



House Bill No. 7601

November 24 Special Session, Public Act No. 08-1

AN ACT CONCERNING DEFICIT MITIGATION.

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

Section 1. Section 21 of public act 07-1 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The following sums are appropriated from the General Fund for the purposes herein specified for the fiscal year ending June 30, 2007:

GENERAL FUND	
	\$
LEGISLATIVE MANAGEMENT	
Other Expenses	150,000
Connecticut Academy of Science and Engineering	400,000
AGENCY TOTAL	550,000
SECRETARY OF THE STATE	
Other Expenses	1,500,000
OFFICE OF POLICY AND MANAGEMENT	
Contingency Needs	12,000,000
Implement Energy Initiatives	5,000,000
OTHER THAN PAYMENTS TO	

House Bill No. 7601

LOCAL GOVERNMENTS		
Regional Performance Incentive Program	10,000,000	
AGENCY TOTAL	27,000,000	
OFFICE OF WORKFORCE COMPETITIVENESS		
Film Industry Equipment	500,000	
Film Industry Study	250,000	
AGENCY TOTAL	750,000	
[DEPARTMENT OF ADMINISTRATIVE SERVICES		
Other Expenses	40,000]	
DEPARTMENT OF PUBLIC WORKS		
Other Expenses	850,000	
[Rents and Moving	350,000]	
Permanent Upgrades to 61 Woodland Street	1,000,000	
AGENCY TOTAL	[2,200,000]	<u>1,850,000</u>
DIVISION OF CRIMINAL JUSTICE		
Other Expenses	58,500	
DEPARTMENT OF PUBLIC SAFETY		
Other Expenses	150,000	
DEPARTMENT OF PUBLIC UTILITY CONTROL		
State-wide Energy Efficiency and Outreach	[5,000,000]	<u>2,000,000</u>
DEPARTMENT OF AGRICULTURE		
Dairy Farmers	4,000,000	
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
Clean Diesel Buses	[10,000,000]	<u>8,000,000</u>

House Bill No. 7601

Griswold Recreational Fields	50,000	
Tidal Boundaries Study	50,000	
AGENCY TOTAL	[10,100,000]	<u>8,100,000</u>

COMMISSION ON CULTURE AND
TOURISM

Nathan Hale Homestead	250,000	
Bushnell Memorial	2,000,000	
Fairfield Arts Council	150,000	
Hartford Arena Study	250,000	
AGENCY TOTAL	2,650,000	

DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT

Biofuels	[5,100,000]	<u>4,650,000</u>
Deferred Maintenance for Public Housing	10,000,000	
Home CT	4,000,000	
AGENCY TOTAL	[19,100,000]	<u>18,650,000</u>

DEPARTMENT OF PUBLIC HEALTH

Personal Services	500,000	
Other Expenses	4,561,325	
Equipment	775,000	
AGENCY TOTAL	5,836,325	

DEPARTMENT OF [MENTAL
RETARDATION] DEVELOPMENTAL
SERVICES

Other Expenses	1,778,321	
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DEPARTMENT OF MENTAL HEALTH
AND ADDICTION SERVICES

Other Expenses	170,000	
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OTHER THAN PAYMENTS TO
LOCAL GOVERNMENTS

Grants for Substance Abuse Services	500,000	
AGENCY TOTAL	670,000	

House Bill No. 7601

DEPARTMENT OF SOCIAL SERVICES

Other Expenses	3,200,000	
Crisis Hospital Fund	30,000,000	
AGENCY TOTAL	33,200,000	

DEPARTMENT OF EDUCATION

Personal Services	208,836	
Other Expenses	150,000	
DNA Epicenter in New London	250,000	
Distance Learning Initiative	850,000	
Technical School Supplies	500,000	
Longitudinal Data Systems	[6,400,000]	<u>4,900,000</u>

PAYMENTS TO LOCAL

GOVERNMENTS

School Safety	[10,000,000]	<u>8,000,000</u>
Fuel Cell Projects	800,000	
AGENCY TOTAL	[19,158,836]	<u>15,658,836</u>

COMMISSION ON THE DEAF AND
HEARING IMPAIRED

Part-Time Interpreters	320,000	
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STATE LIBRARY

Arts Inventory	[150,000]	<u>75,000</u>
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DEPARTMENT OF HIGHER
EDUCATION

Other Expenses	[200,000]	<u>100,000</u>
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OTHER THAN PAYMENTS TO
LOCAL GOVERNMENTS

Higher Education State Matching Grant	4,185,000	
AGENCY TOTAL	[4,385,000]	<u>4,285,000</u>

UNIVERSITY OF CONNECTICUT

Operating Expenses	400,000	
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UNIVERSITY OF CONNECTICUT

HEALTH CENTER

Operating Expenses	200,000	
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House Bill No. 7601

TEACHERS' RETIREMENT BOARD		
OTHER THAN PAYMENTS TO		
LOCAL GOVERNMENTS		
Retirement Contributions	300,000,000	
REGIONAL COMMUNITY - TECHNICAL		
COLLEGES		
Operating Expenses	520,000	
DEPARTMENT OF CORRECTION		
Cheshire Prison Effluence	500,000	
DEPARTMENT OF CHILDREN AND		
FAMILIES		
Other Expenses	300,000	
Adolescent Psychiatric Services	300,000	
AGENCY TOTAL	600,000	
DEPARTMENT OF TRANSPORTATION		
Bus Operations	[9,494,500]	<u>4,494,500</u>
PAYMENTS TO LOCAL GOVERNMENTS		
Town Aid Road Grants	16,000,000	
Elderly and Disabled Demand	3,900,000	
Responsive Transportation Program		
AGENCY TOTAL	[29,394,500]	<u>24,394,500</u>
DEBT SERVICE - STATE TREASURER		
Defeasance (ECLM and Clean Energy)	85,000,000	
Partnership for Strong Communities	3,000,000	
Debt Service		
AGENCY TOTAL	88,000,000	
MISCELLANEOUS APPROPRIATIONS		
ADMINISTERED BY THE		
COMPTRROLLER		
STATE COMPTRROLLER -		
MISCELLANEOUS		

House Bill No. 7601

PAYMENTS TO LOCAL GOVERNMENTS

Reimbursement to Towns for Loss of Taxes on State Property	13,999,858
Grants to Towns	13,497,038
Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	13,997,038
AGENCY TOTAL	41,493,934

STATE COMPTROLLER - FRINGE
BENEFITS

State Employees Health Service Cost	4,000,000
Other Post Employment Benefits	10,000,000
AGENCY TOTAL	14,000,000

TOTAL -	[\$613,705,416]	<u>\$599,190,416</u>
GENERAL FUND		

(b) Except as provided in subsections (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), and (q) [(r), and (s)] of this section, funds appropriated in subsection (a) of this section shall not lapse on June 30, 2007, and shall continue to be available for expenditure during the fiscal year ending June 30, 2008.

(c) Funds appropriated to Legislative Management in subsection (a) of this section, for Other Expenses, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$75,000 shall be available during the fiscal year ending June 30, 2008; the sum of \$75,000 shall be available during the fiscal year ending June 30, 2009.

(d) Funds appropriated to the Office of Policy and Management in subsection (a) of this section, for Contingency Needs, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$6,000,000 shall be available during the fiscal year ending June 30, 2008; the sum of \$6,000,000 shall be available during the fiscal year ending June 30, 2009.

House Bill No. 7601

[(e) Funds appropriated to the Department of Administrative Services in subsection (a) of this section, for Other Expenses, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$40,000 shall be available during the fiscal year ending June 30, 2009.

(f) Funds appropriated to the Department of Public Works in subsection (a) of this section, for Rents and Moving, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$350,000 shall be available during the fiscal year ending June 30, 2009.]

[(g)] (e) Funds appropriated to the Department of Environmental Protection in subsection (a) of this section, for Clean Diesel Buses, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$5,000,000 shall be available during the fiscal year ending June 30, 2008; the sum of [\$5,000,000] \$3,000,000 shall be available during the fiscal year ending June 30, 2009.

[(h)] (f) Funds appropriated to the Department of Education in subsection (a) of this section, for Longitudinal Data Systems, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$3,650,000 shall be available during the fiscal year ending June 30, 2008; the sum of [\$2,750,000] \$1,250,000 shall be available during the fiscal year ending June 30, 2009.

[(i)] (g) Funds appropriated to the Department of Education in subsection (a) of this section, for School Safety, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$5,000,000 shall be available during the fiscal year ending June 30, 2008; the sum of [\$5,000,000] \$3,000,000 shall be available during the fiscal year ending June 30, 2009.

House Bill No. 7601

[(j)] (h) Funds appropriated to the State Library in subsection (a) of this section, for Arts Inventory, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$75,000 shall be available during the fiscal year ending June 30, 2008. [; the sum of \$75,000 shall be available during the fiscal year ending June 30, 2009.]

[(k)] (i) Funds appropriated to the Department of Higher Education in subsection (a) of this section, for Other Expenses, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$100,000 shall be available during the fiscal year ending June 30, 2008. [; the sum of \$100,000 shall be available during the fiscal year ending June 30, 2009.]

[(l)] (j) Funds appropriated to the Teachers' Retirement Board in subsection (a) of this section, for Retirement Contributions, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$90,000,000 shall be available during the fiscal year ending June 30, 2008; the sum of \$210,000,000 shall be available during the fiscal year ending June 30, 2009.

[(m)] (k) Funds appropriated to the Department of Transportation in subsection (a) of this section, for Bus Operations, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$2,200,000 shall be available during the fiscal year ending June 30, 2008; the sum of [\$7,294,500] \$2,294,500 shall be available during the fiscal year ending June 30, 2009.

[(n)] (l) Funds appropriated to the Department of Transportation in subsection (a) of this section, for Town Aid Road Grants, shall not lapse on June 30, 2007, and shall continue to be available for

House Bill No. 7601

expenditure for such purpose as follows: The sum of \$8,000,000 shall be available during the fiscal year ending June 30, 2008; the sum of \$8,000,000 shall be available during the fiscal year ending June 30, 2009.

[(o)] (m) Funds appropriated to the Debt Service-State Treasurer in subsection (a) of this section, for Partnership for Strong Communities Debt Service, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$3,000,000 shall be available during the fiscal year ending June 30, 2009.

[(p)] (n) Funds appropriated to the Miscellaneous Appropriations Administered by the Comptroller in subsection (a) of this section, for the Reimbursement to Towns for Loss of Taxes on State Property, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$6,999,929 shall be available during the fiscal year ending June 30, 2008; the sum of \$6,999,929 shall be available during the fiscal year ending June 30, 2009.

[(q)] (o) Funds appropriated to the Miscellaneous Appropriations Administered by the Comptroller in subsection (a) of this section, for Grants to Towns, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$6,748,519 shall be available during the fiscal year ending June 30, 2008; the sum of \$6,748,519 shall be available during the fiscal year ending June 30, 2009.

[(r)] (p) Funds appropriated to the Miscellaneous Appropriations Administered by the Comptroller in subsection (a) of this section, for the Reimbursement to Towns for Loss of Taxes on Private Tax-Exempt Property, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of

House Bill No. 7601

\$6,998,519 shall be available during the fiscal year ending June 30, 2008; the sum of \$6,998,519 shall be available during the fiscal year ending June 30, 2009.

[(s)] (q) Funds appropriated to the State Comptroller - Fringe Benefits in subsection (a) of this section, for State Employee Health Service Cost, shall not lapse on June 30, 2007, and shall continue to be available for expenditure for such purpose as follows: The sum of \$4,000,000 shall be available during the fiscal year ending June 30, 2009.

Sec. 2. (*Effective from passage*) (a) The unexpended balance of funds appropriated to the Department of Economic and Community Development, for Biofuels, in section 21 of public act 07-1 of the June special session shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2009, as follows: (1) The sum of \$3,650,000 shall be available for production grants, and (2) the sum of \$1,000,000 shall be available for the fuel diversification research grant program.

(b) The Department of Economic and Community Development may enter into one or more agreements, pursuant to chapter 55a of the general statutes, for the distribution of grants under subsection (a) of this section or the operation of the program under subdivision (2) of said subsection.

Sec. 3. (*Effective from passage*) The amounts appropriated to the following agencies in section 11 of public act 07-1 of the June special session, as amended by section 68 of public act 07-5 of the June special session, are reduced by the following amounts for the fiscal year ending June 30, 2009:

GENERAL FUND

2008-2009

House Bill No. 7601

\$

LEGISLATIVE

LEGISLATIVE MANAGEMENT

Other Expenses	400,000
Equipment	69,044
Interstate Conference Fund	25,714
AGENCY TOTAL	494,758

GOVERNOR'S OFFICE

Personal Services	300,000
Equipment	95
AGENCY TOTAL	300,095

SECRETARY OF THE STATE

Equipment	95
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LIEUTENANT GOVERNOR'S OFFICE

Equipment	95
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OFFICE OF STATE ETHICS

Information Technology Initiatives	233,879
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JUDICIAL SELECTION COMMISSION

Personal Services	1,090
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STATE PROPERTIES REVIEW BOARD

Other Expenses	8,000
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STATE TREASURER

Equipment	95
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STATE COMPTROLLER

Equipment	95
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House Bill No. 7601

DEPARTMENT OF REVENUE SERVICES
Collection and Litigation Contingency Fund 200,000

DIVISION OF SPECIAL REVENUE
Equipment 95

STATE INSURANCE AND RISK MANAGEMENT
BOARD
Equipment 95

OFFICE OF POLICY AND MANAGEMENT
Other Expenses 165,700
Equipment 95
Cash Management Improvement Act 95
Office of Business Advocate 225,000
Water Planning Council 30,000
Property Tax Exemption for Hybrid Vehicles 900,000
AGENCY TOTAL 1,320,890

DEPARTMENT OF VETERANS' AFFAIRS
Equipment 950

OFFICE OF WORKFORCE COMPETITIVENESS
Equipment 950

BOARD OF ACCOUNTANCY
Other Expenses 10,000

DEPARTMENT OF ADMINISTRATIVE
SERVICES
Other Expenses 50,000
Equipment 95
Employees' Review Board 20,000
Hospital Billing System 20,000
AGENCY TOTAL 90,095

DEPARTMENT OF INFORMATION

House Bill No. 7601

TECHNOLOGY	
Internet and Email Services	1,180,000
DEPARTMENT OF PUBLIC WORKS	
Equipment	95
ATTORNEY GENERAL	
Equipment	95
OFFICE OF THE CLAIMS COMMISSIONER	
Equipment	95
DIVISION OF CRIMINAL JUSTICE	
Equipment	95
STATE MARSHAL COMMISSION	
Equipment	23,845
DEPARTMENT OF PUBLIC SAFETY	
Equipment	95
Stress Reduction	27,000
AGENCY TOTAL	27,095
POLICE OFFICER STANDARDS AND TRAINING COUNCIL	
Equipment	14,345
BOARD OF FIREARMS PERMIT EXAMINERS	
Other Expenses	5,000
Equipment	95
AGENCY TOTAL	5,095
MILITARY DEPARTMENT	
Equipment	950
COMMISSION ON FIRE PREVENTION AND CONTROL	

House Bill No. 7601

Equipment	95
Firefighter Training 1	200,000
AGENCY TOTAL	200,095

DEPARTMENT OF CONSUMER PROTECTION

Equipment	95
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LABOR DEPARTMENT

Equipment	950
Workforce Investment Act	136,948
AGENCY TOTAL	137,898

OFFICE OF THE VICTIM ADVOCATE

Equipment	95
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COMMISSION ON HUMAN RIGHTS AND
OPPORTUNITIES

Equipment	950
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OFFICE OF PROTECTION AND ADVOCACY
FOR PERSONS WITH DISABILITIES

Other Expenses	5,000
Equipment	950
AGENCY TOTAL	5,950

OFFICE OF THE CHILD ADVOCATE

Equipment	950
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DEPARTMENT OF EMERGENCY
MANAGEMENT AND HOMELAND
SECURITY

Equipment	95
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DEPARTMENT OF AGRICULTURE

Equipment	95
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DEPARTMENT OF ENVIRONMENTAL

House Bill No. 7601

PROTECTION	
Equipment	95
Storm Drain Filters	225,000
AGENCY TOTAL	225,095

COUNCIL ON ENVIRONMENTAL QUALITY	
Equipment	95

COMMISSION ON CULTURE AND TOURISM	
Equipment	950
State-Wide Marketing	339,936
AGENCY TOTAL	340,886

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Equipment	950
Small Business Incubator Program	100,000
CCAT - CT Manufacturing Supply Chain	200,000
Southeast CT Marketing Plan	50,000
AGENCY TOTAL	350,950

AGRICULTURAL EXPERIMENT STATION	
Equipment	95

DEPARTMENT OF PUBLIC HEALTH	
Personal Services	447,100
Other Expenses	576,650
Equipment	9,020
AGENCY TOTAL	1,032,770

OFFICE OF HEALTH CARE ACCESS	
Equipment	95

DEPARTMENT OF [MENTAL RETARDATION] <u>DEVELOPMENTAL SERVICES</u>	
Equipment	950

House Bill No. 7601

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
Equipment	950
PSYCHIATRIC SECURITY REVIEW BOARD	
Other Expenses	8,000
DEPARTMENT OF SOCIAL SERVICES	
Personal Services	1,250,000
Medicaid	487,000
AGENCY TOTAL	1,737,000
DEPARTMENT OF EDUCATION	
Other Expenses	400,000
Equipment	54,601
Early Childhood Advisory Cabinet	280,000
Amer-i-can	237,500
AGENCY TOTAL	972,101
BOARD OF EDUCATION AND SERVICES FOR THE BLIND	
Equipment	950
COMMISSION ON THE DEAF AND HEARING IMPAIRED	
Equipment	950
STATE LIBRARY	
Equipment	950
DEPARTMENT OF HIGHER EDUCATION	
Washington Center	23,750
ECE - Collaboration with Higher Ed	100,000
AGENCY TOTAL	123,750
DEPARTMENT OF CHILDREN AND FAMILIES	
Equipment	950
Nov. 24 Sp. Sess., Public Act No. 08-1	16 of 34

House Bill No. 7601

COUNCIL TO ADMINISTER THE CHILDREN'S TRUST FUND	
Equipment	950
PUBLIC DEFENDER SERVICES COMMISSION	
Equipment	95
MISCELLANEOUS APPROPRIATION TO THE GOVERNOR	
Governor's Contingency Account	14,250
JUDICIAL REVIEW COUNCIL	
Equipment	95
TOTAL - GENERAL FUND	\$9,071,137

Sec. 4. (*Effective from passage*) In addition to the funds required to lapse on June 30, 2009, under the provisions of public act 07-1 of the June special session, the Governor shall direct executive branch agencies to lapse additional funds, in an amount not to exceed \$1,500,000 in the aggregate, in the Other Expenses accounts of such agencies.

Sec. 5. (*Effective from passage*) (a) The sum of \$5,000,000 shall be transferred from the Citizens' Election Fund to the General Fund and shall be available for use as General Fund revenue for the fiscal year ending June 30, 2009.

(b) The sum of \$559,426 appropriated to the Department of Transportation, for the Transportation Strategy Board, in subsection (a) of section 47 of special act 01-1 of the June special session, and carried forward by subdivision (2) of subsection (a) of section 47 of special act 01-1 of the June special session, as amended by section 2 of special act 01-1 of the November 15 special session, section 16 of public act 02-1 of

House Bill No. 7601

the May 9 special session, subsection (a) of section 42 of public act 03-1 of the June 30 special session, section 36 of public act 03-4 of the June 30 special session, section 8 of public act 04-177, section 47 of public act 05-4 of the June special session and section 61 of public act 07-1 of the June special session shall be transferred to the General Fund and shall be available for use as General Fund revenue for the fiscal year ending June 30, 2009.

Sec. 6. Section 10a-40 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The amount of the annual appropriation to be allocated to each independent college or university shall be determined by its actual full-time equivalent enrollment of Connecticut undergraduate students during the fall semester of the fiscal year two years prior to the grant year. The number of eligible undergraduate Connecticut students under sections 10a-36 to 10a-42a, inclusive, shall be determined by the board but the awards based upon such computation shall not exceed the total available appropriation. Each participating college shall expend all of the moneys received under this program as direct financial assistance for grants for educational expenses and student employment to Connecticut undergraduate students. Direct financial assistance does not include loans to Connecticut students which must be repaid to the college at some future date. For each fiscal year a minimum of ten per cent of the total institutional state student financial aid which exceeds the amount appropriated to each independent institution for the fiscal year ending June 30, 1987, shall be used for student financial aid for needy minority students in accordance with the board of governors' plan for racial and ethnic diversity under section 10a-11. For each fiscal year a minimum of five per cent of the total amount of state student financial aid appropriated to each institution which exceeds the amount received by each institution for the fiscal year ending June 30, 1988, shall be used for on-

House Bill No. 7601

campus or off-campus community service work-study placements. Participating independent colleges and universities shall provide the Department of Higher Education with data and reports necessary to administer the program and shall maintain, for a period of not less than three years, records substantiating the reported number of full-time equivalent Connecticut students and documentation utilized by the college or university in determining eligibility of the Connecticut independent college student grant recipients. Such records shall be subject to audit. Funds not obligated by a college or university shall be returned by January fifteenth of the fiscal year of the grant to the Department of Higher Education for reallocation to other institutions participating in this program. [Any] Except as provided in this section any funds so returned by a college or university shall be redistributed to all other independent colleges and universities participating in the program in accordance with the formula set forth in this section using the most recent enrollment data available to the Board of Governors of Higher Education. For the fiscal year ending June 30, 2009, the Department of Higher Education shall total the amount of funds returned by all independent colleges and universities and (1) if such total amount is five hundred thousand dollars or less, the department shall not redistribute the funds and (2) if such total amount is greater than five hundred thousand dollars, the department shall redistribute an amount equal to the difference between such total amount and five hundred thousand dollars.

Sec. 7. (*Effective from passage*) (a) The Commissioner of Social Services shall expedite the establishment of a Money Follows the Person demonstration program, in accordance with section 17b-369 of the 2008 supplement to the general statutes, as amended by section 1 of public act 08-180, to facilitate placing 140 eligible persons in such program not later than June 30, 2009.

(b) The Commissioner of Social Services shall expedite amendment

House Bill No. 7601

of the Medicaid state plan, in accordance with section 17b-28e of the 2008 supplement to the general statutes, as amended by public act 08-158, to include foreign language interpreter services as a covered service under the Medicaid program not later than June 30, 2009.

Sec. 8. Section 12-35g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section: [,]

(1) ["person"] "Person" means person, as defined in section 12-1;

(2) ["affected"] "Affected taxable period" means any taxable period ending on or before [March 31, 2002] November 30, 2008, for which (A) a tax return was required by law to be filed with the Commissioner of Revenue Services and for which no return has been previously filed or made by the commissioner on behalf of [such] an affected person, or (B) a tax return was previously filed but not examined by the Department of Revenue Services and on which return the tax was underreported; [, (C) interest or a penalty was imposed for the late payment of tax, (D) interest or a penalty was imposed, upon examination of a tax return by the department, for underreporting of the tax, or (E) interest or an addition to tax was made where a person failed to file a tax return and the commissioner made a return on behalf of such person;]

(3) ["affected"] "Affected person" means a person owing any tax for an affected taxable period;

(4) ["tax"] "Tax" means any tax imposed by any law of this state and required to be [collected by] paid to the department, other than the tax imposed under chapter 222 on any licensee, as defined in subdivision (1) of subsection (c) of section 12-486;

(5) ["commissioner"] "Commissioner" means the Commissioner of

House Bill No. 7601

Revenue Services; and

(6) ["department"] "Department" means the Department of Revenue Services.

(b) (1) The commissioner shall establish a tax amnesty program for persons owing any tax for any affected taxable period. The tax amnesty program shall be conducted during the period [September 1, 2002, to November 30, 2002] May 1, 2009, to June 25, 2009, inclusive.

(2) An amnesty application shall be prepared by the commissioner to be filed by an affected person with the department, and shall provide for specification by the affected person of the tax and the affected taxable period for which amnesty is being sought under the tax amnesty program. The commissioner may require certain amnesty applications to be filed electronically, either by computer transmission or other technology specified by the commissioner. The commissioner may require payment of taxes and interest due under the tax amnesty program to be made by means of electronic funds transfer approved by the commissioner.

(3) The tax amnesty program shall provide that, upon the filing of an amnesty application by the affected person during the tax amnesty period, and payment by such person of all taxes and interest due from such person to this state for affected tax periods, amnesty shall be granted to the applicant by the commissioner, and the commissioner shall waive any civil penalties that may be applicable and shall not seek criminal prosecution for any affected person for an affected taxable period for which amnesty has been granted.

(4) An amnesty application, if filed by an affected person and if granted by the commissioner, shall constitute an express and absolute relinquishment by the affected person of all of the affected person's administrative and judicial rights of appeal that have not run or

House Bill No. 7601

otherwise expired as of the date payment is made for affected taxable periods, and no payment made by an affected person pursuant to this section for affected taxable periods shall be refunded or credited to such person.

(5) If an affected person who has filed an amnesty application during the tax amnesty period fails to pay all amounts due to this state for affected taxable periods, any amnesty granted pursuant to this section shall be invalid.

(6) No waiver of penalty or reduction of interest pursuant to this section shall entitle any affected person to a refund or credit of any amount previously paid.

(7) [(A)] In the case of taxes due for an affected taxable period [described in subparagraph (A) or (B) of subdivision (2) of subsection (a) of this section] that are paid in full on or before June 25, 2009, interest shall be computed at the rate of three-fourths of one per cent per month or fraction thereof from the date such taxes were originally due to [November 30, 2002, and at the rate of one per cent per month or fraction thereof thereafter] the date of payment or June 25, 2009, whichever is earlier.

[(B) In the case of taxes due for an affected taxable period described in subparagraph (C), (D) or (E) of subdivision (2) of subsection (a) of this section, interest shall be computed at the rate of one per cent per month or fraction thereof from the date such taxes were originally due to the date of payment except as provided in this subparagraph. If the taxes and the interest, as computed under this subparagraph, are paid in full on or before November 30, 2002, interest shall be equal to three-fourths of the interest that the department's records show to be due and payable, as of the date of filing of the amnesty application, for affected taxable periods for which amnesty has been sought by an affected person.]

House Bill No. 7601

(c) Amnesty shall not be granted pursuant to subsection (b) of this section to any affected person who (1) has received notice from the department that an audit examination is being conducted in relation to the affected taxable period for which amnesty is being sought, or (2) is a party to any criminal investigation or to any civil or criminal litigation that is pending on [June 1, 2002] the effective date of this section, in any court of the United States or this state for failure to file or failure to pay, or for fraud in relation to any tax imposed by any law of this state and required to be [collected by] paid to the department. [, (3) is a party to a closing agreement with the Commissioner of Revenue Services, (4) has made an offer of compromise that has been accepted by the Commissioner of Revenue Services, or (5) is a party to a managed audit agreement.]

(d) Any person who wilfully delivers or discloses to the commissioner or the commissioner's authorized agent any application, list, return, account, statement or other document, known by such person to be fraudulent or false in any material matter, shall be ineligible for the tax amnesty program, and may, in addition to any other penalty provided by law, be fined not more than five thousand dollars or imprisoned not more than five years nor less than one year, or both.

[[d)] (e) Notwithstanding any provision of law, the commissioner may do all things necessary in order to provide for the timely implementation of this section.

Sec. 9. (*Effective from passage*) The Commissioner of Revenue Services may use up to one million dollars of the revenue received by the state from the tax amnesty program established under the provisions of section 8 of this act for the purpose of administering the provisions of said section.

Sec. 10. Section 22a-243 of the general statutes is repealed and the

House Bill No. 7601

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

For purposes of sections 22a-243 to 22a-245, inclusive, as amended by this act, and section 11 of this act:

(1) "Beverage" means beer or other malt beverages and mineral waters, soda water and similar carbonated soft drinks in liquid form and intended for human consumption;

(2) "Beverage container" means the individual, separate, sealed glass, metal or plastic bottle, can, jar or carton containing a beverage;

(3) "Consumer" means every person who purchases a beverage in a beverage container for use or consumption;

(4) "Dealer" means every person who engages in the sale of beverages in beverage containers to a consumer;

(5) "Distributor" means every person who engages in the sale of beverages in beverage containers to a dealer in this state including any manufacturer who engages in such sale and includes a dealer who engages in the sale of beverages in beverage containers on which no deposit has been collected prior to retail sale;

(6) "Manufacturer" means every person bottling, canning or otherwise filling beverage containers for sale to distributors or dealers;

(7) "Place of business of a dealer" means the location at which a dealer sells or offers for sale beverages in beverage containers to consumers;

(8) "Redemption center" means any facility established to redeem empty beverage containers from consumers or to collect and sort empty beverage containers from dealers and to prepare such containers for redemption by the appropriate distributors;

House Bill No. 7601

(9) "Use or consumption" includes the exercise of any right or power over a beverage incident to the ownership thereof, other than the sale or the keeping or retention of a beverage for the purposes of sale;

(10) "Nonrefillable beverage container" means a beverage container which is not designed to be refilled and reused in its original shape; and

(11) "Deposit initiator" means the first distributor to collect the deposit on a beverage container sold to any person within this state.

Sec. 11. (NEW) (*Effective from passage*) (a) Each deposit initiator shall open a special interest-bearing account at a Connecticut branch of a financial institution, as defined in section 45a-557a of the general statutes, to the credit of the deposit initiator. Each deposit initiator shall deposit in such account an amount equal to the refund value established pursuant to subsection (a) of section 22a-244 of the general statutes, for each beverage container sold by such deposit initiator. Such deposit shall be made not more than three business days after the date such beverage container is sold, provided for any beverage container sold during the period from December 1, 2008, to December 31, 2008, inclusive, such deposit shall be made not later than January 5, 2009. All interest, dividends and returns earned on the special account shall be paid directly into such account. Such moneys shall be kept separate and apart from all other moneys in the possession of the deposit initiator.

(b) Any reimbursement of the refund value for a redeemed beverage container shall be paid from the deposit initiator's special account. Upon the Commissioner of Environmental Protection's adoption of written policies and procedures establishing an accounting system under section 22a-245 of the general statutes, as amended by this act, any such reimbursement shall be paid in the manner prescribed in such policies and procedures until the adoption of final

House Bill No. 7601

regulations under said section 22a-245. Upon the adoption of such regulations, any such reimbursement shall be paid in accordance with such regulations.

(c) Each deposit initiator shall submit a report on March 15, 2009, for the period from December 1, 2008, to February 28, 2009, inclusive. Each deposit initiator shall submit a report on July 31, 2009, for the period from March 1, 2009, to June 30, 2009, inclusive, and thereafter shall submit a quarterly report for the immediately preceding calendar quarter one month after the close of such quarter. Each such report shall be submitted to the Commissioner of Environmental Protection, on a form prescribed by the commissioner and with such information the commissioner deems necessary, including, but not limited to: (1) The balance in the special account at the beginning of the quarter for which the report is prepared; (2) a list of all deposits credited to such account during such quarter, including all refund values paid to the deposit initiator and all interest, dividends or returns received on the account; (3) a list of all withdrawals from such account during such quarter, and all service charges and overdraft charges on the account; and (4) the balance in the account at the close of the quarter for which the report is prepared.

(d) The State Treasurer may, independently or upon request of the commissioner, examine the accounts and records of any deposit initiator maintained under sections 22a-243 to 22a-245, inclusive, of the general statutes, as amended by this act, and any related accounts and records, including receipts, disbursements and such other items as the State Treasurer deems appropriate.

(e) The Attorney General may, independently or upon complaint of the commissioner, institute any appropriate action or proceeding to enforce any provision of this section or any regulation adopted pursuant to section 22a-245 of the general statutes, as amended by this act, to implement the provisions of this section.

House Bill No. 7601

Sec. 12. Subsection (e) of section 22a-245 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) The Commissioner of Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of sections 22a-243 to 22a-245, inclusive, as amended by this act, and section 11 of this act. Such regulations shall include, but not be limited to, provisions for the redemption of beverage containers dispensed through automatic vending machines, the use of vending machines [which] that dispense cash to consumers for redemption of beverage containers, scheduling for redemption by dealers and distributors and for exemptions or modifications to the labeling requirement of section 22a-244.

(2) The regulations adopted pursuant to subdivision (1) of this subsection shall also include provisions creating a prescribed accounting system for the reimbursement of the refund value for a redeemed beverage container. The commissioner shall adopt written policies and procedures to implement the provisions creating such prescribed accounting system while in the process of adopting such policies and procedures in regulation form, and the commissioner shall print a notice of intention to adopt the regulations in the Connecticut Law Journal not later than twenty days prior to implementing such policies and procedures. The commissioner shall submit final regulations to implement such policies and procedures to the legislative regulation review committee not later than May 1, 2009, unless a later date is approved by a majority vote of the members present of said committee. Policies and procedures implemented pursuant to this subdivision shall be valid until (A) May 1, 2009, or, if applicable, the later date approved by said committee pursuant to this subdivision, or (B) the time that the proposed final regulations are adopted or disapproved by said committee, whichever is earlier.

House Bill No. 7601

Sec. 13. Section 22a-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective February 1, 2009*):

Any person who violates any provision of section 22a-244 or 22a-245, as amended by this act, or section 11 of this act shall be fined not less than fifty dollars nor more than one hundred dollars, and for a second offense shall be fined not less than one hundred dollars nor more than two hundred dollars and for a third or subsequent offense shall be fined not less than two hundred fifty dollars [nor] or more than five hundred dollars.

Sec. 14. Subsection (a) of section 22a-6b of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective February 1, 2009*):

(a) The Commissioner of Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, to establish a schedule setting forth the amounts, or the ranges of amounts, or a method for calculating the amount of the civil penalties which may become due under this section. Such schedule or method may be amended from time to time in the same manner as for adoption provided any such regulations which become effective after July 1, 1993, shall only apply to violations which occur after said date. The civil penalties established for each violation shall be of such amount as to insure immediate and continued compliance with applicable laws, regulations, orders and permits. Such civil penalties shall not exceed the following amounts:

(1) For failure to file any registration, other than a registration for a general permit, for failure to file any plan, report or record, or any application for a permit, for failure to obtain any certification, for failure to display any registration, permit or order, or file any other information required pursuant to any provision of section 14-100b or 14-164c of the 2008 supplement to the general statutes, subdivision (3)

House Bill No. 7601

of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6 of the 2008 supplement to the general statutes, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d, as amended, inclusive, subsection (b) of section 22a-134p, section 22a-171, 22a-174, as amended, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-208, 22a-208a, as amended, 22a-209, 22a-213, 22a-220, 22a-231, section 11 of this act, section 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p of the 2008 supplement to the general statutes, as amended, 22a-358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive, 22a-411 of the 2008 supplement to the general statutes, as amended, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449 of the 2008 supplement to the general statutes, as amended, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order or permit adopted or issued thereunder by the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than one thousand dollars for said violation and in addition no more than one hundred dollars for each day during which such violation continues;

(2) For deposit, placement, removal, disposal, discharge or emission of any material or substance or electromagnetic radiation or the causing of, engaging in or maintaining of any condition or activity in violation of any provision of section 14-100b or 14-164c of the 2008 supplement to the general statutes, subdivision (3) of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6 of the 2008 supplement to the general statutes, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d, inclusive, as amended, section 22a-69 or 22a-74, subsection (b) of section 22a-134p, section 22a-162, 22a-171, 22a-174, as amended, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208, 22a-208a, as amended, 22a-209, 22a-213, 22a-220, 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p of the 2008 supplement to the general statutes, as amended, 22a-358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-

House Bill No. 7601

405, inclusive, 22a-411 of the 2008 supplement to the general statutes, as amended, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449 of the 2008 supplement to the general statutes, as amended, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order or permit adopted thereunder by the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than twenty-five thousand dollars for said violation for each day during which such violation continues;

(3) For violation of the terms of any final order of the commissioner, except final orders under subsection (d) of this section and emergency orders and cease and desist orders as set forth in subdivision (4) of this subsection, for violation of the terms of any permit issued by the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than twenty-five thousand dollars for said violation for each day during which such violation continues;

(4) For violation of any emergency order or cease and desist order of the commissioner, and for other violations of similar character as set forth in such schedule or schedules, no more than twenty-five thousand dollars for said violation for each day during which such violation continues;

(5) For failure to make an immediate report required pursuant to subdivision (3) of subsection (a) of section 22a-135, as amended, or a report required by the department pursuant to subsection (b) of section 22a-135, as amended, no more than twenty-five thousand dollars per violation per day;

(6) For violation of any provision of the state's hazardous waste program, no more than twenty-five thousand dollars per violation per day;

House Bill No. 7601

(7) For wilful violation of any condition imposed pursuant to section 26-313 which leads to the destruction of, or harm to, any rare, threatened or endangered species, no more than ten thousand dollars per violation per day;

(8) For violation of any provision of sections 22a-608 to 22a-611, inclusive, no more than the amount established by Section 325 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 USC 11001 et seq.) for a violation of Section 302, 304 or 311 to 313, inclusive, of said act.

Sec. 15. Subsection (a) of section 32-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2009*):

(a) In addition to any other powers, duties and responsibilities provided for in this chapter, chapter 131, chapter 579 and section 4-8 and subsection (a) of section 10-409, the commissioner shall have the following powers, duties and responsibilities: (1) To administer and direct the operations of the Department of Economic and Community Development; (2) to report annually to the Governor, as provided in section 4-60; (3) to conduct and administer the research and planning functions necessary to carry out the purposes of said chapters and sections; (4) to encourage and promote the development of industry and business in the state and to investigate, study and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Connecticut business, industry and commerce, within and outside the state; (5) to serve, ex officio as a director on the board of Connecticut Innovations, Incorporated; (6) to serve as a member of the Committee of Concern for Connecticut Jobs; (7) to promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose to cooperate with state and local agencies and individuals both within

House Bill No. 7601

and outside the state; (8) to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the state to this state and also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state for the same purposes; (9) to advise and cooperate with municipalities, persons and local planning agencies within the state for the purpose of promoting coordination between the state and such municipalities as to plans and development; (10) to provide all necessary staff, services, accounting and office space and equipment required by the Connecticut Development Authority subject to the provisions of section 4b-23 of the 2008 supplement to the general statutes, where real estate acquisitions are involved; (11) to aid minority businesses in their development; (12) to appoint such assistants, experts, technicians and clerical staff, subject to the provisions of chapter 67, as are necessary to carry out the purposes of said chapters and sections; (13) to employ other consultants and assistants on a contract or other basis for rendering financial, technical or other assistance and advice, provided in implementing the Connecticut economic information system the commissioner shall to the maximum extent feasible contract with private vendors for software, certain data sets and data updating services; (14) to acquire or lease facilities located outside the state subject to the provisions of section 4b-23 of the 2008 supplement to the general statutes; (15) to advise and inform municipal officials concerning economic development and collect and disseminate information pertaining thereto, including information about federal, state and private assistance programs and services pertaining thereto; (16) to inquire into the utilization of state government resources and coordinate federal and state activities for assistance in and solution of problems of economic development and to inform and advise the Governor about and propose legislation concerning such problems; (17) to conduct, encourage and maintain research and studies relating to industrial and commercial development; (18) to prepare and review

House Bill No. 7601

model ordinances and charters relating to these areas; (19) to maintain an inventory of data and information and act as a clearinghouse and referral agency for information on state and federal programs and services relative to the purpose set forth herein. The inventory shall include information on all federal programs of financial assistance for defense conversion projects and other projects consistent with a defense conversion strategy and shall identify businesses which would be eligible for such assistance and provide notification to such business of such programs; (20) to conduct, encourage and maintain research and studies and advise municipal officials about forms of cooperation between public and private agencies designed to advance economic development; (21) to promote and assist the formation of municipal and other agencies appropriate to the purposes of this chapter; (22) to require notice of the submission of all applications by municipalities and any agency thereof for federal and state financial assistance for economic development programs as relate to the purposes of this chapter; (23) with the approval of the Commissioner of Administrative Services, to reimburse any employee of the department, including the commissioner, for reasonable business expenses, including but not limited to, mileage, travel, lodging, and entertainment of business prospects and other persons to the extent necessary or advisable to carry out the purposes of subdivisions (4), (7), (8) and (11) of this subsection and other provisions of this chapter; (24) to assist in resolving solid waste management issues; [and] (25) to develop and implement the Connecticut economic information system, in consultation with the Connecticut Economic Information System Steering Committee established under section 32-6i; and (26) (A) to serve as an information clearinghouse for various public and private programs available to assist businesses, and (B) to identify specific micro businesses, as defined in section 32-344, whose growth and success could benefit from state or private assistance and contact such small businesses in order to (i) identify their needs, (ii) provide information about public and private programs for meeting such

House Bill No. 7601

needs, including, but not limited to, technical assistance, job training and financial assistance, and (iii) arrange for the provision of such assistance to such businesses.

Sec. 16. (*Effective January 1, 2009*) The sum of \$80,000 appropriated to the Office of Policy and Management in section 11 of public act 07-1 of the June special session, for Office of Business Advocate, shall be transferred to the Department of Economic and Community Development, for Personal Services, for costs associated with subsection (a) of section 32-1c of the general statutes, as amended by this act.

Sec. 17. Section 32-725 of the general statutes is repealed (*Effective January 1, 2009*).

Approved November 25, 2008