued by any other state, provided the  
1561 commissioner is satisfied that the applicant has received training and  
1562 instruction of a similar nature. (2) The commissioner may accept as  
1563 evidence of sufficient training under subparagraph (A) of subdivision  
1564 (1) of this subsection home training as evidenced by a written  
1565 statement signed by the spouse of a married minor applicant, or by a  
1566 parent, grandparent, foster parent or [the] legal guardian of an  
1567 applicant which states that the applicant has obtained a learner's  
1568 permit and has successfully completed a driving course taught by the  
1569 person signing the statement, that the signer has had an operator's  
1570 license for at least four years preceding the date of the statement, and  
1571 that the signer has not had such license suspended by the  
1572 commissioner for at least four years preceding the date of the  
1573 statement or, if the applicant has no spouse, parent, grandparent,  
1574 foster parent or guardian so qualified and available to give the  
1575 instruction, a statement signed by the applicant's stepparent, brother,  
1576 sister, uncle or aunt, by blood or marriage, provided the person  
1577 signing the statement is qualified. (3) If the commissioner requires a  
1578 written test of any applicant under this section, the test shall be given  
1579 in English or Spanish at the option of the applicant, provided the  
1580 commissioner shall require that the applicant shall have sufficient  
1581 understanding of English for the interpretation of traffic control signs.  
1582 (4) The Commissioner of Motor Vehicles may adopt regulations, in  
1583 accordance with the provisions of chapter 54, to implement the  
1584 purposes of this subsection concerning the content of safe driving  
1585 instruction at drivers' schools, high schools and other secondary  
1586 schools.

1587 Sec. 565. Subdivision (1) of subsection (a) of section 14-36g of the

1588 2006 supplement to the general statutes is repealed and the following  
1589 is substituted in lieu thereof (*Effective from passage*):

1590 (1) Except as provided in subsection (b) of this section, for the  
1591 period of three months after the date of issuance of such license, such  
1592 person shall not transport more than (A) such person's parents or legal  
1593 guardian, at least one of whom holds a motor vehicle operator's  
1594 license, or (B) [not more than] one passenger who is a driving  
1595 instructor licensed by the Department of Motor Vehicles, or a person  
1596 twenty years of age or older who has been licensed to operate, for at  
1597 least four years preceding the time of being transported, a motor  
1598 vehicle of the same class as the motor vehicle being operated and who  
1599 has not had his or her motor vehicle operator's license suspended by  
1600 the commissioner during such four-year period.

1601 Sec. 566. Subsection (e) of section 14-197 of the general statutes is  
1602 repealed and the following is substituted in lieu thereof (*Effective from*  
1603 *passage*):

1604 (e) The commissioner may suspend the registration of a vehicle  
1605 [whose] the theft or conversion of which is reported to [him] the  
1606 commissioner pursuant to this section. [; until] Until the commissioner  
1607 learns of its recovery or that the report of its theft or conversion was  
1608 erroneous, [he] the commissioner shall not issue a certificate of title for  
1609 the vehicle.

1610 Sec. 567. Section 14-296aa of the 2006 supplement to the general  
1611 statutes is repealed and the following is substituted in lieu thereof  
1612 (*Effective from passage*):

1613 (a) For purposes of this [subsection and subsections (b), (c) and (d)  
1614 of this] section, the following terms have the following meanings:

1615 (1) "Mobile telephone" means a cellular, analog, wireless or digital  
1616 telephone capable of sending or receiving telephone communications  
1617 without an access line for service.

1618 (2) "Using" or "use" means holding a hand-held mobile telephone to,  
1619 or in the immediate proximity of, the user's ear.

1620 (3) "Hand-held mobile telephone" means a mobile telephone with  
1621 which a user engages in a call using at least one hand.

1622 (4) "Hands-free accessory" means an attachment, add-on, built-in  
1623 feature, or addition to a mobile telephone, whether or not permanently  
1624 installed in a motor vehicle, that, when used, allows the vehicle  
1625 operator to maintain both hands on the steering wheel.

1626 (5) "Hands-free mobile telephone" means a hand-held mobile  
1627 telephone that has an internal feature or function, or that is equipped  
1628 with an attachment or addition, whether or not permanently part of  
1629 such hand-held mobile telephone, by which a user engages in a call  
1630 without the use of either hand, whether or not the use of either hand is  
1631 necessary to activate, deactivate or initiate a function of such  
1632 telephone.

1633 (6) "Engage in a call" means talking into or listening on a hand-held  
1634 mobile telephone, but does not include holding a hand-held mobile  
1635 telephone to activate, deactivate or initiate a function of such  
1636 telephone.

1637 (7) "Immediate proximity" means the distance that permits the  
1638 operator of a hand-held mobile telephone to hear telecommunications  
1639 transmitted over such hand-held mobile telephone, but does not  
1640 require physical contact with such operator's ear.

1641 (8) "Mobile electronic device" means any hand-held or other  
1642 portable electronic equipment capable of providing data  
1643 communication between two or more persons, including a text  
1644 messaging device, a paging device, a personal digital assistant, a  
1645 laptop computer, equipment that is capable of playing a video game or  
1646 a digital video disk, or equipment on which digital photographs are  
1647 taken or transmitted, or any combination thereof, but does not include  
1648 any audio equipment or any equipment installed in a motor vehicle for

1649 the purpose of providing navigation, emergency assistance to the  
1650 operator of such motor vehicle or video entertainment to the  
1651 passengers in the rear seats of such motor vehicle.

1652 (b) (1) Except as otherwise provided in this subsection and  
1653 subsections [(a),] (c) and (d) of this section, no person shall operate a  
1654 motor vehicle upon a highway, as defined in subsection (a) of section  
1655 14-1, as amended, while using a hand-held mobile telephone to engage  
1656 in a call or while using a mobile electronic device while such vehicle is  
1657 in motion. (2) An operator of a motor vehicle who holds a hand-held  
1658 mobile telephone to, or in the immediate proximity of, his or her ear  
1659 while such vehicle is in motion is presumed to be engaging in a call  
1660 within the meaning of this section. The presumption established by  
1661 this subdivision is rebuttable by evidence tending to show that the  
1662 operator was not engaged in a call. (3) The provisions of this  
1663 subsection [and subsection (a) of this section] shall not be construed as  
1664 authorizing the seizure or forfeiture of a hand-held mobile telephone  
1665 or a mobile electronic device, unless otherwise provided by law. (4)  
1666 Subdivision (1) of this subsection does not apply to: (A) The use of a  
1667 hand-held mobile telephone for the sole purpose of communicating  
1668 with any of the following regarding an emergency situation: An  
1669 emergency response operator; a hospital, physician's office or health  
1670 clinic; an ambulance company; a fire department; or a police  
1671 department, or (B) any of the following persons while in the  
1672 performance of [his or her] their official duties and within the scope of  
1673 [his or her] their employment: A peace officer, as defined in  
1674 subdivision (9) of section 53a-3, a firefighter or an operator of an  
1675 ambulance or authorized emergency vehicle, as defined in subsection  
1676 (a) of section 14-1, as amended, or (C) the use of a hands-free mobile  
1677 telephone.

1678 (c) No person shall use a hand-held mobile telephone or other  
1679 electronic device, including those with hands-free accessories, or a  
1680 mobile electronic device while operating a moving school bus that is  
1681 carrying passengers, except that this subsection does not apply to (1) a  
1682 school bus driver who places an emergency call to school officials, or

1683 (2) the use of a hand-held mobile telephone as provided in  
1684 subparagraph (A) of subdivision (4) of subsection (b) of this section.

1685 (d) No person under eighteen years of age shall use any hand-held  
1686 mobile telephone, including one with a hands-free accessory, or a  
1687 mobile electronic device while operating a moving motor vehicle on a  
1688 public highway, except as provided in subparagraph (A) of  
1689 subdivision (4) of subsection (b) of this section.

1690 (e) Except as provided in subsections [(a)] (b) to (d), inclusive, of this  
1691 section, no person shall engage in any activity not related to the actual  
1692 operation of a motor vehicle in a manner that interferes with the safe  
1693 operation of such vehicle on any highway, as defined in subsection (a)  
1694 of section 14-1, as amended.

1695 (f) Any law enforcement officer who issues a summons for a  
1696 violation of [subsections (a),] subsection (b), (c), (d) or (i) of this section  
1697 shall record, on any summons form issued in connection with the  
1698 matter, the specific nature of any distracted driving behavior observed  
1699 by such officer that contributed to the issuance of such summons.

1700 (g) Any person who violates subsection [(a) or] (b) of this section  
1701 shall be fined not more than one hundred dollars, except that the fine  
1702 shall be suspended for a first time violator who provides proof of  
1703 acquisition of a hands-free accessory subsequent to the violation but  
1704 prior to the imposition of a fine.

1705 (h) Any person who violates subsection (c) or (d) of this section shall  
1706 be fined not more than one hundred dollars.

1707 (i) An operator of a motor vehicle who commits a moving violation,  
1708 as defined in subsection (a) of section 14-111g, while engaged in any  
1709 activity prohibited under subsection (e) of this section shall be fined  
1710 one hundred dollars in addition to any penalty or fine imposed for the  
1711 moving violation.

1712 Sec. 568. Subdivision (1) of subsection (b) of section 501 of substitute

1713 senate bill 311 of the current session is repealed and the following is  
1714 substituted in lieu thereof (*Effective from passage*):

1715 (b) (1) The ad hoc committee [shall be appointed by the  
1716 Commissioner of Public Health and] shall consist of the  
1717 Commissioners of Public Health and Economic and Community  
1718 Development, or their designees, [; one] and the following members  
1719 appointed by the Commissioner of Public Health: One member of the  
1720 Stem Cell Research Advisory Committee established pursuant to  
1721 section 19a-32f of the 2006 supplement to the general statutes, selected  
1722 by the Stem Cell Research Advisory Committee; one researcher from a  
1723 private institution of higher education in the state; one researcher from  
1724 a public institution of higher education in the state; one representative  
1725 of an educational and business support network organization for  
1726 bioscience in the state; one individual who is a member in good  
1727 standing of the American Association of Blood Banks, with expertise in  
1728 umbilical cord blood banking and the Food and Drug Administration's  
1729 federal safety standards for umbilical cord blood banks; and one  
1730 individual with multiple years of experience in establishing, executing  
1731 and administering an umbilical cord blood registry. The Commissioner  
1732 of Public Health shall serve as chairperson of the committee.

1733 Sec. 569. Section 14-105 of the 2006 supplement to the general  
1734 statutes, as amended by substitute senate bill 328 of the current  
1735 session, is repealed and the following is substituted in lieu thereof  
1736 (*Effective from passage*):

1737 (a) No television screen or other device of a similar nature, except a  
1738 video display unit used for instrumentation purposes or a closed video  
1739 monitor for backing, provided such monitor screen is disabled blank  
1740 no later than fifteen seconds after the transmission of a vehicle so  
1741 equipped is shifted out of reverse, shall be installed or used in this  
1742 state in any position or location in a motor vehicle where it may be  
1743 visible to the driver or where it may in any other manner interfere with  
1744 the safe operation and control of the vehicle. [Violation of any  
1745 provision of this section shall be an infraction.]

1746 (b) Notwithstanding the provisions of subsection (a) of this section,  
1747 the driver of a commercial motor vehicle equipped with a garbage  
1748 compactor, detachable container or a curbside recycling body may,  
1749 when engaged in the activity of refuse collection on any public  
1750 highway, use a closed video monitor for backing after such vehicle is  
1751 shifted out of reverse and placed into forward motion, for such time as  
1752 may be necessary to observe motor vehicles or pedestrians that may be  
1753 behind such vehicle in a position that cannot be viewed using such  
1754 vehicle's mirror system.

1755 (c) Violation of any provision of this section shall be an infraction.

1756 Sec. 570. Subdivision (1) of subsection (c) of section 12-63 of the  
1757 general statutes, as amended by senate bill 702 of the current session, is  
1758 repealed and the following is substituted in lieu thereof (*Effective July*  
1759 *1, 2006*):

1760 (c) (1) For the assessment years commencing October 1, 2006,  
1761 October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and  
1762 October 1, 2011, the annual declaration of tangible personal property  
1763 that a taxpayer files with the assessor of the town, shall be  
1764 accompanied by a supplement to said declaration on which the  
1765 taxpayer shall provide the following information for machinery and  
1766 equipment eligible for a grant pursuant to section 12-94b, as amended  
1767 by this act, or section 13 of this act: (A) The assessment year during  
1768 which such property was acquired and installed; (B) the original cost  
1769 of acquisition for such property, including charges for such property's  
1770 transportation and installation; (C) the value of such property  
1771 depreciated in accordance with the schedule provided by the assessor;  
1772 (D) the total of the original cost of acquisition for all such property;  
1773 and (E) the total depreciated value of such property for all such  
1774 property. The assessor shall provide a declaration of tangible personal  
1775 property, [declaration,] together with such [to] supplement, to the  
1776 owner of each manufacturing facility, as defined in subparagraph [(a)]  
1777 (A) of subdivision (72) of section 12-81 of the 2006 supplement to the  
1778 general statutes, and to the owner of each facility engaged in

1779 biotechnology, as defined in said subparagraph.

1780 Sec. 571. Subdivision (8) of subsection (a) of section 10 of house bill  
1781 5844 of the current session is repealed and the following is substituted  
1782 in lieu thereof (*Effective July 1, 2006*):

1783 (8) "Proceedings" means the proceedings of the State Bond  
1784 Commission authorizing or relating to the issuance of bonds pursuant  
1785 to [subsection (b)] subdivision (5) of subsection (d) of this section, the  
1786 provisions of any indenture of trust securing bonds, which provisions  
1787 are incorporated into such proceedings, the provisions of any other  
1788 documents or agreements which are incorporated into such  
1789 proceedings and, to the extent applicable, a certificate of determination  
1790 filed by the Treasurer in accordance with subdivision (3) of subsection  
1791 (d) of this section.

1792 Sec. 572. Subsection (j) of section 17b-261 of the 2006 supplement to  
1793 the general statutes, as amended by section 49 of senate bill 703 of the  
1794 current session, is repealed and the following is substituted in lieu  
1795 thereof (*Effective July 1, 2006*):

1796 (j) The Commissioner of Social Services shall provide Early and  
1797 Periodic [ ] Screening, Diagnostic and Treatment program services, as  
1798 required and defined as of December 31, 2005, by 42 USC 1396a(a)(43),  
1799 42 USC 1396d(r) and 42 USC 1396d(a)(4)(B) and applicable federal  
1800 regulations, to all persons who are under the age of twenty-one and  
1801 otherwise eligible for medical assistance under this section.

1802 Sec. 573. (*Effective from passage*) Section 501 of senate bill 546 of the  
1803 current session shall take effect from passage.

1804 Sec. 574. (*Effective from passage*) Section 28 of house bill 5846 of the  
1805 current session shall take effect July 1, 2007.

1806 Sec. 575. (*Effective from passage*) Sections 29, 31 to 40, inclusive, and  
1807 42 of house bill 5846 of the current session shall take effect October 1,  
1808 2006.

1809 Sec. 576. Subsection (a) of section 22 of senate bill 703 of the current  
1810 session is repealed and the following is substituted in lieu thereof  
1811 (*Effective July 1, 2006*):

1812 (a) The Department of Social Services, in consultation with the  
1813 Connecticut Pharmacists Association and the Connecticut Association  
1814 of Community Pharmacies, shall review the impact of the  
1815 implementation of average manufacturer price reimbursement  
1816 methodology that shall take effect on January 1, 2007, as required  
1817 under the federal Deficit Reduction Act of 2005. Such review shall  
1818 include, but not be limited to, the financial impact of the required  
1819 change in pharmacy reimbursement received under the Medicaid fee-  
1820 for-service program and recommendations for potential changes in the  
1821 dispensing fee, both for brand name drugs and generic drug products.

1822 Sec. 577. Subdivision (7) of section 38a-479aa of the general statutes,  
1823 as amended by house bill 5461 of the current session, is repealed and  
1824 the following is substituted in lieu thereof (*Effective from passage*):

1825 (7) "Preferred provider network" means a person, which is not a  
1826 managed care organization, but which pays claims for the delivery of  
1827 health care services, accepts financial risk for the delivery of health  
1828 care services and establishes, operates or maintains an arrangement or  
1829 contract with providers relating to (A) the health care services  
1830 rendered by the providers, and (B) the amounts to be paid to the  
1831 providers for such services. "Preferred provider network" does not  
1832 include (i) a workers' compensation preferred provider organization  
1833 established pursuant to section 31-279-10 of the regulations of  
1834 Connecticut state agencies, (ii) an independent practice association or  
1835 physician hospital organization whose primary function is to contract  
1836 with insurers and provide services to providers, or (iii) a [private]  
1837 clinical laboratory, licensed pursuant to section 19a-30, whose primary  
1838 payments for any contracted or referred services are made to other  
1839 licensed clinical laboratories or for associated pathology services.

1840 Sec. 578. Subsection (a) of section 30 of house bill 5846 is repealed

1841 and the following is substituted in lieu thereof (*Effective July 1, 2006*):

1842 (a) There is established a Risk Assessment Board consisting of the  
1843 Commissioner of Correction, the Commissioner of Mental Health and  
1844 Addiction Services, the Commissioner of Public Safety, the Chief  
1845 State's Attorney, the Chief Public Defender, the Chairperson of the  
1846 Board of Pardons and Paroles, [the Victim Advocate,] the Executive  
1847 Director of the Court Support Services Division of the Judicial  
1848 Department and the chairpersons and ranking members of the joint  
1849 standing committees of the General Assembly having cognizance of  
1850 matters relating to the judiciary and public safety, or their designees, a  
1851 victim advocate with experience working with sexual assault victims  
1852 and sexual offenders appointed by the Governor, a forensic  
1853 psychiatrist with experience in the treatment of sexual offenders  
1854 appointed by the Governor and a person trained in the identification,  
1855 assessment and treatment of sexual offenders appointed by the  
1856 Governor.

1857 Sec. 579. (*Effective from passage*) Section 501 of substitute house bill  
1858 5093 of the current session shall take effect October 1, 2006, and be  
1859 applicable to assessment years commencing on or after October 1,  
1860 2005.

1861 Sec. 580. Subsection (a) of section 12-62c of the general statutes, as  
1862 amended by section 501 of substitute house bill 5093 of the current  
1863 session, is repealed and the following is substituted in lieu thereof  
1864 (*Effective October 1, 2006, and applicable to assessment years commencing on*  
1865 *or after October 1, 2005*):

1866 (a) (1) A town implementing a revaluation of all real property may  
1867 phase in a real property assessment increase or a portion of such  
1868 increase resulting from such revaluation, by requiring the assessor to  
1869 gradually increase the assessment or the rate of assessment applicable  
1870 to such property in the assessment year preceding that in which the  
1871 revaluation is implemented, in accordance with one of the methods set  
1872 forth in subsection (b) of this section. The legislative body of the town

1873 shall approve the decision to provide for such phase-in, the method by  
1874 which it is accomplished and its term, provided the number of  
1875 assessment years over which such gradual increases are reflected shall  
1876 not exceed five assessment years, including the assessment year for  
1877 which the revaluation is effective. [If the legislative body is a town  
1878 meeting, the board of selectmen shall approve such decision, method  
1879 and term.] If a town chooses to phase in a portion of the increase in the  
1880 assessment of each parcel of real property resulting from said  
1881 revaluation, said legislative body [or board] shall establish a factor,  
1882 which shall be not less than twenty-five per cent, and shall apply such  
1883 factor to such increases for all parcels of real property, regardless of  
1884 property classification. A town choosing to phase in a portion of  
1885 assessment increase shall multiply such factor by the total assessment  
1886 increase for each such parcel to determine the amount of such increase  
1887 that shall not be subject to the phase in. The assessment increase for  
1888 each parcel that shall be subject to the gradual increases in amounts or  
1889 rates of assessment, as provided in subsection (b) of this section, shall  
1890 be (A) the difference between the result of said multiplication and the  
1891 total assessment increase for any such parcel, or (B) the result derived  
1892 when such factor is subtracted from the actual percentage by which the  
1893 assessment of each such parcel increased as a result of such  
1894 revaluation, over the assessment of such parcel in the preceding  
1895 assessment year and said result is multiplied by such parcel's total  
1896 assessment increase.

1897 (2) The legislative body [or board of selectmen, as the case may be,]  
1898 may approve the discontinuance of a phase-in of real property  
1899 assessment increases resulting from the implementation of a  
1900 revaluation, at any time prior to the completion of the phase-in term  
1901 originally approved, provided such approval shall be made on or  
1902 before the assessment date that is the commencement of the  
1903 assessment year in which such discontinuance is effective. In the  
1904 assessment year following the completion or discontinuance of the  
1905 phase-in, assessments shall reflect the valuation of real property  
1906 established for such revaluation, subject to additions for new

1907 construction and reductions for demolitions occurring subsequent to  
1908 the date of revaluation and on or prior to the date of its completion or  
1909 discontinuance, and the rate of assessment applicable in such year, as  
1910 required by section 12-62a, as amended by [this act] substitute house  
1911 bill 5093 of the current session.

1912 Sec. 581. Subsection (d) of section 12-62c of the general statutes, as  
1913 amended by section 501 of substitute house bill 5093 of the current  
1914 session, is repealed and the following is substituted in lieu thereof  
1915 (*Effective October 1, 2006, and applicable to assessment years commencing on*  
1916 *or after October 1, 2005*):

1917 (d) Not later than thirty business days after the date a town's  
1918 legislative body [or board of selectmen, as the case may be,] votes to  
1919 phase in real property assessment increases resulting from such  
1920 revaluation, or votes to discontinue such a phase-in, the chief executive  
1921 officer of the town shall notify the Secretary of the Office of Policy and  
1922 Management, in writing, of the action taken. Any chief executive  
1923 officer failing to submit a notification to said secretary as required by  
1924 this subsection, shall forfeit one hundred dollars to the state for each  
1925 such failure.

1926 Sec. 582. (*Effective from passage*) Section 89 of house bill 5846 of the  
1927 current session is repealed."