General Assembly

Raised Bill No. 7409

January Session, 2007

LCO No. **6316**

06316_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

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

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

Section 1. Subsection (b) of section 2-8r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any member of the General Assembly on July 1, 1985, who is not a participant in the General Assembly pension system may elect to become a member of tier I in the state employees retirement system, part A or part B, provided **[**he**]** the member makes application to the State Employees Retirement Commission not later than December 31, 1985. Any such member may obtain credit for any credited past service for which **[**he**]** such member would have been eligible as a member of the General Assembly pension system provided **[**he**]** such member makes the required contributions to the State Employees Retirement Fund in accordance with section 5-181. Failure to make such application by December 31, 1985, shall result in forfeiture of the member's right to participate in tier I of the state employees retirement system, and the member shall become a member of tier II of the state

employees retirement system and eligible for vesting service as provided in subsection (a) of this section.

Sec. 2. Subsection (b) of section 3-2a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding the provisions of subsection (a) of this section, the increase in the annual pension for Governors and in the compensation to surviving spouses of Governors, effective on January 1, 1979, shall not apply to the Governor in office on July 7, 1977, or to such Governor's spouse.

Sec. 3. Subsection (a) of section 3-99a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (b) of this section, the Secretary of the State shall receive, for filing or recording any document, instrument or paper required to be filed or recorded regardless of the number of pages, when fees are not otherwise specially provided for, twenty-five dollars. The Secretary shall receive, for preparing and furnishing a copy of any document, instrument or paper filed or recorded: For each copy of each such document, regardless of the number of pages, twenty dollars, for affixing **[**his**]** the Secretary's certificate and the state seal thereto, five dollars; for the Secretary's certificate with the state seal imprinted or affixed, twenty-five dollars; for a certificate, with the seal of the state imprinted or affixed thereon, of any fact or record for which no special provision is made, twenty-five dollars; for certifying the incumbency of a judge of probate, notary public or other official, twenty dollars, except that for certifying the incumbency of an official in connection with an adoption of a child, such fee shall be five dollars.

Sec. 4. Subsection (a) of section 3-117 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

48 *passage*):

49 (a) Except as provided in subsection (b) of this section, upon the
50 settlement of any claim against the state, the Comptroller shall draw
51 an order on the Treasurer for its payment; but each such claim shall be
52 submitted directly to the agency which ordered or received the articles
53 or service for which such claim was made. The agency shall certify that
54 such articles or services have been received or performed or, if not yet
55 received or performed, are covered (1) by contracts properly drawn
56 and executed, or (2) under procedures adopted by the Comptroller.
57 Each claim against the state shall be supported by vouchers or receipts
58 for the payment of any money exceeding twenty-five dollars at any
59 one time, and an accurate account, showing the items of such claim,
60 and a detailed account of expenses, when expenses constitute a portion
61 of it, specifying the day when and purpose for which they were
62 incurred. The original vouchers or receipts shall be filed in the
63 Comptroller's office or retained by such agency in accordance with
64 such procedures as the Comptroller may prescribe.

65 Sec. 5. Subsection (b) of section 4-28 of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective from*
67 *passage*):

68 (b) The Governor may designate any commissioner, officer or
69 agency of the state or any group or committee of commissioners or
70 officers of the state as the sole agency of the state, **[**(i)**]** (1) to apply for,
71 accept and expend funds allocated or payable to the state for state,
72 local and other expenditures under any Act of Congress or
73 administrative ruling pursuant thereto, **[**(ii)**]** (2) to establish and
74 administer or supervise the administration of any state-wide plan
75 which is now or may hereafter be required as a condition for receipt of
76 federal funds, and **[**(iii)**]** (3) to take such other action as may be
77 reasonable and necessary to fulfill the purposes of the federal
78 requirements. Such agency may comply with all administrative
79 requirements, not inconsistent with the laws of the state, imposed as a

80 condition for receipt of said federal funds.

81 Sec. 6. Subsection (a) of section 4-67x of the general statutes is
82 repealed and the following is substituted in lieu thereof (*Effective from*
83 *passage*):

84 (a) **[**(1)**]** There shall be a Child Poverty and Prevention Council
85 consisting of the following members or their designees: The Secretary
86 of the Office of Policy and Management, the president pro tempore of
87 the Senate, the speaker of the House of Representatives, the minority
88 leader of the Senate and the minority leader of the House of
89 Representatives, the Commissioners of Children and Families, Social
90 Services, Correction, Mental Retardation, Mental Health and Addiction
91 Services, Transportation, Public Health, Education, Economic and
92 Community Development and Health Care Access, the Labor
93 Commissioner, the Chief Court Administrator, the **[**Chairman**]**
94 chairman of the Board of Governors **[**for**]** of Higher Education, the
95 Child Advocate, the chairperson of the Children's Trust Fund and the
96 executive directors of the Commission on Children and the
97 Commission on Human Rights and Opportunities. The Secretary of the
98 Office of Policy and Management, or the secretary's designee, shall be
99 the chairperson of the council. The council shall (1) develop and
100 promote the implementation of a ten-year plan, to begin June 8, 2004,
101 to reduce the number of children living in poverty in the state by fifty
102 per cent, and (2) within available appropriations, establish prevention
103 goals and recommendations and measure prevention service outcomes
104 in accordance with this section in order to promote the health and
105 well-being of children and families.

106 Sec. 7. Subsection (d) of section 4-95a of the general statutes is
107 repealed and the following is substituted in lieu thereof (*Effective from*
108 *passage*):

109 (d) No appropriation may be made under subsection (a) of this
110 section unless authority exists in the general statutes for the programs
111 contemplated.

112 Sec. 8. Subsection (a) of section 4-159 of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective from*
114 *passage*):

115 (a) Not later than five days after the convening of each regular
116 session and at such other times as the speaker of the House of
117 Representatives and president pro tempore of the Senate may desire,
118 the Claims Commissioner shall submit to the General Assembly (1) all
119 claims for which the Claims Commissioner recommended payment of
120 a just claim in an amount exceeding seven thousand five hundred
121 dollars pursuant to subdivision (3) of subsection (a) of section 4-158,
122 and (2) all claims for which a request for review has been filed
123 pursuant to subsection (b) of section 4-158, together with a copy of the
124 **[**Claim**]** Claims Commissioner's findings and the hearing record of
125 each claim so reported.

126 Sec. 9. Subsection (b) of section 4-168 of the general statutes is
127 repealed and the following is substituted in lieu thereof (*Effective from*
128 *passage*):

129 (b) If an agency is required by a public act to adopt regulations, the
130 agency, within five months after the effective date of the public act or
131 by the time specified in the public act, shall publish in the Connecticut
132 Law Journal the notice required by subsection (a) of this section of its
133 intent to adopt regulations. If the agency fails to publish the notice
134 within such five-month period or by the time specified in the public
135 act, the agency shall submit a written statement of its reasons for
136 failure to do so to the Governor, the joint standing committee having
137 cognizance of the subject matter of the regulations and the standing
138 legislative regulation review committee. The agency shall submit the
139 required regulations to the standing legislative regulation review
140 committee, as provided in subsection (b) of section 4-170, not later than
141 one hundred eighty days after publication of the notice of its intent to
142 adopt regulations, or submit a written statement of its reasons for
143 failure to do so to the committee.

144 Sec. 10. Subsection (a) of section 4a-4 of the general statutes is
145 repealed and the following is substituted in lieu thereof (*Effective from*
146 *passage*):

147 (a) Except as provided in subsections (b) and (c) of this section, the
148 Commissioner of Administrative Services shall consider and devise
149 ways and means of establishing and maintaining proper control of
150 state property and equipment, including vehicles and office
151 equipment; shall require the establishment of proper permanent
152 inventory records and the taking of physical inventories of both stores
153 and equipment; shall discover unused and improperly used or
154 neglected equipment and shall authorize the transfer, use or disposal
155 of such equipment.

156 Sec. 11. Subsection (d) of section 4d-39 of the general statutes is
157 repealed and the following is substituted in lieu thereof (*Effective from*
158 *passage*):

159 (d) Any person who knowingly and wilfully violates any provision
160 of section 4d-36, 4d-37 or 4d-38 shall, for each such violation, be fined
161 not more than five thousand dollars or imprisoned not less than one
162 year **[**nor**]** or more than five years, or be both fined and imprisoned.

163 Sec. 12. Subsection (c) of section 5-247 of the general statutes is
164 repealed and the following is substituted in lieu thereof (*Effective from*
165 *passage*):

166 (c) Sick leave accruals earned by employees in the unclassified
167 service, in accordance with administrative practice or internal
168 departmental regulations similar to those governing the classified
169 service, prior to June 30, 1967, and which can be verified by written
170 attendance records and which have not been used, remain to the credit
171 of such employees for use for the purpose for which they were granted
172 or for payment on retirement, as provided in subsection (a) of this
173 section, as the case may be.

174 Sec. 13. Subsection (e) of section 7-34a of the general statutes is
175 repealed and the following is substituted in lieu thereof (*Effective from*
176 *passage*):

177 (e) In addition to the fees for recording a document under
178 subsection (a) of this section, town clerks shall receive a fee of thirty
179 dollars for each document recorded in the land records of the
180 municipality. The town clerk shall retain one dollar of any fee paid
181 pursuant to this subsection and three dollars of such fee shall become
182 part of the general revenue of the municipality and be used to pay for
183 local capital improvement projects, as defined in section 7-536. Not
184 later than the fifteenth day of each month, town clerks shall remit
185 twenty-six dollars of the fees paid pursuant to this subsection during
186 the previous calendar month to the State Treasurer. Upon deposit in
187 the General Fund, such amount shall be credited to the land
188 protection, affordable housing and historic preservation account
189 established pursuant to section 4-66aa. The provisions of this
190 subsection shall not apply to any document recorded on the land
191 records by an employee of the state or of a municipality in conjunction
192 with **[**said**]** such employee's official duties. As used in this subsection,
193 "municipality" includes each town, consolidated town and city, city,
194 consolidated town and borough, borough, and district, as defined in
195 chapter 105 or 105a, any municipal corporation or department thereof
196 created by a special act of the General Assembly, and each municipal
197 board, commission and taxing district not previously mentioned.

198 Sec. 14. Subsection (c) of section 7-129a of the general statutes is
199 repealed and the following is substituted in lieu thereof (*Effective from*
200 *passage*):

201 (c) Said fund shall be in the custody of the treasurer or other officer
202 in charge of funds of the municipality. All or any part of the moneys in
203 said fund may, from time to time, be invested in any securities in
204 which public funds may lawfully be invested. All income derived from
205 such investments shall be paid into the fund and become a part

206 thereof. The moneys so invested shall at all times be subject to
207 withdrawal from such investment for use as provided in subsection (e)
208 of this section.

209 Sec. 15. Subsection (c) of section 7-131q of the general statutes is
210 repealed and the following is substituted in lieu thereof (*Effective from*
211 *passage*):

212 (c) Said fund shall be in the custody of the treasurer or other officer
213 in charge of funds of the municipality. All or any part of the moneys in
214 said fund may, from time to time, be invested in any securities in
215 which public funds may lawfully be invested. All income derived from
216 such investments shall be paid into the fund and become a part
217 **[**thereof**]** of the fund. The moneys so invested shall at all times be
218 subject to withdrawal from such investment for use as provided in
219 subsection (e) of this section.

220 Sec. 16. Subsection (c) of section 7-148ff of the general statutes is
221 repealed and the following is substituted in lieu thereof (*Effective from*
222 *passage*):

223 (c) Any ordinance adopted under subsection (a) of this section shall
224 include, but not be limited to, the following: (1) Standards to
225 determine if a special assessment should be imposed on a property, (2)
226 the amount of the assessment, which shall be a reasonable amount and
227 based on an analysis of the costs to the municipality for code
228 inspection and enforcement, including costs for police and fire
229 personnel, (3) procedures for notice to the property owner of
230 imposition of the special assessment, which shall include a time period
231 to remedy the code noncompliance before the assessment is due and a
232 process for appeal of an assessment, and (4) the appointment of a
233 board consisting of the finance director, tax assessor and municipal
234 code enforcement official to determine when the special assessment
235 should be imposed on specific property. Annually, the legislative body
236 shall review the amount of any assessment to be imposed pursuant to
237 an ordinance adopted under this section and may revise such amount.

238 Sec. 17. Subsection (c) of section 7-151a of the general statutes is
239 repealed and the following is substituted in lieu thereof (*Effective from*
240 *passage*):

241 (c) In addition to the power granted in subsection (a) of this section,
242 a lake authority may be granted by the legislative bodies of its
243 respective towns powers to: (1) Control and abate algae and aquatic
244 weeds in cooperation with the Commissioner of Environmental
245 Protection; (2) study water management including, but not limited to,
246 water depth and circulation and make recommendations for action to
247 its member towns; (3) act as agent for member towns with respect to
248 filing applications for grants and reimbursements with the Department
249 of Environmental Protection and other state agencies in connection
250 with state and federal programs; and (4) to act as agent for member
251 towns with respect to receiving gifts for any of its purposes.

252 Sec. 18. Subsection (d) of section 7-152b of the general statutes is
253 repealed and the following is substituted in lieu thereof (*Effective from*
254 *passage*):

255 (d) If the person who is sent notice pursuant to subsection (c) of this
256 section wishes to admit liability for any alleged violation, **[**he**]** such
257 person may, without requesting a hearing, pay the full amount of the
258 fines, penalties, costs or fees admitted to in person or by mail to an
259 official designated by the town, city or borough. Such payment shall be
260 inadmissible in any proceeding, civil or criminal, to establish the
261 conduct of such person or other person making the payment. Any
262 person who does not deliver or mail written demand for a hearing
263 within ten days of the date of the first notice provided for in subsection
264 (c) of this section shall be deemed to have admitted liability, and the
265 designated town official shall certify such person's failure to respond
266 to the hearing officer. The hearing officer shall thereupon enter and
267 assess the fines, penalties, costs or fees provided for by the applicable
268 ordinances and shall follow the procedures set forth in subsection (f) of
269 this section.

Sec. 19. Subsection (b) of section 7-246f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) If the association owning a community sewerage system fails to take any action in accordance with requirements of subsection (a) of this section, the municipal water pollution control authority may take any such action on behalf of the association or any other action within the powers granted to such authority which is necessary to ensure the effective operation of the system and to prevent pollution of the waters of the state. For the purposes of this section, the authority shall have the right to enter upon the properties and land subject to subdivision (3) of subsection (a) of this section. Except where delay would result in pollution of the waters of the state, no such action shall be taken unless the association has been given written notice ten days prior to any such proposed action, and has been afforded an opportunity to be heard on such proposed action. A municipal water pollution control authority may recover the cost of taking any action pursuant to this subsection by levying assessments, in the manner described in section 7-249, or charges, in the manner described in section 7-255, against the properties served by the system. Control over the operation, maintenance, repair and improvement of the system shall be returned to the association, or to a successor thereto, upon provision to the municipal water pollution control authority of adequate assurances that the requirements of subsection (a) of this section will be met, providing that nothing contained in this subsection shall limit the powers conferred on municipal water pollution control authorities by section 7-247. Should the system be designed or intended to serve additional properties that subsequently are to be subject to subsection (a) **[**hereof**]** of this section, such properties and the owner or owners thereof shall be subject to the provisions of this section in the same manner as were the properties held by the association or the members thereof.

Sec. 20. Subsection (b) of section 7-254 of the general statutes is

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

305 (b) Whenever any installment of an assessment becomes delinquent,
306 the interest on such delinquent installment shall be as provided in
307 subsection (a) of this section or five dollars, whichever is greater. Any
308 unpaid assessment and any interest due thereon shall constitute a lien
309 upon the real estate against which the assessment was levied from the
310 date of such levy. Each such lien may be continued, recorded and
311 released in the manner provided by the general statutes for continuing,
312 recording and releasing property tax liens. Each such lien shall take
313 precedence over all other liens and encumbrances except taxes and
314 may be enforced in the same manner as property tax liens. The tax
315 collector of the municipality may collect such assessments in
316 accordance with any mandatory provision of the general statutes for
317 the collection of property taxes and the municipality may recover any
318 such assessment in a civil action against any person liable therefor.

319 Sec. 21. Subsections (b) and (c) of section 7-277a of the general
320 statutes are repealed and the following is substituted in lieu thereof
321 (*Effective from passage*):

322 (b) The chief executive officer of any institution which maintains a
323 special police force, established under the provisions of section 10a-
324 142, and the chief of police of the Office of State Capitol Police,
325 established under the provisions of section 2-1f, may enter into an
326 agreement with one or more municipalities to furnish or receive police
327 assistance under the same conditions and terms specified in subsection
328 (a) of this section for agreements between municipalities.

329 (c) The chief executive officer of any town, city or borough which
330 provides police protection solely by a constabulary force may enter
331 into an agreement with one or more municipalities to furnish or
332 receive police assistance under the conditions and terms specified in
333 subsection (a) of this section.

334 Sec. 22. Subsection (d) of section 7-294d of the general statutes is
335 repealed and the following is substituted in lieu thereof (*Effective from*
336 *passage*):

337 (d) Notwithstanding the provisions of subsection (b) of this section,
338 any police officer, except a probationary candidate, who is serving
339 under full-time appointment on July 1, 1982, shall be deemed to have
340 met all certification requirements and shall be automatically certified
341 by the council in accordance with the provisions of subsection (a) of
342 section 7-294e.

343 Sec. 23. Subdivision (2) of subsection (a) of section 7-374c of the
344 general statutes is repealed and the following is substituted in lieu
345 thereof (*Effective from passage*):

346 (2) "Actuarially recommended contribution" means the lesser of the
347 annual employer normal cost or the annual required contribution of
348 the municipal employer to the pension plan of the municipality, as
349 established by the actuarial valuation and determined by an enrolled
350 actuary in a method and using assumptions meeting the parameters
351 established by generally accepted accounting principles, provided
352 such contribution shall **[,]** be at least equal to the amount actuarially
353 determined necessary to maintain the pension plan's funding ratio
354 substantially the same as immediately succeeding the deposit of the
355 proceeds of the pension deficit funding bonds in such pension plan.
356 Notwithstanding the provisions of this subdivision, with respect to
357 any pension deficit funding bonds (A) issued on or after July 1, 2006,
358 or (B) issued prior to such date and with respect to which the
359 municipality issuing the bonds requests and receives the approval of
360 the Treasurer and the secretary, the term "actuarially recommended
361 contribution" means the annual required contribution of the municipal
362 employer to the pension plan of the municipality, as established by the
363 actuarial valuation and determined by an enrolled actuary in a method
364 and using assumptions meeting the parameters established by
365 generally accepted accounting principles, provided the amortization

366 schedule used to determine such contribution shall be fixed and shall
367 have a term not longer than the **[**longest**]** longer of ten years, or thirty
368 years from the date of issuance of the pension deficit funding bonds. In
369 the event that the funding ratio of the pension plan, as determined
370 immediately succeeding the deposit of the proceeds of the pension
371 deficit funding bonds in such pension plan, is reduced by thirty per
372 cent or more, the maximum permitted term of such amortization
373 schedule shall be reduced by the same percentage. Any municipality
374 receiving the approval of the secretary and the Treasurer to apply this
375 definition with respect to pension deficit funding bonds issued prior to
376 July 1, 2006, shall thereafter comply with the provisions of subdivision
377 (3) of subsection (c) of this section.

378 Sec. 24. Subdivision (8) of subsection (a) of section 7-374c of the
379 general statutes is repealed and the following is substituted in lieu
380 thereof (*Effective from passage*):

381 (8) "Municipality" means a municipality, as defined in section 7-369,
382 or a regional school district.

383 Sec. 25. Subdivision (4) of subsection (c) of section 7-374c of the
384 general statutes is repealed and the following is substituted in lieu
385 thereof (*Effective from passage*):

386 (4) The municipality shall not issue pension deficit funding bonds
387 prior to, **[**nor**]** or more than six months subsequent to, receipt of the
388 written final review required under subsection (d) of this section. A
389 municipality may renotify the secretary of its intention to issue
390 pension deficit funding bonds and provide the secretary with updated
391 information and documentation in the manner and as described in
392 subdivision (1) of this subsection, and request an updated final review
393 from the secretary if more than six months will elapse between the
394 receipt of the prior final review of the secretary and the proposed date
395 of issue of the pension deficit funding bonds.

396 Sec. 26. Subdivision (3) of section 7-425 of the general statutes is

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

399 (3) "Legislative body" means, for towns having a town council, the
400 council; for other towns, the selectmen; for cities, the common council
401 or other similar body of officials; for boroughs, the warden and
402 burgesses; for regional school districts, the regional board of
403 education; for district departments of health, the board of the district;
404 **[**in the case of a**]** for probate **[**district**]** districts, the judge of probate; for
405 regional planning agencies, the regional planning board; for regional
406 emergency telecommunications center, a representative board; for
407 tourism districts, the board of directors of such tourism district; and in
408 all other cases the body authorized by the general statutes or by special
409 act to make ordinances for the municipality.

410 Sec. 27. Subsections (a) and (b) of section 7-436 of the general
411 statutes are repealed and the following is substituted in lieu thereof
412 (*Effective from passage*):

413 (a) After retirement, in accordance with the provisions of this part,
414 each member of fund B shall receive, during **[**his**]** such member's
415 lifetime, a retirement allowance payable in monthly installments at an
416 annual rate equal to the sum of (1) and (2) as follows: (1) To the extent
417 that **[**his**]** such member's average annual rate of pay for the last ten
418 years of service, including service credited under the provisions of
419 sections 7-442a and 7-442b, is derived from pay with respect to which
420 contributions have been deducted under section 7-453 or would have
421 been deducted had such member been included in such system during
422 the entire ten years, one-twelfth of one and one-sixth per cent of such
423 average annual pay, multiplied by the number of months of **[**his**]** such
424 member's service; (2) to the extent that **[**his**]** such member's average
425 annual rate of pay for the three highest-paid years of service exceeds
426 the average obtained in subdivision (1) of this subsection, one-twelfth
427 of two per cent of such average annual pay, multiplied by the number
428 of months of **[**his**]** such member's service; provided such allowance for

429 permanent and total disability arising out of and in the course of [his]
430 such member's employment, as defined in the Workers' Compensation
431 Act, shall not be less than one-twelfth of one-half of the member's
432 annual pay at the time [his] such member's disability was incurred.
433 Any amount or amounts received under the Workers' Compensation
434 Act shall be deducted from such allowance, except that any member
435 who has received a specific indemnity award under section 31-307 or
436 31-308 shall not have the amount of such indemnity award deducted
437 from [his] such member's allowance. The retirement allowance herein
438 provided shall be reduced by the amount of any retirement allowance
439 concurrently payable under the provisions of section 7-431, and by the
440 amount of any retirement allowance concurrently payable by the state
441 employees' retirement system or the retirement system of any
442 municipality not participating under the provisions of this part, on
443 account of a period of service for which credit has been transferred to
444 the Municipal Employees' Retirement Fund under the provisions of
445 section 7-442b, or the monthly equivalent thereof if payable other than
446 monthly. No retirement allowances under this section, before the
447 reduction prescribed in the preceding sentence plus workers'
448 compensation payments and benefits under the Old Age and
449 Survivors Insurance System on account of service in a participating
450 municipality, if any, shall exceed one-twelfth of the member's average
451 annual pay during the three highest-paid years of municipal service,
452 and, subject to the foregoing maximum limit, no such allowance plus
453 payments shall be less than one thousand dollars annually.

454 (b) Each employee or spouse of a deceased employee retired under
455 the Municipal Employees' Retirement Act Fund B prior to July 1, 1971,
456 shall be entitled, in addition to his or her original monthly retirement
457 allowance, to an additional cost of living monthly allowance computed
458 on the basis of his or her monthly retirement allowance, less any prior
459 cost of living increases to which he or she was previously entitled,
460 using the table in subdivision (1) of this [section] subsection.

461 (1) Such cost of living allowances shall commence on July 1, 1973,

462 and shall be computed at the rates set forth in the following table:

Fiscal Year Of Retirement Year Ending June 30th	Rates % Of Increase
1949	40.0
1950	42.7
1951	41.2
1952	33.9
1953	30.9
1954	30.4
1955	30.0
1956	30.4
1957	28.3
1958	24.8
1959	21.9
1960	21.1
1961	19.5
1962	18.1
1963	16.8
1964	15.1
1965	14.6
1966	14.1
1967	12.9
1968	6.0
1969	4.0
1970	4.0
1971	4.0

463 (2) The limitation of the maximum retirement allowance provided
464 in subsection (a) of this section shall not be applicable to increases
465 under this subsection.

466 Sec. 28. Subdivisions (3) and (4) of section 7-471 of the general
467 statutes are repealed and the following is substituted in lieu thereof
468 (*Effective from passage*):

469 (3) The board shall decide in each case whether, in order to insure to
470 employees the fullest freedom in exercising the rights guaranteed by
471 sections 7-467 to 7-477, inclusive, and in order to insure a clear and
472 identifiable community of interest among employees concerned, the
473 unit appropriate for purposes of collective bargaining shall be the
474 municipal employer unit or any other unit thereof, provided no unit
475 shall include both supervisory and nonsupervisory employees except
476 there shall be a single unit for each fire department consisting of the
477 uniformed and investigatory employees of each such fire department
478 and a single unit for each police department consisting of the
479 uniformed and investigatory employees of each such police
480 department. No existing units shall be altered or modified to conform
481 to this provision. No unit shall include both professional and
482 nonprofessional employees unless a majority of such professional
483 employees vote for inclusion in such unit, provided employees who
484 are members of a profession may be included in a unit which includes
485 nonprofessional employees if an employee organization has been
486 designated by the board or has been recognized by the municipal
487 employer as the exclusive representative of such unit and a majority of
488 the employees in such profession vote for inclusion in such unit, in
489 which event all of the employees in such profession shall be included
490 in such unit. The term "professional employee" means: (A) Any
491 employee engaged in work (i) predominantly intellectual and varied in
492 character as opposed to routine mental, manual, mechanical or
493 physical work; (ii) involving the consistent exercise of discretion and
494 judgment in its performance; (iii) of such a character that the output
495 produced or the result accomplished cannot be standardized in
496 relation to a given time period; (iv) requiring knowledge of an
497 advanced type in a field of science or learning customarily acquired by
498 a prolonged course of specialized intellectual instruction and study in
499 an institution of higher learning or a hospital, as distinguished from a

500 general academic education or from an apprenticeship or from training
501 in the performance of routine mental, manual or physical processes; or
502 (B) any employee who (i) has completed the courses of specialized
503 intellectual instruction and study described in **[**clause (iv) of**]**
504 subparagraph (A)(iv) of this subdivision, and (ii) is performing related
505 work under the supervision of a professional person to qualify himself
506 or herself to become a professional employee as defined in
507 subparagraph (A) **[**hereof**]** of this subdivision.

508 (4) An employee organization or a municipal employer may file a
509 petition with the board seeking a clarification or modification of an
510 existing unit. The power of the board to make such clarifications and
511 modifications shall be limited to those times when a petition for
512 clarification or modification is filed by either an employee organization
513 or a municipal employer. No petition seeking a clarification or
514 modification of an existing unit shall be considered to be timely by the
515 board during the term of a written collective bargaining agreement,
516 except that a petition for clarification or modification filed by an
517 employee organization concerning either **[**(1)**]** (A) a newly created
518 position, or **[**(2)**]** (B) any employee who is not represented by an
519 employee organization, may be filed at any time.

520 Sec. 29. Subsection (a) of section 7-505 of the general statutes is
521 repealed and the following is substituted in lieu thereof (*Effective from*
522 *passage*):

523 (a) During each fiscal year the Comptroller shall pay a grant to each
524 municipality for its unrestricted use from any funds appropriated for
525 such purpose. Payment of such grants shall be made on March thirty-
526 first of each year. The Secretary of the Office of Policy and
527 Management shall in February of each year calculate the amount due
528 each municipality in accordance with the formulas provided in
529 subsection (b) of this section and shall certify to the Comptroller the
530 amount due.

531 Sec. 30. Subsection (b) of section 8-19 of the general statutes is

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

534 (b) Notwithstanding the provisions of this chapter, any
535 municipality, by ordinance adopted by its legislative body, may
536 exempt from the subdivision regulations in such municipality adopted
537 pursuant to this chapter the first subdivision of land by a landowner,
538 provided the lot created is for affordable housing to be developed by
539 the municipality or a nonprofit organization. The ordinance shall also
540 provide that (1) any further subdivision of such lot **[**(1)**]** shall not be
541 exempt from the subdivision regulations, and (2) any exemption under
542 this section shall be in addition to any other exemption authorized
543 under section 8-26 and shall not be construed as exercising any right
544 under any other exemption.

545 Sec. 31. Section 8-119gg of the general statutes is repealed and the
546 following is substituted in lieu thereof (*Effective from passage*):

547 In lieu of real property taxes, special benefit assessments and
548 sewerage system use charges otherwise payable to a municipality, a
549 housing authority approved by the Commissioner of Economic and
550 Community Development for state financial assistance for a low
551 income housing project **[**,**]** shall pay each year, to the municipality in
552 which any of its housing projects for low income families are located, a
553 sum to be determined by the municipality with the approval of the
554 Commissioner of Economic and Community Development not in
555 excess of ten per cent of the shelter rent per annum for each occupied
556 dwelling unit in any such housing project; except that the amount of
557 such payment shall not be so limited in any case where funds are made
558 available for such payment by an agency or department of the United
559 States government, but no payment shall exceed the amount of taxes
560 which would be paid on the property were the property not exempt
561 from taxation.

562 Sec. 32. Subsection (b) of section 8-73 of the general statutes is
563 repealed and the following is substituted in lieu thereof (*Effective from*

564 *passage*):

565 (b) Notwithstanding the provisions of subsection (a) of this section,
566 if the eviction of such tenants would result in or increase the number
567 of vacancies in such project, the housing authority or developer may
568 request approval of the Commissioner of Economic and Community
569 Development to permit continued occupancy by tenants having an
570 annual income over the maximum limits established for such project
571 and rental of existing vacant units to tenants having an annual income
572 over such maximum limits. If the commissioner finds that the vacancy
573 rate which would result from refusal to grant such approval may
574 result in an inability of the project to provide an income adequate for
575 debt service, if any, administration, including the state service charge,
576 other operating costs and reserves for repairs, maintenance,
577 replacements and collection costs, **[**he**]** the commissioner may approve
578 such occupancy for a period of one year, subject to renewal for
579 additional one-year periods. The amount fixed as rent for units so
580 occupied pursuant to this subsection shall be determined as provided
581 in subsection (a) of this section but in no event shall such rent be in
582 excess of one hundred thirty-three per cent of the going rental as
583 established pursuant to **[**said**]** section 8-72.

584 Sec. 33. Subsection (a) of section 8-159a of the general statutes is
585 repealed and the following is substituted in lieu thereof (*Effective from*
586 *passage*):

587 (a) During each fiscal year the Comptroller shall pay to each
588 municipality for its unrestricted use, from any funds appropriated for
589 such purpose, a grant-in-aid to assist it in meeting its urban problems.
590 Payment of such grants shall be made in March of each year. The
591 Secretary of the Office of Policy and Management shall in February of
592 each year calculate the amount due each municipality in accordance
593 with the allocation formulas provided in subsection (c) of this section
594 and shall certify to the Comptroller the amount due. In January of each
595 year the Commissioner of Public Health shall certify to the Secretary of

596 the Office of Policy and Management the population of each
597 municipality.

598 Sec. 34. Subsection (b) of section 8-191 of the general statutes is
599 repealed and the following is substituted in lieu thereof (*Effective from*
600 *passage*):

601 (b) The provisions of subsection (a) of this section with respect to
602 submission of a development project to and approval by the
603 commissioner shall not apply to a project for which no grant has been
604 made under section 8-190 and no application for a grant is to be made
605 under section 8-195.

606 Sec. 35. Subsections (c) to (e), inclusive, of section 8-219b of the
607 general statutes are repealed and the following is substituted in lieu
608 thereof (*Effective from passage*):

609 (c) Any loan or deferred loan contracted for pursuant to sections 8-
610 219a to 8-219c, inclusive, shall be secured by a mortgage on the
611 dwelling for which such loan or deferred loan was made pursuant to
612 subsection (a) of this section. If the recipient of such loan or deferred
613 loan assigns, transfers or otherwise conveys his or her interest in such
614 dwelling, ceases to occupy such dwelling or uses all or any part of the
615 proceeds of such loan or deferred loan for any purpose other than the
616 emergency repair or rehabilitation of such dwelling, the unpaid
617 principal balance of **[**said**]** such mortgage, together with interest
618 thereon, shall, at the option of the commissioner, become due and
619 payable. If the recipient of any loan or deferred loan is unable to repay
620 the loan or deferred loan, the commissioner, at **[**his**]** the
621 commissioner's discretion, may adjust the interest rate, terms and
622 conditions of the loan or deferred loan to facilitate repayments.

623 (d) Repayment of any loan or deferred loan provided in accordance
624 with sections 8-219a to 8-219c, inclusive, shall be subject to such
625 interest rate, terms and conditions as the commissioner may establish.
626 In no case shall the interest rate exceed one per cent above the rate of

interest borne by the bonds of the state last issued prior to the date of issue of such loan or deferred loan. In no case shall the term of such loan or deferred loan exceed thirty years. Payments by recipients of any such loan or deferred loan shall be paid to the State Treasurer and deposited in the General Fund of the state.

(e) In the case of any grant-in-aid, loan or deferred loan made pursuant to sections 8-219a to 8-219c, inclusive, the contract for such grant-in-aid, loan or deferred loan shall provide that if the dwelling for which such grant-in-aid, loan or deferred loan was made pursuant to subsection (a) of this section ceases, within ten years of the date of such grant, loan or deferred loan, to be used as a dwelling for the person to whom such grant, loan or deferred loan was made, or if such person assigns, transfers or otherwise conveys **[**his**]** such person's interest in such dwelling, an amount equal to the amount of such grant, loan or deferred loan, minus ten per cent for each full year which has elapsed since the date of such grant, loan or deferred loan, shall be repaid to the state and that a lien shall be placed on such dwelling in favor of the state to ensure that such amount will be repaid in the event of such change in occupancy.

Sec. 36. Subdivision (3) of section 8-267 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "Displaced person" means **[**(a)**]** (A) any person who, on or after July 6, 1971, moves from real property, or moves his or her personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project undertaken by or supervised by a state agency or unit of local government and solely for the purposes of subsections (a) and (b) of section 8-268 and section 8-271 as a result of the acquisition of or as a result of the written order of the acquiring agency to vacate other real property, on which such person conducts a business or farm operation,

659 for such program or project; or [(b)] (B) any person who so moves as
660 the direct result of code enforcement activities or a program of
661 rehabilitation of buildings pursuant to such governmental program or
662 under such governmental supervision, except a business which moves
663 from real property or which moves its personal property from real
664 property acquired by a state agency when such move occurs at the end
665 of a lease term or as a result of eviction for nonpayment of rent,
666 provided the state agency acquired the property at least ten years
667 before the move.

668 Sec. 37. Subsection (b) of section 8-271 of the general statutes is
669 repealed and the following is substituted in lieu thereof (*Effective from*
670 *passage*):

671 (b) Each relocation advisory assistance program required by
672 subsection (a) of this section shall include such measures, facilities, or
673 services as may be necessary or appropriate in order (1) to determine
674 the needs, if any, of displaced persons for relocation assistance; (2) to
675 provide current and continuing information on the availability, prices
676 and rentals, of comparable decent, safe and sanitary sales and rental
677 housing, and of comparable commercial properties and locations for
678 displaced businesses; (3) to assure that, within a reasonable period of
679 time, prior to displacement there will be available in areas not
680 generally less desirable in regard to public utilities and public and
681 commercial facilities and at rents or prices within the financial means
682 of the families and individuals displaced, decent, safe and sanitary
683 dwellings, as defined by the Commissioner of Transportation for
684 transportation projects and by the Commissioner of Economic and
685 Community Development for all other state agency programs and
686 projects, equal in number to the number of and available to such
687 displaced persons who require such dwellings and reasonably
688 accessible to their places of employment, except that the Commissioner
689 of Transportation for transportation projects and the Commissioner of
690 Economic and Community Development for all other state agency
691 programs and projects may prescribe by regulation situations when

692 such assurances may be waived; (4) to assist a displaced person
693 displaced from **[**his**]** the person's business or farm operation in
694 obtaining and becoming established in a suitable replacement location;
695 (5) to supply information concerning federal and state housing
696 programs, disaster loan programs and other federal and state
697 programs offering assistance to displaced persons; (6) to provide other
698 advisory assistance services to displaced persons in order to minimize
699 hardship to such persons in adjusting to relocation.

700 Sec. 38. Subsections (a) and (b) of section 8-359 of the general
701 statutes are repealed and the following is substituted in lieu thereof
702 (*Effective from passage*):

703 (a) For the purposes described in subsection (b) of this section, the
704 State Bond Commission shall have the power from time to time to
705 authorize the issuance of bonds of the state in one or more series and
706 in principal amounts not exceeding in the aggregate three million five
707 hundred thousand dollars.

708 (b) The proceeds of the sale of said bonds, to the extent of the
709 amount stated in subsection (a) of this section, shall be used by the
710 Commissioner of Economic and Community Development for the
711 purposes of sections 8-355 to 8-359, inclusive.

712 Sec. 39. Subsection (c) of section 9-15a of the general statutes is
713 repealed and the following is substituted in lieu thereof (*Effective from*
714 *passage*):

715 (c) A quorum of the board for the admission of electors shall consist
716 of a bare majority of the members of such board. An assistant town
717 clerk or a deputy registrar or any other town officer designated by, and
718 acting for, a member of such board pursuant to the provisions of
719 subsection (b) of this section shall be included as a member of such
720 board for purposes of ascertaining the existence of a quorum.

721 Sec. 40. Subsection (b) of section 9-17 of the general statutes is

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

724 (b) Notwithstanding the provisions of subsection (a) of this section,
725 the registrars of voters shall hold a limited session on the last week day
726 before each regular election from nine o'clock a.m. to twelve o'clock
727 noon for the purpose of admitting only those persons whose
728 qualifications as to age, citizenship or residence in the municipality
729 were attained after the last session for the admission of electors prior
730 to an election. The registrars shall enter the names of those electors
731 admitted at such limited session on the proper list, with their
732 residences by street and numbers, if any, before one o'clock p.m. of
733 such last week day before the election.

734 Sec. 41. Subsection (c) of section 10-15b of the general statutes is
735 repealed and the following is substituted in lieu thereof (*Effective from*
736 *passage*):

737 (c) If any private or public school is served with a subpoena issued
738 by competent authority directing the production of school or student
739 records in connection with any proceedings in any court, the school
740 upon which such subpoena is served may deliver such record or at its
741 option a copy thereof to the clerk of such court. Such clerk shall give a
742 receipt for the same, shall be responsible for the safekeeping thereof,
743 shall not permit the same to be removed from the premises of the court
744 and shall notify the school to call for the same when it is no longer
745 needed for use in court. Any such record or copy so delivered to such
746 clerk shall be sealed in an envelope which shall indicate the name of
747 the school or student, the name of the attorney subpoenaing the same
748 and the title of the case referred to in the subpoena. No such record or
749 copy shall be open to inspection by any person except upon the order
750 of a judge of the court concerned, and any such record or copy shall at
751 all times be subject to the order of such judge. Any and all parts of any
752 such record or copy, if not otherwise inadmissible, shall be admitted in
753 evidence without any preliminary testimony, if there is attached

754 thereto the certification in affidavit form of the person in charge of
755 such records indicating that such record or copy is the original record
756 or a copy thereof, made in the regular course of the business of the
757 school, and that it was the regular course of such business to make
758 such record at the time of the transactions, occurrences or events
759 recorded therein or within a reasonable time thereafter. A subpoena
760 directing production of such school or student records shall be served
761 not less than eighteen hours before the time for production, provided
762 such subpoena shall be valid if served less than eighteen hours before
763 the time of production if written notice of intent to serve such
764 subpoena has been delivered to the person in charge of such records
765 not less than eighteen hours **[**nor**]** <u>or</u> more than two weeks before such
766 time for production.

767 Sec. 42. Subsection (c) of section 10-153j of the general statutes is
768 repealed and the following is substituted in lieu thereof (*Effective from*
769 *passage*):

770 (c) The commissioner shall file the copy of each process, notice or
771 demand received by **[**him**]** <u>the commissioner</u> as provided in subsection
772 (b) <u>of this section</u> and keep a record of the day and hour of such
773 receipt. Service made as provided in this section shall be effective as of
774 such day and hour.

775 Sec. 43. Section 10-156 of the general statutes is repealed and the
776 following is substituted in lieu thereof (*Effective from passage*):

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

785 Sec. 44. Subsection (a) of section 10-183jj of the general statutes is
786 repealed and the following is substituted in lieu thereof (*Effective from*
787 *passage*):

788 (a) A local or regional board of education may establish a retirement
789 incentive plan for teachers, as defined in **[**subdivision (1) of subsection**]**
790 subparagraph (A) of subdivision (26) of section 10-183b, in its employ
791 who are members of the teachers' retirement system. The plan shall
792 provide for purchase of additional credited service by a board of
793 education and a member of the system who chooses to participate in
794 the plan, of additional credited service for such member and for
795 payment by the board of education of not less than fifty per cent of the
796 entire cost of such additional credited service and payment by the
797 member of the remaining percentage of such total cost. Payment shall
798 be made in one lump sum, prior to retirement. Any such plan shall
799 specify a maximum number of years, not exceeding five years, of
800 additional credited service which may be purchased under the plan.
801 Any such plan shall have a two-month application period.

802 Sec. 45. Subsection (c) of section 10-233d of the general statutes is
803 repealed and the following is substituted in lieu thereof (*Effective from*
804 *passage*):

805 (c) In determining the length of an expulsion and the nature of the
806 alternative educational opportunity to be offered under subsection (d)
807 of this section, the local or regional board of education, or the impartial
808 hearing board established pursuant to subsection (b) of this section,
809 may receive and consider evidence of past disciplinary problems
810 which have led to removal from a classroom, suspension or expulsion
811 of such pupil.

812 Sec. 46. Section 10-239d of the general statutes is repealed and the
813 following is substituted in lieu thereof (*Effective from passage*):

814 The local or regional board of education may establish a
815 demonstration board and staff and may authorize it to administer the

816 demonstration project authorized by sections 10-239a to 10-239h,
817 inclusive, provided the costs of such organization shall be borne by the
818 contracting federal agency. The members of the demonstration board,
819 if it is not the local or regional board of education itself, shall serve for
820 the terms established by the appointing board.

821 (1) The demonstration board may: **[**(a)**]** (A) Employ a staff for the
822 demonstration board, **[**(b)**]** (B) receive and expend funds to support the
823 demonstration board and scholarships for children in the
824 demonstration area, **[**(c)**]** (C) contract with other government agencies
825 and private persons or organizations to provide or receive services,
826 supplies, facilities and equipment, **[**(d)**]** (D) determine rules and
827 regulations for use of scholarships in the demonstration area, **[**(e)**]** (E)
828 adopt rules and regulations for its own government, **[**(f)**]** (F) receive
829 and expend funds from the federal governmental agency necessary to
830 pay for the costs incurred in administering the program, **[**(g)**]** (G)
831 otherwise provide the specified programs, services and activities.

832 (2) The demonstration board shall award a scholarship to each
833 school child residing in the demonstration area, subject only to such
834 age and grade restrictions which it may establish. The scholarship
835 funds shall be made available to the parents or legal guardian of a
836 scholarship recipient in the form of a drawing right, certificate or other
837 document which may not be redeemed except for educational
838 purposes.

839 (3) The demonstration board shall establish the amount of the
840 scholarship in a fair and impartial manner as follows: There shall be a
841 basic scholarship equal in amount to every other basic scholarship for
842 every eligible student in the demonstration area. In no case shall the
843 amount of the basic scholarship fall below the level of average current
844 expense per pupil for corresponding grade levels in the public schools
845 in the demonstration area in the year immediately preceding the
846 demonstration program.

847 (4) In addition to each base scholarship, compensatory scholarships

848 shall be given to disadvantaged children. The amount of such
849 compensatory scholarships and the manner by which children may
850 qualify for them shall be established by the demonstration board.

851 (5) Adequate provision for the pro rata or incremental redemption
852 of scholarships shall be made.

853 (6) The contract shall provide sufficient money to pay all actual and
854 necessary transportation costs incurred by parents in sending their
855 children to the school of their choice within the demonstration area,
856 subject to distance limitations imposed by existing law.

857 (7) The contract shall specify that the contracting federal
858 governmental agency shall hold harmless the participating board from
859 any possible decreased economies of scale or increased costs per pupil
860 caused by the transition to a demonstration program.

861 Sec. 47. Subsection (e) of section 10-393 of the general statutes is
862 repealed and the following is substituted in lieu thereof (*Effective from*
863 *passage*):

864 (e) The executive director of the commission shall administer the
865 commission, subject to the supervision of the commissioners. The
866 executive director shall have the authority to administer all laws under
867 the jurisdiction of the commission and the power and authority to:
868 Coordinate **[**,**]** and direct the operation of the commission; establish
869 rules for the internal operation of the commission; contract for
870 facilities, services and programs to implement the purposes of the
871 commission established by law; **[**,**]** and enter into agreements for
872 funding from private sources, including corporate donations and other
873 commercial sponsorships. The executive director is authorized to do all
874 things necessary to apply for, qualify for and accept any funds made
875 available under any federal act for the purposes established under
876 section 10-392. All funds received under this subsection shall be
877 deposited into the Connecticut Commission on Culture and Tourism
878 account, established under section 10-395. The executive director may

879 enter into contracts with the federal government concerning the use of
880 such funds.

881 Sec. 48. Subsection (g) of section 10-416a of the general statutes is
882 repealed and the following is substituted in lieu thereof (*Effective from*
883 *passage*):

884 (g) Following the completion of rehabilitation of a certified historic
885 structure, the owner shall notify the commission that such
886 rehabilitation has been completed. The owner shall provide the
887 commission with documentation of work performed on the certified
888 historic structure and shall submit certification of the costs incurred in
889 rehabilitating the certified historic structure. The commission shall
890 review such rehabilitation and verify its compliance with the
891 rehabilitation plan. Following such verification, the commission shall
892 issue a tax credit voucher to the owner rehabilitating the certified
893 historic structure or to the taxpayer named by the owner as
894 contributing to the rehabilitation. The tax credit voucher shall be in an
895 amount equivalent to the lesser of the tax credit reserved upon
896 certification of the rehabilitation plan under the provisions of
897 subsection (f) of this section or twenty-five per cent of the actual
898 qualified rehabilitation expenditures not exceeding two million seven
899 hundred thousand dollars. In order to obtain a credit against any state
900 tax due that is specified in subsections (h) to **[**(k)**]** (j), inclusive, of this
901 section, the holder of the tax credit voucher shall file the voucher with
902 the holder's state tax return.

903 Sec. 49. Subdivision (7) of subsection (a) of section 10-417 of the
904 general statutes is repealed and the following is substituted in lieu
905 thereof (*Effective from passage*):

906 (7) To formulate and propose guidelines for state agencies for a "one
907 stop permitting" process **[**,**]** for matters including, but not limited to,
908 the use of state roads and highways, the use of state-owned real or
909 personal property for production activities and the conduct of
910 regulated activities, and to hold workshops to assist state agencies in

implementing such process.

Sec. 50. Subsection (h) of section 14-99g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) The provisions of subsections (b) to (g), inclusive, of this section shall not apply to any motor vehicle in livery service, as defined in section 13b-101.

Sec. 51. Section 14-147a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person who takes any motor vehicle number plate or sticker denoting the expiration date of the registration from such number plate or possesses such number plate or sticker without the permission of the person to whom such number plate or sticker was issued shall be fined not less than one hundred **[**nor**]** dollars or more than five hundred dollars.

Sec. 52. Subsection (k) of section 14-267a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(k) (1) Any driver of a vehicle who fails or refuses when directed by such official, upon a weighing of the vehicle, to comply with **[**his**]** such official's directions shall be fined not less than one hundred dollars **[**nor**]** or more than two hundred dollars for the first offense and not less than two hundred dollars **[**nor**]** or more than five hundred dollars for each subsequent offense. (2) Any driver of a vehicle who (A) exits a limited access highway on which a scale or safety inspection site is in operation with intent to circumvent the provisions of subsection (h) of this section, without a bona fide business purpose, or (B) fails to comply with the provisions of subsection (h) of this section shall be fined not less than two hundred fifty dollars **[**nor**]** or more than five hundred dollars for the first offense and not less than five hundred

941 dollars [nor] or more than one thousand dollars for each subsequent
942 offense.

943 Sec. 53. Subsection (a) of section 14-276 of the general statutes is
944 repealed and the following is substituted in lieu thereof (*Effective from*
945 *passage*):

946 (a) Registered school buses while transporting school children shall
947 be operated by holders of a valid passenger and school endorsement
948 issued in accordance with section 14-44. Such endorsement shall be
949 held in addition to the commercial driver's license required for the
950 operation of such motor vehicles. A person who has attained the age of
951 seventy shall be allowed to hold a passenger and school endorsement
952 for the purpose of operating a school bus, provided [he] such person
953 meets the minimum physical requirements set by the Commissioner of
954 Motor Vehicles and agrees to submit to a physical examination at least
955 twice a year or when requested to do so by the superintendent of the
956 school system in which [he] such person intends to operate a school
957 bus. Any person to whom a town has awarded a contract for the
958 transportation of school children who permits the operation of a
959 registered school bus while transporting school children by any person
960 who does not hold a passenger and school endorsement shall be fined
961 not less than thirty-five dollars [nor] or more than ninety dollars.

962 Sec. 54. Section 14-281 of the general statutes is repealed and the
963 following is substituted in lieu thereof (*Effective from passage*):

964 Any person who violates any provision of sections 14-275 to 14-280,
965 inclusive, for which no other penalty is provided shall be fined not less
966 than twenty-five dollars [nor] or more than one hundred dollars for
967 the first offense, and not less than one hundred dollars [nor] or more
968 than five hundred dollars for each subsequent offense.

969 Sec. 55. Subsection (e) of section 15-7 of the general statutes is
970 repealed and the following is substituted in lieu thereof (*Effective from*
971 *passage*):

(e) Any person who violates or assists in violating any of the provisions of subsection (b) of this section or any direction or order of the commissioner made pursuant thereto shall be fined not more than one thousand dollars or imprisoned not more than ninety days, or both.

Sec. 56. Subdivision (5) of section 15-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) "Aircraft" means any contrivance used or designed for navigation of or flight in air, including **[**(a)**]** (A) airplanes, meaning power-driven fixed-wing aircraft, heavier than air, supported by the dynamic reaction of the air against their wings, **[**; (b)**]** (B) gliders, meaning heavier than air aircraft, the free flight of which does not depend principally upon a power-generating unit, and **[**(c)**]** (C) rotorcraft, meaning power-driven aircraft, heavier than air, supported during flight by one or more rotors.

Sec. 57. Subdivision (28) of section 15-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(28) "Ultra light aircraft" means **[**(1)**]** (A) any aircraft which meets the criteria established by the Federal Aviation Administration, federal Air Regulation Part 103, or **[**(2)**]** (B) any vehicle which: **[**(A)**]** (i) Is used or intended to be used for manned operation by a single occupant in the air; **[**(B)**]** (ii) is used or intended to be used for recreation or sport purposes only; **[**(C)**]** (iii) has not been issued an airworthiness certificate by the government of the United States or any foreign government; and **[**(D)**]** (iv) if unpowered, weighs less than one hundred fifty-five pounds or, if powered, weighs less than two hundred fifty-four pounds, empty weight, has a fuel capacity of no more than five U.S. gallons, is not capable of more than fifty-five knots calibrated air speed at full power in level flight and has a power-off stall speed which does not exceed twenty-four knots calibrated air

speed.

Sec. 58. Subsection (b) of section 15-140g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any person who violates any provision of this section shall be fined not less than sixty dollars **[**nor**]** <u>or</u> more than two hundred fifty dollars for each violation.

Sec. 59. Subsection (d) of section 15-144 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 60. Subsection (c) of section 16-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) All reports under subsections (a) and (b) <u>of this section</u> shall be signed and sworn to by the chief executive officer, president or vice president and chief financial officer, treasurer or assistant treasurer of the company, or by a majority of the trustees or receivers making the same.

Sec. 61. Subsection (h) of section 16-247*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

1034 (h) Any determination by the department under subsection (f) of
1035 this section regarding the amount of compensation to which an owner
1036 is entitled or approval of a settlement agreement may be appealed by
1037 an aggrieved party in accordance with the provisions of section 4-183.

1038 Sec. 62. Subsection (b) of section 16-262f of the general statutes is
1039 repealed and the following is substituted in lieu thereof (*Effective from*
1040 *passage*):

1041 (b) Any receivership established pursuant to subsection (a) of this
1042 section shall be terminated by the court upon its finding that the
1043 arrearage which was the subject of the original petition has been
1044 satisfied, or that all occupants have agreed to assume liability in their
1045 own names for prospective service supplied by the petitioner, or that
1046 the building has been sold and the new owner has assumed liability
1047 for prospective service supplied by the petitioner.

1048 Sec. 63. Subsections (f) and (g) of section 16-333a of the general
1049 statutes are repealed and the following is substituted in lieu thereof
1050 (*Effective from passage*):

1051 (f) Nothing in subsection (e) of this section shall preclude a
1052 community antenna television company from installing community
1053 antenna television equipment or facilities in a multiunit residential
1054 building prior to the department's determination of reasonable
1055 compensation.

1056 (g) Any determination by the department under subsection (e) of
1057 this section regarding the amount of compensation to which an owner
1058 is entitled or approval of a settlement agreement may be appealed by
1059 an aggrieved party in accordance with the provisions of section 4-183.

1060 Sec. 64. Section 16a-14 of the general statutes is repealed and the
1061 following is substituted in lieu thereof (*Effective from passage*):

1062 In addition to the duties set forth in any other law, the Secretary of
1063 the Office of Policy and Management may: (1) Be designated as the

1064 state official to implement and execute any federal program, law,
1065 order, rule or regulation related to the allocation, rationing,
1066 conservation, distribution or consumption of energy resources, (2)
1067 investigate any complaint concerning the violation of any federal or
1068 state statute, rule, regulation or order pertaining to pricing, allocation,
1069 rationing, conservation, distribution or consumption of energy
1070 resources and shall transmit any evidence gathered by such
1071 investigation to the proper federal or state authorities, (3) coordinate
1072 all state and local government programs for the allocation, rationing,
1073 conservation, distribution and consumption of energy resources, (4)
1074 cooperate with the appropriate authorities of the United States
1075 government, or other state or interstate agencies with respect to
1076 allocation, rationing, conservation, distribution and consumption of
1077 energy resources, (5) conduct programs of public education regarding
1078 energy conservation, (6) carry out a program of studies, hearings,
1079 inquiries, surveys and analyses necessary to carry out the purposes of
1080 this chapter and sections 4-124c, 4-124i, 4-124*l*, 4-124p, 8-3b, 8-31a, 8-
1081 32a, 8-33a, 8-35a, 8-37a **[**,**]** and 8-189, subsection (b) of section 8-206 **[**,**]**
1082 and sections 16a-20, 16a-102, 22a-352 and 22a-353, provided if an
1083 individual or business furnishing commercial or financial information
1084 concerning **[**said**]** such individual or business requests in writing at the
1085 time such information is furnished that it be treated as confidential
1086 proprietary information, such information, to the extent that it is
1087 limited to **[**(a)**]** (A) volume of sales, shipments, receipts and exchanges
1088 of energy resources, **[**(b)**]** (B) inventories of energy resources, and **[**(c)**]**
1089 (C) local distribution patterns of energy resources, shall be exempt
1090 from the provisions of subsection (a) of section 1-210, (7) enter into
1091 contracts with any person to do all things necessary or convenient to
1092 carry out the functions, powers and duties of the secretary and the
1093 Office of Policy and Management under this chapter and sections 4-5,
1094 4-124*l*, 4-124p, 8-3b, 8-32a, 8-33a, 8-35a **[**,**]** and 8-189, subsection (b) of
1095 section 8-206 **[**,**]** and sections 16a-20, 16a-102, 22a-352 and 22a-353, (8)
1096 adopt regulations, in accordance with chapter 54, to establish
1097 standards for solar energy systems, including experimental systems,

1098 which offer practical alternatives to the use of conventional energy
1099 with regard to current technological feasibility and the climate of this
1100 state, and (9) undertake such other duties and responsibilities as may
1101 be delegated by other state statutes or by the Governor.

1102 Sec. 65. Subsection (e) of section 16a-15 of the general statutes is
1103 repealed and the following is substituted in lieu thereof (*Effective from*
1104 *passage*):

1105 (e) Any person who, by himself **[**,**]** or herself or by his or her agent
1106 or employee, violates any provision of this section or such regulations
1107 shall be fined not less than fifty dollars **[**nor**]** or more than two
1108 hundred fifty dollars.

1109 Sec. 66. Subsection (b) of section 16a-18 of the general statutes is
1110 repealed and the following is substituted in lieu thereof (*Effective from*
1111 *passage*):

1112 (b) Any person, firm, corporation, business or combination thereof
1113 **[**,**]** violating any provision of subsection (a) of this section shall be fined
1114 not more than two hundred **[**and**]** fifty thousand dollars or imprisoned
1115 not more than five years, or both.

1116 Sec. 67. Subsection (d) of section 16a-22k of the general statutes is
1117 repealed and the following is substituted in lieu thereof (*Effective from*
1118 *passage*):

1119 (d) Any violation of subsections (a) to (c), inclusive, of this section
1120 shall be deemed an unfair or deceptive trade practice under section 42-
1121 110b.

1122 Sec. 68. Subsections (a) and (b) of section 16a-106 of the general
1123 statutes are repealed and the following is substituted in lieu thereof
1124 (*Effective from passage*):

1125 (a) No person shall transport into or through the state any of the
1126 following materials: (1) Any quantity of radioactive material specified

1127 as a "large quantity" by the Nuclear Regulatory Commission in 10 CFR,
1128 Part 71, entitled "Packaging of Radioactive Material for Transport", (2)
1129 any quantity of radioactive waste which has been produced as part of
1130 the nuclear fuel cycle and which is being shipped from or through the
1131 state to a waste disposal site or facility, or (3) any shipment of
1132 radioactive material or waste which is carried by commercial carrier
1133 and which is required in 10 CFR or 49 CFR to have a placard unless
1134 such person has been granted a permit to transport such materials
1135 from the Commissioner of Transportation.

1136 (b) Prior to the transporting of such materials, such person shall
1137 apply to the Commissioner of Transportation for a permit and provide
1138 said commissioner with the following information: (1) Name of
1139 shipper, (2) name of carrier, (3) type and quantity of radioactive
1140 material or waste, (4) proposed date and time of shipment, (5) starting
1141 point, scheduled route, and destination, and (6) any other information
1142 required by the commissioner. Said commissioner shall grant such
1143 permit upon a finding that the transporting of such material shall be
1144 accomplished in a manner necessary to protect the public health and
1145 safety of the citizens of the state. Such permit shall be granted or
1146 denied not later than three days, Saturdays and Sundays excluded,
1147 after such person has applied for such permit, except that if the
1148 commissioner determines that additional time is required to evaluate
1149 such application, the commissioner shall notify such person not later
1150 than such three-day period that such additional time is required. Said
1151 commissioner may require changes in dates, routes or time for the
1152 transporting of such material or the use of escorts in the transporting
1153 of such material or waste if necessary to protect the public health and
1154 safety. The commissioner may consult with the Commissioner of
1155 Environmental Protection and the Commissioner of Public Safety prior
1156 to the granting of such permit and shall immediately notify the
1157 Commissioner of Public Safety of the granting of any permit and of the
1158 terms and conditions of such permit. The Commissioner of Public
1159 Safety shall establish an inspection procedure along scheduled routes
1160 to ensure compliance with permit conditions and with regulations

1161 adopted by the Commissioner of Transportation pursuant to
1162 subsection (c) of this section.

1163 Sec. 69. Subsection (f) of section 17a-28 of the general statutes is
1164 repealed and the following is substituted in lieu thereof (*Effective from*
1165 *passage*):

1166 (f) The commissioner or the commissioner's designee shall, upon
1167 request, promptly provide copies of records, without the consent of a
1168 person, to (1) a law enforcement agency, (2) the Chief State's Attorney,
1169 or the Chief State's Attorney's designee, or a state's attorney for the
1170 judicial district in which the child resides or in which the alleged abuse
1171 or neglect occurred, or the state's attorney's designee, for purposes of
1172 investigating or prosecuting an allegation of child abuse or neglect, (3)
1173 the attorney appointed to represent a child in any court in litigation
1174 affecting the best interests of the child, (4) a guardian ad litem
1175 appointed to represent a child in any court in litigation affecting the
1176 best interests of the child, (5) the Department of Public Health, which
1177 licenses any person to care for children for the purposes of
1178 determining suitability of such person for licensure, subject to the
1179 provisions of sections 17a-101g and 17a-101k, (6) any state agency
1180 which licenses such person to educate or care for children pursuant to
1181 section 10-145b or 17a-101j, subject to the provisions of sections 17a-
1182 101g and 17a-101k concerning nondisclosure of findings of
1183 responsibility for abuse and neglect, (7) the Governor, when requested
1184 in writing, in the course of the Governor's official functions or the
1185 Legislative Program Review and Investigations Committee, the joint
1186 standing committee of the General Assembly **[**on**]** having cognizance
1187 of matters relating to the judiciary and the select committee of the
1188 General Assembly having cognizance of matters **[**involving**]** relating to
1189 children when requested in the course of **[**such**]** said committees'
1190 official functions in writing, and upon a majority vote of said
1191 committee, provided no names or other identifying information shall
1192 be disclosed unless it is essential to the legislative or gubernatorial
1193 purpose, (8) a local or regional board of education, provided the

1194 records are limited to educational records created or obtained by the
1195 state or Connecticut-Unified School District #2, established pursuant to
1196 section 17a-37, (9) a party in a custody proceeding under section 17a-
1197 112 or 46b-129, in the Superior Court where such records concern a
1198 child who is the subject of the proceeding or the parent of such child,
1199 and (10) **[**to**]** the Chief Child Protection Attorney, or his or her
1200 designee, for purposes of ensuring competent representation by the
1201 attorneys **[**who**]** whom the Chief Child Protection Attorney contracts
1202 with to provide legal and guardian ad litem services to the subjects of
1203 **[**said**]** such records and to ensure accurate payments for services
1204 rendered by **[**said**]** such contract attorneys. A disclosure under this
1205 section shall be made of any part of a record, whether or not created by
1206 the department, provided no confidential record of the Superior Court
1207 shall be disclosed other than the petition and any affidavits filed
1208 therewith in the superior court for juvenile matters, except upon an
1209 order of a judge of the Superior Court for good cause shown. The
1210 commissioner shall also disclose the name of any individual who
1211 cooperates with an investigation of a report of child abuse or neglect to
1212 such law enforcement agency or state's attorney for purposes of
1213 investigating or prosecuting an allegation of child abuse or neglect.
1214 The commissioner or the commissioner's designee shall, upon request,
1215 subject to the provisions of sections 17a-101g and 17a-101k, promptly
1216 provide copies of records, without the consent of the person, to (A) the
1217 Department of Public Health for the purpose of determining the
1218 suitability of a person to care for children in a facility licensed under
1219 sections 19a-77 to 19a-80, inclusive, 19a-82 to 19a-87, inclusive, and
1220 19a-87b, and (B) the Department of Social Services for determining the
1221 suitability of a person for any payment from the department for
1222 providing child care.

1223 Sec. 70. Subsection (b) of section 17a-46 of the general statutes is
1224 repealed and the following is substituted in lieu thereof (*Effective from*
1225 *passage*):

1226 (b) Approval of a request to defer photo-listing for any of the

1227 reasons specified in subdivision (2) or (3) of subsection (a) of this
1228 section shall be valid for a period not to exceed ninety days. There
1229 shall be no subsequent deferrals for **[**said**]** such reasons.

1230 Sec. 71. Subsection (b) of section 17a-507 of the general statutes is
1231 repealed and the following is substituted in lieu thereof (*Effective from*
1232 *passage*):

1233 (b) Any such hospital may admit and detain persons under the
1234 provisions of sections 17a-498, 17a-502 and 17a-506 in the same manner
1235 as hospitals for psychiatric disabilities, including persons admitted
1236 under subsection (a) of this section for whom a certificate of
1237 emergency detention or a commitment order of a probate court has
1238 been made.

1239 Sec. 72. Subsection (b) of section 17b-28 of the general statutes is
1240 repealed and the following is substituted in lieu thereof (*Effective from*
1241 *passage*):

1242 (b) The council shall make recommendations concerning (1)
1243 guaranteed access to enrollees and effective outreach and client
1244 education; (2) available services comparable to those already in the
1245 Medicaid state plan, including those guaranteed under the federal
1246 Early and Periodic Screening, Diagnostic and Treatment Services
1247 Program under 42 USC 1396d; (3) the sufficiency of provider networks;
1248 (4) the sufficiency of capitated rates provider payments, financing and
1249 staff resources to guarantee timely access to services; (5) participation
1250 in managed care by existing community Medicaid providers; (6) the
1251 linguistic and cultural competency of providers and other program
1252 facilitators; (7) quality assurance; (8) timely, accessible and effective
1253 client grievance procedures; (9) coordination of the Medicaid managed
1254 care plan with state and federal health care reforms; (10) eligibility
1255 levels for inclusion in the program; (11) cost-sharing provisions; (12) a
1256 benefit package; (13) coordination with coverage under the HUSKY
1257 Plan, Part B; (14) the need for program quality studies within the areas
1258 identified in this section and the department's application for available

1259 grant funds for such studies; (15) the managed care portion of the
1260 state-administered general assistance program; and (16) other issues
1261 pertaining to the development of a Medicaid Research and
1262 Demonstration Waiver under Section 1115 of the Social Security Act.

1263 Sec. 73. Subsection (b) of section 17b-99 of the general statutes is
1264 repealed and the following is substituted in lieu thereof (*Effective from*
1265 *passage*):

1266 (b) For the purpose of determining compliance with subsection (a)
1267 of this section, all vendors shall notify the commissioner within thirty
1268 days after the date of employment or conviction, whichever is later, of
1269 the identity, interest and extent of services performed by any person
1270 convicted of a crime involving fraud in the Medicare program or
1271 Medicaid program or aid to families with dependent children program
1272 or state-administered general assistance program or temporary family
1273 assistance program or state supplement to the federal Supplemental
1274 Security Income Program or any federal or state energy assistance
1275 program or general assistance program or state-funded child care
1276 program or the refugee program. Prior to the commissioner's
1277 acceptance of a provider agreement or at any time upon written
1278 request by the commissioner, the vendor shall furnish the
1279 commissioner with the identity of any person convicted of a crime
1280 involving fraud in such programs who has an ownership or control
1281 interest in the vendor or who is an agent or managing employee. The
1282 commissioner shall terminate, refuse to enter into or renew an
1283 agreement with a vendor, except a vendor providing room and board
1284 and services pursuant to section 17b-340, if such convicted person has
1285 such interest or is such agent or employee. In the case of a vendor
1286 providing room and board and services pursuant to said section 17b-
1287 340, the commissioner may terminate, refuse to enter into or renew an
1288 agreement after consideration of any adverse impact on beneficiaries
1289 of such termination or refusal.

1290 Sec. 74. Subsections (e) to (g), inclusive, of section 17b-359 of the

1291 general statutes are repealed and the following is substituted in lieu
1292 thereof (*Effective from passage*):

1293 (e) In the case of a mentally ill resident who is determined under
1294 subsection (d) of this section not to require the level of services
1295 provided by a nursing facility but to require specialized services for
1296 mental illness and who has continuously resided in a nursing facility
1297 for at least thirty months before the date of the determination, the
1298 resident may elect to remain in the facility or to receive services
1299 covered by Medicaid in an alternative appropriate institutional or
1300 noninstitutional setting in accordance with the alternative disposition
1301 plan submitted by the Department of Social Services to the Secretary of
1302 the United States Department of Health and Human Services, and
1303 consistent with the Department of Mental Health and Addiction
1304 Services requirements for the provision of specialized services.

1305 (f) In the case of a mentally ill resident who is determined under
1306 subsection (d) of this section not to require the level of services
1307 provided by a nursing facility but to require specialized services for
1308 mental illness and who has not continuously resided in a nursing
1309 facility for at least thirty months before the date of the determination,
1310 the nursing facility in consultation with the Department of Mental
1311 Health and Addiction Services shall arrange for the safe and orderly
1312 discharge of the resident from the facility. If the department
1313 determines that the provision of specialized services requires an
1314 alternate residential placement, the discharge and transfer of the
1315 resident shall be made in accordance with the alternative disposition
1316 plan submitted by the Department of Social Services and approved by
1317 the Secretary of the United States Department of Health and Human
1318 Services, except if an alternate residential placement is not available,
1319 the resident shall not be transferred.

1320 (g) In the case of a resident who is determined under subsection (d)
1321 of this section not to require the level of services provided by a nursing
1322 facility and not to require specialized services, the nursing facility shall

1323 arrange for the safe and orderly discharge of the resident from the
1324 facility.

1325 Sec. 75. Subsection (c) of section 17b-491 of the general statutes is
1326 repealed and the following is substituted in lieu thereof (*Effective from*
1327 *passage*):

1328 (c) Notwithstanding the provisions of subsection (a) of this section,
1329 effective September 15, 1991, payment by the state to a pharmacy
1330 under the program may be based on the price paid directly by a
1331 pharmacy to a pharmaceutical manufacturer for drugs dispensed
1332 under the program minus the copayment charge, plus the dispensing
1333 fee, if the direct price paid by the pharmacy is lower than the
1334 reasonable cost of such drugs.

1335 Sec. 76. Subsection (c) of section 17b-497 of the general statutes is
1336 repealed and the following is substituted in lieu thereof (*Effective from*
1337 *passage*):

1338 (c) Any pharmacy found guilty of a violation under subsection (a) of
1339 this section shall be immediately terminated from participation in the
1340 program, and shall be liable to the state for five times the value of any
1341 material gain received.

1342 Sec. 77. Subsection (b) of section 17b-853 of the general statutes is
1343 repealed and the following is substituted in lieu thereof (*Effective from*
1344 *passage*):

1345 (b) With respect to proposed contracts for grants-in-aid made
1346 pursuant to subsection (a) **[**hereof**]** of this section, the Commissioner of
1347 Social Services shall review the program content of such proposals so
1348 as to determine whether they are designed to accomplish the purposes
1349 specified in this section and section 17b-852 and shall require audits in
1350 accordance with the provisions of sections 4-230 to 4-236, inclusive.

1351 Sec. 78. Subsection (c) of section 18-101b of the general statutes is
1352 repealed and the following is substituted in lieu thereof (*Effective from*

1353 *passage*):

1354 (c) Any inmate requesting permission to remain in a correctional
1355 facility, as provided in subsection (a) of this section or any person
1356 requesting permission to remain in a program, as provided in
1357 subsection (b) of this section, shall submit such request, in writing, to
1358 the Commissioner of Correction not later than one week prior to **[**his**]**
1359 the scheduled date for the inmate's parole or discharge.

1360 Sec. 79. Subsection (b) of section 19a-320 of the general statutes is
1361 repealed and the following is substituted in lieu thereof (*Effective from*
1362 *passage*):

1363 (b) Application for such approval shall be made in writing to the
1364 local authority specified in subsection (a) of this section and a hearing
1365 shall be held within the town, city or borough in which such location is
1366 situated within sixty-five days from the date of receipt of such
1367 application. Notice of such hearing shall be given to such applicant by
1368 mail, postage paid, to the address given on the application, and to the
1369 Commissioner of Public Health, and by publication twice in a
1370 newspaper having a substantial circulation in the town, city or
1371 borough at intervals of not less than two days, the first being not more
1372 than fifteen days nor less than ten days, and the second being not less
1373 than two days before such hearing. The local authority shall approve
1374 or deny such application within sixty-five days after such hearing,
1375 provided an extension of time not to exceed a further period of sixty-
1376 five days may be had with the consent of the applicant. The grounds
1377 for its action shall be stated in the records of the authority. Each
1378 applicant shall pay a fee of ten dollars, together with the costs of the
1379 publication of such notice and the reasonable expense of such hearing,
1380 to the treasurer of such town, city or borough.

1381 Sec. 80. Subdivision (2) of subsection (b) of section 19a-512 of the
1382 general statutes is repealed and the following is substituted in lieu
1383 thereof (*Effective from passage*):

1384 (2) Each such person applying on or after February 1, 1985, in
1385 addition to the requirements of subdivision (1) of this subsection, shall
1386 either (A) have a baccalaureate degree in any area and have completed
1387 a course in long-term care administration approved by the department,
1388 or (B) have a master's degree in long-term care administration or in a
1389 related health care field approved by the commissioner.

1390 Sec. 81. Subsection (b) of section 19a-546 of the general statutes is
1391 repealed and the following is substituted in lieu thereof (*Effective from*
1392 *passage*):

1393 (b) If the receiver is in possession of real estate or goods subject to a
1394 lease, mortgage or security interest which the receiver is permitted to
1395 avoid under subsection (a) of this section and if the real estate or goods
1396 are necessary for the continued operation of the facility under this
1397 section, the receiver may apply to the court to set a reasonable rental,
1398 price or rate of interest to be paid by the receiver during the duration
1399 of the receivership. The court shall hold a hearing not later than fifteen
1400 days after application is made. Any known owners of the property
1401 involved shall receive notice of such application from the receiver at
1402 least ten days prior to the hearing. Payment by the receiver of the
1403 amount determined by the court to be reasonable is a defense to any
1404 action against the receiver for payment or for possession of the goods
1405 or real estate subject to the lease, security interest or mortgage
1406 involved by any person who received such notice, but the payment
1407 does not relieve the owner of the facility of any liability for the
1408 difference between the amount paid by the receiver and the amount
1409 due under such lease, security interest or mortgage involved.

1410 Sec. 82. Subdivision (1) of section 19a-600 of the general statutes is
1411 repealed and the following is substituted in lieu thereof (*Effective from*
1412 *passage*):

1413 (1) "Counselor" means: (A) A psychiatrist, (B) a psychologist
1414 licensed under chapter 383, (C) a clinical social worker licensed under
1415 chapter 383b, (D) a marital and family therapist licensed under chapter

1416 383a, (E) an ordained member of the clergy, (F) a physician assistant
1417 licensed under section 20-12b, (G) a nurse-midwife licensed under
1418 chapter 377, (H) a certified guidance counselor, (I) a registered
1419 professional nurse licensed under chapter 378, or (J) a practical nurse
1420 licensed under chapter 378.

1421 Sec. 83. Subsection (f) of section 19a-639 of the general statutes is
1422 repealed and the following is substituted in lieu thereof (*Effective from*
1423 *passage*):

1424 (f) In conducting its activities under this section **[**,**]** <u>or</u> section 19a-
1425 638, or under both sections, the office may hold hearings on
1426 applications of a similar nature at the same time.

1427 Sec. 84. Subsection (c) of section 19a-639a of the general statutes is
1428 repealed and the following is substituted in lieu thereof (*Effective from*
1429 *passage*):

1430 (c) Each health care facility, institution or provider that proposes to
1431 purchase, lease or accept donation of a CT scanner, PET scanner,
1432 PET/CT scanner **[**,**]** <u>or</u> MRI scanner, cineangiography equipment or a
1433 linear accelerator shall be exempt from certificate of need review
1434 pursuant to sections 19a-638 and 19a-639 if such facility, institution or
1435 provider (1) provides to the office satisfactory evidence that it
1436 purchased or leased such equipment for under four hundred thousand
1437 dollars on or before July 1, 2005, and such equipment was in operation
1438 on or before July 1, 2006, or (2) obtained, on or before July 1, 2005, from
1439 the office, a certificate of need or a determination that a certificate of
1440 need was not required for the purchase, lease or donation acceptance
1441 of such equipment.

1442 Sec. 85. Subdivision (1) of subsection (c) of section 20-206b of the
1443 general statutes is repealed and the following is substituted in lieu
1444 thereof (*Effective from passage*):

1445 (c) (1) Notwithstanding the provisions of subsection (a) of this

1446 section, the department may issue a license to an applicant whose
1447 school of massage therapy does not satisfy the requirement of
1448 subparagraph (A) or (B) of subdivision (1) of said subsection (a),
1449 provided the school held, at the time of the applicant's graduation, a
1450 certificate issued by the Commissioner of Education pursuant to
1451 section 10-7b and provided the applicant graduated within thirty-three
1452 months of the date **[**said**]** such school first offered the curriculum
1453 completed by the applicant. No license shall be issued under this
1454 subsection to a graduate of a school that fails to apply for and obtain
1455 accreditation by **[**(1)**]** (A) an accrediting agency recognized by the
1456 United States Department of Education, or **[**(2)**]** (B) the Commission on
1457 Massage Therapy Accreditation within thirty-three months of the date
1458 **[**said**]** such school first offered the curriculum.

1459 Sec. 86. Subdivision (3) of section 20-207 of the general statutes is
1460 repealed and the following is substituted in lieu thereof (*Effective from*
1461 *passage*):

1462 (3) "Funeral directing" means the business, practice or profession, as
1463 commonly practiced, of (A) directing or supervising funerals, or
1464 providing funeral services; (B) handling or encasing or providing
1465 services for handling and encasing dead human bodies, otherwise than
1466 by embalming, for burial or disposal; (C) providing embalming
1467 services; (D) providing transportation, interment and disinterment of
1468 dead human bodies; (E) maintaining an establishment so located,
1469 constructed and equipped as to permit the decent and sanitary
1470 handling of dead human bodies, with suitable equipment in such
1471 establishment for such handling; **[**,**]** and (F) conducting an
1472 establishment from which funerals may be held.

1473 Sec. 87. Subdivision (1) of subsection (d) of section 20-327b of the
1474 general statutes is repealed and the following is substituted in lieu
1475 thereof (*Effective from passage*):

1476 (d) (1) The Commissioner of Consumer Protection, shall, by
1477 regulations adopted in accordance with the provisions of chapter 54,

1478 prescribe the form of the written residential disclosure report required
1479 by this section and sections 20-327c to 20-327e, inclusive. The
1480 regulations shall provide that the form include information concerning
1481 municipal assessments, including, but not limited to, sewer or water
1482 charges applicable to the property. Such information shall include: **[**(i)**]**
1483 (A) Whether such assessment is in effect and the amount of the
1484 assessment; **[**(ii)**]** (B) whether there is an assessment on the property
1485 that has not been paid, and if so, the amount of the unpaid assessment;
1486 and **[**(iii)**]** (C) to the extent of the seller's knowledge, whether there is
1487 reason to believe that the municipality may impose an assessment in
1488 the future.

1489 Sec. 88. Section 20-329c of the general statutes is repealed and the
1490 following is substituted in lieu thereof (*Effective from passage*):

1491 Except as provided in section 20-329b, no subdivision or lot, parcel,
1492 unit or interest in any subdivision shall in any way be offered or
1493 disposed of in this state by any person or broker until: (1) Such person
1494 or broker has appointed in writing the Secretary of the State and his or
1495 her successors in office to be such person's or broker's attorney, upon
1496 whom all process, in any action or proceeding against such person or
1497 broker, may be served. Such person or broker shall agree in such
1498 written appointment that any process against such person or broker
1499 which is served on the Secretary of the State shall be of the same legal
1500 force and validity as if served on such person or broker and that such
1501 appointment shall continue in force as long as any liability remains
1502 outstanding against such person or broker in this state. Such written
1503 appointment shall be acknowledged before an officer authorized to
1504 take acknowledgments of deeds and shall be filed in the office of the
1505 Secretary of the State, and copies certified by the Secretary of the State
1506 shall be sufficient evidence of such appointment and agreement; (2)
1507 such person or broker has posted with the commission such bond, in
1508 favor of the state, as the commission may require with surety in such
1509 amount as the commission may in its discretion determine. No bond
1510 which may be required under sections 20-329a to 20-329m, inclusive,

1511 shall be accepted for filing unless it is with a surety company
1512 authorized to do business in this state. Any person aggrieved by an act
1513 of the principal named in such bond in violation of the provisions of
1514 this chapter may proceed on such bond against the principal or surety
1515 therein, or both, to recover damages; and (3) **[**until**]** such person or
1516 broker has received a license under section 20-329f. Any person or
1517 broker violating the provisions of this section shall be fined not less
1518 than one thousand dollars and not more than five thousand dollars for
1519 each offense.

1520 Sec. 89. Section 20-478 of the general statutes is repealed and the
1521 following is substituted in lieu thereof (*Effective from passage*):

1522 The commissioner shall adopt regulations, in accordance with the
1523 provisions of chapter 54, to administer the provisions of sections 20-
1524 475 and 20-476. Such regulations shall include, but not be limited to,
1525 the following: (1) Standards for licensure of lead abatement contractors
1526 and lead consultant contractors; (2) passing scores for licensure
1527 examination of lead abatement contractors and lead consultant
1528 **[**contractor**]** contractors; and (3) standards for certification of lead
1529 consultants, lead abatement supervisors and lead abatement workers.

1530 Sec. 90. Subsection (c) of section 21-80a of the general statutes is
1531 repealed and the following is substituted in lieu thereof (*Effective from*
1532 *passage*):

1533 (c) Notwithstanding the provisions of subsection (a) of this section,
1534 an owner may increase the rent of a resident if: (1) The condition
1535 complained of was caused by the lack of due care by the resident or
1536 another person in his household or a person on the premises with his
1537 consent; **[**or**]** (2) the owner has become liable for a substantial increase
1538 in property taxes, or a substantial increase in other maintenance or
1539 operating costs not associated with his complying with the complaint,
1540 not less than four months before the demand for an increase in rent,
1541 and the increase in rent does not exceed the prorated portion of the net
1542 increase in taxes or costs; **[**,**]** or (3) the owner in good faith is increasing

1543 the rent in a manner permitted by subdivision (5) of subsection (b) of
1544 section 21-80.

1545 Sec. 91. Section 21a-16 of the general statutes is repealed and the
1546 following is substituted in lieu thereof (*Effective from passage*):

1547 (a) No person shall sell or offer for sale colored oleomargarine or
1548 colored margarine unless (1) such oleomargarine or margarine is
1549 packaged; (2) the net weight of the contents of any package sold at
1550 retail is one pound or less; (3) there appears on the label of the package
1551 the word "oleomargarine" or "margarine", in type or lettering at least as
1552 large as any other type or lettering on such label, and an accurate
1553 statement of all optional ingredients contained in such oleomargarine
1554 or margarine; **[**,**]** and (4) each separate part of the contents of the
1555 package is contained in a wrapper which bears the word
1556 "oleomargarine" or "margarine" in type or lettering not smaller than
1557 twenty-point type.

1558 (b) No person shall sell or offer for sale any colored or uncolored
1559 oleomargarine or margarine in any manner other than by weight nor
1560 unless (1) the front of the package bears a definite statement of its true
1561 net weight; (2) the package is clearly labeled to indicate to the
1562 purchaser that the product is margarine or oleomargarine; **[**,**]** and (3)
1563 the package bears the name and address of the manufacturer, packer
1564 or distributor, and any other information required by federal law.

1565 Sec. 92. Section 21a-25 of the general statutes is repealed and the
1566 following is substituted in lieu thereof (*Effective from passage*):

1567 No person shall make, sell, offer or expose for sale or exchange or
1568 solicit or receive any order for the sale or delivery within the state, or
1569 for delivery without the state for shipment into the state, of: (1) Any
1570 vinegar, as cider vinegar, not wholly produced from the juice of
1571 apples; (2) any vinegar or article sold or to be sold as vinegar, to which
1572 has been added any drug, or any hurtful or foreign substance, or any
1573 coloring matter, or any acid; **[**,**]** or (3) any vinegar not having an acetic

1574 acidity equivalent therein of not less than four per cent by weight of
1575 absolute acetic acid and, in case of cider vinegar, not less than one and
1576 six-tenths per cent by weight of cider vinegar solids upon full
1577 evaporation over boiling water. Any person who violates any
1578 provision of this section shall be fined not more than fifty dollars for a
1579 first offense, and for a subsequent offense shall be fined not more than
1580 one hundred dollars or imprisoned not more than thirty days or both.
1581 The delivery of any of the above-mentioned articles upon an order
1582 solicited or received within the state shall be conclusive evidence that
1583 the order upon which such delivery was made was for such articles.

1584 Sec. 93. Subsection (b) of section 21a-35 of the general statutes is
1585 repealed and the following is substituted in lieu thereof (*Effective from*
1586 *passage*):

1587 (b) Any person desiring to obtain a vending machine operator's
1588 license shall apply to the commissioner, on forms which the
1589 commissioner shall provide, stating (1) **[**his**]** the applicant's name and
1590 address or the name and address of each partner, in case of a
1591 partnership, or of each principal officer and director, in case of a
1592 corporation; (2) the address of **[**his**]** the applicant's principal place of
1593 business; (3) the location of each commissary and other establishment,
1594 if any, where supplies are kept and where food or beverages are
1595 prepared; (4) the identity and form of the food or beverage to be sold
1596 or offered for sale in or supplied for vending machines; (5) the number
1597 and type of each vending machine which the applicant operates,
1598 replenishes or services; (6) a description of each motor vehicle in which
1599 the applicant transports food, beverages or supplies from a
1600 commissary to vending machines; **[**,**]** and (7) such other information as
1601 the commissioner may require.

1602 Sec. 94. Subsection (a) of section 21a-38 of the general statutes is
1603 repealed and the following is substituted in lieu thereof (*Effective from*
1604 *passage*):

1605 (a) The commissioner may suspend or revoke any license issued

1606 under the provisions of section 21a-35 or 21a-36 for violation of the
1607 provisions of sections 21a-34 to 21a-45, inclusive, or any regulation
1608 adopted thereunder or for violation of any applicable municipal health
1609 ordinance or state or federal law or regulation. No such suspension or
1610 revocation shall take effect except upon notice to the licensee and
1611 hearing thereon. Notice shall be in writing, given by registered or
1612 certified mail, and shall state: (1) The condition or violation found; (2)
1613 the corrective action, if any, to be taken and the period of time within
1614 which such action must be taken; **[**,**]** and (3) that an opportunity for
1615 hearing will be provided upon written request filed within ten days
1616 after receipt of such notice.

1617 Sec. 95. Section 21a-77 of the general statutes is repealed and the
1618 following is substituted in lieu thereof (*Effective from passage*):

1619 Any person who violates any provision of sections 21a-73 to 21a-77,
1620 inclusive, shall be fined not more than two hundred dollars for the first
1621 offense **[**nor**]** and not more than one thousand dollars for each
1622 subsequent offense. Each violation with respect to all units of a
1623 particular consumer commodity on any single day shall be deemed a
1624 single offense.

1625 Sec. 96. Subsection (c) of section 21a-96 of the general statutes is
1626 repealed and the following is substituted in lieu thereof (*Effective from*
1627 *passage*):

1628 (c) The complaint shall contain: (1) A particular description of the
1629 article, (2) the name of the place where the article is located, **[**and**]** (3)
1630 the name of the person in whose possession or custody the article was
1631 found, if such name is known to the person making the complaint or
1632 can be ascertained by reasonable effort, and (4) a statement as to the
1633 manner in which the article is adulterated or misbranded or the
1634 characteristics which render its distribution or sale illegal.

1635 Sec. 97. Subsection (b) of section 21a-278 of the general statutes is
1636 repealed and the following is substituted in lieu thereof (*Effective from*

1637 *passage*):

1638 (b) Any person who manufactures, distributes, sells, prescribes,
1639 dispenses, compounds, transports with the intent to sell or dispense,
1640 possesses with the intent to sell or dispense, offers, gives or
1641 administers to another person any narcotic substance, hallucinogenic
1642 substance other than marijuana, amphetamine-type substance, or one
1643 kilogram or more of a cannabis-type substance, except as authorized in
1644 this chapter, and who is not, at the time of such action, a drug-
1645 dependent person, for a first offense shall be imprisoned not less than
1646 five years **[**nor**]** or more than twenty years; and for each subsequent
1647 offense shall be imprisoned not less than ten years **[**nor**]** or more than
1648 twenty-five years. The execution of the mandatory minimum sentence
1649 imposed by the provisions of this subsection shall not be suspended,
1650 except the court may suspend the execution of such mandatory
1651 minimum sentence if at the time of the commission of the offense (1)
1652 such person was under the age of eighteen years, or (2) such person's
1653 mental capacity was significantly impaired, but not so impaired as to
1654 constitute a defense to prosecution.

1655 Sec. 98. Section 22-205 of the general statutes is repealed and the
1656 following is substituted in lieu thereof (*Effective from passage*):

1657 The following terms shall be construed in this part to have the
1658 following meanings, unless the context otherwise requires: (1)
1659 "Commissioner" means the Commissioner of Agriculture; (2)
1660 "consumer" means any person, other than a dealer, who purchases
1661 milk for consumption or use; (3) "cooperative marketing association"
1662 means a producer-owned and producer-controlled association or
1663 corporation of producers, organized under the cooperative laws of this
1664 state, or of any other state and authorized to do business in this state,
1665 and conforming to the requirements of the Act of Congress of February
1666 18, 1922, as amended, known as the "Capper-Volstead Act", and such
1667 association shall be governed by the applicable provisions of this part
1668 as to the prices at which it sells, markets or bargains to sell milk to

1669 dealers and others; (4) "dealer" means milk dealer, including any
1670 person, store, subdealer or producer-dealer, who purchases, receives,
1671 distributes or handles fluid milk or milk products for sale, but "dealer"
1672 does not include a producer who delivers milk to a dealer alone, retail
1673 raw milk producers, raw milk cheese manufacturers or a cooperative
1674 marketing association as herein defined. A cooperative marketing
1675 association, as defined in this section, shall be deemed a producer if
1676 such association sells milk to stores or consumers. It shall be deemed a
1677 dealer as to such operations and shall be governed by the provisions of
1678 this part applicable thereto; (5) "licensee" means a licensed dealer; (6)
1679 "marketing area" means any city, town, borough **[,]** or state, or two or
1680 more cities, towns, boroughs **[,]** or states, or parts thereof and territory
1681 contiguous thereto, so designated by the Commissioner of Agriculture
1682 and having reasonable uniformity or similarity of marketing
1683 conditions among producers or dealers; (7) "milk" means fluid milk
1684 and cream, all products defined in sections 22-127 and 22-133, fresh,
1685 sour or storage, skimmed milk, buttermilk and flavored milk or milk
1686 drink; and reference in this part to quantity of milk shall be construed
1687 to include its whole milk equivalent; (8) "person" means any
1688 individual, firm, corporation, limited liability company, partnership or
1689 association; (9) "producer" means a person producing milk and
1690 includes cooperative marketing associations; (10) "producer-dealer"
1691 means a dealer who is also a producer; (11) "store" means a grocery
1692 store, hotel, restaurant, drug store, dairy products store or any similar
1693 mercantile establishment which sells milk, except "store" does not
1694 include any establishment that sells milk only for consumption on the
1695 premises; (12) "subdealer" means any person, firm or corporation that
1696 sells fluid milk or milk products in their finished form for human
1697 consumption within the state to stores, other dealers or subdealers,
1698 restaurants, manufacturers or any place where the final sale of such
1699 fluid milk or milk products takes place in the same containers in which
1700 such person, firm or corporation purchased it from other dealers; (13)
1701 "cheese manufacturer" means any person, firm, corporation or dealer
1702 within the state that purchases fluid milk, or receives or handles fluid

1703 milk for the purpose of manufacturing cheese; (14) "yogurt
1704 manufacturer" means a milk dealer that purchases fluid milk or
1705 receives or handles fluid milk for the purpose of manufacturing yogurt
1706 for sale or distribution in the state; (15) "dry milk manufacturer" means
1707 any person, firm, corporation or dealer within the state who purchases
1708 fluid or dried milk, or receives or handles fluid or dried milk for the
1709 purpose of manufacturing or remanufacturing dry milk to be included
1710 or blended with fluid milk or be reconstituted into a milk product.

1711 Sec. 99. Subsection (d) of section 22-344c of the general statutes is
1712 repealed and the following is substituted in lieu thereof (*Effective from*
1713 *passage*):

1714 (d) Any person keeping ten or more unneutered or unspayed dogs
1715 capable of breeding, in a location required to be licensed, after such
1716 license has been revoked or suspended as herein provided shall be
1717 fined not less than fifty dollars **[**nor**]** <u>or</u> more than one hundred dollars.

1718 Sec. 100. Section 22-362 of the general statutes is repealed and the
1719 following is substituted in lieu thereof (*Effective from passage*):

1720 Any person owning or having the custody of any dog which
1721 habitually goes out on any highway and growls, bites, or snaps at, or
1722 otherwise annoys, any person or domestic animal lawfully using such
1723 highway or chases or interferes with any motor vehicle so using such
1724 highway, shall be fined not less than twenty-five **[**nor**]** <u>or</u> more than
1725 fifty dollars or imprisoned not more than thirty days for the first
1726 offense or both and for each subsequent offense shall be fined not less
1727 than fifty **[**nor**]** <u>dollars or</u> more than one hundred dollars or
1728 imprisoned not more than sixty days or both.

1729 Sec. 101. Section 22-391 of the general statutes is repealed and the
1730 following is substituted in lieu thereof (*Effective from passage*):

1731 Any person who violates or refuses to comply with any provision of
1732 this chapter shall be fined not less than two hundred dollars **[**nor**]** <u>or</u>

1733 more than five hundred dollars for a first offense and not less than five
1734 hundred dollars [nor] or more than one thousand dollars for a second
1735 and each subsequent offense.

1736 Sec. 102. Subsection (c) of section 22-413 of the general statutes is
1737 repealed and the following is substituted in lieu thereof (*Effective from*
1738 *passage*):

1739 (c) Any person violating any provision of this section shall be fined
1740 not less than one hundred dollars [nor] or more than five hundred
1741 dollars for each violation.

1742 Sec. 103. Section 22-414 of the general statutes is repealed and the
1743 following is substituted in lieu thereof (*Effective from passage*):

1744 The Commissioner of Agriculture shall supervise commission sales
1745 stables where equines are sold at public auctions. Any person, firm or
1746 corporation engaged in the business of selling equines at auctions shall
1747 annually apply to the commissioner for a license upon a form to be
1748 prescribed by [him] the commissioner. The fee for a license to hold one
1749 public auction annually shall be fifteen dollars and the fee for a license
1750 to hold more than one public auction annually shall be fifty dollars.
1751 Each such license shall be issued for the period of one year from July
1752 first and may be revoked for cause. If, in the judgment of the
1753 commissioner, any provision of this section has been violated, [he] the
1754 commissioner shall send notice by registered or certified mail to the
1755 licensee, who shall be given a hearing, and, if violation is proven, [his]
1756 the licensee's license shall be revoked. All stables and sales rings shall
1757 be kept clean and shall be suitably disinfected prior to each sale. The
1758 provisions of this section shall not apply to the private sale of equines
1759 conducted by the owner thereof. Any person, or any officer or agent of
1760 any corporation, who violates any provision of this section or who
1761 obstructs or attempts to obstruct the Commissioner of Agriculture or
1762 [his] the commissioner's deputy or any of [his] the commissioner's
1763 assistants in the performance of [his] the commissioner's duty shall be
1764 fined not less than one hundred dollars [nor] or more than five

1765 hundred dollars.

1766 Sec. 104. Section 22-415 of the general statutes is repealed and the
1767 following is substituted in lieu thereof (*Effective from passage*):

1768 Any person who carries or causes to be carried or has the care of
1769 any equine in or attached to any vehicle or otherwise in an
1770 unnecessarily cruel or inhumane manner, or in a way and manner
1771 which might endanger the equine or knowingly and wilfully
1772 authorizes or permits such equine to be subjected to unnecessary
1773 torture, suffering or cruelty of any kind in the transporting of such
1774 equine, shall be punished by a fine of not less than one hundred
1775 dollars **[**nor**]** <u>or</u> more than five hundred dollars. The Commissioner of
1776 Agriculture shall adopt regulations pursuant to chapter 54 pertaining
1777 to the transportation of equines upon the highways of Connecticut as
1778 deemed necessary to prevent the cruel or inhumane treatment of
1779 equines.

1780 Sec. 105. Subsection (d) of section 22a-6b of the general statutes is
1781 repealed and the following is substituted in lieu thereof (*Effective from*
1782 *passage*):

1783 (d) The person to whom the notice is addressed shall have thirty
1784 days from the date of receipt of the notice in which to deliver to the
1785 commissioner written application for a hearing. If a hearing is
1786 requested then, after a hearing and upon a finding that a violation has
1787 occurred, the commissioner may issue a final order assessing a civil
1788 penalty under this section which is not greater than the penalty stated
1789 in the notice. The commissioner may amend a notice of assessment at
1790 any time before such notice becomes final, provided the person to
1791 whom the notice is addressed shall have thirty days from the date of
1792 receipt of such amendment in which to deliver to the commissioner a
1793 written application for a hearing on such amendment, and provided
1794 further the commissioner may amend a notice of assessment after a
1795 hearing has begun only with the permission of the hearing officer. If
1796 such a hearing is not so requested, or if such a request is later

1797 withdrawn, then the notice shall, on the first day after the expiration of
1798 such twenty-day period or on the first day after the withdrawal of such
1799 request for hearing, whichever is later, become a final order of the
1800 commissioner and the matters asserted or charged in the notice shall
1801 be deemed admitted unless modified by consent order, which shall be
1802 a final order. Any civil penalty may be mitigated by the commissioner
1803 upon such terms and conditions as **[**he**]** the commissioner in **[**his**]** the
1804 commissioner's discretion deems proper or necessary upon
1805 consideration of the factors set forth in subsection (b) **[**hereof**]** of this
1806 section.

1807 Sec. 106. Subsection (b) of section 22a-63 of the general statutes is
1808 repealed and the following is substituted in lieu thereof (*Effective from*
1809 *passage*):

1810 (b) Any private applicator or other person, not included in
1811 subsection (a) of this section, who knowingly violates any provision of
1812 this chapter, subsection (a) of section 23-61a or section 23-61b, shall be
1813 fined not more than one thousand dollars, or imprisoned for not more
1814 than thirty days, or both.

1815 Sec. 107. Subsection (c) of section 22a-66a of the general statutes is
1816 repealed and the following is substituted in lieu thereof (*Effective from*
1817 *passage*):

1818 (c) On or after the adoption of regulations pursuant to subsection (g)
1819 of this section, any person making an outdoor application of a
1820 pesticide within one hundred yards of any property line shall at the
1821 time of application post a sign notifying the public of the application at
1822 any conspicuous point of entry. A commercial pesticide applicator
1823 making an application shall post a sign every one hundred fifty feet of
1824 road frontage of treated property notifying the public of such
1825 application. Any sign posted pursuant to this subsection shall comply
1826 with the requirements adopted pursuant to subsection (g) of this
1827 section. The provisions of this subsection shall not apply to (1)
1828 noncommercial applications to an area less than one hundred square

1829 feet or to a fenced area, or (2) applications on land that produces
1830 agricultural commodities from which gross sales in excess of one
1831 thousand dollars were realized or can reasonably be expected to be
1832 realized during any calendar year.

1833 Sec. 108. Subsections (f) and (g) of section 22a-66a of the general
1834 statutes are repealed and the following is substituted in lieu thereof
1835 (*Effective from passage*):

1836 (f) On or after the adoption of regulations pursuant to subsection (g)
1837 of this section, any wholesaler or distributor selling pesticides to retail
1838 establishments shall make available to the owners of such retail
1839 establishments signs for notification of a pesticide application. Such
1840 owner shall provide a sign to any purchaser of a pesticide requiring
1841 the posting of a sign pursuant to subsection (c) of this section and shall
1842 display, at the point of sale, notice of the requirements for signs
1843 pursuant to **[**said**]** subsection (c) of this section.

1844 (g) On or before October 1, 1989, the commissioner shall adopt
1845 regulations, in accordance with the provisions of chapter 54,
1846 establishing (1) specifications for signs required pursuant to
1847 subsections (c) and (e) of this section and provisions for posting of
1848 signs in retail establishments, and (2) procedures for compilation and
1849 maintenance of the registry required pursuant to subsection (b) of this
1850 section.

1851 Sec. 109. Subsection (c) of section 22a-113k of the general statutes is
1852 repealed and the following is substituted in lieu thereof (*Effective from*
1853 *passage*):

1854 (c) Any two or more municipalities whose common boundaries lie
1855 within navigable waters, as defined in subsection (b) of section 15-3a,
1856 may by concurrent ordinances of their legislative bodies establish one
1857 or more harbor management commissions. Each such commission
1858 shall consist of an equal number of members from each municipality
1859 constituted pursuant to subsection (a) of this section. Any municipality

that is a member of a commission may, by vote of its legislative body, elect to withdraw from a commission.

Sec. 110. Subsection (c) of section 22a-134i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Each time a seller conveys to a purchaser a unit in a common interest community that is an establishment, the seller shall provide a notice to the purchaser that summarizes (1) the status of the environmental condition of the common interest community, (2) any investigation or remediation activities, and (3) any environmental land use restrictions. Such notice requirement applies to all such conveyances, including those conveyances otherwise excepted from the requirement for delivery of a public offering statement or of a resale certificate under subsection (b) of section 47-262 and section 47-270.

Sec. 111. Subsection (b) of section 22a-155 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Any final order entered in any proceeding under subsection (a) **[**above**]** of this section shall be subject to judicial review by the Superior Court in the manner prescribed in section 25-36.

Sec. 112. Subsection (c) of section 22a-208i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The provisions of subsection (a) of this section exempting facilities composting leaves and the provisions of subsection (b) of this section exempting recycling facilities from the requirements of section 22a-208a shall not be construed to relieve such facilities from the obligation to comply with any other provision of this chapter or chapter 446e, including, but not limited to, operational requirements

1890 and other applicable requirements of regulations adopted under
1891 section 22a-209.

1892 Sec. 113. Subsection (d) of section 22a-232 of the general statutes is
1893 repealed and the following is substituted in lieu thereof (*Effective from*
1894 *passage*):

1895 (d) Any person or municipality liable for the service fee for solid
1896 waste delivered to a facility whose owner is subject to the assessment
1897 imposed by subsection (a) of this section shall reimburse the owner for
1898 any assessment paid for the solid waste delivered by such person or
1899 municipality. The assessment shall be a debt from the person or
1900 municipality responsible for paying such service fee to the owner.

1901 Sec. 114. Subsection (h) of section 22a-285g of the general statutes is
1902 repealed and the following is substituted in lieu thereof (*Effective from*
1903 *passage*):

1904 (h) Not more than sixty days after a request for arbitration is
1905 submitted to the council by the applicant pursuant to subsection (g) of
1906 this section, the parties shall submit their final offers. A final offer of
1907 the committee shall be approved by the chief elected official of each
1908 municipality in which the ash residue disposal area is located. Failure
1909 by either party to submit a final offer shall constitute a default under
1910 subsection (e) of this section. A final offer may include issues subject to
1911 arbitration and offered in negotiation but shall not include items to
1912 which the parties have agreed. The applicant or the committee shall
1913 not submit for arbitration any issue or proposal that was not presented
1914 during the negotiation process unless both parties agree to the
1915 submittal. Not more than thirty days after the last day for submitting
1916 final offers, the council shall conduct a hearing at which the parties
1917 shall explain or present supporting arguments for their final offers.
1918 Negotiation may continue during arbitration.

1919 Sec. 115. Subsection (b) of section 22a-348 of the general statutes is
1920 repealed and the following is substituted in lieu thereof (*Effective from*

1921 *passage*):

1922 (b) Notwithstanding the provisions of subsection (a) of this section,
1923 any town, city or borough may establish such lines at any time to
1924 comply with the eligibility provisions of the National Flood Insurance
1925 Program (44 CFR Part 59 et seq.).

1926 Sec. 116. Subsection (f) of section 22a-452a of the general statutes is
1927 repealed and the following is substituted in lieu thereof (*Effective from*
1928 *passage*):

1929 (f) Except as provided in subsection (a) of this section, such lien
1930 shall take precedence over all transfers and encumbrances recorded on
1931 or after June 3, 1985, in any manner affecting such interest in such real
1932 estate or any part of it on which the spill occurred or from which the
1933 spill emanated, or real estate which has been included, within the
1934 preceding three years, in the property description of such real estate
1935 and is contiguous to such real estate. This subsection shall not apply to
1936 real estate which consists exclusively of residential real estate,
1937 including, but not limited to, residential units in any common interest
1938 community, as defined in section 47-202.

1939 Sec. 117. Subdivision (2) of subsection (a) of section 22a-500 of the
1940 general statutes is repealed and the following is substituted in lieu
1941 thereof (*Effective from passage*):

1942 (2) "Bonds" **[**mean**]** means any bonds, notes and other obligations
1943 issued by an authority pursuant to the provisions of section 22a-507
1944 and any bonds issued to refund such bonds.

1945 Sec. 118. Subsection (c) of section 23-46 of the general statutes is
1946 repealed and the following is substituted in lieu thereof (*Effective from*
1947 *passage*):

1948 (c) Any person who violates the provisions of subsection (a) of this
1949 section or who fails to comply with any order issued under the
1950 provisions of subsection (b) of this section shall be fined not more than

1951 one hundred dollars or shall be liable to the state for any expense not
1952 exceeding one hundred dollars caused by the removal of such cut
1953 brush, tree-growth or inflammable material.

1954 Sec. 119. Subdivision (3) of subsection (c) of section 25-33k of the
1955 general statutes is repealed and the following is substituted in lieu
1956 thereof (*Effective from passage*):

1957 (3) The Commissioner of Public Health shall grant a permit upon a
1958 finding that any groundwater source with a safe yield of more than
1959 0.75 millions of gallons per day, any reservoir with a safe yield of more
1960 than 0.75 millions of gallons per day, any reservoir system with a safe
1961 yield of more than 0.75 millions of gallons per day, or any individual
1962 source within a reservoir system when such system has a safe yield of
1963 more than 0.75 millions of gallons per day is of a size or condition that
1964 makes it unsuitable for present or future use as a drinking water
1965 supply by the water company, other entity or the state. In making a
1966 decision, the commissioner shall consider the general utility of the
1967 source and the viability for use to meet water supply needs. The
1968 commissioner shall consider any public water supply plans filed and
1969 approved pursuant to sections 25-32d and 25-33h, and any other water
1970 system plan approved by the commissioner, and the efficient and
1971 effective development of public water supply in the state. In assessing
1972 the general utility of the source, the commissioner shall consider
1973 factors including, but not limited to, **[**(1)**]** (A) the safe yield of the
1974 source, **[**(2)**]** (B) the location of the source relative to other public water
1975 supply systems, **[**(3)**]** (C) the water quality of the source and the
1976 potential for treatment, **[**(4)**]** (D) water quality compatibility between
1977 systems and interconnections, **[**(5)**]** (E) extent of water company-
1978 owned lands for source protection of the supply, **[**(6)**]** (F) types of land
1979 uses and land use controls in the aquifer protection area or watershed
1980 and their potential impact on water quality of the source, and **[**(7)**]** (G)
1981 physical limitations to water service, system hydraulics and
1982 topography.

1983 Sec. 120. Section 25-80 of the general statutes is repealed and the
1984 following is substituted in lieu thereof (*Effective from passage*):

1985 The Commissioner of Environmental Protection is authorized to
1986 give assurances satisfactory to the Secretary of the Army as provided
1987 in Section 701c, Chapter 15, Title 33 of the United States Code
1988 Annotated that the state will **[**(a)**]** (1) provide without cost to the
1989 United States all lands, easements and rights-of-way necessary for the
1990 construction of any flood control project and pay for the cost of
1991 acquisition of earthen material required for the construction of such
1992 project, **[**; (b)**]** (2) hold and save the United States free from damages
1993 due to the construction works, and **[**(c)**]** (3) maintain and operate all
1994 the works after completion in accordance with regulations prescribed
1995 by the Secretary of the Army. Said commissioner, in the name of the
1996 state, may purchase land or any interest therein, or take the same by
1997 right of eminent domain in the manner provided in section 48-12 for
1998 the purposes enumerated in subdivision **[**(a) hereof**]** (1) of this section.
1999 Said commissioner, with the advice and consent of the Secretary of the
2000 Office of Policy and Management, may sell, convey or enter into
2001 agreements with persons, firms or corporations or other state agencies
2002 for the exchange of any such lands, buildings, easements, rights-of-
2003 way or any other property interest real or personal acquired in
2004 carrying out the purposes of subdivision **[**(a) hereof**]** (1) of this section
2005 for the most appropriate and efficient use and development of such
2006 lands, provided any such sale, conveyance or agreement is in no way
2007 contrary to the purposes of **[**said**]** subdivision **[**(a)**]** (1) of this section.

2008 Sec. 121. Subsection (b) of section 25-102d of the general statutes is
2009 repealed and the following is substituted in lieu thereof (*Effective from*
2010 *passage*):

2011 (b) The commissions of the respective towns referred to in
2012 subsection (a) **[**above**]** of this section shall study the standards so
2013 established and shall, within ninety days of such submission, file with
2014 the town clerk of the town which they serve, for submission to its

2015 legislative body, recommendations as to whether such town should
2016 vote to be governed by the provisions of sections 25-102g, 25-102h and
2017 25-102j. Failure of a commission to make such recommendations
2018 within the time limited therefor shall be deemed a recommendation
2019 that the town should vote to be so governed. Within thirty days after
2020 April 22, 1974, the clerk of any such town which has not previously
2021 voted to be governed by the provisions of this chapter, shall call a
2022 meeting of its legislative body at the earliest legal date, which may be
2023 the annual or a regular or special meeting of such body, at which
2024 meeting, such legislative body shall vote as to whether such town shall
2025 be governed by the provisions of **[**said**]** sections 25-102g, 25-102h and
2026 25-102j and the town clerk of such town shall report the result of such
2027 vote to the Commissioner of Environmental Protection for transmittal
2028 to the Connecticut River Gateway Committee.

2029 Sec. 122. Subsection (a) of section 25-129 of the general statutes is
2030 repealed and the following is substituted in lieu thereof (*Effective from*
2031 *passage*):

2032 (a) The Commissioner of Consumer Protection, with the advice and
2033 assistance of the board, shall establish the requirements of registration
2034 for well drilling contractors. Each person, before engaging in the
2035 business of well drilling or pump installing, shall obtain annually from
2036 the Department of Consumer Protection a certificate of registration as a
2037 well drilling contractor, using an application blank prepared by said
2038 department. Each application for issuance or renewal of a certificate of
2039 registration shall be accompanied by a certificate of liability coverage
2040 for bodily injury of at least one hundred thousand dollars per person
2041 with an aggregate of at least three hundred thousand dollars and for
2042 property damage of at least fifty thousand dollars per accident with an
2043 aggregate of at least one hundred thousand dollars. The applicant shall
2044 pay a registration fee of forty-four dollars with **[**his**]** <u>the</u> application
2045 and an annual renewal registration fee of one hundred twenty-five
2046 dollars for renewals on and after April 1, 1984. A certificate of
2047 registration is not transferable and expires annually. A lost, destroyed

2048 or mutilated registration certificate may be replaced by a duplicate
2049 upon payment of a lost fee of three dollars. One seal shall be issued to
2050 each registrant as provided in subsection (b) of this section. Additional
2051 seals may be obtained at a fee of three dollars each.

2052 Sec. 123. Section 26-81 of the general statutes is repealed and the
2053 following is substituted in lieu thereof (*Effective from passage*):

2054 Any person who violates any provision of this part for which no
2055 other penalty is provided shall be fined not less than ten dollars **[**nor**]**
2056 or more than two hundred dollars or imprisoned not more than sixty
2057 days or be both fined and imprisoned.

2058 Sec. 124. Section 26-87 of the general statutes is repealed and the
2059 following is substituted in lieu thereof (*Effective from passage*):

2060 The commissioner may authorize **[**his**]** the commissioner's
2061 conservation officers or other agents to take rabbits by the use of
2062 ferrets for the purpose of restocking and redistribution. Any person
2063 who takes any rabbit by the use of a ferret, except as authorized in this
2064 section, shall be fined not less than ten dollars **[**nor**]** or more than fifty
2065 dollars or imprisoned not more than thirty days or be both fined and
2066 imprisoned, and the possession of each rabbit taken by the use of a
2067 ferret, except as so authorized, shall constitute a separate offense.

2068 Sec. 125. Section 26-97 of the general statutes is repealed and the
2069 following is substituted in lieu thereof (*Effective from passage*):

2070 Any person who kills any game bird within the limits of the
2071 Westport Fire District in the town of Westport shall be fined not less
2072 than one dollar **[**nor**]** or more than fifty dollars.

2073 Sec. 126. Section 26-226 of the general statutes is repealed and the
2074 following is substituted in lieu thereof (*Effective from passage*):

2075 Any person who wilfully injures any oyster enclosure legally
2076 designated, marked out and enclosed or removes any buoys or stakes

2077 used to mark out any oyster ground, or who takes any shells from such
2078 enclosure, shall be fined not more than fifty dollars or imprisoned not
2079 more than thirty days; on a second conviction, **[**he**]** the person shall be
2080 fined not less than fifty dollars **[**nor**]** or more than one hundred dollars
2081 and imprisoned not less than thirty days **[**nor**]** or more than ninety
2082 days, and, on each subsequent conviction, **[**he**]** the person shall be
2083 fined one hundred fifty dollars and imprisoned not more than six
2084 months.

2085 Sec. 127. Subsection (b) of section 27-196 of the general statutes is
2086 repealed and the following is substituted in lieu thereof (*Effective from*
2087 *passage*):

2088 (b) A copy of the record of the proceedings of each general and
2089 special court-martial shall be given to the accused as soon as it is
2090 authenticated. If a verbatim record of trial by general court-martial is
2091 not required by subsection (a) of this section, but has been made, the
2092 accused may buy such record under such regulations as the Governor
2093 may prescribe.

2094 Sec. 128. Subsection (b) of section 27-207 of the general statutes is
2095 repealed and the following is substituted in lieu thereof (*Effective from*
2096 *passage*):

2097 (b) In all other cases not covered by subsection (a) of this section, if
2098 the sentence of a special court-martial as approved by the convening
2099 authority includes a bad-conduct discharge, whether or not
2100 suspended, the entire record shall be sent to the appropriate staff judge
2101 advocate or legal officer of the state force concerned to be reviewed in
2102 the same manner as a record of trial by general court-martial. The
2103 record and the opinion of the staff judge advocate or legal officer shall
2104 then be sent to the State Judge Advocate for review.

2105 Sec. 129. Subsection (d) of section 27-207 of the general statutes is
2106 repealed and the following is substituted in lieu thereof (*Effective from*
2107 *passage*):

2108 (d) The State Judge Advocate shall review the record of trial in each
2109 case sent to him or her for review as provided under subsection (b) of
2110 this section. If the final action of the court-martial has resulted in an
2111 acquittal of all charges and specifications, the opinion of the State
2112 Judge Advocate is limited to questions of jurisdiction.

2113 Sec. 130. Subsection (b) of section 27-242 of the general statutes is
2114 repealed and the following is substituted in lieu thereof (*Effective from*
2115 *passage*):

2116 (b) Any person subject to this code who: (1) Fails to carry out the
2117 duties prescribed in subsection (a) of this section; (2) buys, sells, trades,
2118 or in any way deals in or disposes of captured or abandoned property,
2119 whereby **[**he**]** the person receives or expects any profit, benefit, or
2120 advantage to **[**himself**]** the person or another directly or indirectly
2121 connected with **[**himself**]** the person; **[**,**]** or (3) engages in looting or
2122 pillaging shall be punished as a court-martial may direct.

2123 Sec. 131. Subsection (a) of section 28-9d of the general statutes is
2124 repealed and the following is substituted in lieu thereof (*Effective from*
2125 *passage*):

2126 (a) Whenever the President, at the request of the Governor, has
2127 declared a disaster to exist in this state, the Governor is authorized: (1)
2128 Upon **[**his**]** the Governor's determination that financial assistance is
2129 essential to meet disaster-related necessary expenses or serious needs
2130 of individuals or families adversely affected by such disaster that
2131 cannot be otherwise adequately met from other means of assistance, to
2132 accept a grant by the federal government to fund such financial
2133 assistance, subject to such terms and conditions as may be imposed
2134 upon the grant; (2) to enter into an agreement with the federal
2135 government, or any officer or agency thereof, pledging the state to
2136 participate in the funding of the financial assistance authorized in
2137 subdivision (1) of this subsection, in an amount not to exceed twenty-
2138 five per cent thereof and, if state funds are not otherwise available to
2139 the Governor, to accept an advance of the state share from the federal

2140 government to be repaid when the state is able to do so.

2141 Sec. 132. Subsection (b) of section 28-13 of the general statutes is
2142 repealed and the following is substituted in lieu thereof (*Effective from*
2143 *passage*):

2144 (b) Any person, corporation, partnership or association who denies
2145 access to property owned or under the control of such entity to any
2146 person acting in accordance with this chapter during a civil
2147 preparedness emergency **[**,**]** shall be fined not less than fifty dollars
2148 **[**nor**]** or more than five hundred dollars.

2149 Sec. 133. Subsection (b) of section 29-36g of the general statutes is
2150 repealed and the following is substituted in lieu thereof (*Effective from*
2151 *passage*):

2152 (b) (1) With respect to any application for an eligibility certificate
2153 filed with the Commissioner of Public Safety on or before July 1, 1995,
2154 the commissioner shall, not later than October 1, 1995, **[**(1)**]** (A)
2155 approve the application and issue the eligibility certificate, **[**(2)**]** (B)
2156 issue a temporary eligibility certificate, or **[**(3)**]** (C) deny the application
2157 and notify the applicant of the reason for such denial in writing.

2158 (2) With respect to any application for an eligibility certificate filed
2159 with the Commissioner of Public Safety after July 1, 1995, the
2160 commissioner shall, within ninety days, **[**(1)**]** (A) approve the
2161 application and issue the eligibility certificate, **[**(2)**]** (B) issue a
2162 temporary eligibility certificate, or **[**(3)**]** (C) deny the application and
2163 notify the applicant of the reason for such denial in writing.

2164 (3) A temporary certificate issued under this subsection shall be
2165 valid until such time as the commissioner either approves or denies the
2166 application.

2167 Sec. 134. Subsection (b) of section 29-37 of the general statutes is
2168 repealed and the following is substituted in lieu thereof (*Effective from*
2169 *passage*):

2170 (b) Any person violating any provision of subsection (a) of section
2171 29-35 may be fined not more than one thousand dollars and shall be
2172 imprisoned not less than one year **[**nor**]** or more than five years, and, in
2173 the absence of any mitigating circumstances as determined by the
2174 court, one year of the sentence imposed may not be suspended or
2175 reduced by the court. The court shall specifically state the mitigating
2176 circumstances, or the absence thereof, in writing for the record. Any
2177 pistol or revolver found in the possession of any person in violation of
2178 any provision of subsection (a) of section 29-35 shall be forfeited.

2179 Sec. 135. Subsection (b) of section 29-143t of the general statutes is
2180 repealed and the following is substituted in lieu thereof (*Effective from*
2181 *passage*):

2182 (b) The cost of any physical examination required by this chapter or
2183 regulations adopted under this chapter, other than an examination
2184 required by subsection (a) of this section, may be assessed by the
2185 commissioner on any boxer examined by a physician appointed by the
2186 commissioner or on the person, club, corporation or association
2187 conducting the next boxing match in which the contestant is scheduled
2188 to compete.

2189 Sec. 136. Section 29-210 of the general statutes is repealed and the
2190 following is substituted in lieu thereof (*Effective from passage*):

2191 Any person who violates any of the provisions of this chapter or
2192 any of the regulations adopted hereunder shall, for the first offense, be
2193 fined not less than twenty-five dollars **[**nor**]** or more than one hundred
2194 dollars, and for each subsequent offense, shall be guilty of a class C
2195 misdemeanor.

2196 Sec. 137. Section 29-254a of the general statutes is repealed and the
2197 following is substituted in lieu thereof (*Effective from passage*):

2198 Any person who violates any provision of the State Building Code
2199 shall be fined not less than two hundred **[**nor**]** dollars or more than one

2200 thousand dollars or imprisoned not more than six months, or both.

2201 Sec. 138. Section 29-295 of the general statutes is repealed and the
2202 following is substituted in lieu thereof (*Effective from passage*):

2203 Any person who violates any provision of the Fire Safety Code shall
2204 be fined not less than two hundred **[**nor**]** dollars or more than one
2205 thousand dollars or imprisoned not more than six months, or both.

2206 Sec. 139. Subsection (a) of section 29-298 of the general statutes is
2207 repealed and the following is substituted in lieu thereof (*Effective from*
2208 *passage*):

2209 (a) The State Fire Marshal and the Codes and Standards Committee,
2210 acting jointly, shall adopt minimum standards of qualification for local
2211 fire marshals, deputy fire marshals, fire inspectors and such other
2212 classes of inspectors and investigators as they deem necessary. The
2213 State Fire Marshal and the Codes and Standards Committee shall (1)
2214 prepare and conduct oral, written or practical examinations to
2215 determine if a person is qualified and eligible to be certified, or (2)
2216 accept successful completion of programs of training developed by
2217 public agencies and approved by **[**him**]** them as proof of qualification
2218 for certification eligibility, or (3) prepare and conduct a training
2219 program, the successful completion of which shall qualify a person to
2220 be certified. Upon determination of the qualification of a local fire
2221 official under subdivision (1), (2) or (3) of this subsection, the State Fire
2222 Marshal and the Codes and Standards Committee shall issue or cause
2223 to be issued a certificate to such person stating that **[**he**]** the person is
2224 eligible to be certified. The State Fire Marshal and the Codes and
2225 Standards Committee shall establish classes of certification that will
2226 recognize the varying involvements of such local fire officials. Local
2227 fire marshals, deputy fire marshals, fire inspectors and other inspectors
2228 or investigators holding office in any municipality shall be certified in
2229 accordance with subdivision (1), (2) or (3) of this subsection. On or
2230 after October 1, 1979, no local fire marshal, deputy fire marshal, fire
2231 inspector or other inspector or investigator shall be appointed or hired

2232 unless such person is certified and any such person shall be removed
2233 from office if **[**he**]** such person fails to maintain **[**his**]** certification. The
2234 State Fire Marshal and the Codes and Standards Committee shall
2235 conduct educational programs designed to assist such local fire
2236 officials in carrying out the duties and responsibilities of their office.
2237 Such educational programs for local fire marshals, deputy fire
2238 marshals and fire inspectors shall be in addition to the programs
2239 specified under subdivisions (2) and (3) of this subsection and shall
2240 consist of not less than ninety hours of training over a three-year
2241 period. The State Fire Marshal and the Codes and Standards
2242 Committee shall establish the minimum hours of training for the other
2243 classes of inspectors and investigators, which shall recognize the
2244 varying involvements of such officials. Each local fire official shall
2245 attend such training programs or other approved programs of training
2246 and present proof of successful completion to the State Fire Marshal.
2247 The State Fire Marshal may, after notice and opportunity for hearing,
2248 revoke any certificate issued under the provisions of this subsection for
2249 failure on the part of a local fire official to present such proof.

2250 Sec. 140. Section 29-335 of the general statutes is repealed and the
2251 following is substituted in lieu thereof (*Effective from passage*):

2252 Any person who, by himself or herself or **[**his**]** by such person's
2253 employee or agent, or as the employee or agent of another, violates or
2254 fails to comply with any regulation promulgated under section 29-331,
2255 or who operates or permits the operation of a motor vehicle in
2256 violation of section 29-332, shall be fined not more than five hundred
2257 dollars or imprisoned not more than six months, or both, for the first
2258 offense, and not less than five hundred dollars **[**nor**]** or more than one
2259 thousand dollars or imprisoned not more than one year, or both, for
2260 each subsequent offense. If death or injury results from any such
2261 violation, the fine shall be not more than ten thousand dollars and the
2262 period of imprisonment not more than ten years, or both.

2263 Sec. 141. Section 29-341 of the general statutes is repealed and the

2264 following is substituted in lieu thereof (*Effective from passage*):

2265 Any person who, by himself or herself or [his] by such person's
2266 employee or agent, or as the employee or agent of another, violates or
2267 fails to comply with any regulation promulgated under section 29-337,
2268 or who operates or permits the operation of a motor vehicle in
2269 violation of section 29-339, shall be fined not more than five hundred
2270 dollars for the first offense, and be fined not less than one thousand
2271 dollars [nor] or more than two thousand dollars or imprisoned not
2272 more than six months, or both, for each subsequent offense. If death or
2273 injury results from any such violation, the fine shall be not more than
2274 ten thousand dollars and the period of imprisonment not more than
2275 ten years, or both.

2276 Sec. 142. Subsection (b) of section 31-12 of the general statutes is
2277 repealed and the following is substituted in lieu thereof (*Effective from*
2278 *passage*):

2279 (b) If the Labor Commissioner finds, upon application of an
2280 employer, that an emergency exists or that seasonal or peak demand
2281 places an unusual and temporary burden upon any manufacturing or
2282 mechanical establishment, any such person may be employed in such
2283 establishment not more than ten hours in any day [nor] and not more
2284 than fifty-five hours in any calendar week, but the total number of
2285 weeks of any such employment in any twelve consecutive months
2286 shall not exceed twelve.

2287 Sec. 143. Subsection (b) of section 31-13 of the general statutes is
2288 repealed and the following is substituted in lieu thereof (*Effective from*
2289 *passage*):

2290 (b) If the Labor Commissioner finds, upon application of an
2291 employer, that an emergency exists or that seasonal or peak demand
2292 places an unusual and temporary burden upon any mercantile
2293 establishment, any such person may be employed in such
2294 establishment not more than ten hours in any day [nor] and not more

2295 than fifty-two hours in any calendar week, but the total number of
2296 weeks of any such employment in any twelve months shall not exceed
2297 eight.

2298 Sec. 144. Section 31-15a of the general statutes is repealed and the
2299 following is substituted in lieu thereof (*Effective from passage*):

2300 Any employer, officer, agent or other person who violates any
2301 provision of section 31-12, 31-13 or 31-14, subsection (a) of section 31-
2302 15 or section 31-18, 31-23 or 31-24 shall be fined not less than two
2303 thousand **[**nor**]** dollars or more than five thousand dollars or
2304 imprisoned not more than five years, or both, for each offense.

2305 Sec. 145. Subsection (d) of section 31-225a of the general statutes is
2306 repealed and the following is substituted in lieu thereof (*Effective from*
2307 *passage*):

2308 (d) The standard rate of contributions shall be five and four-tenths
2309 per cent. Each employer who has not been chargeable with benefits, for
2310 a sufficient period of time to have his rate computed under this section
2311 shall pay contributions at a rate that is the higher of **[**(a)**]** (1) one per
2312 cent, or **[**(b)**]** (2) the state's five-year benefit cost rate. For purposes of
2313 this subsection, the state's five-year benefit cost rate shall be computed
2314 annually on or before June thirtieth and shall be derived by dividing
2315 the total dollar amount of benefits paid to claimants under this chapter
2316 during the five consecutive calendar years immediately preceding the
2317 computation date by the five-year payroll during the same period. If
2318 the resulting quotient is not an exact multiple of one-tenth of one per
2319 cent, the five-year benefit cost rate shall be the next higher such
2320 multiple.

2321 Sec. 146. Subsection (a) of section 33-281c of the general statutes is
2322 repealed and the following is substituted in lieu thereof (*Effective from*
2323 *passage*):

2324 (a) (1) In the administration of any trust which is a "private

2325 foundation", as defined in Section 509 of the Internal Revenue Code of
2326 1986, or any subsequent corresponding internal revenue code of the
2327 United States, as from time to time amended, a "charitable trust", as
2328 defined in Section 4947(a)(1) of said code, or a "split-interest trust", as
2329 defined in Section 4947(a)(2) of said code, the following acts shall be
2330 prohibited during the period while it is such a private foundation,
2331 charitable trust or split-interest trust: (A) Engaging in any act of "self-
2332 dealing", as defined in Section 4941(d) of said code; (B) retaining any
2333 "excess business holdings", as defined in Section 4943(c) of said code;
2334 (C) making any investments which would jeopardize the carrying out
2335 of any of the exempt purposes of the trust, within the meaning of
2336 Section 4944 of said code, so as to give rise to any liability for tax
2337 imposed on such trust by Section 4944 of said code; or (D) making any
2338 "taxable expenditures", as defined in Section 4945(d) of said code;
2339 provided no prohibition otherwise imposed by this subsection shall
2340 apply to any split-interest trust or to any amount thereof to the extent
2341 such trust or amount is not subject, by reason of any of the provisions
2342 of Section 4947 of said code, to a prohibition otherwise applicable to
2343 private foundations. (2) In the administration of any trust which is a
2344 private foundation or a charitable trust, as defined in subdivision (1) <u>of</u>
2345 <u>this subsection</u>, during the period while it is such a foundation or trust,
2346 amounts shall be distributed for the purposes specified in the trust
2347 instrument, in such manner and at such times as are at least sufficient
2348 to avoid liability for the tax imposed by Section 4942 of said code. (3)
2349 All references in this section to sections of the Internal Revenue Code
2350 of 1986, or any subsequent corresponding internal revenue code of the
2351 United States, as from time to time amended, are to such sections as
2352 amended and in effect on May 21, 1971, and shall include future
2353 amendments to such sections and corresponding provisions of future
2354 federal internal revenue laws.

2355 Sec. 147. Subsection (e) of section 33-1003 of the general statutes is
2356 repealed and the following is substituted in lieu thereof (*Effective from*
2357 *passage*):

2358 (e) Except as provided in subsection (c) of this section, written
2359 notice, if in a comprehensible form, is effective at the earliest of the
2360 following: (1) When received; (2) five days after its deposit in the
2361 United States mail, if mailed postage prepaid and correctly addressed;
2362 or (3) on the date shown on the return receipt, if sent by registered or
2363 certified mail or a commercial delivery service, return receipt
2364 requested, and the receipt is signed by or on behalf of the addressee.

2365 Sec. 148. Subsection (d) of section 33-1074 of the general statutes is
2366 repealed and the following is substituted in lieu thereof (*Effective from*
2367 *passage*):

2368 (d) Where subsection (c) of this section is not applicable, if a quorum
2369 exists, action on a matter, other than the election of directors, by the
2370 members entitled to vote thereon, or by the members of any particular
2371 class entitled to vote thereon as a class, is approved if the votes cast by
2372 such members voting, or by the members of such class voting, favoring
2373 the action exceed the votes cast by such members, or by the members
2374 of such a class, opposing the action, unless the certificate of
2375 incorporation requires a greater vote.

2376 Sec. 149. Subdivision (6) of section 33-1116 of the general statutes is
2377 repealed and the following is substituted in lieu thereof (*Effective from*
2378 *passage*):

2379 (6) "Party" means an individual who was, is, or is threatened to be
2380 made, a defendant or respondent in a proceeding.

2381 Sec. 150. Section 34-19 of the general statutes is repealed and the
2382 following is substituted in lieu thereof (*Effective from passage*):

2383 (a) Except as provided in subsection (b) of this section, a person who
2384 makes a contribution to a business enterprise and erroneously but in
2385 good faith believes that **[**he**]** such person has become a limited partner
2386 in the enterprise is not a general partner in the enterprise and is not
2387 bound by its obligations by reason of making the contributions,

2388 receiving distributions from the enterprise or exercising any rights of a
2389 limited partner, if, on ascertaining the mistake, **[**he**]** the person:

2390 (1) Causes an appropriate certificate of limited partnership or a
2391 certificate of amendment to be executed and filed; or

2392 (2) Withdraws from future equity participation in the enterprise by
2393 executing and filing in the office of the Secretary of the State a
2394 certificate declaring withdrawal under this section.

2395 (b) A person who makes a contribution of the kind described in
2396 subsection (a) of this section is liable as a general partner to any third
2397 party who transacts business with the enterprise **[**(i)**]** (1) before the
2398 person withdraws and an appropriate certificate is filed to show
2399 withdrawal, or **[**(ii)**]** (2) before an appropriate certificate is filed to
2400 show that **[**he**]** the person is not a general partner, but in either case
2401 only if the third party actually believed in good faith that the person
2402 was a general partner at the time of the transaction.

2403 Sec. 151. Subsection (e) of section 34-302 of the general statutes is
2404 repealed and the following is substituted in lieu thereof (*Effective from*
2405 *passage*):

2406 (e) Except as otherwise provided in subsection (f) of this section, a
2407 person other than an individual knows, has notice or receives a
2408 notification of a fact for purposes of a particular transaction when the
2409 individual conducting the transaction knows, has notice or receives a
2410 notification of the fact, or in any event when the fact would have been
2411 brought to the individual's attention if the person had exercised
2412 reasonable diligence. The person exercises reasonable diligence if **[**it**]**
2413 the person maintains reasonable routines for communicating
2414 significant information to the individual conducting the transaction
2415 and there is reasonable compliance with the routines. Reasonable
2416 diligence does not require an individual acting for the person to
2417 communicate information unless the communication is part of the
2418 individual's regular duties or the individual has reason to know of the

2419 transaction and that the transaction would be materially affected by
2420 the information.

2421 Sec. 152. Subsection (e) of section 36a-82 of the general statutes is
2422 repealed and the following is substituted in lieu thereof (*Effective from*
2423 *passage*):

2424 (e) If, in the opinion of the commissioner, the name selected will
2425 tend to confuse the public or if such objection is filed, the
2426 commissioner shall order a hearing to be held not less than twenty
2427 **[**nor**]** days or more than thirty days from the date originally set for the
2428 filing of objections to the application for change of name, and notice of
2429 such hearing shall be sent by the applicant to each bank and out-of-
2430 state bank as provided in subsection (c) of this section at least fourteen
2431 days prior to the hearing. At the hearing, the commissioner shall hear
2432 all persons desiring to be heard and shall make a ruling within fifteen
2433 days. If the application is approved, the approval shall be filed and
2434 shall be effective as provided in subsection (d) of this section.

2435 Sec. 153. Subsection (c) of section 36a-563 of the general statutes is
2436 repealed and the following is substituted in lieu thereof (*Effective from*
2437 *passage*):

2438 (c) Notwithstanding the requirement in subsection (a) of this
2439 section, a borrower and licensee may agree that the first installment
2440 due date may be not more than fifteen days more than one month, and
2441 the charge for each day in excess of one month shall be one-thirtieth of
2442 the portion of the charges applicable to a first installment period of one
2443 month. The charges for the extra days shall be added to the first
2444 installment, but shall be excluded in computing deferment charges and
2445 refunds. When a loan contract provides for extra days in a first
2446 installment period, for the purposes of sections 36a-555 to 36a-573,
2447 inclusive, such extra days shall be treated as the first days in the first
2448 installment period and the due dates of the remaining installments
2449 shall be calculated from the due date of such first installment.

2450 Sec. 154. Subsection (e) of section 36a-563 of the general statutes is
2451 repealed and the following is substituted in lieu thereof (*Effective from*
2452 *passage*):

2453 (e) If, as of an installment due date, the payment date of all wholly
2454 unpaid installments is deferred one or more full months and the
2455 maturity of the contract is extended for a corresponding period, the
2456 licensee may charge and collect a deferment charge not exceeding the
2457 charge applicable to the first of the installments deferred, multiplied
2458 by the number of months in the deferment period. The deferment
2459 period is that period during which no payment is made or required by
2460 reason of such deferment, except that no deferment made pursuant to
2461 this subsection shall extend the maturity of any contract made under
2462 sections 36a-555 to 36a-573, inclusive, for more than (1) three months,
2463 for loans originally repayable in twenty-four months or less, (2) five
2464 months, for loans originally repayable in more than twenty-four
2465 months but not more than forty-eight months, and (3) eight months,
2466 for loans originally repayable in more than forty-eight months. The
2467 deferment charge may be collected at the time of deferment or at any
2468 time thereafter. The portion of the charges contracted for under
2469 subsection (a) <u>of this section</u> applicable to each deferred balance and
2470 installment period following the deferment period shall remain the
2471 same as that applicable to such balance and period under the original
2472 contract of loan. No installment on which a default charge has been
2473 collected, or on account of which any partial payment has been made,
2474 shall be deferred or included in the computation of the deferment
2475 charge unless such default charge or partial payment is refunded to the
2476 borrower or credited to the deferment charge. Any payment received
2477 at the time of deferment may be applied first to the deferment charge
2478 and the remainder, if any, applied to the unpaid balance of the
2479 contract, but if such payment is sufficient to pay, in addition to the
2480 appropriate deferment charge, any installment which is in default and
2481 the applicable default charge, it shall be first so applied and any such
2482 installment shall not be deferred or subject to the deferment charge. If
2483 a loan is prepaid in full during the deferment period, the borrower

2484 shall receive, in addition to the refund required under subsection (f) of
2485 this section, a refund of that portion of the deferment charge applicable
2486 to any unexpired full month or months of such deferment period.

2487 Sec. 155. Subsection (a) of section 36b-24 of the general statutes is
2488 repealed and the following is substituted in lieu thereof (*Effective from*
2489 *passage*):

2490 (a) Neither (1) the fact that an application for registration under
2491 sections 36b-6 to 36b-15, inclusive, or a registration statement under
2492 sections 36b-16 to 36b-20, inclusive, has been filed, **[**or**]** nor (2) the fact
2493 that a person or security is effectively registered constitutes a finding
2494 by the commissioner that any document filed under sections 36b-2 to
2495 36b-33, inclusive, is true, complete and not misleading. Neither any
2496 such fact nor the fact that an exemption or exception is available for
2497 security or a transaction means that the commissioner has passed in
2498 any way upon the merits or qualifications of, or recommended or
2499 given approval to, any person, security or transaction.

2500 Sec. 156. Subsection (c) of section 38a-478*l* of the general statutes is
2501 repealed and the following is substituted in lieu thereof (*Effective from*
2502 *passage*):

2503 (c) With respect to mental health services, the consumer report card
2504 shall include information or measures with respect to the percentage of
2505 enrollees receiving mental health services, utilization of mental health
2506 and chemical dependence services, inpatient and outpatient
2507 admissions, discharge rates and average lengths of stay. Such data
2508 shall be collected in a manner consistent with the **[**Natural**]** National
2509 Committee for Quality Assurance Health Plan Employer Data and
2510 Information Set (HEDIS) measures.

2511 Sec. 157. Subdivision (2) of subsection (l) of section 38a-479bb of the
2512 general statutes is repealed and the following is substituted in lieu
2513 thereof (*Effective from passage*):

2514 (2) If the managed care organization determines that the preferred
2515 provider network's provider network is not adequate and must be
2516 increased, the managed care organization shall provide written notice
2517 of the determination to the commissioner. Such notice shall describe
2518 **[**(1)**]** (A) any plan in place for the preferred provider network to
2519 increase its provider network, and **[**(2)**]** (B) the managed care
2520 organization's contingency plan in the event the preferred provider
2521 network does not satisfactorily increase its provider network.

2522 Sec. 158. Subsection (a) of section 38a-718 of the general statutes is
2523 repealed and the following is substituted in lieu thereof (*Effective from*
2524 *passage*):

2525 (a) As used in this section **[**(A)**]** (1) "bank holding company" shall
2526 have the same meaning as that contained in section 36-419; **[**(B)**]** and
2527 (2) "lending institution" shall include, but shall not be limited to, banks,
2528 savings and loan associations and credit unions.

2529 Sec. 159. Subparagraph (F) of subdivision (2) of section 38a-962 of
2530 the general statutes is repealed and the following is substituted in lieu
2531 thereof (*Effective from passage*):

2532 (F) The insurer, by contract or otherwise, has unlawfully or has in
2533 violation of an order of the commissioner or has without first having
2534 obtained written approval of the commissioner if approval is required
2535 by law: **[**(A)**]** (i) Totally reinsured its entire outstanding business, or
2536 **[**(B)**]** (ii) merged or consolidated substantially its entire property or
2537 business with another insurer.

2538 Sec. 160. Subsection (e) of section 42-116aa of the general statutes is
2539 repealed and the following is substituted in lieu thereof (*Effective from*
2540 *passage*):

2541 (e) Any person who violates subsection (b) of this section shall be
2542 subject to a civil penalty of not less than five thousand dollars **[**nor**]** or
2543 more than fifteen thousand dollars per violation, which shall be in

2544 addition to any other relief which may be granted under subsection (d)
2545 of this section. Each performance or production prohibited under
2546 subsection (b) of this section shall constitute a separate violation.

2547 Sec. 161. Subsection (e) of section 45a-63 of the general statutes is
2548 repealed and the following is substituted in lieu thereof (*Effective from*
2549 *passage*):

2550 (e) The council shall, not later than three business days after the
2551 termination of such investigation, notify the complainant and the
2552 judge that the investigation has been terminated and whether probable
2553 cause has been found that judicial misconduct under subsection (a) <u>of</u>
2554 <u>this section</u> has been committed. If the council finds that judicial
2555 misconduct under subsection (a) of this section has not been
2556 committed, but the judge has acted in a manner which gives the
2557 appearance of impropriety or constitutes an unfavorable judicial
2558 practice, the council may issue a private admonishment to the judge
2559 recommending a change in judicial conduct or practice.

2560 Sec. 162. Subsection (b) of section 45a-260 of the general statutes is
2561 repealed and the following is substituted in lieu thereof (*Effective from*
2562 *passage*):

2563 (b) Unless the testator's will provides otherwise, property devised
2564 or bequeathed to a trust described in subsection (a) <u>of this section</u> is
2565 not held under a testamentary trust of the testator but **[**it**]** becomes a
2566 part of the trust to which it is devised or bequeathed, and shall be
2567 administered and disposed of in accordance with the provisions of the
2568 governing instrument setting forth the terms of the trust, including any
2569 amendments thereto made before or after the testator's death.

2570 Sec. 163. Subsection (a) of section 45a-395 of the general statutes is
2571 repealed and the following is substituted in lieu thereof (*Effective from*
2572 *passage*):

2573 (a) The Court of Probate may order the citation of the creditors of

2574 the deceased whose estate is in settlement before it to bring in their
2575 claims against such estate within such time, not more than twelve
2576 months **[**nor**]** or less than three months, from the date of such order, as
2577 it limits, by publishing a notice to that effect in a newspaper having a
2578 circulation in the probate district in which such estate is in settlement
2579 and by such further notice as the court deems necessary.

2580 Sec. 164. Subsection (f) of section 45a-579 of the general statutes is
2581 repealed and the following is substituted in lieu thereof (*Effective from*
2582 *passage*):

2583 (f) In a case in which the estate of a decedent receives a settlement in
2584 a wrongful death action and a beneficiary of the estate dies intestate
2585 within seven months of the prior decedent, and such beneficiary's
2586 estate receives some part of such settlement, subsection (d) of this
2587 section shall be waived, and the interest of the beneficiary may be
2588 disclaimed without being subject to a nine-month disclaimer period,
2589 provided such disclaimer is made on or before December 1, 1997.

2590 Sec. 165. Section 45a-729 of the general statutes is repealed and the
2591 following is substituted in lieu thereof (*Effective from passage*):

2592 Any person who places a child for adoption in violation of section
2593 45a-727 or 45a-764 or assists in such a placement shall be fined not
2594 more than five thousand dollars or imprisoned not less than one year
2595 **[**nor**]** or more than five years, or both.

2596 Sec. 166. Subsection (b) of section 46a-58 of the general statutes is
2597 repealed and the following is substituted in lieu thereof (*Effective from*
2598 *passage*):

2599 (b) Any person who intentionally desecrates any public property,
2600 monument or structure, or any religious object, symbol or house of
2601 religious worship, or any cemetery, or any private structure not owned
2602 by such person, shall be in violation of subsection (a) of this section.
2603 For the purposes of this subsection, "desecrate" means to mar, deface

2604 or damage as a demonstration of irreverence or contempt.

2605 Sec. 167. Subsection (c) of section 46a-64 of the general statutes is
2606 repealed and the following is substituted in lieu thereof (*Effective from*
2607 *passage*):

2608 (c) Any person who violates any provision of this section shall be
2609 fined not less than twenty-five **[**nor**]** dollars or more than one hundred
2610 dollars or imprisoned not more than thirty days, or both.

2611 Sec. 168. Subsection (g) of section 46a-64c of the general statutes is
2612 repealed and the following is substituted in lieu thereof (*Effective from*
2613 *passage*):

2614 (g) Any person who violates any provision of this section shall be
2615 fined not less than twenty-five **[**nor**]** dollars or more than one hundred
2616 dollars or imprisoned not more than thirty days, or both.

2617 Sec. 169. Subsection (b) of section 46a-81b of the general statutes is
2618 repealed and the following is substituted in lieu thereof (*Effective from*
2619 *passage*):

2620 (b) Any association, board or other organization which violates the
2621 provisions of this section shall be fined not less than one hundred
2622 dollars **[**nor**]** or more than five hundred dollars.

2623 Sec. 170. Subsection (b) of section 46a-81d of the general statutes is
2624 repealed and the following is substituted in lieu thereof (*Effective from*
2625 *passage*):

2626 (b) Any person who violates any provision of this section shall be
2627 fined not less than twenty-five **[**nor**]** dollars or more than one hundred
2628 dollars or imprisoned not more than thirty days, or both.

2629 Sec. 171. Subsection (f) of section 46a-81e of the general statutes is
2630 repealed and the following is substituted in lieu thereof (*Effective from*
2631 *passage*):

2632 (f) Any person who violates any provision of this section shall be
2633 fined not less than twenty-five **[**nor**]** dollars or more than one hundred
2634 dollars or imprisoned not more than thirty days, or both.

2635 Sec. 172. Subsection (b) of section 46b-169 of the general statutes is
2636 repealed and the following is substituted in lieu thereof (*Effective from*
2637 *passage*):

2638 (b) Any woman who, having been cited to appear before a judge of
2639 the Superior Court pursuant to subsection (a) of this section, fails to
2640 appear or fails to disclose or fails to prosecute a paternity action may
2641 be found to be in contempt of **[**said**]** court and may be fined not more
2642 than two hundred dollars or imprisoned not more than one year, or
2643 both.

2644 Sec. 173. Subparagraph (C) of subdivision (7) of subsection (a) of
2645 section 46b-215 of the general statutes is repealed and the following is
2646 substituted in lieu thereof (*Effective from passage*):

2647 (C) Any finding of support due for periods of time prior to an action
2648 in which the obligor failed to appear shall be entered subject to
2649 adjustment. Such adjustment may be made upon motion of any party,
2650 and the state in IV-D cases shall make such motion if it obtains
2651 information that would have substantially affected the court's
2652 determination of past ability to pay if such information had been
2653 available to the court. Motion for adjustment under this subparagraph
2654 may be made not later than twelve months **[**date**]** from the date upon
2655 which the obligor receives notification of (i) the amount of such
2656 finding of support due for periods of time prior to the action, and (ii)
2657 the right not later than twelve months from the date of receipt of such
2658 notification to present evidence as to such obligor's past ability to pay
2659 support for such periods of time prior to the action. A copy of any
2660 support order entered, subject to adjustment, shall state in plain
2661 language the basis for the court's determination of past support, the
2662 right to request an adjustment and to present information concerning
2663 the obligor's past ability to pay, and the consequences of a failure to

2664 request such adjustment.

2665 Sec. 174. Subsection (e) of section 47-88b of the general statutes is
2666 repealed and the following is substituted in lieu thereof (*Effective from*
2667 *passage*):

2668 (e) Any declarant of a conversion condominium shall, in addition to
2669 the requirements of subsection (a) of this section, include with the
2670 condominium instruments a copy of the notice set forth in subsection
2671 (b) of this section and a certified statement that such notice, fully
2672 complying with the provisions of subsection (b) of this section, was,
2673 prior to the time of the recording of the declaration of condominium,
2674 mailed or delivered to each of the tenants in the building or buildings
2675 to be converted.

2676 Sec. 175. Subsection (g) of section 47-88b of the general statutes is
2677 repealed and the following is substituted in lieu thereof (*Effective from*
2678 *passage*):

2679 (g) No eviction proceedings shall be brought against any of the
2680 occupants resident in any building or group of buildings converted to
2681 condominium ownership pursuant to this section within the term of
2682 any existing lease or within the **[**one hundred eighty-day**]** one-
2683 hundred-eighty-day period provided for under subsection (b) of this
2684 section, whichever is later, for failure to purchase or any other reasons
2685 applicable to termination of tenancy other than nonpayment of rent or
2686 similar justifiable reasons ordinary to landlord rights where a lease
2687 exists assuring quiet enjoyment.

2688 Sec. 176. Subsection (b) of section 47-96 of the general statutes is
2689 repealed and the following is substituted in lieu thereof (*Effective from*
2690 *passage*):

2691 (b) The fee for filing any application for a permit to issue real estate
2692 syndicate securities evidencing any change in the rights, preferences,
2693 privileges or restrictions on outstanding real estate syndicate securities

2694 is one hundred dollars. Where such issuance will result in an increase
2695 in the aggregate face amount of the real estate syndicate securities, the
2696 fee shall be in accordance with **[**subdivision**]** subsection (a) of this
2697 section.

2698 Sec. 177. Subsection (b) of section 47-97 of the general statutes is
2699 repealed and the following is substituted in lieu thereof (*Effective from*
2700 *passage*):

2701 (b) No person shall make or cause to be made to any prospective
2702 purchaser any representation inconsistent with **[**subdivision**]**
2703 subsection (a) of this section.

2704 Sec. 178. Subsection (a) of section 47-118 of the general statutes is
2705 repealed and the following is substituted in lieu thereof (*Effective from*
2706 *passage*):

2707 (a) In every sale of an improvement by a vendor to a purchaser,
2708 except as provided in subsection (b) of this section or excluded or
2709 modified pursuant to subsection (d) of this section, warranties are
2710 implied that the improvement is: (1) Free from faulty materials; (2)
2711 constructed according to sound engineering standards; (3) constructed
2712 in a workmanlike manner; **[**,**]** and (4) fit for habitation, at the time of
2713 the delivery of the deed to a completed improvement, or at the time of
2714 completion of an improvement not completed when the deed is
2715 delivered.

2716 Sec. 179. Subsection (b) of section 47-215 of the general statutes is
2717 repealed and the following is substituted in lieu thereof (*Effective from*
2718 *passage*):

2719 (b) In the case of a common interest community containing a
2720 conversion building, sections 47-282 to 47-292, inclusive, apply
2721 whether or not the common interest community is exempt from other
2722 provisions of this chapter pursuant to subsection (a) of this section.
2723 The provisions of sections 47-282 to 47-292, inclusive, apply to a

2724 common interest community containing a conversion building created
2725 on or after July 8, 1983. The provisions of sections 47-88b to 47-88g,
2726 inclusive, do not apply to a condominium containing a conversion
2727 building created on or after July 8, 1983.

2728 Sec. 180. Subsection (b) of section 47-240 of the general statutes is
2729 repealed and the following is substituted in lieu thereof (*Effective from*
2730 *passage*):

2731 (b) An agreement of two or more common interest communities to
2732 merge or consolidate pursuant to subsection (a) of this section shall be
2733 evidenced by an agreement prepared, executed, recorded and certified
2734 by the president of the association of each of the preexisting common
2735 interest communities following approval by owners of units to which
2736 are allocated the percentage of votes in each common interest
2737 community required to terminate that common interest community.
2738 The agreement shall be recorded in every town in which a portion of
2739 the common interest community is located and is not effective until
2740 recorded.

2741 Sec. 181. Subdivision (5) of section 47-265 of the general statutes is
2742 repealed and the following is substituted in lieu thereof (*Effective from*
2743 *passage*):

2744 (5) A statement of the maximum extent to which each unit's
2745 allocated interests may be changed by the exercise of any development
2746 right described in **[**subsection**]** subdivision (3) of this section.

2747 Sec. 182. Section 49-31f of the general statutes is repealed and the
2748 following is substituted in lieu thereof (*Effective from passage*):

2749 (a) Subject to the provisions of subsection (b) of this section, a
2750 homeowner who is underemployed or unemployed against whom a
2751 foreclosure action is brought may make application, together with a
2752 financial affidavit, to the court having jurisdiction over the foreclosure
2753 action for protection from foreclosure if: (1) The mortgage being

2754 foreclosed encumbers the residential real property, which property has
2755 served as [his] such homeowner's principal residence, for a period of
2756 not less than two years, (2) such homeowner has not had a foreclosure
2757 action commenced against [him] such homeowner in the preceding
2758 seven-year period, and (3) such homeowner has not received an
2759 emergency mortgage assistance loan and has not applied for
2760 emergency mortgage assistance for two years before the application
2761 under the provisions of sections 8-265cc to 8-265ii, inclusive.

2762 (b) If the residential real property which is the subject of a
2763 foreclosure action is owned by more than one person, (1) no
2764 homeowner shall be deemed an unemployed person or an
2765 underemployed person, for the purposes of sections 49-31d to 49-31i,
2766 inclusive, unless the aggregate earned income of all the homeowners
2767 of the residential real property which is the subject of such foreclosure
2768 action during the twelve-month period immediately preceding the
2769 commencement of the foreclosure action is less than fifty thousand
2770 dollars and less than seventy-five per cent of the average aggregate
2771 annual earned income during the two years immediately preceding
2772 such twelve-month period for all such homeowners, and (2) all
2773 homeowners of [said] such property other than the homeowner
2774 making application in accordance with subsection (a) of this section
2775 shall file a financial affidavit in connection with such application.

2776 (c) The court shall determine the eligibility of such homeowner for
2777 protection from foreclosure pursuant to the provisions of sections 49-
2778 31d to 49-31i, inclusive.

2779 (d) In determining the eligibility of a homeowner for protection
2780 from foreclosure under the provisions of sections 49-31d to 49-31i,
2781 inclusive, the court may consider any relevant facts and shall consider:

2782 (1) The likelihood that the homeowner will be able to make timely
2783 payments on the restructured mortgage commencing at the end of the
2784 restructuring period; [.] and

2785 (2) The presence of any substantial prejudice to the lender or any
2786 subordinate lienor or encumbrancer which would result from a
2787 restructuring of the mortgage debt.

2788 (e) If the court determines the equity the homeowner has in the
2789 property and hears testimony from an appraiser produced by the
2790 lender in connection with such determination, (1) the reasonable cost
2791 of the appraisal and the appraiser's appearance as a witness shall be
2792 part of the court costs to be added to the principal balance pursuant to
2793 subdivision (4) of subsection (a) of section 49-31i if a restructuring
2794 order is granted, and (2) the reasonable cost of **[**said**]** such appraiser's
2795 appearance as a witness shall be part of the taxable costs of the action,
2796 in addition to the taxable costs for such appraisal and the appraiser's
2797 appearance as a witness at a subsequent hearing for a judgment of
2798 foreclosure if such order is not granted.

2799 (f) If the court approves the application for protection from
2800 foreclosure and restructures the mortgage debt, the foreclosure action
2801 shall be stayed for the restructuring period. If, for a period of three
2802 months following the end of the restructuring period, there are no
2803 further proceedings to continue the foreclosure proceedings based
2804 upon a default on the mortgage as restructured, the foreclosure action
2805 shall be dismissed. The restructured mortgage debt shall have the
2806 same priority as if it had been advanced at the time the mortgage was
2807 delivered.

2808 (g) No homeowner who files a defense to any action for foreclosure
2809 shall be eligible to make application for protection from such
2810 foreclosure pursuant to the provisions of this section.

2811 Sec. 183. Subsection (a) of section 50a-54 of the general statutes is
2812 repealed and the following is substituted in lieu thereof (*Effective from*
2813 *passage*):

2814 (a) Except as provided **[**by**]** in subsection (b) of this section, proper
2815 money of the claim is, as the case may be, the money: (1) Regularly

2816 used between the parties as a matter of usage or course of dealing; (2)
2817 used at the time of a transaction in international trade, by trade usage
2818 or common practice, for valuing or settling transactions in the
2819 particular commodity or service involved; or (3) in which the loss was
2820 ultimately felt or will be incurred by a party.

2821 Sec. 184. Section 50a-57 of the general statutes is repealed and the
2822 following is substituted in lieu thereof (*Effective from passage*):

2823 (a) Except as provided in subsection (c) of this section, in a
2824 successful foreign-money claim, a judgment or arbitration award shall
2825 be stated in an amount of the money of the claim.

2826 (b) The judgment is payable in that foreign money or, at the option
2827 of the judgment debtor, in the amount of United States dollars which
2828 will purchase that foreign money on the conversion date.

2829 (c) Assessed costs shall be entered in United States dollars.

2830 (d) Each payment in United States dollars shall be accepted and
2831 credited on the judgment in the amount of the foreign money that
2832 could be purchased by the dollars at a bank-offered spot rate of
2833 exchange at or near the close of business on the conversion date for
2834 that payment.

2835 (e) Awards made on both (1) a defense, set-off, recoupment or
2836 counterclaim, and (2) the adverse party's claim, shall be netted by
2837 converting the moneys of the smaller award into the money of the
2838 larger and by subtracting the smaller from the larger, as if a payment
2839 had occurred on the date of the most recent award, and shall provide
2840 in the judgment the rates of exchange used.

2841 (f) A judgment substantially in the following form complies with
2842 subsection (a) **[**.] of this section:

2843 IT IS ADJUDGED AND ORDERED, THAT Defendant (insert name)
2844 pay to Plaintiff (insert name) the sum of (insert amount in the foreign

2845 money) plus interest on that sum at the rate of (insert rate as provided
2846 in section 50a-59) per cent a year or, at the option of the judgment
2847 debtor, such number of United States dollars as will purchase the
2848 (insert name of foreign money) with interest due, at a bank-offered
2849 spot rate at or near the close of business on the banking day next
2850 before the day of payment, together with assessed costs of (insert
2851 amount) United States dollars.

2852 (g) A judgment shall be recorded and indexed in the foreign money
2853 in the same manner and shall have the same effect as a lien as other
2854 judgments. It may be discharged by payment.

2855 Sec. 185. Subsection (b) of section 50a-59 of the general statutes is
2856 repealed and the following is substituted in lieu thereof (*Effective from*
2857 *passage*):

2858 (b) Notwithstanding subsection (a) <u>of this section</u>, an increase or
2859 decrease in calculated prejudgment interest may be made in a foreign-
2860 money claim to the extent required by the law of this state applicable
2861 in an action or distribution proceeding for United States dollars, if
2862 there is a failure to make or accept an offer of settlement, an offer of
2863 judgment, or conduct by a party or its attorney causing undue delay or
2864 expense.

2865 Sec. 186. Subsection (a) of section 51-14 of the general statutes is
2866 repealed and the following is substituted in lieu thereof (*Effective from*
2867 *passage*):

2868 (a) The judges of the Supreme Court, the judges of the Appellate
2869 Court, and the judges of the Superior Court shall adopt and
2870 promulgate and may from time to time modify or repeal rules and
2871 forms regulating pleading, practice and procedure in judicial
2872 proceedings in courts in which they have the constitutional authority
2873 to make rules, for the purpose of simplifying proceedings in the courts
2874 and of promoting the speedy and efficient determination of litigation
2875 upon its merits. The rules of the Appellate Court shall be as consistent

2876 as feasible with the rules of the Supreme Court to promote uniformity
2877 in the procedure for the taking of appeals and may dispense, so far as
2878 justice to the parties will permit while affording a fair review, with the
2879 necessity of printing of records and briefs. Such rules shall not abridge,
2880 enlarge or modify any substantive right **[**nor**]** or the jurisdiction of any
2881 of the courts. Subject to the provisions of subsection (b) of this section,
2882 such rules shall become effective on such date as the judges specify but
2883 not in any event until sixty days after such promulgation.

2884 Sec. 187. Subsection (c) of section 51-51k of the general statutes is
2885 repealed and the following is substituted in lieu thereof (*Effective from*
2886 *passage*):

2887 (c) On and after December 1, 1992, members shall be appointed in
2888 accordance with subsection (a) of this section as follows: One judge
2889 shall be appointed for a term of two years, one judge shall be
2890 appointed for a term of three years and one judge shall be appointed
2891 for a term of four years; one attorney shall be appointed for a term of
2892 two years, one attorney shall be appointed for a term of three years
2893 and one attorney shall be appointed for a term of four years; two lay
2894 members shall be appointed for terms of two years, two lay members
2895 shall be appointed for terms of three years, and two lay members shall
2896 be appointed for terms of four years. Thereafter, members shall serve
2897 for terms of four years. Members may continue in office until a
2898 successor is appointed and qualified. No member appointed on or
2899 after December 1, 1992, may serve consecutive terms, and if the
2900 member is an attorney, no member of his or her firm may serve a term
2901 consecutive to such member, provided no member may serve for more
2902 than two terms. Vacancies on the council shall be filled for the
2903 unexpired portion of any term in the same manner as the original
2904 appointment. Any member who is a judge, family support magistrate
2905 or compensation commissioner and retires from full-time active service
2906 as a judge, family support magistrate or compensation commissioner
2907 shall automatically cease to be a member of the council, and a vacancy
2908 shall be deemed to occur. Alternate members shall be appointed for

2909 terms of three years and shall not serve consecutive terms as alternate
2910 members.

2911 Sec. 188. Subsection (g) of section 51-90g of the general statutes is
2912 repealed and the following is substituted in lieu thereof (*Effective from*
2913 *passage*):

2914 (g) If, after its review of a complaint pursuant to this section, a
2915 subcommittee agrees with the determination of the grievance panel
2916 that probable cause does not exist that the attorney is guilty of
2917 misconduct and there has been no finding of probable cause by the
2918 State-Wide Grievance Committee or a subcommittee, the
2919 subcommittee may dismiss the complaint within the time period set
2920 forth in subsection (c) <u>of this section</u> without review by the committee.
2921 The subcommittee shall file its decision dismissing the complaint with
2922 the State-Wide Grievance Committee, together with the record of the
2923 matter, and shall send a copy of the decision to the complainant and
2924 the respondent. Such decision shall be a matter of public record.

2925 Sec. 189. Subsection (a) of section 51-247 of the general statutes is
2926 repealed and the following is substituted in lieu thereof (*Effective from*
2927 *passage*):

2928 (a) Each full-time employed juror shall be paid regular wages by the
2929 juror's employer for the first five days, or part thereof, of jury service.
2930 Such payment shall be subject to the requirements of section 31-71b
2931 and any employer who violates this section shall be subject to the
2932 provisions of sections 31-71g and 31-72. A person shall not be
2933 considered a full-time employed juror on any day of jury service in
2934 which such person (1) would not have accrued regular wages to be
2935 paid by the employer if such person were not serving as a juror on that
2936 day, or (2) would not have worked more than one-half of a shift which
2937 extends into another day if such person were not serving as a juror on
2938 that day. Each juror not considered a full-time employed juror on a
2939 particular day of jury service pursuant to subdivision (1) or (2) of this
2940 subsection shall be reimbursed by the state for necessary out-of-pocket

2941 expenses incurred during that day of jury service, provided such day
2942 of service is within the first five days, or part thereof, of jury service.
2943 Each part-time employed juror and unemployed juror shall be
2944 reimbursed by the state for necessary out-of-pocket expenses incurred
2945 during the first five days, or part thereof, of jury service. Necessary
2946 out-of-pocket expenses shall include, but not be limited to, twenty
2947 cents for each mile of travel from the juror's place of residence to the
2948 place of holding the court and return, and shall exclude food. The
2949 mileage shall be determined by the shortest direct route either by
2950 highway or by any regular line of conveyance between the points. A
2951 reimbursement award under this subsection for each day of service
2952 shall not be less than twenty dollars **[**nor**]** or more than fifty dollars.
2953 For the purposes of this subsection, "full-time employed juror" means
2954 an employee holding a position normally requiring thirty hours or
2955 more of service in each week, which position is neither temporary nor
2956 casual, and includes an employee holding a position through a
2957 temporary help service, as defined in section 31-129, which position
2958 normally requires thirty hours or more of service in each week, who
2959 has been working in that position for a period exceeding ninety days,
2960 and "part-time employed juror" means an employee holding a position
2961 normally requiring less than thirty hours of service in each week or an
2962 employee working on a temporary or casual basis. In the event that a
2963 juror may be considered to be both a full-time employed juror and a
2964 part-time employed juror for any day of the first five days, or part
2965 thereof, of jury service, such juror shall, for the purposes of this
2966 section, be considered to be a full-time employed juror only.

2967 Sec. 190. Section 51-247c of the general statutes is repealed and the
2968 following is substituted in lieu thereof (*Effective from passage*):

2969 (a) Upon written application on a form prescribed by the Office of
2970 the Chief Court Administrator, the court may excuse (1) an employer
2971 from the duty to compensate a juror-employee, or (2) a self-employed
2972 juror from the duty to compensate himself or herself. In such instances,
2973 the court shall make a finding that extreme financial hardship would

2974 be imposed if such duty were not removed. If an employer or self-
2975 employed juror is so excused from making payment, the court shall
2976 award to the juror the amount the court finds to be the juror's regular
2977 wages, to be paid by the state, for the first five days, or part thereof, of
2978 juror service but in no event shall such award exceed fifty dollars per
2979 day.

2980 (b) The Jury Administrator shall mail or the clerk of the court shall
2981 give the waiver applications as provided for in subsection (a) of this
2982 section and juror service certificates to jurors who have performed
2983 juror service. The Office of the Chief Court Administrator may
2984 combine into one form the waiver application and the juror service
2985 certificate. The juror service certificate shall contain: (1) The name and
2986 address of the juror; (2) the court location in which the juror service
2987 was performed; (3) the number of days of juror service performed by
2988 the juror and the specific dates thereof; (4) the total compensation
2989 received by the juror for the period of juror service involved; (5) a
2990 declaration of the duty of an employer to compensate a juror-employee
2991 for the first five days or part thereof of juror service; (6) the right of an
2992 employer to be excused from such duty by the court upon a finding of
2993 extreme financial hardship; and (7) any other information which the
2994 Jury Administrator deems appropriate. Each juror service certificate
2995 shall be completed in duplicate, one copy of which shall be for the
2996 juror and one copy of which shall be for the employer of the juror. A
2997 juror who seeks compensation from **[**his**]** the juror's employer for juror
2998 service shall tender the employer's copy of the juror service
2999 **[**certification**]** certificate and the waiver application to **[**his**]** the juror's
3000 employer as soon as practicable after its receipt.

3001 (c) An employer may file a waiver application not later than fifteen
3002 days after its receipt by the employer. The waiver application shall be
3003 submitted to the court location where the juror served. If an
3004 application is denied, the party making the application may apply for a
3005 hearing no later than twenty days from the date of the finding by the
3006 court.

3007 Sec. 191. Subsection (a) of section 52-225a of the general statutes is
3008 repealed and the following is substituted in lieu thereof (*Effective from*
3009 *passage*):

3010 (a) In any civil action, whether in tort or in contract, wherein the
3011 claimant seeks to recover damages resulting from (1) personal injury or
3012 wrongful death occurring on or after October 1, 1987, or (2) personal
3013 injury or wrongful death, arising out of the rendition of professional
3014 services by a health care provider, occurring on or after October 1,
3015 1985, and prior to October 1, 1986, if the action was filed on or after
3016 October 1, 1987, and wherein liability is admitted or is determined by
3017 the trier of fact and damages are awarded to compensate the claimant,
3018 the court shall reduce the amount of such award which represents
3019 economic damages, as defined in subdivision (1) of subsection (a) of
3020 section 52-572h, by an amount equal to the total of amounts
3021 determined to have been paid under subsection (b) of this section less
3022 the total of amounts determined to have been paid under subsection
3023 (c) of this section, except that there shall be no reduction for **[**(1)**]** (A) a
3024 collateral source for which a right of subrogation exists, and **[**(2) that**]**
3025 (B) the amount of collateral sources equal to the reduction in the
3026 claimant's economic damages attributable to **[**his**]** the claimant's
3027 percentage of negligence pursuant to section 52-572h.

3028 Sec. 192. Subsection (d) of section 54-56e of the general statutes is
3029 repealed and the following is substituted in lieu thereof (*Effective from*
3030 *passage*):

3031 (d) Except as provided in subsection (e) of this section, any
3032 defendant who enters such program shall pay to the court a
3033 participation fee of one hundred dollars. Any defendant who enters
3034 such program shall agree to the tolling of any statute of limitations
3035 with respect to such crime and to a waiver of the right to a speedy trial.
3036 Any such defendant shall appear in court and shall, under such
3037 conditions as the court shall order, be released to the custody of the
3038 Court Support Services Division, except that, if a criminal docket for

3039 drug-dependent persons has been established pursuant to section
3040 51-181b in the judicial district, such defendant may be transferred,
3041 under such conditions as the court shall order, to the court handling
3042 such docket for supervision by such court. If the defendant refuses to
3043 accept, or, having accepted, violates such conditions, the defendant's
3044 case shall be brought to trial. The period of such probation or
3045 supervision, or both, shall not exceed two years. The court may order
3046 that as a condition of such probation the defendant participate in the
3047 zero-tolerance drug supervision program established pursuant to
3048 section 53a-39d. If the defendant has reached the age of sixteen years
3049 but has not reached the age of eighteen years, the court may order that
3050 as a condition of such probation the defendant be referred for services
3051 to a youth service bureau established pursuant to section **[**17a-39**]** 10-
3052 19m, provided the court finds, through an assessment by a youth
3053 service bureau or its designee, that the defendant is in need of and
3054 likely to benefit from such services. When determining any conditions
3055 of probation to order for a person entering such program who was
3056 charged with a misdemeanor that did not involve the use, attempted
3057 use or threatened use of physical force against another person or a
3058 motor vehicle violation, the court shall consider ordering the person to
3059 perform community service in the community in which the offense or
3060 violation occurred. If the court determines that community service is
3061 appropriate, such community service may be implemented by a
3062 community court established in accordance with section 51-181c if the
3063 offense or violation occurred within the jurisdiction of a community
3064 court established by said section. If the defendant is charged with a
3065 violation of section 46a-58, 53-37a, 53a-181j, 53a-181k or 53a-181*l*, the
3066 court may order that as a condition of such probation the defendant
3067 participate in a hate crimes diversion program as provided in
3068 subsection (e) of this section. If a defendant is charged with a violation
3069 of section 53-247, the court may order that as a condition of such
3070 probation the defendant undergo psychiatric or psychological
3071 counseling or participate in an animal cruelty prevention and
3072 education program provided such a program exists and is available to

3073 the defendant.

3074 Sec. 193. Section 54-82*l* of the general statutes is repealed and the
3075 following is substituted in lieu thereof (*Effective from passage*):

3076 In accordance with the provisions of section 51-14, the judges of the
3077 Superior Court shall make such rules as they deem necessary to
3078 provide a procedure to assure a speedy trial for any person charged
3079 with a criminal offense on or after July 1, 1983. Such rules shall provide
3080 that (1) in any case in which a plea of not guilty is entered, the trial of a
3081 defendant charged in an information or indictment with the
3082 commission of a criminal offense shall commence within eighteen
3083 months from the filing date of the information or indictment or from
3084 the date of the arrest, whichever is later, except that when such
3085 defendant is incarcerated in a correctional institution of this state
3086 pending such trial and is not subject to the provisions of section 54-82c,
3087 the trial of such defendant shall commence within twelve months from
3088 the filing date of the information or indictment or from the date of the
3089 arrest, whichever is later; and (2) if a defendant is not brought to trial
3090 within the time limit set forth in subdivision (1) <u>of this section</u> and a
3091 trial is not commenced within thirty days of a motion for a speedy trial
3092 made by the defendant at any time after such time limit has passed, the
3093 information or indictment shall be dismissed. Such rules shall include
3094 provisions to identify periods of delay caused by the action of the
3095 defendant, or the defendant's inability to stand trial, to be excluded in
3096 computing the time limits set forth in subdivision (1) <u>of this section</u>.

3097 Sec. 194. Section 54-82m of the general statutes is repealed and the
3098 following is substituted in lieu thereof (*Effective from passage*):

3099 In accordance with the provisions of section 51-14, the judges of the
3100 Superior Court shall make such rules as they deem necessary to
3101 provide a procedure to assure a speedy trial for any person charged
3102 with a criminal offense on or after July 1, 1985. Such rules shall provide
3103 that (1) in any case in which a plea of not guilty is entered, the trial of a
3104 defendant charged in an information or indictment with the

3105 commission of a criminal offense shall commence within twelve
3106 months from the filing date of the information or indictment or from
3107 the date of the arrest, whichever is later, except that when such
3108 defendant is incarcerated in a correctional institution of this state
3109 pending such trial and is not subject to the provisions of section 54-82c,
3110 the trial of such defendant shall commence within eight months from
3111 the filing date of the information or indictment or from the date of
3112 arrest, whichever is later; and (2) if a defendant is not brought to trial
3113 within the time limit set forth in subdivision (1) of this section and a
3114 trial is not commenced within thirty days of a motion for a speedy trial
3115 made by the defendant at any time after such time limit has passed, the
3116 information or indictment shall be dismissed. Such rules shall include
3117 provisions to identify periods of delay caused by the action of the
3118 defendant, or the defendant's inability to stand trial, to be excluded in
3119 computing the time limits set forth in subdivision (1) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	2-8r(b)
Sec. 2	*from passage*	3-2a(b)
Sec. 3	*from passage*	3-99a(a)
Sec. 4	*from passage*	3-117(a)
Sec. 5	*from passage*	4-28(b)
Sec. 6	*from passage*	4-67x(a)
Sec. 7	*from passage*	4-95a(d)
Sec. 8	*from passage*	4-159(a)
Sec. 9	*from passage*	4-168(b)
Sec. 10	*from passage*	4a-4(a)
Sec. 11	*from passage*	4d-39(d)
Sec. 12	*from passage*	5-247(c)
Sec. 13	*from passage*	7-34a(e)
Sec. 14	*from passage*	7-129a(c)
Sec. 15	*from passage*	7-131q(c)
Sec. 16	*from passage*	7-148ff(c)
Sec. 17	*from passage*	7-151a(c)
Sec. 18	*from passage*	7-152b(d)
Sec. 19	*from passage*	7-246f(b)

Sec. 20	*from passage*	7-254(b)
Sec. 21	*from passage*	7-277a(b) and (c)
Sec. 22	*from passage*	7-294d(d)
Sec. 23	*from passage*	7-374c(a)(2)
Sec. 24	*from passage*	7-374c(a)(8)
Sec. 25	*from passage*	7-374c(c)(4)
Sec. 26	*from passage*	7-425(3)
Sec. 27	*from passage*	7-436(a) and (b)
Sec. 28	*from passage*	7-471(3) and (4)
Sec. 29	*from passage*	7-505(a)
Sec. 30	*from passage*	8-19(b)
Sec. 31	*from passage*	8-119gg
Sec. 32	*from passage*	8-73(b)
Sec. 33	*from passage*	8-159a(a)
Sec. 34	*from passage*	8-191(b)
Sec. 35	*from passage*	8-219b(c) to (e)
Sec. 36	*from passage*	8-267(3)
Sec. 37	*from passage*	8-271(b)
Sec. 38	*from passage*	8-359(a) and (b)
Sec. 39	*from passage*	9-15a(c)
Sec. 40	*from passage*	9-17(b)
Sec. 41	*from passage*	10-15b(c)
Sec. 42	*from passage*	10-153j(c)
Sec. 43	*from passage*	10-156
Sec. 44	*from passage*	10-183jj(a)
Sec. 45	*from passage*	10-233d(c)
Sec. 46	*from passage*	10-239d
Sec. 47	*from passage*	10-393(e)
Sec. 48	*from passage*	10-416a(g)
Sec. 49	*from passage*	10-417(a)(7)
Sec. 50	*from passage*	14-99g(h)
Sec. 51	*from passage*	14-147a
Sec. 52	*from passage*	14-267a(k)
Sec. 53	*from passage*	14-276(a)
Sec. 54	*from passage*	14-281
Sec. 55	*from passage*	15-7(e)
Sec. 56	*from passage*	15-34(5)
Sec. 57	*from passage*	15-34(28)
Sec. 58	*from passage*	15-140g(b)
Sec. 59	*from passage*	15-144(d)

Sec. 60	*from passage*	16-27(c)
Sec. 61	*from passage*	16-247l(h)
Sec. 62	*from passage*	16-262f(b)
Sec. 63	*from passage*	16-333a(f) and (g)
Sec. 64	*from passage*	16a-14
Sec. 65	*from passage*	16a-15(e)
Sec. 66	*from passage*	16a-18(b)
Sec. 67	*from passage*	16a-22k(d)
Sec. 68	*from passage*	16a-106(a) and (b)
Sec. 69	*from passage*	17a-28(f)
Sec. 70	*from passage*	17a-46(b)
Sec. 71	*from passage*	17a-507(b)
Sec. 72	*from passage*	17b-28(b)
Sec. 73	*from passage*	17b-99(b)
Sec. 74	*from passage*	17b-359(e) to (g)
Sec. 75	*from passage*	17b-491(c)
Sec. 76	*from passage*	17b-497(c)
Sec. 77	*from passage*	17b-853(b)
Sec. 78	*from passage*	18-101b(c)
Sec. 79	*from passage*	19a-320(b)
Sec. 80	*from passage*	19a-512(b)(2)
Sec. 81	*from passage*	19a-546(b)
Sec. 82	*from passage*	19a-600(1)
Sec. 83	*from passage*	19a-639(f)
Sec. 84	*from passage*	19a-639a(c)
Sec. 85	*from passage*	20-206b(c)(1)
Sec. 86	*from passage*	20-207(3)
Sec. 87	*from passage*	20-327b(d)(1)
Sec. 88	*from passage*	20-329c
Sec. 89	*from passage*	20-478
Sec. 90	*from passage*	21-80a(c)
Sec. 91	*from passage*	21a-16
Sec. 92	*from passage*	21a-25
Sec. 93	*from passage*	21a-35(b)
Sec. 94	*from passage*	21a-38(a)
Sec. 95	*from passage*	21a-77
Sec. 96	*from passage*	21a-96(c)
Sec. 97	*from passage*	21a-278(b)
Sec. 98	*from passage*	22-205
Sec. 99	*from passage*	22-344c(d)

Sec. 100	*from passage*	22-362
Sec. 101	*from passage*	22-391
Sec. 102	*from passage*	22-413(c)
Sec. 103	*from passage*	22-414
Sec. 104	*from passage*	22-415
Sec. 105	*from passage*	22a-6b(d)
Sec. 106	*from passage*	22a-63(b)
Sec. 107	*from passage*	22a-66a(c)
Sec. 108	*from passage*	22a-66a(f) and (g)
Sec. 109	*from passage*	22a-113k(c)
Sec. 110	*from passage*	22a-134i(c)
Sec. 111	*from passage*	22a-155(b)
Sec. 112	*from passage*	22a-208i(c)
Sec. 113	*from passage*	22a-232(d)
Sec. 114	*from passage*	22a-285g(h)
Sec. 115	*from passage*	22a-348(b)
Sec. 116	*from passage*	22a-452a(f)
Sec. 117	*from passage*	22a-500(a)(2)
Sec. 118	*from passage*	23-46(c)
Sec. 119	*from passage*	25-33k(c)(3)
Sec. 120	*from passage*	25-80
Sec. 121	*from passage*	25-102d(b)
Sec. 122	*from passage*	25-129(a)
Sec. 123	*from passage*	26-81
Sec. 124	*from passage*	26-87
Sec. 125	*from passage*	26-97
Sec. 126	*from passage*	26-226
Sec. 127	*from passage*	27-196(b)
Sec. 128	*from passage*	27-207(b)
Sec. 129	*from passage*	27-207(d)
Sec. 130	*from passage*	27-242(b)
Sec. 131	*from passage*	28-9d(a)
Sec. 132	*from passage*	28-13(b)
Sec. 133	*from passage*	29-36g(b)
Sec. 134	*from passage*	29-37(b)
Sec. 135	*from passage*	29-143t(b)
Sec. 136	*from passage*	29-210
Sec. 137	*from passage*	29-254a
Sec. 138	*from passage*	29-295
Sec. 139	*from passage*	29-298(a)

Sec. 140	*from passage*	29-335
Sec. 141	*from passage*	29-341
Sec. 142	*from passage*	31-12(b)
Sec. 143	*from passage*	31-13(b)
Sec. 144	*from passage*	31-15a
Sec. 145	*from passage*	31-225a(d)
Sec. 146	*from passage*	33-281c(a)
Sec. 147	*from passage*	33-1003(e)
Sec. 148	*from passage*	33-1074(d)
Sec. 149	*from passage*	33-1116(6)
Sec. 150	*from passage*	34-19
Sec. 151	*from passage*	34-302(e)
Sec. 152	*from passage*	36a-82(e)
Sec. 153	*from passage*	36a-563(c)
Sec. 154	*from passage*	36a-563(e)
Sec. 155	*from passage*	36b-24(a)
Sec. 156	*from passage*	38a-478l(c)
Sec. 157	*from passage*	38a-479bb(l)(2)
Sec. 158	*from passage*	38a-718(a)
Sec. 159	*from passage*	38a-962(2)(F)
Sec. 160	*from passage*	42-116aa(e)
Sec. 161	*from passage*	45a-63(e)
Sec. 162	*from passage*	45a-260(b)
Sec. 163	*from passage*	45a-395(a)
Sec. 164	*from passage*	45a-579(f)
Sec. 165	*from passage*	45a-729
Sec. 166	*from passage*	46a-58(b)
Sec. 167	*from passage*	46a-64(c)
Sec. 168	*from passage*	46a-64c(g)
Sec. 169	*from passage*	46a-81b(b)
Sec. 170	*from passage*	46a-81d(b)
Sec. 171	*from passage*	46a-81e(f)
Sec. 172	*from passage*	46b-169(b)
Sec. 173	*from passage*	46b-215(a)(7)(C)
Sec. 174	*from passage*	47-88b(e)
Sec. 175	*from passage*	47-88b(g)
Sec. 176	*from passage*	47-96(b)
Sec. 177	*from passage*	47-97(b)
Sec. 178	*from passage*	47-118(a)
Sec. 179	*from passage*	47-215(b)

Sec. 180	*from passage*	47-240(b)
Sec. 181	*from passage*	47-265(5)
Sec. 182	*from passage*	49-31f
Sec. 183	*from passage*	50a-54(a)
Sec. 184	*from passage*	50a-57
Sec. 185	*from passage*	50a-59(b)
Sec. 186	*from passage*	51-14(a)
Sec. 187	*from passage*	51-51k(c)
Sec. 188	*from passage*	51-90g(g)
Sec. 189	*from passage*	51-247(a)
Sec. 190	*from passage*	51-247c
Sec. 191	*from passage*	52-225a(a)
Sec. 192	*from passage*	54-56e(d)
Sec. 193	*from passage*	54-82*l*
Sec. 194	*from passage*	54-82m

Statement of Purpose:

To make various technical changes concerning grammar, clarity, accuracy of internal references and consistency in the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]