



General Assembly

Substitute Bill No. 201

February Session, 2008

* SB00201GAE 030308 *

AN ACT ESTABLISHING A DEMONSTRATION PROJECT FOR AN OFFICE OF ADMINISTRATIVE HEARINGS.

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

1 Section 1. (NEW) (*Effective July 1, 2008*) There shall be within the
2 executive department an Office of Administrative Hearings for the
3 purpose of separating the adjudicatory function from the investigatory
4 and prosecutorial functions of agencies in the executive department
5 and to perform the impartial administration and conduct of hearings
6 of contested cases in accordance with the provisions of sections 1 to 10,
7 inclusive, and 22 of this act and chapter 54 of the general statutes. The
8 central office of the Office of Administrative Hearings shall be
9 established within Hartford County.

10 Sec. 2. (NEW) (*Effective July 1, 2008*) (a) A Chief Administrative Law
11 Adjudicator shall be appointed by the Governor, to serve a term
12 expiring on March 1, 2009. Thereafter, the Governor shall, with the
13 advice and consent of the General Assembly, appoint the Chief
14 Administrative Law Adjudicator to serve for a four-year term or until
15 a successor has been appointed and qualified. To be eligible for
16 appointment, the Chief Administrative Law Adjudicator shall have
17 been admitted to the practice of law in this state for at least ten years
18 and shall be knowledgeable on the subject of administrative law. The
19 Chief Administrative Law Adjudicator shall take the oath of office

20 provided in section 1-25 of the general statutes prior to commencing
21 his or her duties, shall devote full time to the duties of the office of
22 Chief Administrative Law Adjudicator and shall not engage in the
23 private practice of law. The Chief Administrative Law Adjudicator
24 shall be eligible for reappointment.

25 (b) The Chief Administrative Law Adjudicator may be removed
26 during his or her term by the Governor for good cause shown.

27 (c) The Chief Administrative Law Adjudicator shall be exempt from
28 the classified service.

29 (d) The Chief Administrative Law Adjudicator, administrative law
30 adjudicators, assistants and other employees of the Office of
31 Administrative Hearings shall be entitled to the fringe benefits
32 applicable to other state employees, shall be included under the
33 provisions of chapters 65 and 66 of the general statutes regarding
34 disability and retirement of state employees, and shall receive full
35 retirement credit for each year or portion thereof for which retirement
36 benefits are paid for service as such Chief Administrative Law
37 Adjudicator, administrative law adjudicator, assistant or other
38 employee.

39 Sec. 3. (NEW) (*Effective July 1, 2008*) The Chief Administrative Law
40 Adjudicator shall be the chief executive officer of the Office of
41 Administrative Hearings and shall:

42 (1) Have all of the powers specifically granted in the general statutes
43 and any additional powers that are reasonable and necessary to enable
44 the Chief Administrative Law Adjudicator to carry out the duties of his
45 or her office, including, but not limited to, the powers and duties
46 specified in section 4-8 of the general statutes;

47 (2) Assign administrative law adjudicators in all cases referred to
48 the Office of Administrative Hearings, provided, in assigning an
49 administrative law adjudicator to a case, the Chief Administrative Law
50 Adjudicator shall, whenever practicable, assign an administrative law

51 adjudicator who has expertise in the legal issues or general subject
52 matter of the proceeding;

53 (3) Have all the powers and duties of an administrative law
54 adjudicator;

55 (4) Prepare an edited version of a proposed final decision and final
56 decision that shall not disclose protected information in any case
57 where any provision of the general statutes, federal law, state or
58 federal regulations, or an order of a court of competent jurisdiction
59 bars the disclosure of the identity of any person or party or bars the
60 disclosure of any other information;

61 (5) Collect, compile and prepare statistics and other data with
62 respect to the operations of the Office of Administrative Hearings and
63 submit annually to the Governor and the General Assembly a report
64 on such operations, including, but not limited to, the number of
65 hearings initiated, the number of proposed final decisions rendered,
66 the number of partial or total reversals of such decisions by the
67 agencies, the number of final decisions rendered and the number of
68 proceedings pending;

69 (6) Study the subject of administrative adjudication in all its aspects
70 and develop recommendations to promote the goals of impartiality,
71 fairness, uniformity and cost-effectiveness in the administration and
72 conduct of hearings of contested cases;

73 (7) Adopt regulations, in accordance with chapter 54 of the general
74 statutes, to carry out the provisions of sections 1 to 10, inclusive, and
75 22 of this act and sections 4-176e to 4-181a, inclusive, of the general
76 statutes, as amended by this act, and the policies of the Office of
77 Administrative Hearings in connection therewith. Such regulations,
78 with respect to contested cases heard by said office, shall supersede
79 any inconsistent agency regulations, policies or procedures, except
80 those provisions mandated by the general statutes or federal law, and
81 shall include, but not be limited to, standards related to time limits for
82 agency action in contested cases pursuant to applicable provisions of

83 the general statutes, and standards for the giving of notices of
84 hearings, for the scheduling of hearings and for the assignment of
85 administrative law adjudicators;

86 (8) Develop a program for the continuing education of
87 administrative law adjudicators in procedural due process and in the
88 substantive law of the agencies that are subject to the provisions of
89 section 8 of this act and training for ancillary personnel, and
90 implement such program; and

91 (9) Index, by name and subject, all written orders and final decisions
92 and make all indices, proposed final decisions and final decisions
93 available for public inspection, and copying electronically and to the
94 extent required by the Freedom of Information Act, as defined in
95 section 1-200 of the general statutes.

96 Sec. 4. (NEW) (*Effective October 1, 2008*) (a) Notwithstanding any
97 provision of the general statutes, each full-time employee or
98 permanent part-time employee of an agency subject to the provisions
99 of section 8 of this act whose primary duties (1) are to conduct hearings
100 in contested cases and issue final decisions or proposed final decisions,
101 including, but not limited to, human rights referees, staff attorneys,
102 hearing adjudicators and hearing officers, or (2) relate to providing
103 administrative services required for conducting such hearings and
104 issuing such decisions, shall be transferred to the Office of
105 Administrative Hearings, in accordance with the provisions of this
106 section and sections 4-38d, 4-38e and 4-39 of the general statutes.

107 (b) Persons transferred to the Office of Administrative Hearings
108 pursuant to this section and persons appointed by the Chief
109 Administrative Law Adjudicator pursuant to chapter 67 of the general
110 statutes shall be in the classified service, represented by the collective
111 bargaining representative of an employee organization, as defined in
112 section 5-270 of the general statutes, and subject to the provisions of
113 chapter 68 of the general statutes. Persons transferred to the Office of
114 Administrative Hearings pursuant to this section who are members of

115 an employee organization at the time of their transfer shall continue to
116 be represented by such employee organization.

117 (c) The salaries, seniority and benefits of persons transferred to the
118 Office of Administrative Hearings pursuant to this section shall not be
119 reduced as a result of the transfer.

120 (d) No promotions governed by any existing and applicable
121 memorandum of understanding between the Office of Labor Relations
122 and any collective bargaining representative for state employees shall
123 be denied, delayed, impaired or eliminated by the implementation of
124 sections 1 to 10, inclusive, of this act.

125 (e) (1) Persons transferred to the Office of Administrative Hearings
126 pursuant to this section who are members of a collective bargaining
127 unit at the time of their transfer shall (A) not lose the job classification
128 they had at the time of their transfer as a result of the transfer, and (B)
129 remain the beneficiaries of any existing and applicable memorandum
130 of understanding between the Office of Labor Relations and any
131 collective bargaining representative for state employees. The rights
132 and obligations contained in any memorandum of understanding that
133 applies to staff attorneys shall apply to administrative law adjudicators
134 transferred to the Office of Administrative Hearings and appointed by
135 the Chief Administrative Law Adjudicator.

136 (2) Persons transferred to the Office of Administrative Hearings
137 pursuant to this section who are not members of a collective
138 bargaining unit at the time of their transfer, and persons appointed by
139 the Chief Administrative Law Adjudicator, shall (A) have a job
140 classification commensurate with persons who are members of a
141 collective bargaining unit at the time of their transfer, and (B) be
142 subject to and become the beneficiaries of the terms of any existing and
143 applicable memorandum of understanding between the Office of
144 Labor Relations and any collective bargaining representative for state
145 employees, including the rights and obligations contained in any
146 memorandum of understanding that applies to staff attorneys.

147 (f) Time served in other agencies by persons transferred to the
148 Office of Administrative Hearings pursuant to this section shall be
149 recognized as qualifying experience and time in the Office of
150 Administrative Hearings shall count as successful and satisfactory
151 performance for career progression under any existing and applicable
152 memorandum of understanding between the Office of Labor Relations
153 and any collective bargaining representative for state employees.

154 (g) An administrative law adjudicator, assistant or other employee
155 of the Office of Administrative Hearings who is removed, suspended,
156 demoted or subjected to disciplinary action or other adverse
157 employment action may appeal such action in accordance with the
158 applicable collective bargaining agreement.

159 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) Each administrative law
160 adjudicator shall have been admitted to the practice of law in this state
161 for at least two years, except that such requirement shall not apply to
162 any administrative law adjudicator transferred pursuant to section 4 of
163 this act. Each administrative law adjudicator shall be knowledgeable
164 on the subject of administrative law.

165 (b) An administrative law adjudicator shall have the powers
166 granted to hearing officers and presiding officers pursuant to sections
167 1 to 10, inclusive, and 22 of this act and chapter 54 of the general
168 statutes.

169 Sec. 6. (NEW) (*Effective October 1, 2008*) All hearings in contested
170 cases conducted by the Office of Administrative Hearings shall be
171 conducted by an administrative law adjudicator assigned by the Chief
172 Administrative Law Adjudicator and shall be conducted in accordance
173 with sections 1 to 10, inclusive, and 22 of this act and sections 4-176e to
174 4-181a, inclusive, of the general statutes, as amended by this act.

175 Sec. 7. (NEW) (*Effective October 1, 2008*) An administrative law
176 adjudicator may conduct hearings, mediations and settlement
177 negotiations held by the Office of Administrative Hearings. If a
178 contested case is not resolved through mediation or settlement, either

179 party may proceed to a hearing. An administrative law adjudicator
180 who attempts to settle or mediate a matter may not thereafter be
181 assigned to hear the matter. If a contested case is resolved by
182 stipulation, agreed settlement or consent order, the administrative law
183 adjudicator shall issue an order dismissing the contested case. The
184 order shall incorporate by reference such stipulation, agreed settlement
185 or consent order which shall be attached thereto. The order shall
186 further provide that no findings of fact or conclusions of law have been
187 made regarding any alleged violations of the law. The order and
188 stipulation, agreed settlement or consent order may be enforceable by
189 any party in the superior court for the judicial district of New Britain.

190 Sec. 8. (NEW) (*Effective October 1, 2008*) (a) Notwithstanding any
191 provision of the general statutes, and except as otherwise provided in
192 sections 9 and 10 of this act, on and after the effective date of this
193 section, the Office of Administrative Hearings shall conduct hearings
194 and render proposed final decisions or, if authorized or required by
195 law, final decisions in contested cases:

196 (1) Pursuant to subdivision (3) of subsection (b) of section 4-61dd of
197 the general statutes;

198 (2) Brought by or before the Department of Children and Families;

199 (3) Brought by or before the Department of Transportation; and

200 (4) Brought by or before the Commission on Human Rights and
201 Opportunities.

202 (b) Any agency that is not required to refer contested cases to the
203 Office of Administrative Hearings pursuant to this section may, with
204 the consent of the Chief Administrative Law Adjudicator, refer any
205 contested case brought by or before such agency, to the Office of
206 Administrative Hearings for purposes of mediation, settlement or a
207 full adjudication of the contested case by an administrative law
208 adjudicator.

209 (c) The powers, functions and duties of conducting hearings and
210 issuing decisions in contested cases enumerated in subsections (a) and
211 (b) of this section shall, on the date specified in subsection (a) or the
212 date of referral in subsection (b), be transferred to the Office of
213 Administrative Hearings in accordance with the provisions of sections
214 4-38d, 4-38e and 4-39 of the general statutes.

215 (d) Any hearing officer under contract with an agency to conduct
216 hearings and issue decisions in contested cases enumerated in
217 subsections (a) and (b) of this section shall, on and after the date
218 specified in subsection (a) or the date of referral in subsection (b),
219 continue to serve until all such cases assigned to such hearing officer
220 are completed, unless the Chief Administrative Law Adjudicator
221 determines that the case shall be reassigned to an administrative law
222 adjudicator.

223 (e) Nothing in this section shall be construed to apply to the State
224 Board of Mediation and Arbitration or the State Board of Labor
225 Relations.

226 (f) The Department of Children and Families shall execute any
227 requisite contract with the Office of Administrative Hearings that is
228 necessary to maintain and secure any federal or state funding or
229 reimbursement.

230 Sec. 9. (NEW) (*Effective July 1, 2008*) No administrative law
231 adjudicator may be assigned by the Chief Administrative Law
232 Adjudicator to hear a contested case with respect to:

233 (1) Any hearing that is required by federal law to be conducted by a
234 specific agency or other hearing authority; or

235 (2) Any matter where the head of the agency, or one or more of the
236 members of a multimember agency, presides at the hearing in a
237 contested case.

238 Sec. 10. (NEW) (*Effective July 1, 2008*) On and after October 1, 2011,

239 the Governor, at the request of the head of any agency subject to the
240 provisions of subsection (a) of section 8 of this act and for good cause
241 shown, may exempt such agency from the requirements of said
242 section.

243 Sec. 11. Subsection (e) of section 2c-2b of the 2008 supplement to the
244 general statutes is amended by adding subdivision (21) as follows
245 (*Effective July 1, 2008*):

246 (NEW) (21) The Office of Administrative Hearings established
247 under section 1 of this act.

248 Sec. 12. Section 4-166 of the general statutes is repealed and the
249 following is substituted in lieu thereof (*Effective October 1, 2008*):

250 As used in this chapter and sections 1 to 10, inclusive, and 22 of this
251 act, unless the context otherwise requires:

252 (1) "Agency" means each state board, commission, department or
253 officer authorized by law to make regulations or to determine
254 contested cases, but does not include either house or any committee of
255 the General Assembly, the courts, the Council on Probate Judicial
256 Conduct, the Governor, Lieutenant Governor or Attorney General, or
257 town or regional boards of education, or automobile dispute
258 settlement panels established pursuant to section 42-181 of the 2008
259 supplement to the general statutes;

260 (2) "Contested case" means a proceeding, including but not
261 restricted to rate-making, price fixing and licensing, in which the legal
262 rights, duties or privileges of a party are required by state statute or
263 regulation to be determined by an agency or by the Office of
264 Administrative Hearings after an opportunity for hearing or in which a
265 hearing is in fact held, but does not include proceedings on a petition
266 for a declaratory ruling under section 4-176, as amended by this act,
267 hearings referred to in section 4-168 of the 2008 supplement of the
268 general statutes or hearings conducted by the Department of
269 Correction or the Board of Pardons and Paroles;

270 (3) "Final decision" means (A) the [agency] determination in a
271 contested case made pursuant to section 4-179, as amended by this act,
272 section 22 of this act and section 4-180, as amended by this act, (B) a
273 declaratory ruling issued by an agency pursuant to section 4-176, as
274 amended by this act, or (C) [an agency] a decision made after
275 reconsideration of a final decision. The term does not include a
276 preliminary or intermediate ruling or order, [of an agency,] or a ruling
277 [of an agency] granting or denying a petition for reconsideration;

278 (4) "Hearing officer" means an individual appointed by an agency to
279 conduct a hearing in an agency proceeding that is not conducted by an
280 administrative law adjudicator pursuant to section 8 of this act. Such
281 individual may be a staff employee of the agency;

282 (5) "Intervenor" means a person, other than a party, granted status
283 as an intervenor by an agency in accordance with the provisions of
284 subsection (d) of section 4-176 or subsection (b) of section 4-177a, as
285 amended by this act;

286 (6) "License" includes the whole or part of any agency permit,
287 certificate, approval, registration, charter or similar form of permission
288 required by law, but does not include a license required solely for
289 revenue purposes;

290 (7) "Licensing" includes the agency process respecting the grant,
291 denial, renewal, revocation, suspension, annulment, withdrawal or
292 amendment of a license;

293 (8) "Party" means each person (A) whose legal rights, duties or
294 privileges are required by statute to be determined by an agency
295 proceeding and who is named or admitted as a party, (B) who is
296 required by law to be a party in an agency proceeding, or (C) who is
297 granted status as a party under subsection (a) of section 4-177a, as
298 amended by this act;

299 (9) "Person" means any individual, partnership, corporation, limited
300 liability company, association, governmental subdivision, agency or

301 public or private organization of any character, but does not include
302 the agency conducting the proceeding;

303 (10) "Presiding officer" means the head of the agency presiding at a
304 hearing, the member of [an] a multimember agency or the hearing
305 officer designated by the head of the agency to preside at [the] a
306 hearing, or an administrative law adjudicator presiding at a hearing;

307 (11) "Proposed final decision" means a final decision proposed by an
308 agency or a presiding officer under section 4-179, as amended by this
309 act, or section 22 of this act;

310 (12) "Proposed regulation" means a proposal by an agency under
311 the provisions of section 4-168 of the 2008 supplement to the general
312 statutes for a new regulation or for a change in, addition to or repeal of
313 an existing regulation;

314 (13) "Regulation" means each agency statement of general
315 applicability, without regard to its designation, that implements,
316 interprets, or prescribes law or policy, or describes the organization,
317 procedure, or practice requirements of any agency. The term includes
318 the amendment or repeal of a prior regulation, but does not include
319 (A) statements concerning only the internal management of any
320 agency and not affecting private rights or procedures available to the
321 public, (B) declaratory rulings issued pursuant to section 4-176, as
322 amended by this act, or (C) intra-agency or interagency memoranda;

323 (14) "Regulation-making" means the process for formulation and
324 adoption of a regulation;

325 (15) "Administrative law adjudicator" means an administrative law
326 judge transferred in accordance with sections 2 to 5, inclusive, of this
327 act or a person appointed pursuant to section 4 of this act to conduct
328 administrative hearings;

329 (16) "Head of the agency" means the individual or group of
330 individuals constituting the highest authority within an agency.

331 Sec. 13. Subsection (g) of section 4-176 of the general statutes is
332 repealed and the following is substituted in lieu thereof (*Effective*
333 *October 1, 2008*):

334 (g) If the agency conducts a hearing in a proceeding for a
335 declaratory ruling, the provisions of [subsection (b) of section 4-177c,]
336 section 4-178, as amended by this act, and section 4-179, as amended
337 by this act, shall apply to the hearing.

338 Sec. 14. Section 4-176e of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective October 1, 2008*):

340 Except as otherwise required by the general statutes, a [hearing in
341 an agency proceeding may be held before (1)] contested case shall be
342 heard by (1) an administrative law adjudicator, (2) the head of the
343 agency, (3) one or more of the members of a multimember agency, or
344 (4) one or more hearing officers, provided no individual who has
345 personally carried out the function of an investigator in a contested
346 case may serve as a hearing officer in that case. [, or (2) one or more of
347 the members of the agency.]

348 Sec. 15. Section 4-177 of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective October 1, 2008*):

350 (a) In a contested case, all parties shall be afforded an opportunity
351 for hearing after reasonable notice from the agency.

352 (b) The notice shall be in writing and shall include: (1) A statement
353 of the time, place [,] and nature of the hearing or, if the contested case
354 has been referred to the Office of Administrative Hearings, a statement
355 that the matter has been referred to the Office of Administrative
356 Hearings and that the time and place of the hearing will be set by an
357 administrative law adjudicator; (2) a statement of the legal authority
358 and jurisdiction under which the hearing is to be held; (3) a reference
359 to the particular sections of the statutes and regulations involved; and
360 (4) a short and plain statement of the matters asserted. If the agency or
361 party is unable to state the matters in detail at the time the notice is

362 served, the initial notice may be limited to a statement of the issues
363 involved. Thereafter, upon application, a more definite and detailed
364 statement shall be furnished.

365 (c) After an agency refers a contested case to the Office of
366 Administrative Hearings, the agency shall certify the official record in
367 such contested case to the Office of Administrative Hearings. The
368 Office of Administrative Hearings shall issue a notice in writing to all
369 parties that shall include a statement of the time, place and nature of
370 the hearing. Thereafter, a party shall file all documents that are to
371 become part of such record with the Office of Administrative
372 Hearings. The filing of such documents with the agency rather than
373 with the Office of Administrative Hearings shall not be a jurisdictional
374 defect and shall not be grounds for termination of the proceeding,
375 provided the administrative law adjudicator may assess appropriate
376 costs and sanctions against a party who misfiles such documents on a
377 showing of prejudice resulting from a wilful misfiling. The Office of
378 Administrative Hearings shall maintain the official record of a
379 contested case referred to said office.

380 [(c)] (d) Unless precluded by law, a contested case may be resolved
381 by stipulation, agreed settlement [,] or consent order or by the default
382 of a party.

383 [(d)] (e) The record in a contested case shall include: (1) Written
384 notices related to the case; (2) all petitions, pleadings, motions and
385 intermediate rulings; (3) evidence received or considered; (4) questions
386 and offers of proof, objections and rulings thereon; (5) the official
387 transcript, if any, of proceedings relating to the case, or, if not
388 transcribed, any recording or stenographic record of the proceedings;
389 (6) proposed final decisions and exceptions thereto; and (7) the final
390 decision.

391 [(e)] (f) Any recording or stenographic record of the proceedings
392 shall be transcribed on request of any party. The requesting party shall
393 pay the cost of such transcript, unless otherwise provided by law.

394 Nothing in this section shall relieve an agency of its responsibility
395 under section 4-183, as amended by this act, to transcribe the record for
396 an appeal.

397 Sec. 16. Section 4-177a of the general statutes is repealed and the
398 following is substituted in lieu thereof (*Effective October 1, 2008*):

399 (a) The presiding officer shall grant a person status as a party in a
400 contested case if [that] such officer finds that: (1) Such person has
401 submitted a written petition to the agency or presiding officer, and
402 mailed copies to all parties, at least five days before the date of
403 hearing; and (2) the petition states facts that demonstrate that the
404 petitioner's legal rights, duties or privileges shall be specifically
405 affected by [the agency's] a decision in the contested case.

406 (b) The presiding officer may grant any person status as an
407 intervenor in a contested case if [that] such officer finds that: (1) Such
408 person has submitted a written petition to the agency or presiding
409 officer, and mailed copies to all parties, at least five days before the
410 date of hearing; and (2) the petition states facts that demonstrate that
411 the petitioner's participation is in the interests of justice and will not
412 impair the orderly conduct of the proceedings.

413 (c) The five-day requirement in subsections (a) and (b) of this
414 section may be waived at any time before or after commencement of
415 the hearing by the presiding officer on a showing of good cause.

416 (d) If a petition is granted pursuant to subsection (b) of this section,
417 the presiding officer may limit the intervenor's participation to
418 designated issues in which the intervenor has a particular interest as
419 demonstrated by the petition and shall define the intervenor's rights to
420 inspect and copy records, physical evidence, papers and documents, to
421 introduce evidence [,] and to argue and cross-examine on those issues.
422 The presiding officer may further restrict the participation of an
423 intervenor in the proceedings, including the rights to inspect and copy
424 records, to introduce evidence and to cross-examine, so as to promote
425 the orderly conduct of the proceedings.

426 Sec. 17. Section 4-177b of the general statutes is repealed and the
427 following is substituted in lieu thereof (*Effective October 1, 2008*):

428 In a contested case, the presiding officer may administer oaths, take
429 testimony under oath relative to the case, subpoena witnesses and
430 require the production of records, physical evidence, papers and
431 documents to any hearing held in the case. If any person disobeys the
432 subpoena or, having appeared, refuses to answer any question put to
433 [him] such person or to produce any records, physical evidence,
434 papers and documents requested by the presiding officer, the
435 administrative law adjudicator or, if the hearing is conducted by the
436 agency, the agency may apply to the superior court for the judicial
437 district of [Hartford] New Britain or for the judicial district in which
438 the person resides, or to any judge of that court if it is not in session,
439 setting forth the disobedience to the subpoena or refusal to answer or
440 produce, and the court or judge shall cite the person to appear before
441 the court or judge to show cause why the records, physical evidence,
442 papers and documents should not be produced or why a question put
443 to [him] such person should not be answered. Nothing in this section
444 shall be construed to limit the authority of the agency, the
445 administrative law adjudicator or any party as otherwise allowed by
446 law.

447 Sec. 18. Section 4-177c of the general statutes is repealed and the
448 following is substituted in lieu thereof (*Effective October 1, 2008*):

449 [(a)] In a contested case, each party and the agency, including an
450 agency conducting the proceeding, shall be afforded the opportunity
451 (1) to inspect and copy relevant and material records, papers and
452 documents not in the possession of the party or such agency, except as
453 otherwise provided by federal law or any other provision of the
454 general statutes, and (2) at a hearing, to respond, to cross-examine
455 other parties, intervenors [,] and witnesses, and to present evidence
456 and argument on all issues involved.

457 [(b)] Persons not named as parties or intervenors may, in the

458 discretion of the presiding officer, be given an opportunity to present
459 oral or written statements. The presiding officer may require any such
460 statement to be given under oath or affirmation.]

461 Sec. 19. Section 4-178 of the general statutes is repealed and the
462 following is substituted in lieu thereof (*Effective October 1, 2008*):

463 In contested cases: (1) Any oral or documentary evidence may be
464 received, but the [agency] presiding officer shall, as a matter of policy,
465 provide for the exclusion of irrelevant, immaterial or unduly
466 repetitious evidence; (2) [agencies shall give effect to] the rules of
467 privilege recognized by law shall be given effect; (3) when a hearing
468 will be expedited and the interests of the parties will not be prejudiced
469 substantially, any part of the evidence may be received in written
470 form; (4) documentary evidence may be received in the form of copies
471 or excerpts, if the original is not readily available, and upon request,
472 parties and the agency, including an agency conducting the
473 proceeding, shall be given an opportunity to compare the copy with
474 the original; (5) a party and [such] the agency, including an agency
475 conducting the proceeding, may conduct cross-examinations required
476 for a full and true disclosure of the facts; (6) notice may be taken of
477 judicially cognizable facts; [and of] (7) in a proceeding conducted by
478 the agency or in an agency review of a proposed final decision, notice
479 may be taken of generally recognized technical or scientific facts
480 within the agency's specialized knowledge; [(7)] (8) parties shall be
481 notified in a timely manner of any material noticed, including any
482 agency memoranda or data, and they shall be afforded an opportunity
483 to contest the material so noticed; and [(8) the agency's] (9) in a
484 proceeding conducted by the agency or in an agency review of a
485 proposed final decision, the agency may use its experience, technical
486 competence [,] and specialized knowledge [may be used] in the
487 evaluation of the evidence.

488 Sec. 20. Section 4-178a of the general statutes is repealed and the
489 following is substituted in lieu thereof (*Effective October 1, 2008*):

490 If a hearing in a contested case or in a declaratory ruling proceeding
491 is held before a hearing officer or before less than a majority of the
492 members of the agency who are authorized by law to render a final
493 decision, a party, if permitted by regulation and before rendition of the
494 final decision, may request a review by a majority of the members of
495 the agency, of any preliminary, procedural or evidentiary ruling made
496 at the hearing. The majority of the members may make an appropriate
497 order, including the reconvening of the hearing. The provisions of this
498 section do not apply to a hearing conducted by an administrative law
499 adjudicator.

500 Sec. 21. Section 4-179 of the general statutes is repealed and the
501 following is substituted in lieu thereof (*Effective October 1, 2008*):

502 (a) When, in an agency proceeding that is not conducted by an
503 administrative law adjudicator, a majority of the members of the
504 agency who are to render the final decision have not heard the matter
505 or read the record, the decision, if adverse to a party, shall not be
506 rendered until a proposed final decision is served upon the parties,
507 and an opportunity is afforded to each party adversely affected to file
508 exceptions and present briefs and oral argument to the members of the
509 agency who are to render the final decision.

510 (b) A proposed final decision made under this section shall be in
511 writing and [contain a statement of the reasons for the decision and a
512 finding of facts and conclusion of law on each issue of fact or law
513 necessary to the decision] shall comply with the requirements of
514 subsection (c) of section 4-180, as amended by this act.

515 (c) Except when authorized by law to render a final decision for an
516 agency, a hearing officer shall, after hearing a matter, make a proposed
517 final decision.

518 (d) The parties and the agency conducting the proceeding, by
519 written stipulation, may waive compliance with this section.

520 Sec. 22. (NEW) (*Effective October 1, 2008*) (a) A proposed final

521 decision rendered by an administrative law adjudicator shall be
522 delivered promptly to each party or the party's authorized
523 representative, and to the agency, personally or by United States mail,
524 certified or registered, postage prepaid, return receipt requested. After
525 such proposed final decision is rendered, the record in the contested
526 case shall be delivered promptly to the agency.

527 (b) A proposed final decision rendered by an administrative law
528 adjudicator shall become a final decision of the agency unless the head
529 of the agency, not later than twenty-one days following the date the
530 proposed final decision is delivered or mailed to the agency, modifies
531 or rejects the proposed final decision, provided the head of the agency
532 may, before expiration of such time period and for good cause, certify
533 the extension of such time period for not more than an additional
534 twenty-one days. If the head of the agency modifies or rejects the
535 proposed final decision, the head of the agency shall state the reason
536 for the modification or rejection on the record. In reviewing a proposed
537 final decision rendered by an administrative law adjudicator, the head
538 of the agency may afford each party, including the agency, an
539 opportunity to present briefs and may afford each party, including the
540 agency, an opportunity to present oral argument.

541 (c) If, within the time period provided in subsection (b) of this
542 section, the head of the agency, in reviewing a proposed final decision
543 rendered by an administrative law adjudicator, determines that
544 additional evidence is necessary, the head of the agency shall refer the
545 matter to the Office of Administrative Hearings. The Chief
546 Administrative Law Adjudicator shall assign the administrative law
547 adjudicator who rendered such proposed final decision to take the
548 additional evidence unless such administrative law adjudicator is
549 unavailable. After taking the additional evidence, the administrative
550 law adjudicator shall, not later than thirty days following such referral,
551 prepare a proposed final decision as provided in this section based on
552 such additional evidence and the record of the prior hearing.

553 (d) A proposed final decision made under this section shall be in

554 writing and shall comply with the requirements of subsection (c) of
555 section 4-180 of the general statutes, as amended by this act.

556 Sec. 23. Section 4-180 of the general statutes is repealed and the
557 following is substituted in lieu thereof (*Effective October 1, 2008*):

558 (a) Each agency and administrative law adjudicator shall proceed
559 with reasonable dispatch to conclude any matter pending before [it]
560 such agency or administrative law adjudicator and, in all hearings of
561 contested cases conducted by the agency or the administrative law
562 adjudicator, shall render a final decision within ninety days following
563 the close of evidence or the due date for the filing of briefs, whichever
564 is later. [, in such proceedings.]

565 (b) If, in any contested case, any agency or administrative law
566 adjudicator fails to comply with the provisions of subsection (a) of this
567 section, [in any contested case, any party thereto] any party to such
568 contested case may apply to the superior court for the judicial district
569 of [Hartford] New Britain for an order requiring the agency or
570 administrative law adjudicator to render a proposed final decision or a
571 final decision forthwith. The court, after hearing, shall issue an
572 appropriate order.

573 (c) A final decision in a contested case shall be in writing or, if there
574 is no proposed final decision, orally stated on the record. [and, if
575 adverse to a party,] A proposed final decision and a final decision in a
576 contested case shall include [the agency's] findings of fact and
577 conclusions of law necessary to [its] the decision and shall be made by
578 applying all pertinent provisions of law. Findings of fact shall be based
579 exclusively on the evidence in the record and on matters noticed. The
580 [agency shall state in] proposed final decision and the final decision
581 shall contain the name of each party and the most recent mailing
582 address, provided to the agency, of the party or [his] the party's
583 authorized representative. If the final decision is orally stated on the
584 record, each such name and mailing address shall be included in the
585 record.

586 (d) The final decision shall be delivered promptly to each party or
587 [his] the party's authorized representative and, in the case of a final
588 decision by an administrative law adjudicator authorized by law to
589 render such decision, to the agency, personally or by United States
590 mail, certified or registered, postage prepaid, return receipt requested.
591 [The] An agency rendering a final decision shall immediately transmit
592 a copy of such decision to the Office of Administrative Hearings. A
593 proposed final decision that becomes a final decision because of
594 agency inaction, as provided in subsection (b) of section 22 of this act,
595 shall become effective at the expiration of the time period specified in
596 said subsection or on a later date specified in such proposed final
597 decision. Any other final decision shall be effective when personally
598 delivered or mailed or on a later date specified [by the agency] in such
599 final decision. The date of delivery or mailing of a proposed final
600 decision and a final decision shall be endorsed on the front of the
601 decision or on a transmittal sheet included with the decision.

602 Sec. 24. Subsection (a) of section 4-181 of the general statutes is
603 repealed and the following is substituted in lieu thereof (*Effective*
604 *October 1, 2008*):

605 (a) Unless required for the disposition of ex parte matters
606 authorized by law, no hearing officer, administrative law adjudicator
607 or member of an agency who, in a contested case, is to render a final
608 decision or to make a proposed final decision shall communicate,
609 directly or indirectly, in connection with any issue of fact, with any
610 person or party, or, in connection with any issue of law, with any party
611 or the party's representative, without notice and opportunity for all
612 parties to participate.

613 Sec. 25. Section 4-181a of the general statutes is repealed and the
614 following is substituted in lieu thereof (*Effective October 1, 2008*):

615 (a) (1) Unless otherwise provided by law, a party or the agency in a
616 contested case may, within fifteen days after the personal delivery or
617 mailing of the final decision or within fifteen days after the date that a

618 proposed final decision becomes a final decision because of agency
619 inaction, as provided in subsection (b) of section 22 of this act, file with
620 the [agency] authority that rendered the final decision a petition for
621 reconsideration of the decision on the ground that: (A) An error of fact
622 or law should be corrected; (B) new evidence has been discovered
623 which materially affects the merits of the case and which for good
624 reasons was not presented in the agency proceeding; or (C) other good
625 cause for reconsideration has been shown. Within twenty-five days of
626 the filing of the petition, [the agency] such authority shall decide
627 whether to reconsider the final decision. The failure of [the agency]
628 such authority to make [that] such determination within twenty-five
629 days of such filing shall constitute a denial of the petition.

630 (2) Within forty days of the personal delivery or mailing of the final
631 decision, the [agency] authority that rendered the final decision,
632 regardless of whether a petition for reconsideration has been filed,
633 may decide to reconsider the final decision.

634 (3) If the [agency] authority that rendered the final decision decides
635 to reconsider [a] the final decision, pursuant to subdivision (1) or (2) of
636 this subsection, [the agency] such authority shall proceed in a
637 reasonable time to conduct such additional proceedings as may be
638 necessary to render a decision modifying, affirming or reversing the
639 final decision, provided such decision made after reconsideration shall
640 be rendered not later than ninety days following the date on which
641 [the agency] such authority decides to reconsider the final decision. If
642 [the agency] such authority fails to render such decision made after
643 reconsideration within such ninety-day period, the original final
644 decision shall remain the final decision in the contested case for
645 purposes of any appeal under the provisions of section 4-183, as
646 amended by this act.

647 (4) Except as otherwise provided in subdivision (3) of this
648 subsection, [an agency] a decision made after reconsideration pursuant
649 to this subsection shall become the final decision in the contested case
650 in lieu of the original final decision for purposes of any appeal under

651 the provisions of section 4-183, as amended by this act, including, but
652 not limited to, an appeal of (A) any issue decided by the [agency]
653 authority that rendered the final decision in its original final decision
654 that was not the subject of any petition for reconsideration or [the
655 agency's] such authority's decision made after reconsideration, (B) any
656 issue as to which reconsideration was requested but not granted, and
657 (C) any issue that was reconsidered but not modified by [the agency]
658 such authority from the determination of such issue in the original
659 final decision.

660 (b) On a showing of changed conditions, the [agency] authority that
661 rendered the final decision may reverse or modify the final decision, at
662 any time, at the request of any person or on [the agency's] such
663 authority's own motion. The procedure set forth in this chapter for
664 contested cases shall be applicable to any proceeding in which such
665 reversal or modification of any final decision is to be considered. The
666 party or parties who were the subject of the original final decision, or
667 their successors, if known, and intervenors in the original contested
668 case, shall be notified of the proceeding and shall be given the
669 opportunity to participate in the proceeding. Any decision to reverse
670 or modify a final decision shall make provision for the rights or
671 privileges of any person who has been shown to have relied on such
672 final decision.

673 (c) The [agency] authority that rendered the final decision may,
674 without further proceedings, modify a final decision to correct any
675 clerical error. A person may appeal [that] such modification under the
676 provisions of section 4-183, as amended by this act, or, if an appeal is
677 pending when the modification is made, may amend the appeal.

678 (d) For the purposes of this section and section 4-183, as amended
679 by this act, in the case of a proposed final decision that becomes a final
680 decision because of agency inaction, as provided in subsection (b) of
681 section 22 of this act, the authority that rendered the final decision
682 shall be deemed to be the agency.

683 Sec. 26. Section 4-183 of the general statutes is repealed and the
684 following is substituted in lieu thereof (*Effective October 1, 2008*):

685 (a) A person who has exhausted all administrative remedies
686 available within the agency and who is aggrieved by a final decision
687 may appeal to the Superior Court as provided in this section. The filing
688 of a petition for reconsideration is not a prerequisite to the filing of
689 such an appeal.

690 (b) A person may appeal a preliminary, procedural or intermediate
691 agency action or ruling to the Superior Court if (1) it appears likely that
692 the person will otherwise qualify under this chapter to appeal from the
693 final agency action or ruling, and (2) postponement of the appeal
694 would result in an inadequate remedy.

695 (c) (1) Within forty-five days after mailing of the final decision
696 under section 4-180, as amended by this act, or, if there is no mailing,
697 within forty-five days after personal delivery of the final decision
698 under said section, or (2) within forty-five days after the [agency]
699 authority that rendered the final decision denies a petition for
700 reconsideration of the final decision pursuant to subdivision (1) of
701 subsection (a) of section 4-181a, as amended by this act, or (3) within
702 forty-five days after mailing of the final decision made after
703 reconsideration pursuant to subdivisions (3) and (4) of subsection (a)
704 of section 4-181a, as amended by this act, or, if there is no mailing,
705 within forty-five days after personal delivery of the final decision
706 made after reconsideration pursuant to said subdivisions, or (4) within
707 forty-five days after the expiration of the ninety-day period required
708 under subdivision (3) of subsection (a) of section 4-181a, as amended
709 by this act, if [the agency] such authority decides to reconsider the final
710 decision and fails to render a decision made after reconsideration
711 within such period, or (5) if a proposed final decision becomes a final
712 decision because of agency inaction, as provided in subsection (b) of
713 section 22 of this act, within forty-five days after the decision becomes
714 final, whichever is applicable and is later, a person appealing as
715 provided in this section shall serve a copy of the appeal on the agency

716 [that rendered the final decision] at its office or at the office of the
717 Attorney General in Hartford and file the appeal with the clerk of the
718 superior court for the judicial district of New Britain or for the judicial
719 district wherein the person appealing resides or, if [that] such person is
720 not a resident of this state, with the clerk of the court for the judicial
721 district of New Britain. An appeal of a final decision under this section
722 shall be taken within such applicable forty-five-day period regardless
723 of the effective date of the final decision. Within [that] such time, the
724 person appealing shall also serve a copy of the appeal on each party
725 listed in the final decision at the address shown in the decision,
726 provided failure to make such service within forty-five days on parties
727 other than the agency [that rendered the final decision] shall not
728 deprive the court of jurisdiction over the appeal. Service of the appeal
729 shall be made by United States mail, certified or registered, postage
730 prepaid, return receipt requested, without the use of a state marshal or
731 other officer, or by personal service by a proper officer or indifferent
732 person making service in the same manner as complaints are served in
733 ordinary civil actions. If service of the appeal is made by mail, service
734 shall be effective upon deposit of the appeal in the mail.

735 (d) The person appealing, not later than fifteen days after filing the
736 appeal, shall file or cause to be filed with the clerk of the court an
737 affidavit, or the state marshal's return, stating the date and manner in
738 which a copy of the appeal was served on each party and on the
739 agency [that rendered the final decision,] and, if service was not made
740 on a party, the reason for failure to make service. If the failure to make
741 service causes prejudice to any party to the appeal or to the agency, the
742 court, after hearing, may dismiss the appeal.

743 (e) If service has not been made on a party, the court, on motion,
744 shall make such orders of notice of the appeal as are reasonably
745 calculated to notify each party not yet served.

746 (f) The filing of an appeal shall not, of itself, stay enforcement of [an
747 agency] a final decision. An application for a stay may be made to the
748 agency, to the court or to both. Filing of an application with the agency

749 shall not preclude action by the court. A stay, if granted, shall be on
750 appropriate terms.

751 (g) Within thirty days after the service of the appeal, or within such
752 further time as may be allowed by the court, the agency shall
753 transcribe any portion of the record that has not been transcribed and
754 transmit to the reviewing court the original or a certified copy of the
755 entire record of the proceeding appealed from, which shall include the
756 [agency's] findings of fact and conclusions of law, separately stated. By
757 stipulation of all parties to such appeal proceedings, the record may be
758 shortened. A party unreasonably refusing to stipulate to limit the
759 record may be taxed by the court for the additional costs. The court
760 may require or permit subsequent corrections or additions to the
761 record.

762 (h) If, before the date set for hearing on the merits of an appeal,
763 application is made to the court for leave to present additional
764 evidence, and it is shown to the satisfaction of the court that the
765 additional evidence is material and that there were good reasons for
766 failure to present it in the proceeding before the [agency] authority that
767 rendered the final decision, the court may order that the additional
768 evidence be taken before [the agency] such authority upon conditions
769 determined by the court. [The agency] Such authority may modify its
770 findings and decision by reason of the additional evidence and shall
771 file [that] such evidence and any modifications, new findings [,] or
772 decisions with the reviewing court.

773 (i) [The] Except as otherwise provided by law, the appeal shall be
774 conducted by the court without a jury and shall be confined to the
775 record. If alleged irregularities in procedure before the [agency]
776 presiding officer are not shown in the record or if facts necessary to
777 establish aggrievement are not shown in the record, proof limited
778 thereto may be taken in the court. The court, upon request, shall hear
779 oral argument and receive written briefs.

780 (j) [The] Unless a different standard of review is provided by law,

781 the court shall not substitute its judgment for that of the [agency]
782 authority that rendered the final decision as to the weight of the
783 evidence on questions of fact. The court shall affirm the final decision
784 [of the agency] unless the court finds that substantial rights of the
785 person appealing have been prejudiced because the administrative
786 findings, inferences, conclusions [,] or decisions are: (1) In violation of
787 constitutional or statutory provisions; (2) in excess of the statutory
788 authority of the agency; (3) made upon unlawful procedure; (4)
789 affected by other error of law; (5) clearly erroneous in view of the
790 reliable, probative [,] and substantial evidence on the whole record; or
791 (6) arbitrary or capricious or characterized by abuse of discretion or
792 clearly unwarranted exercise of discretion. If the court finds such
793 prejudice, [it] the court shall sustain the appeal and, if appropriate,
794 may render a judgment under subsection (k) of this section or remand
795 the case for further proceedings. For the purposes of this section, a
796 remand is a final judgment.

797 (k) If a particular agency action is required by law, the court, on
798 sustaining the appeal, may render a judgment that modifies the
799 [agency] final decision, orders the particular agency action, or orders
800 the agency to take such action as may be necessary to effect the
801 particular action.

802 (l) In all appeals taken under this section, costs may be taxed in
803 favor of the prevailing party in the same manner, and to the same
804 extent, that costs are allowed in judgments rendered by the Superior
805 Court. No costs shall be taxed against the state, except as provided in
806 section 4-184a.

807 (m) In any case in which a person appealing claims that [he] such
808 person cannot pay the costs of an appeal under this section, [he] such
809 person shall, within the time permitted for filing the appeal, file with
810 the clerk of the court to which the appeal is to be taken an application
811 for waiver of payment of such fees, costs and necessary expenses,
812 including the requirements of bond, if any. The application shall
813 conform to the requirements prescribed by rule of the judges of the

814 Superior Court. After such hearing as the court determines is
815 necessary, the court shall render its judgment on the application,
816 which judgment shall contain a statement of the facts the court has
817 found, with its conclusions thereon. The filing of the application for the
818 waiver shall toll the time limits for the filing of an appeal until such
819 time as a judgment on such application is rendered.

820 Sec. 27. Subsection (e) of section 1-82a of the general statutes is
821 repealed and the following is substituted in lieu thereof (*Effective*
822 *October 1, 2008*):

823 (e) The judge trial referee shall make public a finding of probable
824 cause not later than five business days after any such finding. At such
825 time the entire record of the investigation shall become public, except
826 that the Office of State Ethics may postpone examination or release of
827 such public records for a period not to exceed fourteen days for the
828 purpose of reaching a stipulation agreement pursuant to subsection
829 [(c)] (d) of section 4-177, as amended by this act. Any such stipulation
830 agreement or settlement shall be approved by a majority of those
831 members present and voting.

832 Sec. 28. Subsection (e) of section 1-93a of the general statutes is
833 repealed and the following is substituted in lieu thereof (*Effective*
834 *October 1, 2008*):

835 (e) The judge trial referee shall make public a finding of probable
836 cause not later than five business days after any such finding. At such
837 time, the entire record of the investigation shall become public, except
838 that the Office of State Ethics may postpone examination or release of
839 such public records for a period not to exceed fourteen days for the
840 purpose of reaching a stipulation agreement pursuant to subsection
841 [(c)] (d) of section 4-177, as amended by this act. Any stipulation
842 agreement or settlement entered into for a violation of this part shall be
843 approved by a majority of its members present and voting.

844 Sec. 29. (*Effective October 1, 2008*) On or before January 6, 2010, the
845 Chief Administrative Law Adjudicator appointed pursuant to section 2

846 of this act shall submit to the joint standing committee of the General
847 Assembly having cognizance of matters relating to the judiciary a
848 feasibility analysis and implementation plan for the transfer of
849 contested cases conducted by the Department of Social Services to the
850 Office of Administrative Hearings.

851 Sec. 30. Subsection (a) of section 46a-57 of the general statutes is
852 repealed and the following is substituted in lieu thereof (*Effective July*
853 *1, 2008*):

854 (a) (1) The Governor shall appoint three human rights referees for
855 terms commencing October 1, 1998, and four human rights referees for
856 terms commencing January 1, 1999. The human rights referees so
857 appointed shall serve for a term of one year.

858 (2) (A) On and after October 1, 1999, the Governor shall appoint
859 seven human rights referees with the advice and consent of both
860 houses of the General Assembly. The Governor shall appoint three
861 human rights referees to serve for a term of two years commencing
862 October 1, 1999. The Governor shall appoint four human rights
863 referees to serve for a term of three years commencing January 1, 2000.
864 Thereafter, human rights referees shall serve for a term of three years.

865 (B) On and after July 1, 2001, there shall be five human rights
866 referees. Each of the human rights referees serving on July 1, 2001,
867 shall complete the term to which such referee was appointed.
868 Thereafter, human rights referees shall be appointed by the Governor,
869 with the advice and consent of both houses of the General Assembly,
870 to serve for a term of three years.

871 (C) On and after July 1, 2004, there shall be seven human rights
872 referees. Each of the human rights referees serving on July 1, 2004,
873 shall complete the term to which such referee was appointed and shall
874 serve until his successor is appointed and qualified. Thereafter, human
875 rights referees shall be appointed by the Governor, with the advice and
876 consent of both houses of the General Assembly, to serve for a term of
877 three years.

878 (D) On and after July 1, 2008, there shall be six human rights
 879 referees. Each of the human rights referees serving on July 1, 2008,
 880 shall complete the term for which such referee was appointed.
 881 Thereafter, human rights referees shall be appointed by the Governor,
 882 with the advice and consent of both houses of the General Assembly,
 883 to serve for a term of three years.

884 (3) When the General Assembly is not in session, any vacancy shall
 885 be filled pursuant to the provisions of section 4-19. The Governor may
 886 remove any human rights referee for cause.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section
Sec. 3	<i>July 1, 2008</i>	New section
Sec. 4	<i>October 1, 2008</i>	New section
Sec. 5	<i>October 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	New section
Sec. 7	<i>October 1, 2008</i>	New section
Sec. 8	<i>October 1, 2008</i>	New section
Sec. 9	<i>July 1, 2008</i>	New section
Sec. 10	<i>July 1, 2008</i>	New section
Sec. 11	<i>July 1, 2008</i>	2c-2b(e)
Sec. 12	<i>October 1, 2008</i>	4-166
Sec. 13	<i>October 1, 2008</i>	4-176(g)
Sec. 14	<i>October 1, 2008</i>	4-176e
Sec. 15	<i>October 1, 2008</i>	4-177
Sec. 16	<i>October 1, 2008</i>	4-177a
Sec. 17	<i>October 1, 2008</i>	4-177b
Sec. 18	<i>October 1, 2008</i>	4-177c
Sec. 19	<i>October 1, 2008</i>	4-178
Sec. 20	<i>October 1, 2008</i>	4-178a
Sec. 21	<i>October 1, 2008</i>	4-179
Sec. 22	<i>October 1, 2008</i>	New section
Sec. 23	<i>October 1, 2008</i>	4-180
Sec. 24	<i>October 1, 2008</i>	4-181(a)
Sec. 25	<i>October 1, 2008</i>	4-181a

Sec. 26	<i>October 1, 2008</i>	4-183
Sec. 27	<i>October 1, 2008</i>	1-82a(e)
Sec. 28	<i>October 1, 2008</i>	1-93a(e)
Sec. 29	<i>October 1, 2008</i>	New section
Sec. 30	<i>July 1, 2008</i>	46a-57(a)

GAE *Joint Favorable Subst.*

Statement of Legislative Commissioners:

In section 3(7) the word "provisions" was inserted in the second sentence, in section 4(e)(1)(A) the words "they had" were substituted for "in which they are placed", in section 6 subsection (b) was deleted, and in section 7 the words "to the administrative law adjudicator" were deleted in the fourth sentence and the last two sentences were merged, for clarity and statutory consistency.