



**Senate Bill No. 1101**

**August Special Session, Public Act No. 08-1**

***AN ACT CONCERNING ENERGY ASSISTANCE.***

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

Section 1. (*Effective from passage*) (a) The unappropriated surplus remaining in the General Fund for the fiscal year ending June 30, 2008, shall be credited to the resources of the General Fund for use as General Fund revenue for the fiscal year ending June 30, 2009.

(b) The funds credited to the General Fund pursuant to subsection (a) of this section shall be available for expenditure during the fiscal year ending June 30, 2009, for the purposes specified in sections 5 to 10, inclusive, of this act.

Sec. 2. Section 16a-22a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2008*):

No retail dealer of fuel oil or propane shall require that any regular customer of such dealer accept a minimum delivery of fuel oil or propane of over one hundred [fifty] gallons or seventy-five per cent of primary tank size, whichever is less, as a condition of delivery by such dealer.

Sec. 3. Section 16a-23n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2008*):

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(a) A contract for the retail sale of home heating oil or propane gas that offers a guaranteed price plan, including fixed price contracts and any other similar terms, shall be in writing and the terms and conditions of such price [plans] plan shall be disclosed. Such disclosure shall be in plain language and shall immediately follow the language concerning the price or service that could be affected and shall be printed in no less than twelve-point boldface type of uniform font.

(b) A home heating oil or propane gas dealer that advertises a price shall offer [said] such price for a period of no less than twenty-four hours or until the next advertised price is publicized, whichever occurs first.

(c) No home heating oil or propane gas dealer shall enter into, renew or extend a prepaid home heating oil or propane gas contract or a capped price per gallon home heating oil contract unless such dealer has either: (1) Obtained and maintained heating oil or propane gas futures or forwards contracts or other similar commitments [that allow] the total amount of which allow such dealer to purchase, at a fixed price, heating oil or propane gas in an amount not less than [seventy-five] eighty per cent of the maximum number of gallons or amount that such dealer is committed to deliver pursuant to all prepaid home heating oil or propane gas contracts entered into, renewed or extended by such dealer or that such dealer estimates is committed pursuant to all capped price per gallon home heating oil or capped price per unit propane gas contracts, respectively, or (2) obtained and maintained a surety bond in an amount not less than fifty per cent of the total amount of funds paid to the dealer by consumers pursuant to prepaid home heating oil or propane gas contracts or that the dealer estimates will be paid to the dealer by consumers pursuant to all capped price per gallon home heating oil or capped price per unit propane gas contracts, respectively. Such dealer shall maintain [the] such total amount of futures or forwards contracts or other similar

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commitments or the amount of the surety bond required by this subsection for the period of time for which such prepaid home heating oil or propane gas contracts or capped price per gallon home heating oil or capped price per unit propane gas contracts are effective, except that the total amount of such futures or forwards contracts or other similar commitments or the amount of the surety bond may be reduced during such period of time to reflect any amount of home heating oil or propane gas already delivered to and paid for by the consumer.

(d) No prepaid home heating oil or propane gas contract shall require any consumer commitment to purchase home heating oil or propane gas pursuant to the terms of such contract for a period of more than eighteen months.

(e) Any prepaid home heating oil or propane gas contract shall indicate: (1) The amount of funds paid by the consumer to the dealer under such contract, (2) the maximum number of gallons of home heating oil or maximum amount of propane gas committed by the dealer for delivery to the consumer pursuant to such contract, and (3) that performance of such prepaid home heating oil or propane gas contract is secured by one of the two options described in subsection (c) of this section. Any such contract shall provide that the contract price of any undelivered home heating oil or propane gas owed to the consumer under the contract, on the end date of such contract, shall be reimbursed to the consumer not later than thirty days after the end date of such contract unless the parties to such contract agree otherwise.

(f) Each home heating oil or propane gas dealer who enters into, renews or extends prepaid home heating oil or propane gas contracts or capped price per gallon home heating oil contracts or capped price per unit propane gas contracts shall inform the Commissioner of Consumer Protection, in writing, that such dealer is entering into,

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renewing or extending such contracts and shall identify any entity from which the dealer has secured futures or forwards contracts or other similar commitments pursuant to subsection (c) of this section. Each such dealer shall notify the commissioner if at any time the total amount of such secured futures or forwards contracts or other such similar commitments held by the dealer is less than eighty per cent of the maximum number of gallons or amount that such dealer is committed to deliver pursuant to all such prepaid home heating oil or propane gas contracts entered into, renewed or extended by such dealer or that such dealer estimates it is committed to deliver pursuant to all of its capped price per gallon home heating oil or capped price per unit propane gas contracts, respectively. The commissioner shall prescribe the form in which such information shall be reported.

(g) Each person from which a home heating oil or propane gas dealer has secured a futures or forwards contract or other similar commitment pursuant to subsection (c) of this section shall notify the Commissioner of Consumer Protection, in writing, of the cancellation of such contract or other similar commitment not later than three business days after such cancellation.

Sec. 4. Section 16a-46e of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [Between July 1, 2007, and July 1] From July 1, 2007, to June 30, 2017, inclusive, the Secretary of the Office of Policy and Management shall provide a five-hundred-dollar rebate for the purchase and installation in residential structures of replacement natural gas furnaces or boilers that meet or exceed federal Energy Star standards and propane and oil furnaces and boilers that are not less than eighty-four per cent efficient. [Such rebates shall not exceed five million dollars in aggregate per year.] Persons may apply to the secretary, on a form prescribed by the secretary, to receive such rebate for furnaces

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and boilers purchased and installed from July 1, 2007, to June 30, 2017, inclusive. The rebate shall be available for only a residential structure containing not more than four dwelling units. Eligibility for [said] the rebate program shall be based upon the purchaser's Connecticut personal income tax return for the tax year prior to the tax year in which the purchase was made and determined as follows:

(1) (A) For the taxable year commencing on or after January 1, 2007, but prior to January 1, 2008, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-five thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(B) For the taxable year commencing on or after January 1, 2008, but prior to January 1, 2009, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-six thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(C) For the taxable year commencing on or after January 1, 2009, but prior to January 1, 2010, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds fifty-eight thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

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(D) For the taxable year commencing on or after January 1, 2010, but prior to January 1, 2011, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(E) For the taxable year commencing on or after January 1, 2011, but prior to January 1, 2012, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty-two thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(F) For the taxable year commencing on or after January 1, 2012, in the case of any such taxpayer who files under the federal income tax for such taxable year as an unmarried individual whose Connecticut adjusted gross income exceeds sixty-four thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(2) [In] For a taxable year commencing on or after January 1, 2007, but prior to January 1, 2017, in the case of any such taxpayer who files under the federal income tax for such taxable year as a married individual filing separately whose Connecticut adjusted gross income exceeds fifty thousand two hundred fifty dollars, the amount of the rebate shall be reduced by ten per cent for each five thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

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(3) [In] For a taxable year commencing on or after January 1, 2007, but prior to January 1, 2017, in the case of a taxpayer who files under the federal income tax for such taxable year as a head of household whose Connecticut adjusted gross income exceeds seventy-eight thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(4) [In] For a taxable year commencing on or after January 1, 2007, but prior to January 1, 2017, in the case of a taxpayer who files under federal income tax for such taxable year as married individuals filing jointly whose Connecticut adjusted gross income exceeds one hundred thousand five hundred dollars, the amount of the rebate shall be reduced by ten per cent for each ten thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income exceeds said amount.

(b) A person who is not required to file a federal income tax return because such person's income does not meet the filing requirements and who otherwise qualifies for a rebate pursuant to this section shall receive the maximum allowable rebate pursuant to this section, subject to verification of income in a manner prescribed by the secretary.

(c) No person shall receive a rebate pursuant to this section for a furnace or boiler replacement if such person has received a monetary grant for the same furnace or boiler replacement under any program administered by the Fuel Oil Conservation Board established pursuant to section 16a-22l of the 2008 supplement to the general statutes, as amended by section 7 of public act 08-2 of the June special session or any other state or federal grant program that pays the full cost of furnace or boiler replacement. A person using a state or federal low interest loan program to pay for the cost of furnace or boiler replacement may be eligible for a rebate pursuant to this section. In no

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event shall a rebate exceed the total expenditures for such furnace or boiler replacement.

(d) Rebates received pursuant to this section (1) shall not be considered taxable income for purposes of chapter 229, and (2) shall be excluded from any calculation of income for purposes of determining the eligibility for, or the benefit level of, any individual under any state or local program financed in whole or in part with state funds.

[[b)] (e) On or before January 1, 2009, the Energy Conservation Management Board shall report to the joint standing committee of the General Assembly having cognizance of matters relating to energy regarding the cost-effectiveness of the rebate [program] programs established pursuant to subsection (a) of this section.

Sec. 5. (*Effective from passage*) The sum of \$8,500,000 is appropriated from the funds credited to the General Fund for the fiscal year ending June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management, for the fiscal year ending June 30, 2009, for the purpose of expanding Operation Fuel, Incorporated, to provide emergency home heating assistance from November 1, 2008, to April 30, 2009, inclusive, to households within the state with income greater than one hundred fifty but less than two hundred per cent of the applicable federal poverty level that are unable to make timely payments on deliverable fuel, electricity or natural gas bills. Operation Fuel, Incorporated, shall pay emergency home heating assistance provided pursuant to this section directly to fuel vendors, municipal utilities furnishing electricity or natural gas or electric or natural gas companies, as defined in section 16-1 of the 2008 supplement to the general statutes, as amended by section 1 of public act 08-77 and section 4 of public act 08-185.

Sec. 6. (*Effective from passage*) The sum of \$5,000,000 is appropriated from the funds credited to the General Fund for the fiscal year ending

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June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management, for the fiscal year ending June 30, 2009, for the purpose of expanding Operation Fuel, Incorporated, to provide emergency home heating assistance from November 1, 2008, to April 30, 2009, inclusive, to households within the state with income equal to or greater than two hundred per cent of the applicable federal poverty level, but equal to or less than one hundred per cent of the applicable state median household income, that are unable to make timely payments on deliverable fuel, electricity or natural gas bills. Operation Fuel, Incorporated, shall pay emergency home heating assistance provided pursuant to this section directly to fuel vendors, municipal utilities furnishing electricity or natural gas or electric or natural gas companies, as defined in section 16-1 of the 2008 supplement to the general statutes, as amended by section 1 of public act 08-77 and section 4 of public act 08-185. For purposes of this section, "state median household income" shall be determined by using the most recent state median income figures published by the Department of Social Services.

Sec. 7. (*Effective from passage*) (a) The sum of \$6,500,000 is appropriated from the funds credited to the General Fund for the fiscal year ending June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management, for the fiscal year ending June 30, 2009, for the purpose of providing heating assistance grants to local and regional school districts to heat school buildings in such districts, calculated on a per pupil basis.

(b) (1) On or after October 15, 2008, but not later than November 30, 2008, the Secretary of the Office of Policy and Management shall submit a plan to the speaker of the House of Representatives and the president pro tempore of the Senate recommending allocations of funds appropriated under subsection (a) of this section to provide the assistance permitted under said subsection. Such plan may allocate a

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portion of the appropriated funds to be used for administrative expenses. Not later than five days after receipt of such plan, the speaker and the president pro tempore shall submit the plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than thirty days after receipt of the plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of such plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the report. The report of the committee on conference may not be amended. If a joint standing committee rejects the report of the committee on conference, the plan shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such thirty-day period, the plan shall be deemed approved.

(2) If the joint standing committees modify the plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modification. If the Governor rejects such modification, the Governor shall notify the secretary of the rejection and the secretary shall, not later than five days after such

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notification, submit a revised plan to the speaker of the House of Representatives and the president pro tempore of the Senate. Not later than five days after receipt of the revised plan, the speaker and the president pro tempore shall submit the revised plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than fifteen days after receipt of the revised plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of the revised plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the report. The report of the committee on conference may not be amended. If a joint standing committee rejects the report of the committee on conference, the revised plan shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such fifteen-day period, the revised plan shall be deemed approved.

(3) If the joint standing committees modify the revised plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modified revised plan. If the Governor rejects such modified revised plan, the modified revised

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plan shall immediately be submitted to the clerks of the House of Representatives and the Senate. The General Assembly may, not later than thirty days after receipt of the modified revised plan, approve, reject or modify such plan. The General Assembly may approve or modify the modified revised plan by a majority vote of each house and may reject the modified revised plan by a majority vote of either house. If either house fails to act during such thirty-day period, the modified revised plan shall be deemed rejected. If the modified revised plan is rejected by the General Assembly, the revised plan shall be deemed approved. If the modified revised plan is approved, such approved plan, with modifications made by the General Assembly, if any, shall be transmitted to the Governor for approval or rejection. The Governor shall, not later than five days after receipt of such approved modified revised plan, accept or reject such plan. If the Governor rejects the modified revised plan as approved or modified by the General Assembly, the General Assembly may reconsider the modified revised plan in the same manner as a vetoed bill.

Sec. 8. (*Effective from passage*) (a) The sum of \$4,000,000 is appropriated from the funds credited to the General Fund for the fiscal year ending June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management, for the fiscal year ending June 30, 2009, for the purpose of providing home heating assistance to state residents aged sixty-five and older, with income equal to or less than one hundred per cent of the applicable state median household income, who are unable to make timely payments on deliverable fuel, electricity or natural gas bills. The Office of Policy and Management shall determine eligibility requirements for such assistance and may spend up to \$500,000 of the amount appropriated pursuant to this section to identify eligible residents and notify eligible residents that assistance is available. The Office of Policy and Management shall pay home heating energy assistance provided pursuant to this section directly to fuel vendors, municipal utilities furnishing electricity or

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natural gas or electric or natural gas companies, as defined in section 16-1 of the 2008 supplement to the general statutes, as amended by section 1 of public act 08-77 and section 4 of public act 08-185. For purposes of this section, "state median household income" shall be determined by using the most recent state median income figures published by the Department of Social Services.

(b) (1) On or after October 15, 2008, but not later than November 30, 2008, the Secretary of the Office of Policy and Management shall submit a plan to the speaker of the House of Representatives and the president pro tempore of the Senate recommending allocations of funds appropriated under subsection (a) of this section to provide the assistance permitted under said subsection. Such plan may allocate a portion of the appropriated funds to be used for administrative expenses. Not later than five days after receipt of such plan, the speaker and the president pro tempore shall submit the plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than thirty days after receipt of the plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of such plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the report. The report of the committee on conference may not be

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amended. If a joint standing committee rejects the report of the committee on conference, the plan shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such thirty-day period, the plan shall be deemed approved.

(2) If the joint standing committees modify the plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modification. If the Governor rejects such modification, the Governor shall notify the secretary of the rejection and the secretary shall, not later than five days after such notification, submit a revised plan to the speaker of the House of Representatives and the president pro tempore of the Senate. Not later than five days after receipt of the revised plan, the speaker and the president pro tempore shall submit the revised plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than fifteen days after receipt of the revised plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of the revised plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the

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report. The report of the committee on conference may not be amended. If a joint standing committee rejects the report of the committee on conference, the revised plan shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such fifteen-day period, the revised plan shall be deemed approved.

(3) If the joint standing committees modify the revised plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modified revised plan. If the Governor rejects such modified revised plan, the modified revised plan shall immediately be submitted to the clerks of the House of Representatives and the Senate. The General Assembly may, not later than thirty days after receipt of the modified revised plan, approve, reject or modify such plan. The General Assembly may approve or modify the modified revised plan by a majority vote of each house and may reject the modified revised plan by a majority vote of either house. If either house fails to act during such thirty-day period, the modified revised plan shall be deemed rejected. If the modified revised plan is rejected by the General Assembly, the revised plan shall be deemed approved. If the modified revised plan is approved, such approved plan, with modifications made by the General Assembly, if any, shall be transmitted to the Governor for approval or rejection. The Governor shall, not later than five days after receipt of such approved modified revised plan, accept or reject such plan. If the Governor rejects the modified revised plan as approved or modified by the General Assembly, the General Assembly may reconsider the modified revised plan in the same manner as a vetoed bill.

Sec. 9. (*Effective from passage*) The sum of \$500,000 is appropriated from the funds credited to the General Fund for the fiscal year ending

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June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management for the fiscal year ending June 30, 2009, for the purpose of providing a grant to Operation Fuel, Incorporated, for operating expenses incurred for administration of the programs established pursuant to sections 5 and 6 of this act.

Sec. 10. (*Effective from passage*) (a) The sum of \$3,500,000 is appropriated from the funds credited to the General Fund for the fiscal year ending June 30, 2009, pursuant to subsection (a) of section 1 of this act to the Office of Policy and Management, for the fiscal year ending June 30, 2009, for the purpose of providing heating assistance grants to nonprofit organizations that are human service or public health providers, such as providers of adult day care, residential services to homeless persons and services to victims of domestic violence, including organizations that provide such services to the state through purchase of service or fee for service contracts. The Secretary of the Office of Policy and Management shall determine eligibility requirements for such assistance, develop criteria to determine the amount of the grant that an organization may receive and establish an application procedure. Said secretary may consult with the Commissioners of Social Services, Developmental Services, Mental Health and Addiction Services, Public Health, Correction and Children and Families, the Chief Court Administrator and the executive director of the Children's Trust Fund for purposes of coordinating payment of such grants. Funds appropriated to the Office of Policy and Management pursuant to this section may be transferred by the secretary to the Departments of Social Services, Developmental Services, Mental Health and Addiction Services, Public Health, Correction and Children and Families, the Judicial Department and the Children's Trust Fund Council for payment of such grants. Notwithstanding any provision of the general statutes or the regulations of Connecticut state agencies, no grant awarded pursuant to this section shall affect any calculation of rates or fees paid to the

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organization receiving the grant or otherwise affect any contract with the state for provision of services.

(b) (1) On or after October 15, 2008, but not later than November 30, 2008, the Secretary of the Office of Policy and Management shall submit a plan to the speaker of the House of Representatives and the president pro tempore of the Senate recommending allocations of funds appropriated under subsection (a) of this section to provide the assistance permitted under said subsection. Such plan may allocate a portion of the appropriated funds to be used for administrative expenses. Not later than five days after receipt of such plan, the speaker and the president pro tempore shall submit the plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than thirty days after receipt of the plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of such plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the report. The report of the committee on conference may not be amended. If a joint standing committee rejects the report of the committee on conference, the plan shall be deemed approved. If the joint standing committees accept the report, the committee having cognizance of matters relating to appropriations and the budgets of

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state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such thirty-day period, the plan shall be deemed approved.

(2) If the joint standing committees modify the plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modification. If the Governor rejects such modification, the Governor shall notify the secretary of the rejection and the secretary shall, not later than five days after such notification, submit a revised plan to the speaker of the House of Representatives and the president pro tempore of the Senate. Not later than five days after receipt of the revised plan, the speaker and the president pro tempore shall submit the revised plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and to the joint standing committee or committees of the General Assembly having cognizance of the subject matter relating to such recommended allocations, as determined by the speaker and the president pro tempore. Not later than fifteen days after receipt of the revised plan, the committee having cognizance of matters relating to appropriations and the budgets of state agencies, in concurrence with the committee or committees of cognizance, shall advise the secretary and Governor of their approval or modifications, if any, of the revised plan. If the joint standing committees do not concur, the committee chairpersons shall appoint a committee on conference which shall be comprised of three members from each joint standing committee. At least one member appointed from each committee shall be a member of the minority party. The report of the committee on conference shall be made to each committee, which shall vote to accept or reject the report. The report of the committee on conference may not be amended. If a joint standing committee rejects the report of the committee on conference, the revised plan shall be deemed approved. If the joint standing committees accept the report, the committee

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having cognizance of matters relating to appropriations and the budgets of state agencies shall advise the secretary and Governor of their approval of the report. If the committees do not act during such fifteen-day period, the revised plan shall be deemed approved.

(3) If the joint standing committees modify the revised plan, the Governor shall, not later than five days after receipt of notification of such modification, accept or reject such modified revised plan. If the Governor rejects such modified revised plan, the modified revised plan shall immediately be submitted to the clerks of the House of Representatives and the Senate. The General Assembly may, not later than thirty days after receipt of the modified revised plan, approve, reject or modify such plan. The General Assembly may approve or modify the modified revised plan by a majority vote of each house and may reject the modified revised plan by a majority vote of either house. If either house fails to act during such thirty-day period, the modified revised plan shall be deemed rejected. If the modified revised plan is rejected by the General Assembly, the revised plan shall be deemed approved. If the modified revised plan is approved, such approved plan, with modifications made by the General Assembly, if any, shall be transmitted to the Governor for approval or rejection. The Governor shall, not later than five days after receipt of such approved modified revised plan, accept or reject such plan. If the Governor rejects the modified revised plan as approved or modified by the General Assembly, the General Assembly may reconsider the modified revised plan in the same manner as a vetoed bill.

Approved August 26, 2008