



General Assembly

Amendment

January Session, 2007

LCO No. 9538

HB0740909538HDO

Offered by:

REP. LAWLOR, 99th Dist.

REP. FOX, 146th Dist.

To: House Bill No. 7409

File No. 546

Cal. No. 473

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (c) of section 6 of public act 06-193 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (c) The chairpersons of the joint standing committee of the General
7 Assembly on the judiciary, or their designees, shall serve as
8 chairpersons of the task force.

9 Sec. 502. Subsection (b) of section 12-2 of the general statutes is
10 repealed and the following is substituted in lieu thereof (*Effective from*
11 *passage*):

12 (b) Notwithstanding any provision of the general statutes to the

13 contrary, the commissioner may issue administrative pronouncements
14 providing his interpretation of the tax laws. Within one hundred
15 eighty days from the issuance of any administrative pronouncement,
16 the commissioner shall publish notice of intent to adopt regulations,
17 in accordance with the provisions of chapter 54, to implement the
18 provisions of any administrative pronouncement issued on or after
19 August 22, 1991, and such regulations shall be presented to the
20 legislative regulation review committee within six months from the
21 date of the issuance of any such pronouncement. Such
22 pronouncements shall not have the force and effect of regulations and
23 shall carry a notice stating that the administrative pronouncements do
24 not have the force and effect of law, provided taxpayers shall be
25 entitled to rely on such pronouncements. For the purpose of this
26 subsection, "administrative pronouncement" [shall mean] means a
27 statement by the Commissioner of Revenue Services which provides
28 his interpretation of the tax laws and which is published and made
29 available to the public. The commissioner shall, with respect to any
30 provision of the general statutes which authorizes the issuance of
31 rules, file with the legislative regulation review committee, within six
32 months after the issuance of such rules, regulations which implement
33 the provisions of such rules.

34 Sec. 503. Subsection (a) of section 17b-256 of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective from*
36 *passage*):

37 (a) The Commissioner of Social Services may administer, within
38 available appropriations, a program providing payment for the cost of
39 drugs prescribed by a physician for the treatment of acquired
40 immunodeficiency syndrome or human immunodeficiency virus. The
41 commissioner, in consultation with the Commissioner of Public
42 Health, shall determine specific drugs to be covered and may
43 implement a pharmacy lock-in procedure for the program. The
44 Commissioner of Social Services shall adopt regulations, in accordance
45 with the provisions of chapter 54, to carry out the purposes of this
46 section. The commissioner may implement the program while in the

47 process of adopting regulations, provided notice of intent to adopt the
48 regulations is published in the Connecticut Law Journal within twenty
49 days of implementation. The regulations may include eligibility for all
50 persons with acquired immunodeficiency syndrome or human
51 immunodeficiency virus whose income is below four hundred per cent
52 of the federal poverty level. Subject to federal approval, the
53 commissioner may, within available federal resources, maintain
54 existing insurance policies for eligible clients, including, but not
55 limited to, coverage of costs associated with such policies, that provide
56 a full range of human immunodeficiency virus treatments and access
57 to comprehensive primary care services as determined by the
58 commissioner and as provided by federal law, and may provide
59 payment, determined by the commissioner, for (1) drugs and
60 nutritional supplements prescribed by a physician that prevent or treat
61 opportunistic diseases and conditions associated with acquired
62 immunodeficiency syndrome or human immunodeficiency virus; (2)
63 ancillary supplies related to the administration of such drugs; and (3)
64 laboratory tests ordered by a physician. On and after May 26, 2006,
65 [persons] any person who previously received insurance assistance
66 under the program established pursuant to section 17b-255 of the
67 general statutes, revision of 1958, revised to January 1, 2005, shall
68 continue to receive such assistance until the expiration of the insurance
69 coverage, provided such person continues to meet program eligibility
70 requirements established in accordance with this subsection. On or
71 before March 1, 2007, and annually thereafter, the Commissioner of
72 Social Services shall report, in accordance with section 11-4a, to the
73 joint standing committees of the General Assembly having cognizance
74 of matters relating to human services, public health and appropriations
75 and the budgets of state agencies on the projected availability of funds
76 for the program established pursuant to this section.

77 Sec. 504. Subsection (c) of section 20-677 of the general statutes is
78 repealed and the following is substituted in lieu thereof (*Effective from*
79 *passage*):

80 (c) In addition to any other remedy provided for in sections 20-670

81 to 20-676, inclusive, any person who violates any provision of
82 subsection (b) of this section [] shall be fined not more than one
83 thousand dollars or imprisoned not more than six months, or both.

84 Sec. 505. Subdivision (8) of section 36a-485 of the general statutes, as
85 amended by section 1 of public act 07-91, is repealed and the following
86 is substituted in lieu thereof (*Effective October 1, 2007*):

87 (8) "Originator" means an individual who is employed or retained
88 by, or otherwise acts on behalf of, a mortgage lender or first mortgage
89 broker that is licensed or required to be licensed under sections 36a-
90 485 to 36a-498a, inclusive, as amended by [this act] public act 07-91,
91 for, or with the expectation of, a fee, commission or other valuable
92 consideration, to take an application for or negotiate, solicit, arrange or
93 find a first mortgage loan. "Originator" does not include [(1)] (A) an
94 officer, if the licensee is a corporation; a general partner, if the licensee
95 is a partnership; a member, if the licensee is a limited liability
96 company; or a sole proprietor, if the licensee is a sole proprietorship, or
97 [(2)] (B) an individual whose responsibilities are limited to clerical and
98 administrative tasks and who does not solicit borrowers, take
99 applications or negotiate the terms of loans.

100 Sec. 506. Subsection (c) of section 51-45c of the general statutes is
101 repealed and the following is substituted in lieu thereof (*Effective from*
102 *passage*):

103 (c) (1) If the council finds that the judge or family support
104 magistrate is not suffering from any mental infirmity or illness or drug
105 dependency or addiction to alcohol and can fully perform his or her
106 judicial or magisterial duties, the Chief Court Administrator shall
107 reassign such judge or family support magistrate or modify such
108 judge's or family support magistrate's assignment. (2) If the council
109 finds that a judge or family support magistrate is suffering from a
110 temporary mental infirmity, mental illness, drug dependency or
111 addiction to alcohol which prevents the judge or family support
112 magistrate from performing his or her judicial or magisterial duties,

113 either on a full-time or part-time basis, the council shall request the
114 judge or family support magistrate to seek appropriate treatment. A
115 judge or family support magistrate who can perform his or her duties
116 on a part-time basis while undergoing treatment shall be assigned by
117 the Chief Court Administrator to duties as he or she deems fit. A judge
118 or family support magistrate who cannot perform any duties while
119 undergoing treatment shall seek a paid voluntary leave of absence.
120 Upon completion of a treatment program as determined by the Judicial
121 Review Council and a finding by the Judicial Review Council that
122 [said] such judge or family support magistrate can fully perform his or
123 her judicial or magisterial duties, a judge or family support magistrate
124 who was on leave of absence shall be reassigned by the Chief Court
125 Administrator or a judge or family support magistrate who was
126 performing judicial or magisterial duties on a part-time basis shall
127 resume full-time duties. The Judicial Review Council shall monitor
128 compliance by the judge or family support magistrate in the treatment
129 program which has been established and shall periodically report to
130 the Chief Court Administrator as to the status of such judge or family
131 support magistrate. If the judge or family support magistrate refuses to
132 seek treatment, or does not fully cooperate in the treatment program,
133 the council may (A) publicly [censor] censure the judge or family
134 support magistrate; (B) suspend the judge or family support
135 magistrate for a definite term not to exceed one year; (C) refer the
136 matter to the Supreme Court with a recommendation that the judge or
137 family support magistrate be suspended for a period longer than one
138 year; or (D) refer the matter to the Supreme Court with a
139 recommendation that the judge or family support magistrate be
140 removed from office. (3) If the Judicial Review Council finds that a
141 judge is permanently incapable of adequately fulfilling his or her
142 duties because of mental infirmity or illness or drug dependency or
143 addiction to alcohol, the judge shall thereupon be retired with
144 retirement pay to be determined as provided in section 51-50. (4) If the
145 Judicial Review Council finds that a family support magistrate is
146 permanently incapable of adequately fulfilling his or her duties
147 because of mental infirmity or illness or drug dependency or addiction

148 to alcohol, the family support magistrate shall be removed from office.
149 Such removal shall not preclude the family support magistrate from
150 applying for benefits, which may be available, pursuant to chapters 65
151 and 66.

152 Sec. 507. Section 7 of substitute house bill 7100 of the current session
153 is repealed and the following is substituted in lieu thereof (*Effective July*
154 *1, 2007*):

155 Nothing in sections 1 to 6, inclusive, of [this act] substitute house bill
156 7100 of the current session shall be construed as affecting any
157 provisions within title 31 of the general statutes, or any regulations or
158 polices adopted by the Labor Department, including, but not limited
159 to, [. Such] such provisions, regulations or policies relating to
160 determinations of the employer-employee relationship.

161 Sec. 508. Section 9 of substitute house bill 7367 of the current session
162 is repealed and the following is substituted in lieu thereof (*Effective July*
163 *1, 2007*):

164 The Commissioner of Transportation shall develop and recommend
165 procedures [, in accordance with the general statutes,] and criteria for
166 the leasing of naming rights of transit stations and other transit-owned
167 property to private corporations and organizations. The commissioner
168 shall [establish criteria for the leasing of such naming rights. Such
169 criteria shall be submitted] submit such recommended procedures and
170 criteria to the joint standing committee of the General Assembly
171 having cognizance of matters relating to transportation [, not later
172 than] on or before January 30, 2008. [, and, if approved by said
173 committee, such approval shall not be later than the close of the 2008
174 session of the General Assembly.]

175 Sec. 509. Subsection (h) of section 9-610 of the general statutes, as
176 amended by section 25 of public act 06-137, is repealed and the
177 following is substituted in lieu thereof (*Effective October 1, 2007*):

178 (h) No communicator lobbyist, immediate family member of a

179 communicator lobbyist, agent of a communicator lobbyist, or political
180 committee established or controlled by a communicator lobbyist or any
181 such immediate family member or agent shall solicit (1) a contribution
182 on behalf of a candidate committee or an exploratory committee
183 established by a candidate for the office of Governor, Lieutenant
184 Governor, Attorney General, State Comptroller, State Treasurer,
185 Secretary of the State, state senator or state representative, a political
186 committee established or controlled by any such candidate, a
187 legislative caucus committee, a legislative leadership committee or a
188 party committee, or (2) the purchase of advertising space in a program
189 for a fund-raising affair sponsored by a town committee pursuant to
190 subparagraph (B) of subdivision (10) of section 9-601a."