



General Assembly

February Session, 2006

Amendment

LCO No. 4705

SB0006704705SD0

Offered by:
SEN. DEFRONZO, 6th Dist.

To: Subst. Senate Bill No. 67 File No. 446 Cal. No. 325

"AN ACT CONCERNING GOVERNMENT ADMINISTRATION."

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

3 "Section 1. Subsection (b) of section 4b-91 of the 2006 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (b) The Commissioner of Public Works, the joint committee or the
7 constituent unit, as the case may be, shall determine the manner of
8 submission and the conditions and requirements of such bids, and the
9 time within which the bids shall be submitted, consistent with the
10 provisions of sections 4b-91 to 4b-96, inclusive, as amended by this act.
11 Such award shall be made within [sixty] one hundred twenty days
12 after the opening of such bids. If the general bidder selected as the
13 general contractor fails to perform the general contractor's agreement
14 to execute a contract in accordance with the terms of the general
15 contractor's general bid and furnish a performance bond and also a

16 labor and materials or payment bond to the amount specified in the
17 general bid form, an award shall be made to the next lowest
18 responsible and qualified general bidder. No employee of the
19 Department of Public Works, the joint committee or a constituent unit
20 with decision-making authority concerning the award of a contract
21 and no public official, as defined in section 1-79, as amended, may
22 communicate with any bidder prior to the award of the contract if the
23 communication results in the bidder receiving information about the
24 contract that is not available to other bidders, except that if the lowest
25 responsible and qualified bidder's price submitted is in excess of funds
26 available to make an award, the Commissioner of Public Works, the
27 Joint Committee on Legislative Management or the constituent unit, as
28 the case may be, may negotiate with such bidder and award the
29 contract on the basis of the funds available, without change in the
30 contract specifications, plans and other requirements. If the award of a
31 contract on said basis is refused by such bidder, the Commissioner of
32 Public Works, the Joint Committee on Legislative Management or the
33 constituent unit, as the case may be, may negotiate with other
34 contractors who submitted bids in ascending order of bid prices
35 without change in the contract, specifications, plans and other
36 requirements. In the event of negotiation with general bidders as
37 provided in this section, the general bidder involved may negotiate
38 with subcontractors on the same basis, provided such general bidder
39 shall negotiate only with subcontractors named on such general
40 bidder's general bid form.

41 Sec. 2. Subsection (a) of section 49-41 of the 2006 supplement to the
42 general statutes is repealed and the following is substituted in lieu
43 thereof (*Effective October 1, 2006*):

44 (a) Each contract exceeding one hundred thousand dollars in
45 amount for the construction, alteration or repair of any public building
46 or public work of the state or a municipality shall include a provision
47 that the person to perform the contract shall furnish to the state or
48 municipality on or before the award date, a bond in the amount of the
49 contract which shall be binding upon the award of the contract to that

50 person, with a surety or sureties satisfactory to the officer awarding
51 the contract, for the protection of persons supplying labor or materials
52 in the prosecution of the work provided for in the contract for the use
53 of each such person, provided no such bond shall be required to be
54 furnished (1) in relation to any general bid in which the total estimated
55 cost of labor and materials under the contract with respect to which
56 such general bid is submitted is less than [fifty] one hundred thousand
57 dollars, (2) in relation to any sub-bid in which the total estimated cost
58 of labor and materials under the contract with respect to which such
59 sub-bid is submitted is less than [fifty] one hundred thousand dollars,
60 or (3) in relation to any general bid or sub-bid submitted by a
61 consultant, as defined in section 4b-55, as amended. Any such bond
62 furnished shall have as principal the name of the person awarded the
63 contract.

64 Sec. 3. Subsection (a) of section 3-37 of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective from*
66 *passage*):

67 (a) The Treasurer shall, annually, on or before [October fifteenth]
68 December thirty-first, submit a final audited report to the Governor
69 and a copy of such report to the Investment Advisory Council, which
70 shall include the following information concerning the activities of the
71 office of the State Treasurer for the immediately preceding fiscal year
72 ending June thirtieth: (1) Complete financial statements and
73 accompanying footnotes for the combined investment funds prepared
74 in accordance with generally accepted accounting principles, which
75 financial statements shall be audited in accordance with generally
76 accepted auditing standards and supplementary schedules depicting
77 the interests of the component retirement plans and trust funds; (2)
78 complete financial statements and accompanying footnotes for the
79 Short Term Investment Fund prepared in accordance with generally
80 accepted accounting principles and supplementary schedules listing all
81 assets held by the Short Term Investment Fund; (3) a discussion and
82 review of the performance of the combined investment funds and
83 Short Term Investment Fund for such fiscal year in accordance with

84 recognized and appropriate performance presentation and disclosure,
85 including an analysis of the return earned by the portfolio and each
86 combined investment fund as well as the risk profile of the portfolio
87 and each combined investment fund according to investment industry
88 standards; (4) the activities and transactions in such reasonable detail
89 as is appropriate of the cash management division including
90 information on the state's cash receipts and disbursements for the fiscal
91 year, and the debt management division including the financial
92 statements of the tax-exempt proceeds fund prepared in accordance
93 with generally accepted accounting principles; (5) financial statements
94 and accompanying footnotes as well as a summary of operating results
95 for the Second Injury Fund for such fiscal year; (6) a financial summary
96 and report on the activities of the state's unclaimed property program
97 for such fiscal year; and (7) such other information as the Treasurer
98 deems of interest to the public.

99 Sec. 4. Section 9-242c of the 2006 supplement to the general statutes
100 is repealed and the following is substituted in lieu thereof (*Effective*
101 *from passage*):

102 (a) There is established the Voting Technology Standards Board.
103 The board shall consist of:

104 (1) The Secretary of the State, or the Secretary's designee;

105 (2) The executive director of the State Elections Enforcement
106 Commission, or the executive director's designee;

107 (3) The chairpersons and ranking members of the joint standing
108 committee of the General Assembly having cognizance of matters
109 relating to elections, or the chairpersons' and ranking members'
110 designees;

111 (4) Two persons who are members of different political parties,
112 appointed by the president of the Registrars of Voters Association of
113 Connecticut;

114 (5) Two [persons] town clerks who are members of different
115 political parties, appointed by the president of the Connecticut Town
116 Clerks Association, Inc.;

117 (6) A member of the faculty or an employee of The University of
118 Connecticut, having expertise in computer architecture, appointed by
119 the Governor; [and]

120 (7) One person representing a nonpartisan organization [for
121 governmental accountability] dedicated to increasing voter
122 participation and voter understanding of the election process,
123 appointed by the Governor;

124 (8) One person appointed by the executive director of the Office of
125 Protection and Advocacy for Persons with Disabilities; and

126 (9) A member of the faculty or an employee of the Connecticut State
127 University system, having expertise in computer architecture,
128 appointed by the chancellor.

129 (b) All appointments to the Voting Technology Standards Board
130 shall be made not later than thirty days after July 8, 2005, provided the
131 appointments by the executive director of the Office of Protection and
132 Advocacy for Persons with Disabilities and the chancellor, in addition
133 to the appointment in subdivision (7) of subsection (a) of this section
134 shall be made not later than thirty days after the effective date of this
135 section. Any vacancy shall be filled by the appointing authority. [The
136 board shall elect] The Secretary of the State shall designate a
137 chairperson and a vice-chairperson from among [its] the board's
138 members, subject to approval by a majority vote of the board. The
139 board shall be within the office of the Secretary of the State for
140 administrative purposes only.

141 (c) The Voting Technology Standards Board shall adopt and, as
142 needed, revise standards for electronic voting technology that will
143 ensure the integrity of the state's voting systems. Said standards shall
144 address: (1) Accuracy; (2) protecting voter anonymity; (3) maintaining

145 secret ballots, except where a voter requests assistance; (4) preventing
146 a voter from voting more than once on any ballot question and from
147 casting more votes for any office than there are persons to be elected to
148 such office; (5) the equivalent of write-in votes; (6) reliable backup
149 power sources so that a system is not subject to power failures; (7)
150 handicapped accessibility; (8) simple ballot layout that will not be
151 confusing to voters; (9) ease of navigation of multiple-screen ballots;
152 (10) enabling voters to check and correct votes; (11) creating voter-
153 verified paper trails; (12) adequate security precautions if individual
154 voting systems are to be networked or if voting results will be
155 communicated via the Internet; (13) the need for encryption; (14)
156 adequate protection from computer viruses; [and] (15) testing and
157 certification of the system; and (16) any other standards necessary to
158 protect the integrity of the voting systems.

159 (d) Not later than January 16, 2006, the Voting Technology
160 Standards Board shall submit a report containing the standards for
161 electronic voting technology adopted under subsection (c) of this
162 section to the joint standing committee of the General Assembly
163 having cognizance of matters relating to elections, the Governor and
164 the Secretary of the State, in accordance with the provisions of section
165 11-4a. [The board shall terminate on the date that it submits such
166 standards.]

167 Sec. 5. (*Effective from passage*) Notwithstanding any provision of the
168 general statutes or any special act, charter or ordinance, the vote cast
169 by the electors and voters of the town of Manchester at the referendum
170 held on November 3, 2003, relating to approval of an appropriation for
171 construction of road and sidewalk improvements, bridge design and
172 repair, traffic signal upgrades, storm drainage and extension of the
173 Charter Oak Greenway and the authorization of the issuance of bonds,
174 notes and temporary notes and the acceptance of grants and other
175 available funds to defray said appropriation, otherwise valid except
176 for the failure to publish the correct dollar value of the appropriation
177 and bond authorization in the notice of the referendum, is validated.
178 All acts, votes and proceedings of the officers and officials of the town

179 of Manchester pertaining to or taken in reliance on said referendum,
180 otherwise valid except for the failure to publish the correct dollar value
181 of the appropriation and bond authorization in the notice of the
182 referendum, are validated and effective as of the date taken.

183 Sec. 6. (NEW) (*Effective from passage*) The state aviation pioneer shall
184 be Igor I. Sikorsky.

185 Sec. 7. Subsection (b) of section 52-380d of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective*
187 *January 1, 2007*):

188 (b) A release of a judgment lien on real property is sufficient if (1) it
189 specifies the names of the judgment creditor and judgment debtor, the
190 date of the lien, and the town and volume and page where the
191 judgment lien certificate is recorded, and (2) the signature of the
192 lienholder, attorney or personal representative is acknowledged and
193 witnessed in the same manner as a deed on real property. The town
194 clerk with whom the lien was recorded shall note such release as by
195 law provided and shall index the record of each such release under the
196 name of the judgment creditor and judgment debtor. Nothing in this
197 subsection shall require the town clerk with whom such lien was
198 recorded to note such release as by law provided whenever such town
199 clerk maintains a computerized searchable grantor and grantee index
200 covering the period in which the lien was recorded.

201 Sec. 8. Section 7-25 of the general statutes is repealed and the
202 following is substituted in lieu thereof (*Effective January 1, 2007*):

203 Each town clerk shall, within five days after receipt of an instrument
204 for record, enter the names of all the grantors in a grantor index and all
205 the grantees in a grantee index, in alphabetical order, and cross-
206 indexed as to the party first identified as grantor or grantee on the
207 instrument, the nature of the instrument, the date of its receipt as
208 endorsed upon the recorded instrument and thereafter, when available
209 for entry, the book and page of such instrument or other suitable
210 indication of its location approved by the Public Records

211 Administrator. If such instrument is an assignment of mortgage,
212 collateral assignment of mortgage, subordination of mortgage or other
213 transfer of an interest in a mortgage, the mortgagor shall be deemed an
214 additional grantor for purposes of this section. If such instrument is a
215 grant or assignment of a mortgage to a party designated in the
216 mortgage or assignment as the nominee for another, such nominee
217 shall be deemed to be the grantee of such mortgage or assignment for
218 purposes of this section. If such instrument affects real property, the
219 index shall include a reference to the location of such property, if
220 contained in such instrument. If such instrument is a release or partial
221 release, only one previous book and page shall be referenced. Such
222 general index shall be a permanent public record.

223 Sec. 9. Subsection (c) of section 7-24 of the general statutes is
224 repealed and the following is substituted in lieu thereof (*Effective*
225 *January 1, 2007*):

226 (c) The town clerk shall, on receipt of any instrument for record,
227 write thereon the day, month, year and time of day when he received
228 it, and the record shall bear the same date and time of day; but he shall
229 not be required to receive any instrument for record unless the fee for
230 recording it is paid to him in advance except instruments received
231 from the state or any political subdivision thereof, and, when he has
232 received it for record, he shall not deliver it up to the parties or either
233 of them until it has been recorded. When any town clerk has, upon
234 receiving any instrument for record, written thereon the time of day
235 when he received it as well as the day and year of such receipt, and
236 when any town clerk has noted with the record of any instrument the
237 time of day when he received the record, such entries of the time of
238 day shall have the same effect as other entries that are required by law
239 to be made. Each instrument for record shall have not less than three-
240 quarters of one inch margin surrounding each page.

241 Sec. 10. Subsection (a) of section 33-617 of the general statutes is
242 repealed and the following is substituted in lieu thereof (*Effective*
243 *October 1, 2006*):

244 (a) The Secretary of the State shall charge and collect the following
245 fees for filing documents and issuing certificates and remit them to the
246 Treasurer for the use of the state: (1) Filing application to reserve,
247 register, renew or cancel registration of corporate name, thirty dollars;
248 (2) filing transfer of reserved corporate name, thirty dollars; (3) filing
249 certificate of incorporation, including appointment of registered agent,
250 fifty dollars; (4) filing change of address of registered agent or change
251 of registered agent, twenty-five dollars; (5) filing notice of resignation
252 of registered agent, twenty-five dollars; (6) filing amendment to
253 certificate of incorporation, fifty dollars; (7) filing restated certificate of
254 incorporation, fifty dollars; (8) filing certificate of merger or share
255 exchange, thirty dollars; (9) filing certificate of correction, fifty dollars;
256 (10) filing certificate of surrender of special charter and adoption of
257 general certificate of incorporation, fifty dollars; (11) filing certificate of
258 dissolution, twenty-five dollars; (12) filing certificate of revocation of
259 dissolution, twenty-five dollars; (13) filing annual report, [seventy-five]
260 eighty dollars or seventy dollars if electronically transmitted except as
261 otherwise provided in sections 33-953 and 33-954; (14) filing
262 application of foreign corporation for certificate of authority to transact
263 business in this state and issuing certificate of authority, fifty dollars;
264 (15) filing application of foreign corporation for amended certificate of
265 authority to transact business in this state and issuing amended
266 certificate of authority, fifty dollars; (16) filing application for
267 withdrawal of foreign corporation and issuing certificate of
268 withdrawal, fifty dollars; (17) filing application for reinstatement,
269 seventy-five dollars; (18) filing a corrected annual report, fifty dollars;
270 and (19) filing an interim notice of change of director or officer, ten
271 dollars.

272 Sec. 11. Subsection (a) of section 33-1013 of the general statutes is
273 repealed and the following is substituted in lieu thereof (*Effective*
274 *October 1, 2006*):

275 (a) The Secretary of the State shall charge and collect the following
276 fees for filing documents and issuing certificates and remit them to the
277 Treasurer for the use of the state: (1) Filing application to reserve,

278 register, renew or cancel registration of corporate name, thirty dollars;
279 (2) filing transfer of reserved corporate name, thirty dollars; (3) filing a
280 certificate of incorporation, including appointment of registered agent,
281 ten dollars; (4) filing change of address of registered agent or change of
282 registered agent, ten dollars; (5) filing notice of resignation of
283 registered agent in duplicate, ten dollars; (6) filing certificate of
284 amendment to certificate of incorporation, ten dollars; (7) filing
285 restated certificate of incorporation, ten dollars; (8) filing certificate of
286 merger, ten dollars; (9) filing certificate of correction, ten dollars; (10)
287 filing certificate of surrender of special charter and adoption of
288 certificate of incorporation, ten dollars; (11) filing certificate of
289 dissolution, ten dollars; (12) filing certificate of revocation of
290 dissolution, ten dollars; (13) filing annual report, [twenty-five] thirty
291 dollars or twenty dollars if electronically transmitted; (14) filing
292 application of foreign corporation for certificate of authority to conduct
293 affairs in this state and issuing certificate of authority, twenty dollars;
294 (15) filing application of foreign corporation for amended certificate of
295 authority to conduct affairs in this state and issuing amended
296 certificate of authority, twenty dollars; (16) filing application for
297 withdrawal of foreign corporation and issuing certificate of
298 withdrawal, twenty dollars; (17) filing certificate of reinstatement,
299 including appointment of registered agent, fifty-five dollars; (18) filing
300 a corrected annual report, twenty-five dollars; and (19) filing an
301 interim notice of change of director or officer, ten dollars.

302 Sec. 12. Section 34-9 of the general statutes is repealed and the
303 following is substituted in lieu thereof (*Effective October 1, 2006*):

304 As used in this chapter, unless the context otherwise requires:

305 (1) "Address" means location as described by the full street number,
306 if any, street, city or town, state or country and not a mailing address
307 such as a post office box.

308 (2) "Certificate of limited partnership" means the certificate referred
309 to in section 34-10 and the certificate as amended or restated.

310 (3) "Consolidation" means a business combination pursuant to
311 section 34-33b.

312 (4) "Contribution" means any cash, property, services rendered, or a
313 promissory note or other binding obligation to contribute cash or
314 property or to perform services, which a partner contributes to a
315 limited partnership in his capacity as a partner.

316 (5) "Event of withdrawal of a general partner" means an event that
317 causes a person to cease to be a general partner as provided in section
318 34-28.

319 (6) "Foreign limited partnership" means a partnership formed under
320 the laws of any state other than this state and having as partners one or
321 more general partners and one or more limited partners.

322 (7) "General partner" means a person who has been admitted to a
323 limited partnership as a general partner in accordance with the
324 partnership agreement and named in the certificate of limited
325 partnership as a general partner.

326 (8) "Interests" means the proprietary interests in an other entity.

327 (9) "Limited partner" means a person who has been admitted to a
328 limited partnership as a limited partner in accordance with the
329 partnership agreement.

330 (10) "Limited partnership" and "domestic limited partnership"
331 means a partnership formed by two or more persons under the
332 provisions of this chapter and having one or more general partners
333 and one or more limited partners.

334 (11) "Merger" means a business combination pursuant to section 34-
335 33a.

336 (12) "Organizational documents" means the basic document or
337 documents that create, or determine the internal governance of, an
338 other entity.

339 (13) "Other entity" means any association or legal entity, other than
340 a domestic or foreign limited partnership, organized to conduct
341 business, including, but not limited to, a corporation, general
342 partnership, limited liability partnership, limited liability company,
343 joint venture, joint stock company, business trust, statutory trust and
344 real estate investment trust.

345 (14) "Partner" means a limited or general partner.

346 (15) "Partnership agreement" means any valid agreement, written or
347 oral, of the partners as to the affairs of a limited partnership and the
348 conduct of its business.

349 (16) "Partnership interest" means a partner's share of the profits and
350 losses of a limited partnership and the right to receive distributions of
351 partnership assets.

352 (17) "Party to a consolidation" means any domestic or foreign
353 limited partnership or other entity that will consolidate under a plan of
354 consolidation.

355 (18) "Party to a merger" means any domestic or foreign limited
356 partnership or other entity that will merge under a plan of merger.

357 (19) "Person" means a natural person, partnership, limited
358 partnership, foreign limited partnership, trust, estate, association,
359 limited liability company or corporation.

360 (20) "Plan of merger" means a plan entered into pursuant to section
361 34-33a.

362 (21) "Plan of consolidation" means a plan entered into pursuant to
363 section 34-33b.

364 (22) "State" means a state, territory, or possession of the United
365 States, the District of Columbia or the Commonwealth of Puerto Rico.

366 (23) "Survivor" means, in a merger or consolidation, the limited

367 partnership or other entity into which one or more other limited
368 partnerships or other entities are merged or consolidated.

369 (24) "Electronic transmission" or "electronically transmitted" means
370 any process of communication not directly involving the physical
371 transfer of paper that is suitable for the retention, retrieval and
372 reproduction of information by the recipient.

373 (25) "Sign" or "signature" means any manual, facsimile, conformed
374 or electronic signature, as defined in section 1-267.

375 Sec. 13. Subsection (a) of section 34-38n of the general statutes is
376 repealed and the following is substituted in lieu thereof (*Effective*
377 *October 1, 2006*):

378 (a) The Secretary of the State shall receive, for filing any document
379 or certificate required to be filed under sections 34-10, 34-13a, 34-13e,
380 34-32, 34-32a, 34-32c, 34-38g and 34-38s, the following fees: (1) For
381 reservation or cancellation of reservation of name, thirty dollars; (2) for
382 a certificate of limited partnership and appointment of statutory agent,
383 sixty dollars; (3) for a certificate of amendment, sixty dollars; (4) for a
384 certificate of merger or consolidation, thirty dollars; (5) for a certificate
385 of cancellation, thirty dollars; (6) for a certificate of registration, sixty
386 dollars; (7) for a change of agent or change of address of agent, ten
387 dollars; (8) for a certificate of reinstatement, sixty dollars; and (9) for an
388 annual report, [ten] fifteen dollars or five dollars if electronically
389 transmitted.

390 Sec. 14. Subsection (a) of section 34-112 of the general statutes is
391 repealed and the following is substituted in lieu thereof (*Effective*
392 *October 1, 2006*):

393 The Secretary of the State shall charge and collect the following fees
394 and remit them to the Treasurer for the use of the state:

395 (a) Fees for filing documents and issuing certificates: (1) Filing
396 application to reserve a limited liability company name or to cancel a

397 reserved limited liability company name, thirty dollars; (2) filing
398 transfer of reserved limited liability company name, thirty dollars; (3)
399 filing articles of organization, including appointment of statutory
400 agent, sixty dollars; (4) filing change of address of statutory agent or
401 change of statutory agent, twenty-five dollars; (5) filing notice of
402 resignation of statutory agent in duplicate, twenty-five dollars; (6)
403 filing amendment to articles of organization, sixty dollars; (7) filing
404 restated articles of organization, sixty dollars; (8) filing articles of
405 merger or consolidation, thirty dollars; (9) filing articles of dissolution
406 by resolution, twenty-five dollars; (10) filing articles of dissolution by
407 expiration, twenty-five dollars; (11) filing judicial decree of dissolution,
408 twenty-five dollars; (12) filing certificate of reinstatement, sixty dollars;
409 (13) filing application by a foreign limited liability company for
410 certificate of registration to transact business in this state and issuing
411 certificate of registration, sixty dollars; (14) filing application of foreign
412 limited liability company for amended certificate of registration to
413 transact business in this state and issuing amended certificate of
414 registration, sixty dollars; (15) filing application for withdrawal of
415 foreign limited liability company and issuing certificate of withdrawal,
416 sixty dollars; (16) filing an annual report, [ten] fifteen dollars or five
417 dollars if electronically transmitted; and (17) filing an interim notice of
418 change of manager or member, ten dollars.

419 Sec. 15. Section 34-301 of the general statutes is repealed and the
420 following is substituted in lieu thereof (*Effective October 1, 2006*):

421 As used in sections 34-300 to 34-399, inclusive:

422 (1) "Business" includes every trade, occupation and profession.

423 (2) "Debtor in bankruptcy" means a person who is the subject of: (A)
424 An order for relief under Title 11 of the United States Code or a
425 comparable order under a successor statute of general application; or
426 (B) a comparable order under federal, state or foreign law governing
427 insolvency.

428 (3) "Distribution" means a transfer of money or other property from

429 a partnership to a partner in the partner's capacity as a partner or to
430 the partner's transferee.

431 (4) "Foreign registered limited liability partnership" includes a
432 partnership formed pursuant to an agreement governed by the laws of
433 any state other than this state and registered or denominated as a
434 registered limited liability partnership or limited liability partnership
435 under the laws of such other state.

436 (5) "Interests" means the proprietary interests in an other entity.

437 (6) "Merger" means a business combination pursuant to section 34-
438 388.

439 (7) "Organizational documents" means the basic document or
440 documents that create, or determine the internal governance of, an
441 other entity.

442 (8) "Other entity" means any association or legal entity, other than a
443 domestic or foreign partnership, organized to conduct business,
444 including, but not limited to, a corporation, limited partnership,
445 limited liability partnership, limited liability company, joint venture,
446 joint stock company, business trust, statutory trust and real estate
447 investment trust.

448 (9) "Partnership" means an association of two or more persons to
449 carry on as co-owners a business for profit formed under section 34-
450 314, predecessor law or comparable law of another jurisdiction, and
451 includes for all purposes of the laws of this state a registered limited
452 liability partnership.

453 (10) "Partnership agreement" means the agreement, whether
454 written, oral or implied, among the partners concerning the
455 partnership, including amendments to the partnership agreement.

456 (11) "Partnership at will" means a partnership in which the partners
457 have not agreed to remain partners until the expiration of a definite
458 term or the completion of a particular undertaking.

459 (12) "Partnership interest" or "partner's interest in the partnership"
460 means all of a partner's interests in the partnership, including the
461 partner's transferable interest and all management and other rights.

462 (13) "Party to a merger" means any domestic or foreign partnership
463 or other entity that will merge under a plan of merger.

464 (14) "Person" means an individual, corporation, limited liability
465 company, business trust, estate, trust, partnership, association, joint
466 venture, government, governmental subdivision, agency or
467 instrumentality, or any other legal or commercial entity.

468 (15) "Plan of merger" means a plan entered into pursuant to section
469 34-388.

470 (16) "Property" means all property, real, personal or mixed, tangible
471 or intangible, or any interest therein.

472 (17) "Registered limited liability partnership" includes a partnership
473 formed pursuant to an agreement governed by the laws of this state,
474 registered under section 34-419, and complying with sections 34-406
475 and 34-420.

476 (18) "State" means a state of the United States, the District of
477 Columbia, the Commonwealth of Puerto Rico or any territory or
478 insular possession subject to the jurisdiction of the United States.

479 (19) "Statement" means a statement of partnership authority under
480 section 34-324, a statement of denial under section 34-325, a statement
481 of dissociation under section 34-365, a statement of dissolution under
482 section 34-376, a statement of merger under section 34-390, or an
483 amendment or cancellation of any of the foregoing.

484 (20) "Survivor" in a merger means the partnership or other entity
485 into which one or more other partnerships or other entities are merged
486 or consolidated. A survivor of a merger may preexist the merger or be
487 created by the merger.

488 (21) "Transfer" includes an assignment, conveyance, lease,
489 mortgage, deed and encumbrance.

490 (22) "Electronic transmission" or "electronically transmitted" means
491 any process of communication not directly involving the physical
492 transfer of paper that is suitable for the retention, retrieval and
493 reproduction of information by the recipient.

494 (23) "Sign" or "signature" means any manual, facsimile, conformed
495 or electronic signature, as defined in section 1-267.

496 Sec. 16. Subsection (a) of section 34-413 of the general statutes is
497 repealed and the following is substituted in lieu thereof (*Effective from*
498 *October 1, 2006*):

499 (a) Fees for filing documents and processing certificates: (1) Filing
500 application to reserve a registered limited liability partnership name or
501 to cancel a reserved limited liability partnership name, thirty dollars;
502 (2) filing transfer of reserved registered limited liability partnership
503 name, thirty dollars; (3) filing change of address of statutory agent or
504 change of statutory agent, twenty-five dollars; (4) filing certificate of
505 limited liability partnership, sixty dollars; (5) filing amendment to
506 certificate of limited liability partnership, sixty dollars; (6) filing
507 renunciation of status report, twenty-five dollars; (7) filing certificate of
508 authority to transact business in this state, including appointment of
509 statutory agent, sixty dollars; (8) filing amendment to certificate of
510 authority to transact business in this state, sixty dollars; (9) filing
511 withdrawal of certificate of authority, sixty dollars; (10) filing an
512 annual report, [ten] fifteen dollars or five dollars if electronically
513 transmitted; and (11) filing statement of merger, thirty dollars.

514 Sec. 17. (NEW) (*Effective from passage*) (a) Upon the request of a
515 political subdivision of the state, the Commissioner of Public Works
516 may provide design and construction services, in accordance with the
517 provisions of title 4b of the general statutes, for the design,
518 construction, renovation, repair or improvement of a facility owned or
519 to be owned by such political subdivision provided the project is

520 undertaken concomitantly with and in the general vicinity of a project
521 administered by the Department of Public Works and the provision of
522 such services does not result in the loss of any state jobs.

523 (b) The Commissioner of Public Works may accept funds from a
524 political subdivision of the state for the costs of providing such design
525 or construction services described in subsection (a) of this section in
526 addition to any administrative costs incurred by the state in providing
527 such services.

528 Sec. 18. Subsection (a) of section 10-29a of the 2006 supplement to
529 the general statutes is amended by adding subdivision (51) as follows
530 (*Effective from passage*):

531 (NEW) (51) The Governor shall proclaim August twenty-third of
532 each year to be Missing Persons Day to raise awareness of the plight of
533 the families of state citizens who have been reported as missing and in
534 honor of William Smolinski, Jr. Suitable exercises shall be held in the
535 State Capitol and elsewhere as the Governor designates for the
536 observance of the day.

537 Sec. 19. Section 4-250 of the general statutes is repealed and the
538 following is substituted in lieu thereof (*Effective from passage*):

539 As used in sections 4-250 to 4-252, inclusive, as amended by this act:

540 (1) "Gift" has the same meaning as provided in section 1-79, as
541 amended, except that the exclusion in subdivision (12) of subsection (e)
542 of said section 1-79, as amended, for a gift for the celebration of a major
543 life event shall not apply;

544 (2) "Quasi-public agency", "public official" and "state employee"
545 have the same meanings as provided in section 1-79, as amended;

546 (3) "State agency" means any office, department, board, council,
547 commission, institution or other agency in the executive, legislative or
548 judicial branch of state government;

549 (4) "Large state contract" means an agreement or a combination or
550 series of agreements between a state agency or a quasi-public agency
551 and a person, firm or corporation, having a total [cost to such state
552 agency or quasi-public agency] value of more than five hundred
553 thousand dollars in a calendar or fiscal year, for (A) a project for the
554 construction, alteration or repair of any public building or public work,
555 (B) services, including, but not limited to, consulting and professional
556 services, (C) the procurement of supplies, materials or equipment, (D)
557 a lease, or (E) a licensing arrangement. The term "large state contract"
558 shall not include a contract between a state agency or a quasi-public
559 agency and a political subdivision of the state;

560 (5) "Principals and key personnel" means officers, directors,
561 shareholders, members, partners and managerial employees; and

562 (6) "Participated substantially" means participation that is direct,
563 extensive and substantive, and not peripheral, clerical or ministerial.

564 Sec. 20. (*Effective October 1, 2006*) (a) There is established a Municipal
565 Records Accessibility Advisory Committee that shall consist of the
566 executive director of the Freedom of Information Commission, the
567 Chief Information Officer of the Department of Information
568 Technology, the Secretary of the State, the Public Records
569 Administrator, the cochairpersons and ranking members of the joint
570 standing committee of the General Assembly having cognizance of
571 matters relating to government administration, or their designees, the
572 municipal clerk and chief elected official of a town having a population
573 of less than twenty thousand, as selected by the executive director of
574 the Freedom of Information Commissioner, and the municipal clerk
575 and chief elected official of a town having a population of fifty
576 thousand or more, as selected by the executive director of the Freedom
577 of Information Commissioner. The advisory committee shall meet at
578 least monthly to review the technology standards and fee structures
579 for access to municipal records. The executive director of the Freedom
580 of Information Commission, or the executive director's designee, shall
581 convene the meetings of the committee. In conducting its review, the

582 committee shall seek input from those persons and organizations
583 affected by such technologies and fees structures including, but not
584 limited to, the Connecticut Conference of Municipalities, the
585 Connecticut Mortgage Broker's Association, the Connecticut Bar
586 Association and title insurance underwriters.

587 (b) Not later than November 1, 2007, the committee shall submit a
588 report on its finding and recommendations, in accordance with section
589 11-4a of the general statutes, to the joint standing committee of the
590 General Assembly having cognizance of matters relating to
591 government administration. The committee shall terminate on the date
592 it submits such report.

593 Sec. 21. Subsection (c) of section 3-117 of the general statutes is
594 repealed and the following is substituted in lieu thereof (*Effective from*
595 *passage*):

596 (c) Notwithstanding the provisions of subsections (a) and (b) of this
597 section, the [Commissioner of Administrative Services] Chief
598 Information Officer shall charge the appropriations of any state
599 agency, without certification by such agency, for expenses incurred by
600 such agency for basic telephone service, toll telephone service and
601 teletypewriter or computer exchange service. Not later than thirty days
602 following notification of such charge, such agency shall certify to the
603 [commissioner] Chief Information Officer that such services were
604 provided to such agency. As used in this subsection, (1)
605 "telecommunications service" means and includes: The transmission of
606 any interactive electromagnetic communications including but not
607 limited to voice, image, data and any other information, by means of
608 but not limited to wire, cable, including fiber optical cable, microwave,
609 radio wave or any combinations of such media, and the resale or
610 leasing of any such service. "Telecommunications service" includes but
611 is not limited to basic telephone service, toll telephone service and
612 teletypewriter or computer exchange service, including but not limited
613 to, residential and business service, directory assistance, two-way cable
614 television service, cellular mobile telephone or telecommunication

615 service, specialized mobile radio and pagers and paging service,
616 including any form of mobile two-way communication.
617 "Telecommunications service" does not include (A) nonvoice services
618 in which computer processing applications are used to act on the
619 information to be transmitted, (B) any services or transactions subject
620 to the sales and use tax under chapter 219, (C) any one-way radio or
621 television broadcasting transmission, (D) any telecommunications
622 service rendered by a company in control of such service when
623 rendered for private use within its organization or (E) any such service
624 rendered by a company controlling such service when such company
625 and the company for which such service is rendered are affiliated
626 companies as defined in section 33-840 or are eligible to file a
627 combined tax return for purposes of the state corporation business tax
628 under chapter 208. (2) "Basic telephone service" means (A) telephone
629 service allowing a telecommunications transmission station to be
630 connected to points within a designated local calling area or (B) any
631 facility or service provided in connection with a service described in
632 subdivision (1) of this subsection but exclusive of any service which is
633 a toll telephone service, teletypewriter or computer exchange service.
634 (3) "Toll telephone service" means and includes the transmission of any
635 interactive electromagnetic communication to points outside the
636 designated local calling area in which the transmission originated for
637 which there is a toll charge which varies in amount with the distance
638 and elapsed transmission time of each individual communication, or a
639 telecommunication service which entitles the subscriber or user, upon
640 the payment of a periodic charge which is determined as a flat amount
641 or upon the basis of total elapsed transmission time, to the privilege of
642 an unlimited number of telephonic or interactive electromagnetic
643 communications to or from all or a substantial portion of the persons
644 having telephone or radio telephone stations in a specified area which
645 is outside the basic telephone system area in which the station
646 provided with this service is located. (4) "Teletypewriter or computer
647 exchange service" means and includes the access from a teletypewriter,
648 telephone, computer or other data station of which such transmission
649 facility is a part, and the privilege of intercommunications by such

650 station with substantially all persons having teletypewriter, telephone,
651 computer or other data stations constituting a part of the same
652 teletypewriter or computer exchange system, to which the subscriber
653 or user is entitled upon payment of a charge or charges, whether such
654 charge or charges are determined as a flat periodic amount on the basis
655 of distance and elapsed transmission time or some other method.

656 Sec. 22. Section 4a-57a of the general statutes is amended by adding
657 subsection (d) as follows (*Effective from passage*):

658 (NEW) (d) Notwithstanding the provisions of subsection (a) of this
659 section, the commissioner may donate recyclable computers that
660 cannot be transferred between state agencies to a nonprofit
661 organization. Any municipality, transit district, member of the public
662 or nonprofit organization that purchases or otherwise receives surplus
663 property from the state, pursuant to the provisions of this section, shall
664 be solely liable for any damage or injury resulting from use or disposal
665 of such property and shall indemnify the state against all claims
666 arising out of the use or disposal of such property.

667 Sec. 23. Section 4b-56 of the general statutes is repealed and the
668 following is substituted in lieu thereof (*Effective July 1, 2006*):

669 (a) There shall be established within the Department of Public
670 Works [a] State Construction Services Selection [Panel] Panels which
671 shall consist of five members. Four of such members shall be
672 appointed by the commissioner, shall serve only for deliberations
673 involving the project for which such members are appointed, and shall
674 be current or retired employees of the Department of Public Works,
675 [and shall serve for terms of one year from July first.] The remaining
676 member shall be appointed by the head or acting head of the user
677 agency and shall serve only for deliberations involving the project for
678 which [he] such member was appointed. [If any vacancy occurs on the
679 panel, the commissioner shall appoint a person for the unexpired term
680 in accordance with the provisions of this subsection.]

681 (b) The selection panel shall not be deemed to be a board or

682 commission within the meaning of section 4-9a, as amended.

683 (c) There shall be established within the Department of Public
684 Works [a] Connecticut Health and Education Facilities Authority
685 Construction Services [Panel] Panels which shall consist of five
686 members: Three of whom shall be appointed by the Commissioner of
687 Public Works, shall serve only for deliberations involving the project
688 for which such members are appointed, and shall be current
689 employees of the Department of Public Works. [; and the] The
690 remaining members shall be appointed by the head or acting head of
691 the user agency and shall serve only for deliberations involving the
692 project for which such member was appointed. [The members of the
693 selection panel appointed by the Commissioner of Public Works shall
694 serve for terms of one year from July first. If any vacancy occurs on the
695 panel, the Commissioner of Public Works or the head or acting head of
696 the user agency, as appropriate, shall appoint a person for the
697 unexpired term in accordance with the provisions of this subsection.]

698 (d) The [panel] panels established pursuant to subsection (c) of this
699 section shall not be deemed to be a board or commission within the
700 meaning of section 4-9a, as amended. Such [panel] panels shall be the
701 selection panel only for Connecticut Health and Education Facilities
702 Authority projects pursuant to section 10a-89b.

703 Sec. 24. Subsections (a) and (b) of section 4b-100a of the general
704 statutes are repealed and the following is substituted in lieu thereof
705 (*Effective July 1, 2006*):

706 (a) The Department of Public Works shall establish construction
707 services award panels which shall each consist of six members: Three
708 of whom shall be appointed by the Commissioner of Public Works,
709 [and] shall be current employees of the Department of Public Works, [;
710 two of whom] and shall serve only for deliberations involving the
711 project for which such members were appointed. Two members shall
712 be appointed by the department head of the user agency; and one [of
713 whom who] shall be a neutral party appointed by the commissioner.

714 [The members of each award panel appointed by the Commissioner of
715 Public Works shall serve for terms of one year from July first. If any
716 vacancy occurs on the panel, the Commissioner of Public Works or the
717 head or acting head of the user agency, as appropriate, shall appoint a
718 person for the unexpired term in accordance with the provisions of this
719 subsection.]

720 (b) A panel established pursuant to this section shall not be deemed
721 to be a board or commission within the meaning of section 4-9a, as
722 amended. Such panels shall be the award panels for any contract for
723 the construction, reconstruction, alteration, remodeling, repair or
724 demolition of any public building for the state pursuant to [sections
725 4b-91 to 4b-100, inclusive,] subsection (g) of section 4b-91, as amended,
726 and section 4b-24.

727 Sec. 25. Subsection (b) of section 4-252 of the general statutes is
728 repealed and the following is substituted in lieu thereof (*Effective July*
729 *1, 2006*):

730 (b) The official or employee of such state agency or quasi-public
731 agency who is authorized to execute said contract shall certify that the
732 selection of the most qualified or highest ranked person, firm or
733 corporation was not the result of collusion, the giving of a gift or the
734 promise of a gift, compensation, fraud or inappropriate influence from
735 any person. In making such certification, the official or employee
736 authorized to execute said contract may rely on certifications from
737 agency personnel who were involved in the selection process that such
738 personnel's participation in the selection process or their ranking of
739 persons, firms or corporations was not the result of collusion, the
740 giving of a gift or the promise of a gift, compensation, fraud or
741 inappropriate influence from any person, firm or corporation.

742 Sec. 26. (NEW) (*Effective from passage*) The Ballroom Polka, as
743 composed by Ray Henry Mocariski, shall be the state polka.

744 Sec. 27. Section 7-38 of the general statutes is repealed and the
745 following is substituted in lieu thereof (*Effective from passage*):

746 The town clerk of any town who is, ex officio, registrar of vital
747 statistics in such town, and the registrar of vital statistics of any town
748 who is elected under a special law or otherwise appointed pursuant to
749 law, may, unless otherwise provided by charter or ordinance, appoint
750 in writing suitable persons [, not exceeding four in number,] as
751 assistant registrars of vital statistics, who, on being sworn, shall have
752 the powers and perform the duties of such registrar during the time for
753 which they are appointed, not extending beyond the term of office of
754 such registrar. Within ten days after a town clerk or registrar of vital
755 statistics appoints an assistant registrar of vital statistics, the town
756 clerk or registrar of vital statistics shall file a notice of such
757 appointment with the Secretary of the State, indicating the name and
758 address of the person appointed, the date and method of such
759 appointment and the law under which the appointment was made.
760 Within ten days after a vacancy occurs in the office of assistant
761 registrar of vital statistics, the town clerk or registrar of vital statistics
762 shall notify the Secretary of the State of such vacancy.

763 Sec. 28. (*Effective from passage*) The Commissioner of Administrative
764 Services shall conduct a study of the compensation received by
765 employees of the Freedom of Information Commission and report the
766 commissioner's findings to the joint standing committee of the General
767 Assembly having cognizance of matters relating to government
768 administration not later than January 1, 2007.

769 Sec. 29. Section 7-545 of the general statutes is repealed and the
770 following is substituted in lieu thereof (*Effective July 1, 2006*):

771 (a) As used in this section: [and section 7-546:]

772 (1) "Secretary" means the Secretary of the Office of Policy and
773 Management;

774 (2) "Municipality" means any town, consolidated town and city or
775 consolidated town and borough;

776 (3) "Per capita income" [and "population"] for each town means that

777 enumerated in the most recent federal decennial census of population
778 or that enumerated in the current population report series issued by
779 the United States Department of Commerce, Bureau of the Census,
780 whichever is more recent and available on January first of the fiscal
781 year [three] two years prior to the fiscal year in which [payment is to
782 be made pursuant to this section] the eligibility index is prepared
783 pursuant to subsection (b) of this section;

784 (4) "Adjusted equalized net grand list per capita" means the most
785 recent adjusted equalized net grand list per capita determined for each
786 town pursuant to section 10-261;

787 (5) "Equalized mill rate" means the tax rate derived from the most
788 recent available grand levy of a town divided by the equalized net
789 grand list on which such levy is based as determined by the secretary
790 in accordance with section 10-261a;

791 (6) "Per capita temporary family assistance" means the number
792 obtained by adding together the unduplicated aggregate number of
793 children eligible to receive benefits by town under the temporary
794 family assistance program in October and May of each fiscal year, and
795 dividing by two, such number to be certified and submitted annually,
796 no later than the first day of July of the succeeding fiscal year, to the
797 secretary by the Commissioner of Social Services. Such number shall
798 be expressed as a percentage of the population of a town;

799 (7) "Unemployment rate" means the average unemployment rate of
800 a town as reported by the Labor Commissioner on the first day of July
801 for the latest available twelve-month period;

802 (8) "Eligibility index" is a measure of local burden determined by
803 calculating a town's disparity in relation to all municipalities. Points
804 shall be allocated for each of the following factors: (A) Per capita
805 income, (B) adjusted equalized net grand list per capita, (C) equalized
806 mill rate, (D) per capita temporary family assistance, and (E)
807 unemployment rate. For each factor the variance shall be the difference
808 between the first percentile and the one-hundredth percentile town

809 factors. In calculating the eligibility index for unemployment rate, per
810 capita temporary family assistance and equalized mill rate, the factor
811 for the first percentile town shall be subtracted from the factor for the
812 town and the result divided by the variance and multiplied by one
813 hundred. In calculating the eligibility index for per capita income and
814 adjusted equalized net grand list per capita, the factor for the first
815 percentile town shall be subtracted from the factor for the town and
816 the result shall be divided by the variance and multiplied by one
817 hundred. The product of such multiplication shall then be subtracted
818 from one hundred. The index points for all factors shall be totalled by
819 town resulting in the overall eligibility index. The eligibility index
820 listing shall be ranked for all towns from highest to lowest points
821 according to need;

822 (9) "Public investment communities" are municipalities requiring
823 financial assistance to offset their service burdens with eligibility
824 defined as one which is in the top quartile of the "eligibility index"
825 scale;

826 (10) "Grand levy" means the mill rate of the town multiplied by the
827 net taxable grand list of the town and includes the value of special
828 service districts if such districts contain fifty per cent or more of the
829 value of total taxable property within the town;

830 (11) "Population" of a town means that enumerated in the most
831 recent federal decennial census of the population or that enumerated
832 in the current population report series issued by the United States
833 Department of Commerce, Bureau of the Census available on January
834 first of the fiscal year two years prior to the fiscal year in which the
835 eligibility index is prepared pursuant to subsection (b) of this section,
836 whichever is most recent, except that for any town whose enumerated
837 population residing in state or federal institutions within such town
838 and attributed to such town by the census exceeds forty per cent of the
839 population of such town, "population" shall not include persons who
840 are incarcerated or in custodial situations, including, but not limited to
841 jails, prisons, hospitals or training schools or persons who reside in

842 dormitory facilities in schools, colleges, universities or military bases.

843 (b) On or before July 15, 1994, and annually thereafter, the secretary
844 shall prepare the eligibility index for Connecticut municipalities. A
845 municipality shall continue to be a public investment community for
846 the fiscal year in which such municipality is not included in the top
847 quartile of the eligibility index scale and for the following four fiscal
848 years.

849 Sec. 30. (NEW) (*Effective from passage*) (a) This section shall be known
850 as the "Steven Saucier Act."

851 (b) Any general statute, local law, ordinance, charter or regulation
852 adopted by the state or any political subdivision of the state that refers
853 to persons with disabilities shall utilize language that does not: (1)
854 Imply that such persons are disabled as a whole, (2) equate persons
855 with their condition, or (3) have negative overtones or have a
856 derogatory or demeaning effect.

857 Sec. 31. Section 1-210 of the 2006 supplement to the general statutes
858 is repealed and the following is substituted in lieu thereof (*Effective*
859 *from passage*):

860 (a) Except as otherwise provided by any federal law or state statute,
861 all records maintained or kept on file by any public agency, whether or
862 not such records are required by any law or by any rule or regulation,
863 shall be public records and every person shall have the right to (1)
864 inspect such records promptly during regular office or business hours,
865 (2) copy such records in accordance with subsection (g) of section 1-
866 212, or (3) receive a copy of such records in accordance with section 1-
867 212. Any agency rule or regulation, or part thereof, that conflicts with
868 the provisions of this subsection or diminishes or curtails in any way
869 the rights granted by this subsection shall be void. Each such agency
870 shall keep and maintain all public records in its custody at its regular
871 office or place of business in an accessible place and, if there is no such
872 office or place of business, the public records pertaining to such agency
873 shall be kept in the office of the clerk of the political subdivision in

874 which such public agency is located or of the Secretary of the State, as
875 the case may be. Any certified record hereunder attested as a true copy
876 by the clerk, chief or deputy of such agency or by such other person
877 designated or empowered by law to so act, shall be competent
878 evidence in any court of this state of the facts contained therein. Each
879 such agency shall make, keep and maintain a record of the proceedings
880 of its meetings.

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

883 (1) Preliminary drafts or notes provided the public agency has
884 determined that the public interest in withholding such documents
885 clearly outweighs the public interest in disclosure;

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

888 (3) Records of law enforcement agencies not otherwise available to
889 the public which records were compiled in connection with the
890 detection or investigation of crime, if the disclosure of said records
891 would not be in the public interest because it would result in the
892 disclosure of (A) the identity of informants not otherwise known or the
893 identity of witnesses not otherwise known whose safety would be
894 endangered or who would be subject to threat or intimidation if their
895 identity was made known, (B) signed statements of witnesses, (C)
896 information to be used in a prospective law enforcement action if
897 prejudicial to such action, (D) investigatory techniques not otherwise
898 known to the general public, (E) arrest records of a juvenile, which
899 shall also include any investigatory files, concerning the arrest of such
900 juvenile, compiled for law enforcement purposes, (F) the name and
901 address of the victim of a sexual assault under section 53a-70, 53a-70a,
902 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or risk of injury, or
903 impairing of morals under section 53-21, or of an attempt thereof, or
904 (G) uncorroborated allegations subject to destruction pursuant to
905 section 1-216;

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

910 (5) (A) Trade secrets, which for purposes of the Freedom of
911 Information Act, are defined as information, including formulas,
912 patterns, compilations, programs, devices, methods, techniques,
913 processes, drawings, cost data, or customer lists that (i) derive
914 independent economic value, actual or potential, from not being
915 generally known to, and not being readily ascertainable by proper
916 means by, other persons who can obtain economic value from their
917 disclosure or use, and (ii) are the subject of efforts that are reasonable
918 under the circumstances to maintain secrecy; and

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

921 (6) Test questions, scoring keys and other examination data used to
922 administer a licensing examination, examination for employment or
923 academic examinations;

924 (7) The contents of real estate appraisals, engineering or feasibility
925 estimates and evaluations made for or by an agency relative to the
926 acquisition of property or to prospective public supply and
927 construction contracts, until such time as all of the property has been
928 acquired or all proceedings or transactions have been terminated or
929 abandoned, provided the law of eminent domain shall not be affected
930 by this provision;

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

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

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

940 (11) Names or addresses of students enrolled in any public school or
941 college without the consent of each student whose name or address is
942 to be disclosed who is eighteen years of age or older and a parent or
943 guardian of each such student who is younger than eighteen years of
944 age, provided this subdivision shall not be construed as prohibiting the
945 disclosure of the names or addresses of students enrolled in any public
946 school in a regional school district to the board of selectmen or town
947 board of finance, as the case may be, of the town wherein the student
948 resides for the purpose of verifying tuition payments made to such
949 school;

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

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

953 (14) Adoption records and information provided for in sections 45a-
954 746, 45a-750 and 45a-751;

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

961 (16) Records of complaints, including information compiled in the
962 investigation thereof, brought to a municipal health authority pursuant
963 to chapter 368e or a district department of health pursuant to chapter
964 368f, until such time as the investigation is concluded or thirty days
965 from the date of receipt of the complaint, whichever occurs first;

966 (17) Educational records which are not subject to disclosure under

967 the Family Educational Rights and Privacy Act, 20 USC 1232g;

968 (18) Records, the disclosure of which the Commissioner of
969 Correction, or as it applies to Whiting Forensic Division facilities of the
970 Connecticut Valley Hospital, the Commissioner of Mental Health and
971 Addiction Services, has reasonable grounds to believe may result in a
972 safety risk, including the risk of harm to any person or the risk of an
973 escape from, or a disorder in, a correctional institution or facility under
974 the supervision of the Department of Correction or Whiting Forensic
975 Division facilities. Such records shall include, but are not limited to:

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

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

980 (C) Operational specifications of security systems utilized by the
981 Department of Correction at any correctional institution or facility or
982 Whiting Forensic Division facilities, except that a general description
983 of any such security system and the cost and quality of such system
984 may be disclosed;

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

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

990 (F) Minutes or recordings of staff meetings of the Department of
991 Correction or Whiting Forensic Division facilities, or portions of such
992 minutes or recordings, that contain or reveal information relating to
993 security or other records otherwise exempt from disclosure under this
994 subdivision;

995 (G) Logs or other documents that contain information on the
996 movement or assignment of inmates or staff at correctional institutions

997 or facilities; and

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

1000 (19) Records when there are reasonable grounds to believe
1001 disclosure may result in a safety risk, including the risk of harm to any
1002 person, any government-owned or leased institution or facility or any
1003 fixture or appurtenance and equipment attached to, or contained in,
1004 such institution or facility, except that such records shall be disclosed
1005 to a law enforcement agency upon the request of the law enforcement
1006 agency. Such reasonable grounds shall be determined (A) with respect
1007 to records concerning any executive branch agency of the state or any
1008 municipal, district or regional agency, by the Commissioner of Public
1009 Works, after consultation with the chief executive officer of the agency;
1010 (B) with respect to records concerning Judicial Department facilities,
1011 by the Chief Court Administrator; and (C) with respect to records
1012 concerning the Legislative Department, by the executive director of the
1013 Joint Committee on Legislative Management. As used in this section,
1014 "government-owned or leased institution or facility" includes, but is
1015 not limited to, an institution or facility owned or leased by a public
1016 service company, as defined in section 16-1, as amended, a certified
1017 telecommunications provider, as defined in section 16-1, as amended, a
1018 water company, as defined in section 25-32a, or a municipal utility that
1019 furnishes electric, gas or water service, but does not include an
1020 institution or facility owned or leased by the federal government, and
1021 "chief executive officer" includes, but is not limited to, an agency head,
1022 department head, executive director or chief executive officer. Such
1023 records include, but are not limited to:

1024 (i) Security manuals or reports;

1025 (ii) Engineering and architectural drawings of government-owned
1026 or leased institutions or facilities;

1027 (iii) Operational specifications of security systems utilized at any
1028 government-owned or leased institution or facility, except that a

1029 general description of any such security system and the cost and
1030 quality of such system, may be disclosed;

1031 (iv) Training manuals prepared for government-owned or leased
1032 institutions or facilities that describe, in any manner, security
1033 procedures, emergency plans or security equipment;

1034 (v) Internal security audits of government-owned or leased
1035 institutions or facilities;

1036 (vi) Minutes or records of meetings, or portions of such minutes or
1037 records, that contain or reveal information relating to security or other
1038 records otherwise exempt from disclosure under this subdivision;

1039 (vii) Logs or other documents that contain information on the
1040 movement or assignment of security personnel at government-owned
1041 or leased institutions or facilities;

1042 (viii) Emergency plans and emergency recovery or response plans;
1043 and

1044 (ix) With respect to a water company, as defined in section 25-32a,
1045 that provides water service: Vulnerability assessments and risk
1046 management plans, operational plans, portions of water supply plans
1047 submitted pursuant to section 25-32d that contain or reveal
1048 information the disclosure of which may result in a security risk to a
1049 water company, inspection reports, technical specifications and other
1050 materials that depict or specifically describe critical water company
1051 operating facilities, collection and distribution systems or sources of
1052 supply;

1053 (20) Records of standards, procedures, processes, software and
1054 codes, not otherwise available to the public, the disclosure of which
1055 would compromise the security or integrity of an information
1056 technology system;

1057 (21) The residential, work or school address of any participant in the
1058 address confidentiality program established pursuant to sections 54-

1059 240 to 54-240o, inclusive;

1060 (22) The electronic mail address of any person that is obtained by
1061 the Department of Transportation in connection with the
1062 implementation or administration of any plan to inform individuals
1063 about significant highway or railway incidents; and

1064 (23) Responses to any procurement request for proposals or bid
1065 solicitation by a public agency or any records or files made in
1066 connection with a contract award process by any public agency until
1067 the contract is awarded or until negotiations for the award of such
1068 contract have ended, whichever occurs first, provided the chief officer
1069 of such public agency certifies that the public interest in disclosure of
1070 such responses, records or files is outweighed by the public interest in
1071 confidentiality of such responses, records or files.

1072 (c) Whenever a public agency receives a request from any person
1073 confined in a correctional institution or facility or a Whiting Forensic
1074 Division facility, for disclosure of any public record under the
1075 Freedom of Information Act, the public agency shall promptly notify
1076 the Commissioner of Correction or the Commissioner of Mental Health
1077 and Addiction Services in the case of a person confined in a Whiting
1078 Forensic Division facility of such request, in the manner prescribed by
1079 the commissioner, before complying with the request as required by
1080 the Freedom of Information Act. If the commissioner believes the
1081 requested record is exempt from disclosure pursuant to subdivision
1082 (18) of subsection (b) of this section, the commissioner may withhold
1083 such record from such person when the record is delivered to the
1084 person's correctional institution or facility or Whiting Forensic
1085 Division facility.

1086 (d) Whenever a public agency, except the Judicial Department or
1087 Legislative Department, receives a request from any person for
1088 disclosure of any records described in subdivision (19) of subsection
1089 (b) of this section under the Freedom of Information Act, the public
1090 agency shall promptly notify the Commissioner of Public Works of

1091 such request, in the manner prescribed by the commissioner, before
1092 complying with the request as required by the Freedom of Information
1093 Act and for information related to a water company, as defined in
1094 section 25-32a, the public agency shall promptly notify the water
1095 company before complying with the request as required by the
1096 Freedom of Information Act. If the commissioner, after consultation
1097 with the chief executive officer of the applicable agency or after
1098 consultation with the chief executive officer of the applicable water
1099 company for information related to a water company, as defined in
1100 section 25-32a, believes the requested record is exempt from disclosure
1101 pursuant to subdivision (19) of subsection (b) of this section, the
1102 commissioner may direct the agency to withhold such record from
1103 such person. In any appeal brought under the provisions of section 1-
1104 206 of the Freedom of Information Act for denial of access to records
1105 for any of the reasons described in subdivision (19) of subsection (b) of
1106 this section, such appeal shall be against the Commissioner of Public
1107 Works, exclusively, or, in the case of records concerning Judicial
1108 Department facilities, the Chief Court Administrator or, in the case of
1109 records concerning the Legislative Department, the executive director
1110 of the Joint Committee on Legislative Management.

1111 (e) Notwithstanding the provisions of subdivisions (1) and (16) of
1112 subsection (b) of this section, disclosure shall be required of:

1113 (1) Interagency or intra-agency memoranda or letters, advisory
1114 opinions, recommendations or any report comprising part of the
1115 process by which governmental decisions and policies are formulated,
1116 except disclosure shall not be required of a preliminary draft of a
1117 memorandum, prepared by a member of the staff of a public agency,
1118 which is subject to revision prior to submission to or discussion among
1119 the members of such agency;

1120 (2) All records of investigation conducted with respect to any
1121 tenement house, lodging house or boarding house as defined in section
1122 19a-355, or any nursing home, residential care home or rest home, as
1123 defined in section 19a-490, by any municipal building department or

1124 housing code inspection department, any local or district health
1125 department, or any other department charged with the enforcement of
1126 ordinances or laws regulating the erection, construction, alteration,
1127 maintenance, sanitation, ventilation or occupancy of such buildings;
1128 and

1129 (3) The names of firms obtaining bid documents from any state
1130 agency.

1131 Sec. 32. Subsection (d) of section 9-23g of the general statutes is
1132 repealed and the following is substituted in lieu thereof (*Effective from*
1133 *passage*):

1134 (d) (1) Except as otherwise provided in this subsection, the
1135 privileges of an elector for any applicant for admission under this
1136 section and section 9-23h, as amended, shall attach immediately upon
1137 approval by the registrar, and the registrars shall enter the name of the
1138 elector on the registry list.

1139 (2) Except as provided in subdivision (3) of this subsection, if a
1140 mailed application is postmarked, or if a delivered application is
1141 received in the office of the registrars of voters, after the fourteenth day
1142 before an election or after the fifth day before a primary, the privileges
1143 of an elector shall not attach until the day after such election or
1144 primary, as the case may be. In such event, the registrars of voters may
1145 cause such applicant to be contacted, either by telephone or mail, in
1146 order to inform such applicant of the effect of such late received mail-
1147 in application and any applicable deadline for applying for admission
1148 in person.

1149 (3) If an application is received after the fourteenth day before an
1150 election or after the fifth day before a primary by the Commissioner of
1151 Motor Vehicles or by a voter registration agency, the privileges of an
1152 elector shall not attach until the day after the election or primary, as
1153 the case may be, or on the day the registrar approves it, whichever is
1154 later.

1155 (4) If on the day of an election or primary, the name of an applicant
1156 does not appear on the official check list, such applicant may present
1157 to the moderator at the polls either a notice of acceptance received
1158 through the mail or an application receipt that was previously
1159 provided to the applicant pursuant to section 9-19e, subsection (b) of
1160 section 9-19h, subsection (b) of this section or section 9-23n. If an
1161 applicant presents said notice or receipt, and either the registrars of
1162 voters find the original application or the applicant submits a new
1163 application at the polls, the registrar, or assistant registrar upon notice
1164 to and approval by the registrar, shall add such person's name and
1165 address to the official check list on such day and the person shall be
1166 allowed to vote if otherwise eligible to vote and the person presents to
1167 the checkers at the polling place a preprinted form of identification
1168 pursuant to subparagraph (A) of subdivision (2) of subsection (a) of
1169 section 9-261.

1170 Sec. 33. Subsection (a) of section 9-7a of the general statutes is
1171 repealed and the following is substituted in lieu thereof (*Effective from*
1172 *passage*):

1173 (a) There is established a State Elections Enforcement Commission
1174 to consist of five members, not more than two of whom shall be
1175 members of the same political party and at least one of whom shall not
1176 be affiliated with any political party. Of the members first appointed
1177 hereunder, one shall be appointed by the minority leader of the House
1178 of Representatives and shall hold office for a term of one year from
1179 July 1, 1974; one shall be appointed by the minority leader of the
1180 Senate and shall hold office for a term of three years from said July
1181 first; one shall be appointed by the speaker of the House of
1182 Representatives and shall hold office for a term of one year from said
1183 July first; one shall be appointed by the president pro tempore of the
1184 Senate and shall hold office for a term of three years from said July
1185 first, and one shall be appointed by the Governor, provided that such
1186 member shall not be affiliated with any political party, and shall hold
1187 office for a term of five years from said July first. Thereafter, members
1188 shall be appointed for terms of five years from July first in the year of

1189 their appointment and shall be appointed by the person holding the
1190 same office as was held by the person making the original
1191 appointment, provided any person chosen to fill a vacancy shall be
1192 appointed only for the unexpired term of the member whom he shall
1193 succeed. All appointments shall be made with the consent of the state
1194 Senate and House of Representatives, provided the initial appointees
1195 may serve without confirmation from July 1, 1974, subject to approval
1196 at the next regular session of the General Assembly. No person who
1197 has served within the previous three years as a public official, other
1198 than a member of the State Elections Enforcement Commission, or who
1199 has served within the previous three years as a political party officer,
1200 shall be appointed to membership on the commission. For purposes of
1201 this subsection the term "public official" means an individual who
1202 holds or has held a state, district or municipal office as defined in
1203 section 9-372 but shall not include a justice of the peace or a notary
1204 public and the term "political party officer" means an officer or
1205 member of a national committee of a political party, state central or
1206 town committee, or any person employed by any such committee for
1207 compensation. The commission shall elect one of its members to serve
1208 as chairperson and another member to serve as vice-chairperson. Each
1209 member of the commission shall be compensated at the rate of [fifty]
1210 two hundred dollars per day for any day on which he participates in a
1211 regular commission meeting or hearing, and shall be paid by the state
1212 for his reasonable expenses, including necessary stenographic and
1213 clerical help.

1214 Sec. 34. Subsection (f) of section 1-80 of the 2006 supplement to the
1215 general statutes is repealed and the following is substituted in lieu
1216 thereof (*Effective from passage*):

1217 (f) Members of the board shall be compensated at the rate of [fifty]
1218 two hundred dollars per day for each day they attend a meeting or
1219 hearing and shall receive reimbursement for their necessary expenses
1220 incurred in the discharge of their official duties.

1221 Sec. 35. Subsection (b) of section 1-205 of the general statutes is

1222 repealed and the following is substituted in lieu thereof (*Effective from*
1223 *passage*):

1224 (b) Each member shall receive [fifty] two hundred dollars per day
1225 for each day such member is present at a commission hearing or
1226 meeting, and shall be entitled to reimbursement for actual and
1227 necessary expenses incurred in connection therewith, in accordance
1228 with the provisions of section 4-1.

1229 Sec. 36. Section 34-301 of the general statutes is repealed and the
1230 following is substituted in lieu thereof (*Effective October 1, 2006*):

1231 As used in sections 34-300 to [34-399] 34-434, inclusive:

1232 (1) "Business" includes every trade, occupation and profession.

1233 (2) "Debtor in bankruptcy" means a person who is the subject of: (A)
1234 An order for relief under Title 11 of the United States Code or a
1235 comparable order under a successor statute of general application; or
1236 (B) a comparable order under federal, state or foreign law governing
1237 insolvency.

1238 (3) "Distribution" means a transfer of money or other property from
1239 a partnership to a partner in the partner's capacity as a partner or to
1240 the partner's transferee.

1241 (4) "Foreign registered limited liability partnership" includes a
1242 partnership formed pursuant to an agreement governed by the laws of
1243 any state other than this state and registered or denominated as a
1244 registered limited liability partnership or limited liability partnership
1245 under the laws of such other state.

1246 (5) "Interests" means the proprietary interests in an other entity.

1247 (6) "Merger" means a business combination pursuant to section 34-
1248 388.

1249 (7) "Organizational documents" means the basic document or

1250 documents that create, or determine the internal governance of, an
1251 other entity.

1252 (8) "Other entity" means any association or legal entity, other than a
1253 domestic or foreign partnership, organized to conduct business,
1254 including, but not limited to, a corporation, limited partnership,
1255 limited liability partnership, limited liability company, joint venture,
1256 joint stock company, business trust, statutory trust and real estate
1257 investment trust.

1258 (9) "Partnership" means an association of two or more persons to
1259 carry on as co-owners a business for profit formed under section 34-
1260 314, predecessor law or comparable law of another jurisdiction, and
1261 includes for all purposes of the laws of this state a registered limited
1262 liability partnership.

1263 (10) "Partnership agreement" means the agreement, whether
1264 written, oral or implied, among the partners concerning the
1265 partnership, including amendments to the partnership agreement.

1266 (11) "Partnership at will" means a partnership in which the partners
1267 have not agreed to remain partners until the expiration of a definite
1268 term or the completion of a particular undertaking.

1269 (12) "Partnership interest" or "partner's interest in the partnership"
1270 means all of a partner's interests in the partnership, including the
1271 partner's transferable interest and all management and other rights.

1272 (13) "Party to a merger" means any domestic or foreign partnership
1273 or other entity that will merge under a plan of merger.

1274 (14) "Person" means an individual, corporation, limited liability
1275 company, business trust, estate, trust, partnership, association, joint
1276 venture, government, governmental subdivision, agency or
1277 instrumentality, or any other legal or commercial entity.

1278 (15) "Plan of merger" means a plan entered into pursuant to section
1279 34-388.

1280 (16) "Property" means all property, real, personal or mixed, tangible
1281 or intangible, or any interest therein.

1282 (17) "Registered limited liability partnership" includes a partnership
1283 formed pursuant to an agreement governed by the laws of this state,
1284 registered under section 34-419, and complying with sections 34-406
1285 and 34-420.

1286 (18) "State" means a state of the United States, the District of
1287 Columbia, the Commonwealth of Puerto Rico or any territory or
1288 insular possession subject to the jurisdiction of the United States.

1289 (19) "Statement" means a statement of partnership authority under
1290 section 34-324, a statement of denial under section 34-325, a statement
1291 of dissociation under section 34-365, a statement of dissolution under
1292 section 34-376, a statement of merger under section 34-390, or an
1293 amendment or cancellation of any of the foregoing.

1294 (20) "Survivor" in a merger means the partnership or other entity
1295 into which one or more other partnerships or other entities are merged
1296 or consolidated. A survivor of a merger may preexist the merger or be
1297 created by the merger.

1298 (21) "Transfer" includes an assignment, conveyance, lease,
1299 mortgage, deed and encumbrance.

1300 Sec. 37. (NEW) (*Effective from passage*) Notwithstanding any
1301 provision of the general statutes, if the Commissioner of Public Works
1302 requires any person submitting a bid related to the construction,
1303 reconstruction, alteration, remodeling, repair or demolition of any
1304 public building for work by the state having a cost to the state of five
1305 million dollars or more to obtain a cost analysis of such project, such
1306 cost analysis shall be prepared by a certified professional estimator
1307 certified by the American Society of Professional Estimators or by a
1308 design or construction professional recognized by the commissioner.

1309 Sec. 38. Section 7-29 of the general statutes is repealed and the

1310 following is substituted in lieu thereof (*Effective January 1, 2007*):

1311 When any town clerk has recorded any instrument that the town
1312 clerk knows to be a release, partial release or assignment of a mortgage
1313 or lien recorded on the records of such town, the town clerk shall make
1314 a notation on the first page where such mortgage or lien is recorded,
1315 stating the book and page where such release, partial release or
1316 assignment is recorded. If the land records are not maintained in a
1317 paper form, the town clerk shall make the notation on the digitized
1318 image of the first page of such mortgage or lien in a form or manner
1319 approved by the Public Records Administrator. Nothing in this section
1320 shall require the town clerk with whom such release, partial release or
1321 assignment was recorded to note such release, partial release or
1322 assignment whenever such town clerk maintains a computerized
1323 searchable grantor and grantee index covering the period in which
1324 such release, partial release or assignment was recorded.

1325 Sec. 39. Section 9-232e of the general statutes is repealed and the
1326 following is substituted in lieu thereof (*Effective October 1, 2006*):

1327 Any person requesting a challenged ballot and entitled thereto shall
1328 announce his name to the checkers who shall [cross his name off the
1329 registry list and add it with his address to the end of the official list
1330 where it shall be designated "Challenged Ballot" and serially
1331 numbered] write before such person's name "CB" for Challenged Ballot
1332 and not marked as voting in person on the voting machine. The
1333 challenged ballot shall be an absentee ballot. After the voter has so
1334 announced his name, the moderator shall deliver to such voter a
1335 challenged ballot together with an envelope marked "Challenged
1336 Ballot" and serially numbered. The challenged voter shall forthwith
1337 mark the ballot in the presence of the [moderator] polling place
1338 officials in such manner that the [moderator] polling place officials
1339 shall not know how the ballot is marked. He shall then fold the ballot
1340 in the presence of the [moderator] polling place officials so as to
1341 conceal the markings and deposit and seal it in the serially-numbered
1342 envelope. He shall then deliver such envelope to the moderator. The

1343 moderator shall retain all such envelopes in an envelope prescribed by
1344 the Secretary of the State and provided by the municipal clerk which
1345 he shall seal immediately following the close of the polls.

1346 Sec. 40. Section 9-263 of the general statutes is repealed and the
1347 following is substituted in lieu thereof (*Effective October 1, 2006*):

1348 If any voting machine used in any voting district, during the time
1349 the polls are open, becomes damaged so as to render it inoperative in
1350 whole or in part, the moderator shall immediately give notice thereof
1351 to the registrars of voters under whose direction the machine was
1352 prepared under section 9-243 and such registrars, if possible, shall
1353 substitute a perfect machine for the damaged machine, and, at the
1354 close of the polls, the records of both machines shall be taken and the
1355 votes shown on their counters shall be added together in ascertaining
1356 and determining the result of the election. If no other machine is in use
1357 in the polling place such registrars shall immediately permit the use by
1358 the electors of emergency paper ballots provided by the municipal
1359 clerk to the moderator pursuant to section 9-259. Such ballots shall be
1360 received by the election officials and placed by them in a receptacle to
1361 be provided therefor and counted with the votes registered on the
1362 voting machine and the result declared in the same manner as if there
1363 had been no accident to the voting machine. The emergency paper
1364 ballot shall be an absentee ballot. Emergency paper ballots shall be cast
1365 in the following manner. The elector shall announce the elector's name
1366 to the official checkers who shall [cross the elector's name off the
1367 registry list and add it with the elector's address to the end of] mark
1368 the official checklist with "EPB" in front of the elector's name to [where
1369 it shall] be designated "Emergency Paper Ballot". [or "EPB" and serially
1370 numbered.] After the elector has so announced the elector's name, the
1371 moderator shall deliver to such elector an emergency paper ballot
1372 together with the serially numbered envelope. The elector shall
1373 forthwith mark the ballot in the presence of the [moderator] polling
1374 place officials in such manner that the [moderator] polling place
1375 officials shall not know how the ballot is marked. The elector shall then
1376 fold the ballot in the presence of the [moderator] polling place officials

1377 so as to conceal the markings and deposit and seal it in the serially
1378 numbered envelope. The elector shall then deliver the envelope to the
1379 moderator who shall place it in a specially designated depository
1380 envelope. The emergency paper ballots thus received shall be counted
1381 at the next scheduled absentee ballot count in the same manner as
1382 other absentee ballots, provided no such ballot may be counted unless
1383 all provisions of this section have been complied with. Such ballots so
1384 counted shall be preserved by replacing them into the special
1385 depository envelopes along with a certificate signed by the moderator
1386 and registrars of voters setting forth the circumstances under which
1387 such emergency paper ballots were cast. Use of emergency paper
1388 ballots shall be discontinued immediately upon replacement or repair
1389 of at least one machine, provided no repair shall be made on a voting
1390 machine on which any vote was cast, unless such repair would not
1391 affect the manner in which votes are recorded on such machine, as
1392 provided in subsection (b) of section 9-246.

1393 Sec. 41. Section 9-264 of the general statutes is repealed and the
1394 following is substituted in lieu thereof (*Effective October 1, 2006*):

1395 (a) An elector who requires assistance to vote, by reason of
1396 blindness, disability or inability to write or to read the ballot, may be
1397 given assistance by a person of the elector's choice, other than (1) the
1398 elector's employer, (2) an agent of such employer, or (3) an officer or
1399 agent of the elector's union. The person assisting the elector may
1400 accompany the elector into the voting machine booth. Such person
1401 shall register such elector's vote upon the machine as such elector
1402 directs. Any person accompanying an elector into the voting machine
1403 booth who deceives any elector in registering his vote under this
1404 section or seeks to influence any elector while in the act of voting, or
1405 who registers any vote for any elector or on any question other than as
1406 requested by such elector, or who gives information to any person as
1407 to what person or persons such elector voted for, or how he voted on
1408 any question, shall be fined not more than one thousand dollars or
1409 imprisoned not more than five years or both.

1410 (b) Paper ballots provided by the municipal clerk to the moderator
 1411 pursuant to section 9-259 shall be made available for electors with
 1412 disabilities in polling places in which a voting machine cannot be
 1413 adjusted to allow all necessary parts to be reached from a chair. Such
 1414 paper ballots shall be used at the option of the elector with disabilities.
 1415 The elector shall announce the elector's name to the official checkers
 1416 who shall [cross the elector's name off the registry list and add it with
 1417 the elector's address to the end of the official checklist where it shall
 1418 be] mark the official checklist with "PBD" in front of the elector's name
 1419 to be designated "paper ballot for persons with disabilities". [or "PBD"
 1420 and serially numbered.] After the elector has so announced the
 1421 elector's name, the moderator shall deliver to the elector an absentee
 1422 ballot and a serially-numbered envelope. The elector shall forthwith
 1423 mark the ballot in the presence of the [moderator] polling place
 1424 officials in such manner that the [moderator] polling place officials
 1425 shall not know how the ballot is marked. The elector shall fold the
 1426 ballot in the presence of the [moderator] polling place officials so as to
 1427 conceal the markings and deposit and seal it in the serially-numbered
 1428 envelope. The elector shall deliver the envelope to the moderator who
 1429 shall place it in a specially-designated depository envelope. The paper
 1430 ballots thus received shall be counted at the next scheduled absentee
 1431 ballot count in the same manner as other absentee ballots. Such ballots
 1432 so counted shall be preserved by placing them in the depository
 1433 envelopes with the regular absentee ballots, and such serially-
 1434 numbered envelopes shall be placed in the depository envelopes with
 1435 the regular absentee ballot envelopes.

1436 Sec. 42. Section 7-546 of the general statutes is repealed. (*Effective*
 1437 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4b-91(b)
Sec. 2	<i>October 1, 2006</i>	49-41(a)
Sec. 3	<i>from passage</i>	3-37(a)

Sec. 4	<i>from passage</i>	9-242c
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>January 1, 2007</i>	52-380d(b)
Sec. 8	<i>January 1, 2007</i>	7-25
Sec. 9	<i>January 1, 2007</i>	7-24(c)
Sec. 10	<i>October 1, 2006</i>	33-617(a)
Sec. 11	<i>October 1, 2006</i>	33-1013(a)
Sec. 12	<i>October 1, 2006</i>	34-9
Sec. 13	<i>October 1, 2006</i>	34-38n(a)
Sec. 14	<i>October 1, 2006</i>	34-112(a)
Sec. 15	<i>October 1, 2006</i>	34-301
Sec. 16	<i>from October 1, 2006</i>	34-413(a)
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>from passage</i>	10-29a(a)
Sec. 19	<i>from passage</i>	4-250
Sec. 20	<i>October 1, 2006</i>	New section
Sec. 21	<i>from passage</i>	3-117(c)
Sec. 22	<i>from passage</i>	4a-57a
Sec. 23	<i>July 1, 2006</i>	4b-56
Sec. 24	<i>July 1, 2006</i>	4b-100a(a) and (b)
Sec. 25	<i>July 1, 2006</i>	4-252(b)
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>from passage</i>	7-38
Sec. 28	<i>from passage</i>	New section
Sec. 29	<i>July 1, 2006</i>	7-545
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	1-210
Sec. 32	<i>from passage</i>	9-23g(d)
Sec. 33	<i>from passage</i>	9-7a(a)
Sec. 34	<i>from passage</i>	1-80(f)
Sec. 35	<i>from passage</i>	1-205(b)
Sec. 36	<i>October 1, 2006</i>	34-301
Sec. 37	<i>from passage</i>	New section
Sec. 38	<i>January 1, 2007</i>	7-29
Sec. 39	<i>October 1, 2006</i>	9-232e
Sec. 40	<i>October 1, 2006</i>	9-263
Sec. 41	<i>October 1, 2006</i>	9-264
Sec. 42	<i>from passage</i>	Repealer section