House Bill No. 6802

June Special Session, Public Act No. 09-3

AN ACT CONCERNING EXPENDITURES AND REVENUE FOR THE BIENNIUM ENDING JUNE 30, 2011.

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

Section 1. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

GENERAL FUND

	2009-2010
	$
LEGISLATIVE	
LEGISLATIVE MANAGEMENT	
Personal Services	43,709,641
Other Expenses	16,890,317
Equipment	984,500
Flag Restoration	50,000
Minor Capital Improvements	1,200,000
Interim Salary/Caucus Offices	567,500
Redistricting	200,000
Connecticut Academy of Science and Engineering	100,000
Old State House	575,000

OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Interstate Conference Fund	372,875
AGENCY TOTAL	64,649,833
AUDITORS OF PUBLIC ACCOUNTS	
Personal Services	12,017,107
Other Expenses	795,510
Equipment	50,000
AGENCY TOTAL	12,862,617
COMMISSION ON AGING	
Personal Services	210,401
Other Expenses	32,419
AGENCY TOTAL	242,820
PERMANENT COMMISSION ON THE STATUS OF WOMEN	
Personal Services	375,777
Other Expenses	119,350
AGENCY TOTAL	495,127
COMMISSION ON CHILDREN	
Personal Services	443,264
Other Expenses	73,662
AGENCY TOTAL	516,926
LATINO AND PUERTO RICAN AFFAIRS COMMISSION	
Personal Services	273,390
Other Expenses	38,250
AGENCY TOTAL	311,640
AFRICAN-AMERICAN AFFAIRS COMMISSION	
Personal Services	181,856
Other Expenses	30,724
AGENCY TOTAL	212,580

ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION	
Personal Services	24,905
Other Expenses	2,500
Equipment	1,000
AGENCY TOTAL	28,405
TOTAL	79,319,948
LEGISLATIVE	
GENERAL GOVERNMENT	
GOVERNOR'S OFFICE	
Personal Services	2,780,000
Other Expenses	236,995
Equipment	95
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
New England Governors' Conference	94,967
National Governors' Association	115,300
AGENCY TOTAL	3,227,357
SECRETARY OF THE STATE	
Personal Services	1,650,000
Other Expenses	843,884
Equipment	100
Commercial Recording Division	7,934,721
AGENCY TOTAL	10,428,705
LIEUTENANT GOVERNOR'S OFFICE	
Personal Services	448,000
Other Expenses	87,054
Equipment	100
AGENCY TOTAL	535,154
ELECTIONS ENFORCEMENT COMMISSION	

Personal Services	1,581,631
Other Expenses	314,058
Equipment	24,985
Citizens' Election Fund Administration Account	3,000,000
AGENCY TOTAL	4,920,674

OFFICE OF STATE ETHICS

Personal Services	1,536,526
Other Expenses	239,017
Equipment	16,500
Judge Trial Referee Fees	20,000
Reserve for Attorney Fees	26,129
Information Technology Initiatives	50,000
AGENCY TOTAL	1,888,172

FREEDOM OF INFORMATION COMMISSION

Personal Services	1,978,200
Other Expenses	239,918
Equipment	44,800
AGENCY TOTAL	2,262,918

JUDICIAL SELECTION COMMISSION

Personal Services	72,072
Other Expenses	18,375
Equipment	100
AGENCY TOTAL	90,547

CONTRACTING STANDARDS BOARD

Personal Services	350,000
Other Expenses	425,000
Equipment	100
AGENCY TOTAL	775,100

STATE TREASURER

Personal Services	4,105,709
Other Expenses	282,836
Equipment	100

AGENCY TOTAL	4,388,645
STATE COMPTROLLER	
Personal Services	22,405,656
Other Expenses	4,914,630
Equipment	100
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Governmental Accounting Standards Board	19,570
AGENCY TOTAL	27,339,956
DEPARTMENT OF REVENUE SERVICES	
Personal Services	62,765,072
Other Expenses	9,880,972
Equipment	100
Collection and Litigation Contingency Fund	204,479
AGENCY TOTAL	72,850,623
DIVISION OF SPECIAL REVENUE	
Personal Services	5,658,231
Other Expenses	1,142,289
Equipment	100
Gaming Policy Board	2,903
AGENCY TOTAL	6,803,523
OFFICE OF POLICY AND MANAGEMENT	
Personal Services	15,388,813
Other Expenses	2,802,640
Equipment	100
Automated Budget System and Data Base Link	59,780
Leadership, Education, Athletics in Partnership (LEAP)	850,000
Cash Management Improvement Act	100
Justice Assistance Grants	2,097,708
Neighborhood Youth Centers	1,487,000
Water Planning Council	110,000
Connecticut Impaired Driving Records	

Information System	950,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Tax Relief for Elderly Renters	22,000,000
Regional Planning Agencies	200,000
PAYMENTS TO LOCAL GOVERNMENTS	
Reimbursement Property Tax - Disability Exemption	400,000
Distressed Municipalities	7,800,000
Property Tax Relief Elderly Circuit Breaker	20,505,899
Property Tax Relief Elderly Freeze Program	610,000
Property Tax Relief for Veterans	2,970,099
P.I.L.O.T. - New Manufacturing Machinery and Equipment	57,348,215
Capital City Economic Development	6,050,000
AGENCY TOTAL	141,630,354
DEPARTMENT OF VETERANS' AFFAIRS	
Personal Services	24,949,071
Other Expenses	6,970,217
Equipment	100
Support Services for Veterans	190,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Burial Expenses	7,200
Headstones	370,000
AGENCY TOTAL	32,486,588
OFFICE OF WORKFORCE COMPETITIVENESS	
Personal Services	426,287
Other Expenses	100,000
CETC Workforce	1,000,000
Job Funnels Projects	500,000
Nanotechnology Study	200,000
Spanish-American Merchants Association	570,000
SBIR Matching Grants	150,000
AGENCY TOTAL	2,946,287

BOARD OF ACCOUNTANCY	
Personal Services	340,711
Other Expenses	158,357
Equipment	7,082
AGENCY TOTAL	506,150
DEPARTMENT OF ADMINISTRATIVE SERVICES	
Personal Services	23,134,409
Other Expenses	13,753,820
Equipment	300
Loss Control Risk Management	239,329
Employees' Review Board	32,630
Surety Bonds for State Officials and Employees	95,200
Refunds of Collections	28,500
W. C. Administrator	5,213,554
Hospital Billing System	109,950
Correctional Ombudsman	200,000
Claims Commissioner Operations	339,094
AGENCY TOTAL	43,146,786
DEPARTMENT OF INFORMATION TECHNOLOGY	
Personal Services	8,946,175
Other Expenses	6,362,489
Equipment	100
Connecticut Education Network	3,980,885
Internet and E-Mail Services	5,552,968
Statewide Information Technology Services	23,035,342
AGENCY TOTAL	47,877,959
DEPARTMENT OF PUBLIC WORKS	
Personal Services	7,589,020
Other Expenses	26,785,784
Equipment	100
Management Services	3,836,508

Rents and Moving	11,646,996
Capitol Day Care Center	127,250
Facilities Design Expenses	4,700,853
AGENCY TOTAL	54,686,511
ATTORNEY GENERAL	
Personal Services	31,317,674
Other Expenses	1,030,637
Equipment	100
AGENCY TOTAL	32,348,411
DIVISION OF CRIMINAL JUSTICE	
Personal Services	48,884,236
Other Expenses	2,253,902
Equipment	100
Forensic Sex Evidence Exams	1,021,060
Witness Protection	344,211
Training and Education	114,916
Expert Witnesses	198,643
Medicaid Fraud Control	739,918
Criminal Justice Commission	650
AGENCY TOTAL	53,557,636
STATE MARSHAL COMMISSION	
Personal Services	55,561
Other Expenses	18,112
AGENCY TOTAL	73,673
TOTAL	544,771,729

GENERAL GOVERNMENT

REGULATION AND PROTECTION

DEPARTMENT OF PUBLIC SAFETY	
Personal Services	129,709,605
Other Expenses	29,997,894
Equipment	100

Stress Reduction	23,354
Fleet Purchase	6,573,239
Workers' Compensation Claims	3,438,787
COLLECT	48,925
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Civil Air Patrol	34,920
AGENCY TOTAL	169,826,824
POLICE OFFICER STANDARDS AND TRAINING COUNCIL	
Personal Services	2,047,170
Other Expenses	993,398
Equipment	100
AGENCY TOTAL	3,040,668
MILITARY DEPARTMENT	
Personal Services	3,429,348
Other Expenses	2,744,995
Equipment	100
Firing Squads	319,500
Veteran's Service Bonuses	306,000
AGENCY TOTAL	6,799,943
COMMISSION ON FIRE PREVENTION AND CONTROL	
Personal Services	1,657,698
Other Expenses	712,288
Equipment	100
Firefighter Training I	505,250
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Fire Training School - Willimantic	161,798
Fire Training School - Torrington	81,367
Fire Training School - New Haven	48,364
Fire Training School - Derby	37,139
Fire Training School - Wolcott	100,162

Fire Training School - Fairfield	70,395
Fire Training School - Hartford	169,336
Fire Training School - Middletown	59,053
Payments to Volunteer Fire Companies	195,000
Fire Training School - Stamford	55,432
AGENCY TOTAL	3,853,382

DEPARTMENT OF CONSUMER PROTECTION

Personal Services	10,774,000
Other Expenses	1,298,990
Equipment	100
AGENCY TOTAL	12,073,090

LABOR DEPARTMENT

Personal Services	8,630,815
Other Expenses	750,000
Equipment	100
Workforce Investment Act	30,454,160
Connecticut's Youth Employment Program	1,500,000
Jobs First Employment Services	17,555,803
Opportunity Industrial Centers	500,000
Individual Development Accounts	100,000
STRIDE	270,000
Apprenticeship Program	500,000
Connecticut Career Resource Network	149,667
21st Century Jobs	450,000
Incumbent Worker Training	450,000
STRIVE	270,000
AGENCY TOTAL	61,580,545

OFFICE OF THE VICTIM ADVOCATE

Personal Services	260,963
Other Expenses	40,020
Equipment	100
AGENCY TOTAL	301,083

COMMISSION ON HUMAN RIGHTS AND

OPPORTUNITIES	
Personal Services	5,485,117
Other Expenses	737,123
Equipment	200
Martin Luther King, Jr. Commission	6,650
AGENCY TOTAL	6,229,090
OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES	
Personal Services	2,289,521
Other Expenses	369,483
Equipment	100
AGENCY TOTAL	2,659,104
OFFICE OF THE CHILD ADVOCATE	
Personal Services	644,662
Other Expenses	162,016
Equipment	100
Child Fatality Review Panel	95,010
AGENCY TOTAL	901,788
DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY	
Personal Services	3,339,140
Other Expenses	854,460
Equipment	100
AGENCY TOTAL	4,193,700
TOTAL	271,459,217
REGULATION AND PROTECTION	
CONSERVATION AND DEVELOPMENT	
DEPARTMENT OF AGRICULTURE	
Personal Services	3,870,000
Other Expenses	400,000

Equipment	100
Vibrio Bacterium Program	100
Dairy Farmers	10,000,000
Senior Food Vouchers	300,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
WIC Program for Fresh Produce for Seniors	104,500
Collection of Agricultural Statistics	1,080
Tuberculosis and Brucellosis Indemnity	900
Fair Testing	5,040
Connecticut Grown Product Promotion	15,000
WIC Coupon Program for Fresh Produce	184,090
AGENCY TOTAL	14,880,810
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Personal Services	33,590,000
Other Expenses	3,456,277
Equipment	100
Stream Gaging	199,561
Mosquito Control	300,000
State Superfund Site Maintenance	371,450
Laboratory Fees	248,289
Dam Maintenance	132,489
Councils, Districts, and ERTs Land Use Assistance	800,000
Emergency Spill Response Account	10,577,774
Environmental Quality Fees Fund	9,448,515
Solid Waste Management Account	2,832,429
Underground Storage Tank Account	4,925,616
Clean Air Account Fund	4,903,091
Environmental Conservation Fund	7,892,385
Boating Account	5,917,358
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Agreement USGS - Geological Investigation	47,000
Agreement USGS - Hydrological Study	155,456
New England Interstate Water Pollution	

Commission	8,400
Northeast Interstate Forest Fire Compact	2,040
Connecticut River Valley Flood Control Commission	40,200
Thames River Valley Flood Control Commission	48,281
Agreement USGS - Water Quality Stream Monitoring	215,412
PAYMENTS TO LOCAL GOVERNMENTS	
Lobster Restoration	200,000
AGENCY TOTAL	86,312,123
COUNCIL ON ENVIRONMENTAL QUALITY	
Personal Services	162,460
Other Expenses	14,500
Equipment	100
AGENCY TOTAL	177,060
COMMISSION ON CULTURE AND TOURISM	
Personal Services	2,726,406
Other Expenses	857,658
Equipment	100
State-Wide Marketing	1
Connecticut Association for the Performing Arts/ Shubert Theater	406,125
Hartford Urban Arts Grant	406,125
New Britain Arts Alliance	81,225
Film Industry Training Program	250,000
Ivoryton Playhouse	47,500
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Discovery Museum	406,125
National Theatre for the Deaf	162,450
Culture, Tourism, and Arts Grant	2,000,000
CT Trust for Historic Preservation	225,625
Connecticut Science Center	676,250
PAYMENTS TO LOCAL GOVERNMENTS	
Greater Hartford Arts Council	101,531

Stamford Center for the Arts	406,125
Stepping Stone Child Museum	47,500
Maritime Center Authority	570,000
Basic Cultural Resources Grant	1,500,000
Tourism Districts	1,800,000
Connecticut Humanities Council	2,256,250
Amistad Committee for the Freedom Trail	47,500
Amistad Vessel	406,125
New Haven Festival of Arts and Ideas	855,000
New Haven Arts Council	101,531
Palace Theater	406,125
Beardsley Zoo	380,000
Mystic Aquarium	665,000
Quinebaug Tourism	50,000
Northwestern Tourism	50,000
Eastern Tourism	50,000
Central Tourism	50,000
Twain/Stowe Homes	102,600
AGENCY TOTAL	18,090,877
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Personal Services	7,406,307
Other Expenses	1,505,188
Equipment	100
Elderly Rental Registry and Counselors	598,171
Small Business Incubator Program	650,000
Fair Housing	325,000
CCAT - Energy Application Research	100,000
Main Street Initiatives	180,000
Residential Service Coordinators	500,000
Office of Military Affairs	161,587
Hydrogen/Fuel Cell Economy	237,500
Southeast CT Incubator	250,000
CCAT-CT Manufacturing Supply Chain	400,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	

Entrepreneurial Centers	135,375
Subsidized Assisted Living Demonstration	1,709,000
Congregate Facilities Operation Costs	6,884,547
Housing Assistance and Counseling Program	438,500
Elderly Congregate Rent Subsidy	2,284,699
CONNSTEP	800,000
Development Research and Economic Assistance	237,500
PAYMENTS TO LOCAL GOVERNMENTS	
Tax Abatement	1,704,890
Payment in Lieu of Taxes	2,204,000
AGENCY TOTAL	28,712,364
AGRICULTURAL EXPERIMENT STATION	
Personal Services	6,150,000
Other Expenses	923,511
Equipment	100
Mosquito Control	222,089
Wildlife Disease Prevention	83,344
AGENCY TOTAL	7,379,044
TOTAL	155,552,278
CONSERVATION AND DEVELOPMENT	
HEALTH AND HOSPITALS	
DEPARTMENT OF PUBLIC HEALTH	
Personal Services	33,734,745
Other Expenses	5,549,136
Equipment	200
Needle and Syringe Exchange Program	455,072
Children's Health Initiatives	1,481,766
Childhood Lead Poisoning	1,098,172
AIDS Services	5,052,598
Breast and Cervical Cancer Detection and Treatment	2,426,775
Services for Children Affected by AIDS	245,029
Children with Special Health Care Needs	1,271,627

Medicaid Administration	3,780,968
Fetal and Infant Mortality Review	315,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Community Health Services	6,986,052
Rape Crisis	439,684
X-Ray Screening and Tuberculosis Care	379,899
Genetic Diseases Programs	877,416
Immunization Services	9,044,950
PAYMENTS TO LOCAL GOVERNMENTS	
Local and District Departments of Health	4,264,470
Venereal Disease Control	195,210
School Based Health Clinics	10,440,646
AGENCY TOTAL	88,039,415

OFFICE OF THE CHIEF MEDICAL EXAMINER	
Personal Services	5,182,094
Other Expenses	706,703
Equipment	5,000
Medicolegal Investigations	100,039
AGENCY TOTAL	5,993,836

DEPARTMENT OF DEVELOPMENTAL SERVICES	
Personal Services	305,242,900
Other Expenses	27,093,834
Equipment	100
Human Resource Development	219,790
Family Support Grants	3,280,095
Cooperative Placements Program	21,284,706
Clinical Services	4,812,372
Early Intervention	30,243,415
Community Temporary Support Services	67,315
Community Respite Care Programs	330,345
Workers' Compensation Claims	14,246,035
Pilot Program for Autism Services	1,525,176
Voluntary Services	33,692,416

OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Rent Subsidy Program	4,537,554
Family Reunion Program	137,900
Employment Opportunities and Day Services	177,493,735
Community Residential Services	377,947,857
AGENCY TOTAL	1,002,155,545

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
Personal Services	210,530,850
Other Expenses	34,667,107
Equipment	100
Housing Supports and Services	12,734,867
Managed Service System	37,208,822
Legal Services	550,275
Connecticut Mental Health Center	8,638,491
Professional Services	9,688,898
General Assistance Managed Care	83,081,389
Workers' Compensation Claims	12,344,566
Nursing Home Screening	622,784
Young Adult Services	46,890,306
TBI Community Services	7,743,612
Jail Diversion	4,426,568
Behavioral Health Medications	8,869,095
Prison Overcrowding	6,231,683
Medicaid Adult Rehabilitation Option	4,044,234
Discharge and Diversion Services	3,080,116
Home and Community Based Services	2,880,327
Persistent Violent Felony Offenders Act	703,333
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Grants for Substance Abuse Services	25,528,766
Grants for Mental Health Services	77,894,230
Employment Opportunities	10,630,353
AGENCY TOTAL	608,990,772

PSYCHIATRIC SECURITY REVIEW BOARD	
Personal Services	321,454
Other Expenses	39,441
AGENCY TOTAL	360,895
TOTAL	1,705,540,463
HEALTH AND HOSPITALS	
HUMAN SERVICES	
DEPARTMENT OF SOCIAL SERVICES	
Personal Services	120,822,641
Other Expenses	88,148,799
Equipment	100
Children's Health Council	218,317
HUSKY Outreach	706,452
Genetic Tests in Paternity Actions	201,202
State Food Stamp Supplement	408,616
Day Care Projects	478,820
HUSKY Program	46,061,200
Children's Trust Fund	11,423,456
Charter Oak Health Plan	13,730,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Vocational Rehabilitation	7,386,668
Medicaid	3,837,084,700
Lifestar Helicopter	1,388,190
Old Age Assistance	36,328,262
Aid to the Blind	724,259
Aid to the Disabled	60,649,322
Temporary Assistance to Families - TANF	117,434,597
Emergency Assistance	500
Food Stamp Training Expenses	32,397
Connecticut Pharmaceutical Assistance Contract to the Elderly	10,279,645
Healthy Start	1,490,220
DMHAS-Disproportionate Share	105,935,000

Connecticut Home Care Program	66,428,400
Human Resource Development-Hispanic Programs	1,040,365
Services to the Elderly	4,947,948
Safety Net Services	2,100,897
Transportation for Employment Independence Program	3,321,613
Transitionary Rental Assistance	1,186,680
Refunds of Collections	187,150
Services for Persons With Disabilities	695,309
Child Care Services-TANF/CCDBG	103,872,455
Nutrition Assistance	447,663
Housing/Homeless Services	44,051,497
Employment Opportunities	1,231,379
Human Resource Development	38,581
Child Day Care	10,617,392
Independent Living Centers	440,000
AIDS Drug Assistance	606,678
Disproportionate Share-Medical Emergency Assistance	51,725,000
DSH-Urban Hospitals in Distressed Municipalities	31,550,000
State Administered General Assistance	244,023,580
School Readiness	4,619,697
Connecticut Children's Medical Center	11,020,000
Community Services	3,414,013
Alzheimer Respite Care	2,294,388
Human Service Infrastructure Community Action Program	3,998,796
Teen Pregnancy Prevention	1,527,384
Medicare Part D Supplemental Needs Fund	3,120,000
PAYMENTS TO LOCAL GOVERNMENTS	
Child Day Care	5,263,706
Human Resource Development	31,034
Human Resource Development-Hispanic Programs	5,900
Teen Pregnancy Prevention	870,326
Services to the Elderly	44,405

Housing/Homeless Services	686,592
Community Services	116,358
AGENCY TOTAL	5,066,458,549
STATE DEPARTMENT ON AGING	
Other Expenses	100
TOTAL	5,066,458,649
HUMAN SERVICES	
EDUCATION, MUSEUMS, LIBRARIES	
DEPARTMENT OF EDUCATION	
Personal Services	145,663,706
Other Expenses	16,689,076
Equipment	100
Basic Skills Exam Teachers in Training	1,239,559
Early Childhood Program	5,007,354
Development of Mastery Exams Grades 4, 6, and 8	17,533,629
Primary Mental Health	500,290
Adult Education Action	253,355
Vocational Technical School Textbooks	500,000
Repair of Instructional Equipment	232,386
Minor Repairs to Plant	370,702
Connecticut Pre-Engineering Program	350,000
Connecticut Writing Project	50,000
Resource Equity Assessments	283,654
Readers as Leaders	60,000
Early Childhood Advisory Cabinet	75,000
Best Practices	475,000
Longitudinal Data Systems	1,700,000
School Accountability	1,855,062
Sheff Settlement	12,779,510
Community Plans For Early Childhood	450,000
Improving Early Literacy	150,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	

American School for the Deaf	9,979,202
Regional Education Services	1,530,000
Omnibus Education Grants State Supported Schools	6,748,146
Head Start Services	2,748,150
Head Start Enhancement	1,773,000
Family Resource Centers	6,041,488
Charter Schools	48,152,000
Youth Service Bureau Enhancement	625,000
Head Start - Early Childhood Link	2,200,000
PAYMENTS TO LOCAL GOVERNMENTS	
Vocational Agriculture	4,560,565
Transportation of School Children	47,964,000
Adult Education	20,594,371
Health and Welfare Services Pupils Private Schools	4,775,000
Education Equalization Grants	1,889,609,057
Bilingual Education	2,129,033
Priority School Districts	117,237,188
Young Parents Program	229,330
Interdistrict Cooperation	14,127,369
School Breakfast Program	1,634,103
Excess Cost - Student Based	120,491,451
Non-Public School Transportation	3,995,000
School to Work Opportunities	213,750
Youth Service Bureaus	2,946,418
OPEN Choice Program	14,465,002
Magnet Schools	148,107,702
After School Program	5,000,000
AGENCY TOTAL	2,684,094,708

BOARD OF EDUCATION AND SERVICES FOR THE BLIND	
Personal Services	4,340,192
Other Expenses	816,317
Equipment	100
Educational Aid for Blind and Visually Handicapped Children	4,641,842

Enhanced Employment Opportunities	673,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Supplementary Relief and Services	103,925
Vocational Rehabilitation	890,454
Special Training for the Deaf Blind	298,585
Connecticut Radio Information Service	87,640
AGENCY TOTAL	11,852,055
COMMISSION ON THE DEAF AND HEARING IMPAIRED	
Personal Services	615,686
Other Expenses	159,588
Equipment	100
Part-Time Interpreters	316,944
AGENCY TOTAL	1,092,318
STATE LIBRARY	
Personal Services	6,261,095
Other Expenses	807,045
Equipment	100
State-Wide Digital Library	1,968,794
Interlibrary Loan Delivery Service	266,434
Legal/Legislative Library Materials	1,140,000
State-Wide Data Base Program	674,696
Info Anytime	42,500
Computer Access	190,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Support Cooperating Library Service Units	350,000
PAYMENTS TO LOCAL GOVERNMENTS	
Grants to Public Libraries	347,109
Connecticard Payments	1,226,028
AGENCY TOTAL	13,273,801
DEPARTMENT OF HIGHER EDUCATION	
Personal Services	2,162,154

Other Expenses	167,022
Equipment	50
Minority Advancement Program	2,405,666
Alternate Route to Certification	453,181
National Service Act	328,365
International Initiatives	66,500
Minority Teacher Incentive Program	431,374
Education and Health Initiatives	522,500
CommPACT Schools	712,500
Americorps	500,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Capitol Scholarship Program	8,902,779
Awards to Children of Deceased/ Disabled Veterans	4,000
Connecticut Independent College Student Grant	23,913,860
Connecticut Aid for Public College Students	30,208,469
New England Board of Higher Education	183,750
Connecticut Aid to Charter Oak	59,393
Washington Center	1,250
AGENCY TOTAL	71,022,813
UNIVERSITY OF CONNECTICUT	
Operating Expenses	222,447,810
Tuition Freeze	4,741,885
Regional Campus Enhancement	8,002,420
Veterinary Diagnostic Laboratory	100,000
AGENCY TOTAL	235,292,115
UNIVERSITY OF CONNECTICUT HEALTH CENTER	
Operating Expenses	118,466,431
AHEC	505,707
AGENCY TOTAL	118,972,138
CHARTER OAK STATE COLLEGE	
Operating Expenses	2,208,621

Distance Learning Consortium	682,547
AGENCY TOTAL	2,891,168
TEACHERS' RETIREMENT BOARD	
Personal Services	1,947,785
Other Expenses	776,322
Equipment	100
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Retirement Contributions	559,224,245
AGENCY TOTAL	561,948,452
REGIONAL COMMUNITY - TECHNICAL COLLEGES	
Operating Expenses	157,146,671
Tuition Freeze	2,160,925
Manufacturing Technology Program - Asnuntuck	345,000
Expand Manufacturing Technology Program	200,000
AGENCY TOTAL	159,852,596
CONNECTICUT STATE UNIVERSITY	
Operating Expenses	155,508,164
Tuition Freeze	6,561,971
Waterbury-Based Degree Program	1,038,281
AGENCY TOTAL	163,108,416
TOTAL	4,023,400,580

EDUCATION, MUSEUMS, LIBRARIES

CORRECTIONS

DEPARTMENT OF CORRECTION	
Personal Services	435,292,324
Other Expenses	84,791,809
Equipment	100
Workers' Compensation Claims	24,898,513
Inmate Medical Services	100,097,473

Parole Staffing and Operations	6,191,924
Mental Health AIC	500,000
Distance Learning	250,000
Children of Incarcerated Parents	700,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Aid to Paroled and Discharged Inmates	9,500
Legal Services to Prisoners	870,595
Volunteer Services	170,758
Community Support Services	40,370,121
AGENCY TOTAL	694,143,117
DEPARTMENT OF CHILDREN AND FAMILIES	
Personal Services	288,602,268
Other Expenses	46,185,390
Equipment	100
Short-Term Residential Treatment	713,129
Substance Abuse Screening	1,823,490
Workers' Compensation Claims	8,530,849
Local Systems of Care	2,297,676
Family Support Services	11,221,507
Emergency Needs	1,800,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Health Assessment and Consultation	965,667
Grants for Psychiatric Clinics for Children	14,202,249
Day Treatment Centers for Children	5,797,630
Juvenile Justice Outreach Services	12,728,838
Child Abuse and Neglect Intervention	6,200,880
Community Emergency Services	84,694
Community Based Prevention Programs	4,850,529
Family Violence Outreach and Counseling	1,873,779
Support for Recovering Families	11,526,730
No Nexus Special Education	8,682,808
Family Preservation Services	5,385,396
Substance Abuse Treatment	4,479,269
Child Welfare Support Services	4,279,484

Board and Care for Children - Adoption	81,533,474
Board and Care for Children - Foster	112,409,873
Board and Care for Children - Residential	189,341,408
Individualized Family Supports	17,380,448
Community KidCare	25,946,425
Covenant to Care	166,516
Neighborhood Center	261,010
AGENCY TOTAL	869,271,516
CHILDREN'S TRUST FUND COUNCIL	
Personal Services	268,729
Other Expenses	10,666
Children's Trust Fund	2,154,691
AGENCY TOTAL	2,434,086
TOTAL	1,565,848,719
CORRECTIONS	
JUDICIAL	
JUDICIAL DEPARTMENT	
Personal Services	321,017,316
Other Expenses	74,956,525
Equipment	45,249
Alternative Incarceration Program	54,851,576
Justice Education Center, Inc.	293,111
Juvenile Alternative Incarceration	29,236,110
Juvenile Justice Centers	3,104,877
Probate Court	5,500,000
Youthful Offender Services	10,548,541
Victim Security Account	73,000
AGENCY TOTAL	499,626,305
PUBLIC DEFENDER SERVICES COMMISSION	
Personal Services	39,079,397
Other Expenses	1,504,829
Equipment	105

Special Public Defenders - Contractual	3,144,467
Special Public Defenders - Non-Contractual	5,407,777
Expert Witnesses	1,535,646
Training and Education	116,852
AGENCY TOTAL	50,789,073
CHILD PROTECTION COMMISSION	
Personal Services	654,611
Other Expenses	175,047
Equipment	100
Training for Contracted Attorneys	42,750
Contracted Attorneys	10,295,218
Contracted Attorneys Related Expenses	108,713
Family Contracted Attorneys/AMC	736,310
AGENCY TOTAL	12,012,749
TOTAL	562,428,127
JUDICIAL	
NON-FUNCTIONAL	
MISCELLANEOUS APPROPRIATION TO THE GOVERNOR	
Governor's Contingency Account	100
DEBT SERVICE - STATE TREASURER	
Debt Service	1,488,430,083
UConn 2000 - Debt Service	106,934,315
CHEFA Day Care Security	8,500,000
Pension Obligation Bonds-Teachers' Retirement System	58,451,142
AGENCY TOTAL	1,662,315,540
STATE COMPTROLLER - MISCELLANEOUS OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Maintenance of County Base Fire Radio Network	25,176

Maintenance of State-Wide Fire Radio Network	16,756
Equal Grants to Thirty-Four Non-Profit General Hospitals	31
Police Association of Connecticut	190,000
Connecticut State Firefighter's Association	194,711
Interstate Environmental Commission	97,565
PAYMENTS TO LOCAL GOVERNMENTS	
Reimbursement to Towns for Loss of Taxes on State Property	73,519,215
Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	115,431,737
AGENCY TOTAL	189,475,191
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	9,455,924
State Employees Retirement Contributions	635,628,687
Higher Education Alternative Retirement System	33,403,201
Pensions and Retirements - Other Statutory	1,857,000
Insurance - Group Life	8,101,889
Employers Social Security Tax	239,627,234
State Employees Health Service Cost	554,767,682
Retired State Employees Health Service Cost	482,856,000
Tuition Reimbursement - Training and Travel	1,020,000
AGENCY TOTAL	1,966,717,617
RESERVE FOR SALARY ADJUSTMENTS	
Reserve for Salary Adjustments	29,712,155
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
Workers' Compensation Claims	24,706,154
JUDICIAL REVIEW COUNCIL	
Personal Services	142,514
Other Expenses	27,449
Equipment	100

AGENCY TOTAL	170,063
TOTAL NON-FUNCTIONAL	3,873,096,820
TOTAL GENERAL FUND	17,847,876,530
LESS:	
Reduce Outside Consultant Contracts	-95,000,000
Estimated Unallocated Lapses	-87,780,000
General Personal Services Reduction	-14,000,000
General Other Expenses Reductions	-11,000,000
Personal Services Reductions	-190,977,440
Legislative Unallocated Lapses	-2,700,000
DoIT Lapse	-30,836,354
Enhance Agency Outcomes	-3,000,000
Management Reduction	-10,000,000
Reduce Other Expenses to FY 07 Levels	-28,000,000
NET - GENERAL FUND	17,374,582,736

Sec. 2. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

SPECIAL TRANSPORTATION FUND

	2009-2010
	$
GENERAL GOVERNMENT	
DEPARTMENT OF ADMINISTRATIVE SERVICES	
Other Expenses	2,536,000

TOTAL	2,536,000
GENERAL GOVERNMENT	
REGULATION AND PROTECTION	
DEPARTMENT OF MOTOR VEHICLES	
Personal Services	44,510,504
Other Expenses	14,126,534
Equipment	595,957
Commercial Vehicle Information Systems and Networks Project	268,850
AGENCY TOTAL	59,501,845
TOTAL	59,501,845
REGULATION AND PROTECTION	
TRANSPORTATION	
DEPARTMENT OF TRANSPORTATION	
Personal Services	156,647,684
Other Expenses	43,426,685
Equipment	2,001,945
Minor Capital Projects	332,500
Highway and Bridge Renewal-Equipment	6,000,000
Highway Planning and Research	2,670,601
Rail Operations	113,685,208
Bus Operations	121,368,445
Highway and Bridge Renewal	12,402,843
Tweed-New Haven Airport Grant	1,500,000
ADA Para-transit Program	23,826,375
Non-ADA Dial-A-Ride Program	576,361
AGENCY TOTAL	484,438,647
TOTAL	484,438,647
TRANSPORTATION	

NON-FUNCTIONAL	
DEBT SERVICE - STATE TREASURER	
Debt Service	443,958,243
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	220,624
State Employees Retirement Contributions	77,381,217
Insurance - Group Life	313,554
Employers Social Security Tax	18,199,536
State Employees Health Service Cost	33,315,655
AGENCY TOTAL	129,430,586
RESERVE FOR SALARY ADJUSTMENTS	
Reserve for Salary Adjustments	2,582,210
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
Workers' Compensation Claims	5,200,783
TOTAL	581,171,822
NON-FUNCTIONAL	
TOTAL	1,127,648,314
SPECIAL TRANSPORTATION FUND	
LESS:	
Estimated Unallocated Lapses	-11,000,000
Personal Services Reductions	-10,227,979
NET -	1,106,420,335
SPECIAL TRANSPORTATION FUND	

Sec. 3. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

MASHANTUCKET PEQUOT AND MOHEGAN FUND	
	2009-2010
	$
NON-FUNCTIONAL	
STATE COMPTROLLER - MISCELLANEOUS PAYMENTS TO LOCAL GOVERNMENTS	
Grants To Towns	61,779,907
TOTAL	61,779,907
NON-FUNCTIONAL	
TOTAL	61,779,907
MASHANTUCKET PEQUOT AND MOHEGAN FUND	

Sec. 4. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

SOLDIERS, SAILORS AND MARINES' FUND	
	2009-2010
	$
HUMAN SERVICES	
SOLDIERS, SAILORS AND MARINES' FUND	
Personal Services	562,939
Other Expenses	82,788
Award Payments to Veterans	1,979,800
Fringe Benefits	352,941
AGENCY TOTAL	2,978,468

TOTAL	2,978,468
HUMAN SERVICES	
TOTAL	2,978,468
SOLDIERS, SAILORS AND MARINES' FUND	

Sec. 5. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

REGIONAL MARKET OPERATION
FUND

	2009-2010
	$
CONSERVATION AND DEVELOPMENT	
DEPARTMENT OF AGRICULTURE	
Personal Services	350,000
Other Expenses	270,896
Equipment	100
Fringe Benefits	243,596
AGENCY TOTAL	864,592
NON-FUNCTIONAL	
DEBT SERVICE - STATE TREASURER	
Debt Service	64,350
TOTAL	64,350
NON-FUNCTIONAL	
TOTAL	928,942
REGIONAL MARKET OPERATION FUND	

Sec. 6. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

BANKING FUND

	2009-2010
	$
REGULATION AND PROTECTION	
DEPARTMENT OF BANKING	
Personal Services	10,785,132
Other Expenses	1,974,735
Equipment	18,984
Fringe Benefits	5,982,965
Indirect Overhead	879,332
AGENCY TOTAL	19,641,148
TOTAL	19,641,148
REGULATION AND PROTECTION	
TOTAL	19,641,148
BANKING FUND	

Sec. 7. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

INSURANCE FUND

	2009-2010
	$
REGULATION AND PROTECTION	
INSURANCE DEPARTMENT	
Personal Services	13,252,487
Other Expenses	2,396,611
Equipment	102,375
Fringe Benefits	7,737,063
Indirect Overhead	370,204

AGENCY TOTAL	23,858,740
OFFICE OF THE HEALTHCARE ADVOCATE	
Personal Services	713,161
Other Expenses	183,342
Equipment	2,400
Fringe Benefits	375,228
Indirect Overhead	20,000
AGENCY TOTAL	1,294,131
TOTAL	25,152,871
REGULATION AND PROTECTION	
HUMAN SERVICES	
DEPARTMENT OF SOCIAL SERVICES	
Other Expenses	500,000
TOTAL	500,000
HUMAN SERVICES	
TOTAL	25,652,871
INSURANCE FUND	

Sec. 8. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND	
	2009-2010
	$
REGULATION AND PROTECTION	
OFFICE OF CONSUMER COUNSEL	
Personal Services	1,476,507

Other Expenses	556,971
Equipment	10,000
Fringe Benefits	866,726
Indirect Overhead	208,775
AGENCY TOTAL	3,118,979
DEPARTMENT OF PUBLIC UTILITY CONTROL	
Personal Services	11,419,537
Other Expenses	1,593,827
Equipment	60,500
Fringe Benefits	6,649,407
Indirect Overhead	387,526
AGENCY TOTAL	20,110,797
TOTAL	23,229,776
REGULATION AND PROTECTION	
TOTAL	23,229,776
CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND	

Sec. 9. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

WORKERS' COMPENSATION FUND

	2009-2010
	$
GENERAL GOVERNMENT	
DIVISION OF CRIMINAL JUSTICE	
Personal Services	589,619
Other Expenses	22,462
Equipment	1,800
AGENCY TOTAL	613,881

TOTAL	613,881
GENERAL GOVERNMENT	
REGULATION AND PROTECTION	
LABOR DEPARTMENT	
Occupational Health Clinics	674,587
WORKERS' COMPENSATION COMMISSION	
Personal Services	9,900,000
Other Expenses	2,558,530
Equipment	97,000
Rehabilitative Services	2,288,065
Fringe Benefits	5,586,922
Indirect Overhead	895,579
AGENCY TOTAL	21,326,096
TOTAL	22,000,683
REGULATION AND PROTECTION	
TOTAL	22,614,564
WORKERS' COMPENSATION FUND	

Sec. 10. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

CRIMINAL INJURIES COMPENSATION FUND	
	2009-2010
	$
JUDICIAL	
JUDICIAL DEPARTMENT	
Criminal Injuries Compensation	3,132,410

TOTAL	3,132,410
JUDICIAL	
TOTAL	3,132,410
CRIMINAL INJURIES COMPENSATION FUND	

Sec. 11. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

GENERAL FUND

	2010-2011
	$
LEGISLATIVE	
LEGISLATIVE MANAGEMENT	
Personal Services	46,473,050
Other Expenses	16,890,317
Equipment	983,000
Flag Restoration	50,000
Minor Capital Improvements	825,000
Interim Salary/Caucus Offices	461,000
Redistricting	400,000
Connecticut Academy of Science and Engineering	100,000
Old State House	583,400
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Interstate Conference Fund	378,235
AGENCY TOTAL	67,144,002
AUDITORS OF PUBLIC ACCOUNTS	
Personal Services	12,569,724
Other Expenses	806,647
Equipment	50,000
AGENCY TOTAL	13,426,371

COMMISSION ON AGING	
Personal Services	216,207
Other Expenses	39,864
AGENCY TOTAL	256,071
PERMANENT COMMISSION ON THE STATUS OF WOMEN	
Personal Services	389,217
Other Expenses	116,203
AGENCY TOTAL	505,420
COMMISSION ON CHILDREN	
Personal Services	457,745
Other Expenses	72,675
AGENCY TOTAL	530,420
LATINO AND PUERTO RICAN AFFAIRS COMMISSION	
Personal Services	280,797
Other Expenses	38,994
AGENCY TOTAL	319,791
AFRICAN-AMERICAN AFFAIRS COMMISSION	
Personal Services	184,780
Other Expenses	27,456
AGENCY TOTAL	212,236
ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION	
Personal Services	49,810
Other Expenses	2,500
AGENCY TOTAL	52,310
TOTAL	82,446,621
LEGISLATIVE	
GENERAL GOVERNMENT	

GOVERNOR'S OFFICE	
Personal Services	2,780,000
Other Expenses	236,995
Equipment	95
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
New England Governors' Conference	100,692
National Governors' Association	119,900
AGENCY TOTAL	3,237,682
SECRETARY OF THE STATE	
Personal Services	1,680,000
Other Expenses	843,884
Equipment	100
Commercial Recording Division	7,825,000
AGENCY TOTAL	10,348,984
LIEUTENANT GOVERNOR'S OFFICE	
Personal Services	448,000
Other Expenses	87,054
Equipment	100
AGENCY TOTAL	535,154
ELECTIONS ENFORCEMENT COMMISSION	
Personal Services	1,632,885
Other Expenses	326,396
Citizens' Election Fund Administration Account	3,200,000
AGENCY TOTAL	5,159,281
OFFICE OF STATE ETHICS	
Personal Services	1,600,359
Other Expenses	245,796
Equipment	15,000
Judge Trial Referee Fees	20,000
Reserve for Attorney Fees	26,129
Information Technology Initiatives	50,000

AGENCY TOTAL	1,957,284
FREEDOM OF INFORMATION COMMISSION	
Personal Services	2,051,870
Other Expenses	248,445
Equipment	48,500
AGENCY TOTAL	2,348,815
JUDICIAL SELECTION COMMISSION	
Personal Services	72,072
Other Expenses	18,375
Equipment	100
AGENCY TOTAL	90,547
CONTRACTING STANDARDS BOARD	
Personal Services	600,000
Other Expenses	350,000
Equipment	100
AGENCY TOTAL	950,100
STATE TREASURER	
Personal Services	4,160,240
Other Expenses	282,836
Equipment	100
AGENCY TOTAL	4,443,176
STATE COMPTROLLER	
Personal Services	22,911,656
Other Expenses	5,129,692
Equipment	100
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Governmental Accounting Standards Board	19,570
AGENCY TOTAL	28,061,018
DEPARTMENT OF REVENUE SERVICES	
Personal Services	65,105,383

Other Expenses	9,880,972
Equipment	100
Collection and Litigation Contingency Fund	204,479
AGENCY TOTAL	75,190,934
DIVISION OF SPECIAL REVENUE	
Personal Services	5,822,699
Other Expenses	1,144,445
Equipment	100
Gaming Policy Board	2,903
AGENCY TOTAL	6,970,147
OFFICE OF POLICY AND MANAGEMENT	
Personal Services	15,676,743
Other Expenses	2,802,640
Equipment	100
Automated Budget System and Data Base Link	59,780
Leadership, Education, Athletics in Partnership (LEAP)	850,000
Cash Management Improvement Act	100
Justice Assistance Grants	2,027,750
Neighborhood Youth Centers	1,487,000
Water Planning Council	110,000
Connecticut Impaired Driving Records Information System	950,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Tax Relief for Elderly Renters	24,000,000
Regional Planning Agencies	200,000
PAYMENTS TO LOCAL GOVERNMENTS	
Reimbursement Property Tax - Disability Exemption	400,000
Distressed Municipalities	7,800,000
Property Tax Relief Elderly Circuit Breaker	20,505,899
Property Tax Relief Elderly Freeze Program	560,000
Property Tax Relief for Veterans	2,970,099
P.I.L.O.T. - New Manufacturing Machinery and	

Equipment	57,348,215
Capital City Economic Development	6,050,000
AGENCY TOTAL	143,798,326
DEPARTMENT OF VETERANS' AFFAIRS	
Personal Services	25,195,059
Other Expenses	6,970,217
Equipment	100
Support Services for Veterans	190,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Burial Expenses	7,200
Headstones	370,000
AGENCY TOTAL	32,732,576
OFFICE OF WORKFORCE COMPETITIVENESS	
Personal Services	431,474
Other Expenses	100,000
CETC Workforce	1,000,000
Job Funnels Projects	500,000
Nanotechnology Study	200,000
Spanish-American Merchants Association	570,000
SBIR Matching Grants	150,000
AGENCY TOTAL	2,951,474
BOARD OF ACCOUNTANCY	
Personal Services	345,306
Other Expenses	77,863
AGENCY TOTAL	423,169
DEPARTMENT OF ADMINISTRATIVE SERVICES	
Personal Services	23,512,355
Other Expenses	14,753,653
Equipment	300
Loss Control Risk Management	239,329
Employees' Review Board	32,630

Surety Bonds for State Officials and Employees	74,400
Refunds of Collections	28,500
W. C. Administrator	5,213,554
Hospital Billing System	114,950
Correctional Ombudsman	200,000
Claims Commissioner Operations	343,377
AGENCY TOTAL	44,513,048

DEPARTMENT OF INFORMATION TECHNOLOGY	
Personal Services	8,990,175
Other Expenses	6,648,090
Equipment	100
Connecticut Education Network	4,003,401
Internet and E-Mail Services	5,553,331
Statewide Information Technology Services	23,917,586
AGENCY TOTAL	49,112,683

DEPARTMENT OF PUBLIC WORKS	
Personal Services	7,690,198
Other Expenses	26,911,416
Equipment	100
Management Services	3,836,508
Rents and Moving	11,225,596
Capitol Day Care Center	127,250
Facilities Design Expenses	4,744,945
AGENCY TOTAL	54,536,013

ATTORNEY GENERAL	
Personal Services	31,407,674
Other Expenses	1,027,637
Equipment	100
AGENCY TOTAL	32,435,411

DIVISION OF CRIMINAL JUSTICE	
Personal Services	48,910,817
Other Expenses	2,293,902

Equipment	100
Forensic Sex Evidence Exams	1,021,060
Witness Protection	338,247
Training and Education	109,687
Expert Witnesses	198,643
Medicaid Fraud Control	767,282
Criminal Justice Commission	650
AGENCY TOTAL	53,640,388
TOTAL	553,436,210
GENERAL GOVERNMENT	
REGULATION AND PROTECTION	
DEPARTMENT OF PUBLIC SAFETY	
Personal Services	130,605,902
Other Expenses	30,368,119
Equipment	100
Stress Reduction	23,354
Fleet Purchase	7,035,596
Workers' Compensation Claims	3,438,787
COLLECT	48,925
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Civil Air Patrol	34,920
AGENCY TOTAL	171,555,703
POLICE OFFICER STANDARDS AND TRAINING COUNCIL	
Personal Services	2,101,436
Other Expenses	993,398
Equipment	100
AGENCY TOTAL	3,094,934
MILITARY DEPARTMENT	
Personal Services	3,475,246
Other Expenses	2,744,995

Equipment	100
Firing Squads	319,500
Veteran's Service Bonuses	306,000
AGENCY TOTAL	6,845,841
COMMISSION ON FIRE PREVENTION AND CONTROL	
Personal Services	1,683,823
Other Expenses	715,288
Equipment	100
Firefighter Training I	505,250
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Fire Training School - Willimantic	161,798
Fire Training School - Torrington	81,367
Fire Training School - New Haven	48,364
Fire Training School - Derby	37,139
Fire Training School - Wolcott	100,162
Fire Training School - Fairfield	70,395
Fire Training School - Hartford	169,336
Fire Training School - Middletown	59,053
Payments to Volunteer Fire Companies	195,000
Fire Training School - Stamford	55,432
AGENCY TOTAL	3,882,507
DEPARTMENT OF CONSUMER PROTECTION	
Personal Services	11,074,000
Other Expenses	1,233,373
Equipment	100
AGENCY TOTAL	12,307,473
LABOR DEPARTMENT	
Personal Services	8,748,706
Other Expenses	750,000
Equipment	100
Workforce Investment Act	30,454,160
Connecticut's Youth Employment Program	3,500,000

Jobs First Employment Services	17,557,963
Opportunity Industrial Centers	500,000
Individual Development Accounts	100,000
STRIDE	270,000
Apprenticeship Program	500,000
Connecticut Career Resource Network	150,363
21st Century Jobs	450,000
Incumbent Worker Training	450,000
STRIVE	270,000
AGENCY TOTAL	63,701,292
OFFICE OF THE VICTIM ADVOCATE	
Personal Services	265,374
Other Expenses	40,020
Equipment	100
AGENCY TOTAL	305,494
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES	
Personal Services	5,214,816
Other Expenses	672,047
Equipment	200
Martin Luther King, Jr. Commission	6,650
AGENCY TOTAL	5,893,713
OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES	
Personal Services	2,292,590
Other Expenses	369,483
Equipment	100
AGENCY TOTAL	2,662,173
OFFICE OF THE CHILD ADVOCATE	
Personal Services	645,160
Other Expenses	162,016
Equipment	100
Child Fatality Review Panel	95,010

AGENCY TOTAL	902,286
DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY	
Personal Services	3,407,563
Other Expenses	854,460
Equipment	100
AGENCY TOTAL	4,262,123
TOTAL	275,413,539
REGULATION AND PROTECTION	
CONSERVATION AND DEVELOPMENT	
DEPARTMENT OF AGRICULTURE	
Personal Services	3,930,000
Other Expenses	400,000
Equipment	100
Vibrio Bacterium Program	100
Senior Food Vouchers	300,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
WIC Program for Fresh Produce for Seniors	104,500
Collection of Agricultural Statistics	1,080
Tuberculosis and Brucellosis Indemnity	900
Fair Testing	5,040
Connecticut Grown Product Promotion	15,000
WIC Coupon Program for Fresh Produce	184,090
AGENCY TOTAL	4,940,810
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Personal Services	34,410,000
Other Expenses	3,468,259
Equipment	100
Stream Gaging	202,355

Mosquito Control	300,000
State Superfund Site Maintenance	371,450
Laboratory Fees	248,289
Dam Maintenance	128,067
Councils, Districts, and ERTs Land Use Assistance	800,000
Emergency Spill Response Account	10,591,753
Environmental Quality Fees Fund	9,472,114
Solid Waste Management Account	2,832,429
Underground Storage Tank Account	4,941,744
Clean Air Account Fund	4,907,534
Environmental Conservation Fund	7,969,509
Boating Account	5,958,587
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Agreement USGS - Geological Investigation	47,000
Agreement USGS - Hydrological Study	157,632
New England Interstate Water Pollution Commission	8,400
Northeast Interstate Forest Fire Compact	2,040
Connecticut River Valley Flood Control Commission	40,200
Thames River Valley Flood Control Commission	48,281
Agreement USGS - Water Quality Stream Monitoring	218,428
PAYMENTS TO LOCAL GOVERNMENTS	
Lobster Restoration	200,000
AGENCY TOTAL	87,324,171
COUNCIL ON ENVIRONMENTAL QUALITY	
Personal Services	163,355
Other Expenses	14,500
Equipment	100
AGENCY TOTAL	177,955
COMMISSION ON CULTURE AND TOURISM	
Personal Services	2,726,406
Other Expenses	857,658

Equipment	100
State-Wide Marketing	1
Connecticut Association for the Performing Arts/ Shubert Theater	406,125
Hartford Urban Arts Grant	406,125
New Britain Arts Alliance	81,225
Film Industry Training Program	250,000
Ivoryton Playhouse	47,500
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Discovery Museum	406,125
National Theatre for the Deaf	162,450
Culture, Tourism, and Arts Grant	2,000,000
CT Trust for Historic Preservation	225,625
Connecticut Science Center	676,250
PAYMENTS TO LOCAL GOVERNMENTS	
Greater Hartford Arts Council	101,531
Stamford Center for the Arts	406,125
Stepping Stone Child Museum	47,500
Maritime Center Authority	570,000
Basic Cultural Resources Grant	1,500,000
Tourism Districts	1,800,000
Connecticut Humanities Council	2,256,250
Amistad Committee for the Freedom Trail	47,500
Amistad Vessel	406,125
New Haven Festival of Arts and Ideas	855,000
New Haven Arts Council	101,531
Palace Theater	406,125
Beardsley Zoo	380,000
Mystic Aquarium	665,000
Quinebaug Tourism	50,000
Northwestern Tourism	50,000
Eastern Tourism	50,000
Central Tourism	50,000
Twain/Stowe Homes	102,600
AGENCY TOTAL	18,090,877

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Personal Services	7,514,161
Other Expenses	1,505,188
Equipment	100
Elderly Rental Registry and Counselors	598,171
Small Business Incubator Program	650,000
Fair Housing	325,000
CCAT - Energy Application Research	100,000
Main Street Initiatives	180,000
Residential Service Coordinators	500,000
Office of Military Affairs	161,587
Hydrogen/Fuel Cell Economy	237,500
Southeast CT Incubator	250,000
CCAT-CT Manufacturing Supply Chain	400,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Entrepreneurial Centers	135,375
Subsidized Assisted Living Demonstration	2,166,000
Congregate Facilities Operation Costs	6,884,547
Housing Assistance and Counseling Program	438,500
Elderly Congregate Rent Subsidy	2,389,796
CONNSTEP	800,000
Development Research and Economic Assistance	237,500
PAYMENTS TO LOCAL GOVERNMENTS	
Tax Abatement	1,704,890
Payment in Lieu of Taxes	2,204,000
AGENCY TOTAL	29,382,315

AGRICULTURAL EXPERIMENT STATION	
Personal Services	6,170,000
Other Expenses	923,511
Equipment	100
Mosquito Control	222,089
Wildlife Disease Prevention	83,344
AGENCY TOTAL	7,399,044

TOTAL	147,315,172
CONSERVATION AND DEVELOPMENT	
HEALTH AND HOSPITALS	
DEPARTMENT OF PUBLIC HEALTH	
Personal Services	33,709,718
Other Expenses	5,549,136
Equipment	100
Needle and Syringe Exchange Program	455,072
Children's Health Initiatives	1,481,766
Childhood Lead Poisoning	1,098,172
AIDS Services	4,952,598
Breast and Cervical Cancer Detection and Treatment	2,426,775
Services for Children Affected by AIDS	245,029
Children with Special Health Care Needs	1,271,627
Medicaid Administration	3,782,177
Fetal and Infant Mortality Review	315,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Community Health Services	6,986,052
Rape Crisis	439,684
X-Ray Screening and Tuberculosis Care	379,899
Genetic Diseases Programs	877,416
Immunization Services	9,044,950
PAYMENTS TO LOCAL GOVERNMENTS	
Local and District Departments of Health	4,264,470
Venereal Disease Control	195,210
School Based Health Clinics	10,440,646
AGENCY TOTAL	87,915,497
OFFICE OF THE CHIEF MEDICAL EXAMINER	
Personal Services	5,247,978
Other Expenses	706,703
Equipment	5,000
Medicolegal Investigations	100,039

AGENCY TOTAL	6,059,720
DEPARTMENT OF DEVELOPMENTAL SERVICES	
Personal Services	305,072,458
Other Expenses	27,199,636
Equipment	100
Human Resource Development	219,790
Family Support Grants	3,280,095
Cooperative Placements Program	21,639,755
Clinical Services	4,812,372
Early Intervention	28,840,188
Community Temporary Support Services	67,315
Community Respite Care Programs	330,345
Workers' Compensation Claims	14,246,035
Pilot Program for Autism Services	1,525,176
Voluntary Services	33,692,416
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Rent Subsidy Program	4,537,554
Family Reunion Program	137,900
Employment Opportunities and Day Services	185,041,617
Community Residential Services	388,998,055
AGENCY TOTAL	1,019,640,807
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
Personal Services	209,150,535
Other Expenses	34,886,253
Equipment	100
Housing Supports and Services	13,224,867
Managed Service System	37,208,822
Legal Services	550,275
Connecticut Mental Health Center	8,638,491
Professional Services	9,688,898
General Assistance Managed Care	86,346,032
Workers' Compensation Claims	12,344,566

Nursing Home Screening	622,784
Young Adult Services	56,874,159
TBI Community Services	9,402,612
Jail Diversion	4,426,568
Behavioral Health Medications	8,869,095
Prison Overcrowding	6,231,683
Medicaid Adult Rehabilitation Option	4,044,234
Discharge and Diversion Services	3,080,116
Home and Community Based Services	4,625,558
Persistent Violent Felony Offenders Act	703,333
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Grants for Substance Abuse Services	25,528,766
Grants for Mental Health Services	76,394,230
Employment Opportunities	10,630,353
AGENCY TOTAL	711,127,987
PSYCHIATRIC SECURITY REVIEW BOARD	
Personal Services	321,454
Other Expenses	39,441
Equipment	100
AGENCY TOTAL	360,995
TOTAL	1,825,105,006
HEALTH AND HOSPITALS	
HUMAN SERVICES	
DEPARTMENT OF SOCIAL SERVICES	
Personal Services	121,948,904
Other Expenses	88,398,799
Equipment	100
Children's Health Council	218,317
HUSKY Outreach	706,452
Genetic Tests in Paternity Actions	201,202
State Food Stamp Supplement	511,357
Day Care Projects	478,820

HUSKY Program	48,213,900
Children's Trust Fund	13,673,147
Charter Oak Health Plan	22,510,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Vocational Rehabilitation	7,386,668
Medicaid	3,684,069,974
Lifestar Helicopter	1,388,190
Old Age Assistance	38,110,566
Aid to the Blind	753,000
Aid to the Disabled	62,720,424
Temporary Assistance to Families - TANF	119,158,385
Emergency Assistance	500
Food Stamp Training Expenses	32,397
Connecticut Pharmaceutical Assistance Contract to the Elderly	6,813,755
Healthy Start	1,490,220
DMHAS-Disproportionate Share	105,935,000
Connecticut Home Care Program	75,724,600
Human Resource Development-Hispanic Programs	1,040,365
Services to the Elderly	4,969,548
Safety Net Services	2,100,897
Transportation for Employment Independence Program	3,321,613
Transitionary Rental Assistance	1,186,680
Refunds of Collections	187,150
Services for Persons With Disabilities	695,309
Child Care Services-TANF/CCDBG	95,915,536
Nutrition Assistance	447,663
Housing/Homeless Services	47,306,657
Employment Opportunities	1,231,379
Human Resource Development	38,581
Child Day Care	10,617,392
Independent Living Centers	665,927
AIDS Drug Assistance	606,678
Disproportionate Share-Medical Emergency	

Assistance	51,725,000
DSH-Urban Hospitals in Distressed Municipalities	31,550,000
State Administered General Assistance	304,029,156
School Readiness	4,619,697
Connecticut Children's Medical Center	11,020,000
Community Services	3,414,013
Alzheimer Respite Care	2,294,388
Human Service Infrastructure Community Action Program	3,998,796
Teen Pregnancy Prevention	1,527,384
Medicare Part D Supplemental Needs Fund	4,330,000
PAYMENTS TO LOCAL GOVERNMENTS	
Child Day Care	5,263,706
Human Resource Development	31,034
Human Resource Development-Hispanic Programs	5,900
Teen Pregnancy Prevention	870,326
Services to the Elderly	44,405
Housing/Homeless Services	686,592
Community Services	116,358
AGENCY TOTAL	4,996,302,807
STATE DEPARTMENT ON AGING	
Personal Services	334,615
Other Expenses	118,250
Equipment	100
AGENCY TOTAL	452,965
TOTAL	4,996,755,772
HUMAN SERVICES	
EDUCATION, MUSEUMS, LIBRARIES	
DEPARTMENT OF EDUCATION	
Personal Services	151,482,064
Other Expenses	16,689,076
Equipment	100

Basic Skills Exam Teachers in Training	1,239,559
Teachers' Standards Implementation Program	2,896,508
Early Childhood Program	5,007,354
Development of Mastery Exams Grades 4, 6, and 8	18,786,664
Primary Mental Health	507,294
Adult Education Action	253,355
Vocational Technical School Textbooks	500,000
Repair of Instructional Equipment	232,386
Minor Repairs to Plant	370,702
Connecticut Pre-Engineering Program	350,000
Connecticut Writing Project	50,000
Resource Equity Assessments	283,654
Readers as Leaders	60,000
Early Childhood Advisory Cabinet	75,000
Best Practices	475,000
Longitudinal Data Systems	775,000
School Accountability	1,855,062
Sheff Settlement	26,662,844
Community Plans For Early Childhood	450,000
Improving Early Literacy	150,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
American School for the Deaf	9,979,202
Regional Education Services	1,530,000
Omnibus Education Grants State Supported Schools	6,748,146
Head Start Services	2,748,150
Head Start Enhancement	1,773,000
Family Resource Centers	6,041,488
Charter Schools	53,117,200
Youth Service Bureau Enhancement	625,000
Head Start - Early Childhood Link	2,200,000
PAYMENTS TO LOCAL GOVERNMENTS	
Vocational Agriculture	4,560,565
Transportation of School Children	47,964,000
Adult Education	20,594,371
Health and Welfare Services Pupils Private Schools	4,775,000

Education Equalization Grants	1,889,609,057
Bilingual Education	2,129,033
Priority School Districts	117,237,188
Young Parents Program	229,330
Interdistrict Cooperation	14,127,369
School Breakfast Program	1,634,103
Excess Cost - Student Based	120,491,451
Non-Public School Transportation	3,995,000
School to Work Opportunities	213,750
Youth Service Bureaus	2,947,268
OPEN Choice Program	14,465,002
Magnet Schools	174,631,395
After School Program	5,000,000
AGENCY TOTAL	2,738,517,690
BOARD OF EDUCATION AND SERVICES FOR THE BLIND	
Personal Services	4,356,971
Other Expenses	816,317
Equipment	100
Educational Aid for Blind and Visually Handicapped Children	4,641,842
Enhanced Employment Opportunities	673,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Supplementary Relief and Services	103,925
Vocational Rehabilitation	890,454
Special Training for the Deaf Blind	298,585
Connecticut Radio Information Service	87,640
AGENCY TOTAL	11,868,834
COMMISSION ON THE DEAF AND HEARING IMPAIRED	
Personal Services	617,089
Other Expenses	159,588
Equipment	100
Part-Time Interpreters	316,944

AGENCY TOTAL	1,093,721
STATE LIBRARY	
Personal Services	6,369,643
Other Expenses	817,111
Equipment	100
State-Wide Digital Library	1,973,516
Interlibrary Loan Delivery Service	266,434
Legal/Legislative Library Materials	1,140,000
State-Wide Data Base Program	674,696
Info Anytime	42,500
Computer Access	190,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Support Cooperating Library Service Units	350,000
PAYMENTS TO LOCAL GOVERNMENTS	
Grants to Public Libraries	347,109
Connecticard Payments	1,226,028
AGENCY TOTAL	13,397,137
DEPARTMENT OF HIGHER EDUCATION	
Personal Services	2,384,731
Other Expenses	167,022
Equipment	50
Minority Advancement Program	2,405,666
Alternate Route to Certification	453,181
National Service Act	328,365
International Initiatives	66,500
Minority Teacher Incentive Program	431,374
Education and Health Initiatives	522,500
CommPACT Schools	712,500
Americorps	500,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Capitol Scholarship Program	8,902,779
Awards to Children of Deceased/ Disabled Veterans	4,000

Connecticut Independent College Student Grant	23,913,860
Connecticut Aid for Public College Students	30,208,469
New England Board of Higher Education	183,750
Connecticut Aid to Charter Oak	59,393
Washington Center	1,250
AGENCY TOTAL	71,245,390
UNIVERSITY OF CONNECTICUT	
Operating Expenses	222,447,810
Tuition Freeze	4,741,885
Regional Campus Enhancement	8,375,559
Veterinary Diagnostic Laboratory	100,000
AGENCY TOTAL	235,665,254
UNIVERSITY OF CONNECTICUT HEALTH CENTER	
Operating Expenses	120,841,356
AHEC	505,707
AGENCY TOTAL	121,347,063
CHARTER OAK STATE COLLEGE	
Operating Expenses	2,237,098
Distance Learning Consortium	690,786
AGENCY TOTAL	2,927,884
TEACHERS' RETIREMENT BOARD	
Personal Services	1,968,345
Other Expenses	776,322
Equipment	100
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Retirement Contributions	581,593,215
AGENCY TOTAL	584,337,982
REGIONAL COMMUNITY - TECHNICAL COLLEGES	
Operating Expenses	157,388,071

Tuition Freeze	2,160,925
Manufacturing Technology Program - Asnuntuck	345,000
Expand Manufacturing Technology Program	200,000
AGENCY TOTAL	160,093,996
CONNECTICUT STATE UNIVERSITY	
Operating Expenses	155,508,164
Tuition Freeze	6,561,971
Waterbury-Based Degree Program	1,079,339
AGENCY TOTAL	163,149,474
TOTAL	4,103,644,425
EDUCATION, MUSEUMS, LIBRARIES	
CORRECTIONS	
DEPARTMENT OF CORRECTION	
Personal Services	417,157,898
Other Expenses	82,322,977
Equipment	100
Workers' Compensation Claims	24,898,513
Inmate Medical Services	100,624,298
Parole Staffing and Operations	6,197,800
Mental Health AIC	500,000
Distance Learning	250,000
Children of Incarcerated Parents	700,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Aid to Paroled and Discharged Inmates	9,500
Legal Services to Prisoners	870,595
Volunteer Services	170,758
Community Support Services	40,370,121
AGENCY TOTAL	674,072,560
DEPARTMENT OF CHILDREN AND FAMILIES	
Personal Services	289,178,644
Other Expenses	46,112,706

Equipment	100
Short-Term Residential Treatment	713,129
Substance Abuse Screening	1,823,490
Workers' Compensation Claims	8,627,393
Local Systems of Care	2,297,676
Family Support Services	11,221,507
Emergency Needs	1,800,000
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Health Assessment and Consultation	965,667
Grants for Psychiatric Clinics for Children	14,202,249
Day Treatment Centers for Children	5,797,630
Juvenile Justice Outreach Services	12,728,838
Child Abuse and Neglect Intervention	6,200,880
Community Emergency Services	84,694
Community Based Prevention Programs	4,850,529
Family Violence Outreach and Counseling	1,873,779
Support for Recovering Families	14,026,730
No Nexus Special Education	8,682,808
Family Preservation Services	5,385,396
Substance Abuse Treatment	4,479,269
Child Welfare Support Services	4,279,484
Board and Care for Children - Adoption	86,105,702
Board and Care for Children - Foster	115,122,667
Board and Care for Children - Residential	190,368,901
Individualized Family Supports	17,236,968
Community KidCare	25,946,425
Covenant to Care	166,516
Neighborhood Center	261,010
AGENCY TOTAL	792,885,130
TOTAL	1,552,113,347

CORRECTIONS

JUDICIAL

JUDICIAL DEPARTMENT

Personal Services	326,564,876
Other Expenses	74,893,156
Equipment	44,350
Alternative Incarceration Program	55,157,826
Justice Education Center, Inc.	293,111
Juvenile Alternative Incarceration	30,169,861
Juvenile Justice Centers	3,104,877
Probate Court	11,250,000
Youthful Offender Services	14,741,151
Victim Security Account	73,000
AGENCY TOTAL	516,292,208
PUBLIC DEFENDER SERVICES COMMISSION	
Personal Services	39,095,094
Other Expenses	1,471,223
Equipment	105
Special Public Defenders - Contractual	3,144,467
Special Public Defenders - Non-Contractual	5,407,777
Expert Witnesses	1,535,646
Training and Education	116,852
AGENCY TOTAL	50,771,164
CHILD PROTECTION COMMISSION	
Personal Services	656,631
Other Expenses	175,047
Equipment	100
Training for Contracted Attorneys	42,750
Contracted Attorneys	10,295,218
Contracted Attorneys Related Expenses	108,713
Family Contracted Attorneys/AMC	736,310
AGENCY TOTAL	12,014,769
TOTAL	579,078,141
JUDICIAL	
NON-FUNCTIONAL	

MISCELLANEOUS APPROPRIATION TO THE GOVERNOR	
Governor's Contingency Account	100
DEBT SERVICE - STATE TREASURER	
Debt Service	1,502,643,670
UConn 2000 - Debt Service	118,426,565
CHEFA Day Care Security	8,500,000
Pension Obligation Bonds-Teachers' Retirement System	65,349,255
AGENCY TOTAL	1,694,919,490
STATE COMPTROLLER - MISCELLANEOUS	
OTHER THAN PAYMENTS TO LOCAL GOVERNMENTS	
Maintenance of County Base Fire Radio Network	25,176
Maintenance of State-Wide Fire Radio Network	16,756
Equal Grants to Thirty-Four Non-Profit General Hospitals	31
Police Association of Connecticut	190,000
Connecticut State Firefighter's Association	194,711
Interstate Environmental Commission	97,565
PAYMENTS TO LOCAL GOVERNMENTS	
Reimbursement to Towns for Loss of Taxes on State Property	73,519,215
Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	115,431,737
AGENCY TOTAL	189,475,191
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	6,324,382
State Employees Retirement Contributions	663,481,332
Higher Education Alternative Retirement System	34,152,201
Pensions and Retirements - Other Statutory	1,965,000
Insurance - Group Life	8,255,564
Employers Social Security Tax	249,732,409
State Employees Health Service Cost	516,654,813

Retired State Employees Health Service Cost	546,985,000
Tuition Reimbursement - Training and Travel	900,000
AGENCY TOTAL	2,028,450,701
RESERVE FOR SALARY ADJUSTMENTS	
Reserve for Salary Adjustments	153,524,525
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
Workers' Compensation Claims	24,706,154
JUDICIAL REVIEW COUNCIL	
Personal Services	142,514
Other Expenses	27,449
Equipment	100
AGENCY TOTAL	170,063
TOTAL	4,091,246,224
NON-FUNCTIONAL	
TOTAL	18,121,398,800
GENERAL FUND	
LESS:	
Reduce Outside Consultant Contracts	-95,000,000
Estimated Unallocated Lapses	-87,780,000
General Personal Services Reduction	-14,000,000
General Other Expenses Reductions	-11,000,000
Personal Services Reductions	-193,664,492
Legislative Unallocated Lapses	-2,700,000
DoIT Lapse	-31,718,598
Enhance Agency Outcomes	-50,000,000
Management Reduction	-12,500,000
Reduce Other Expenses to FY 07 Levels	-32,000,000

NET - GENERAL FUND	17,591,035,710

Sec. 12. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

SPECIAL TRANSPORTATION FUND

	2010-2011
	$
GENERAL GOVERNMENT	
DEPARTMENT OF ADMINISTRATIVE SERVICES	
Other Expenses	2,717,500
TOTAL GENERAL GOVERNMENT	2,717,500
REGULATION AND PROTECTION	
DEPARTMENT OF MOTOR VEHICLES	
Personal Services	45,114,735
Other Expenses	14,120,716
Equipment	638,869
Commercial Vehicle Information Systems and Networks Project	268,850
AGENCY TOTAL	60,143,170
TOTAL REGULATION AND PROTECTION	60,143,170
TRANSPORTATION	
DEPARTMENT OF TRANSPORTATION	
Personal Services	157,511,930

Other Expenses	43,426,685
Equipment	1,911,500
Minor Capital Projects	332,500
Highway and Bridge Renewal-Equipment	6,000,000
Highway Planning and Research	2,819,969
Rail Operations	123,776,327
Bus Operations	129,005,915
Highway and Bridge Renewal	12,402,843
Tweed-New Haven Airport Grant	1,500,000
ADA Para-transit Program	25,565,960
Non-ADA Dial-A-Ride Program	576,361
AGENCY TOTAL	504,829,990
TOTAL	504,829,990
TRANSPORTATION	
NON-FUNCTIONAL	
DEBT SERVICE - STATE TREASURER	
Debt Service	467,246,486
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	333,597
State Employees Retirement Contributions	82,284,725
Insurance - Group Life	323,104
Employers Social Security Tax	20,618,699
State Employees Health Service Cost	36,957,858
AGENCY TOTAL	140,517,983
RESERVE FOR SALARY ADJUSTMENTS	
Reserve for Salary Adjustments	12,947,130
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
Workers' Compensation Claims	5,200,783

TOTAL NON-FUNCTIONAL	625,912,382
TOTAL SPECIAL TRANSPORTATION FUND	1,193,603,042
LESS:	
Estimated Unallocated Lapses	-11,000,000
Personal Services Reductions	-10,413,528
NET - SPECIAL TRANSPORTATION FUND	1,172,189,514

Sec. 13. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

MASHANTUCKET PEQUOT AND MOHEGAN FUND	2010-2011
	$
NON-FUNCTIONAL	
STATE COMPTROLLER - MISCELLANEOUS PAYMENTS TO LOCAL GOVERNMENTS Grants To Towns	61,779,907
TOTAL NON-FUNCTIONAL	61,779,907
TOTAL MASHANTUCKET PEQUOT AND MOHEGAN FUND	61,779,907

Sec. 14. (*Effective from passage*) The following sums are appropriated

for the annual period as indicated for the purposes described.

SOLDIERS, SAILORS AND MARINES' FUND

	2010-2011
	$
HUMAN SERVICES	
SOLDIERS, SAILORS AND MARINES' FUND	
Personal Services	565,291
Other Expenses	82,799
Award Payments to Veterans	1,979,800
Fringe Benefits	369,653
AGENCY TOTAL	2,997,543
TOTAL	2,997,543
HUMAN SERVICES	
TOTAL	2,997,543
SOLDIERS, SAILORS AND MARINES' FUND	

Sec. 15. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

REGIONAL MARKET OPERATION FUND

	2010-2011
	$
CONSERVATION AND DEVELOPMENT	
DEPARTMENT OF AGRICULTURE	
Personal Services	370,000
Other Expenses	271,507
Equipment	100
Fringe Benefits	251,942

AGENCY TOTAL	893,549
NON-FUNCTIONAL	
DEBT SERVICE - STATE TREASURER	
Debt Service	63,524
TOTAL	63,524
NON-FUNCTIONAL	
TOTAL	957,073
REGIONAL MARKET OPERATION FUND	

Sec. 16. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

BANKING FUND

	2010-2011
	$
REGULATION AND PROTECTION	
DEPARTMENT OF BANKING	
Personal Services	11,072,611
Other Expenses	1,885,735
Equipment	21,708
Fringe Benefits	6,187,321
Indirect Overhead	905,711
AGENCY TOTAL	20,073,086
LABOR DEPARTMENT	
Customized Services	500,000
TOTAL	20,573,086
REGULATION AND PROTECTION	

TOTAL	20,573,086
BANKING FUND	

Sec. 17. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

INSURANCE FUND

	2010-2011
	$
REGULATION AND PROTECTION	
INSURANCE DEPARTMENT	
Personal Services	13,685,483
Other Expenses	2,397,280
Equipment	101,375
Fringe Benefits	8,169,016
Indirect Overhead	395,204
AGENCY TOTAL	24,748,358
OFFICE OF THE HEALTHCARE ADVOCATE	
Personal Services	757,235
Other Expenses	204,838
Equipment	2,400
Fringe Benefits	380,821
Indirect Overhead	24,000
AGENCY TOTAL	1,369,294
TOTAL	26,117,652
REGULATION AND PROTECTION	
HUMAN SERVICES	
DEPARTMENT OF SOCIAL SERVICES	
Other Expenses	500,000

TOTAL	500,000
HUMAN SERVICES	
TOTAL	26,617,652
INSURANCE FUND	

Sec. 18. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND

	2010-2011
	$
REGULATION AND PROTECTION	
OFFICE OF CONSUMER COUNSEL	
Personal Services	1,523,895
Other Expenses	556,971
Equipment	9,500
Fringe Benefits	918,729
Indirect Overhead	215,039
AGENCY TOTAL	3,224,134
DEPARTMENT OF PUBLIC UTILITY CONTROL	
Personal Services	11,796,389
Other Expenses	1,594,642
Equipment	80,500
Fringe Benefits	6,850,941
Indirect Overhead	410,780
AGENCY TOTAL	20,733,252
TOTAL	23,957,386
REGULATION AND PROTECTION	
TOTAL	23,957,386

CONSUMER COUNSEL AND PUBLIC UTILITY
CONTROL FUND

Sec. 19. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

WORKERS' COMPENSATION FUND

	2010-2011
	$
GENERAL GOVERNMENT	
DIVISION OF CRIMINAL JUSTICE	
Personal Services	590,714
Other Expenses	22,776
Equipment	600
AGENCY TOTAL	614,090
TOTAL	614,090
GENERAL GOVERNMENT	
REGULATION AND PROTECTION	
LABOR DEPARTMENT	
Occupational Health Clinics	674,587
WORKERS' COMPENSATION COMMISSION	
Personal Services	10,040,000
Other Expenses	2,558,530
Equipment	137,000
Rehabilitative Services	2,320,098
Fringe Benefits	5,805,640
Indirect Overhead	922,446
AGENCY TOTAL	21,783,714
TOTAL	22,458,301

REGULATION AND PROTECTION

TOTAL	23,072,391
WORKERS' COMPENSATION FUND	

Sec. 20. (*Effective from passage*) The following sums are appropriated for the annual period as indicated for the purposes described.

CRIMINAL INJURIES COMPENSATION FUND

	2010-2011
	$
JUDICIAL	
JUDICIAL DEPARTMENT	
Criminal Injuries Compensation	3,408,598
TOTAL	3,408,598
JUDICIAL	
TOTAL	3,408,598
CRIMINAL INJURIES COMPENSATION FUND	

Sec. 21. (*Effective from passage*) During each of the fiscal years ending June 30, 2010, and June 30, 2011, $1,000,000 of the federal funds received by the Department of Education, from Part B of the Individuals with Disabilities Education Act (IDEA), shall be transferred to the Department of Developmental Services, for the Birth-to-Three program, in order to carry out Part B responsibilities consistent with the IDEA.

Sec. 22. (*Effective from passage*) Notwithstanding the provisions of sections 10-67 to 10-73b, inclusive, of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, the WACE Technical Training Center in Waterbury shall be eligible to spend up to $300,000

of funding received under the Adult Education Grant pursuant to said sections 10-67 to 10-73b, inclusive, of the general statutes for technical training.

Sec. 23. (*Effective from passage*) (a) For the fiscal year ending June 30, 2010, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts - $40,929,547, (2) for school readiness - $69,813,190, (3) for extended school building hours - $2,994,752, and (4) for school accountability - $3,499,699.

(b) For the fiscal year ending June 30, 2011, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts - $40,929,547, (2) for school readiness - $69,813,190, (3) for extended school building hours - $2,994,752, and (4) for school accountability - $3,499,699.

Sec. 24. (*Effective from passage*) Notwithstanding the provisions of section 10a-22u of the general statutes, the amount of funds available to the Department of Higher Education, for expenditure from the student protection account, shall be $245,000 for the fiscal year ending June 30, 2010, and $257,000 for the fiscal year ending June 30, 2011.

Sec. 25. (*Effective from passage*) (a) Notwithstanding the provisions of section 10a-40 of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, an independent college or university that meets full need and that bases its definition of need on a needs analysis system that results in determinations of need for individual students that are greater than the determinations of need for such students would be if made in accordance with section 10a-41 of the general statutes, shall not receive the amount of annual allocation computed for such college or university under said section 10a-40. For each such fiscal year, the Department of Higher Education shall redistribute two-

thirds of such amount to all other eligible independent colleges or universities in accordance with the computation for allocation under said section 10a-40. The department shall set aside the remaining one-third of such amount for each such fiscal year for purposes set forth in subsections (b) and (c) of this section.

(b) Up to $500,000 appropriated to the Department of Higher Education in section 1 of this act, for Connecticut Independent College Student Grant, and set aside pursuant to subsection (a) of this section, shall be transferred to Opportunities for Veterinary Medicine, and such funds shall be available for such purpose during the fiscal year ending June 30, 2010.

(c) Up to $500,000 appropriated to the Department of Higher Education in section 11 of this act, for Connecticut Independent College Student Grant, and set aside pursuant to subsection (a) of this section, shall be transferred to Opportunities for Veterinary Medicine, and such funds shall be available for such purpose during the fiscal year ending June 30, 2011.

Sec. 26. (*Effective from passage*) The unexpended balance of funds transferred from the Reserve for Salary Adjustment account in the Special Transportation Fund to the Department of Motor Vehicles, in section 39 of special act 00-13, and carried forward in subsection (a) of section 34 of special act 01-1 of the June special session, and subsection (a) of section 41 of public act 03-1 of the June 30 special session, and section 43 of public act 05-251, and section 42 of public act 07-1 of the June special session for the Commercial Vehicle Information Systems and Networks Project, shall not lapse on June 30, 2009, and such funds shall continue to be available for expenditure for such purpose during the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 27. (*Effective from passage*) (a) The unexpended balance of funds appropriated to the Department of Motor Vehicles in section 49 of

special act 99-10, and carried forward in subsection (b) of section 34 of special act 01-1 of the June special session, and subsection (b) of section 41 of public act 03-1 of the June 30 special session, and subsection (a) of section 45 of public act 05-251, and subsection (a) of section 43 of public act 07-1 of the June special session for the purpose of upgrading the Department of Motor Vehicles' registration and driver license data processing systems, shall not lapse on June 30, 2009, and such funds shall continue to be available for expenditure for such purpose during the fiscal years ending June 30, 2010, and June 30, 2011.

(b) Up to $7,000,000 of the unexpended balance appropriated to the Department of Transportation, for Personal Services, in section 12 of public act 03-1 of the June 30 special session, and carried forward and transferred to the Department of Motor Vehicles' Reflective License Plates account by section 33 of public act 04-216, and carried forward by section 72 of public act 04-2 of the May special session, and subsection (b) of section 45 of public act 05-251, and subsection (b) of section 43 of public act 07-1 of the June special session, shall not lapse on June 30, 2009, and such funds shall continue to be available for expenditure for the purpose of upgrading the Department of Motor Vehicles' registration and driver license data processing systems for the fiscal years ending June 30, 2010, and June 30, 2011.

(c) Up to $8,500,000 of the unexpended balance appropriated to the State Treasurer, for Debt Service, in section 12 of public act 03-1 of the June 30 special session, and carried forward and transferred to the Department of Motor Vehicles' Reflective License Plates account by section 33 of public act 04-216, and carried forward by section 72 of public act 04-2 of the May special session, and subsection (c) of section 45 of public act 05-251, and subsection (c) of section 43 of public act 07-1 of the June special session, shall not lapse on June 30, 2009, and such funds shall continue to be available for expenditure for the purpose of upgrading the Department of Motor Vehicles' registration and driver

license data processing systems for the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 28. (*Effective from passage*) (a) Up to $750,000 of the funds appropriated to the Department of Banking, for Other Expenses, in section 6 of public act 07-1 of the June special session, and carried forward under subsection (c) of section 4-89 of the general statutes, shall not lapse on June 30, 2009, and shall continue to be available for expenditure for improvements associated with the new office lease during the fiscal year ending June 30, 2010.

(b) Up to $250,000 of the funds appropriated to the Department of Banking, for Equipment, in section 6 of public act 07-1 of the June special session, and carried forward under subsection (c) of section 4-89 of the general statutes, shall not lapse on June 30, 2009, and shall continue to be available for expenditure for improvements associated with the new office lease during the fiscal year ending June 30, 2010.

Sec. 29. (*Effective from passage*) (a) The sum of $1,100,000 appropriated to the Office of Policy and Management, for Neighborhood Youth Centers, for the fiscal years ending June 30, 2010, and June 30, 2011, shall be used for grants to the following organizations: the Boys and Girls Clubs of Connecticut; and up to $100,000 to the Boys and Girls Club of Bridgeport, provided said organizations shall be required to provide a one hundred per cent cash match for such sum.

(b) The sum of $387,000 appropriated to the Office of Policy and Management, for Neighborhood Youth Centers, for each of the fiscal years ending June 30, 2010, and June 30, 2011, shall be used for grants to the following organizations: Centro San Jose; Hill Cooperative Youth Services, Inc.; Central YMCA in New Haven; up to $87,000 to Trumbull Gardens in Bridgeport: up to $50,000 for the Valley Shore YMCA in Westbrook; up to $25,000 for the Rivera Memorial

Foundation, Inc. of Waterbury; and up to $25,000 for the Willow Plaza Neighborhood Revitalization Zone Association in Waterbury, provided said organizations shall be required to provide a match of at least fifty per cent of the grant amount, and the cash portion of such match shall be at least twenty-five per cent of the grant amount.

Sec. 30. (*Effective from passage*) Notwithstanding the provisions of section 4-28e of the general statutes, for the fiscal year ending June 30, 2010, the sum of $150,000 shall be transferred from the Tobacco and Health Trust Fund to the Department of Public Health for a pilot asthma awareness program.

Sec. 31. (*Effective from passage*) The unexpended balance of funds appropriated in section 5 of public act 08-1 of the August special session, and carried forward in section 3 of public act 09-2 of the June 19 special session, to the Office of Policy and Management, for the purpose of expanding Operation Fuel, Incorporated, shall be available to provide emergency energy assistance from July 1, 2009, to June 30, 2010, 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 energy assistance provided pursuant to this section directly to fuel vendors, municipal utilities furnishing electricity or natural gas or electric or natural gas companies.

Sec. 32. (*Effective from passage*) (a) That portion of unexpended funds, as determined by the Secretary of the Office of Policy and Management, appropriated in public act 07-1 of the June special session, which relate to collective bargaining agreements and related costs, shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal years ending June 30, 2010, and June 30, 2011.

(b) That portion of unexpended funds, as determined by the Secretary of the Office of Policy and Management, appropriated in sections 1 and 2 of this act, which relate to collective bargaining agreements and related costs, shall not lapse on June 30, 2010, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2011.

Sec. 33. (*Effective from passage*) The unexpended balance of funds appropriated to the Office of Policy and Management, for Other Expenses, for a health care and pension consulting contract, in section 1 of public act 05-251, as amended by section 1 of public act 06-186, and carried forward under section 29 of public act 07-1 of the June special session and subsection (c) of section 4-89 of the general statutes, shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 34. (*Effective from passage*) Up to $250,000 of the unexpended balance of funds appropriated to the Office of Policy and Management, for Other Expenses to prevent potential base closures, in subsections (a) and (c) of section 49 of public act 05-251 and carried forward under section 30 of public act 07-1 of the June special session and subsection (c) of section 4-89 of the general statutes, shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2010.

Sec. 35. (*Effective from passage*) The unexpended balance of funds appropriated to the Office of Policy and Management, for licensing and permitting fees, in section 1 of public act 05-251, as amended by section 1 of public act 06-186, and carried forward under section 33 of public act 07-1 of the June special session and subsection (c) of section 4-89 of the general statutes, shall not lapse on June 30, 2009, and such funds shall be transferred to the Department of Information Technology for implementing a common Licensing/Permit issuance

service for state agencies during the fiscal year ending June 30, 2010.

Sec. 36. (*Effective from passage*) The unexpended balance of funds appropriated to the Office of Policy and Management in section 43 of public act 08-1 of the January special session for design and implementation of a comprehensive, state-wide information technology system for the sharing of criminal justice information and for costs related to the Criminal Justice Information System Governing Board shall not lapse on June 30, 2009, and such funds shall continue to be available for such purposes during the fiscal year ending June 30, 2010.

Sec. 37. (*Effective from passage*) Notwithstanding the provisions of subsection (a) of section 31-261 of the general statutes, $30,000,000 of the amount credited to this state's account in the Unemployment Trust Fund pursuant to Section 903 of the Social Security Act, is deemed to be appropriated to the Labor Department. For the fiscal year ending June 30, 2010, up to $12,000,000 may be used to support the administrative infrastructure of the agency and to improve agency information technology systems, provided not more than $7,000,000 of such sum shall be used for information technology systems. For the fiscal year ending June 30, 2011, up to $18,000,000 may be used to support the administrative infrastructure of the agency and to improve agency information technology systems, provided not more than $13,000,000 of such sum shall be used for information technology systems. Such amounts shall be available for expenditure to the extent allowed under Section 903 of the Social Security Act.

Sec. 38. (*Effective from passage*) (a) Notwithstanding subsection (b) of section 19a-55a of the general statutes, for the fiscal year ending June 30, 2010, $800,000 of the amount collected pursuant to section 19a-55 of the general statutes shall be credited to the newborn screening account, and shall be available for expenditure by the Department of Public Health for the purchase of upgrades to newborn screening technology

and for the expenses of the testing required by sections 19a-55 and 19a-59 of the general statutes.

(b) Notwithstanding subsection (b) of section 19a-55a of the general statutes, for the fiscal year ending June 30, 2011, $800,000 of the amount collected pursuant to section 19a-55 of the general statutes shall be credited to the newborn screening account, and shall be available for expenditure by the Department of Public Health for the purchase of upgrades to newborn screening technology and for the expenses of the testing required by sections 19a-55 and 19a-59 of the general statutes.

Sec. 39. (*Effective from passage*) During the fiscal years ending June 30, 2010, and June 30, 2011, up to $200,000 from the Stem Cell Research Fund established by section 19a-32e of the general statutes may be used each year by the Commissioner of Public Health for administrative expenses.

Sec. 40. (*Effective from passage*) (a) Up to $1,100,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for Regional Action Councils during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(b) Up to $510,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the Governor's Partnership to Protect Connecticut's Workforce during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(c) Up to $100,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available to provide funding to a nonprofit organization with expertise in primary and secondary substance abuse

prevention to build a community-wide, broad-based and inter-institutional approach to substance abuse prevention during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(d) Up to $125,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the Regional Youth/Adult Substance Abuse Project in Bridgeport during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(e) Up to $125,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the RYASAP Regional Action Council in Bridgeport during each of the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 41. (*Effective from passage*) All funds appropriated to the Department of Social Services for DMHAS – Disproportionate Share, in sections 1 and 11 of this act, shall be expended by the Department of Social Services in such amounts and at such times as prescribed by the Office of Policy and Management. The Department of Social Services shall make disproportionate share payments to hospitals in the Department of Mental Health and Addiction Services for operating expenses and for related fringe benefit expenses. Funds received by the hospitals in the Department of Mental Health and Addiction Services, for fringe benefits, shall be used to reimburse the Comptroller. All other funds received by the hospitals in the Department of Mental Health and Addiction Services shall be deposited to grants - other than federal accounts. All disproportionate share payments not expended in grants - other than federal accounts, shall lapse at the end of the fiscal year.

Sec. 42. (*Effective from passage*) Any appropriation, or portion thereof, made to The University of Connecticut Health Center in sections 1 and

11 of this act, may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share – Medical Emergency Assistance account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 43. (*Effective from passage*) Any appropriation, or portion thereof, made to the Department of Veterans' Affairs in sections 1 and 11 of this act, may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share – Medical Emergency Assistance account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 44. (*Effective from passage*) The Secretary of the Office of Policy and Management shall reduce state agency allotments for information technology systems and services funded through the General Fund by $30,836,354 for the fiscal year ending June 30, 2010, and $31,718,598 for the fiscal year ending June 30, 2011.

Sec. 45. (*Effective from passage*) On or before December 1, 2009, the Commissioner of Social Services shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and state budgets and human services describing revisions to the department's nonformulary exception review and appeal process for clients who are dually eligible for Medicaid and Medicare Part D. Such report shall include, but not be limited to, an explanation of (1) the department's revised process for determining, before the department pays for a nonformulary drug, whether the nonformulary drug is medically necessary, (2) the conditions for the department's pursuing an appeal with private plans and (3) the department's criteria for making a referral to the Center for Medicare Advocacy for further appeals.

Sec. 46. (*Effective from passage*) (a) To the extent feasible, the

Department of Children and Families shall prioritize enrollment in the Supportive Housing for Families program on or after October 1, 2009, so as to maximize the number of families in the program that have a child in out-of-home placement that is likely to be reunified due to participation in the program or to maximize the number of families remaining intact.

(b) On or before January 1, 2010, the Commissioner of Children and Families shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and human services describing how the department will utilize funding for the Supportive Housing for Recovering Families program. Such report shall include, but not be limited to, the number of families being served through the program and the number of children expected to be reunified with their families during the fiscal years ending June 30, 2010, and June 30, 2011, as a result of any efforts to give priority to families undergoing reunification in which a child has been placed in an out-of-home setting.

Sec. 47. (*Effective from passage*) (a) The Secretary of the Office of Policy and Management shall recommend reductions in expenditures for Personal Services, for the fiscal years ending June 30, 2010, and June 30, 2011, in order to reduce such expenditures by $14,000,000 for such purpose during each such fiscal year. The provisions of this subsection shall not apply to the constituent units of the State System of Higher Education.

(b) The Secretary of the Office of Policy and Management shall recommend reductions in expenditures for Other Expenses, for the fiscal years ending June 30, 2010, and June 30, 2011, in order to reduce such expenditures for such purpose by $11,000,000 during each such fiscal year. The provisions of this subsection shall not apply to the

constituent units of the State System of Higher Education.

(c) The Secretary of the Office of Policy and Management shall recommend reductions in expenditures for contracts and personal service agreements, other than those for the provision of direct program and health services to consumers, for the fiscal years ending June 30, 2010, and June 30, 2011, in order to reduce expenditures for such purpose by $95,000,000 during each such fiscal year.

(d) On or before October 1, 2009, the Secretary of the Office of Policy and Management shall submit a plan, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the Office of Fiscal Analysis, detailing recommended reductions under subsections (a) to (c), inclusive, of this section.

Sec. 48. (*Effective from passage*) Notwithstanding the provisions of subsections (a) to (d), inclusive, of section 4-85 of the general statutes and subsection (f) of section 4-89 of the general statutes, the Governor may modify or reduce requisitions for allotments during the fiscal years ending June 30, 2010, and June 30, 2011, in order to achieve personal services reductions, including any collective bargaining and other related savings, required under this act, any other public or special act or any collectively bargained agreement.

Sec. 49. (*Effective from passage*) Notwithstanding any provision of the general statutes, the total number of positions that may be filled by the Department of Administrative Services, from the General Services Revolving Fund, shall not exceed one hundred twenty-four.

Sec. 50. (*Effective from passage*) Any appropriation, or portion thereof, made to any agency, from the General Fund, under sections 1 and 11 of this act, may be transferred at the request of such agency to any other

agency by the Governor, with the approval of the Finance Advisory Committee, to take full advantage of federal matching funds, provided both agencies shall certify that the expenditure of such transferred funds by the receiving agency will be for the same purpose as that of the original appropriation or portion thereof so transferred. Any federal funds generated through the transfer of appropriations between agencies may be used for reimbursing General Fund expenditures or for expanding program services or a combination of both as determined by the Governor, with the approval of the Finance Advisory Committee.

Sec. 51. (*Effective from passage*) (a) Any appropriation, or portion thereof, made to any agency, from the General Fund, under sections 1 and 11 of this act, may be transferred at the request of such agency to any other agency by the Governor, with approval of the Finance Advisory Committee in accordance with subsection (b) of this section, for purposes of receiving funds made available to the state from federal legislation intended to promote the recovery of the state or national economy, including, but not limited to, the American Recovery and Reinvestment Act of 2009.

(b) The Governor shall present a plan for any transfer permitted under subsection (a) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and the transferring agency. Such plan shall be approved or rejected by both committees not later than fifteen days after receipt of the plan by said committees. If said committees cannot agree on the action to be taken on such plan, or if the committees fail to act on such plan within said fifteen-day period, the plan as submitted by the Governor shall be deemed approved. If such plan is approved, the committee having cognizance of matters relating to appropriations and the budgets of state agencies

shall request approval of the plan by the Finance Advisory Committee.

Sec. 52. (*Effective from passage*) (a) Any appropriation, or portion thereof, made to any agency, from the General Fund, under sections 1 and 11 of this act, may be adjusted by the Governor, with approval of the Finance Advisory Committee in accordance with subsection (b) of this section, in order to maximize federal funding available to the state, consistent with the relevant federal provisions of law.

(b) The Governor shall present a plan for any such adjustment permitted under subsection (a) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance.

Sec. 53. (*Effective from passage*) For the fiscal years ending June 30, 2010, and June 30, 2011, the Department of Social Services may, in compliance with an advanced planning document approved by the federal Department of Health and Human Services for the development of a data warehouse, establish a receivable for the reimbursement anticipated from such project.

Sec. 54. (*Effective from passage*) For the fiscal years ending June 30, 2010, and June 30, 2011, the Commissioner of Social Services may, upon the request of a nursing facility providing services eligible for payment under the medical assistance program and after consultation with the Secretary of the Office of Policy and Management, make a payment to such nursing facility in advance of normal bill payment processing, provided such advance payment shall not exceed estimated amounts due to such nursing facility for services provided to eligible recipients over the most recent two-month period. The commissioner shall recover such payment through reductions to payments due to such nursing facility or reimbursement from such

nursing facility not later than ninety days after issuance of such payment. The commissioner shall take prudent measures to assure that such advance payments are not provided to any nursing facility that is at risk of bankruptcy or insolvency, and may execute agreements appropriate for the security of repayment.

Sec. 55. (*Effective from passage*) Notwithstanding the provisions of section 17a-17 of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, the provisions of said section 17a-17 shall not be considered in any increases or decreases to rates or allowable per diem payments to private residential treatment centers licensed pursuant to section 17a-145 of the general statutes.

Sec. 56. Subsection (g) of section 9 of public act 09-2 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) Not later than July 1, 2009, the commission shall submit **[**a**]** an initial report on its findings and recommendations to the Governor, the speaker of the House of Representatives and the president pro tempore of the Senate, in accordance with the provisions of section 11-4a of the general statutes, and periodically shall submit additional reports in accordance with this subsection. The commission shall terminate on **[**the date that it submits such report or July 1, 2009, whichever is later**]** June 30, 2010.

Sec. 57. Section 4-85 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Before an appropriation becomes available for expenditure, each budgeted agency shall submit to the Governor through the Secretary of the Office of Policy and Management, not less than twenty days before the beginning of the fiscal year for which such appropriation was made, a requisition for the allotment of the amount estimated to be necessary to carry out the purposes of such appropriation during each

quarter of such fiscal year. Appropriations for capital outlays may be allotted in any manner the Governor deems advisable. Such requisition shall contain any further information required by the Secretary of the Office of Policy and Management. The Governor shall approve such requisitions, subject to the provisions of subsection (b) of this section.

(b) Any allotment requisition and any allotment in force shall be subject to the following: (1) If the Governor determines that due to a change in circumstances since the budget was adopted certain reductions should be made in allotment requisitions or allotments in force or that estimated budget resources during the fiscal year will be insufficient to finance all appropriations in full, the Governor may modify such allotment requisitions or allotments in force to the extent the Governor deems necessary. Before such modifications are effected the Governor shall file a report with the joint standing committee having cognizance of matters relating to appropriations and the budgets of state agencies and the joint standing committee having cognizance of matters relating to state finance, revenue and bonding describing the change in circumstances which makes it necessary that certain reductions should be made or the basis for his determination that estimated budget resources will be insufficient to finance all appropriations in full. (2) If the cumulative monthly financial statement issued by the Comptroller pursuant to section 3-115 includes a projected General Fund deficit greater than one per cent of the total of General Fund appropriations, the Governor, within thirty days following the issuance of such statement, shall file a report with such joint standing committees, including a plan which he shall implement to modify such allotments to the extent necessary to prevent a deficit. No modification of an allotment requisition or an allotment in force made by the Governor pursuant to this subsection shall result in a reduction of more than three per cent of the total appropriation from any fund or more than five per cent of any appropriation, except such limitations shall not apply in time of war, invasion or emergency

caused by natural disaster.

(c) If a plan submitted in accordance with subsection (b) of this section indicates that a reduction of more than three per cent of the total appropriation from any fund or more than five per cent of any appropriation is required to prevent a deficit, the Governor may request that the Finance Advisory Committee approve any such reduction, provided any modification which would result in a reduction of more than five per cent of total appropriations shall require the approval of the General Assembly.

(d) The secretary shall submit copies of allotment requisitions thus approved or modified or allotments in force thus modified, with the reasons for any modifications, to the administrative heads of the budgeted agencies concerned, to the Comptroller and to the joint standing committee of the General Assembly having cognizance of appropriations and matters relating to the budgets of state agencies, through the Office of Fiscal Analysis. The Comptroller shall set up such allotments on the Comptroller's books and be governed thereby in the control of expenditures of budgeted agencies.

(e) The provisions of this section shall not be construed to authorize the Governor to reduce allotment requisitions or allotments in force concerning (1) aid to municipalities; or (2) any budgeted agency of the legislative or judicial branch, except that the Governor may require an aggregate allotment reduction of a specified amount in accordance with this section for the legislative or judicial branch, which shall be achieved as determined by the Joint Committee on Legislative Management or the Chief Court Administrator, as appropriate. The joint committee or Chief Court Administrator, as appropriate, shall submit reductions to the Governor through the Secretary of the Office of Policy and Management not more than fifteen days after the Governor requires such reductions.

Sec. 58. (*Effective from passage*) In addition to any amount due the town of East Lyme for the annual appropriation for reimbursement to towns for loss of taxes for state-owned real property, in accordance with sections 12-19a, 12-19b and 12-19c of the general statutes, for the fiscal year ending June 30, 2010, the sum of $100,000 shall be appropriated, from the General Fund, to said town for reimbursement for loss of taxes for the United States Navy's Dodge Pond Acoustic Measurement Facility in East Lyme.

Sec. 59. (*Effective from passage*) In addition to any amount due the town of Mansfield for the annual appropriation for reimbursement to towns for loss of taxes for state-owned real property, in accordance with sections 12-19a, 12-19b and 12-19c of the general statutes, for the fiscal year ending June 30, 2010, the sum of $400,000 shall be appropriated, from the General Fund, to said town for reimbursement for loss of taxes for the Fenton River Watershed for Mansfield Hollow Dam in Mansfield.

Sec. 60. (*Effective from passage*) The total number of positions which may be filled by any state agency shall not exceed the number of positions recommended by the joint standing committee of the General Assembly on appropriations and the budgets of state agencies, including any revisions to such recommendation resulting from enactments of the General Assembly, as set forth in the report on the state budget for the current biennium published by the legislative Office of Fiscal Analysis, except upon the recommendation of the Governor and approval of the Finance Advisory Committee.

Sec. 61. Section 12-818 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[For the fiscal year ending June 30, 2000, the Connecticut Lottery Corporation shall transfer the sum of eight hundred seventy-five thousand dollars of the revenue received from the sale of lottery tickets

to the chronic gamblers treatment and rehabilitation account created pursuant to section 17a-713. For each of the fiscal years ending June 30, 2001, to June 30, 2006, inclusive, the Connecticut Lottery Corporation shall transfer the sum of one million two hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment and rehabilitation account created pursuant to section 17a-713. For the fiscal year ending June 30, 2007, and each fiscal year thereafter, the Connecticut Lottery Corporation shall transfer one million five hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713.**]**

For each of the fiscal years ending June 30, 2010, and June 30, 2011, the Connecticut Lottery Corporation shall transfer one million nine hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713. For the fiscal year ending June 30, 2012, and each fiscal year thereafter, the Connecticut Lottery Corporation shall transfer one million five hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713.

Sec. 62. (*Effective from passage*) Notwithstanding section 4-28e of the general statutes, the sum of $541,982 shall be made available from the Tobacco and Health Trust Fund, for each of the fiscal years ending June 30, 2010, and June 30, 2011, for the regional emergency medical services councils.

Sec. 63. (*Effective from passage*) Notwithstanding the provisions of section 4-28e of the general statutes, for each of the fiscal years ending June 30, 2010, and June 30, 2011, the sum of $800,000 shall be transferred from the Tobacco and Health Trust Fund to the Department of Public Health, for the Easy Breathing Program, as

follows: (1) For an adult asthma program within the Easy Breathing Program - $300,000, and (2) for a children's asthma program within the Easy Breathing Program - $500,000.

Sec. 64. (*Effective from passage*) Notwithstanding the provisions of section 10-183t of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, (1) the state shall not make appropriations pursuant to subsections (a) and (c) of said section, and (2) the account established in accordance with the provisions of subsection (d) of said section shall (A) pay two-thirds of the basic plan's premium equivalent under said subsection (a), and (B) pay all of the cost of the subsidy under said subsection (c).

Sec. 65. (*Effective from passage*) During the fiscal years ending June 30, 2010, and June 30, 2011, the Secretary of the Office of Policy and Management may, without prior approval of the Finance Advisory Committee, transfer funds appropriated to the Department of Correction in sections 1 and 11 of this act to the judicial branch as necessary to achieve efficiencies in the transportation of inmates.

Sec. 66. Section 29-4 of the general statutes, as amended by section 4 of public act 09-2, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

On and after January 1, 2006, the Commissioner of Public Safety shall appoint and maintain a minimum of one thousand two hundred forty-eight sworn state police personnel to efficiently maintain the operation of the division. On or after June 6, 1990, the commissioner shall appoint from among such personnel not more than three lieutenant colonels who shall be in the unclassified service as provided in section 5-198. Any permanent employee in the classified service who accepts appointment to the position of lieutenant colonel in the unclassified service may return to the classified service at such employee's former rank. The position of major in the classified service

shall be abolished on July 1, 1999, but any existing position of major in the classified service may continue until termination of service. The commissioner shall appoint not more than seven majors who shall be in the unclassified service as provided in section 5-198. Any permanent employee in the classified service who accepts appointment to the position of major in the unclassified service may return to the classified service at such permanent employee's former rank. The commissioner, subject to the provisions of chapter 67, shall appoint such numbers of captains, lieutenants, sergeants, detectives and corporals as the commissioner deems necessary to officer efficiently the state police force. The commissioner may appoint a Deputy State Fire Marshal who shall be in the unclassified service as provided in section 5-198. Any permanent employee in the classified service who accepts appointment to the position of Deputy State Fire Marshal in the unclassified service may return to the classified service at such employee's former rank, class or grade, whichever is applicable. The commissioner shall establish such divisions as the commissioner deems necessary for effective operation of the state police force and consistent with budgetary allotments, a Criminal Intelligence Division and a state-wide organized crime investigative task force to be engaged throughout the state for the purpose of preventing and detecting any violation of the criminal law. The head of the Criminal Intelligence Division shall be of the rank of sergeant or above. The head of the state-wide organized crime investigative task force shall be a police officer. Salaries of the members of the Division of State Police within the Department of Public Safety shall be fixed by the Commissioner of Administrative Services as provided in section 4-40. **[**On and after April 1, 2009, no meal allowance shall be provided to any employee within the Department of Public Safety who is not covered by a collective bargaining agreement that requires such allowance.**]** <u>A meal allowance shall be maintained for state police personnel at the expense of the state.</u> Said police personnel may be promoted, demoted, suspended or removed by the commissioner, but

no final dismissal from the service shall be ordered until a hearing has been had before said commissioner on charges preferred against such officer. Each state police officer shall, before entering upon such officer's duties, be sworn to the faithful performance of such duties. The Commissioner of Public Safety shall designate an adequate patrol force for motor patrol work exclusively.

Sec. 67. (*Effective from passage*) Notwithstanding the provisions of section 4-28e of the general statutes, for each of the fiscal years ending June 30, 2010, and June 30, 2011, the sum of $500,000 shall be transferred from the Tobacco and Health Trust Fund to The University of Connecticut Health Center for the Connecticut Health Information Network.

Sec. 68. (*Effective from passage*) The sum of $100,000 appropriated in section 1 of this act to the Department of Public Health, from the General Fund, for the fiscal year ending June 30, 2010, for AIDS Services, shall be available to support the grant for the AIDS Interfaith Network for technical assistance, audit and capacity building.

Sec. 69. Section 4-66aa of the general statutes, as amended by section 28 of public act 09-229, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established, within the General Fund, a separate, nonlapsing account to be known as the "community investment account". The account shall contain any moneys required by law to be deposited in the account. The funds in the account shall be distributed every three months as follows: (1) Twenty-five per cent to the Connecticut Commission on Culture and Tourism to use as follows: (A) Two hundred thousand dollars, annually, to supplement the technical assistance and preservation activities of the Connecticut Trust for Historic Preservation, established pursuant to special act 75-93, and (B) the remainder to supplement historic preservation activities

as provided in sections 10-409 to 10-415, inclusive; (2) twenty-five per cent to the Connecticut Housing Finance Authority to supplement new or existing affordable housing programs; (3) twenty-five per cent to the Department of Environmental Protection for municipal open space grants; and (4) twenty-five per cent to the Department of Agriculture to use as follows: (A) Five hundred thousand dollars annually for the agricultural viability grant program established pursuant to section 22-26j, as amended by **[**this act**]** section 32 of public act 09-229; (B) five hundred thousand dollars, annually for the farm transition program established pursuant to section 22-26k, as amended by **[**this act**]** section 31 of public act 09-229; (C) one hundred thousand dollars annually to encourage the sale of Connecticut Grown food to schools, restaurants, retailers, and other institutions and businesses in the state; (D) seventy-five thousand dollars annually for the Connecticut farm link program established pursuant to section 22-26*l*; and (E) the remainder for farmland preservation programs pursuant to chapter 422. Each agency receiving funds under this section may use not more than ten per cent of such funds for administration of the programs for which the funds were provided.

(b) Notwithstanding the provisions of subsection (a) of this section, from **[**the effective date of this section**]** July 1, 2009, until July 1, 2011, the funds in the community investment account established pursuant to said subsection shall be distributed every three months as follows: (1) Twenty per cent to the Connecticut Commission on Culture and Tourism to use as follows: (A) Two hundred thousand dollars, annually, to supplement the technical assistance and preservation activities of the Connecticut Trust for Historic Preservation, established pursuant to special act 75-93, and (B) the remainder to supplement historic preservation activities as provided in sections 10-409 to 10-415, inclusive; (2) twenty per cent to the Connecticut Housing Finance Authority to supplement new or existing affordable housing programs; (3) twenty per cent to the Department of Environmental

Protection for municipal open space grants; and (4) forty per cent to the Department of Agriculture to use as follows: (A) **[**Five hundred thousand dollars annually**]** One hundred twenty-five thousand dollars, quarterly, for the agricultural viability grant program established pursuant to section 22-26j, as amended by **[**this act**]** section 32 of public act 09-229; (B) **[**five hundred thousand dollars, annually**]** one hundred twenty-five thousand dollars, quarterly, for the farm transition program established pursuant to section 22-26k, as amended by **[**this act**]** section 31 of public act 09-229; (C) **[**one hundred thousand dollars, annually**]** twenty-five thousand dollars, quarterly, to encourage the sale of Connecticut Grown food to schools, restaurants, retailers, and other institutions and businesses in the state; (D) **[**seventy-five thousand dollars, annually**]** eighteen thousand seven hundred fifty dollars, quarterly, for the Connecticut farm link program established pursuant to section 22-26*l*; **[**and**]** (E) twelve thousand five hundred dollars, quarterly, for Urban Oaks Organic Farm; (F) eleven thousand eight hundred seventy-five dollars, quarterly, for the Seafood Advisory Council established pursuant to section 22-455; (G) eleven thousand eight hundred seventy-five dollars, quarterly, to the Connecticut Farm Wine Development Council established pursuant to section 22-26c; (H) six thousand two hundred fifty dollars, quarterly, to the Connecticut Food Policy Council established pursuant to section 22-456; and (I) the remainder each quarter to the agricultural sustainability account established pursuant to section 29 of **[**this act**]** public act 09-229. Each agency receiving funds under this section may use not more than ten per cent of such funds for administration of the programs for which the funds were provided, except the Department of Agriculture may also use such funds for the administration of farmland preservation programs pursuant to chapter 422.

Sec. 70. (*Effective from passage*) (a) For the fiscal years ending June 30, 2010, and June 30, 2011, any municipality with a population greater than one hundred thirty thousand that has issued pension deficit

funding bonds pursuant to section 7-374c of the general statutes shall not be obligated to make any appropriation to fund, or make any contribution to, any pension plan funded with the proceeds of such bonds. Not later than August 1, 2010, and August 1, 2011, such municipality shall provide the Secretary of the Office of Policy and Management and the State Treasurer with a plan of funding for such pension plan for the fiscal years ending June 30, 2010, and June 30, 2011, respectively.

(b) In each fiscal year that said secretary and Treasurer fail to approve the plan of funding submitted pursuant to subsection (a) of this section, such municipality shall make a minimum contribution to such pension plan of six million dollars.

Sec. 71. (*Effective from passage*) For the fiscal years ending June 30, 2010, and June 30, 2011, the Commissioner of Education, when distributing grant funds to expand the number of grades at a state charter school that the commissioner has determined assists the state in meeting the goals of the 2008 stipulation and order in Milo Sheff, et al. v. William A. O'Neill, et al., shall distribute such grant funds solely from funds appropriated to the Department of Education, for Sheff Settlement.

Sec. 72. Section 10-262h of the general statutes is amended by adding subsection (c) as follows (*Effective from passage*):

(NEW) (c) (1) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2010, and June 30, 2011, each town shall receive an equalization aid grant in amount provided for in subdivision (2) of this subsection.

(2) Equalization aid grant amounts.

Town	Grant for Fiscal Year 2010	Grant for Fiscal Year 2011

Andover	2,330,856	2,330,856
Ansonia	15,031,668	15,031,668
Ashford	3,896,069	3,896,069
Avon	1,232,688	1,232,688
Barkhamsted	1,615,872	1,615,872
Beacon Falls	4,044,804	4,044,804
Berlin	6,169,410	6,169,410
Bethany	2,030,845	2,030,845
Bethel	8,157,837	8,157,837
Bethlehem	1,318,171	1,318,171
Bloomfield	5,410,345	5,410,345
Bolton	3,015,660	3,015,660
Bozrah	1,229,255	1,229,255
Branford	1,759,095	1,759,095
Bridgeport	164,195,344	164,195,344
Bridgewater	137,292	137,292
Bristol	41,657,314	41,657,314
Brookfield	1,530,693	1,530,693
Brooklyn	6,978,295	6,978,295
Burlington	4,295,578	4,295,578
Canaan	207,146	207,146
Canterbury	4,733,625	4,733,625
Canton	3,348,790	3,348,790
Chaplin	1,880,888	1,880,888
Cheshire	9,298,837	9,298,837
Chester	665,733	665,733
Clinton	6,465,651	6,465,651
Colchester	13,547,231	13,547,231
Colebrook	495,044	495,044
Columbia	2,550,037	2,550,037
Cornwall	85,322	85,322
Coventry	8,845,691	8,845,691
Cromwell	4,313,692	4,313,692
Danbury	22,857,956	22,857,956
Darien	1,616,006	1,616,006
Deep River	1,687,351	1,687,351
Derby	6,865,689	6,865,689
Durham	3,954,812	3,954,812

Eastford	1,109,873	1,109,873
East Granby	1,301,142	1,301,142
East Haddam	3,718,223	3,718,223
East Hampton	7,595,720	7,595,720
East Hartford	41,710,817	41,710,817
East Haven	18,764,125	18,764,125
East Lyme	7,100,611	7,100,611
Easton	593,868	593,868
East Windsor	5,482,135	5,482,135
Ellington	9,504,917	9,504,917
Enfield	28,380,144	28,380,144
Essex	389,697	389,697
Fairfield	3,590,008	3,590,008
Farmington	1,611,013	1,611,013
Franklin	941,077	941,077
Glastonbury	6,201,152	6,201,152
Goshen	218,188	218,188
Granby	5,394,276	5,394,276
Greenwich	3,418,642	3,418,642
Griswold	10,735,024	10,735,024
Groton	25,374,989	25,374,989
Guilford	3,058,981	3,058,981
Haddam	1,728,610	1,728,610
Hamden	23,030,761	23,030,761
Hampton	1,337,582	1,337,582
Hartford	187,974,890	187,974,890
Hartland	1,350,837	1,350,837
Harwinton	2,728,401	2,728,401
Hebron	6,872,931	6,872,931
Kent	167,342	167,342
Killingly	15,245,633	15,245,633
Killingworth	2,227,467	2,227,467
Lebanon	5,467,634	5,467,634
Ledyard	12,030,465	12,030,465
Lisbon	3,899,238	3,899,238
Litchfield	1,479,851	1,479,851
Lyme	145,556	145,556
Madison	1,576,061	1,576,061
Manchester	30,619,100	30,619,100

Mansfield	10,070,677	10,070,677
Marlborough	3,124,421	3,124,421
Meriden	53,783,711	53,783,711
Middlebury	684,186	684,186
Middlefield	2,100,239	2,100,239
Middletown	16,652,386	16,652,386
Milford	10,728,519	10,728,519
Monroe	6,572,118	6,572,118
Montville	12,549,431	12,549,431
Morris	657,975	657,975
Naugatuck	29,211,401	29,211,401
New Britain	73,929,296	73,929,296
New Canaan	1,495,604	1,495,604
New Fairfield	4,414,083	4,414,083
New Hartford	3,143,902	3,143,902
New Haven	142,509,525	142,509,525
Newington	12,632,615	12,632,615
New London	22,940,565	22,940,565
New Milford	11,939,587	11,939,587
Newtown	4,309,646	4,309,646
Norfolk	381,414	381,414
North Branford	8,117,122	8,117,122
North Canaan	2,064,592	2,064,592
North Haven	3,174,940	3,174,940
North Stonington	2,892,440	2,892,440
Norwalk	10,095,131	10,095,131
Norwich	32,316,543	32,316,543
Old Lyme	605,586	605,586
Old Saybrook	652,677	652,677
Orange	1,055,910	1,055,910
Oxford	4,606,861	4,606,861
Plainfield	15,353,204	15,353,204
Plainville	10,161,853	10,161,853
Plymouth	9,743,272	9,743,272
Pomfret	3,092,817	3,092,817
Portland	4,272,257	4,272,257
Preston	3,057,025	3,057,025
Prospect	5,319,201	5,319,201
Putnam	8,071,851	8,071,851

Redding	687,733	687,733
Ridgefield	2,063,814	2,063,814
Rocky Hill	3,355,227	3,355,227
Roxbury	158,114	158,114
Salem	3,099,694	3,099,694
Salisbury	187,266	187,266
Scotland	1,444,458	1,444,458
Seymour	9,836,508	9,836,508
Sharon	145,798	145,798
Shelton	4,975,852	4,975,852
Sherman	244,327	244,327
Simsbury	5,367,517	5,367,517
Somers	5,918,636	5,918,636
Southbury	2,422,233	2,422,233
Southington	19,839,108	19,839,108
South Windsor	12,858,826	12,858,826
Sprague	2,600,651	2,600,651
Stafford	9,809,424	9,809,424
Stamford	7,978,877	7,978,877
Sterling	3,166,394	3,166,394
Stonington	2,061,204	2,061,204
Stratford	20,495,602	20,495,602
Suffield	6,082,494	6,082,494
Thomaston	5,630,307	5,630,307
Thompson	7,608,489	7,608,489
Tolland	10,759,283	10,759,283
Torrington	23,933,343	23,933,343
Trumbull	3,031,988	3,031,988
Union	239,576	239,576
Vernon	17,645,165	17,645,165
Voluntown	2,536,177	2,536,177
Wallingford	21,440,233	21,440,233
Warren	99,777	99,777
Washington	240,147	240,147
Waterbury	113,617,182	113,617,182
Waterford	1,445,404	1,445,404
Watertown	11,749,383	11,749,383
Westbrook	427,677	427,677
West Hartford	16,076,120	16,076,120

West Haven	41,399,303	41,399,303
Weston	948,564	948,564
Westport	1,988,255	1,988,255
Wethersfield	8,018,422	8,018,422
Willington	3,676,637	3,676,637
Wilton	1,557,195	1,557,195
Winchester	7,823,991	7,823,991
Windham	24,169,717	24,169,717
Windsor	11,547,663	11,547,663
Windsor Locks	4,652,368	4,652,368
Wolcott	13,539,371	13,539,371
Woodbridge	721,370	721,370
Woodbury	876,018	876,018
Woodstock	5,390,055	5,390,055

(3) The town of East Hartford shall not receive less than its fixed entitlement pursuant to this subsection.

Sec. 73. (*Effective from passage*) (a) Notwithstanding the provisions of section 4-30a of the general statutes, the State Treasurer shall, on the effective date of this section, transfer the sum of one billion sixty-two million dollars from the Budget Reserve Fund to the resources of the General Fund to be used as revenue for the fiscal year ending June 30, 2010.

(b) Notwithstanding the provisions of section 4-30a of the general statutes, the State Treasurer shall, on July 1, 2010, transfer the sum of three hundred nineteen million seven hundred thousand dollars from the Budget Reserve Fund to the resources of the General Fund to be used as revenue for the fiscal year ending June 30, 2011.

Sec. 74. (*Effective from passage*) (a) Notwithstanding the provisions of section 10a-256 of the general statutes, the sum of $10,000,000 shall be transferred from The University of Connecticut Health Center Medical Malpractice Trust Fund and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30,

2011.

(b) (1) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of $18,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of $7,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(c) (1) Notwithstanding the provisions of subparagraph (A) of subdivision (2) of subsection (c) of section 4-28e of the general statutes, on or after May 1, 2010, the sum of $10,000,000 shall be transferred from the Tobacco and Health Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of subparagraph (A) of subdivision (2) of subsection (c) of section 4-28e of the general statutes, on or after May 1, 2011, the sum of $10,000,000 shall be transferred from the Tobacco and Health Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(d) Notwithstanding the provisions of section 19a-32c of the general statutes, the sum of $4,500,000 shall be transferred from the Biomedical Research Trust Fund and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(e) Notwithstanding the provisions of section 16-331cc of the general statutes, the sum of $2,000,000 shall be transferred from the public, educational and governmental programming and education technology investment account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(f) (1) Notwithstanding the provisions of section 54-215 of the general statutes, the sum of $2,275,000 shall be transferred from the Criminal Injuries Compensation Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of section 54-215 of the general statutes, the sum of $1,275,000 shall be transferred from the Criminal Injuries Compensation Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(g) Notwithstanding the provisions of section 54-56k of the general statutes, the sum of $500,000 shall be transferred from the pretrial account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(h) Notwithstanding the provisions of section 4-66aa of the general statutes, as amended by section 28 of public act 09-229, the sum of $500,000 shall be transferred from the agricultural viability subaccount of the community investment account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(i) Notwithstanding the provisions of section 22-380g of the general statutes, the sum of $500,000 shall be transferred from the Animal Population Control account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(j) Notwithstanding the provisions of section 16-50v of the general statutes, the sum of $500,000 shall be transferred from the Siting Council Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(k) Notwithstanding the provisions of section 42-190 of the general statutes, the sum of $500,000 shall be transferred from the new automobile warranties account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(l) (1) The sum of $3,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) The sum of $5,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(m) (1) The sum of $1,000,000 shall be transferred from the Connecticut State University System operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) The sum of $3,000,000 shall be transferred from the Connecticut State University System operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(n) The sum of $1,000,000 shall be transferred from the Regional Community-Technical Colleges operating reserve account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(o) Notwithstanding the provisions of section 4d-9 of the general statutes, for the fiscal year ending June 30, 2010, the following sums shall be transferred from the Technical Services Revolving Fund: (1) $100,000 to the brain injury prevention and services account established under section 14-295b of the general statutes, and (2) on or after May 1, 2010, $3,900,000 to be credited to the resources of the General Fund.

Sec. 75. (*Effective from passage*) Notwithstanding the provisions of subdivision (1) of subsection (d) of section 4-28f of the general statutes, for the fiscal year ending June 30, 2011, the board of trustees of the Tobacco and Health Trust Fund may recommend authorization of

disbursement of funds for the purposes permitted under said subdivision up to the unobligated balance projected to exist in said fund as of June 30, 2011.

Sec. 76. Subsection (d) of section 3 of special act 09-6 is amended to read as follows (*Effective from passage*):

(d) The Chief Justice of the Supreme Court **[**may**]** shall order judges of the superior court to take schedule reduction days in accordance with the provisions of this section.

Sec. 77. (*Effective from passage*) The provisions of section 3 of special act 09-6 shall apply to state employees in the judicial branch.

Sec. 78. (*Effective from passage*) For the fiscal years ending June 30, 2010, and June 30, 2011, the Probate Court may expend not more than ten per cent of the amount appropriated for the Kinship Fund, the Grandparents and Relatives Respite Fund and the extended family guardianship and assisted care program for administrative costs related to the operation of each such fund or program.

Sec. 79. Section 32-35 of the general statutes is amended by adding subsection (h) as follows (*Effective from passage*):

(NEW) (h) The corporation shall provide funding for the Connecticut Small Business Innovation Research Office.

Sec. 80. (*Effective from passage*) The unexpended balance of funds appropriated to the Department of Education, for Magnet Schools, in section 2 of public act 09-2 of the June 19 special session shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2010.

Sec. 81. (*Effective from passage*) (a) (1) Not later than July 1, 2010, the Department of Social Services shall amend by regulation the definition

of "medically necessary" services utilized in the administration of Medicaid to reflect savings in the current biennial budget by reducing inefficiencies in the administration of the program while not reducing the quality of care provided to Medicaid beneficiaries.

(2) The Commissioner of Social Services shall implement policies and procedures utilizing said amended definition to achieve the purposes of subdivision (1) of this subsection while in the process of adopting the definition in regulation form, provided notice of intention to adopt the regulation is printed in the Connecticut Law Journal within forty-five days of implementation, and any such policies or procedures shall be valid until the time the final regulation is effective.

(b) There is established a Medical Necessity Oversight Committee to advise the Department of Social Services on the amended definition and the implementation of the amended definition required under subsection (a) of this section, and to provide feedback to the department and the General Assembly on the impact of the amended definition.

(c) The committee shall consist of the following members: Three appointed by the Governor, two appointed by the speaker of the House of Representatives, two appointed by the president pro tempore of the Senate and one each appointed by the majority leaders of the House of Representatives and the Senate and the minority leaders of the House of Representatives and the Senate.

(d) All appointments to the committee shall be made no later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority, except that vacancies left unfilled for more than sixty days may be filled by joint appointment of the speaker of the House of Representatives and the president pro tempore of the Senate.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the committee from among the members of the committee. Such chairpersons shall schedule the first meeting of the committee, which shall be held no later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to human services shall serve as administrative staff of the committee.

(g) Not later than January 1, 2010, January 1, 2011, and January 1, 2012, the committee shall submit a report on its findings and recommendations to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies, in accordance with the provisions of section 11-4a of the general statutes. The committee shall terminate on the date that it submits the third such report or January 1, 2012, whichever is later.

Sec. 82. (*Effective from passage*) The Commissioner of Public Works shall, within existing budgetary resources, conduct a survey of all state-owned and state-leased properties to determine the available capacity of such properties. On or before January 1, 2010, said commissioner shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding, and government administration and elections as to such available capacity.

Sec. 83. (*Effective from passage*) Notwithstanding the provisions of section 3-125a of the general statutes concerning the referral of a settlement agreement to, and the report by, the committees of

cognizance of the General Assembly and the acceptance of the provisions of a settlement agreement by resolution of the General Assembly, the settlement agreement between the state of Connecticut and the Mashantucket Pequot Tribe and the settlement agreement between the state of Connecticut and the Mohegan Tribe of Indians of Connecticut, concerning the calculation of the revenue due the state under the slot machine agreements between the state and said tribes, submitted by the Governor and the Attorney General to the General Assembly on August 26, 2009, for approval pursuant to sections 3-6c and 3-125a of the general statutes, are approved.

Sec. 84. (*Effective from passage*) Notwithstanding the provisions of sections 10-266m and 10-97 of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, the Commissioner of Education may provide grants, within available appropriations, in an amount not to exceed two thousand five hundred dollars per pupil, to local and regional boards of education that transport students who previously attended, or who have been accepted for enrollment at, J.M. Wright Technical School in Stamford to Henry Abbott Technical High School in Danbury, for the costs associated with such transportation. Such grants shall not exceed the actual costs of transportation for each pupil. Applications shall be submitted to the Commissioner of Education at such time and on such forms as the commissioner prescribes.

Sec. 85. Section 7-329a of the general statutes, as amended by section 7 of public act 09-186, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)**]** Any town may, by vote of its legislative body, establish a port district which shall embrace such town. The affairs of any such district shall be administered by a port authority, comprising not fewer than five nor more than seven members. The members of any such authority shall be appointed by the chief executive of the town and

shall serve for such term as the legislative body may prescribe and until their successors are appointed and have qualified. Vacancies shall be filled by the chief executive for the unexpired portion of the term. The members of each such board shall serve without compensation, except for necessary expenses. The jurisdiction of a port authority shall not extend to matters relating to the licensure of pilots, the safe conduct of vessels, the protection of the ports and waters of the state and all other matters set forth in chapter 263 which are under the authority of the Department of Transportation. In addition the jurisdiction of a port authority shall not extend to matters relating to (1) a solid waste facility, as defined in subdivision (4) of section 22a-207, (2) a recycling facility, as defined in subdivision (8) of section 22a-207, (3) the building of a paper mill or a paper recycling facility, or (4) the Connecticut Resources Recovery Authority.

[(b) No town shall (1) terminate or reorganize a port district established by such town pursuant to subsection (a) of this section or a port authority appointed by such chief elected official pursuant to subsection (a) of this section, (2) modify the duties or powers of such port authority, or (3) modify the property included in such port district, without the written consent of the Commissioner of Transportation.**]**

Sec. 86. Section 9-701 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There is established the "Citizens' Election Fund", which shall be a separate, nonlapsing account within the General Fund. The fund may contain any moneys required by law to be deposited in the fund. Investment earnings credited to the assets of the fund shall become part of the assets of the fund. The State Treasurer shall administer the fund. All moneys deposited in the fund shall be used for the purposes of sections 9-700 to 9-716, inclusive. **[**The State Elections Enforcement Commission may deduct and retain from the moneys in the fund an

amount equal to the costs incurred by the commission in administering the provisions of sections 9-603, 9-624, 9-675 to 9-677, inclusive, and 9-700 to 9-716, inclusive, provided such amount shall not exceed two million dollars during the fiscal year ending June 30, 2006, one million dollars during the fiscal year ending June 30, 2007, or two million three hundred thousand dollars during any fiscal year thereafter. Any portion of such allocation that exceeds the costs incurred by the commission in administering the provisions of sections 9-700 to 9-716, inclusive, during the fiscal year for which such allocation is made shall continue to be available for such administrative costs incurred by the commission in succeeding fiscal years.**]**

Sec. 87. Section 3-99c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All fees received by the Secretary of the State shall be deposited in the General Fund. **[**, except that the Treasurer shall deposit in a separate, nonlapsing commercial recording account which shall be established within the General Fund, sufficient funds for the administration of the Commercial Recording Division within the office of the Secretary of the State. All costs incurred in the administration of the Commercial Recording Division shall be paid from the commercial recording account.**]**

Sec. 88. (*Effective from passage*) The State Treasurer and the Secretary of the Office of Policy and Management shall jointly develop a financing plan that will result in net proceeds of up to one billion three hundred million dollars to be used as general revenues for the state during the fiscal year commencing July 1, 2010. Such plan may include, but need not be limited to, consideration of securitization of proceeds from the sale of lottery tickets, as provided in chapter 229a of the general statutes, the issuance of notes, bonds or other instruments of debt in the public markets, through private placement of such debt instruments, or the purchase of such notes, bonds or other instruments

of debt by the Connecticut Retirement Plans and Trust Funds. Such plan shall be completed on or before February 3, 2010, and provided to the chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and finance, revenue and bonding.

Sec. 89. (NEW) (*Effective from passage*) (a) As used in this section:

(1) "Eligible taxpayer" means a person, as defined in section 12-1 of the general statutes, that receives a written statement from the commissioner notifying the person of the person's eligibility to participate in the settlement initiative program;

(2) "Affected taxable period" means any taxable period for which (A) interest or a penalty was imposed for the late payment of tax, (B) interest or a penalty was imposed upon examination of a tax return by the department, for underreporting of the tax, or (C) interest to, or an addition to, tax was made where a person failed to file a tax return and the commissioner made a return on behalf of such person;

(3) "Tax" means any tax imposed by any law of this state and required to be paid to the department, other than the tax imposed under chapter 222 of the general statutes, on any licensee, as defined in section 12-486 of the general statutes;

(4) "Commissioner" means the Commissioner of Revenue Services; and

(5) "Department" means the Department of Revenue Services.

(b) (1) The commissioner shall establish a settlement initiative program for eligible taxpayers that owe tax for an affected taxable period, when the full amount of the tax owed for the affected taxable period has not been paid to the department. The commissioner may send written statements to eligible taxpayers notifying them of their

eligibility to participate in such program. The settlement initiative program shall be conducted during the period of October 1, 2009, to December 31, 2009, inclusive.

(2) An eligible taxpayer shall have sixty days from the date of such eligible taxpayer's receipt of written notification under such program to pay in full the amount of the tax owed for the affected taxable period.

(3) If an eligible taxpayer complies with subdivision (2) of this subsection, (A) the commissioner shall waive any civil penalties that may be applicable to the affected taxable period and shall waive fifty per cent of the interest due for the affected taxable period, and (B) such compliance shall constitute a waiver by the eligible taxpayer of all the eligible taxpayer's administrative and judicial rights of appeal that have not run or otherwise expired as of the date payment is made for the affected taxable period indicated on the written notification received by such eligible taxpayer, and (C) no payment made by an eligible taxpayer under such program for the affected taxable period indicated on the written notification received by such eligible taxpayer shall be refunded or credited to such eligible taxpayer.

(4) If an eligible taxpayer fails to comply with subdivision (2) of this subsection, such eligible taxpayer shall no longer be eligible to participate in the settlement initiative program. The commissioner shall retain any payments made and apply such payments against any tax owed by such eligible taxpayer.

(c) Nothing in this section shall entitle any eligible taxpayer to a refund or credit of any amount paid to the department prior to the commissioner's written notification under subdivision (1) of subsection (b) of this section.

(d) Notwithstanding any provision of law, the commissioner may

do all things necessary in order to provide for the timely implementation of this section.

Sec. 90. (NEW) (*Effective from passage and applicable to income years commencing on or after January 1, 2010*) Any company that derives income from sources within this state, or that has a substantial economic presence within this state, evidenced by a purposeful direction of business toward this state, examined in light of the frequency, quantity and systematic nature of a company's economic contacts with this state, without regard to physical presence, and to the extent permitted by the Constitution of the United States, shall be liable for the tax imposed under chapter 208 of the general statutes. Such company shall apportion its net income under the provisions of said chapter 208.

Sec. 91. Section 12-726 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2010*):

(a) Each partnership <u>doing business in this state or</u> having any income derived from or connected with sources within this state, determined in accordance with the provisions of this chapter, shall make a return for the taxable year setting forth all items of income, gain, loss and deduction, and the name, address and Social Security or federal employer identification number of each partner, whether or not a resident of this state, the amount of each partner's distributive share of (1) such partnership's separately and nonseparately computed items, as described in Section 702(a) of the Internal Revenue Code, (2) any modification described in section 12-701 which relates to an item of such partnership's income, gain, loss or deduction, (3) such partnership's separately and nonseparately computed items, as described in Section 702(a) of the Internal Revenue Code, to the extent derived from or connected with sources within this state, as determined under this chapter, and (4) any modification described in

section 12-701 which relates to an item of such partnership's income, gain, loss or deduction, to the extent derived from or connected with sources within this state, as determined under this chapter, and such other pertinent information as the Commissioner of Revenue Services may prescribe by regulations and instructions. Such return shall be filed on or before the fifteenth day of the fourth month following the close of each taxable year. The partnership shall, on or before the day on which such return is filed, furnish to each person who was a partner during the taxable year a copy of such information as shown on the return. By way of example and not of limitation, and for purposes of this section and section 12-719, a partnership that has a substantial economic presence within this state, as evidenced by a purposeful direction of business toward this state, examined in light of the frequency, quantity and systematic nature of the partnership's economic contacts with this state, without regard to physical presence, shall, to the extent permitted by the Constitution of the United States, be considered to be doing business in this state.

(b) Each S corporation doing business in this state or having any income derived from or connected with sources within this state, determined in accordance with the provisions of this chapter, shall make a return for the taxable year setting forth all items of income, gain, loss and deduction, and the name, address and Social Security or federal employer identification number of each shareholder, whether or not a resident of this state, the amount of each shareholder's pro rata share of (1) such S corporation's separately and nonseparately computed items, as described in Section 1366 of the Internal Revenue Code, (2) any modification described in section 12-701 which relates to an item of such S corporation's income, gain, loss or deduction, (3) such S corporation's separately and nonseparately computed items, as described in Section 1366 of the Internal Revenue Code, to the extent derived from or connected with sources within this state, as determined under this chapter, and (4) any modification described in

section 12-701 which relates to an item of such S corporation's income, gain, loss or deduction, to the extent derived from or connected with sources within this state, as determined under this chapter, and such other pertinent information as the Commissioner of Revenue Services may prescribe by regulations and instructions. Such return shall be filed on or before the fifteenth day of the fourth month following the close of each taxable year. The S corporation shall, on or before the day on which such return is filed, furnish to each person who was a shareholder during the taxable year a copy of such information as shown on the return. By way of example and not of limitation, and for purposes of this section and section 12-719, an S corporation that has a substantial economic presence within this state, as evidenced by a purposeful direction of business toward this state, examined in light of the frequency, quantity and systematic nature of the S corporation's economic contacts with this state, without regard to physical presence, shall, to the extent permitted by the Constitution of the United States, be considered to be doing business in this state.

Sec. 92. Section 6-38m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Commencing October 1, 2001, and not later than October **[**first each year thereafter**]** 1, 2008, each state marshal shall pay an annual fee of two hundred fifty dollars to the State Marshal Commission, which fee shall be deposited in the General Fund. Commencing October 1, 2009, and not later than October first each year thereafter, each state marshal shall pay an annual fee of seven hundred fifty dollars to the State Marshal Commission, which fee shall be deposited in the General Fund.

Sec. 93. (NEW) (*Effective from passage*) (a) The Commissioner of Social Services shall forward to a state marshal for service any subpoena, summons, warrant or court order relating to proceedings initiated by said commissioner, provided such subpoena, summons,

warrant or court order has had no action taken upon it within the past fourteen days and the underlying proceedings remain unresolved.

(b) To resolve any backlog, commencing October 1, 2009, and monthly thereafter, the Commissioner of Social Services shall forward to state marshals for service not more than one hundred fifty subpoenas, summons, warrants or court orders relating to proceedings initiated by said commissioner that have had no action taken upon them within the past thirty days.

Sec. 94. Subsection (b) of section 12-214 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2009*):

(b) (1) With respect to income years commencing on or after January 1, 1989, and prior to January 1, 1992, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, an additional tax in an amount equal to twenty per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(2) With respect to income years commencing on or after January 1, 1992, and prior to January 1, 1993, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, an additional tax in an amount equal to ten per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the

tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(3) With respect to income years commencing on or after January 1, 2003, and prior to January 1, 2004, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, an additional tax in an amount equal to twenty per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(4) With respect to income years commencing on or after January 1, 2004, and prior to January 1, 2005, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, an additional tax in an amount equal to twenty-five per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax, except that any company that pays the minimum tax of two hundred fifty dollars under section 12-219, as amended by this act, or 12-223c for such income year shall not be subject to the additional tax imposed by this subdivision. The additional amount of tax determined under this subdivision for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(5) With respect to income years commencing on or after January 1, 2006, and prior to January 1, 2007, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, except when the tax so calculated is equal to two hundred fifty dollars, for each such income year, an additional tax in an amount equal to

twenty per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(6) (A) With respect to income years commencing on or after January 1, 2009, and prior to January 1, 2012, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, an additional tax in an amount equal to ten per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. This exception shall not apply to companies filing a combined return for the income year under section 12-223a or a unitary return under subsection (d) of section 12-218d.

Sec. 95. Subdivision (1) of subsection (a) of section 12-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2009*):

(a) (1) In arriving at net income as defined in section 12-213, whether

or not the taxpayer is taxable under the federal corporation net income tax, there shall be deducted from gross income, (A) all items deductible under the Internal Revenue Code effective and in force on the last day of the income year except (i) any taxes imposed under the provisions of this chapter which are paid or accrued in the income year and in the income year commencing January 1, 1989, and thereafter, any taxes in any state of the United States or any political subdivision of such state, or the District of Columbia, imposed on or measured by the income or profits of a corporation which are paid or accrued in the income year, **[**and**]** (ii) deductions for depreciation, which shall be allowed as provided in subsection (b) of this section, and (iii) deductions for qualified domestic production activities income, as provided in Section 199 of the Internal Revenue Code, and (B) additionally, in the case of a regulated investment company, the sum of (i) the exempt-interest dividends, as defined in the Internal Revenue Code, and (ii) expenses, bond premium, and interest related to tax-exempt income that are disallowed as deductions under the Internal Revenue Code, and (C) in the case of a taxpayer maintaining an international banking facility as defined in the laws of the United States or the regulations of the Board of Governors of the Federal Reserve System, as either may be amended from time to time, the gross income attributable to the international banking facility, provided, no expense or loss attributable to the international banking facility shall be a deduction under any provision of this section, and (D) additionally, in the case of all taxpayers, all dividends as defined in the Internal Revenue Code effective and in force on the last day of the income year not otherwise deducted from gross income, including dividends received from a DISC or former DISC as defined in Section 992 of the Internal Revenue Code and dividends deemed to have been distributed by a DISC or former DISC as provided in Section 995 of said Internal Revenue Code, other than thirty per cent of dividends received from a domestic corporation in which the taxpayer owns less than twenty per cent of the total voting power and value of the stock of such corporation, and (E) additionally,

in the case of all taxpayers, the value of any capital gain realized from the sale of any land, or interest in land, to the state, any political subdivision of the state, or to any nonprofit land conservation organization where such land is to be permanently preserved as protected open space or to a water company, as defined in section 25-32a, where such land is to be permanently preserved as protected open space or as Class I or Class II water company land.

Sec. 96. Section 12-217dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2009*):

(a) For purposes of this section, "donation of open space land" means the value of any land or interest in land conveyed without financial consideration, or the value of any discount of the sale price in any sale of land or interest in land, to the state, a political subdivision of the state, a water company, as defined in section 25-32a, or to any nonprofit land conservation organization where such land is to be permanently preserved as protected open space or used as a public water supply source.

(b) There shall be allowed a credit for all taxpayers against the tax imposed under section 12-217, <u>as amended by this act,</u> in an amount equal to fifty per cent of any donation of open space land or as a public water supply source. For purposes of calculating the credit under this section, the amount of donation shall be based on the use value of the donated open space land and the amount received for such land. For purposes of this subsection, "use value" means the fair market value of land at its highest and best use, as determined by a certified real estate appraiser.

(c) A credit that is allowed under this section, with respect to any taxable year commencing on or after January 1, 2000, but is not used by a taxpayer may be carried forward to each of the successive income

years until such credit is fully taken. In no case shall a credit that is not used be carried forward for a period of more than **[**fifteen**]** twenty-five years.

Sec. 97. Section 12-217jj of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2010*):

(a) As used in this section:

(1) "Commissioner" means the Commissioner of Revenue Services.

(2) **[**"Commission" means the Connecticut Commission on Culture and Tourism**]** "Department" means the Department of Economic and Community Development.

(3) (A) "Qualified production" means entertainment content created in whole or in part within the state, including motion pictures; documentaries; long-form, specials, mini-series, series, sound recordings, videos and music videos and interstitials television programming; interactive television; interactive games; videogames; commercials; **[**infomercials;**]** any format of digital media, including an interactive web site, created for distribution or exhibition to the general public; and any trailer, pilot, video teaser or demo created primarily to stimulate the sale, marketing, promotion or exploitation of future investment in either a product or a qualified production via any means and media in any digital media format, film or videotape, provided such program meets all the underlying criteria of a qualified production.

(B) "Qualified production" shall not include any ongoing television program created primarily as news, weather or financial market reports, a production featuring current events, sporting events, an awards show or other gala event, a production whose sole purpose is fundraising, a long-form production that primarily markets a product

or service, a production used for corporate training or in-house corporate advertising or other similar productions, or any production for which records are required to be maintained under 18 USC 2257 with respect to sexually explicit content.

(4) "Eligible production company" means a corporation, partnership, limited liability company, or other business entity engaged in the business of producing qualified productions on a one-time or ongoing basis, and qualified by the Secretary of the State to engage in business in the state.

(5) "Production expenses or costs" means all expenditures clearly and demonstrably incurred in the state in the development, preproduction, production or postproduction costs of a qualified production, including:

(A) Expenditures incurred in the state in the form of either compensation or purchases including production work, production equipment not eligible for the infrastructure tax credit provided in section 12-217kk, as amended by this act, production software, postproduction work, postproduction equipment, postproduction software, set design, set construction, props, lighting, wardrobe, makeup, makeup accessories, special effects, visual effects, audio effects, film processing, music, sound mixing, editing, location fees, soundstages and any and all other costs or services directly incurred in connection with a state-certified qualified production;

(B) Expenditures for distribution, including preproduction, production or postproduction costs relating to the creation of trailers, marketing videos, commercials, point-of-purchase videos and any and all content created on film or digital media, including the duplication of films, videos, CDs, DVDs and any and all digital files now in existence and those yet to be created for mass consumer consumption; the purchase, by a company in the state, of any and all equipment

relating to the duplication or mass market distribution of any content created or produced in the state by any digital media format which is now in use and those formats yet to be created for mass consumer consumption; and

(C) "Production expenses or costs" does not include the following: (i) On and after January 1, 2008, compensation in excess of fifteen million dollars paid to any individual or entity representing an individual, for services provided in the production of a qualified production and on or after January 1, 2010, compensation subject to Connecticut personal income tax in excess of twenty million dollars paid in the aggregate to any individuals or entities representing individuals, for star talent provided in the production of a qualified production; (ii) media buys, promotional events or gifts or public relations associated with the promotion or marketing of any qualified production; (iii) deferred, leveraged or profit participation costs relating to any and all personnel associated with any and all aspects of the production, including, but not limited to, producer fees, director fees, talent fees and writer fees; (iv) costs relating to the transfer of the production tax credits; **[**and**]** (v) any amounts paid to persons or businesses as a result of their participation in profits from the exploitation of the qualified production; and (vi) any expenses or costs relating to an independent certification, as required by subsection (c) of this section, or as the department may otherwise require, pertaining to the amount of production expenses or costs set forth by an eligible production company in its application for a production tax credit.

(6) "Sound recording" means a recording of music, poetry or spoken-word performance, but does not include the audio portions of dialogue or words spoken and recorded as part of a motion picture, video, theatrical production, television news coverage or athletic event.

(7) "State-certified qualified production" means a qualified production produced by an eligible production company that (A) is in

compliance with regulations adopted pursuant to subsection (g) of this section, (B) is authorized to conduct business in this state, and (C) has been approved by the **[**commission**]** department as qualifying for a production tax credit under this section.

(8) "Interactive web site" means a web site, the production costs of which (A) exceed five hundred thousand dollars per income year, and (B) is primarily (i) interactive games or end user applications, or (ii) animation, simulation, sound, graphics, story lines or video created or repurposed for distribution over the Internet. An interactive web site does not include a web site primarily used for institutional, private, industrial, retail or wholesale marketing or promotional purposes, or which contains obscene content.

(9) "Post-certification remedy" means the recapture, disallowance, recovery, reduction, repayment, forfeiture, decertification or any other remedy that would have the effect of reducing or otherwise limiting the use of a tax credit provided by this section.

(b) (1) The **[**Connecticut Commission on Culture and Tourism**]** Department of Economic and Community Development shall administer a system of tax credit vouchers within the resources, requirements and purposes of this section for eligible production companies producing a state-certified qualified production in the state.

(A) For income years commencing on or after January 1, 2006, but prior to January 1, 2010, any eligible production company incurring production expenses or costs in excess of fifty thousand dollars shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to thirty per cent of such production expenses or costs. **[**, provided (A) on and after January 1, 2009, fifty per cent of such expenses or costs shall be counted toward such credit when incurred outside the state and used within the state, and one hundred per cent of such expenses or costs shall be counted toward such credit when

incurred within the state and used within the state, and (B) on and after January 1, 2012, no expenses or costs incurred outside the state and used within the state shall be eligible for a credit, and one hundred per cent of such expenses or costs shall be counted toward such credit when incurred within the state and used within the state.**]**

(B) For income years commencing on or after January 1, 2010, (i) any eligible production company incurring production expenses or costs of not less than one hundred thousand dollars, but not more than five hundred thousand dollars, shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to ten per cent of such production expenses or costs, (ii) any such company incurring such expenses or costs of not less than five hundred thousand one dollars, but not more than one million dollars, shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to fifteen per cent of such production expenses or costs, and (iii) any such company incurring such expenses or costs of more than one million dollars shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to thirty per cent of such production expenses or costs.

(C) No eligible production company incurring an amount of production expenses or costs that qualifies for such credit shall be eligible for such credit unless on or after January 1, 2010, such company conducts not less than fifty per cent of principal photography days within the state.

(D) (i) For income years commencing on or after January 1, 2009, but prior to January 1, 2010, fifty per cent of production expenses or costs shall be counted toward such credit when incurred outside the state and used within the state, and one hundred per cent of such expenses or costs shall be counted toward such credit when incurred within the state and used within the state.

(ii) For income years commencing on or after January 1, 2010, no expenses or costs incurred outside the state and used within the state shall be eligible for a credit, and one hundred per cent of such expenses or costs shall be counted toward such credit when incurred within the state and used within the state.

(2) On and after July 1, 2006, and for income years commencing on or after January 1, 2006, any credit allowed pursuant to this subsection may be sold, assigned or otherwise transferred, in whole or in part, to one or more taxpayers, provided no credit, after issuance, may be sold, assigned or otherwise transferred, in whole or in part, more than three times.

(3) On and after July 1, 2006, and for income years commencing on or after January 1, 2006, any such credit allowed under this subsection shall be claimed against the tax imposed under chapter 207 or this chapter for the income year in which the production expenses or costs were incurred, **[**and may be carried forward for**]** or in the three immediately succeeding income years. Any production tax credit allowed under this subsection shall be nonrefundable.

(c) (1) An eligible production company shall apply to the **[**commission**]** department for a tax credit voucher on an annual basis, but not later than ninety days after the first production expenses or costs are incurred in the production of a qualified production, and shall provide with such application such information as the **[**commission**]** department may require to determine such company's eligibility to claim a credit under this section. No production expenses or costs may be listed more than once for purposes of the tax credit voucher pursuant to this section, or pursuant to section 12-217kk, as amended by this act, or 12-217*ll*, as amended by this act, and if a production expense or cost has been included in a claim for a credit, such production expense or cost may not be included in any subsequent claim for a credit.

[(2) Not earlier than three months after the application in subdivision (1) of this subsection, an eligible production company may apply to the commission for a production tax credit voucher, and shall provide with such application such information and independent certification as the commission may require pertaining to the amount of such company's production expenses or costs to date. If the commission determines that such company is eligible to be issued a production tax credit voucher, the commission shall enter on the voucher the amount of production expenses or costs that has been established to the satisfaction of the commission, and the amount of such company's credit under this section. The commission shall provide a copy of such voucher to the commissioner, upon request.]

[(3)] (2) Not later than ninety days after the end of the annual period, or after the last production expenses or costs are incurred in the production of a qualified production, an eligible production company shall apply to the [commission] department for a production tax credit voucher, and shall provide with such application such information and independent certification as the [commission] department may require pertaining to the amount of such company's production expenses or costs. Such independent certification shall be provided by an audit professional chosen from a list compiled by the department. If the [commission] department determines that such company is eligible to be issued a production tax credit voucher, the [commission] department shall enter on the voucher the amount of production expenses or costs that has been established to the satisfaction of the [commission, minus the amount of any credit issued pursuant to subdivision (2) of this subsection,] department and the amount of such company's credit under this section. The [commission] department shall provide a copy of such voucher to the commissioner, upon request.

(3) The department shall charge a reasonable administrative fee

sufficient to cover the department's costs to analyze applications submitted under this section.

(d) If an eligible production company sells, assigns or otherwise transfers a credit under this section to another taxpayer, the transferor and transferee shall jointly submit written notification of such transfer to the [commission] department not later than thirty days after such transfer. If such transferee sells, assigns or otherwise transfers a credit under this section to a subsequent transferee, such transferee and such subsequent transferee shall jointly submit written notification of such transfer to the [commission] department not later than thirty days after such transfer. The notification after each transfer shall include the credit voucher number, the date of transfer, the amount of such credit transferred, the tax credit balance before and after the transfer, the tax identification numbers for both the transferor and the transferee, and any other information required by the [commission] department. Failure to comply with this subsection will result in a disallowance of the tax credit until there is full compliance on the part of the transferor and the transferee, and for a second or third transfer, on the part of all subsequent transferors and transferees. The [commission] department shall provide a copy of the notification of assignment to the commissioner upon request.

(e) Any eligible production company that [wilfully] submits information to the [commission] department that it knows to be fraudulent or false shall, in addition to any other penalties provided by law, be liable for a penalty equal to the amount of such company's credit entered on the production tax credit certificate issued under this section.

(f) [The issuance by the commission of a tax credit voucher with respect to an amount of tax credits stated thereon shall mean that none of such tax credits are subject to a post-certification remedy, and that the commission and the commissioner shall have no right, except in

the case of possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were issued. If at any time after the issuance of a tax credit voucher the commission or the commissioner determines that there was a material misrepresentation or fraud on the part of an eligible production company in connection with the submission of an expense report and the result of such material misrepresentation or fraud was that (1) a specific amount of tax credits was reflected on the tax credit voucher issued in response to such expense report that would not have otherwise been so reflected, and (2) such tax credits would otherwise be subject to a post-certification remedy, such tax credits shall not be subject to any post-certification remedy and the sole and exclusive remedy of the commission and the commissioner shall be to seek collection of the amount of such tax credits from the eligible production company that committed the fraud or misrepresentation, not from any transferee of such tax credits.**]** No tax credits transferred pursuant to this section shall be subject to a post-certification remedy, and the department and the commissioner shall have no right, except in the case of possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were issued. The sole and exclusive remedy of the department and the commissioner shall be to seek collection of the amount of such tax credits from the entity that committed the fraud or misrepresentation.

(g) The **[**commission**]** department, in consultation with the commissioner, shall adopt regulations, in accordance with the provisions of chapter 54, as may be necessary for the administration of this section.

Sec. 98. Section 12-217kk of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and*

applicable to income years commencing on or after January 1, 2010):

(a) As used in this section:

(1) "Commissioner" means the Commissioner of Revenue Services.

(2) **[**"Commission" means the Connecticut Commission on Culture and Tourism**]** "Department" means the Department of Economic and Community Development.

(3) "Infrastructure project" means a capital project to provide basic buildings, facilities or installations needed for the functioning of the digital media and motion picture industry in this state.

(4) "State-certified project" means an infrastructure project undertaken in this state by an entity that (A) is in compliance with regulations adopted pursuant to subsection (e) of this section, (B) is authorized to conduct business in this state, (C) is not in default on a loan made by the state or a loan guaranteed by the state, nor has ever declared bankruptcy under which an obligation of the entity to pay or repay public funds was discharged as a part of such bankruptcy, and (D) has been approved by the **[**commission**]** department as qualifying for an infrastructure tax credit under this section.

(5) "Post-certification remedy" means the recapture, disallowance, recovery, reduction, repayment, forfeiture, decertification or any other remedy that would have the effect of reducing or otherwise limiting the use of a tax credit provided by this section.

(b) (1) **[**There**]** (A) For income years commencing prior to January 1, 2010, there shall be allowed a state-certified project credit against the tax imposed under chapter 207 or this chapter to any taxpayer that invests in a state-certified project. Such credit may be in the following amounts: **[**(A)**]** (i) For state-certified projects costing greater than fifteen thousand dollars and less than one hundred fifty thousand

dollars, each taxpayer may be allowed a tax credit of ten per cent of the investment made by such taxpayer; **[**(B)**]** (ii) for state-certified projects costing one hundred fifty thousand dollars or more, but less than one million dollars, each taxpayer may be allowed a tax credit of fifteen per cent of the investment made by such taxpayer; and **[**(C)**]** (iii) for state-certified projects costing one million dollars or more, each taxpayer may be allowed a tax credit of twenty per cent of the investment made by such taxpayer.

(B) For income years commencing on or after January 1, 2010, there shall be allowed a state-certified project credit against the tax imposed under chapter 207 or this chapter to any taxpayer that invests three million dollars or more in a state-certified project in an amount equal to twenty per cent of the investment made by such taxpayer.

(2) Eligible expenditures pursuant to this section shall include the following: All expenditures for a capital project to provide buildings, facilities or installations, whether leased or purchased, together with necessary equipment for a film, video, television, digital production facility or digital animation production facility; project development, including design, professional consulting fees and transaction costs; development, preproduction, production, post-production and distribution equipment and system access; and fixtures and other equipment.

(3) Any credit allowed pursuant to this section may be sold, assigned or otherwise transferred, in whole or in part, to one or more taxpayers, and such taxpayers may sell, assign or otherwise transfer, in whole or in part, such credit. Any taxpayer holding such credit may claim such credit only for the income year in which expenditures were made by the taxpayer for the infrastructure project.

(4) Any credit allowed pursuant to this section shall be claimed against the tax imposed under chapter 207 or this chapter. If the

amount of the credit allowable under this section exceeds the sum of any taxes due from a taxpayer, any such excess amount of the credit allowable under this section may be taken in any of the three immediately succeeding income years.

(5) Any tax credit earned under this section shall be nonrefundable.

(c) (1) An entity undertaking an infrastructure project shall apply to the [commission] department for an eligibility certificate not later than ninety days after the first expenses or costs are incurred, and shall provide with such application such information as the [commission] department may require to determine such infrastructure project's eligibility as a state-certified project.

(2) Each application for an eligibility certificate shall include: (A) A detailed description of the infrastructure project; (B) a preliminary budget; (C) estimated completion date; and (D) such other information as the [commission] department may require. The [commission] department may require an independent audit of all project costs and expenditures prior to certification. If the [commission] department determines that such project is eligible to be a state-certified project, the [commission] department shall indicate the amount of costs or expenditures that has been established to the satisfaction of the [commission] department, and issue to such entity a tax credit certification letter for investors indicating the amount of tax credits available under this section. The [commission] department shall provide a copy of such letter to the commissioner, upon request.

(3) Prior to the issuance of a state-certified project tax credit voucher to a taxpayer based upon the tax credit certification letter issued pursuant to subdivision (2) of this subdivision, the entity undertaking such infrastructure project shall provide the [commission] department with a description of the progress on such project and an estimated completion date. The [commission] department may require an

independent audit of all project costs and expenditures prior to issuance of such tax credit voucher to a taxpayer. No such tax credit voucher may be issued prior to such time as such state-certified project is shown to be [not less than sixty] one hundred per cent complete.

(4) The department shall charge a reasonable administrative fee sufficient to cover the department's costs to analyze applications submitted under this section.

(d) If a taxpayer sells, assigns or otherwise transfers a credit under this section to another taxpayer, the transferor and transferee shall jointly submit written notification of such transfer to the [commission] department not later than thirty days after such transfer. The notification shall include the credit certificate number, the date of transfer, the amount of such credit transferred, the tax credit balance before and after the transfer, the tax identification numbers for both the transferor and the transferee and any other information required by the commissioner. After the initial issuance of a tax credit, such credit may be sold, assigned or otherwise transferred not more than three times. Failure to comply with this subsection will result in a disallowance of the tax credit until there is full compliance on both the part of the transferor and the transferee, and all subsequent transferors and transferees. The [commission] department shall provide a copy of the notification of assignment to the commissioner upon request.

(e) [The issuance by the commission of a tax credit voucher with respect to an amount of tax credits stated thereon shall mean that none of such tax credits are subject to a post-certification remedy, and that the commission and the commissioner shall have no right except in the case of a possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were issued. If at any time after the issuance of a tax credit voucher the commission or the commissioner determines that there was a material misrepresentation or fraud on the

part of a taxpayer in connection with the submission of an expense report and the result of such material misrepresentation or fraud was that (1) a specific amount of tax credits was reflected on the tax credit voucher issued in response to such expense report that would not have otherwise been so reflected, and (2) such tax credits would otherwise be subject to a post-certification remedy, such tax credits shall not be subject to any post-certification remedy and the sole and exclusive remedy of the commission and the commissioner shall be to seek collection of the amount of such tax credits from the taxpayer that committed the fraud or misrepresentation, not from any transferee of the tax credits.**]** No tax credits transferred pursuant to this section shall be subject to a post-certification remedy, and the department and the commissioner shall have no right, except in the case of possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were issued. The sole and exclusive remedy of the department and the commissioner shall be to seek collection of the amount of such tax credits from the entity that committed the fraud or misrepresentation.

(f) The **[**commission**]** department, in consultation with the commissioner, shall adopt regulations, in accordance with the provisions of chapter 54, as may be necessary for the administration of this section.

Sec. 99. Section 12-217*ll* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2010*):

(a) As used in this section:

(1) "Commissioner" means the Commissioner of Revenue Services.

(2) **[**"Commission" means the Connecticut Commission on Culture

and Tourism] "Department" means the Department of Economic and Community Development.

(3) "Digital animation production company" means a corporation, partnership, limited liability company or other business entity engaged exclusively in digital animation production activity on an ongoing basis, and that is qualified by the Secretary of the State to engage in business in the state.

(4) "State-certified digital animation production company" means a digital animation production company that (A) maintains studio facilities located within the state at which digital animation production activities are conducted, (B) employs at least two hundred full-time employees within the state, (C) is in compliance with regulations adopted pursuant to subsection (h) of this section, and (D) has been certified by the [commission] department.

(5) "Digital animation production activity" means the creation, development and production of computer-generated animation content for distribution or exhibition to the general public, but not for the production of any material for which records are required to be maintained under 18 USC 2257 with respect to sexually explicit content.

(6) "Full-time employee" means an employee required to work at least thirty-five hours or more per week, and who is not a temporary or seasonal employee.

(7) "Post-certification remedy" means the recapture, disallowance, recovery, reduction, repayment, forfeiture, decertification or any other remedy that would have the effect of reducing or otherwise limiting the use of a tax credit provided by this section.

(8) "Production expenses or costs" means all expenditures clearly and demonstrably incurred in the state in the development,

preproduction, production or postproduction costs of a digital animation production activity, including:

(A) Expenditures for optioning or purchase of any intellectual property including, but not limited to, books, scripts, music or trademarks relating to the development or purchase of a script, screenplay or format, to the extent that such expenditures are less than thirty-five per cent of the production expenses or costs incurred by a digital animation production company in any income year. Such expenses or costs shall include all expenditures generally associated with the optioning or purchase of intellectual property, including option money, agent fees and attorney fees relating to the transaction, but shall not include any and all deferrals, deferments, profit participation or recourse or nonrecourse loans which the digital animation production company may negotiate in order to obtain the rights to the intellectual property;

(B) Expenditures incurred in the form of either compensation or purchases including production work, production equipment not eligible for the infrastructure tax credit provided in section 12-217kk, as amended by this act, production software, postproduction work, postproduction equipment, postproduction software, set design, set construction, props, lighting, wardrobe, makeup, makeup accessories, special effects, visual effects, audio effects, actors, voice talent, film processing, music, sound mixing, editing, location fees, soundstages, rent, utilities, insurance, administrative support, systems support, all reasonably-related expenses in connection with digital animation production activity, and any and all other costs or services directly incurred in the state in connection with a state-certified digital animation production company;

(C) Expenditures for distribution, including preproduction, production or postproduction costs relating to the creation of trailers, marketing videos, short films, commercials, point-of-purchase videos

and any and all content created on film or digital media, including the duplication of films, videos, CDs, DVDs and any and all digital files now in existence and those yet to be created for mass consumer consumption; the purchase, by a company in the state, of any and all equipment relating to the duplication or mass market distribution of any content created or produced in the state by any digital media format which is now in use and those formats yet to be created for mass consumer consumption; and

(D) "Production expenses or costs" does not include the following: (i) Compensation in excess of fifteen million dollars paid to any individual or entity representing an individual, for services provided in a digital animation production activity and, on or after January 1, 2010, compensation subject to Connecticut personal income tax in excess of twenty million dollars paid in the aggregate to any individuals or entities representing individuals, for star talent provided in a digital animation production activity; (ii) media buys, promotional events or gifts or public relations associated with the promotion or marketing of any digital animation production activity; (iii) deferred, leveraged or profit participation costs relating to any and all personnel associated with any and all aspects of the production, including, but not limited to, producer fees, director fees, talent fees and writer fees; (iv) costs relating to the transfer of the digital animation tax credits; **[**and**]** (v) any amounts paid to persons or businesses as a result of their participation in profits from the exploitation of the digital animation production activity; and (vi) any expenses or costs relating to an independent certification, as required by subsection (c) of this section, or as the department may otherwise require, pertaining to the amount of production expenses or costs set forth by a state-certified digital animation company in its application for a digital animation tax credit.

(b) (1) The **[**Connecticut Commission on Culture and Tourism**]**

Department of Economic and Community Development shall administer a system of tax credit vouchers within the resources, requirements and purposes of this section for digital animation production companies undertaking digital animation production activity in the state.

(A) For income years commencing on or after January 1, 2007, but prior to January 1, 2010, any state-certified digital animation production company incurring production expenses or costs in excess of fifty thousand dollars shall be eligible for a credit against the tax imposed under chapter 207 or this chapter, equal to thirty per cent of such production expenses or costs.

(B) For income years commencing on or after January 1, 2010, (i) any state-certified digital animation production company incurring production expenses or costs of not less than one hundred thousand dollars, but not more than five hundred thousand dollars, shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to ten per cent of such production expenses or costs, (ii) any such company incurring such expenses or costs of not less than five hundred thousand one dollars, but not more than one million dollars, shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to fifteen per cent of such production expenses or costs, and (iii) any such company incurring such expenses or costs of more than one million dollars shall be eligible for a credit against the tax imposed under chapter 207 or this chapter equal to thirty per cent of such production expenses or costs.

(2) Any credit allowed pursuant to this section may be sold, assigned or otherwise transferred, in whole or in part, to one or more taxpayers, provided no credit, after issuance, may be sold, assigned or otherwise transferred, in whole or in part, more than three times.

(3) Any credit allowed pursuant to this section shall be claimed

against the tax imposed under chapter 207 or this chapter, for the income year in which the production expenses or costs were incurred, and may be carried forward for the three immediately succeeding income years. Any digital animation tax credit allowed under this section shall be nonrefundable.

(4) Any digital animation production company receiving a digital animation tax credit pursuant to this section shall not be eligible to apply for or receive a tax credit pursuant to section 12-217jj, as amended by this act.

(c) (1) Not more frequently than twice during the income year of a state-certified digital animation production company, such company may apply to the [commission] department for a digital animation tax credit voucher, and shall provide with such application such information and independent certification as the [commission] department may require pertaining to the amount of such company's production expenses or costs incurred during the period for which such application is made. Such independent certification shall be provided by an audit professional chosen from a list compiled by the department. If the [commission] department determines that the company is eligible to be issued a tax credit voucher, the [commission] department shall enter on the voucher the amount of production expenses and costs incurred during the period for which the voucher is issued and the amount of tax credits issued pursuant to such voucher. The [commission] department shall provide a copy of such voucher to the commissioner upon request.

(2) The department shall charge a reasonable administrative fee sufficient to cover the department's costs to analyze applications submitted under this section.

(d) If a state-certified digital animation production company sells, assigns or otherwise transfers a credit under this section to another

taxpayer, the transferor and transferee shall jointly submit written notification of such transfer to the [commission] department not later than thirty days after such transfer. If such transferee sells, assigns or otherwise transfers a credit under this section to a subsequent transferee, such transferee and such subsequent transferee shall jointly submit written notification of such transfer to the [commission] department not later than thirty days after such transfer. The notification after each transfer shall include the credit voucher number, the date of transfer, the amount of such credit transferred, the tax credit balance before and after the transfer, the tax identification numbers for both the transferor and the transferee, and any other information required by the [commission] department. Failure to comply with this subsection will result in a disallowance of the tax credit until there is full compliance on the part of the transferor and the transferee, and for a second or third transfer, on the part of all subsequent transferors and transferees. The [commission] department shall provide a copy of the notification of assignment to the commissioner upon request.

(e) Any state-certified digital animation production company that [wilfully] submits information to the [commission] department that it knows to be fraudulent or false shall, in addition to any other penalties provided by law, be liable for a penalty equal to the amount of such company's credit entered on the digital animation tax credit certificate issued under this section.

(f) [The issuance by the commission of a digital animation tax credit voucher with respect to an amount of tax credits stated thereon shall mean that none of such tax credits are subject to a post-certification remedy, and that the commission and the commissioner shall have no right, except in the case of possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were

issued. If at any time after the issuance of a tax credit voucher the commission or the commissioner determines that there was a material misrepresentation or fraud on the part of a state-certified digital animation production company in connection with the submission of an expense report and the result of such material misrepresentation or fraud was that (1) a specific amount of tax credits was reflected on the tax credit voucher issued in response to such expense report that would not have otherwise been so reflected, and (2) such tax credits would otherwise be subject to a post-certification remedy, such tax credits shall not be subject to any post-certification remedy and the sole and exclusive remedy of the commission and the commissioner shall be to seek collection of the amount of such tax credits from the digital animation production company that committed the fraud or misrepresentation, not from any transferee of the tax credits.**]** No tax credits transferred pursuant to this section shall be subject to a post-certification remedy, and the department and the commissioner shall have no right, except in the case of possible material misrepresentation or fraud, to conduct any further or additional review, examination or audit of the expenditures or costs for which such tax credits were issued. The sole and exclusive remedy of the department and the commissioner shall be to seek collection of the amount of such tax credits from the entity that committed the fraud or misrepresentation.

(g) The aggregate amount of all tax credits which may be reserved by the **[**commission**]** department pursuant to this section shall not exceed fifteen million dollars in any one fiscal year.

(h) The **[**commission**]** department, in consultation with the commissioner, shall adopt regulations, in accordance with the provisions of chapter 54, as may be necessary for the administration of this section.

Sec. 100. (NEW) (*Effective from passage*) (a) With respect to digital media and motion picture activities, the Department of Economic and

Community Development shall have the following powers and duties:

(1) To promote the use of Connecticut locations, structures, facilities and services for the production and postproduction of all digital media and motion pictures and other media-related products;

(2) To provide support services to visiting and in-state production companies, including assistance to digital media and motion picture producers in securing permits from state agencies, authorities or institutions or municipalities or other political subdivisions of the state;

(3) To develop and update a resource library concerning the many possible state sites which are suitable for production;

(4) To develop and update a production manual of available digital media and motion picture production facilities and services in the state;

(5) To conduct and attend trade shows and production workshops to promote Connecticut locations and facilities;

(6) To prepare an explanatory guide showing the impact of relevant state and municipal tax statutes, regulations and administrative opinions on typical production activities and to implement the tax credits provided for in sections 12-217jj, 12-217kk and 12-217*ll* of the general statutes, as amended by this act;

(7) To formulate and propose guidelines for state agencies for a "one stop permitting" process for matters, including, but not limited to, the use of state roads and highways, the use of state-owned real or personal property for production activities and the conduct of regulated activities, and to hold workshops to assist state agencies in implementing such process;

(8) To formulate and recommend to municipalities model local ordinances and forms to assist production activities, including, but not limited to, "one stop permitting" of digital media and motion picture and other production activity to be conducted in a municipality, and to hold workshops to assist municipalities in implementing such ordinances;

(9) To accept any funds, gifts, donations, bequests or grants of funds from private and public sources for the purposes of this section;

(10) To request and obtain from any state agency, authority or institution or any municipality or other political subdivision of the state such assistance and data as will enable the department to carry out the purposes of this section;

(11) To assist and promote cooperation among all segments of management and labor that are engaged in digital media and motion pictures; and

(12) To take any other administrative action which may improve the position of the state's digital media and motion picture production industries in national and international markets.

(b) On or before January 1, 2010, and annually thereafter, the Department of Economic and Community Development shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to commerce and finance, revenue and bonding, in accordance with section 11-4a of the general statutes, a report on the activities of the department under this section and the estimated direct and indirect economic impact of all digital media, motion pictures and related production activity in the state, during the preceding calendar year. Each such report shall include, but not be limited to, an analysis of the use of the film production tax credit established under section 12-217jj of the general statutes, as amended

by this act, the entertainment industry infrastructure tax credit established under section 12-217kk of the general statutes, as amended by this act, and the digital animation production tax credit established under section 12-217*ll* of the general statutes, as amended by this act, and shall include a description of each production or project for which a tax credit has been issued, the amount of any such tax credit and the total amount of production expenses or costs incurred in the state by the taxpayer who was issued such a tax credit and any other information that may be requested by a chairperson of the joint standing committees of the General Assembly having cognizance of matters relating to commerce and finance, revenue and bonding.

Sec. 101. (NEW) (*Effective from passage*) Notwithstanding any provision of the general statutes, each state agency, department or institution issuing a request for proposals for any digital media, motion picture or related production activity shall, at the time of such issuance, transmit a copy of such request for proposals to the Department of Economic and Community Development. Said department shall notify the executive head of each state agency of the requirements of this section.

Sec. 102. Subsection (b) of section 12-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to income years commencing on or after January 1, 2009*):

(b) (1) With respect to income years commencing on or after January 1, 1989, and prior to January 1, 1992, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to twenty per cent of the additional tax so calculated for such income year, without reduction of the additional tax so calculated by the amount of any credit against such tax. The

increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(2) With respect to income years commencing on or after January 1, 1992, and prior to January 1, 1993, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to ten per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(3) With respect to income years commencing on or after January 1, 2003, and prior to January 1, 2004, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, be increased by adding thereto an amount equal to twenty per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(4) With respect to income years commencing on or after January 1, 2004, and prior to January 1, 2005, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, be increased by adding thereto an amount equal to twenty-five per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax, except that

any company that pays the minimum tax of two hundred fifty dollars under this section or section 12-223c for such income year shall not be subject to such additional tax. The increased amount of tax payable by any company under this subdivision, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(5) With respect to income years commencing on or after January 1, 2006, and prior to January 1, 2007, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to twenty per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(6) (A) With respect to income years commencing on or after January 1, 2009, and prior to January 1, 2012, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to ten per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. This

exception shall not apply to companies filing a combined return for the income year under section 12-223a or a unitary return under subsection (d) of section 12-218d.

Sec. 103. Section 12-223f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of sections 12-223a to 12-223e, inclusive, the tax due in relation to any corporations which have filed a combined return for any income year with other corporations for the tax imposed under this chapter in accordance with section 12-223a shall be determined as follows: (1) The tax which would be due from each such corporation if it were filing separately under this chapter shall be determined, and the total for all corporations included in the combined return shall be added together; (2) the tax which would be jointly due from all corporations included in the combined return in accordance with the provisions of said sections 12-223a to 12-223e, inclusive, shall be determined; and (3) the total determined pursuant to subdivision (2) of this section shall be subtracted from the amount determined pursuant to subdivision (1) of this section. The resulting amount, in an amount not to exceed **[**two hundred fifty thousand**]** five hundred thousand dollars, shall be added to the amount determined to be due pursuant to said sections 12-223a to 12-223e, inclusive, and shall be due and payable as a part of the tax imposed pursuant to this chapter.

Sec. 104. Section 12-296 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to sales occurring on or after October 1, 2009*):

A tax is imposed on all cigarettes held in this state by any person for sale, said tax to be at the rate of one hundred fifty mills for each cigarette and the payment thereof shall be for the account of the purchaser or consumer of such cigarettes and shall be evidenced by the

affixing of stamps to the packages containing the cigarettes as provided in this chapter.

Sec. 105. Section 12-316 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to sales occurring on or after October 1, 2009*):

A tax is hereby imposed at the rate of one hundred fifty mills for each cigarette upon the storage or use within this state of any unstamped cigarettes in the possession of any person other than a licensed distributor or dealer, or a carrier for transit from without this state to a licensed distributor or dealer within this state. Any person, including distributors, dealers, carriers, warehousemen and consumers, last having possession of unstamped cigarettes in this state shall be liable for the tax on such cigarettes if such cigarettes are unaccounted for in transit, storage or otherwise, and in such event a presumption shall exist for the purpose of taxation that such cigarettes were used and consumed in Connecticut.

Sec. 106. (*Effective from passage*) (a) An excise tax is hereby imposed upon each distributor and each dealer, as each are defined in section 12-285 of the general statutes and licensed pursuant to chapter 214 of the general statutes, in the amount of fifty mills per cigarette, as defined in said section 12-285, in such distributor's or such dealer's inventory as of the close of business on September 30, 2009, or, if the business closes after eleven fifty-nine o'clock p.m. on such date, at eleven fifty-nine o'clock p.m. on such date.

(b) Each such licensed distributor or dealer shall, not later than November 15, 2009, file with the Commissioner of Revenue Services, on forms prescribed by said commissioner, a report that shows the number of cigarettes in inventory as of the close of business on September 30, 2009, or, if the business closes after eleven fifty-nine o'clock p.m. on such date, at eleven fifty-nine o'clock p.m. on such

date, upon which inventory the tax under subsection (a) of this section shall be imposed. The tax shall be due and payable on the due date of such report. If any distributor or dealer required to file a report pursuant to this section fails to file such report on or before November 15, 2009, the commissioner shall make an estimate of the number of cigarettes in such distributor's or dealer's inventory as of the close of business on September 30, 2009, based upon any information that is in the commissioner's possession or that may come into the commissioner's possession. The provisions of chapter 214 of the general statutes pertaining to failure to file returns, examination of returns by the commissioner, the issuance of deficiency assessments or assessments where no return has been filed, the collection of tax, the imposition of penalties and the accrual of interest shall apply to the distributors and dealers required to pay the tax imposed under this section. Failure of any distributor or dealer to file such report when due shall be sufficient reason to revoke such distributor's or dealer's license under the provisions of said chapter 214 and to revoke any other state license or permit held by such distributor or dealer.

Sec. 107. Section 12-330c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to sales occurring on or after October 1, 2009*):

(a) (1) A tax is imposed on all untaxed tobacco products held in this state by any person. Except as otherwise provided in subdivision (2) of this subsection with respect to the rate of tax on snuff tobacco products, the tax shall be imposed at the rate of **[**twenty**]** <u>twenty-seven and one-half</u> per cent of the wholesale sales price of such products.

(2) The tax shall be imposed on snuff tobacco products, on the net weight as listed by the manufacturer, as follows: **[**Forty**]** <u>Fifty-five</u> cents per ounce of snuff and a proportionate tax at the like rate on all fractional parts of an ounce of snuff.

(b) Said tax shall be imposed on the distributor or the unclassified importer at the time the tobacco product is manufactured, purchased, imported, received or acquired in this state.

(c) Said tax shall not be imposed on any tobacco products which (1) are exported from the state, or (2) are not subject to taxation by this state pursuant to any laws of the United States.

Sec. 108. Subdivision (1) of section 12-408 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(1) For the privilege of making any sales, as defined in subdivision (2) of subsection (a) of section 12-407, at retail, in this state for a consideration, a tax is hereby imposed on all retailers at the rate of **[**six**]** <u>five and one-half</u> per cent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail or from the rendering of any services constituting a sale in accordance with subdivision (2) of subsection (a) of section 12-407, except, in lieu of said rate of **[**six**]** <u>five and one-half</u> per cent, (A) at a rate of twelve per cent with respect to each transfer of occupancy, from the total amount of rent received for such occupancy of any room or rooms in a hotel or lodging house for the first period not exceeding thirty consecutive calendar days, (B) with respect to the sale of a motor vehicle to any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse thereof, at a rate of four and one-half per cent of the gross receipts of any retailer from such sales, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of residence under 50 App USC 574, (C) (i) with

respect to the sales of computer and data processing services occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent, on or after July 1, 1998, and prior to July 1, 1999, at the rate of four per cent, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent, on or after July 1, 2001, at the rate of one per cent, (ii) with respect to sales of Internet access services, on and after July 1, 2001, such services shall be exempt from such tax, (D) with respect to the sales of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of section 12-407 on existing vessels and repair or maintenance services on vessels occurring on and after July 1, 1999, such services shall be exempt from such tax, (E) with respect to patient care services for which payment is received by the hospital on or after July 1, 1999, and prior to July 1, 2001, at the rate of five and three-fourths per cent and on and after July 1, 2001, such services shall be exempt from such tax. The rate of tax imposed by this chapter shall be applicable to all retail sales upon the effective date of such rate, except that a new rate which represents an increase in the rate applicable to the sale shall not apply to any sales transaction wherein a binding sales contract without an escalator clause has been entered into prior to the effective date of the new rate and delivery is made within ninety days after the effective date of the new rate. For the purposes of payment of the tax imposed under this section, any retailer of services taxable under subparagraph (I) of subdivision (2) of subsection (a) of section 12-407, who computes taxable income, for purposes of taxation under the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, on an accounting basis which recognizes only cash or other valuable consideration actually received as income and who is liable for such tax only due to the rendering of such services may make payments related to such tax for the period during which such income is received, without penalty or interest, without regard to when such service is rendered.

Sec. 109. Subdivision (3) of section 12-408 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(3) For the purpose of adding and collecting the tax imposed by this chapter, or an amount equal as nearly as possible or practicable to the average equivalent thereof, by the retailer from the consumer the following bracket system shall be in force and effect as follows:

Amount of Sale	Amount of Tax
$0.00 to **[**$0.08**]** $0.09 inclusive	No Tax
[.09 to .24**]** .10 to .27 inclusive	1 cent
[.25 to .41**]** .28 to .45 inclusive	2 cents
[.42 to .58**]** .46 to .63 inclusive	3 cents
[.59 to .74**]** .64 to .81 inclusive	4 cents
[.75 to .91**]** .82 to .99 inclusive	5 cents
[.92 to 1.08**]** 1.00 to 1.18 inclusive	6 cents

On all sales above **[**$1.08**]** $1.18, the tax shall be computed at the rate of **[**six**]** five and one-half per cent.

Sec. 110. Subdivision (1) of section 12-411 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(1) An excise tax is hereby imposed on the storage, acceptance, consumption or any other use in this state of tangible personal property purchased from any retailer for storage, acceptance, consumption or any other use in this state, the acceptance or receipt of any services constituting a sale in accordance with subdivision (2) of subsection (a) of section 12-407, purchased from any retailer for consumption or use in this state, or the storage, acceptance, consumption or any other use in this state of tangible personal property which has been manufactured, fabricated, assembled or

processed from materials by a person, either within or without this state, for storage, acceptance, consumption or any other use by such person in this state, to be measured by the sales price of materials, at the rate of **[**six**]** <u>five and one-half</u> per cent of the sales price of such property or services, except, in lieu of said rate of **[**six**]** <u>five and one-half</u> per cent, (A) at a rate of twelve per cent of the rent paid for occupancy of any room or rooms in a hotel or lodging house for the first period of not exceeding thirty consecutive calendar days, (B) with respect to the storage, acceptance, consumption or use in this state of a motor vehicle purchased from any retailer for storage, acceptance, consumption or use in this state by any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse of such individual at a rate of four and one-half per cent of the sales price of such vehicle, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of residence under 50 App USC 574, (C) with respect to the acceptance or receipt in this state of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of section 12-407 on existing vessels and repair or maintenance services on vessels occurring on and after July 1, 1999, such services shall be exempt from such tax, (D) (i) with respect to the acceptance or receipt in this state of computer and data processing services purchased from any retailer for consumption or use in this state occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent of such services, on or after July 1, 1998, and prior to July 1, 1999, at the rate of four per cent of such services, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent of such services, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent of such

services, on and after July 1, 2001, at the rate of one per cent of such services, and (ii) with respect to the acceptance or receipt in this state of Internet access services, on or after July 1, 2001, such services shall be exempt from tax, (E) with respect to the acceptance or receipt in this state of patient care services purchased from any retailer for consumption or use in this state for which payment is received by the hospital on or after July 1, 1999, and prior to July 1, 2001, at the rate of five and three-fourths per cent and on and after July 1, 2001, such services shall be exempt from such tax.

Sec. 111. Subsection (c) of section 12-411b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(c) Any agreement entered into under subsection (a) of this section may provide that the contractor and its affiliates shall collect the use tax only on items that are subject to the **[**six**]** <u>five and one-half</u> per cent rate of tax.

Sec. 112. Subdivision (3) of section 12-414 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(3) For purposes of the sales tax the return shall show the gross receipts of the seller during the preceding reporting period. For purposes of the use tax, in case of a return filed by a retailer, the return shall show the total sales price of the services or property sold by him, the storage, acceptance, consumption or other use of which became subject to the use tax during the preceding reporting period; in case of a return filed by a purchaser, the return shall show the total sales price of the service or property purchased by him, the storage, acceptance, consumption or other use of which became subject to the use tax during the preceding reporting period. The return shall also show the amount of the taxes for the period covered by the return in such

manner as the commissioner may require and such other information as the commissioner deems necessary for the proper administration of this chapter. The Commissioner of Revenue Services is authorized in his discretion, for purposes of expediency, to permit returns to be filed in an alternative form wherein the person filing the return may elect to report his gross receipts, including the tax reimbursement to be collected as provided for herein, as a part of such gross receipts or to report his gross receipts exclusive of the tax collected in such cases where the gross receipts from sales have been segregated from tax collections. In the case of the former, **[**ninety-four and three-tenths**]** ninety-four and eight-tenths per cent of such gross income may be considered to be the gross receipts from sales exclusive of the taxes collected thereon.

Sec. 113. (NEW) (*Effective from passage*) (a) If any cumulative monthly financial statement issued by the Comptroller pursuant to section 3-115 of the general statutes after the effective date of this section and before January 1, 2010, indicates that the estimated gross tax revenue to the General Fund, to the end of the fiscal year ending June 30, 2010, is at least one per cent less than the estimated gross tax revenue to the General Fund for said fiscal year, included in this act pursuant to section 2-35 of the general statutes, the amendments made to the provisions of subdivisions (1) and (3) of section 12-408 of the general statutes, subdivision (1) of section 12-411 of the general statutes, subsection (c) of section 12-411b of the general statutes, and subdivision (3) of section 12-414 of the general statutes, pursuant to sections 108 to 112, inclusive, of this act, shall not take effect.

(b) If any cumulative monthly financial statement issued by the Comptroller pursuant to section 3-115 of the general statutes after January 1, 2010, and on or before June 30, 2010, indicates that the estimated gross tax revenue to the General Fund, to the end of the fiscal year ending June 30, 2010, is at least one per cent less than the

estimated gross tax revenue to the General Fund for said fiscal year, included in this act pursuant to section 2-35 of the general statutes, (1) the amendments made to the provisions of subdivisions (1) and (3) of section 12-408 of the general statutes, subdivision (1) of section 12-411 of the general statutes, subsection (c) of section 12-411b of the general statutes, and subdivision (3) of section 12-414 of the general statutes, pursuant to sections 108 to 112, inclusive, of this act, shall, on and after July 1, 2010, be inoperative and have no effect, and (2) the provisions of said subdivisions and subsection of said sections of the general statutes, revision of 1958, revised to December 31, 2009, shall be effective on and after July 1, 2010.

Sec. 114. Subsection (a) of section 12-498 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010, and applicable to conveyances occurring on or after said date*):

(a) The tax imposed by section 12-494 shall not apply to: (1) Deeds which this state is prohibited from taxing under the Constitution or laws of the United States; (2) deeds which secure a debt or other obligation; (3) deeds to which this state or any of its political subdivisions or its or their respective agencies is a party; (4) tax deeds; (5) deeds of release of property which is security for a debt or other obligation; (6) deeds of partition; (7) deeds made pursuant to mergers of corporations; (8) deeds made by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the subsidiary's stock; (9) deeds made pursuant to a decree of the Superior Court under section 46b-81 **[**, 49-24**]** or 52-495; (10) deeds, when the consideration for the interest or property conveyed is less than two thousand dollars; (11) deeds between affiliated corporations, provided both of such corporations are exempt from taxation pursuant to paragraph (2), (3) or (25) of Section 501(c) of the Internal Revenue Code of 1986, or any subsequent corresponding

internal revenue code of the United States, as from time to time amended; (12) deeds made by a corporation which is exempt from taxation pursuant to paragraph (3) of Section 501(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, to any corporation which is exempt from taxation pursuant to said paragraph (3) of said Section 501(c); (13) deeds made to any nonprofit organization which is organized for the purpose of holding undeveloped land in trust for conservation or recreation purposes; (14) deeds between spouses; (15) deeds of property for the Adriaen's Landing site or the stadium facility site, for purposes of the overall project, each as defined in section 32-651; (16) land transfers made on or after July 1, 1998, to a water company, as defined in section 16-1, provided the land is classified as class I or class II land, as defined in section 25-37c, after such transfer; (17) transfers or conveyances to effectuate a mere change of identity or form of ownership or organization, where there is no change in beneficial ownership; and (18) conveyances of residential property which occur not later than six months after the date on which the property was previously conveyed to the transferor if the transferor is (A) an employer which acquired the property from an employee pursuant to an employee relocation plan, or (B) an entity in the business of purchasing and selling residential property of employees who are being relocated pursuant to such a plan.

Sec. 115. (NEW) (*Effective from passage*) The Commissioner of Revenue Services shall revise the personal income tax return form to include in such form a statement of the rate of the use tax imposed pursuant to section 12-411 of the general statutes, and a table listing the amount of tax due that corresponds to the amount spent.

Sec. 116. Subsection (g) of section 12-391 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

January 1, 2010, and applicable to estates of decedents who die on or after said date):

(g) (1) With respect to the estates of decedents dying on or after January 1, 2005, but prior to January 1, 2010, the tax based on the Connecticut taxable estate shall be as provided in the following schedule:

Amount of Connecticut Taxable Estate	Rate of Tax
Not over $2,000,000	None
Over $2,000,000 but not over $2,100,000	5.085% of the excess over $0
Over $2,100,000 but not over $2,600,000	$106,800 plus 8% of the excess over $2,100,000
Over $2,600,000 but not over $3,100,000	$146,800 plus 8.8% of the excess over $2,600,000
Over $3,100,000 but not over $3,600,000	$190,800 plus 9.6% of the excess over $3,100,000
Over $3,600,000 but not over $4,100,000	$238,800 plus 10.4% of the excess over $3,600,000
Over $4,100,000 but not over $5,100,000	$290,800 plus 11.2% of the excess over $4,100,000
Over $5,100,000 but not over $6,100,000	$402,800 plus 12% of the excess over $5,100,000
Over $6,100,000 but not over $7,100,000	$522,800 plus 12.8% of the excess over $6,100,000
Over $7,100,000 but not over $8,100,000	$650,800 plus 13.6% of the excess over $7,100,000

Over $8,100,000 but not over $9,100,000	$786,800 plus 14.4% of the excess over $8,100,000
Over $9,100,000 but not over $10,100,000	$930,800 plus 15.2% of the excess over $9,100,000
Over $10,100,000	$1,082,800 plus 16% of the excess over $10,100,000

(2) With respect to the estates of decedents dying on or after January 1, 2010, the tax based on the Connecticut taxable estate shall be as provided in the following schedule:

Amount of Connecticut Taxable Estate	Rate of Tax
Not over $3,500,000	None
Over $3,500,000 but not over $3,600,000	7.2% of the excess over $3,500,000
Over $3,600,000 but not over $4,100,000	$7,200 plus 7.8% of the excess over $3,600,000
Over $4,100,000 but not over $5,100,000	$46,200 plus 8.4% of the excess over $4,100,000
Over $5,100,000 but not over $6,100,000	$130,200 plus 9.0% of the excess over $5,100,000
Over $6,100,000 but not over $7,100,000	$220,200 plus 9.6% of the excess over $6,100,000
Over $7,100,000 but not over $8,100,000	$316,200 plus 10.2% of the excess over $7,100,000
Over $8,100,000 but not over $9,100,000	$418,200 plus 10.8% of the excess over $8,100,000
Over $9,100,000	$526,200 plus 11.4% of the excess

but not over $10,100,000	over $9,100,000
Over $10,100,000	$640,200 plus 12% of the excess over $10,100,000

Sec. 117. Subsection (a) of section 12-392 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009, and applicable to taxes payable on or after said date*):

(a)(1) **[**The**]** Prior to July 1, 2009, the tax imposed by this chapter shall become due at the date of the taxable transfer and shall become payable, and shall be paid, without assessment, notice or demand, to the Commissioner of Revenue Services at the expiration of nine months from the date of death, and **[**executors**]** on or after July 1, 2009, the tax imposed by this chapter shall become due at the date of the taxable transfer and shall become payable and shall be paid, without assessment, notice or demand, to said commissioner at the expiration of six months from the date of death. Executors, administrators, trustees, grantees, donees, beneficiaries and surviving joint owners shall be liable for the tax and for any interest or penalty thereon until it is paid, except that no executor, administrator, trustee, grantee, donee, beneficiary or surviving joint owner shall be liable for a greater sum than the value of the property actually received by him or her. If the amount of tax reported to be due on the return is not paid, for taxes due prior to July 1, 2009, within such nine months, or for taxes due on or after July 1, 2009, within such six months, there shall be imposed a penalty equal to ten per cent of such amount due and unpaid, or fifty dollars, whichever is greater. Such amount shall bear interest at the rate of one per cent per month or fraction thereof, from the due date of such tax until the date of payment. Subject to the provisions of section 12-3a, the commissioner may waive all or part of the penalties provided under this chapter when it is proven to **[**his**]** such commissioner's satisfaction that the failure to pay any tax was due to

reasonable cause and was not intentional or due to neglect.

(2) The Commissioner of Revenue Services may, for reasonable cause shown, extend the time for payment. The commissioner may require the filing of a tentative return and the payment of the tax reported to be due thereon in connection with such extension. Any additional tax which may be found to be due on the filing of a return as allowed by such extension shall bear interest at the rate of one per cent per month or fraction thereof from the original due date of such tax to the date of actual payment.

(3) Whenever there is an overpayment of the tax imposed by this chapter, the Commissioner of Revenue Services shall return to the fiduciary or transferee the overpayment which shall bear interest at the rate of two-thirds of one per cent per month or fraction thereof, said interest commencing, for taxes due prior to July 1, 2009, from the expiration of nine months after the death of the transferor or date of payment, whichever is later, or, for taxes due on or after July 1, 2009, from the expiration of six months after the death of the transferor or date of payment, whichever is later.

Sec. 118. Subsection (a) of section 12-642 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a)(1) With respect to calendar years commencing prior to January 1, 2001, the tax imposed by section 12-640 for the calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Not over $25,000	1%
Over $25,000 but not over $50,000	$250, plus 2% of the excess over $25,000

Over $50,000 but not over $75,000	$750, plus 3% of the excess over $50,000
Over $75,000 but not over $100,000	$1,500, plus 4% of the excess over $75,000
Over $100,000 but not over $200,000	$2,500, plus 5% of the excess over $100,000
Over $200,000	$7,500, plus 6% of the excess over $200,000

(2) With respect to the calendar years commencing January 1, 2001, January 1, 2002, January 1, 2003, and January 1, 2004, the tax imposed by section 12-640 for each such calendar year shall be at a rate of the taxable gifts made by the donor during the calendar year set forth in the following schedule:

Amount of Taxable Gifts	Rate of Tax
Over $25,000 but not over $50,000	$250, plus 2% of the excess over $25,000
Over $50,000 but not over $75,000	$750, plus 3% of the excess over $50,000
Over $75,000 but not over $100,000	$1,500, plus 4% of the excess over $75,000
Over $100,000 but not over $675,000	$2,500, plus 5% of the excess over $100,000
Over $675,000	$31,250, plus 6% of the excess over $675,000

(3) With respect to Connecticut taxable gifts, as defined in section 12-643, made by a donor during a calendar year commencing on or after January 1, 2005, <u>but prior to January 1, 2010,</u> including the aggregate amount of all Connecticut taxable gifts made by the donor during all calendar years commencing on or after January 1, 2005, <u>but prior to January 1, 2010,</u> the tax imposed by section 12-640 for the

calendar year shall be at the rate set forth in the following schedule, with a credit allowed against such tax for any tax previously paid to this state pursuant to this subdivision:

Amount of Taxable Gifts	Rate of Tax
Not over $2,000,000	None
Over $2,000,000 but not over $2,100,000	5.085% of the excess over $0
Over $2,100,000 but not over $2,600,000	$106,800 plus 8% of the excess over $2,100,000
Over $2,600,000 but not over $3,100,000	$146,800 plus 8.8% of the excess over $2,600,000
Over $3,100,000 but not over $3,600,000	$190,800 plus 9.6% of the excess over $3,100,000
Over $3,600,000 but not over $4,100,000	$238,800 plus 10.4% of the excess over $3,600,000
Over $4,100,000 but not over $5,100,000	$290,800 plus 11.2% of the excess over $4,100,000
Over $5,100,000 but not over $6,100,000	$402,800 plus 12% of the excess over $5,100,000
Over $6,100,000 but not over $7,100,000	$522,800 plus 12.8% of the excess over $6,100,000
Over $7,100,000 but not over $8,100,000	$650,800 plus 13.6% of the excess over $7,100,000
Over $8,100,000 but not over $9,100,000	$786,800 plus 14.4% of the excess over $8,100,000
Over $9,100,000 but not over $10,100,000	$930,800 plus 15.2% of the excess over $9,100,000

Over $10,100,000	$1,082,800 plus 16% of the excess over $10,100,000

(4) With respect to Connecticut taxable gifts, as defined in section 12-643, made by a donor during a calendar year commencing on or after January 1, 2010, including the aggregate amount of all Connecticut taxable gifts made by the donor during all calendar years commencing on or after January 1, 2010, the tax imposed by section 12-640 for the calendar year shall be at the rate set forth in the following schedule, with a credit allowed against such tax for any tax previously paid to this state pursuant to this subdivision:

Amount of Taxable Gifts	Rate of Tax
Not over $3,500,000	None
Over $3,500,000 but not over $3,600,000	7.2% of the excess over $3,500,000
Over $3,600,000 but not over $4,100,000	$7,200 plus 7.8% of the excess over $3,600,000
Over $4,100,000 but not over $5,100,000	$46,200 plus 8.4% of the excess over $4,100,000
Over $5,100,000 but not over $6,100,000	$130,200 plus 9.0% of the excess over $5,100,000
Over $6,100,000 but not over $7,100,000	$220,200 plus 9.6% of the excess over $6,100,000
Over $7,100,000 but not over $8,100,000	$316,200 plus 10.2% of the excess over $7,100,000
Over $8,100,000 but not over $9,100,000	$418,200 plus 10.8% of the excess over $8,100,000
Over $9,100,000 but not over $10,100,000	$526,200 plus 11.4% of the excess over $9,100,000

Over $10,100,000	$640,200 plus 12% of the excess over $10,100,000

Sec. 119. Subsection (a) of section 12-700 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2009*):

(a) There is hereby imposed on the Connecticut taxable income of each resident of this state a tax:

(1) At the rate of four and one-half per cent of such Connecticut taxable income for taxable years commencing on or after January 1, 1992, and prior to January 1, 1996.

(2) For taxable years commencing on or after January 1, 1996, but prior to January 1, 1997, in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual or as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $2,250	3.0%
Over $2,250	$67.50, plus 4.5% of the excess over $2,250

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $3,500	3.0%
Over $3,500	$105.00, plus 4.5% of the excess over $3,500

(C) For any husband and wife who file a return under the federal income tax for such taxable year as married individuals filing jointly or a person who files a return under the federal income tax as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $4,500	3.0%
Over $4,500	$135.00, plus 4.5% of the excess over $4,500

(D) For trusts or estates, the rate of tax shall be 4.5% of their Connecticut taxable income.

(3) For taxable years commencing on or after January 1, 1997, but prior to January 1, 1998, in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual or as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $6,250	3.0%
Over $6,250	$187.50, plus 4.5% of the excess over $6,250

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $10,000	3.0%
Over $10,000	$300.00, plus 4.5% of the excess over $10,000

(C) For any husband and wife who file a return under the federal

income tax for such taxable year as married individuals filing jointly or any person who files a return under the federal income tax for such taxable year as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $12,500	3.0%
Over $12,500	$375.00, plus 4.5% of the excess over $12,500

(D) For trusts or estates, the rate of tax shall be 4.5% of their Connecticut taxable income.

(4) For taxable years commencing on or after January 1, 1998, but prior to January 1, 1999, in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual or as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $7,500	3.0%
Over $7,500	$225.00, plus 4.5% of the excess over $7,500

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $12,000	3.0%
Over $12,000	$360.00, plus 4.5% of the excess over $12,000

(C) For any husband and wife who file a return under the federal

income tax for such taxable year as married individuals filing jointly or any person who files a return under the federal income tax for such taxable year as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $15,000	3.0%
Over $15,000	$450.00, plus 4.5% of the excess over $15,000

(D) For trusts or estates, the rate of tax shall be 4.5% of their Connecticut taxable income.

(5) For taxable years commencing on or after January 1, 1999, but prior to January 1, 2003, in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual or as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $10,000	3.0%
Over $10,000	$300.00, plus 4.5% of the excess over $10,000

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $16,000	3.0%
Over $16,000	$480.00, plus 4.5% of the excess over $16,000

(C) For any husband and wife who file a return under the federal

income tax for such taxable year as married individuals filing jointly or any person who files a return under the federal income tax for such taxable year as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $20,000	3.0%
Over $20,000	$600.00, plus 4.5% of the excess over $20,000

(D) For trusts or estates, the rate of tax shall be 4.5% of their Connecticut taxable income.

(6) For taxable years commencing on or after January 1, 2003, <u>but prior to January 1, 2009,</u> in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual or as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $10,000	3.0%
Over $10,000	$300.00, plus 5.0% of the excess over $10,000

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $16,000	3.0%
Over $16,000	$480.00, plus 5.0% of the excess over $16,000

(C) For any husband and wife who file a return under the federal

income tax for such taxable year as married individuals filing jointly or any person who files a return under the federal income tax for such taxable year as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $20,000	3.0%
Over $20,000	$600.00, plus 5.0% of the excess over $20,000

(D) For trusts or estates, the rate of tax shall be 5.0% of the Connecticut taxable income.

(7) For taxable years commencing on or after January 1, 2009, in accordance with the following schedule:

(A) For any person who files a return under the federal income tax for such taxable year as an unmarried individual:

Connecticut Taxable Income	Rate of Tax
Not over $10,000	3.0%
Over $10,000 but not over $500,000	$300.00, plus 5.0% of the excess over $10,000
Over $500,000	$24,800, plus 6.5% of the excess over $500,000

(B) For any person who files a return under the federal income tax for such taxable year as a head of household, as defined in Section 2(b) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $16,000	3.0%
Over $16,000 but not over $800,000	$480.00, plus 5.0% of the excess over $16,000
Over $800,000	$39,680, plus 6.5% of the excess over $800,000

(C) For any husband and wife who file a return under the federal income tax for such taxable year as married individuals filing jointly or any person who files a return under the federal income tax for such taxable year as a surviving spouse, as defined in Section 2(a) of the Internal Revenue Code:

Connecticut Taxable Income	Rate of Tax
Not over $20,000	3.0%
Over $20,000 but not over $1,000,000	$600.00, plus 5.0% of the excess over $20,000
Over $1,000,000	$49,600, plus 6.5% of the excess over $1,000,000

(D) For any person who files a return under the federal income tax for such taxable year as a married individual filing separately:

Connecticut Taxable Income	Rate of Tax
Not over $10,000	3.0%
Over $10,000 but not over $500,000	$300.00, plus 5.0% of the excess over $10,000
Over $500,000	$24,800, plus 6.5% of the excess over $500,000

(E) For trusts or estates, the rate of tax shall be 6.5% of the Connecticut taxable income.

[(7)**]** (8) The provisions of this subsection shall apply to resident trusts and estates and, wherever reference is made in this subsection to residents of this state, such reference shall be construed to include resident trusts and estates, provided any reference to a resident's Connecticut adjusted gross income derived from sources without this state or to a resident's Connecticut adjusted gross income shall be construed, in the case of a resident trust or estate, to mean the resident trust or estate's Connecticut taxable income derived from sources

without this state and the resident trust or estate's Connecticut taxable income, respectively.

Sec. 120. Subdivision (10) of subsection (a) of section 12-701 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2009*):

(10) "Connecticut fiduciary adjustment" means the net positive or negative total of the following items relating to income, gain, loss or deduction of a trust or estate: (A) There shall be added together (i) any interest income from obligations issued by or on behalf of any state, political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity, exclusive of such income from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of any such income with respect to which taxation by any state is prohibited by federal law, (ii) any exempt-interest dividends, as defined in Section 852 (b)(5) of the Internal Revenue Code, exclusive of such exempt-interest dividends derived from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of such exempt-interest dividends derived from obligations, the income with respect to which taxation by any state is prohibited by federal law, (iii) any interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States which federal law exempts from federal income tax but does not exempt from state income taxes, (iv) to the extent properly includable in determining the net gain or loss from the sale or other disposition of capital assets for federal income tax purposes, any loss from the sale or

exchange of obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut, in the income year such loss was recognized, (v) to the extent deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries, any income taxes imposed by this state, (vi) to the extent deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries, any interest on indebtedness incurred or continued to purchase or carry obligations or securities the interest on which is exempt from tax under this chapter, **[**and**]** (vii) expenses paid or incurred during the taxable year for the production or collection of income which is exempt from tax under this chapter, or the management, conservation or maintenance of property held for the production of such income, and the amortizable bond premium for the taxable year on any bond the interest on which is exempt from taxation under this chapter, to the extent that such expenses and premiums are deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries<u>, and (viii) to the extent deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries, the deduction allowable as qualified domestic production activities income, pursuant to Section 199 of the Internal Revenue Code</u>. (B) There shall be subtracted from the sum of such items (i) to the extent properly includable in gross income for federal income tax purposes, any income with respect to which taxation by any state is prohibited by federal law, (ii) to the extent allowable under section 12-718, exempt dividends paid by a regulated investment company, (iii) with respect to any trust or estate which is a shareholder of an S corporation which is carrying on, or which has the right to carry on, business in this state, as said term is used in section 12-214, the amount of such shareholder's pro rata share of such corporation's nonseparately computed items, as defined in Section 1366 of the Internal Revenue Code, that is subject to tax under

chapter 208, in accordance with subsection (c) of section 12-217 multiplied by such corporation's apportionment fraction, if any, as determined in accordance with section 12-218, (iv) to the extent properly includable in gross income for federal income tax purposes, any interest income from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut, (v) to the extent properly includable in determining the net gain or loss from the sale or other disposition of capital assets for federal income tax purposes, any gain from the sale or exchange of obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut, in the income year such gain was recognized, (vi) any interest on indebtedness incurred or continued to purchase or carry obligations or securities the interest on which is subject to tax under this chapter, but exempt from federal income tax, to the extent that such interest on indebtedness is not deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries, (vii) ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income which is subject to taxation under this chapter, but exempt from federal income tax, or the management, conservation or maintenance of property held for the production of such income, and the amortizable bond premium for the taxable year on any bond the interest on which is subject to tax under this chapter, but exempt from federal income tax, to the extent that such expenses and premiums are not deductible in determining federal taxable income prior to deductions relating to distributions to beneficiaries, and (viii) the amount of any refund or credit for overpayment of income taxes imposed by this state, to the extent properly includable in gross income for federal income tax purposes for the taxable year and to the extent deductible in determining federal taxable income prior to

deductions relating to distributions to beneficiaries for the preceding taxable year.

Sec. 121. Subparagraph (A) of subdivision (20) of subsection (a) of section 12-701 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2009*):

(A) There shall be added thereto (i) to the extent not properly includable in gross income for federal income tax purposes, any interest income from obligations issued by or on behalf of any state, political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity, exclusive of such income from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of any such income with respect to which taxation by any state is prohibited by federal law, (ii) any exempt-interest dividends, as defined in Section 852(b)(5) of the Internal Revenue Code, exclusive of such exempt-interest dividends derived from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut and exclusive of such exempt-interest dividends derived from obligations, the income with respect to which taxation by any state is prohibited by federal law, (iii) any interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States which federal law exempts from federal income tax but does not exempt from state income taxes, (iv) to the extent included in gross income for federal income tax purposes for the taxable year, the total taxable amount of a lump sum distribution for the taxable year deductible from such gross income in calculating federal adjusted

gross income, (v) to the extent properly includable in determining the net gain or loss from the sale or other disposition of capital assets for federal income tax purposes, any loss from the sale or exchange of obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut, in the income year such loss was recognized, (vi) to the extent deductible in determining federal adjusted gross income, any income taxes imposed by this state, (vii) to the extent deductible in determining federal adjusted gross income, any interest on indebtedness incurred or continued to purchase or carry obligations or securities the interest on which is exempt from tax under this chapter, (viii) expenses paid or incurred during the taxable year for the production or collection of income which is exempt from taxation under this chapter or the management, conservation or maintenance of property held for the production of such income, and the amortizable bond premium for the taxable year on any bond the interest on which is exempt from tax under this chapter to the extent that such expenses and premiums are deductible in determining federal adjusted gross income, **[**and**]** (ix) for property placed in service after September 10, 2001, but prior to September 11, 2004, in taxable years ending after September 10, 2001, any additional allowance for depreciation under subsection (k) of Section 168 of the Internal Revenue Code, as provided by Section 101 of the Job Creation and Worker Assistance Act of 2002, to the extent deductible in determining federal adjusted gross income, and (x) to the extent deductible in determining federal adjusted gross income, the deduction allowable as qualified domestic production activities income, pursuant to Section 199 of the Internal Revenue Code.

Sec. 122. Subsection (a) of section 12-702 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1,*

2009):

(a) (1) (A) Any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as a married individual filing separately or, for taxable years commencing prior to January 1, 2000, who files income tax for such taxable year as an unmarried individual shall be entitled to a personal exemption of twelve thousand dollars in determining Connecticut taxable income for purposes of this chapter.

(B) In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-four thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption.

(2) For taxable years commencing on or after January 1, 2000, any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as an unmarried individual shall be entitled to a personal exemption in determining Connecticut taxable income for purposes of this chapter as follows:

(A) For taxable years commencing on or after January 1, 2000, but prior to January 1, 2001, twelve thousand two hundred fifty dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-four thousand five hundred dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(B) For taxable years commencing on or after January 1, 2001, but prior to January 1, 2004, twelve thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-five thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(C) For taxable years commencing on or after January 1, 2004, but prior to January 1, 2007, twelve thousand six hundred twenty-five dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-five thousand two hundred fifty dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(D) For taxable years commencing on or after January 1, 2007, but prior to January 1, 2008, twelve thousand seven hundred fifty dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-five thousand five hundred dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(E) For taxable years commencing on or after January 1, 2008, but prior to January 1, **[**2009**]** 2012, thirteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-six thousand dollars, the exemption

amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(F) For taxable years commencing on or after January 1, **[**2009**]** 2012, but prior to January 1, **[**2010**]** 2013, thirteen thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-seven thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(G) For taxable years commencing on or after January 1, **[**2010**]** 2013, but prior to January 1, **[**2011**]** 2014, fourteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-eight thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption;

(H) For taxable years commencing on or after January 1, **[**2011**]** 2014, but prior to January 1, **[**2012**]** 2015, fourteen thousand five hundred dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds twenty-nine thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one

hundred per cent of the exemption;

(I) For taxable years commencing on or after January 1, **[**2012**]** 2015, fifteen thousand dollars. In the case of any such taxpayer whose Connecticut adjusted gross income for the taxable year exceeds thirty thousand dollars, the exemption amount shall be reduced by one thousand dollars for each one thousand dollars, or fraction thereof, by which the taxpayer's Connecticut adjusted gross income for the taxable year exceeds said amount. In no event shall the reduction exceed one hundred per cent of the exemption.

Sec. 123. Subsection (a) of section 12-703 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2009*):

(a) (1) Any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as a married individual filing separately or for taxable years commencing prior to January 1, 2000, who files under the federal income tax for such taxable year as an unmarried individual shall be entitled to a credit in determining the amount of tax liability for purposes of this chapter in accordance with the following schedule:

Connecticut Adjusted Gross Income	Amount of Credit
Over $12,000 but not over $15,000	75%
Over $15,000 but not over $15,500	70%
Over $15,500 but not over $16,000	65%

Over $16,000 but not over $16,500	60%
Over $16,500 but not over $17,000	55%
Over $17,000 but not over $17,500	50%
Over $17,500 but not over $18,000	45%
Over $18,000 but not over $18,500	40%
Over $18,500 but not over $20,000	35%
Over $20,000 but not over $20,500	30%
Over $20,500 but not over $21,000	25%
Over $21,000 but not over $21,500	20%
Over $21,500 but not over $25,000	15%
Over $25,000 but not over $25,500	14%
Over $25,500 but not over $26,000	13%
Over $26,000 but not over $26,500	12%
Over $26,500 but not over $27,000	11%
Over $27,000 but not over $48,000	10%
Over $48,000 but not over $48,500	9%

Over $48,500 but not over $49,000	8%
Over $49,000 but not over $49,500	7%
Over $49,500 but not over $50,000	6%
Over $50,000 but not over $50,500	5%
Over $50,500 but not over $51,000	4%
Over $51,000 but not over $51,500	3%
Over $51,500 but not over $52,000	2%
Over $52,000 but not over $52,500	1%

(2) For taxable years commencing on or after January 1, 2000, any person, other than a trust or estate, subject to the tax under this chapter for any taxable year who files under the federal income tax for such taxable year as an unmarried individual shall be entitled to a credit in determining the amount of tax liability for purposes of this chapter in accordance with the following schedule:

(A) For taxable years commencing on or after January 1, 2000, but prior to January 1, 2001:

Connecticut Adjusted Gross Income	Amount of Credit
Over $12,250 but not over $15,300	75%
Over $15,300 but not over $15,800	70%

Over $15,800 but not over $16,300	65%
Over $16,300 but not over $16,800	60%
Over $16,800 but not over $17,300	55%
Over $17,300 but not over $17,800	50%
Over $17,800 but not over $18,300	45%
Over $18,300 but not over $18,800	40%
Over $18,800 but not over $20,400	35%
Over $20,400 but not over $20,900	30%
Over $20,900 but not over $21,400	25%
Over $21,400 but not over $21,900	20%
Over $21,900 but not over $25,500	15%
Over $25,500 but not over $26,000	14%
Over $26,000 but not over $26,500	13%
Over $26,500 but not over $27,000	12%
Over $27,000 but not over $27,500	11%
Over $27,500 but not over $49,000	10%

Over $49,000 but not over $49,500	9%
Over $49,500 but not over $50,000	8%
Over $50,000 but not over $50,500	7%
Over $50,500 but not over $51,000	6%
Over $51,000 but not over $51,500	5%
Over $51,500 but not over $52,000	4%
Over $52,000 but not over $52,500	3%
Over $52,500 but not over $53,000	2%
Over $53,000 but not over $53,500	1%

(B) For taxable years commencing on or after January 1, 2001, but prior to January 1, 2004:

Connecticut Adjusted Gross Income	Amount of Credit
Over $12,500 but not over $15,600	75%
Over $15,600 but not over $16,100	70%
Over $16,100 but not over $16,600	65%
Over $16,600 but not over $17,100	60%
Over $17,100 but	

not over $17,600	55%
Over $17,600 but not over $18,100	50%
Over $18,100 but not over $18,600	45%
Over $18,600 but not over $19,100	40%
Over $19,100 but not over $20,800	35%
Over $20,800 but not over $21,300	30%
Over $21,300 but not over $21,800	25%
Over $21,800 but not over $22,300	20%
Over $22,300 but not over $26,000	15%
Over $26,000 but not over $26,500	14%
Over $26,500 but not over $27,000	13%
Over $27,000 but not over $27,500	12%
Over $27,500 but not over $28,000	11%
Over $28,000 but not over $50,000	10%
Over $50,000 but not over $50,500	9%
Over $50,500 but not over $51,000	8%
Over $51,000 but	

not over $51,500	7%
Over $51,500 but not over $52,000	6%
Over $52,000 but not over $52,500	5%
Over $52,500 but not over $53,000	4%
Over $53,000 but not over $53,500	3%
Over $53,500 but not over $54,000	2%
Over $54,000 but not over $54,500	1%

(C) For taxable years commencing on or after January 1, 2004, but prior to January 1, 2007:

Connecticut Adjusted Gross Income	Amount of Credit
Over $12,625 but not over $15,750	75%
Over $15,750 but not over $16,250	70%
Over $16,250 but not over $16,750	65%
Over $16,750 but not over $17,250	60%
Over $17,250 but not over $17,750	55%
Over $17,750 but not over $18,250	50%
Over $18,250 but not over $18,750	45%

Over $18,750 but not over $19,250	40%
Over $19,250 but not over $21,050	35%
Over $21,050 but not over $21,550	30%
Over $21,550 but not over $22,050	25%
Over $22,050 but not over $22,550	20%
Over $22,550 but not over $26,300	15%
Over $26,300 but not over $26,800	14%
Over $26,800 but not over $27,300	13%
Over $27,300 but not over $27,800	12%
Over $27,800 but not over $28,300	11%
Over $28,300 but not over $50,500	10%
Over $50,500 but not over $51,000	9%
Over $51,000 but not over $51,500	8%
Over $51,500 but not over $52,000	7%
Over $52,000 but not over $52,500	6%
Over $52,500 but not over $53,000	5%

Over $53,000 but not over $53,500	4%
Over $53,500 but not over $54,000	3%
Over $54,000 but not over $54,500	2%
Over $54,500 but not over $55,000	1%

(D) For taxable years commencing on or after January 1, 2007, but prior to January 1, 2008:

Connecticut Adjusted Gross Income	Amount of Credit
Over $12,750 but not over $15,900	75%
Over $15,900 but not over $16,400	70%
Over $16,400 but not over $16,900	65%
Over $16,900 but not over $17,400	60%
Over $17,400 but not over $17,900	55%
Over $17,900 but not over $18,400	50%
Over $18,400 but not over $18,900	45%
Over $18,900 but not over $19,400	40%
Over $19,400 but not over $21,300	35%
Over $21,300 but	

not over $21,800	30%
Over $21,800 but not over $22,300	25%
Over $22,300 but not over $22,800	20%
Over $22,800 but not over $26,600	15%
Over $26,600 but not over $27,100	14%
Over $27,100 but not over $27,600	13%
Over $27,600 but not over $28,100	12%
Over $28,100 but not over $28,600	11%
Over $28,600 but not over $51,000	10%
Over $51,000 but not over $51,500	9%
Over $51,500 but not over $52,000	8%
Over $52,000 but not over $52,500	7%
Over $52,500 but not over $53,000	6%
Over $53,000 but not over $53,500	5%
Over $53,500 but not over $54,000	4%
Over $54,000 but not over $54,500	3%
Over $54,500 but	

not over $55,000	2%
Over $55,000 but not over $55,500	1%

(E) For taxable years commencing on or after January 1, 2008, but prior to January 1, **[**2009**]** 2012:

Connecticut Adjusted Gross Income	Amount of Credit
Over $13,000 but not over $16,300	75%
Over $16,300 but not over $16,800	70%
Over $16,800 but not over $17,300	65%
Over $17,300 but not over $17,800	60%
Over $17,800 but not over $18,300	55%
Over $18,300 but not over $18,800	50%
Over $18,800 but not over $19,300	45%
Over $19,300 but not over $19,800	40%
Over $19,800 but not over $21,700	35%
Over $21,700 but not over $22,200	30%
Over $22,200 but not over $22,700	25%
Over $22,700 but not over $23,200	20%

Over $23,200 but not over $27,100	15%
Over $27,100 but not over $27,600	14%
Over $27,600 but not over $28,100	13%
Over $28,100 but not over $28,600	12%
Over $28,600 but not over $29,100	11%
Over $29,100 but not over $52,000	10%
Over $52,000 but not over $52,500	9%
Over $52,500 but not over $53,000	8%
Over $53,000 but not over $53,500	7%
Over $53,500 but not over $54,000	6%
Over $54,000 but not over $54,500	5%
Over $54,500 but not over $55,000	4%
Over $55,000 but not over $55,500	3%
Over $55,500 but not over $56,000	2%
Over $56,000 but not over $56,500	1%

(F) For taxable years commencing on or after January 1, **[**2009**]** 2012, but prior to January 1, **[**2010**]** 2013:

Connecticut Adjusted Gross Income	Amount Of Credit
Over $13,500 but not over $16,900	75%
Over $16,900 but not over $17,400	70%
Over $17,400 but not over $17,900	65%
Over $17,900 but not over $18,400	60%
Over $18,400 but not over $18,900	55%
Over $18,900 but not over $19,400	50%
Over $19,400 but not over $19,900	45%
Over $19,900 but not over $20,400	40%
Over $20,400 but not over $22,500	35%
Over $22,500 but not over $23,000	30%
Over $23,000 but not over $23,500	25%
Over $23,500 but not over $24,000	20%
Over $24,000 but not over $28,100	15%
Over $28,100 but not over $28,600	14%
Over $28,600 but not over $29,100	13%

Over $29,100 but not over $29,600	12%
Over $29,600 but not over $30,100	11%
Over $30,100 but not over $54,000	10%
Over $54,000 but not over $54,500	9%
Over $54,500 but not over $55,000	8%
Over $55,000 but not over $55,500	7%
Over $55,500 but not over $56,000	6%
Over $56,000 but not over $56,500	5%
Over $56,500 but not over $57,000	4%
Over $57,000 but not over $57,500	3%
Over $57,500 but not over $58,000	2%
Over $58,000 but not over $58,500	1%

(G) For taxable years commencing on or after January 1, **[**2010**]** 2013, but prior to January 1, **[**2011**]** 2014:

Connecticut Adjusted Gross Income	Amount of Credit
Over $14,000 but not over $17,500	75%
Over $17,500 but	

not over $18,000	70%
Over $18,000 but not over $18,500	65%
Over $18,500 but not over $19,000	60%
Over $19,000 but not over $19,500	55%
Over $19,500 but not over $20,000	50%
Over $20,000 but not over $20,500	45%
Over $20,500 but not over $21,000	40%
Over $21,000 but not over $23,300	35%
Over $23,300 but not over $23,800	30%
Over $23,800 but not over $24,300	25%
Over $24,300 but not over $24,800	20%
Over $24,800 but not over $29,200	15%
Over $29,200 but not over $29,700	14%
Over $29,700 but not over $30,200	13%
Over $30,200 but not over $30,700	12%
Over $30,700 but not over $31,200	11%
Over $31,200 but	

not over $56,000	10%
Over $56,000 but not over $56,500	9%
Over $56,500 but not over $57,000	8%
Over $57,000 but not over $57,500	7%
Over $57,500 but not over $58,000	6%
Over $58,000 but not over $58,500	5%
Over $58,500 but not over $59,000	4%
Over $59,000 but not over $59,500	3%
Over $59,500 but not over $60,000	2%
Over $60,000 but not over $60,500	1%

(H) For taxable years commencing on or after January 1, **[**2011**]** 2014, but prior to January 1, **[**2012**]** 2015:

Connecticut Adjusted Gross Income	Amount of Credit
Over $14,500 but not over $18,100	75%
Over $18,100 but not over $18,600	70%
Over $18,600 but not over $19,100	65%
Over $19,100 but not over $19,600	60%

Over $19,600 but not over $20,100	55%
Over $20,100 but not over $20,600	50%
Over $20,600 but not over $21,100	45%
Over $21,100 but not over $21,600	40%
Over $21,600 but not over $24,200	35%
Over $24,200 but not over $24,700	30%
Over $24,700 but not over $25,200	25%
Over $25,200 but not over $25,700	20%
Over $25,700 but not over $30,200	15%
Over $30,200 but not over $30,700	14%
Over $30,700 but not over $31,200	13%
Over $31,200 but not over $31,700	12%
Over $31,700 but not over $32,200	11%
Over $32,200 but not over $58,000	10%
Over $58,000 but not over $58,500	9%
Over $58,500 but not over $59,000	8%

Over $59,000 but not over $59,500	7%
Over $59,500 but not over $60,000	6%
Over $60,000 but not over $60,500	5%
Over $60,500 but not over $61,000	4%
Over $61,000 but not over $61,500	3%
Over $61,500 but not over $62,000	2%
Over $62,000 but not over $62,500	1%

(I) For taxable years commencing on or after January 1, **[**2012**]** 2015:

Connecticut Adjusted Gross Income	Amount of Credit
Over $15,000 but not over $18,800	75%
Over $18,800 but not over $19,300	70%
Over $19,300 but not over $19,800	65%
Over $19,800 but not over $20,300	60%
Over $20,300 but not over $20,800	55%
Over $20,800 but not over $21,300	50%
Over $21,300 but not over $21,800	45%

Over $21,800 but not over $22,300	40%
Over $22,300 but not over $25,000	35%
Over $25,000 but not over $25,500	30%
Over $25,500 but not over $26,000	25%
Over $26,000 but not over $26,500	20%
Over $26,500 but not over $31,300	15%
Over $31,300 but not over $31,800	14%
Over $31,800 but not over $32,300	13%
Over $32,300 but not over $32,800	12%
Over $32,800 but not over $33,300	11%
Over $33,300 but not over $60,000	10%
Over $60,000 but not over $60,500	9%
Over $60,500 but not over $61,000	8%
Over $61,000 but not over $61,500	7%
Over $61,500 but not over $62,000	6%
Over $62,000 but not over $62,500	5%

Over $62,500 but not over $63,000	4%
Over $63,000 but not over $63,500	3%
Over $63,500 but not over $64,000	2%
Over $64,000 but not over $64,500	1%

Sec. 124. Subsection (c) of section 12-704c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to taxable years commencing on or after January 1, 2009*):

(c) (1) (A) For taxable years commencing prior to January 1, 2000, 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-two thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars 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 taxable years commencing on or after January 1, 2000, but prior to January 1, 2001, 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-three thousand five hundred dollars, the amount of the credit that exceeds one hundred dollars 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 taxable years commencing on or after January 1, 2001, but prior to January 1, 2004, 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-four thousand five hundred dollars, the amount of the credit 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.

(D) For taxable years commencing on or after January 1, 2004, but prior to January 1, 2007, 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 dollars, the amount of the credit 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 taxable years 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 credit 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 taxable years commencing on or after January 1, 2008, but prior to January 1, **[**2009**]** 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 fifty-six thousand five hundred dollars, the amount of the credit 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.

(G) For taxable years commencing on or after January 1, **[**2009**]** 2012,

but prior to January 1, [2010] 2013, 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 credit 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.

(H) For taxable years commencing on or after January 1, [2010] 2013, but prior to January 1, [2011] 2014, 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 credit 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.

(I) For taxable years commencing on or after January 1, [2011] 2014, but prior to January 1, [2012] 2015, 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 credit 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.

(J) For taxable years commencing on or after January 1, [2012] 2015, 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 credit 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 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 credit 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.

(3) 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 credit 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 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 credit 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.

Sec. 125. (*Effective from passage*) The State Treasurer and the Secretary of the Office of Policy and Management shall jointly develop a plan to sell assets of the state that will result in net proceeds of (1) up to fifteen million dollars to be used as general revenues for the state during the fiscal year ending June 30, 2010, and (2) up to forty-five million dollars to be used as general revenues for the state during the fiscal year ending June 30, 2011. Such plan shall be completed on or before February 3, 2010, and provided to the chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and finance, revenue and bonding.

Sec. 126. (*Effective from passage*) (a) For the fiscal year ending June 30,

2010, the Comptroller shall transfer the sum of seventy-two million dollars from the resources of the General Fund to the Special Transportation Fund.

(b) For the fiscal year ending June 30, 2011, and annually thereafter, the Comptroller shall transfer the sum of one hundred seventeen million five hundred thousand dollars from the resources of the General Fund to the Special Transportation Fund.

Sec. 127. Section 10-287d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of funding (1) grants to projects that have received approval of the State Board of Education pursuant to sections 10-287 and 10-287a, subsection (a) of section 10-65 and section 10-76e, (2) grants to assist school building projects to remedy safety and health violations and damage from fire and catastrophe, and (3) regional vocational-technical school projects pursuant to section 10-283b, the State Treasurer is authorized and directed, subject to and in accordance with the provisions of section 3-20, to issue bonds of the state from time to time in one or more series in an aggregate amount not exceeding **[**six billion seven hundred thirty-one million eight hundred sixty thousand**]** <u>six billion nine hundred twenty million two hundred ten thousand</u> dollars<u>.</u> **[**, provided six hundred twenty-three million dollars of said authorization shall be effective July 1, 2008.**]** Bonds of each series shall bear such date or dates and mature at such time or times not exceeding thirty years from their respective dates and be subject to such redemption privileges, with or without premium, as may be fixed by the State Bond Commission. They shall be sold at not less than par and accrued interest and the full faith and credit of the state is pledged for the payment of the interest thereon and the principal thereof as the same shall become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual

payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due. The State Treasurer is authorized to invest temporarily in direct obligations of the United States, United States agency obligations, certificates of deposit, commercial paper or bank acceptances such portion of the proceeds of such bonds or of any notes in anticipation thereof as may be deemed available for such purpose.

Sec. 128. Section 10-292k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For purposes of funding subsidy grants, except for interest subsidy grants made pursuant to subsection (b) of section 10-292m, the State Treasurer is authorized and directed, subject to and in accordance with the provisions of section 3-20, to issue bonds of the state from time to time in one or more series in an aggregate amount not exceeding **[**three hundred eleven million nine hundred thousand**]** <u>three hundred fourteen million five hundred thousand</u> dollars<u>.</u> **[**, provided sixteen million four hundred thousand dollars of said authorization shall be effective July 1, 2008.**]** Bonds of each series shall bear such date or dates and mature at such time or times not exceeding thirty years from their respective dates and be subject to such redemption privileges, with or without premium, as may be fixed by the State Bond Commission. They shall be sold at not less than par and accrued interest thereon and the full faith and credit of the state is pledged for the payment of the interest thereon and the principal thereof as the same shall become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due. The State Treasurer is authorized to invest temporarily in direct obligations of the United States, United States agency obligations, certificates of deposit, commercial paper or

bank acceptances, such portion of the proceeds of such bonds or of any notes issued in anticipation thereof as may be deemed available for such purpose.

Sec. 129. Subsection (r) of section 3-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(r) The State Bond Commission may make representations and agreements **[**for the benefit of the holders of any bonds, notes or other obligations of the state**]** which are necessary or appropriate to ensure the exemption from taxation of interest on bonds, notes or other obligations of the state, **[**from taxation**]** eligibility of such bonds, notes or other obligations for tax credits or payments from the federal government, or any other desired federal income tax treatment of such bonds, notes or other obligations, in each case under the Internal Revenue Code of 1986 or any subsequent corresponding internal revenue code of the United States, as from time to time amended, including agreements to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds, notes or other obligations issued on or after January 1, 1986, or may delegate to the Treasurer the authority to make such representations and agreements on behalf of the state. Any such agreement may include (1) a covenant to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds, notes or other obligations issued on or after January 1, 1986, (2) a covenant that the state will not limit or alter its rebate obligations until its obligations to the holders or owners of such bonds, notes or other obligations are finally met and discharged, and (3) provisions to (A) establish trust and other accounts which may be appropriate to carry out such representations and agreements, (B) retain fiscal agents as depositories for such funds and accounts and (C) provide that such fiscal agents may act as trustee of such funds and

accounts.

Sec. 130. Section 7-369b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any municipality may make representations and agreements **[**for the benefit of the holders of any bonds, notes or other obligations of the municipality**]** which are necessary or appropriate to ensure the exemption from taxation of interest on bonds, notes or other obligations of the municipality, **[**from taxation**]** eligibility of such bonds, notes or other obligations for tax credits or payments from the federal government, or any other desired federal income tax treatment of such bonds, notes or other obligations, in each case under the Internal Revenue Code of 1986 or any subsequent corresponding internal revenue code of the United States, as from time to time amended, including agreements to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds, notes or other obligations issued on or after January 1, 1986. The municipal officer or body empowered to issue such bonds, notes or other obligations may make such representations and agreements on behalf of the municipality or such officer or body may delegate such authority to the board of selectmen, board of finance or other officer or board of the municipality. Any such agreement may include (1) a covenant to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds, notes or other obligations issued on or after January 1, 1986, (2) a covenant that the municipality will not limit or alter its rebate obligations until its obligations to the holders or owners of such bonds, notes or other obligations are finally met and discharged, and (3) provisions to (A) establish trust and other accounts which may be appropriate to carry out such representations and agreements, (B) retain fiscal agents as depositories for such funds and accounts and (C) provide that such fiscal agents may act as trustee of

such funds and accounts. All such representations and agreements entered into and all such actions taken prior to June 5, 1986, are hereby validated. The full faith and credit of the municipality shall be pledged to the payment of the rebate obligations of such municipality, the amount thereof shall be deemed to be an appropriation from the general fund of such municipality to the extent necessary and there shall be made available on or before the date when such rebate is due and payable an amount of money which, together with other revenues available for such purpose, shall be sufficient to pay such rebate. The treasurer of the municipality is hereby authorized to make such rebate payment to the federal government in the amount certified by him, or by the person responsible for the financial affairs of the municipality, as necessary for such purpose and there shall be included in the next tax levy an amount which, together with other revenues available for such purpose, shall be sufficient therefor. For purposes of this section, "municipality" means any town, city, borough, consolidated town and city, consolidated town and borough, any metropolitan district, any regional school district, any district as defined in section 7-324, and any other municipal corporation or authority authorized to issue bonds, notes, or other obligations under the provisions of the general statutes or any special act.

Sec. 131. Subsection (o) of section 13b-76 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(o) The State Bond Commission may make representations and agreements **[**for the benefit of the holders of bonds or bond anticipation notes issued pursuant to sections 13b-74 to 13b-77, inclusive,**]** which are necessary or appropriate to ensure the exemption <u>from taxation</u> of interest on **[**such**]** bonds or bond anticipation notes **[**from taxation**]** <u>issued pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this act, eligibility of such bonds or bond anticipation</u>

notes for tax credits or payments from the federal government, or any other desired federal income tax treatment of such bonds or bond anticipation notes, in each case under the Internal Revenue Code of 1986, as amended, or any subsequent corresponding internal revenue code of the United States, including agreements to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds or bond anticipation notes, or may delegate to the Treasurer the authority to make such representations and agreements on behalf of the state. Any such agreement may include (1) a covenant to pay rebates to the federal government of investment earnings derived from the investment of the proceeds of bonds or bond anticipation notes, (2) a covenant that the state will not limit or alter its rebate obligations until its obligations to the holders or owners of such bonds or bond anticipation notes are finally met and discharged, and (3) provisions to (A) establish trust and other accounts which may be appropriate to carry out such representations and agreements, (B) retain fiscal agents as depositories for such funds and accounts and (C) provide that such fiscal agents may act as trustee of such funds and accounts. Any such agreement entered into prior to May 16, 1988, is hereby validated. The State Bond Commission may also authorize, by a vote of a majority of the members of said commission, bonds or bond anticipation notes issued pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this act, in such form and manner that the interest on such bonds and bond anticipation notes may be includable under the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, in the gross income of the holders or owners of such bonds or bond anticipation notes upon the finding by said commission that the issuance of such taxable bonds or bond anticipation notes is in the public interest.

Sec. 132. Subsection (b) of section 13b-61 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

passage):

(b) Notwithstanding any provision of subsection (a) of this section to the contrary, there shall be paid promptly to the State Treasurer and thereupon, unless required to be applied by the terms of any lien, pledge or obligation created by or pursuant to the 1954 declaration, part III (C) of chapter 240, credited to the Special Transportation Fund:

(1) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, sections 12-458 and 12-479, provided the State Comptroller is authorized to record as revenue to the General Fund for the fiscal year ending June 30, 1984, the amount of tax levied in accordance with said sections 12-458 and 12-479, on all fuel sold or used prior to the end of said fiscal year and which tax is received no later than July 31, 1984;

(2) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, motor vehicle receipts;

(3) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, (A) subsection (a) of section 14-192, and (B) royalty payments for retail sales of gasoline pursuant to section 13a-80;

(4) On and after July 1, 1985, all moneys received or collected by the state or any officer thereof on account of, or derived from, license, permit and fee revenues as defined in section 13b-59, except as provided under subdivision (3) of this subsection;

(5) On or after July 1, 1989, all moneys received or collected by the state or any officer thereof on account of, or derived from, section 13b-70;

(6) On and after July 1, 1984, all transportation-related federal

revenues of the state;

(7) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees for the relocation of a gasoline station under section 14-320;

(8) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, section 14-319;

(9) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees collected pursuant to section 14-327b for motor fuel quality registration of distributors;

(10) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, annual registration fees for motor fuel dispensers and weighing or measuring devices pursuant to section 43-3;

(11) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees for the issuance of identity cards pursuant to section 1-1h;

(12) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, safety fees pursuant to subsection (w) of section 14-49;

(13) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, late fees for the emissions inspection of motor vehicles pursuant to subsection (k) of section 14-164c;

(14) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, the sale

of information by the Commissioner of Motor Vehicles pursuant to subsection (b) of section 14-50a; **[**and**]**

(15) On and after October 1, 1998, all moneys received by the state or any officer thereof on account of, or derived from, section 14-212b; and

(16) On and after July 1, 2009, all moneys received or collected by the state or any officer thereof on account of, or derived from, any direct federal subsidy pursuant to Section 6431 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, and relating to bonds or bond anticipation notes issued by the state pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this act.

Sec. 133. Subsection (b) of section 13b-74 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The purposes for which special tax obligation bonds may be issued pursuant to sections 13b-74 to 13b-77, inclusive, as amended by this act, are as follows:

(1) Planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, state highways and bridges;

(2) Payment of the state's share of the costs of planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, (A) state highways, (B) projects on the interstate highway system, (C) alternate highway projects in the interstate highway substitution program, commonly referred to as the interstate trade-in program, (D) state bridges, (E) mass transportation and transit

facilities, (F) aeronautic facilities, excluding Bradley International Airport, and (G) waterway projects;

(3) Payment of the state's share of the costs of planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, the local bridge program established under sections 13a-175p to 13a-175u, inclusive, and payment of state contributions to the Local Bridge Revolving Fund established under section 13a-175r;

(4) Planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, the highway safety program, including the rail-highway crossing, hazard elimination and other highway safety programs on the state highway system;

(5) Planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, the maintenance garages and administrative facilities of the Department of Transportation; **[**and**]**

(6) Planning, acquisition, removal, construction, equipping, reconstruction, repair, rehabilitation and improvement of, and acquisition of easements and rights-of-way with respect to, projects and purposes included in section 13b-57h; and

(7) Payment of funds made available to towns, as provided in sections 13a-175a to 13a-175e, inclusive, 13a-175i and 13a-175j, for the purposes set forth in sections 13a-175a, 13a-175d and 13a-175j.

Sec. 134. Subsection (a) of section 12 of public act 09-2 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding the provisions of sections **[**13a-17**]** 13a-175r and 13b-74 to 13b-77, inclusive, of the general statutes, as amended by this act, $28,000,000 from the loan program shall be transferred from the Local Bridge Revolving Fund and credited to the General Fund for the fiscal year ending June 30, 2009.

Sec. 135. Subsections (a) and (b) of section 52-259 of the general statutes, as amended by section 2 of public act 09-152, are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be paid to the clerks for entering each appeal or writ of error to the Supreme Court, or entering each appeal to the Appellate Court, as the case may be, two hundred fifty dollars, and for each civil cause in the Superior Court, three hundred dollars, except (1) one hundred **[**twenty**]** seventy-five dollars for entering each case in the Superior Court in which the sole claim for relief is damages and the amount, legal interest or property in demand is less than two thousand five hundred dollars and for summary process, landlord and tenant and paternity actions, and (2) there shall be no entry fee for making an application to the Superior Court for relief under section 46b-15 or for making an application to modify or extend an order issued pursuant to section 46b-15. If the amount, legal interest or property in demand by the plaintiff is alleged to be less than two thousand five hundred dollars, a new entry fee of seventy-five dollars shall be charged if the plaintiff amends his or her complaint to state that such demand is not less than two thousand five hundred dollars.

(b) The fee for the entry of a small claims case shall be **[**thirty-five**]** seventy-five dollars. If a motion is filed to transfer a small claims case to the regular docket, the moving party shall pay a fee of **[**seventy-five**]** one hundred twenty-five dollars.

Sec. 136. Subsection (a) of section 52-259c of the general statutes, as amended by section 3 of public act 09-152, is repealed and the

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

(a) There shall be paid to the clerk of the Superior Court upon the filing of any motion to open, set aside, modify or extend any civil judgment rendered in Superior Court a fee of **[**thirty-five**]** seventy-five dollars for any housing matter, a fee of **[**twenty-five**]** seventy-five dollars for any small claims matter and a fee of one hundred twenty-five dollars for any other matter, except no fee shall be paid upon the filing of any motion to open, set aside, modify or extend judgments in juvenile matters or orders issued pursuant to section 46b-15 or upon the filing of any motion pursuant to subsection (b) of section 46b-63. Such fee may be waived by the court.

Sec. 137. Subdivisions (1) and (2) of subsection (a) of section 52-356a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) On application of a judgment creditor or **[**his**]** a judgment creditor's attorney, stating that a judgment remains unsatisfied and the amount due thereon, and subject to the expiration of any stay of enforcement and expiration of any right of appeal, the clerk of the court in which the money judgment was rendered shall issue an execution pursuant to this section against the nonexempt personal property of the judgment debtor other than debts due from a banking institution or earnings. The application shall be accompanied by a fee of **[**thirty-five**]** seventy-five dollars payable to the clerk of the court for the administrative costs of complying with the provisions of this section which fee may be recoverable by the judgment creditor as a taxable cost of the action. In the case of a consumer judgment, the application shall indicate whether, pursuant to an installment payment order under subsection (b) of section 52-356d, the court has entered a stay of execution and, if such a stay was entered, shall contain a statement of the judgment creditor or **[**his**]** the judgment creditor's attorney as to the debtor's default on payments. In the case of a

judgment arising out of services provided at a hospital, no application shall be made until the court has (A) issued an order for installment payments in accordance with section 52-356d, (B) made a finding that the debtor has defaulted on payments under the order, and (C) lifted the mandatory stay issued under section 52-356d. The court shall make a determination concerning noncompliance or default, and decide whether to modify the installment payment plan, continue the installment payment plan, or lift the stay. The execution shall be directed to any levying officer.

(2) The property execution shall require a proper levying officer to enforce the money judgment and shall state the names and last-known addresses of the judgment creditor and judgment debtor, the court in which and the date on which the money judgment was rendered, the original amount of the money judgment and the amount due thereon, and any information which the judgment creditor considers necessary or appropriate to identify the judgment debtor. The property execution shall notify any person served therewith that the judgment debtor's nonexempt personal property is subject to levy, seizure and sale by the levying officer pursuant to the execution and, if the judgment debtor is a natural person, shall be accompanied by a notice of judgment debtor rights as prescribed by section 52-361b and a notice to any third person of the manner, as prescribed by subdivision (4) of this subsection, for complying with the execution.

Sec. 138. Subsection (b) of section 52-367a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Execution may be granted pursuant to this section against any debts due from any financial institution to a judgment debtor which is not a natural person. If execution is desired against any such debt, the plaintiff requesting the execution shall make application to the clerk of the court. The application shall be accompanied by a fee of **[**thirty-five**]**

seventy-five dollars payable to the clerk of the court for the administrative costs of complying with the provisions of this section which fee may be recoverable by the judgment creditor as a taxable cost of the action. The clerk shall issue such execution containing a direction that the officer serving such execution shall make demand (1) upon the main office of any financial institution having its main office within the county of the serving officer, or (2) if such main office is not within the serving officer's county and such financial institution has one or more branch offices within such county, upon an employee of such a branch office, such employee and branch office having been designated by the financial institution in accordance with regulations adopted by the Banking Commissioner, in accordance with chapter 54, for the payment of any debt due to the judgment debtor, and, after having made such demand, shall serve a true and attested copy thereof, with the serving officer's actions thereon endorsed, with the financial institution officer upon whom such demand is made. The serving officer shall not serve more than one financial institution execution per judgment debtor at a time, including copies thereof. After service of an execution on one financial institution, the serving officer shall not serve the same execution or a copy thereof upon another financial institution until receiving confirmation from the preceding financial institution that the judgment debtor had insufficient funds at the preceding financial institution available for collection to satisfy the execution. If the serving officer does not receive within twenty-five days of the service of the demand a response from the financial institution that was served indicating whether or not the taxpayer has funds at the financial institution available for collection, the serving officer may assume that sufficient funds are not available for collection and may proceed to serve another financial institution in accordance with this subsection.

Sec. 139. Subsection (b) of section 52-367b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

passage):

(b) If execution is desired against any such debt, the plaintiff requesting the execution shall make application to the clerk of the court. The application shall be accompanied by a fee of **[**thirty-five**]** seventy-five dollars payable to the clerk of the court for the administrative costs of complying with the provisions of this section which fee may be recoverable by the judgment creditor as a taxable cost of the action. In a IV-D case, the request for execution shall be accompanied by an affidavit signed by the serving officer attesting to an overdue support amount of five hundred dollars or more which accrued after the entry of an initial family support judgment. If the papers are in order, the clerk shall issue such execution containing a direction that the officer serving such execution shall, within seven days from the receipt by the serving officer of such execution, make demand (1) upon the main office of any financial institution having its main office within the county of the serving officer, or (2) if such main office is not within the serving officer's county and such financial institution has one or more branch offices within such county, upon an employee of such a branch office, such employee and branch office having been designated by the financial institution in accordance with regulations adopted by the Banking Commissioner, in accordance with chapter 54, for payment of any such nonexempt debt due to the judgment debtor and, after having made such demand, shall serve a true and attested copy of the execution, together with the affidavit and exemption claim form prescribed by subsection (k) of this section, with the serving officer's actions endorsed thereon, with the financial institution officer upon whom such demand is made. The serving officer shall not serve more than one financial institution execution per judgment debtor at a time, including copies thereof. After service of an execution on one financial institution, the serving officer shall not serve the same execution or a copy thereof upon another financial institution until receiving confirmation from the preceding financial

institution that the judgment debtor had insufficient funds at the preceding financial institution available for collection to satisfy the execution, provided any such additional service is made not later than forty-five days from the receipt by the serving officer of such execution.

Sec. 140. Section 1-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record. The fee for any copy provided in accordance with the Freedom of Information Act:

(1) By an executive, administrative or legislative office of the state, a state agency or a department, institution, bureau, board, commission, authority or official of the state, including a committee of, or created by, such an office, agency, department, institution, bureau, board, commission, authority or official, and also including any judicial office, official or body or committee thereof but only in respect to its or their administrative functions, shall not exceed twenty-five cents per page; and

(2) By all other public agencies, as defined in section 1-200, shall not exceed fifty cents per page. If any copy provided in accordance with said Freedom of Information Act requires a transcription, or if any person applies for a transcription of a public record, the fee for such transcription shall not exceed the cost thereof to the public agency.

(b) The fee for any copy provided in accordance with subsection (a) of section 1-211 shall not exceed the cost thereof to the public agency. In determining such costs for a copy, other than for a printout which exists at the time that the agency responds to the request for such copy, an agency may include only:

(1) An amount equal to the hourly salary attributed to all agency

employees engaged in providing the requested computer-stored public record, including their time performing the formatting or programming functions necessary to provide the copy as requested, but not including search or retrieval costs except as provided in subdivision (4) of this subsection;

(2) An amount equal to the cost to the agency of engaging an outside professional electronic copying service to provide such copying services, if such service is necessary to provide the copying as requested;

(3) The actual cost of the storage devices or media provided to the person making the request in complying with such request; and

(4) The computer time charges incurred by the agency in providing the requested computer-stored public record where another agency or contractor provides the agency with computer storage and retrieval services. Notwithstanding any other provision of this section, the fee for any copy of the names of registered voters shall not exceed three cents per name delivered or the cost thereof to the public agency, as determined pursuant to this subsection, whichever is less. The Department of Information Technology shall monitor the calculation of the fees charged for copies of computer-stored public records to ensure that such fees are reasonable and consistent among agencies.

(c) A public agency may require the prepayment of any fee required or permitted under the Freedom of Information Act if such fee is estimated to be ten dollars or more. The sales tax provided in chapter 219 shall not be imposed upon any transaction for which a fee is required or permissible under this section or section 1-227.

(d) The public agency shall waive any fee provided for in this section when:

(1) The person requesting the records is an indigent individual;

(2) The records located are determined by the public agency to be exempt from disclosure under subsection (b) of section 1-210;

(3) In its judgment, compliance with the applicant's request benefits the general welfare; or

(4) The person requesting the record is an elected official of a political subdivision of the state and the official (A) obtains the record from an agency of the political subdivision in which the official serves, and (B) certifies that the record pertains to the official's duties.

(e) Except as otherwise provided by law, the fee for any person who has the custody of any public records or files for certifying any copy of such records or files, or certifying to any fact appearing therefrom, shall be for the first page of such certificate, or copy and certificate, one dollar; and for each additional page, fifty cents. For the purpose of computing such fee, such copy and certificate shall be deemed to be one continuous instrument.

(f) The Secretary of the State, after consulting with the chairperson of the Freedom of Information Commission, the Commissioner of Correction and a representative of the Judicial Department, shall propose a fee structure for copies of public records provided to an inmate, as defined in section 18-84, in accordance with subsection (a) of this section. The Secretary of the State shall submit such proposed fee structure to the joint standing committee of the General Assembly having cognizance of matters relating to government administration, not later than January 15, 2000.

(g) Any individual may copy a public record through the use of a hand-held scanner. A public agency may establish a fee structure not to exceed **[**ten**]** <u>twenty</u> dollars for an individual to pay each time the individual copies records at the agency with a hand-held scanner. As used in this section, "hand-held scanner" means a battery operated

electronic scanning device the use of which (1) leaves no mark or impression on the public record, and (2) does not unreasonably interfere with the operation of the public agency.

Sec. 141. Section 3-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Secretary shall, annually, prepare and publish a Register and Manual that shall give a complete list of the state, county and town officers, of the judges of all courts and of the officials attending thereon. The population, railroad and postal facilities and other items of general interest concerning each town shall also be given in such book and such other information in relation to state departments, state institutions and other matters of public concern as the Secretary deems desirable. The number of copies of the State Register and Manual published each year shall be determined at the discretion of the Secretary. The Secretary shall determine, by regulations adopted in accordance with chapter 54, the agencies and officers of the federal, state and municipal governments to whom the State Register and Manual shall be distributed without charge and the number of copies of such manual to be distributed to each such agency and officer. The price to be charged for any additional copies distributed or sold, except for copies sold pursuant to subsection (b) of this section, shall be **[**ten**]** twenty dollars per copy for soft-bound copies and **[**nineteen**]** thirty-eight dollars per copy for hard-bound special edition copies. Any copies not distributed or sold by July first of the year following publication may be distributed, at no cost, except the cost of mailing if mailed, to any person making a request to the Secretary. Any remaining copies may be disposed of at the time of the next annual publication.

(b) The Secretary shall adopt regulations in accordance with chapter 54, providing for the sale of copies of the Register and Manual through an agent or agents, including, but not limited to, wholesale and retail

booksellers according to a discount schedule similar to one that would be available to such agents from commercial book publishers and generally in keeping with standard book industry practices, provided the price of the Register and Manual under such schedule shall be not less than the cost of producing the Register and Manual.

Sec. 142. Section 3-94b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as provided in subsection (c) of this section, the Secretary of the State may appoint as a notary public any qualified person who submits an application in accordance with this section.

(b) In order to qualify for appointment as a notary public, a person shall:

(1) Be eighteen years of age or older at the time of application;

(2) (A) Be a resident of the state of Connecticut at the time of application and appointment, or (B) have one's principal place of business in the state at the time of application and appointment;

(3) Pass a written examination approved or administered by the Secretary;

(4) Submit an application, on a form prescribed and provided by the Secretary, which the applicant shall complete in the applicant's handwriting without misstatement or omission of fact. The application shall be accompanied by (A) a nonrefundable application fee of **[**sixty**]** one hundred twenty dollars, and (B) the recommendation of an individual who has personally known the applicant for at least one year and is not legally related to the applicant.

(c) The Secretary may deny an application based on:

(1) The applicant's conviction of a felony or a crime involving

dishonesty or moral turpitude;

(2) Revocation, suspension or restriction of a notary public appointment or professional license issued to the applicant by this state or any other state; or

(3) The applicant's official misconduct, whether or not any disciplinary action has resulted.

(d) Upon approval of an application for appointment as a notary public, the Secretary shall cause a certificate of appointment bearing a facsimile of the Secretary's signature and countersigned by the Secretary's executive assistant or an employee designated by the Secretary to be issued to such appointee.

(e) A notary public may obtain a replacement certificate of appointment by filing a written request with the Secretary, accompanied by a nonrefundable fee of five dollars.

Sec. 143. Section 3-94n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Within thirty days after a change of residence address, a notary public who is a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Within thirty days after a change of address of one's principal place of business, a notary public who is not a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Such notice shall be accompanied by a nonrefundable fee of **[**five**]** <u>fifteen</u> dollars. If the change of address is to a different municipality, the notary shall, within thirty days after issuance of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality in which the new address is located. The failure of a notary to so record such replacement certificate shall not

invalidate any notarial act performed by the notary.

Sec. 144. Section 3-94o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Within thirty days after a change in the name of a notary public, the notary shall file a notice of the change with the Secretary, on a form prescribed and provided by the Secretary. The notice shall state the notary's old and new names and the effective date of the new name, include such proof of the change of name as the Secretary shall require, be signed by the notary and be accompanied by a nonrefundable fee of **[**five**]** fifteen dollars. The notary shall, within thirty days after the issuance of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality wherein the notary recorded the notary's original certificate of appointment and oath of office. The failure of a notary to so record such replacement certificate shall not invalidate any notarial act performed by the notary. Any town clerk who is required by statute to make a record of the certificate of appointment and oath of office of a notary shall record the replacement certificate of appointment containing the change of name of the notary upon payment of a fee of **[**one dollar**]** fifteen dollars by such notary to the town clerk.

(b) Beginning on the date of issuance of such replacement certificate of appointment by the Secretary, the notary public shall (1) sign the notary's new name on all notarial certificates, and (2) if the notary uses a notarial seal, use only a notarial seal that contains the notary's new name.

Sec. 145. Section 3-99a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as provided in subsection (b) of this section, the Secretary of the State shall receive, for filing or recording any document,

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

(b) No fee shall be charged for filing any document required to be filed pursuant to the provisions of titles 4, 7 and 9, and the fee for furnishing copies of such documents shall be such as will, in the judgment of said Secretary, cover the costs of such copies, except that the fee for furnishing copies of documents filed pursuant to title 9 shall not exceed twenty-five cents per page. No fee shall be charged for filing resolutions relating to payment from the Treasury and statements of receipts and expenditures of judges of probate.

(c) No fee shall be charged for any copy required by any state officer, department, board or commission, the fee for which would be payable from the State Treasury. For other services for which fees are not provided by the general statutes, the Secretary may charge such fees as will in his judgment cover the cost of the services provided. The tax imposed under chapter 219 shall not be imposed upon any transaction for which a fee may be charged under the provisions of this section. Overpayments made to the Records and Legislative Services Division or to the Commercial Recording Division of the office of the

Secretary of the State, whether for documents or for fees, in an amount not to exceed five dollars shall not be refunded but shall be placed in the General Fund. No overpayment claim shall be presented under this section but within one year after it accrues.

(d) In the performance of their functions, the Commercial Recording Division and the Records and Legislative Services Division of the office of the Secretary of the State may, in the discretion of the Secretary, provide expedited services. The Secretary shall provide for the establishment and administration of a system of payment for such expedited services and may include in such system prepaid deposit accounts. The Secretary shall charge, in addition to the filing fees provided for by law, the sum of **[**twenty-five**]** fifty dollars for each expedited service provided. The filing fee and the expediting fee shall be paid by the person requesting the information and documents, in such manner as required by the Secretary. The Secretary may promulgate rules and regulations necessary to establish guidelines for the use of expedited services and shall establish fees, in addition to the expediting fee, for expedited electronic data processing services which cover the cost of such services.

(e) The Secretary of the State may accept the filing of documents by telecopier or other electronic media and employ new technology, as it is developed, to aid in the performance of all duties required by the law. The Secretary of the State may establish rules, fee schedules and regulations, not inconsistent with the law, for filing documents by telecopier or other electronic media, for the adoption, employment and use of new technology in the performance of the duties of the office and for providing electronic access and other related products or services that result from the employment of such new technology.

(f) The Secretary of the State may require that a unique identification number be provided on documents or requests processed by the office.

(g) The Secretary of the State may allow remittances to be in the form of a credit account number and an authorization to draw upon a specified credit account, at such time and under such conditions as the Secretary may prescribe. Remittances in the form of an authorization to draw upon a specified credit account shall include an amount for purposes of paying the discount rate associated with drawing upon the credit account, unless the remittances are drawn on an account with a financial institution that agrees to add the number to the credit card holder's billing, in which event the remittances drawn shall not include an amount for purposes of paying the discount rate associated with the drawing upon the credit account.

Sec. 146. Section 7-74 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The fee for a certification of birth registration, short form, shall be **[**five**]** fifteen dollars. The fee for a certified copy of a certificate of birth, long form, shall be **[**ten**]** twenty dollars, except that the fee for such certifications and copies when issued by the department shall be **[**fifteen**]** thirty dollars.

(b) The fee for a certified copy of a certificate of marriage or death shall be **[**ten**]** twenty dollars. Such fees shall not be required of the department.

Sec. 147. Section 7-169d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section (1) "bingo" has the same meaning as provided in section 7-169, and (2) "bingo products" means bingo ball equipment, bingo cards or bingo paper.

(b) Each group or organization authorized to operate or conduct a bingo game or series of bingo games pursuant to sections 7-169, 7-169a and 7-169c shall use bingo products that are (1) owned in full by such

group or organization, (2) used without compensation by such group or organization, or (3) rented or purchased from a bingo product manufacturer or equipment dealer who is registered with the Division of Special Revenue in accordance with subsection (c) of this section.

(c) Each applicant for registration as a bingo product manufacturer or equipment dealer shall apply to the executive director of the Division of Special Revenue on such forms as the executive director prescribes. The application shall be accompanied by an annual fee of **[**fifteen hundred**]** one thousand seven hundred fifty dollars payable to the State Treasurer. Each applicant for an initial registration shall submit to state and national criminal history records checks conducted in accordance with section 29-17a, as amended by this act, before such registration is issued.

(d) No registered bingo product manufacturer or equipment dealer shall rent or sell any type of bingo product that has not been approved by the executive director of the Division of Special Revenue.

(e) The Division of Special Revenue may revoke for cause any registration issued in accordance with subsection (c) of this section.

(f) The executive director of the Division of Special Revenue may adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 148. Section 7-169e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any parent teacher association or organization may operate and conduct games of bingo, as defined in section 7-169, for the amusement and recreation of such association's or organization's members and guests without a permit, as required by said section, provided (1) such association or organization registers annually with the Division of Special Revenue and pays an annual registration fee of **[**twenty**]** forty

dollars, (2) such association or organization obtains an identification number from the division, (3) such association or organization charges an admission fee of not more than one dollar, (4) each individual prize of cash or merchandise offered does not exceed twenty dollars in value, and (5) only active members of such association or organization assist in the operation of the games of bingo and assist without compensation. The executive director of the Division of Special Revenue may revoke any such registration for cause. Any registration fees collected in accordance with this subsection shall be remitted to the state.

(b) Each such association or organization shall keep accurate records of receipts and disbursements related to such games of bingo, and such records shall be available for inspection by the executive director.

(c) Each such association or organization shall be exempt from the requirements of sections 7-169 and 7-169a.

(d) The executive director of the Division of Special Revenue, in consultation with the Gaming Policy Board, shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section in order to prevent fraud and protect the public.

Sec. 149. Section 7-169i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No permittee pursuant to section 7-169h may use a mechanical or electronic ticket dispensing machine to sell sealed tickets unless such machine is owned in full by the permittee or is rented or purchased from a manufacturer or dealer who is registered with the Division of Special Revenue.

(b) Each applicant for registration as a manufacturer or dealer in sealed ticket dispensing machines shall apply to the executive director on such forms as the executive director prescribes. The application

shall be accompanied by an annual fee of **[**five hundred**]** six hundred twenty-five dollars payable to the State Treasurer. Each applicant for initial registration shall submit to state and national criminal history records checks conducted in accordance with section 29-17a, as amended by this act, before such registration is issued.

(c) The Division of Special Revenue may revoke for cause any registration issued in accordance with subsection (a) of this section.

(d) The executive director of the Division of Special Revenue may adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 150. Section 7-178 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No bazaar or raffle shall be conducted with any equipment except such as is owned absolutely or used without payment of any compensation therefor by the permittee or as is rented from a dealer in such equipment who (1) has a principal place of business in this state, and (2) is registered with the executive director of the Division of Special Revenue in such manner and on such form as he may prescribe, which form shall be accompanied by an annual fee of three hundred seventy-five dollars payable to the Treasurer of the state of Connecticut. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any bazaar or raffle pursuant to any permit issued under sections 7-170 to 7-186, inclusive, except such as are bona fide items of reasonable amount for goods, wares and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, and no commission, salary, compensation, reward or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting, or assisting in the holding, operation or conduct of, any such bazaar or

raffle. Each raffle ticket shall have printed thereon the time, date and place of the raffle, the three most valuable prizes to be awarded and the total number of prizes to be awarded as specified on the form prescribed in section 7-173. In addition to any other information required under this section to be printed on a raffle ticket, each ticket for a raffle authorized pursuant to a "Class No. 7" permit shall have printed thereon the time, date and place of each raffle drawing.

(b) Notwithstanding the provisions of subsection (a) of this section, a permittee may rent equipment from a dealer who does not have a principal place of business in this state if an in-state dealer is unavailable, provided such out-of-state dealer is registered with said executive director pursuant to the provisions of said subsection (a).

Sec. 151. Section 9-623 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person who knowingly and wilfully violates any provision of this chapter shall be fined not more than five thousand dollars or imprisoned not more than five years, or both. The Secretary of the State or the town clerk shall notify the State Elections Enforcement Commission of any such violation of which said secretary or such town clerk may have knowledge. Any such fine for a violation of any provision of this chapter applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation.

(b) (1) If any campaign treasurer fails to file any statement required by section 9-608, or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-604, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, within the time required, the campaign treasurer or candidate, as the case may be, shall pay a late filing fee of **[**one**]** two hundred

dollars.

(2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section 9-603, 9-604 or 9-608.

(3) In the case of any such statement or certification that is required to be filed with a town clerk, the town clerk shall forthwith after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than seven days after the town clerk mails such notice, the town clerk shall notify the State Elections Enforcement Commission that the person is in violation of section 9-603, 9-604 or 9-608.

(4) The penalty for any violation of section 9-603, 9-604 or 9-608 shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both.

Sec. 152. Section 10-145b of the general statutes, as amended by section 2 of public act 09-1 of the June 19 special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate to any person who has graduated (1) from a four-year baccalaureate program of teacher education as approved by said state board, or (2) from a four-year baccalaureate program approved by said state board or from a college or university accredited by the board of governors or regionally accredited, provided such person has taken such teacher training

equivalents as the State Board of Education shall require and, unless such equivalents are taken at institutions outside of this state, as the board of governors shall accredit. In addition, on and after July 1, 1993, each applicant shall have completed a subject area major as defined by the State Board of Education, except as provided in section 10 of **[**this act**]** public act 09-1 of the June 19 special session. Each such initial educator certificate shall be valid for three years, except as provided in subsection (c) of this section, and may be extended by the Commissioner of Education for an additional year for good cause upon the request of the superintendent in whose school district such person is employed or upon the request of the assessment team reviewing such person's performance.

(b) During the period of employment in a public school, a person holding an initial educator certificate shall (1) be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of an initial certificate, and (2) participate in a beginning educator program if there is such a program for such person's certification endorsement area.

(c) (1) The State Board of Education, upon request of a local or regional board of education, shall issue a temporary ninety-day certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision when the following conditions are met:

(A) The employing agent of a board of education makes a written request for the issuance of such certificate and attests to the existence of a special plan for supervision of temporary ninety-day certificate holders;

(B) The applicant meets the following requirements, except as otherwise provided in subparagraph (C) of this subdivision:

(i) Holds a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited with a major either in or closely related to the certification endorsement area in which the requesting board of education is placing the applicant or, in the case of secondary or special subject or field endorsement area, possesses at least the minimum total number of semester hours of credit required for the content area, except as provided in section 10 of **[**this act**]** public act 09-1 of the June 19 special session;

(ii) Has met the requirements pursuant to subsection (b) of section 10-145f, as amended by **[**this act**]** public act 09-1 of the June 19 special session;

(iii) Presents a written application on such forms as the Commissioner of Education shall prescribe;

(iv) Has successfully completed an alternate route to certification program provided by the Department of Higher Education or public or independent institutions of higher education, regional educational service centers or private teacher or administrator training organizations and approved by the State Board of Education;

(v) Possesses an undergraduate college overall grade point average of at least "B" or, if the applicant has completed at least twenty-four hours of graduate credit, possesses a graduate grade point average of at least "B"; and

(vi) Presents supporting evidence of appropriate experience working with children; and

(C) The Commissioner of Education may waive the requirements of

subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a showing of good cause.

(2) A person serving under a temporary ninety-day certificate shall participate in a beginning support and assessment program pursuant to section 10-220a, as amended by **[**this act**]** section 16 of public act 09-1 of the June 19 special session, which is specifically designed by the state Department of Education for holders of temporary ninety-day certificates.

(3) Notwithstanding the provisions of subsection (a) of this section to the contrary, on and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate, which shall be valid for three years, to any person who has taught successfully while holding a temporary ninety-day certificate and meets the requirements pursuant to regulations adopted pursuant to section 10-145d.

(d) In order to be eligible to obtain a provisional teaching certificate, a provisional educator certificate or an initial educator certificate, each person shall be required to complete a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom. Notwithstanding the provisions of this subsection to the contrary, each applicant for such certificates who has met all requirements for certification except the completion of the course in special education shall be entitled to a certificate (1) for a period not to exceed one year, provided the applicant completed a teacher preparation program either in the state prior to July 1, 1987, or outside the state, or completed the necessary combination of professional experience or coursework as required by

the State Board of Education or (2) for a period not to exceed two years if the applicant applies for certification in an area for which a bachelor's degree is not required.

(e) On and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue a provisional educator certificate to any person who (1) has successfully completed a beginning educator program and one school year of successful teaching as attested to by the superintendent, or the superintendent's designee, in whose local or regional school district such person was employed, (2) has completed at least three years of successful teaching in a public school in another state or a nonpublic school approved by the State Board of Education or appropriate governing body in another state within ten years prior to application for such provisional educator certificate, as attested to by the superintendent, or the superintendent's designee, in whose school district such person was employed, or by the supervising agent of the nonpublic school in which such person was employed, and has met preparation and eligibility requirements for an initial educator certificate, or (3) has successfully taught with a provisional teaching certificate for the year immediately preceding an application for a provisional educator certificate as an employee of a local or regional board of education or facility approved for special education by the State Board of Education.

(f) Any person holding a standard or permanent certificate on July 1, 1989, shall be eligible to receive upon application a professional educator certificate to replace said standard or permanent certificate. On and after July 1, 1989, standard and permanent certificates shall no longer be valid.

(g) On or after July 1, 1989, and prior to July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (e) of this section shall have completed thirty credit hours of course work beyond the

baccalaureate degree. It is not necessary that such course work be taken for a master's degree and such work may include graduate or undergraduate courses. On and after July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (d) of this section shall have completed thirty credit hours of graduate coursework at a regionally accredited institution of higher education.

(h) (1) Unless otherwise provided in regulations adopted under section 10-145d, in not less than three years or more than eight years after the issuance of a provisional educator certificate pursuant to subsection (e) of this section and upon the statement of the superintendent, or the superintendent's designee, in whose school district such certificate holder was employed, or the supervisory agent of a nonpublic school approved by the State Board of Education, in whose school such certificate holder was employed, that the provisional educator certificate holder and such superintendent, or such superintendent's designee, or supervisory agent have mutually determined or approved an individual program pursuant to subdivision (2) of subsection (g) of this section and upon the statement of such superintendent, or such superintendent's designee, or supervisory agent that such certificate holder has a record of competency in the discharge of such certificate holder's duties during such provisional period, the state board upon receipt of a proper application shall issue such certificate holder a professional educator certificate. A signed recommendation from the superintendent of schools, or the superintendent's designee, for the local or regional board of education or from the supervisory agent of a nonpublic school approved by the State Board of Education shall be evidence of competency. Such recommendation shall state that the person who holds or has held a provisional educator certificate has successfully completed at least three school years of satisfactory teaching for one or more local or regional boards of education or such nonpublic schools.

Each applicant for a certificate pursuant to this subsection shall provide to the Department of Education, in such manner and form as prescribed by the commissioner, evidence that the applicant has successfully completed coursework pursuant to subsection (g) of this section, as appropriate. Notwithstanding the provisions of this subsection, on and after July 1, 2012, experience teaching in a nonpublic school shall not be accepted for purposes of issuing a professional educator certificate, but may be accepted to renew the provisional educator certificate.

(2) Upon receipt of a proper application, the State Board of Education shall issue to a teacher from another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico who (A) is nationally board certified by an organization deemed appropriate by the Commissioner of Education to issue such certifications, and (B) has taught in another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico for a minimum of three years in the preceding ten years (i) a provisional educator certificate with the appropriate endorsement, or (ii) if such teacher has, prior to July 1, 2016, completed thirty credit hours of undergraduate or graduate coursework beyond the baccalaureate degree, and on and after July 1, 2016, completed thirty credit hours of graduate coursework, a professional educator certificate with the appropriate endorsement, subject to the provisions of subsection (j) of this section relating to denial of applications for certification.

(i) (1) For certified employees of local and regional boards of education, except as provided in this subdivision, each professional educator certificate shall be valid for five years and continued every five years thereafter upon the successful completion of professional development activities which shall consist of not less than ninety hours of continuing education, as determined by the local or regional board

of education in accordance with this section, or documented completion of a national board certification assessment in the appropriate endorsement area, during each successive five-year period. (A) Such continuing education completed by certified employees with an early childhood nursery through grade three or an elementary endorsement who hold a position requiring such an endorsement shall include at least fifteen hours of training in the teaching of reading and reading readiness and assessment of reading performance, including methods of teaching language skills necessary for reading, reading comprehension skills, phonics and the structure of the English language during each five-year period. (B) Such continuing education requirement completed by certified employees with elementary, middle grades or secondary academic endorsements who hold a position requiring such an endorsement shall include at least fifteen hours of training in the use of computers in the classroom during each five-year period unless such employees are able to demonstrate technology competency, in a manner determined by their local or regional board of education, based on state-wide standards for teacher competency in the use of technology for instructional purposes adopted pursuant to section 4d-85. (C) Such continuing education completed by (i) the superintendent of schools, and (ii) employees employed in positions requiring an intermediate administrator or supervisory certificate, or the equivalent thereof, and whose administrative or supervisory duties equal at least fifty per cent of their assigned time, shall include at least fifteen hours of training in the evaluation of teachers pursuant to section 10-151b during each five-year period. (D) In the case of certified employees with a bilingual education endorsement who hold positions requiring such an endorsement (i) in an elementary school and who do not hold an endorsement in elementary education, such continuing education taken on or after July 1, 1999, shall only count toward the ninety-hour requirement if it is in language arts, reading and mathematics, and (ii) in a middle or secondary school and who do not hold an endorsement

in the subject area they teach, such continuing education taken on or after July 1, 1999, shall only count toward the ninety-hour requirement if it is in such subject area or areas. On and after July 1, 2011, such continuing education shall be as determined by the local or regional board of education in full consideration of the provisions of this section and the priorities and needs related to student outcomes as determined by the State Board of Education. During each five-year period in which a professional educator certificate is valid, a holder of such certificate who has not completed the ninety hours of continuing education required pursuant to this subdivision, and who has not been employed while holding such certificate by a local or regional board of education for all or part of the five-year period, shall, upon application, be reissued such certificate for five years minus any period of time such holder was employed while holding such certificate by a local or regional board of education, provided there shall be only one such reissuance during each five-year period in which such certificate is valid. A certified employee of a local or regional board of education who is a member of the General Assembly and who has not completed the ninety hours of continuing education required pursuant to this subdivision for continuation of a certificate, upon application, shall be reissued a professional educator certificate for a period of time equal to six months for each year the employee served in the General Assembly during the previous five years. Continuing education hours completed during the previous five years shall be applied toward such ninety-hour requirement which shall be completed during the reissuance period in order for such employee to be eligible to have a certificate continued. The cost of the professional development activities required under this subsection for certified employees of local or regional boards of education shall be shared by the state and local or regional boards of education, except for those activities identified by the State Board of Education as the responsibility of the certificate holder. Each local and regional board of education shall make available, annually, at no cost to its certified employees not fewer than eighteen hours of

professional development activities for continuing education credit. Such activities may be made available by a board of education directly, through a regional educational service center or cooperative arrangement with another board of education or through arrangements with any continuing education provider approved by the State Board of Education. Local and regional boards of education shall grant continuing education credit for professional development activities which the certified employees of the board of education are required to attend, professional development activities offered in accordance with the plan developed pursuant to subsection (b) of section 10-220a, as amended by **[**this act**]** section 16 of public act 09-1 of the June 19 special session, or professional development activities which the board may approve for any individual certified employee. Each board of education shall determine the specific professional development activities to be made available with the advice and assistance of the teachers employed by such board, including representatives of the exclusive bargaining unit for such teachers pursuant to section 10-153b, and on and after July 1, 2011, in full consideration of priorities and needs related to student outcomes as determined by the State Board of Education. The time and location for the provision of such activities shall be in accordance with either an agreement between the board of education and the exclusive bargaining unit pursuant to said section 10-153b or, in the absence of such agreement or to the extent such agreement does not provide for the time and location of all such activities, in accordance with a determination by the board of education.

(2) Each local and regional board of education shall attest to the state Department of Education, in such form and at such time as the commissioner shall prescribe, that professional development activities for which continuing education credit is granted by the board: (A) Are planned in response to identified needs, (B) are provided by qualified instructional personnel, as appropriate, (C) have the requirements for

participation in the activity shared with participants before the commencement of the activity, (D) are evaluated in terms of its effectiveness and its contribution to the attainment of school or district-wide goals, and (E) are documented in accordance with procedures established by the State Board of Education. At the end of each five-year period each professional educator shall attest to the state Department of Education, in such form and at such time as the commissioner shall prescribe, that the professional educator has successfully completed ninety hours of continuing education.

(3) In the event that the state Department of Education notifies the local or regional board of education that the provisions of subdivision (2) of this subsection have not been met and that specific corrective action is necessary, the local or regional board of education shall take such corrective action immediately. The department shall not invalidate continuing education credit awarded prior to such notice.

(j) (1) The State Board of Education may revoke any certificate, authorization or permit issued pursuant to sections 10-144o to 10-149, inclusive, as amended by **[**this act**]** section 9 of public act 09-1 of the June 19 special session, for any of the following reasons: (A) The holder of the certificate, authorization or permit obtained such certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the holder has persistently neglected to perform the duties for which the certificate, authorization or permit was granted; (C) the holder is professionally unfit to perform the duties for which the certificate, authorization or permit was granted; (D) the holder is convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board continued holding of a certificate, authorization or permit by the person would impair the standing of certificates, authorizations or permits issued by the board; or (E) other due and sufficient cause. The State Board of Education shall revoke any certificate, authorization or

permit issued pursuant to said sections if the holder is found to have intentionally disclosed specific questions or answers to students or otherwise improperly breached the security of any administration of a state-wide examination pursuant to section 10-14n. In any revocation proceeding pursuant to this section, the State Board of Education shall have the burden of establishing the reason for such revocation by a preponderance of the evidence. Revocation shall be in accordance with procedures established by the State Board of Education pursuant to chapter 54.

(2) When the Commissioner of Education is notified, pursuant to section 10-149a or 17a-101i, as amended by **[**this act**]** section 17 of public act 09-1 of the June 19 special session, that a person holding a certificate, authorization or permit issued by the State Board of Education under the provisions of sections 10-144o to 10-149, inclusive, as amended by **[**this act**]** section 9 of public act 09-1 of the June 19 special session, has been convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a crime involving an act of child abuse or neglect as described in section 46b-120, or (F) a violation of section 53-21, 53-37a, 53a-49, 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection (a) of section 21a-277, any certificate, permit or authorization issued by the State Board of Education and held by such person shall be deemed revoked and the commissioner shall notify such person of such revocation, provided such person may request reconsideration pursuant to regulations adopted by the State Board of Education, in accordance with the provisions of chapter 54. As part of such reconsideration process, the board shall make the initial determination as to whether to uphold or overturn the revocation. The commissioner shall make the final determination as to whether to uphold or overturn the revocation.

(3) The State Board of Education may deny an application for a certificate, authorization or permit for any of the following reasons: (A) The applicant seeks to obtain a certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the applicant has been convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board issuance of a certificate, authorization or permit would impair the standing of certificates, authorizations or permits issued by the board; or (C) other due and sufficient cause. Any applicant denied a certificate, authorization or permit shall be notified in writing of the reasons for denial. Any applicant denied a certificate, authorization or permit may request a review of such denial by the State Board of Education.

(4) A person whose certificate, permit or authorization has been revoked may not be employed in a public school during the period of revocation.

(5) Any local or regional board of education or private special education facility approved by the commissioner shall report to the commissioner when an employee, who holds a certificate, permit or authorization, is dismissed pursuant to subdivision (3) of subsection (d) of section 10-151.

(k) Not later than thirty days after receipt of notification, any initial educator certificate holder who is not granted a provisional educator certificate, or any provisional educator holder who is not granted a professional educator certificate, or any professional educator certificate holder who is not granted a continuation, under the provisions of sections 10-145a to 10-145d, inclusive, as amended by **[**this act**]** sections 1 and 2 of public act 09-1 of the June 19 special session, and 10-146b, as amended by **[**this act**]** section 6 of public 09-1 of the June 19 special session, may appeal to the State Board of Education for reconsideration. Said board shall review the records of

the appropriate certification period, and, if a hearing is requested in writing, hold such hearing not later than sixty days after such request and render a written decision not later than thirty days after the conclusion of such hearing. Any teacher aggrieved by the decision of said board may appeal from such decision in accordance with the provisions of section 4-183 and such appeal shall be privileged with respect to assignment of such appeal.

(l) For the purposes of this section "supervisory agent" means the superintendent of schools or the principal, administrator or supervisor designated by such superintendent to provide direct supervision to a provisional certificate holder.

(m) Upon application to the State Board of Education for the issuance of any certificate in accordance with this section and section 10-145d there shall be paid to the board by or on behalf of the applicant a nonreturnable fee of **[**one**]** two hundred dollars in the case of an applicant for an initial educator certificate, two hundred fifty dollars in the case of an applicant for a provisional educator certificate and three hundred seventy-five dollars in the case of an applicant for a professional educator certificate, except that applicants for certificates for teaching adult education programs mandated under subdivision (1) of subsection (a) of section 10-69 shall pay a fee of **[**fifty**]** one hundred dollars; persons eligible for a certificate or endorsement for which the fee is less than that applied for shall receive an appropriate refund; persons not eligible for any certificate shall receive a refund of the application fee minus fifty dollars; and persons holding standard or permanent certificates on July 1, 1989, who apply for professional certificates to replace the standard or permanent certificates, shall not be required to pay such a fee. Upon application to the State Board of Education for the issuance of a subject area endorsement there shall be paid to the board by or on behalf of such applicant a nonreturnable fee of **[**fifty**]** one hundred dollars. With each request for a duplicate copy

of any such certificate or endorsement there shall be paid to the board a nonreturnable fee of **[**twenty-five**]** fifty dollars.

Sec. 153. Section 12-285b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Every tobacco product manufacturer, as defined in section 4-28h, selling cigarettes to consumers within this state, whether directly or through a distributor, dealer, or similar intermediary or intermediaries, shall secure a cigarette manufacturer's license from the Commissioner of Revenue Services. Such license shall be renewable annually. The annual fee for a cigarette manufacturer's license shall be **[**five thousand**]** five thousand two hundred fifty dollars. The commissioner shall not include or retain in the directory of tobacco product manufacturers developed and maintained in accordance with section 4-28m the name or brand families of any tobacco product manufacturer that has failed to secure and retain a cigarette manufacturer's license in accordance with this section.

(b) The commissioner shall not issue or reissue a cigarette manufacturer's license to an applicant if any of the following conditions apply: (1) The applicant is neither (A) a participating manufacturer, as defined in Subsection II(jj) of the Master Settlement Agreement, as defined in section 4-28h, nor (B) in full compliance with section 4-28i; (2) the applicant has imported cigarettes into the United States in violation of 19 USC 1681a; or (3) the applicant has imported or manufactured cigarettes that do not fully comply with the federal Cigarette Labeling and Advertising Act, 15 USC 1331 et seq.

(c) Such license shall be valid for a period beginning with the date of license to the thirtieth day of September next succeeding the date of license unless sooner revoked in the same manner provided in section 12-295 for revocation of the license of a dealer or distributor or unless the person to whom it was issued discontinues business. Upon

revocation or discontinuance of business, the holder of the license shall immediately return such license to the commissioner. In the event of mutilation or destruction of such license, a duplicate copy, marked as such, shall be issued by said commissioner upon application accompanied by a fee of **[**five**]** fifteen dollars.

Sec. 154. Section 12-287 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each person engaging in, or intending to engage in, the business of selling cigarettes in this state as a dealer, and each person engaging in or intending to engage in, the business of selling taxed tobacco products at retail, shall secure a dealer's license from the Commissioner of Revenue Services before engaging in such business or continuing to engage therein. Subject to the provisions of section 12-286, such license shall be renewable annually. The annual fee for a dealer's license shall be **[**twenty-five**]** fifty dollars. Such license shall be valid for a period beginning with the date of license to the thirtieth day of September next succeeding the date of license unless sooner revoked as provided in section 12-295, or unless the person to whom it was issued discontinues business, in either of which cases the holder of the license shall immediately return it to the commissioner. In the event of mutilation or destruction of such license, a duplicate copy, marked as such, shall be issued by said commissioner upon application accompanied by a fee of **[**five**]** fifteen dollars.

Sec. 155. Section 12-288 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each person engaging in, or intending to engage in, the business of selling cigarettes in this state as a distributor shall secure a license from the Commissioner of Revenue Services before engaging or continuing to engage in such business. Subject to the provisions of section 12-286, such license shall be renewable annually. The annual fee for a

distributor's license shall be one thousand dollars, provided in the case of a distributor who sells cigarettes as a distributor exclusively to retail stores which such distributor is operating, the fee for such distributor's license shall be: (1) **[**Two hundred fifty**]** Three hundred fifteen dollars annually if such distributor operates less than fifteen such retail stores; (2) **[**five hundred**]** six hundred twenty-five dollars annually if such distributor operates fifteen or more but less than twenty-five such retail stores; and (3) one thousand two hundred fifty dollars annually if such distributor operates twenty-five or more such retail stores. Such license shall be valid for a period beginning with the date of license to the thirtieth day of September next succeeding the date of license unless sooner revoked by the commissioner as provided in section 12-295 or unless the person to whom such license was issued discontinues business, in either of which cases the holder of the license shall immediately return it to the Commissioner of Revenue Services.

Sec. 156. Section 12-330b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each distributor or unclassified importer shall obtain a license issued by the commissioner before manufacturing, purchasing, importing, receiving or acquiring any untaxed tobacco products in this state. The commissioner may, in his or her discretion, refuse to issue a license if such commissioner has reasonable ground to believe (1) that the applicant has wilfully made any false statement of substance with respect to such application for license, (2) that the applicant has neglected to pay any taxes due to this state, or (3) that the applicant has been convicted of violating any of the cigarette or other tobacco product tax laws of this or any other state or the cigarette tax laws of the United States or has such a criminal record that the commissioner reasonably believes that such applicant is not a suitable person to be issued a license, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80

and 46a-81. The fee for a distributor's license shall be **[**one**]** two hundred dollars a year. There shall be no fee for an unclassified importer's license. Each distributor's license shall be conspicuously displayed on the premises covered by the license. Notwithstanding the provisions of section 12-15, the commissioner shall publish on the Internet web site of the Department of Revenue Services a list of every distributor licensed under this chapter. The commissioner shall prescribe the form of application for a distributor's license and for an unclassified importer's license.

Sec. 157. Section 12-409 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(1) No person shall engage in or transact business as a seller within this state, unless a permit or permits have been issued to him as hereinafter prescribed.

(2) Every person desiring to engage in or conduct business as a seller within this state shall file with the commissioner an application for a permit for each place of business. Every application for a permit shall be made upon a form prescribed by the commissioner and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place or places of business and such other information as the commissioner requires. The application shall be signed by the owner if a natural person; in the case of an association or partnership, by a member or partner; in the case of a corporation, by an executive officer or some person specifically authorized by the corporation to sign the application.

(3) At the time of making an application the applicant shall pay to the Commissioner of Revenue Services a permit fee of **[**fifty**]** one hundred dollars for each permit. Any permit issued on or after July 1, 1985, but prior to October 1, 2003, shall expire biennially on the anniversary date of the issuance of such permit unless renewed in

accordance with such procedure and application form as prescribed by the commissioner. Any permit issued on or after October 1, 2003, shall expire on the fifth anniversary date of the issuance of such permit unless renewed in accordance with such procedure and application form as prescribed by the commissioner.

(4) After compliance with subsections (1), (2) and (3) of this section by the applicant, the commissioner shall grant and issue to such applicant a separate permit for each place of business within the state. A permit is not assignable and is valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued.

(5) A seller whose permit has been suspended or revoked shall pay to the Commissioner of Revenue Services a fee of **[**fifty**]** one hundred dollars for the reissuance of a permit.

(6) Whenever any person fails to comply with any provision of this chapter relating to the sales tax or any regulation of the commissioner relating to the sales tax prescribed and adopted under this chapter or whenever any seller files returns for four successive monthly or quarterly periods, as the case may be, showing no sales, the commissioner, upon hearing, after giving such person ten days' notice in writing specifying the time and place of hearing and requiring him to show cause why his permit or permits should not be revoked, may revoke or suspend any one or more of the permits held by the person. The notice may be served personally or by registered or certified mail. The commissioner shall not issue a new permit after the revocation of a permit unless he is satisfied that the former holder of the permit will comply with the provisions of this chapter relating to the sales tax and the regulations of the commissioner.

(7) Any person who knowingly violates any provision of this section

shall be fined not more than five hundred dollars or imprisoned not more than three months or both for each offense.

Sec. 158. Section 12-578 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The executive director, with the advice and consent of the board, shall adopt regulations governing registration and the issuance and annual renewal of licenses and payment of annual nonrefundable application fees for the same in accordance with the following schedule:

(1) Registration: (A) Stable name, **[**fifty**]** one hundred dollars; (B) partnership name, **[**fifty**]** one hundred dollars; (C) colors, **[**ten**]** twenty dollars; (D) kennel name, **[**fifty**]** one hundred dollars.

(2) Licenses: (A) Owner, **[**fifty**]** one hundred dollars; (B) trainer, **[**fifty**]** one hundred dollars; (C) assistant trainer, **[**fifty**]** one hundred dollars; (D) jockey, **[**twenty**]** forty dollars; (E) jockey agent, for each jockey, **[**fifty**]** one hundred dollars; (F) stable employees, including exercise boy, groom, stable foreman, hot walker, outrider, **[**ten**]** twenty dollars; (G) veterinarian, **[**fifty**]** one hundred dollars; (H) jockey apprentice, **[**twenty**]** forty dollars; (I) driver, **[**fifty**]** one hundred dollars; (J) valet, **[**ten**]** twenty dollars; (K) blacksmith, **[**ten**]** twenty dollars; (L) plater, **[**ten**]** twenty dollars; (M) concessionaire, for each concession, two hundred fifty dollars; (N) concessionaire affiliate, for each concession of the concessionaire, two hundred fifty dollars; (O) concession employees, **[**ten**]** twenty dollars; (P) jai alai players, **[**fifty**]** one hundred dollars; (Q) officials and supervisors, **[**fifty**]** one hundred dollars; (R) pari-mutuel employees, **[**twenty**]** forty dollars; (S) other personnel engaged in activities regulated under this chapter, **[**ten**]** twenty dollars; (T) vendor, for each contract, two hundred fifty dollars; (U) totalizator, for each contract, two hundred fifty dollars; (V) vendor and totalizator affiliates, for each contract of the vendor or totalizator,

two hundred fifty dollars. For the purposes of this subdivision, "concessionaire affiliate" means a business organization, other than a shareholder in a publicly traded corporation, that may exercise control in or over a concessionaire; and "concessionaire" means any individual or business organization granted the right to operate an activity at a dog race track or off-track betting facility for the purpose of making a profit that receives or, in the exercise of reasonable business judgment, can be expected to receive more than twenty-five thousand dollars or twenty-five per cent of its gross annual receipts from such activity at such track or facility.

(b) The executive director shall require each applicant for a license under subdivision (2) of subsection (a) of this section to submit to state and national criminal history records checks before such license is issued. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a, as amended by this act.

Sec. 159. Section 12-815a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The executive director of the Division of Special Revenue shall issue vendor, affiliate and occupational licenses in accordance with the provisions of this section.

(b) No person or business organization awarded a primary contract by the Connecticut Lottery Corporation to provide facilities, components, goods or services that are necessary for and directly related to the secure operation of the activities of said corporation shall do so unless such person or business organization is issued a vendor license by the executive director of the Division of Special Revenue. For the purposes of this subsection, "primary contract" means a contract to provide facilities, components, goods or services to said corporation by a person or business organization (1) that provides any

lottery game or any online wagering system related facilities, components, goods or services and that receives or, in the exercise of reasonable business judgment, can be expected to receive more than seventy-five thousand dollars or twenty-five per cent of its gross annual sales from said corporation, or (2) that has access to the facilities of said corporation and provides services in such facilities without supervision by said corporation. Each applicant for a vendor license shall pay a nonrefundable application fee of two hundred fifty dollars.

(c) No person or business organization, other than a shareholder in a publicly traded corporation, may be a subcontractor for the provision of facilities, components, goods or services that are necessary for and directly related to the secure operation of the activities of the Connecticut Lottery Corporation, or may exercise control in or over a vendor licensee unless such person or business organization is licensed as an affiliate licensee by the executive director. Each applicant for an affiliate license shall pay a nonrefundable application fee of two hundred fifty dollars.

(d) (1) Each employee of a vendor or affiliate licensee who has access to the facilities of the Connecticut Lottery Corporation and provides services in such facilities without supervision by said corporation or performs duties directly related to the activities of said corporation shall obtain an occupational license.

(2) Each officer, director, partner, trustee or owner of a business organization licensed as a vendor or affiliate licensee and any shareholder, executive, agent or other person connected with any vendor or affiliate licensee who, in the judgment of the executive director, will exercise control in or over any such licensee shall obtain an occupational license.

(3) Each employee of the Connecticut Lottery Corporation shall

obtain an occupational license.

(e) The executive director shall issue occupational licenses in the following classes: (1) Class I for persons specified in subdivision (1) of subsection (d) of this section; (2) Class II for persons specified in subdivision (2) of subsection (d) of this section; (3) Class III for persons specified in subdivision (3) of subsection (d) of this section who, in the judgment of the executive director, will not exercise authority over or direct the management and policies of the Connecticut Lottery Corporation; and (4) Class IV for persons specified in subdivision (3) of subsection (d) of this section who, in the judgment of the executive director, will exercise authority over or direct the management and policies of the Connecticut Lottery Corporation. Each applicant for a Class I or III occupational license shall pay a nonrefundable application fee of **[**ten**]** twenty dollars. Each applicant for a Class II or IV occupational license shall pay a nonrefundable application fee of **[**fifty**]** one hundred dollars. The nonrefundable application fee shall accompany the application for each such occupational license.

(f) In determining whether to grant a vendor, affiliate or occupational license to any such person or business organization, the executive director may require an applicant to provide information as to such applicant's: (1) Financial standing and credit; (2) moral character; (3) criminal record, if any; (4) previous employment; (5) corporate, partnership or association affiliations; (6) ownership of personal assets; and (7) such other information as the executive director deems pertinent to the issuance of such license, provided the submission of such other information will assure the integrity of the state lottery. The executive director shall require each applicant for a vendor, affiliate or occupational license to submit to state and national criminal history records checks and may require each such applicant to submit to an international criminal history records check before such license is issued. The state and national criminal history records checks

required pursuant to this subsection shall be conducted in accordance with section 29-17a, as amended by this act. The executive director shall issue a vendor, affiliate or occupational license, as the case may be, to each applicant who satisfies the requirements of this subsection and who is deemed qualified by the executive director. The executive director may reject for good cause an application for a vendor, affiliate or occupational license.

(g) Each vendor, affiliate or Class I or II occupational license shall be effective for not more than one year from the date of issuance. Each Class III or IV occupational license shall remain in effect throughout the term of employment of any such employee holding such a license. The executive director may require each employee issued a Class IV occupational license to submit information as to such employee's financial standing and credit annually. Initial application for and renewal of any such license shall be in such form and manner as the executive director shall prescribe.

(h) (1) The executive director may suspend or revoke for good cause a vendor, affiliate or occupational license after a hearing held before the executive director in accordance with chapter 54. The executive director may order summary suspension of any such license in accordance with subsection (c) of section 4-182.

(2) Any such applicant aggrieved by the action of the executive director concerning an application for a license, or any person or business organization whose license is suspended or revoked, may appeal to the Gaming Policy Board not later than fifteen days after such decision. Any person or business organization aggrieved by a decision of the board may appeal pursuant to section 4-183.

(3) The executive director may impose a civil penalty on any licensee for a violation of any provision of this chapter or any regulation adopted under section 12-568a in an amount not to exceed

two thousand five hundred dollars after a hearing held in accordance with chapter 54.

(i) The executive director may require that the books and records of any vendor or affiliate licensee be maintained in any manner which the executive director may deem best, and that any financial or other statements based on such books and records be prepared in accordance with generally accepted accounting principles in such form as the executive director shall prescribe. The executive director or a designee may visit, investigate and place expert accountants and such other persons as deemed necessary in the offices or places of business of any such licensee for the purpose of satisfying himself or herself that such licensee is in compliance with the regulations of the division.

(j) For the purposes of this section, (1) "business organization" means a partnership, incorporated or unincorporated association, firm, corporation, trust or other form of business or legal entity; (2) "control" means the power to exercise authority over or direct the management and policies of a licensee; and (3) "person" means any individual.

(k) The executive director of the Division of Special Revenue may adopt such regulations, in accordance with chapter 54, as are necessary to implement the provisions of this section.

Sec. 160. Section 14-319 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall sell or offer for sale any gasoline or other product intended for use in the propelling of motor vehicles using combustion type engines over the highways of this state without having applied for and received from the commissioner a license to sell such gasoline or other product. Each person applying for any such license shall, in such application, state the location of each place or station where such person intends to sell or offer for sale any such

gasoline or other product. Each such license shall be renewed annually. A license fee for each such place or station shall be charged as follows: For each station containing one pump, **[**fifty**]** one hundred dollars; and, for each station containing more than one pump, **[**fifty**]** one hundred dollars, plus **[**fourteen**]** twenty-eight dollars for each pump in excess of one. The fees shall be paid to the commissioner.

(b) The commissioner shall not refuse to grant or renew any license under this section on the ground that (1) any licensed activity shall be conducted by the licensee on real property on which shall also be located one or more other businesses, enterprises, or activities, whether or not licensed under section 14-52, owned or operated by one or more persons, other than the licensee, or (2) the licensee shall make use of any common areas or facilities together with the owner or operator of any such other business, enterprise or activity.

(c) In determining whether to grant or to renew any license under this section, the commissioner shall consider whether the applicant or licensee has been found in any judicial or administrative proceeding to have violated the requirements of subsection (c) of section 14-332a.

Sec. 161. Section 14-327b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No distributor shall sell or offer to sell motor fuel in this state unless such distributor has first registered with the Department of Consumer Protection each type of motor fuel which he intends to sell and has received from the department a certificate of registration for each type of motor fuel which he intends to sell.

(b) Each distributor required to register with the department as provided in subsection (a) of this section shall apply annually to the commissioner, in writing on a form provided by the commissioner, for such certificate of registration.

(c) The application for a certificate of registration shall include: (1) The name and address of the person registering the motor fuel, (2) the name, brand or trademark under which the type of motor fuel will be sold, (3) the antiknock index or Cetane number, as is applicable, at which the motor fuel will be sold, (4) a certification that each individual type of motor fuel registered shall conform to the provisions of sections 14-327a to 14-327e, inclusive, and (5) any other information required by the commissioner. A separate application shall be made for each type of motor fuel to be registered. Such application and its contents shall not be available to the public.

(d) Each application for a certificate of registration shall be accompanied by a fee of **[**one**]** two hundred dollars.

Sec. 162. Section 16a-23m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person, firm or corporation shall engage in the retail sale of home heating oil or propane gas without a certificate of registration as a home heating oil or propane gas dealer issued pursuant to this section. Only one registration shall be required of a dealer to engage in both the retail sale of heating oil and propane gas.

(b) Each person, firm or corporation seeking registration as a home heating oil or propane gas dealer shall apply annually for a certificate of registration with the Department of Consumer Protection on forms prescribed by the Commissioner of Consumer Protection. Each applicant shall pay a registration fee of **[**one**]** two hundred dollars. The commissioner shall require all applicants for registration as a home heating oil or propane gas dealer to provide evidence of general liability insurance coverage and insurance to cover any potential environmental damage due to fuel oil spills or propane gas leaks caused by such applicant as a registered dealer which coverage shall be not less than one million dollars. Each registered dealer shall

provide the department with evidence of each renewal of or change to such insurance coverage not later than five days after such renewal or change during the period of registration, which renewal or change shall meet the requirements of this subsection.

(c) Each registered dealer shall display its registration number in all advertisements and other materials prepared or issued by the dealer, which contain information on such dealer.

(d) The insurance company of a home heating oil or propane gas dealer shall notify the Commissioner of Consumer Protection, in writing, upon cancellation of insurance required by subsection (b) of this section by any home heating oil or propane gas dealer. The Commissioner of Consumer Protection shall revoke the registration of any such dealer without the insurance coverage required by subsection (b) of this section.

Sec. 163. Section 19a-29a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "environmental laboratory" means any facility or other area used for biological, chemical, physical or other examination of drinking waters, ground waters, sea waters, rivers, streams and surface waters, recreational waters, fresh water sources, wastewaters, swimming pools, air, soil, solid waste, hazardous waste, food, food utensils, sewage, sewage effluent, or sewage sludge for the purpose of providing information on the sanitary quality or the amount of pollution and any substance prejudicial to health or the environment.

(b) The Department of Public Health shall, in its Public Health Code, adopt regulations and reasonable standards governing environmental laboratory operations and facilities, personnel qualifications and certification, levels of acceptable proficiency in

testing programs approved by the department, the collection, acceptance and suitability of samples for analysis and such other pertinent laboratory functions, including the establishment of advisory committees, as may be necessary to insure environmental quality, public health and safety. Each registered environmental laboratory shall comply with all standards for environmental laboratories set forth in the Public Health Code and shall be subject to inspection by said department, including inspection of all records necessary to carry out the purposes of this section.

(c) Each application for registration of an environmental laboratory or application for approval shall be made on forms provided by said department, shall be accompanied by a fee of one thousand two hundred fifty dollars and shall be executed by the owner or owners or by a responsible officer of the firm or corporation owning the laboratory. Upon receipt of any such application, the department shall make such inspections and investigations as are necessary and shall deny registration or approval when operation of the environmental laboratory would be prejudicial to the health of the public. Registration or approval shall not be in force until notice of its effective date and term has been sent to the applicant.

(d) Each registration or certificate of approval shall be issued for a period of not less than twenty-four or more than twenty-seven months from the deadline for applications. Renewal applications shall be made (1) biennially within the twenty-fourth month of the current registration or certificate of approval; (2) before any change in ownership or change in director is made; and (3) prior to any major expansion or alteration in quarters.

(e) This section shall not apply to any environmental laboratory which only provides laboratory services or information for the agency, person, firm or corporation which owns or operates such laboratory and the fee required under subsection (c) of this section shall not be

required of laboratories operated by a state agency.

Sec. 164. Section 19a-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "clinical laboratory" means any facility or other area used for microbiological, serological, chemical, hematological, immunohematological, biophysical, cytological, pathological or other examinations of human body fluids, secretions, excretions or excised or exfoliated tissues, for the purpose of providing information for the diagnosis, prevention or treatment of any human disease or impairment, for the assessment of human health or for the presence of drugs, poisons or other toxicological substances.

(b) The Department of Public Health shall, in its Public Health Code, adopt regulations and reasonable standards governing exemptions from the licensing provisions of this section, clinical laboratory operations and facilities, personnel qualifications and certification, levels of acceptable proficiency in testing programs approved by the department, the collection, acceptance and suitability of specimens for analysis and such other pertinent laboratory functions, including the establishment of advisory committees, as may be necessary to insure public health and safety. No person, firm or corporation shall establish, conduct, operate or maintain a clinical laboratory unless such laboratory is licensed or approved by said department in accordance with its regulations. Each clinical laboratory shall comply with all standards for clinical laboratories set forth in the Public Health Code and shall be subject to inspection by said department, including inspection of all records necessary to carry out the purposes of this section.

(c) Each application for licensure of a clinical laboratory, if such laboratory is located within an institution licensed in accordance with sections 19a-490 to 19a-503, inclusive, shall be made on forms provided

by said department and shall be executed by the owner or owners or by a responsible officer of the firm or corporation owning the laboratory. Such application shall contain a current itemized rate schedule, full disclosure of any contractual relationship, written or oral, with any practitioner using the services of the laboratory and such other information as said department requires, which may include affirmative evidence of ability to comply with the standards as well as a sworn agreement to abide by them. Upon receipt of any such application, said department shall make such inspections and investigations as are necessary and shall deny licensure when operation of the clinical laboratory would be prejudicial to the health of the public. Licensure shall not be in force until notice of its effective date and term has been sent to the applicant.

(d) A nonrefundable fee of **[**one**]** two hundred dollars shall accompany each application for a license or for renewal thereof, except in the case of a laboratory owned and operated by a municipality, the state, the United States or any agency of said municipality, state or United States. Each license shall be issued for a period of not less than twenty-four nor more than twenty-seven months from the deadline for applications. Renewal applications shall be made (1) biennially within the twenty-fourth month of the current license; (2) before any change in ownership or change in director is made; and (3) prior to any major expansion or alteration in quarters.

(e) A license issued under this section may be revoked or suspended in accordance with chapter 54 if such laboratory has engaged in fraudulent practices, fee-splitting inducements or bribes, including but not limited to violations of subsection (f) of this section, or violated any other provision of this section.

(f) No representative or agent of a clinical laboratory shall solicit referral of specimens to his or any other clinical laboratory in a manner which offers or implies an offer of fee-splitting inducements to persons

submitting or referring specimens, including inducements through rebates, fee schedules, billing methods, personal solicitation or payment to the practitioner for consultation or assistance or for scientific, clerical or janitorial services.

(g) No clinical laboratory shall terminate the employment of an employee because such employee reported a violation of this section to the Department of Public Health.

(h) Any person, firm or corporation operating a clinical laboratory in violation of this section shall be fined not less than one hundred dollars **[**nor**]** <u>or</u> more than three hundred dollars for each offense.

(i) The Commissioner of Public Health shall adopt regulations in accordance with the provisions of chapter 54 to establish levels of acceptable proficiency to be demonstrated in testing programs approved by the department for those laboratory tests which are not performed in a licensed clinical laboratory. Such levels of acceptable proficiency shall be determined on the basis of the volume or the complexity of the examinations performed.

Sec. 165. Section 19a-36 of the general statutes, as amended by section 5 of public act 09-11, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Public Health shall establish a Public Health Code and, from time to time, amend the same. The Public Health Code may provide for the preservation and improvement of the public health.

(1) Said code may include regulations pertaining to retail food establishments, including, but not limited to, food service establishments, catering food service establishments and itinerant food vending establishments and the required permitting from local health departments or districts to operate such establishments.

(2) Drainage and toilet systems to be installed in any house or building arranged or designed for human habitation, or field sanitation provided for agricultural workers or migratory farm laborers, shall conform to minimum requirements prescribed in said code.

(3) Said code may include regulations requiring toilets and handwashing facilities in large stores, as defined in such regulations, in shopping centers and in places dispensing food or drink for consumption on the premises, for the use of patrons of such establishments, except that the provisions of such regulations shall not apply to such establishments constructed or altered pursuant to plans and specifications approved or building permits issued prior to October 1, 1977.

(4) The provisions of such regulations (A) with respect to the requirement of employing a qualified food operator and any reporting requirements relative to such operator, shall not apply to an owner or operator of a soup kitchen who relies exclusively on services provided by volunteers, and (B) shall not prohibit the sale of food at a noncommercial function such as an educational, religious, political or charitable organization's bake sale or potluck supper provided the seller maintains such food under the temperature, pH level and water activity level conditions that will inhibit the rapid and progressive growth of infectious or toxigenic microorganisms. For the purposes of this section, a "noncommercial function" means a function where food is sold by a person not regularly engaged in the business of selling such food.

(5) The provisions of such regulations with respect to qualified food operators shall require that the contents of the test administered to qualified food operators include elements testing the qualified food operator's knowledge of food allergies.

(6) Each regulation adopted by the Commissioner of Public Health shall state the date on which it shall take effect, and a copy of the regulation, signed by the Commissioner of Public Health, shall be filed in the office of the Secretary of the State and a copy sent by said commissioner to each director of health, and such regulation shall be published in such manner as the Commissioner of Public Health may determine.

(7) Any person who violates any provision of the Public Health Code shall be fined not more than one hundred dollars or imprisoned not more than three months, or both.

(b) Notwithstanding any regulations to the contrary, the Commissioner of Public Health shall charge the following fees for the following services: (1) Review of plans for each public swimming pool, **[**six hundred**]** seven hundred fifty dollars; (2) review of each resubmitted plan for each public swimming pool, two hundred fifty dollars; (3) inspection of each public swimming pool, **[**one**]** two hundred dollars; (4) reinspection of each public swimming pool, **[**seventy-five**]** one hundred fifty dollars; (5) review of each small flow plan for subsurface sewage disposal, **[**one**]** two hundred dollars; and (6) review of each large flow plan for subsurface sewage disposal, **[**five hundred**]** six hundred twenty-five dollars.

(c) Notwithstanding subsection (a) of this section, regulations governing the safety of swimming pools shall not require fences around naturally formed ponds subsequently converted to swimming pool use, provided the converted ponds (1) retain sloping sides common to natural ponds and (2) are on property surrounded by a fence.

(d) The local director of health may authorize the use of an existing private well, consistent with all applicable sections of the regulations of Connecticut state agencies, the installation of a replacement well at a

single-family residential premises on property whose boundary is located within two hundred feet of an approved community water supply system, measured along a street, alley or easement, where (1) a premises that is not connected to the public water supply may replace a well used for domestic purposes if water quality testing is performed at the time of the installation, and for at least every ten years thereafter, or for such time as requested by the local director of health, that demonstrates that the replacement well meets the water quality standards for private wells established in the Public Health Code, and provided there is no service to the premises by a public water supply, or (2) a premises served by a public water supply may utilize or replace an existing well or install a new well solely for irrigation purposes or other outdoor water uses provided such well is permanently and physically separated from the internal plumbing system of the premises and a reduced pressure device is installed to protect against a cross connection with the public water supply. Upon a determination by the local director of health that an irrigation well creates an unacceptable risk of injury to the health or safety of persons using the water, to the general public, or to any public water supply, the local director of health may issue an order requiring the immediate implementation of mitigation measures, up to and including permanent abandonment of the well, in accordance with the provisions of the Connecticut Well Drilling Code adopted pursuant to section 25-128. In the event a cross connection with the public water system is found, the owner of the system may terminate service to the premises.

Sec. 166. Section 19a-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) To protect the integrity and accuracy of vital records, a certificate registered under chapter 93 may be amended only in accordance with sections 19a-41 to 19a-45, inclusive, chapter 93, regulations adopted by

the Commissioner of Public Health pursuant to chapter 54 and uniform procedures prescribed by the commissioner. Only the commissioner may amend birth certificates to reflect changes concerning parentage or gender change. Amendments related to parentage or gender change shall result in the creation of a replacement certificate that supersedes the original, and shall in no way reveal the original language changed by the amendment. Any amendment to a vital record made by the registrar of vital statistics of the town in which the vital event occurred or by the commissioner shall be in accordance with such regulations and uniform procedures.

(b) The commissioner and the registrar of vital statistics shall maintain sufficient documentation, as prescribed by the commissioner, to support amendments and shall ensure the confidentiality of such documentation as required by law. The date of amendment and a summary description of the evidence submitted in support of the amendment shall be endorsed on or made part of the record and the original certificate shall be marked "Amended", except for amendments due to parentage or gender change. When the registrar of the town in which the vital event occurred amends a certificate, such registrar shall, within ten days of making such amendment, forward an amended certificate to the commissioner and to any registrar having a copy of the certificate. When the commissioner amends a birth certificate, including changes due to parentage or gender, the commissioner shall forward an amended certificate to the registrars of vital statistics affected and their records shall be amended accordingly.

(c) An amended certificate shall supersede the original certificate that has been changed and shall be marked "Amended", except for amendments due to parentage or gender change. The original certificate in the case of parentage or gender change shall be physically or electronically sealed and kept in a confidential file by the department and the registrar of any town in which the birth was

recorded, and may be unsealed for viewing or issuance only upon a written order of a court of competent jurisdiction. The amended certificate shall become the public record.

(d) (1) Upon receipt of (A) an acknowledgment of paternity executed in accordance with the provisions of subsection (a) of section 46b-172 by both parents of a child born out of wedlock, or (B) a certified copy of an order of a court of competent jurisdiction establishing the paternity of a child born out of wedlock, the commissioner shall include on or amend, as appropriate, such child's birth certificate to show such paternity if paternity is not already shown on such birth certificate and to change the name of the child if so indicated on the acknowledgment of paternity form or within the certified court order as part of the paternity action.

(2) If another father is listed on the birth certificate, the commissioner shall not remove or replace the father's information unless presented with a certified court order that meets the requirements specified in section 7-50, or upon the proper filing of a rescission, in accordance with the provisions of section 46b-172. The commissioner shall thereafter amend such child's birth certificate to remove or change the father's name and to change the name of the child, as requested at the time of the filing of a rescission, in accordance with the provisions of section 46b-172. Birth certificates amended under this subsection shall not be marked "Amended".

(3) A fee of **[**twenty-five**]** <u>fifty</u> dollars shall be charged by the department for each amendment to a birth certificate requested pursuant to this subsection which request is not received from a hospital, a state agency or a court of competent jurisdiction.

(e) When the parent or parents of a child request the amendment of the child's birth certificate to reflect a new mother's name because the name on the original certificate is fictitious, such parent or parents

shall obtain an order of a court of competent jurisdiction declaring the putative mother to be the child's mother. Upon receipt of a certified copy of such order, the department shall amend the child's birth certificate to reflect the mother's true name.

(f) Upon receipt of a certified copy of an order of a court of competent jurisdiction changing the name of a person born in this state and upon request of such person or such person's parents, guardian, or legal representative, the commissioner or the registrar of vital statistics of the town in which the vital event occurred shall amend the birth certificate to show the new name by a method prescribed by the department.

(g) When an applicant submits the documentation required by the regulations to amend a vital record, the commissioner shall hold a hearing, in accordance with chapter 54, if the commissioner has reasonable cause to doubt the validity or adequacy of such documentation.

(h) When an amendment under this section involves the changing of existing language on a death certificate due to an error pertaining to the cause of death, the death certificate shall be amended in such a manner that the original language is still visible. A copy of the death certificate shall be made. The original death certificate shall be sealed and kept in a confidential file at the department and only the commissioner may order it unsealed. The copy shall be amended in such a manner that the language to be changed is no longer visible. The copy shall be a public document.

Sec. 167. Section 19a-55 of the general statutes, as amended by section 1 of public act 09-20, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The administrative officer or other person in charge of each

institution caring for newborn infants shall cause to have administered to every such infant in its care an HIV-related test, as defined in section 19a-581, a test for phenylketonuria and other metabolic diseases, hypothyroidism, galactosemia, sickle cell disease, maple syrup urine disease, homocystinuria, biotinidase deficiency, congenital adrenal hyperplasia and such other tests for inborn errors of metabolism as shall be prescribed by the Department of Public Health. The tests shall be administered as soon after birth as is medically appropriate. If the mother has had an HIV-related test pursuant to section 19a-90 or 19a-593, the person responsible for testing under this section may omit an HIV-related test. The Commissioner of Public Health shall (1) administer the newborn screening program, (2) direct persons identified through the screening program to appropriate specialty centers for treatments, consistent with any applicable confidentiality requirements, and (3) set the fees to be charged to institutions to cover all expenses of the comprehensive screening program including testing, tracking and treatment. The fees to be charged pursuant to subdivision (3) of this subsection shall be set at a minimum of **[**twenty-eight**]** fifty-six dollars. The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section. The Commissioner of Public Health shall publish a list of all the abnormal conditions for which the department screens newborns under the newborn screening program, which shall include screening for amino acid disorders, organic acid disorders and fatty acid oxidation disorders, including, but not limited to, long-chain 3-hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain acyl-CoA dehydrogenase (MCAD).

(b) In addition to the testing requirements prescribed in subsection (a) of this section, the administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to every such infant in its care a screening test for cystic fibrosis. Such screening test shall be administered as soon after birth as

is medically appropriate.

(c) The provisions of this section shall not apply to any infant whose parents object to the test or treatment as being in conflict with their religious tenets and practice.

Sec. 168. Section 19a-80 of the general statutes, as amended by section 104 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person, group of persons, association, organization, corporation, institution or agency, public or private, shall maintain a child day care center or group day care home without a license issued in accordance with sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive. Applications for such license shall be made to the Commissioner of Public Health on forms provided by the commissioner and shall contain the information required by regulations adopted under said sections. The forms shall contain a notice that false statements made therein are punishable in accordance with section 53a-157b.

(b) (1) Upon receipt of an application for a license, the Commissioner of Public Health shall issue such license if, upon inspection and investigation, said commissioner finds that the applicant, the facilities and the program meet the health, educational and social needs of children likely to attend the child day care center or group day care home and comply with requirements established by regulations adopted under sections 19a-77 to 19a-80, inclusive, as amended by **[**this act**]** section 42 of public act 09-232, and sections 19a-82 to 19a-87, inclusive. The Commissioner of Public Health shall offer an expedited application review process for an application submitted by a municipal agency or department. Each license shall be for a term of two years, provided on and after October 1, 2008, each license shall be for a term of four years, shall be transferable, may be renewed upon

payment of the licensure fee and may be suspended or revoked after notice and an opportunity for a hearing as provided in section 19a-84 for violation of the regulations adopted under sections 19a-77 to 19a-80, inclusive, as amended by **[**this act**]** section 42 of public act 09-232, and sections 19a-82 to 19a-87, inclusive.

(2) Prior to October 1, 2008, the Commissioner of Public Health shall collect from the licensee of a day care center a fee of two hundred dollars for each license issued or renewed for a term of two years. Prior to October 1, 2008, said commissioner shall collect from the licensee of a group day care home a fee of one hundred dollars for each license issued or renewed for a term of two years.

(3) On and after October 1, 2008, the Commissioner of Public Health shall collect from the licensee of a day care center a fee of **[**four**]** five hundred dollars for each license issued or renewed for a term of four years. On and after October 1, 2008, said commissioner shall collect from the licensee of a group day care home a fee of two hundred fifty dollars for each license issued or renewed for a term of four years. The Commissioner of Public Health shall require only one license for a child day care center operated in two or more buildings, provided the same licensee provides child day care services in each building and the buildings are joined together by a contiguous playground that is part of the licensed space.

(c) The Commissioner of Public Health, within available appropriations, shall require each prospective employee of a child day care center or group day care home in a position requiring the provision of care to a child to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a, as amended by this act. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k. Pursuant to the interagency agreement provided for

in section 10-16s, the Department of Social Services may agree to transfer funds appropriated for criminal history records checks to the Department of Public Health. The commissioner shall notify each licensee of the provisions of this subsection.

(d) The commissioner shall inform each licensee, by way of a plain language summary provided not later than sixty days after the regulation's effective date, of new or changed regulations adopted under sections 19a-77 to 19a-80, inclusive, or sections 19a-82 to 19a-87, inclusive, with which a licensee must comply.

Sec. 169. Section 19a-87b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person, group of persons, association, organization, corporation, institution or agency, public or private, shall maintain a family day care home, as defined in section 19a-77, without a license issued by the Commissioner of Public Health. Licensure forms shall be obtained from the Department of Public Health. Applications for licensure shall be made to the commissioner on forms provided by the department and shall contain the information required by regulations adopted under this section. The licensure and application forms shall contain a notice that false statements made therein are punishable in accordance with section 53a-157b. Applicants shall state, in writing, that they are in compliance with the regulations adopted by the commissioner pursuant to subsection (c) of this section. Before a family day care home license is granted, the department shall make an inquiry and investigation which shall include a visit and inspection of the premises for which the license is requested. Any inspection conducted by the department shall include an inspection for evident sources of lead poisoning. The department shall provide for a chemical analysis of any paint chips found on such premises. Neither the commissioner nor the commissioner's designee shall require an annual inspection for homes seeking license renewal or for licensed homes,

except that the commissioner or the commissioner's designee shall make unannounced visits, during customary business hours, to at least thirty-three and one-third per cent of the licensed family day care homes each year. A licensed family day care home shall not be subject to any conditions on the operation of such home by local officials, other than those imposed by the department pursuant to this subsection, if the home complies with all local codes and ordinances applicable to single and multifamily dwellings.

(b) The Commissioner of Public Health, within available appropriations, shall require each initial applicant or prospective employee of a family day care home in a position requiring the provision of care to a child to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a, as amended by this act. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k. The commissioner shall notify each licensee of the provisions of this subsection.

(c) The Commissioner of Public Health shall adopt regulations, in accordance with the provisions of chapter 54, to assure that family day care homes, as defined in section 19a-77, shall meet the health, educational and social needs of children utilizing such homes. Such regulations shall ensure that the family day care home is treated as a residence, and not an institutional facility. Such regulations shall specify that each child be protected as age-appropriate by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae type B and any other vaccine required by the schedule of active immunization adopted pursuant to section 19a-7f. Such regulations shall provide appropriate exemptions for children for whom such immunization is medically contraindicated and for children whose parents object to such

immunization on religious grounds. Such regulations shall also specify conditions under which family day care home providers may administer tests to monitor glucose levels in a child with diagnosed diabetes mellitus, and administer medicinal preparations, including controlled drugs specified in the regulations by the commissioner, to a child receiving day care services at a family day care home pursuant to a written order of a physician licensed to practice medicine in this or another state, an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a, as amended by this act, or a physician assistant licensed to prescribe in accordance with section 20-12d, and the written authorization of a parent or guardian of such child. Such regulations shall specify appropriate standards for extended care and intermittent short-term overnight care. The commissioner shall inform each licensee, by way of a plain language summary provided not later than sixty days after the regulation's effective date, of any new or changed regulations adopted under this subsection with which a licensee must comply.

(d) Applications for initial licensure under this section submitted prior to October 1, 2008, shall be accompanied by a fee of twenty dollars and such licenses shall be issued for a term of two years. Applications for renewal of licenses granted under this section submitted prior to October 1, 2008, shall be accompanied by a fee of twenty dollars and such licenses shall be renewed for a term of two years. No such license shall be renewed unless the licensee certifies that the children enrolled in the family day care home have received age-appropriate immunization in accordance with regulations adopted pursuant to subsection (c) of this section.

(e) Each license issued on or after October 1, 2008, shall be for a term of four years, shall be nontransferable and may be renewed upon payment of the licensure fee and a signed statement from the licensee certifying that the children enrolled in the family day care home have

received age-appropriate immunization in accordance with regulations adopted pursuant to subsection (c) of this section. The Commissioner of Public Health shall collect from the licensee of a family day care home a fee of **[**forty**]** eighty dollars for each license issued or renewed for a term of four years.

Sec. 170. Section 19a-88 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person holding a license to practice dentistry, optometry, midwifery or dental hygiene shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class I, as defined in section 33-182*l*, as amended by this act, in the case of a dentist, except as provided in sections 19a-88b and 20-113b, the professional services fee for class H, as defined in section 33-182*l*, as amended by this act, in the case of an optometrist, **[**five**]** fifteen dollars in the case of a midwife, and **[**fifty**]** one hundred dollars in the case of a dental hygienist, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. Each person holding a license to practice dentistry who has retired from the profession may renew such license, but the fee shall be ten per cent of the professional services fee for class I, as defined in section 33-182*l*, as amended by this act, or ninety dollars, whichever is greater. Any license provided by the department at a reduced fee pursuant to this subsection shall indicate that the dentist is retired.

(b) Each person holding a license to practice medicine, surgery, podiatry, chiropractic or natureopathy shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class I, as defined in section 33-182*l*, as amended by this act, on blanks to be furnished by the department for such purpose, giving such person's

name in full, such person's residence and business address and such other information as the department requests.

(c) (1) Each person holding a license to practice as a registered nurse, shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of one hundred dollars, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. Each person holding a license to practice as a registered nurse who has retired from the profession may renew such license, but the fee shall be ten per cent of the professional services fee for class B, as defined in section 33-182*l*, as amended by this act. Any license provided by the department at a reduced fee shall indicate that the registered nurse is retired.

(2) Each person holding a license as an advanced practice registered nurse shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of one hundred twenty dollars, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. No such license shall be renewed unless the department is satisfied that the person maintains current certification as either a nurse practitioner, a clinical nurse specialist or a nurse anesthetist from one of the following national certifying bodies which certify nurses in advanced practice: The American Nurses' Association, the Nurses' Association of the American College of Obstetricians and Gynecologists Certification Corporation, the National Board of Pediatric Nurse Practitioners and Associates or the American Association of Nurse Anesthetists. Each person holding a license to practice as an advanced practice registered nurse who has retired from the profession may renew such license, but the fee shall be ten per cent

of the professional services fee for class C, as defined in section 33-182*l*, as amended by this act. Any license provided by the department at a reduced fee shall indicate that the advanced practice registered nurse is retired.

(3) Each person holding a license as a licensed practical nurse shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class C, as defined in section 33-182*l*, as amended by this act, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. Each person holding a license to practice as a licensed practical nurse who has retired from the profession may renew such license, but the fee shall be ten per cent of the professional services fee for class A, as defined in section 33-182*l*, as amended by this act. Any license provided by the department at a reduced fee shall indicate that the licensed practical nurse is retired.

(4) Each person holding a license as a nurse-midwife shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of one hundred twenty dollars, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. No such license shall be renewed unless the department is satisfied that the person maintains current certification from the American College of Nurse-Midwives.

(5) (A) Each person holding a license to practice physical therapy shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class B, as defined in section 33-182*l*, as amended by this act, on blanks to be furnished by the department for such purpose,

giving such person's name in full, such person's residence and business address and such other information as the department requests.

(B) Each person holding a physical therapist assistant license shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class A, as defined in section 33-182*l*, as amended by this act, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests.

(6) Each person holding a license as a physician assistant shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of a fee of **[**seventy-five**]** one hundred fifty dollars, on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests. No such license shall be renewed unless the department is satisfied that the practitioner has met the mandatory continuing medical education requirements of the National Commission on Certification of Physician Assistants or a successor organization for the certification or recertification of physician assistants that may be approved by the department and has passed any examination or continued competency assessment the passage of which may be required by said commission for maintenance of current certification by said commission.

(d) No provision of this section shall be construed to apply to any person practicing Christian Science.

(e) (1) Each person holding a license or certificate issued under section 19a-514, 20-65k, 20-74s, as amended by this act, 20-195cc, as

amended by this act, or 20-206*ll*, as amended by this act, and chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c, inclusive, 384, 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-206n, as amended by this act, or 20-206o, as amended by this act, shall, annually, during the month of such person's birth, apply for renewal of such license or certificate to the Department of Public Health, giving such person's name in full, such person's residence and business address and such other information as the department requests.

(2) Each person holding a license or certificate issued under section 19a-514 and chapters 384a, 384c, 386, 387, 388 and 398 shall apply for renewal of such license or certificate once every two years, during the month of such person's birth, giving such person's name in full, such person's residence and business address and such other information as the department requests.

(3) Each person holding a license or certificate issued pursuant to section 20-475, as amended by this act, or 20-476, as amended by this act, shall, annually, during the month of such person's birth, apply for renewal of such license or certificate to the department.

(4) Each entity holding a license issued pursuant to section 20-475, as amended by this act, shall, annually, during the anniversary month of initial licensure, apply for renewal of such license or certificate to the department.

(5) Each person holding a license issued pursuant to section 20-162bb shall, annually, during the month of such person's birth, apply for renewal of such license to the Department of Public Health, upon payment of a fee of **[**two hundred fifty**]** three hundred fifteen dollars, giving such person's name in full, such person's residence and business address and such other information as the department requests.

(f) Any person or entity which fails to comply with the provisions of this section shall be notified by the department that such person's or entity's license or certificate shall become void ninety days after the time for its renewal under this section unless it is so renewed. Any such license shall become void upon the expiration of such ninety-day period.

(g) On or before July 1, 2008, the Department of Public Health shall establish and implement a secure on-line license renewal system for persons holding a license to practice medicine or surgery under chapter 370, dentistry under chapter 379 or nursing under chapter 378. The department shall allow any such person who renews his or her license using the on-line license renewal system to pay his or her professional service fees on-line by means of a credit card or electronic transfer of funds from a bank or credit union account and may charge such person a service fee not to exceed five dollars for any such on-line payment made by credit card or electronic funds transfer. On or before January 1, 2009, the department shall submit, in accordance with section 11-4a, a report on the feasibility and implications of the implementation of a biennial license renewal system for persons holding a license to practice nursing under chapter 378 to the joint standing committee of the General Assembly having cognizance of matters relating to public health.

Sec. 171. Section 19a-89b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Department of Public Health shall charge a fee of **[**four**]** <u>fifteen</u> dollars for a copy of its pool design guidelines.

(b) The department shall charge a fee of **[**four**]** <u>fifteen</u> dollars for a copy of its food compliance guide.

Sec. 172. Subsection (a) of section 19a-180 of the general statutes, as

amended by section 1 of public act 09-16 and section 71 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall operate any ambulance service, rescue service or management service or otherwise transport in a motor vehicle a patient on a stretcher without either a license or a certificate issued by the commissioner. No person shall operate a commercial ambulance service or commercial rescue service or a management service without a license issued by the commissioner. A certificate shall be issued to any volunteer or municipal ambulance service which shows proof satisfactory to the commissioner that it meets the minimum standards of the commissioner in the areas of training, equipment and personnel. No license or certificate shall be issued to any volunteer, municipal or commercial ambulance service, rescue service or management service, as defined in subdivision (19) of section 19a-175, as amended by **[**this act**]** section 2 of public act 09-16, unless it meets the requirements of subsection (e) of section 14-100a. Applicants for a license shall use the forms prescribed by the commissioner and shall submit such application to the commissioner accompanied by an annual fee of **[**one**]** two hundred dollars. In considering requests for approval of permits for new or expanded emergency medical services in any region, the commissioner shall consult with the Office of Emergency Medical Services and the emergency medical services council of such region and shall hold a public hearing to determine the necessity for such services. Written notice of such hearing shall be given to current providers in the geographic region where such new or expanded services would be implemented, provided, any volunteer ambulance service which elects not to levy charges for services rendered under this chapter shall be exempt from the provisions concerning requests for approval of permits for new or expanded emergency medical services set forth in this subsection. A primary service area responder that operates in the service area identified in the application shall,

upon request, be granted intervenor status with opportunity for cross-examination. Each applicant for licensure shall furnish proof of financial responsibility which the commissioner deems sufficient to satisfy any claim. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to establish satisfactory kinds of coverage and limits of insurance for each applicant for either licensure or certification. Until such regulations are adopted, the following shall be the required limits for licensure: (1) For damages by reason of personal injury to, or the death of, one person on account of any accident, at least five hundred thousand dollars, and more than one person on account of any accident, at least one million dollars, (2) for damage to property at least fifty thousand dollars, and (3) for malpractice in the care of one passenger at least two hundred fifty thousand dollars, and for more than one passenger at least five hundred thousand dollars. In lieu of the limits set forth in subdivisions (1) to (3), inclusive, of this subsection, a single limit of liability shall be allowed as follows: (A) For damages by reason of personal injury to, or death of, one or more persons and damage to property, at least one million dollars; and (B) for malpractice in the care of one or more passengers, at least five hundred thousand dollars. A certificate of such proof shall be filed with the commissioner. Upon determination by the commissioner that an applicant is financially responsible, properly certified and otherwise qualified to operate a commercial ambulance service, rescue service or management service, the commissioner shall issue the appropriate license effective for one year to such applicant. If the commissioner determines that an applicant for either a certificate or license is not so qualified, the commissioner shall notify such applicant of the denial of the application with a statement of the reasons for such denial. Such applicant shall have thirty days to request a hearing on the denial of the application.

Sec. 173. Section 19a-310 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall construct any vault, crypt, columbarium or mausoleum for public use, wholly or partially above the surface of the ground, to be used to contain the body of any dead person (1) unless the same is located within the confines of an established cemetery containing not less than five acres, which cemetery has been in existence and operation for a period of at least five years immediately preceding the time of the erection thereof, or (2) if located within a cemetery containing less than five acres, such location has been approved by the selectmen of any town, the mayor and council or board of aldermen of any city and the warden and burgesses of any borough; except that in any town, city or borough having a zoning commission or combined planning and zoning commission, such commission shall have the authority to grant such approval; nor until plans and specifications for such vault, crypt, columbarium or mausoleum are approved by the Department of Public Health and a fee of one thousand two hundred fifty dollars is paid to the Department of Public Health for its review and approval of such plans and specifications, provided a columbarium which is used solely as a repository for the remains, after cremation, of deceased persons and is located on the premises of any religious society or corporation shall not be subject to the provisions of this section. Such plans and specifications shall set forth the sections, halls, rooms, corridors, elevators or other subdivisions thereof, with their descriptive names and numbers, and shall provide: (a) That such structure be so arranged that the cell, niche or crypt may be readily examined at any time by any person authorized by law to do so; (b) that the materials of which such structure is to be constructed are to be of the best quality and of a character best suited for the purposes intended; and (c) that the structure shall be so constructed as to insure its durability and permanence as well as the safety, convenience, comfort and health of the community in which it is located, as dictated and determined at the time by modern mausoleum construction and engineering science. The person making the application shall file a certificate of such approval,

signed by the Commissioner of Public Health, with a copy of such plans and specifications, in the office of the town clerk of the town wherein such structure is to be erected, and such clerk shall retain the same on file.

Sec. 174. Section 19a-320 of the general statutes, as amended by section 40 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any resident of this state, or any corporation formed under the law of this state, may erect, maintain and conduct a crematory in this state and provide the necessary appliances and facilities for the disposal by incineration of the bodies of the dead, in accordance with the provisions of this section. The location of such crematory shall be within the confines of an established cemetery containing not less than twenty acres, which cemetery shall have been in existence and operation for at least five years immediately preceding the time of the erection of such crematory, or shall be within the confines of a plot of land approved for the location of a crematory by the selectmen of any town, the mayor and council or board of aldermen of any city and the warden and burgesses of any borough; provided, in any town, city or borough having a zoning commission, such commission shall have the authority to grant such approval. This section shall not apply to any resident of this state or any corporation formed under the law of this state that was issued an air quality permit by the Department of Environmental Protection prior to October 1, 1998.

(b) Application for such approval shall be made in writing to the local authority specified in subsection (a) of this section and a hearing shall be held within the town, city or borough in which such location is situated within sixty-five days from the date of receipt of such application. Notice of such hearing shall be given to such applicant by mail, postage paid, to the address given on the application, and to the Commissioner of Public Health, and by publication twice in a

newspaper having a substantial circulation in the town, city or borough at intervals of not less than two days, the first being not more than fifteen days **[**nor**]** or less than ten days, and the second being not less than two days before such hearing. The local authority shall approve or deny such application within sixty-five days after such hearing, provided an extension of time not to exceed a further period of sixty-five days may be had with the consent of the applicant. The grounds for its action shall be stated in the records of the authority. Each applicant shall pay a fee of ten dollars, together with the costs of the publication of such notice and the reasonable expense of such hearing, to the treasurer of such town, city or borough.

(c) (1) No such crematory shall be erected until the plans therefor have been filed with and approved by the Department of Public Health; and no such crematory shall be used until it has been inspected and received a certificate of inspection by said department and a fee of one thousand two hundred fifty dollars is paid to the Department of Public Health for its inspection and approval.

(2) Each holder of an inspection certificate shall, annually, on or before July first, submit in writing to the Department of Public Health an application for renewal of such certificate together with a fee of **[**two hundred fifty**]** three hundred fifteen dollars. If the department issues to such applicant such an inspection certificate, the same shall be valid until July first next following, unless revoked or suspended.

(3) Upon receipt of an application for a renewal of such certificate, the Department of Public Health shall make an inspection of each crematory.

(4) A crematory shall be open at all times for inspection by the Department of Public Health. The department may make inspections whenever it deems advisable.

(5) If, upon inspection by the Department of Public Health, it is found that such crematory is in such condition as to be detrimental to public health, the department shall give to the applicant or operator of the crematory notice and opportunity for hearing as provided in regulations adopted by the Commissioner of Public Health, in accordance with the provisions of chapter 54. The commissioner may, after such hearing, revoke, suspend or refuse to issue or renew any such certificate upon cause found at hearing. Any person aggrieved by the finding of or action taken by the Department of Public Health may appeal therefrom in accordance with the provisions of section 4-183.

(6) Any of the inspections provided for in this section may be made by a person designated by the Department of Public Health or by a representative of the Commissioner of Public Health.

Sec. 175. Section 19a-332a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner, within available appropriations, and after consultation with the Labor Commissioner, shall adopt regulations in accordance with the provisions of chapter 54 to administer the provisions of sections 19a-332 to 19a-332c, inclusive. Such regulations shall include, but need not be limited to, the following: (1) Standards for the proper performance of asbestos abatement; (2) procedures for enforcement action; (3) procedures for inspection of asbestos abatement by employees of the department; (4) minimum standards for completion of asbestos abatement projects.

(b) On and after the effective date of any regulations adopted pursuant to this section, no person shall engage in asbestos abatement without following the provisions of sections 19a-332 to 19a-332c, inclusive, and such regulations.

(c) Notwithstanding any regulations to the contrary, the

Commissioner of Public Health shall charge the following fees for the services of the department in connection with asbestos abatement: (1) Notification of abatement, less than one hundred sixty square feet, **[**fifty**]** one hundred dollars; (2) notification of abatement, one hundred sixty square feet or greater, **[**fifty**]** one hundred dollars plus one per cent of the total abatement cost, up to a maximum of five thousand dollars; (3) reinspections, **[**fifty**]** one hundred dollars; (4) asbestos alternative work practice review, **[**one**]** two hundred dollars; and (5) notice of demolition activities, **[**twenty-five**]** fifty dollars.

Sec. 176. Section 19a-421 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall establish, conduct or maintain a youth camp without a license issued by the department. Applications for such license shall be made in writing at least thirty days prior to the opening of the youth camp on forms provided and in accordance with procedures established by the commissioner and shall be accompanied by a fee of **[**six hundred fifty**]** eight hundred fifteen dollars or, if the applicant is a nonprofit, nonstock corporation or association, a fee of **[**two hundred fifty**]** three hundred fifteen dollars or, if the applicant is a day camp affiliated with a nonprofit organization, for no more than five days duration and for which labor and materials are donated, no fee. All such licenses shall be valid for a period of one year from the date of issuance unless surrendered for cancellation or suspended or revoked by the commissioner for violation of this chapter or any regulations adopted under section 19a-428 and shall be renewable upon payment of a **[**six-hundred-fifty-dollar**]** eight-hundred-fifteen-dollar license fee or, if the licensee is a nonprofit, nonstock corporation or association, a **[**two-hundred-fifty-dollar**]** three-hundred-fifteen-dollar license fee or, if the applicant is a day camp affiliated with a nonprofit organization, for no more than five days duration and for which labor and materials are donated, no fee.

Sec. 177. Section 19a-491 of the general statutes, as amended by section 1 of public act 09-197, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person acting individually or jointly with any other person shall establish, conduct, operate or maintain an institution in this state without a license as required by this chapter, except for persons issued a license by the Commissioner of Children and Families pursuant to section 17a-145 for the operation of (1) a substance abuse treatment facility, or (2) a facility for the purpose of caring for women during pregnancies and for women and their infants following such pregnancies. Application for such license shall be made to the Department of Public Health upon forms provided by it and shall contain such information as the department requires, which may include affirmative evidence of ability to comply with reasonable standards and regulations prescribed under the provisions of this chapter. The commissioner may require as a condition of licensure that an applicant sign a consent order providing reasonable assurances of compliance with the Public Health Code. The commissioner may issue more than one chronic disease hospital license to a single institution until such time as the state offers a rehabilitation hospital license.

(b) If any person acting individually or jointly with any other person shall own real property or any improvements thereon, upon or within which an institution, as defined in subsection (c) of section 19a-490, is established, conducted, operated or maintained and is not the licensee of the institution, such person shall submit a copy of the lease agreement to the department at the time of any change of ownership and with each license renewal application. The lease agreement shall, at a minimum, identify the person or entity responsible for the maintenance and repair of all buildings and structures within which such an institution is established, conducted or operated. If a violation is found as a result of an inspection or investigation, the commissioner

may require the owner to sign a consent order providing assurances that repairs or improvements necessary for compliance with the provisions of the Public Health Code shall be completed within a specified period of time. The provisions of this subsection shall not apply to any property or improvements owned by a person licensed in accordance with the provisions of subsection (a) of this section to establish, conduct, operate or maintain an institution on or within such property or improvements.

(c) Notwithstanding any regulation to the contrary, the Commissioner of Public Health shall charge the following fees for the biennial licensing and inspection of the following institutions: (1) Chronic and convalescent nursing homes, per site, **[**three hundred fifty**]** four hundred forty dollars; (2) chronic and convalescent nursing homes, per bed, five dollars; (3) rest homes with nursing supervision, per site, **[**three hundred fifty**]** four hundred forty dollars; (4) rest homes with nursing supervision, per bed, five dollars; (5) outpatient dialysis units and outpatient surgical facilities, **[**five hundred**]** six hundred twenty-five dollars; (6) mental health residential facilities, per site, three hundred seventy-five dollars; (7) mental health residential facilities, per bed, five dollars; (8) hospitals, per site, **[**seven hundred fifty**]** nine hundred forty dollars; (9) hospitals, per bed, seven dollars and fifty cents; (10) nonstate agency educational institutions, per infirmary, **[**seventy-five**]** one hundred fifty dollars; and (11) nonstate agency educational institutions, per infirmary bed, twenty-five dollars.

(d) Notwithstanding any regulation, the commissioner shall charge the following fees for the triennial licensing and inspection of the following institutions: (1) Residential care homes, per site, **[**four hundred fifty**]** five hundred sixty-five dollars; and (2) residential care homes, per bed, four dollars and fifty cents.

(e) Notwithstanding any regulation, the commissioner shall charge the following fees for the licensing and inspection every four years of

the following institutions: (1) Outpatient clinics that provide either medical or mental health service, and well-child clinics, except those operated by municipal health departments, health districts or licensed nonprofit nursing or community health agencies, one thousand dollars; (2) maternity homes, per site, two hundred dollars; and (3) maternity homes, per bed, ten dollars.

(f) The commissioner shall charge a fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars for the technical assistance provided for the design, review and development of an institution's construction, sale or change in ownership.

(g) The commissioner may require as a condition of the licensure of home health care agencies and homemaker-home health aide agencies that each agency meet minimum service quality standards. In the event the commissioner requires such agencies to meet minimum service quality standards as a condition of their licensure, the commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to define such minimum service quality standards, which shall (1) allow for training of homemaker-home health aides by adult continuing education, (2) require a registered nurse to visit and assess each patient receiving homemaker-home health aide services as often as necessary based on the patient's condition, but not less than once every sixty days, and (3) require the assessment prescribed by subdivision (2) of this subsection to be completed while the homemaker-home health aide is providing services in the patient's home.

Sec. 178. Section 19a-512 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) In order to be eligible for licensure by examination pursuant to sections 19a-511 to 19a-520, inclusive, a person shall submit an application, together with a fee of **[**one**]** <u>two</u> hundred dollars, and

proof satisfactory to the Department of Public Health that he (1) is physically and emotionally capable of administering a nursing home; (2) has satisfactorily completed a program of instruction and training, including residency training which meets the requirements of subsection (b) of this section and which is approved by the Commissioner of Public Health; and (3) has passed an examination prescribed and administered by the Department of Public Health designed to test the applicant's knowledge and competence in the subject matter referred to in subsection (b) of this section. Passing scores shall be established by the department.

(b) Minimum education and training requirements for applicants for licensure are as follows:

(1) Each person other than an applicant for renewal, applying prior to February 1, 1985, shall have completed: (A) A program so designed as to content and so administered as to present sufficient knowledge of the needs to be properly served by nursing homes, laws and regulations governing the operation of nursing homes and the protection of the interest of patients therein and the elements of good nursing home administration, or presented evidence satisfactory to the Department of Public Health of sufficient education and training in the foregoing fields; and (B) a one-year residency period under the joint supervision of a duly licensed nursing home administrator in an authorized nursing home and an accredited institution of higher education, approved by said department, which period may correspond to one academic year in such accredited institution. The supervising administrator shall submit such reports as may be required by the department on the performance and progress of such administrator-in-training, on forms provided by the department. This subdivision shall not apply to any person who has successfully completed a program of study for a master's degree in nursing home administration or in a related health care field and who has been

awarded such degree from an accredited institution of higher learning.

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

(c) Notwithstanding the provisions of subsection (b) of this section, the Department of Public Health shall renew the license of any person licensed as a nursing home administrator on July 1, 1983.

Sec. 179. Section 19a-513 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

In order to be eligible for licensure by endorsement pursuant to sections 19a-511 to 19a-520, inclusive, a person shall submit an application for endorsement licensure on a form provided by the department, together with a fee of **[**one**]** two hundred dollars, and meet the following requirements: (1) Have completed preparation in another jurisdiction equal to that required in this state; (2) hold a license as a nursing home administrator by examination in another state; and (3) be a currently practicing competent practitioner in a state whose licensure requirements are substantially similar to or higher than those of this state. No license shall be issued under this section to any applicant against whom disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 180. Section 19a-515 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each nursing home administrator's license issued pursuant to the provisions of sections 19a-511 to 19a-520, inclusive, shall be renewed once every two years, in accordance with section 19a-88, as amended

by this act, except for cause, by the Department of Public Health, upon forms to be furnished by said department and upon the payment to said department, by each applicant for license renewal, of the sum of **[**one**]** two hundred dollars. Each such fee shall be remitted to the Department of Public Health on or before the date prescribed under section 19a-88, as amended by this act. Such renewals shall be granted unless said department finds the applicant has acted or failed to act in such a manner or under such circumstances as would constitute grounds for suspension or revocation of such license.

(b) Each licensee shall complete a minimum of forty hours of continuing education every two years. Such two-year period shall commence on the first date of renewal of the licensee's license after January 1, 2004. The continuing education shall be in areas related to the licensee's practice. Qualifying continuing education activities are courses offered or approved by the Connecticut Association of Healthcare Facilities, the Connecticut Association of Not-For-Profit Providers for the Aging, the Connecticut Assisted Living Association, the Connecticut Alliance for Subacute Care, Inc., the Connecticut Chapter of the American College of Health Care Administrators, the Association For Long Term Care Financial Managers or any accredited college or university, or programs presented or approved by the National Continuing Education Review Service of the National Association of Boards of Examiners of Long Term Care Administrators, or by federal or state departments or agencies.

(c) Each licensee shall obtain a certificate of completion from the provider of the continuing education for all continuing education hours that are successfully completed and shall retain such certificate for a minimum of three years. Upon request by the department, the licensee shall submit the certificate to the department. A licensee who fails to comply with the continuing education requirements shall be subject to disciplinary action pursuant to section 19a-517.

(d) The continuing education requirements shall be waived for licensees applying for licensure renewal for the first time. The department may, for a licensee who has a medical disability or illness, grant a waiver of the continuing education requirements for a specific period of time or may grant the licensee an extension of time in which to fulfill the requirements.

Sec. 181. Section 20-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health under the supervision of the examining boards provided for by sections 20-8 and 20-8a shall hold examinations not less than twice each year at such places as the department designates. Applicants for licenses to practice medicine or surgery shall be examined in such medical subjects as the department may prescribe, with the advice and consent of the appropriate board, provided each applicant for examination shall be notified concerning the subjects in which he is to be examined. The Commissioner of Public Health, with advice and assistance from each board, shall make such rules and regulations for conducting examinations and for the operation of the board as, from time to time, he deems necessary. Passing scores for examinations shall be established by the department with the consent of the appropriate board. Each applicant for examination shall be examined with respect to the same school of practice in which the applicant was graduated except that an applicant for licensure in homeopathic medicine who is licensed as a physician or meets the requirements in section 20-10 may be examined in other than the school of practice in which such applicant was graduated. Before being admitted to the examination, an applicant shall pay the sum of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars and an applicant rejected by the department may be reexamined at any subsequent examination, upon payment of the sum of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars for each appearance.

Sec. 182. Section 20-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as hereinafter provided, in lieu of the examination required in section 20-10, the department may, under such regulations as the Commissioner of Public Health, with advice and assistance from the appropriate board, may establish and, upon receipt of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars, accept a license from the board of medical examiners or any board authorized to issue a license to practice osteopathic medicine, osteopathy or its equivalent of any state or territory of the United States or the District of Columbia or the Medical Council of Canada or of any agency in such jurisdictions authorized to issue licenses to practice medicine, osteopathic medicine or osteopathy, provided the applicant obtained such license after an examination substantially similar to or of higher quality than that required for a license in this state, has met all the requirements of section 20-10 except for examination and is a currently practicing, competent practitioner of good professional standing. The department may issue to an applicant approved without examination as hereinbefore provided a license to practice medicine and surgery.

(b) Except as hereinafter provided, the department may, in its discretion, and on receipt of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars, likewise accept and approve, in lieu of the examination required in section 20-10, a diploma of the National Board of Medical Examiners or a certificate of the National Board of Osteopathic Medical Examiners, subject to the same conditions as hereinbefore set forth for acceptance, in lieu of examination, of a license from a board of medical examiners or any board authorized to issue a license to practice osteopathic medicine, osteopathy or its equivalent of any state or territory of the United States or the District of Columbia or the Medical Council of Canada, and may issue to such diplomate or certificate holder a statement certifying to the fact that the person named therein

has been found qualified to practice medicine and surgery.

(c) In lieu of the examination required in section 20-10, the department may, under such regulations as the Commissioner of Public Health, with advice and assistance from the appropriate board, may establish, and upon the receipt of one hundred fifty dollars, accept and approve the application of any physician for a temporary license to practice solely in any state facility, and issue such license, subject to the same conditions set forth in subsection (a) of this section for the acceptance of a license from another jurisdiction or the application of a person who has been a resident student in and a graduate of a medical school listed in the World Health Organization Directory, and has received the degree of doctor of medicine, osteopathic medicine or other academic distinction that, in the judgment of such board, is equivalent to the degree of doctor of medicine or osteopathic medicine from such a school and has completed an additional year of postgraduate experience subsequent to the receipt of said degree. Such temporary license shall not be issued for a period longer than twelve months. During the period such temporary license is in effect, such physician shall make application for an examination administered or approved by the department under the supervision of the appropriate board.

(d) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the boards established under sections 20-8 and 20-8a annually of the number of applications it receives for licensure under this section.

(e) Any physician licensed in another state who is board-certified in pediatrics or family medicine, or whose state standards for licensure are equivalent to or greater than those required in this state, may practice as a youth camp physician in this state without a license for a period not to exceed nine weeks.

(f) Any physician licensed or otherwise authorized to practice medicine by the armed forces of the United States may practice as a physician without a license in a free clinic in this state provided (1) the physician does not receive payment for such practice, and (2) the physician carries, either directly or through the clinic, professional liability insurance or indemnity against liability for professional malpractice equal to or greater than that required of state-licensed physicians under section 20-11b.

Sec. 183. Section 20-12b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The department may, upon receipt of a fee of one hundred **[**fifty**]** <u>ninety</u> dollars, issue a physician assistant license to an applicant who: (1) Holds a baccalaureate or higher degree in any field from a regionally accredited institution of higher education; (2) has graduated from an accredited physician assistant program; (3) has passed the certification examination of the national commission; (4) has satisfied the mandatory continuing medical education requirements of the national commission for current certification by such commission and has passed any examination or continued competency assessment the passage of which may be required by the national commission for maintenance of current certification by such commission; and (5) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department.

(b) The department may, upon receipt of a fee of **[**seventy-five**]** <u>one hundred fifty</u> dollars, issue a temporary permit to an applicant who (1) is a graduate of an accredited physician assistant program; (2) has completed not less than sixty hours of didactic instruction in pharmacology for physician assistant practice approved by the department; and (3) if applying for such permit on and after September 30, 1991, holds a baccalaureate or higher degree in any field

from a regionally accredited institution of higher education. Such temporary permit shall authorize the holder to practice as a physician assistant only in those settings where the supervising physician is physically present on the premises and is immediately available to the physician assistant when needed, but shall not authorize the holder to prescribe or dispense drugs. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of graduation and shall not be renewable. Such permit shall become void and shall not be reissued in the event that the applicant fails to pass a certification examination scheduled by the national commission following the applicant's graduation from an accredited physician assistant program. Violation of the restrictions on practice set forth in this subsection may constitute a basis for denial of licensure as a physician assistant.

(c) No license or temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(d) No person shall practice as a physician assistant or represent himself as a physician assistant unless he holds a license or temporary permit pursuant to this section or training permit issued pursuant to section 20-12h.

(e) Any person, except a licensed physician assistant or a physician licensed to practice medicine under this chapter, who practices or attempts to practice as a physician assistant, or any person who buys, sells or fraudulently obtains any diploma or license to practice as a physician assistant, whether recorded or not, or any person who uses the title "physician assistant" or any word or title to induce the belief that he or she is practicing as a physician assistant, without complying with the provisions of this section, shall be fined not more than five hundred dollars or imprisoned not more than five years, or both. For the purposes of this section, each instance of patient contact or

consultation that is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 184. Section 20-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall engage in the practice of chiropractic in this state until he has obtained a license.

(b) No person shall receive a license until he has passed an examination prescribed by the Department of Public Health, with the advice and consent of the Board of Chiropractic Examiners, except as hereinafter provided. Any person desiring to practice chiropractic shall make application to the department upon such form as the department adopts. Applications shall be in writing, signed by the applicant and shall contain a statement of the educational advantages of the applicant, his experience in matters pertaining to a knowledge of the care of the sick, the length of time applied and the school in which he studied chiropractic, any collateral branch of study and the length of time engaged in clinical practice and any diploma, certificate or degree which has been conferred upon such applicant. Each applicant shall present to the department satisfactory evidence that he graduated from an approved high school or possessed educational qualifications equivalent to those required for graduation from such school before beginning the study of chiropractic and that he graduated with the degree of doctor of chiropractic from an accredited college of chiropractic approved by said board with the consent of the Commissioner of Public Health, as provided herein, that, if he graduated prior to July 1, 1932, he has been a resident student in such an approved chiropractic college or colleges during three graded courses of six months each, each of which courses shall have included not less than nine hundred class hours, that, if he graduated after July 1, 1932, he has been a resident student in such an approved

chiropractic college or colleges during four graded courses of eight months each, totaling not less than three thousand six hundred hours, and that, if he graduated after July 1, 1955, he has been a resident student in such an approved chiropractic college or colleges during four graded courses of eight months each, totaling not less than four thousand hours. On and after July 1, 1960, each applicant shall present to said department satisfactory evidence that before beginning the study of chiropractic he has completed at least two academic years or sixty semester hours of study leading to a baccalaureate degree in a college or university approved by said board with the consent of the Commissioner of Public Health. Said department shall issue a license to each applicant who passes the examination and who has met all other requirements of this chapter and any regulations adopted hereunder. There shall be paid to the department by each applicant a fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. The examination shall be administered by the Department of Public Health under the supervision of the board. Passing scores shall be established by the department with the consent of the board.

(c) The Department of Public Health may grant a license without written examination to any currently practicing, competent licensee from any other state having licensure requirements substantially similar to, or higher than, those of this state, who (1) is a graduate of an accredited school of chiropractic approved by said board with the consent of the Commissioner of Public Health, (2) presents evidence satisfactory to the department that he has completed a course of two academic years or sixty semester hours of study in a college or scientific school approved by the board with the consent of the Commissioner of Public Health, and (3) successfully passes the practical examination provided for in subsection (a) of section 20-28. There shall be paid to the department by each such applicant a fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. No license shall be issued under this section to any applicant against whom professional

disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board of the applications it receives for licenses under this section.

(d) Any person who has passed the prescribed examination shall receive from said department a license, which license shall include a statement that the person named therein is qualified to practice chiropractic. Any person practicing chiropractic in this state under a license granted by the Board of Chiropractic Examiners previous to July 1, 1927, shall, upon filing such license, together with the statement provided for, with the Department of Public Health, receive from said department a license. Said board shall file, annually, with the Department of Public Health, a list of accredited chiropractic colleges or institutions approved by said board with the consent of the Commissioner of Public Health.

Sec. 185. Section 20-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall engage in the practice of natureopathy in this state until he has obtained a license. No person shall receive a license until he has passed an examination prescribed by the department with the advice and consent of the board. The examination shall be administered by the Department of Public Health under the supervision of the board. Passing scores shall be established by the department with the consent of the board. Any person desiring to practice natureopathy shall make application to the department, upon such form as it adopts. Applications shall be in writing upon blanks furnished by said department, setting forth such facts concerning the applicant as said department requires and shall be signed by the applicant. Each applicant shall present to said department satisfactory evidence that he graduated from an approved high school, that he has completed a course of study of an academic year consisting of not less than thirty-two weeks' duration, or, if he begins the study of

natureopathy after September 1, 1963, not less than sixty-four weeks' duration, in a college or scientific school approved by the board with the consent of the Commissioner of Public Health or possessed educational qualifications equivalent to those required for graduation from such school before beginning the study of natureopathy and that he is a graduate of a legally chartered, reputable school or college of natureopathy, approved by said board with the consent of the Commissioner of Public Health. Said department shall issue a license to each applicant who passes the examination and who has met all other requirements of this chapter and any regulations adopted hereunder. There shall be paid to the department by such applicant a fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. Any person who has passed the prescribed examination shall receive from said department a license, which license shall include a statement that the person named therein is qualified to practice natureopathy. The secretary of said board shall file annually with the Department of Public Health a list of natureopathic colleges or institutions recognized by said board as legal and reputable.

Sec. 186. Section 20-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health shall hold examinations under the supervision of the board at least once each year and on such other days and at such time and place as the department may designate. Candidates shall be examined in the following subjects: Anatomy and histology, physiology, dermatology and syphilology, bacteriology and pathology, chemistry, pharmacy and materia medica, theory and practice of podiatry, including diagnosis, podiatric orthopedics and therapeutics in all branches as taught and practiced in the approved schools and colleges of podiatry. The fee for such examination shall be **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. The examination shall be prescribed by the department with the advice and consent of

the board. Passing scores shall be established by the department with the consent of the board.

Sec. 187. Section 20-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health may accept a certificate issued by the National Board of Podiatry Examiners or the license of any state board of podiatry examiners or duly authorized licensing agency of any state in the United States or in the District of Columbia, in lieu of the written examination provided for in this chapter, if the department finds that such applicant has been graduated from a chiropody or podiatry school or college recognized by the Connecticut Board of Examiners in Podiatry at the time of his graduation from such school or college and that such state board or licensing agency maintains standards for licensure determined by the department to be equal to or higher than those of this state, and that he has presented to said department evidence showing him to be of good professional standing, provided the application shall be accompanied by a fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board annually of the number of applications it receives for licensure under this section.

Sec. 188. Section 20-65k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner shall grant a license to practice athletic training to an applicant who presents evidence satisfactory to the commissioner of having met the requirements of section 20-65j. An application for such license shall be made on a form required by the commissioner. The fee for an initial license under this section shall be one hundred **[**fifty**]** <u>ninety</u> dollars.

(b) A license to practice athletic training may be renewed in accordance with the provisions of section 19a-88, provided any licensee applying for license renewal shall maintain certification as an athletic trainer by the Board of Certification, Inc., or its successor organization. The fee for such renewal shall be **[**one**]** two hundred dollars.

(c) The department may, upon receipt of an application for athletic training licensure, accompanied by the licensure application fee of one hundred **[**fifty**]** ninety dollars, issue a temporary permit to a person who has met the requirements of subsection (a) of section 20-65j, except that the applicant has not yet sat for or received the results of the athletic training certification examination administered by the Board of Certification, Inc., or its successor organization. Such temporary permit shall authorize the permittee to practice athletic training under the supervision of a person licensed pursuant to subsection (a) of this section. Such practice shall be limited to those settings where the licensed supervisor is physically present on the premises and is immediately available to render assistance and supervision, as needed, to the permittee. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of completion of the required course of study in athletic training and shall not be renewable. Such permit shall become void and shall not be reissued in the event that the permittee fails to pass the athletic training certification examination. No permit shall be issued to any person who has previously failed the athletic training certification examination or who is the subject of an unresolved complaint or pending professional disciplinary action. Violation of the restrictions on practice set forth in this section may constitute a basis for denial of licensure as an athletic trainer.

Sec. 189. Section 20-70 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) Any person who is a graduate of a school of physical therapy approved by the Board of Examiners for Physical Therapists, with the consent of the Commissioner of Public Health, or has successfully completed requirements for graduation from such school, shall be eligible for examination for licensure as a physical therapist upon the payment of a fee of two hundred **[**twenty-five**]** eighty-five dollars. The Department of Public Health, with the consent of the board, shall determine the subject matter of such examination, which shall be designed to show proficiency in physical therapy and related subjects, and shall determine whether such examination shall be written, oral or practical, or a combination thereof. Passing scores shall be established by the department with the consent of the board. Warning of such examination shall be given by the department not less than two weeks in advance of the date set for the examination. If the applicant passes such examination, the department shall issue to such applicant a license to practice physical therapy.

(2) Any person who is a graduate of a physical therapy or physical therapy assistant program accredited by the Commission on Accreditation in Physical Therapy shall be eligible for examination for licensure as a physical therapist assistant upon the payment of a fee of one hundred **[**fifty**]** ninety dollars. The department, with the consent of the board, shall determine the subject matter of such examination, which shall be designed to show proficiency in physical therapy and related subjects, and shall determine whether such examination shall be written, oral or practical, or a combination thereof. Passing scores shall be established by the department with the consent of the board. Warning of such examination shall be given by the department not less than two weeks in advance of the date set for the examination. If the applicant passes such examination, the department shall issue to such applicant a physical therapist assistant license. Any applicant for examination for licensure as a physical therapy assistant whose application is based on a diploma issued to such applicant by a foreign

physical therapy school shall furnish documentary evidence, satisfactory to the department, that the requirements for graduation are similar to or higher than those required of graduates of approved United States schools of physical therapy.

(b) (1) Any person who is a graduate of an approved United States physical therapy school and who has filed an application with the department may practice as a physical therapist under the direct and immediate supervision of a licensed physical therapist in this state for a period not to exceed one hundred twenty calendar days after the date of application. If the person practicing pursuant to this subdivision fails to pass the licensure examination, all privileges under this subdivision shall automatically cease.

(2) Any person who is a graduate of an approved United States physical therapist assistant school or an approved physical therapy school and who has filed an application with the department may practice as a physical therapist assistant under the direct and immediate supervision of a licensed physical therapist in this state for a period not to exceed one hundred twenty calendar days after the date of application. If the person practicing pursuant to this subdivision fails to pass the licensure examination, all privileges under this subdivision shall automatically cease.

(c) Any applicant under this section who fails to pass the examination prescribed by the department with the consent of the board may take a subsequent examination on payment of an additional application fee.

Sec. 190. Section 20-74d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The department may issue a temporary permit to an applicant who is a graduate of an educational program in occupational therapy who

meets the educational and field experience requirements of section 20-74b and has not yet taken the licensure examination. Such temporary permit shall authorize the holder to practice occupational therapy only under the direct supervision of a licensed occupational therapist and in a public, voluntary or proprietary facility. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of application and shall not be renewable. Such permit shall become void and shall not be reissued in the event that the applicant fails to pass such examination. The fee for a limited permit shall be **[**twenty-five**]** fifty dollars.

Sec. 191. Section 20-74f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The department shall issue a license to any person who meets the requirements of this chapter upon payment of a **[**one-hundred-dollar**]** two-hundred-dollar license fee. Any person who is issued a license as an occupational therapist under the terms of this chapter may use the words "occupational therapist", "licensed occupational therapist", or "occupational therapist registered" or he may use the letters "O.T.", "L.O.T.", or "O.T.R." in connection with his name or place of business to denote his registration hereunder. Any person who is issued a license as an occupational therapy assistant under the terms of this chapter may use the words "occupational therapy assistant", or he may use the letters "O.T.A.", "L.O.T.A.", or "C.O.T.A." in connection with his name or place of business to denote his registration thereunder. No person shall practice occupational therapy or hold himself out as an occupational therapist or an occupational therapy assistant, or as being able to practice occupational therapy or to render occupational therapy services in this state unless he is licensed in accordance with the provisions of this chapter.

(b) No person, unless registered under this chapter as an occupational therapist or an occupational therapy assistant or whose

registration has been suspended or revoked, shall use, in connection with his name or place of business the words "occupational therapist", "licensed occupational therapist", "occupational therapist registered", "occupational therapy assistant", or the letters, "O.T.", "L.O.T.", "O.T.R.", "O.T.A.", "L.O.T.A.", or "C.O.T.A.", or any words, letters, abbreviations or insignia indicating or implying that he is an occupational therapist or an occupational therapy assistant or in any way, orally, in writing, in print or by sign, directly or by implication, represent himself as an occupational therapist or an occupational therapy assistant. Any person who violates the provisions of this section shall be fined not more than five hundred dollars or imprisoned not more than five years, or both. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 192. Section 20-74s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) For purposes of this section and subdivision (18) of subsection (c) of section 19a-14:

(1) "Commissioner" means the Commissioner of Public Health;

(2) "Licensed alcohol and drug counselor" means a person licensed under the provisions of this section;

(3) "Certified alcohol and drug counselor" means a person certified under the provisions of this section;

(4) "Practice of alcohol and drug counseling" means the professional application of methods that assist an individual or group to develop an understanding of alcohol and drug dependency problems, define goals, and plan action reflecting the individual's or group's interest,

abilities and needs as affected by alcohol and drug dependency problems;

(5) "Private practice of alcohol and drug counseling" means the independent practice of alcohol and drug counseling by a licensed or certified alcohol and drug counselor who is self-employed on a full-time or part-time basis and who is responsible for that independent practice;

(6) "Self-help group" means a voluntary group of persons who offer peer support to each other in recovering from an addiction; and

(7) "Supervision" means the regular on-site observation of the functions and activities of an alcohol and drug counselor in the performance of his or her duties and responsibilities to include a review of the records, reports, treatment plans or recommendations with respect to an individual or group.

(b) Except as provided in subsections (s) to (x), inclusive, of this section, no person shall engage in the practice of alcohol and drug counseling unless licensed as a licensed alcohol and drug counselor pursuant to subsection (d) of this section or certified as a certified alcohol and drug counselor pursuant to subsection (e) of this section.

(c) Except as provided in subsections (s) to (x), inclusive, of this section, no person shall engage in the private practice of alcohol and drug counseling unless (1) licensed as a licensed alcohol and drug counselor pursuant to subsection (d) of this section, or (2) certified as a certified alcohol and drug counselor pursuant to subsection (e) of this section and practicing under the supervision of a licensed alcohol and drug counselor.

(d) To be eligible for licensure as a licensed alcohol and drug counselor, an applicant shall (1) have attained a master's degree from an accredited institution of higher education with a minimum of

eighteen graduate semester hours in counseling or counseling-related subjects, except that applicants holding certified clinical supervisor status by the Connecticut Certification Board, Inc. as of October 1, 1998, may substitute such certification in lieu of the master's degree requirement, and (2) be certified or have met all the requirements for certification as a certified alcohol and drug counselor.

(e) To be eligible for certification by the Department of Public Health as a certified alcohol and drug counselor, an applicant shall have (1) completed three hundred hours of supervised practical training in alcohol and drug counseling that the commissioner deems acceptable; (2) completed three years of supervised paid work experience or unpaid internship that the commissioner deems acceptable that entailed working directly with alcohol and drug clients, except that a master's degree may be substituted for one year of such experience; (3) completed three hundred sixty hours of commissioner-approved education, at least two hundred forty hours of which relates to the knowledge and skill base associated with the practice of alcohol and drug counseling; and (4) successfully completed a department prescribed examination.

(f) For individuals applying for certification as an alcohol and drug counselor by the Department of Public Health prior to October 1, 1998, current certification by the Department of Mental Health and Addiction Services may be substituted for the certification requirements of subsection (e) of this section.

(g) The commissioner shall grant a license as an alcohol and drug counselor to any applicant who furnishes satisfactory evidence that he has met the requirements of subsections (d) or (o) of this section. The commissioner shall develop and provide application forms. The application fee shall be one hundred **[**fifty**]** <u>ninety</u> dollars.

(h) A license as an alcohol and drug counselor shall be renewed in

accordance with the provisions of section 19a-88, as amended by this act, for a fee of one hundred [fifty] ninety dollars.

(i) The commissioner shall grant certification as a certified alcohol and drug counselor to any applicant who furnishes satisfactory evidence that he has met the requirements of subsections (e) or (o) of this section. The commissioner shall develop and provide application forms. The application fee shall be one hundred [fifty] ninety dollars.

(j) A certificate as an alcohol and drug counselor may be renewed in accordance with the provisions of section 19a-88, as amended by this act, for a fee of one hundred [fifty] ninety dollars.

(k) The commissioner may contract with a qualified private organization for services that include (1) providing verification that applicants for licensure or certification have met the education, training and work experience requirements under this section; and (2) any other services that the commissioner may deem necessary.

(l) Any person who has attained a master's level degree and is certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, shall be deemed a licensed alcohol and drug counselor. Any person so deemed shall renew his license pursuant to section 19a-88, as amended by this act, for a fee of one hundred [fifty] ninety dollars.

(m) Any person who has not attained a master's level degree and is certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, shall be deemed a certified alcohol and drug counselor. Any person so deemed shall renew his certification pursuant to section 19a-88, as amended by this act, for a fee of one hundred [fifty] ninety dollars.

(n) Any person who is not certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, who (1)

documents to the department that he has a minimum of five years full-time or eight years part-time paid work experience, under supervision, as an alcohol and drug counselor, and (2) successfully passes a commissioner-approved examination no later than July 1, 2000, shall be deemed a certified alcohol and drug counselor. Any person so deemed shall renew his certification pursuant to section 19a-88, as amended by this act, for a fee of one hundred **[**fifty**]** ninety dollars.

(o) The commissioner may license or certify without examination any applicant who, at the time of application, is licensed or certified by a governmental agency or private organization located in another state, territory or jurisdiction whose standards, in the opinion of the commissioner, are substantially similar to, or higher than, those of this state.

(p) No person shall assume, represent himself as, or use the title or designation "alcoholism counselor", "alcohol counselor", "alcohol and drug counselor", "alcoholism and drug counselor", "licensed clinical alcohol and drug counselor", "licensed alcohol and drug counselor", "licensed associate alcohol and drug counselor", "certified alcohol and drug counselor", "chemical dependency counselor", "chemical dependency supervisor" or any of the abbreviations for such titles, unless licensed or certified under subsections (g) to (n), inclusive, of this section and unless the title or designation corresponds to the license or certification held.

(q) The commissioner shall adopt regulations, in accordance with chapter 54, to implement provisions of this section.

(r) The commissioner may suspend, revoke or refuse to issue a license in circumstances that have endangered or are likely to endanger the health, welfare or safety of the public.

(s) Nothing in this section shall be construed to apply to the

activities and services of a rabbi, priest, minister, Christian Science practitioner or clergyman of any religious denomination or sect, when engaging in activities that are within the scope of the performance of the person's regular or specialized ministerial duties and for which no separate charge is made, or when these activities are performed, with or without charge, for or under the auspices or sponsorship, individually or in conjunction with others, of an established and legally cognizable church, denomination or sect, and when the person rendering services remains accountable to the established authority thereof.

(t) Nothing in this section shall be construed to apply to the activities and services of a person licensed in this state to practice medicine and surgery, psychology, marital and family therapy, clinical social work, professional counseling, advanced practice registered nursing or registered nursing, when such person is acting within the scope of the person's license and doing work of a nature consistent with that person's license, provided the person does not hold himself or herself out to the public as possessing a license or certification issued pursuant to this section.

(u) Nothing in this section shall be construed to apply to the activities and services of a student intern or trainee in alcohol and drug counseling who is pursuing a course of study in an accredited institution of higher education or training course, provided these activities are performed under supervision and constitute a part of an accredited course of study, and provided further the person is designated as an intern or trainee or other such title indicating the training status appropriate to his level of training.

(v) Nothing in this section shall be construed to apply to any alcohol and drug counselor or substance abuse counselor employed by the state, except that this section shall apply to alcohol and drug counselors employed by the Department of Correction pursuant to

subsection (x) of this section.

(w) Nothing in this section shall be construed to apply to the activities and services of paid alcohol and drug counselors who are working under supervision or uncompensated alcohol and drug abuse self-help groups, including, but not limited to, Alcoholics Anonymous and Narcotics Anonymous.

(x) The provisions of this section shall apply to employees of the Department of Correction, other than trainees or student interns covered under subsection (u) of this section and persons completing supervised paid work experience in order to satisfy mandated clinical supervision requirements for certification under subsection (e) of this section, as follows: (1) Any person hired by the Department of Correction on or after October 1, 2002, for a position as a substance abuse counselor or supervisor of substance abuse counselors shall be a licensed or certified alcohol and drug counselor; (2) any person employed by the Department of Correction prior to October 1, 2002, as a substance abuse counselor or supervisor of substance abuse counselors shall become licensed or certified as an alcohol and drug counselor by October 1, 2007; and (3) any person employed by the Department of Correction on or after October 1, 2007, as a substance abuse counselor or supervisor of substance abuse counselors shall be a licensed or certified alcohol and drug counselor.

Sec. 193. Section 20-74bb of the general statutes, as amended by section 49 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall operate a medical x-ray system unless such person has obtained a license as a radiographer from the department pursuant to this section. Operation of a medical x-ray system shall include energizing the beam, positioning the patient, and positioning or moving any equipment in relation to the patient. Each person

seeking licensure as a radiographer shall make application on forms prescribed by the department, pay an application fee of **[**one**]** two hundred dollars and present to the department satisfactory evidence that such person (1) has completed a course of study in radiologic technology in a program accredited by the Committee on Allied Health Education and Accreditation of the American Medical Association or its successor organization, or a course of study deemed equivalent to such accredited program by the American Registry of Radiologic Technologists, and (2) has passed an examination prescribed by the department and administered by the American Registry of Radiologic Technologists.

(b) A radiographer licensed pursuant to this chapter may operate a medical x-ray system under the supervision and upon the written or verbal order of a physician licensed pursuant to chapter 370, a chiropractor licensed pursuant to chapter 372, a natureopath licensed pursuant to chapter 373, a podiatrist licensed pursuant to chapter 375, a dentist licensed pursuant to chapter 379 or a veterinarian licensed pursuant to chapter 384.

(c) Licenses shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act. The fee for renewal shall be **[**fifty**]** one hundred dollars.

(d) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or territory.

(e) No person shall use the title "radiographer" unless such person holds a license issued in accordance with this section.

(f) Notwithstanding the provisions of subsection (a) of this section, a graduate of a course of study approved pursuant to subdivision (1) of

said subsection may operate a medical x-ray system for a period not to exceed one hundred twenty calendar days after the date of graduation, provided such graduate is working in a hospital or similar organization where adequate supervision is provided. If the person practicing pursuant to this subsection fails to pass the licensure examination, all privileges under this subsection shall cease.

(g) Notwithstanding the requirements of this section, the commissioner shall grant a license to any person who submits satisfactory evidence that such person has a degree in radiography or identical field of study under a different designation from an institution of higher education authorized to grant degrees by the state or country where located, has a minimum of ten years' experience in the field of radiography, has a temporary license from the Department of Public Health and applies for licensure prior to January 1, 1998.

(h) Notwithstanding the requirements of subsection (a) of this section, during the period from October 1, 2003, to October 31, 2003, inclusive, the commissioner shall grant a license to any person who (1) has practiced as a radiographer for at least ten years, one of which years was no earlier than two years from the date of application pursuant to this section, (2) holds a current registration as a radiation therapy technologist that was originally issued by the American Registry of Radiological Technologists on or before January 1, 1984, and (3) holds current licensure as a radiographer in another state, that was originally issued on or before January 1, 1984. No license shall be issued pursuant to this subsection to any applicant regarding whom disciplinary action was taken, is pending or who is the subject of an unresolved complaint.

Sec. 194. Section 20-86g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person who held a current valid license as a midwife on June

30, 1983, shall be entitled to renew such license annually, upon payment of a fee of **[**five**]** fifteen dollars, in accordance with the provisions of section 19a-88, as amended by this act.

Sec. 195. Section 20-93 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person who shows to the satisfaction of the department that he or she holds a degree, diploma or certificate from an accredited institution evidencing satisfactory completion of a nursing program approved by said board with the consent of the Commissioner of Public Health shall be eligible for examination for licensure as a registered nurse upon payment of a fee of **[**ninety**]** one hundred eighty dollars, the subjects of which examination shall be determined by said department with the advice and consent of the board. If such applicant passes such examination said department shall issue to such applicant a license to practice nursing in this state.

Sec. 196. Section 20-94 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) Any registered nurse who is licensed at the time of application in another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States, which has licensure requirements that are substantially similar to or higher than those of this state shall be eligible for licensure in this state and entitled to a license without examination upon payment of a fee of **[**ninety**]** one hundred eighty dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board annually of the number of applications it receives for licenses under this section.

(2) For the period from October 1, 2004, to one year after said date, any advanced practice registered nurse licensed pursuant to section 20-94a, as amended by this act, whose license as a registered nurse pursuant to section 20-93, as amended by this act, has become void pursuant to section 19a-88, as amended by this act, shall be eligible for licensure and entitled to a license without examination upon receipt of a completed application form and payment of a fee of **[**ninety**]** one hundred eighty dollars.

(b) The Department of Public Health may issue a temporary permit to an applicant for licensure without examination or to an applicant previously licensed in Connecticut whose license has become void pursuant to section 19a-88, as amended by this act, upon receipt of a completed application form, accompanied by the fee for licensure without examination, a copy of a current license from another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States, and a notarized affidavit attesting that said license is valid and belongs to the person requesting notarization. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days and shall not be renewable. No temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 197. Section 20-94a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Department of Public Health may issue an advanced practice registered nurse license to a person seeking to perform the activities described in subsection (b) of section 20-87a, upon receipt of a fee of **[**one**]** two hundred dollars, to an applicant who: (1) Maintains a license as a registered nurse in this state, as provided by section 20-93, as amended by this act, or 20-94, as amended by this act; (2) holds and maintains current certification as a nurse practitioner, a clinical nurse

specialist or a nurse anesthetist from one of the following national certifying bodies that certify nurses in advanced practice: The American Nurses' Association, the Nurses' Association of the American College of Obstetricians and Gynecologists Certification Corporation, the National Board of Pediatric Nurse Practitioners and Associates or the American Association of Nurse Anesthetists, their successors or other appropriate national certifying bodies approved by the Board of Examiners for Nursing; (3) has completed thirty hours of education in pharmacology for advanced nursing practice; and (4) if first certified by one of the foregoing certifying bodies after December 31, 1994, holds a master's degree in nursing or in a related field recognized for certification as either a nurse practitioner, a clinical nurse specialist, or a nurse anesthetist by one of the foregoing certifying bodies. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(b) During the period commencing January 1, 1990, and ending January 1, 1992, the Department of Public Health may in its discretion allow a registered nurse, who has been practicing as an advanced practice registered nurse in a nurse practitioner role and who is unable to obtain certification as a nurse practitioner by one of the national certifying bodies specified in subsection (a) of this section, to be licensed as an advanced practice registered nurse provided the individual:

(1) Holds a current Connecticut license as a registered nurse pursuant to this chapter;

(2) Presents the department with documentation of the reasons one of such national certifying bodies will not certify him as a nurse practitioner;

(3) Has been in active practice as a nurse practitioner for at least five

years in a facility licensed pursuant to section 19a-491, as amended by this act;

(4) Provides the department with documentation of his preparation as a nurse practitioner;

(5) Provides the department with evidence of at least seventy-five contact hours, or its equivalent, of continuing education related to his nurse practitioner specialty in the preceding five calendar years;

(6) Has completed thirty hours of education in pharmacology for advanced nursing practice;

(7) Has his employer provide the department with a description of his practice setting, job description, and a plan for supervision by a licensed physician;

(8) Notifies the department of each change of employment to a new setting where he will function as an advanced practice registered nurse and will be exercising prescriptive and dispensing privileges.

(c) Any person who obtains a license pursuant to subsection (b) of this section shall be eligible to renew such license annually provided he presents the department with evidence that he received at least fifteen contact hours, or its equivalent, eight hours of which shall be in pharmacology, of continuing education related to his nurse practitioner specialty in the preceding licensure year. If an individual licensed pursuant to subsection (b) of this subsection becomes eligible at any time for certification as a nurse practitioner by one of the national certifying bodies specified in subsection (a) of this section, the individual shall apply for certification, and upon certification so notify the department, and apply to be licensed as an advanced practice registered nurse in accordance with subsection (a) of this section.

(d) A person who has received a license pursuant to this section

shall be known as an "Advanced Practice Registered Nurse" and no other person shall assume such title or use the letters or figures which indicate that the person using the same is a licensed advanced practice registered nurse.

Sec. 198. Section 20-96 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person who holds a certificate from a nursing program approved by said board with the consent of the Commissioner of Public Health, which program consists of not less than twelve months' instruction in the care of the sick as prescribed by said board, or its equivalent as determined by said board, shall be eligible for examination for licensure as a licensed practical nurse upon payment of a fee of **[**seventy-five**]** one hundred fifty dollars. Such examination shall include such subjects as the department, with the advice and consent of the board, determines. If such applicant passes such examination said department shall issue to such applicant a license to practice as a licensed practical nurse in this state.

Sec. 199. Section 20-97 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person who is licensed at the time of application as a licensed practical nurse, or as a person entitled to perform similar services under a different designation, in another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States whose requirements for licensure in such capacity are substantially similar to or higher than those of this state, shall be eligible for licensure in this state and entitled to a license without examination upon payment of a fee of **[**seventy-five**]** one hundred fifty dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The

department shall inform the board annually of the number of applications it receives for licenses under this section.

(b) The Department of Public Health may issue a temporary permit to an applicant for licensure without examination or to an applicant previously licensed in Connecticut whose license has become void pursuant to section 19a-88, as amended by this act, upon receipt of a completed application form, accompanied by the appropriate fee for licensure without examination, a copy of a current license from another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States and a notarized affidavit attesting that the license is valid and belongs to the person requesting notarization. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days and shall not be renewable. No temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 200. Section 20-109 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Upon the payment of a fee of **[**four hundred fifty**]** five hundred sixty-five dollars by an applicant, the Department of Public Health, under the supervision of the dental commissioners shall examine applicants. All examinations shall be given at least once per year and at other times prescribed by the department. The department shall grant licenses to such applicants as are qualified.

Sec. 201. Section 20-110 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health may without examination, issue a license to any dentist who is licensed in some other state or territory, if such other state or territory has requirements for admission

determined by the department to be similar to or higher than the requirements of this state, upon certification from the board of examiners or like board of the state or territory in which such dentist was a practitioner certifying to his competency and upon payment of a fee of **[**four hundred fifty**]** five hundred sixty-five dollars to said department. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the Dental Commission annually of the number of applications it receives for licensure under this section.

Sec. 202. Section 20-123b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after the effective date of the regulations adopted in accordance with subsection (d) of this section, no dentist licensed under this chapter shall use general anesthesia or conscious sedation, as these terms are defined in section 20-123a, on any patient unless such dentist has a permit, currently in effect, issued by the commissioner, initially for a period of twelve months and renewable annually thereafter, authorizing the use of such general anesthesia or conscious sedation.

(b) No applicant shall be issued a permit initially as required in subsection (a) of this section unless (1) the commissioner approves the results of an on-site evaluation of the applicant's facility conducted in consultation with the Connecticut Society of Oral and Maxillo-Facial Surgeons by an individual or individuals selected from a list of site evaluators approved by the commissioner, provided such evaluation is conducted without cost to the state, (2) the commissioner is satisfied that the applicant is in compliance with guidelines in the American Dental Association Guidelines for Teaching and the Comprehensive Control of Pain and Anxiety in Dentistry, and (3) such initial application includes payment of a fee in the amount of **[**one hundred

sixty**]** two hundred dollars.

(c) The commissioner may renew such permit annually, provided (1) application for renewal is received by the commissioner not later than three months after the date of expiration of such permit, (2) payment of a renewal fee of **[**one hundred sixty**]** two hundred dollars is received with such application and (3) an on-site evaluation of the dentist's facility is conducted in consultation with The Connecticut Society of Oral and Maxillo-Facial Surgeons by an individual or individuals selected from a list of site evaluators approved by the commissioner, provided such evaluation is conducted without cost to the state on a schedule established in regulations adopted pursuant to this section and the commissioner approves the results of each such evaluation.

(d) The commissioner, with the advice and assistance of the State Dental Commission, shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section.

Sec. 203. Section 20-126i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each application for a license to practice dental hygiene shall be in writing and signed by the applicant and accompanied by satisfactory proof that such person has received a diploma or certificate of graduation from a dental hygiene program with a minimum of two academic years of curriculum provided in a college or institution of higher education the program of which is accredited by the Commission on Dental Accreditation or such other national professional accrediting body as may be recognized by the United States Department of Education, and a fee of **[**seventy-five**]** one hundred fifty dollars.

(b) Notwithstanding the provisions of subsection (a) of this section,

each application for a license to practice dental hygiene from an applicant who holds a diploma from a foreign dental school shall be in writing and signed by the applicant and accompanied by satisfactory proof that such person has (1) graduated from a dental school located outside the United States and received the degree of doctor of dental medicine or surgery, or its equivalent; (2) passed the written and practical examinations required in section 20-126j; and (3) enrolled in a dental hygiene program in this state that is accredited by the Commission on Dental Accreditation or its successor organization and successfully completed not less than one year of clinical training in a community health center affiliated with and under the supervision of such dental hygiene program.

Sec. 204. Section 20-126k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health may, without examination, issue a license to any dental hygienist who has provided evidence of professional education not less than that required in this state and who is licensed in some other state or territory, if such other state or territory has requirements of admission determined by the department to be similar to or higher than the requirements of this state, upon certification from the board of examiners or like board of the state or territory in which such dental hygienist was a practitioner certifying to his competency and upon payment of a fee of **[**seventy-five**]** <u>one hundred fifty</u> dollars to said department. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 205. Section 20-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each person, before beginning the practice of optometry in this

state, except as hereinafter provided, shall present to the Department of Public Health satisfactory evidence that such person has been graduated from a school of optometry approved by the board of examiners with the consent of the Commissioner of Public Health. The board shall consult, where possible, with nationally recognized accrediting agencies when approving schools of optometry. All applicants shall be required to successfully complete an examination prescribed by the Department of Public Health with the consent of the board of examiners, in theoretic, practical and physiological optics, theoretic and practical optometry, ocular pharmacology, treatment and management of ocular disease, and the anatomy and physiology of the eye; and said department shall determine the qualifications of the applicant and, if they are found satisfactory, shall give a license to that effect. Passing scores shall be established by the department with the consent of the board. The department may, upon receipt of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars, issue a license to any person who is a currently practicing competent practitioner who holds (1) a license issued to such person after examination by a board of registration in optometry in any other state or territory of the United States in which the requirements for registration are deemed by the department to be equivalent to, or higher than, those prescribed in this chapter, or (2) a Council on Endorsed Licensure Mobility for Optometrists certificate issued by the Association of Regulatory Boards of Optometry, or its successor organization. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 206. Section 20-149 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A license under the provisions of this chapter shall be given under the hand of the Commissioner of Public Health or his designee. A fee

shall be paid to the department, at the date of application for a license, as follows: For licensed optician, granting full responsibility, **[**one**]** two hundred dollars. Such licenses shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, and a fee shall be paid to the department at the date of renewal application as follows: For a licensed optician, **[**one**]** two hundred dollars.

Sec. 207. Section 20-151 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any licensed optician and any optical department in any establishment, office or store may apply to said department for a registration certificate to sell at retail optical glasses and instruments from given formulas and to make and dispense reproductions of the same, in a shop, store, optical establishment or office owned and managed by a licensed optician as defined in section 20-145 or where the optical department thereof is under the supervision of such a licensed optician, and said registration shall be designated as an optical selling permit. Said department shall grant such permits for a period not exceeding one year, upon the payment of a fee of **[**two hundred fifty**]** three hundred fifteen dollars, and upon satisfactory evidence to said department that such optical establishment, office or store is being conducted in accordance with the regulations adopted under this chapter. Such permit shall be conspicuously posted within such optical establishment, office or store. All permits issued under the provisions of this chapter shall expire on September first in each year.

Sec. 208. Section 20-159 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each person entering into employment in an optical office, store or establishment for the purpose of obtaining practical experience and skill required under the provisions of this chapter shall register as an

apprentice with the department and the computation of any period of apprenticeship shall commence at the date of such registration. Such application for registration shall be certified to, under oath, by the employer and by such applicant, and the department may issue to such applicant an apprentice's certificate. A renewal of each certification of such apprenticeship shall be filed with the department annually. A fee of **[**twenty-five**]** fifty dollars shall accompany the original application and any renewals of the same. Any person who served part of his apprenticeship in any other state or country not requiring such registration shall be obliged to give proof of such service satisfactory to the department.

Sec. 209. Section 20-162o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person seeking licensure as a respiratory care practitioner shall make application on forms prescribed by the commissioner, pay an application fee of one hundred **[**fifty**]** ninety dollars and present to the commissioner satisfactory evidence that (1) he has successfully completed an educational program for respiratory therapists or respiratory therapy technicians which, at the time of his completion, was accredited by the Committee on Allied Health Education and Accreditation, or the Commission on Accreditation of Allied Health Education Programs, in cooperation with the Joint Review Committee for Respiratory Therapy Education, or was recognized by the Joint Review Committee for Respiratory Therapy Education, (2) he has passed the entry level or advanced practitioner respiratory care examination administered by the National Board for Respiratory Care, Inc., and (3) he is currently credentialed by the National Board for Respiratory Care as a certified respiratory therapy technician or registered respiratory therapist.

(b) Notwithstanding the provisions of subsection (a) of this section, the department may issue a license as a respiratory care practitioner to

a person who (1) was credentialed by the National Board for Respiratory Care as a certified respiratory therapy technician not later than June 30, 1978, or as a registered respiratory therapist not later than June 30, 1971, and (2) meets the requirements of subdivisions (2) and (3) of subsection (a) of this section. Each person seeking licensure pursuant to this subsection shall make application on forms prescribed by the commissioner, pay an application fee of one hundred **[**fifty**]** ninety dollars and present to the commissioner satisfactory evidence of his credentialing by said board.

(c) Notwithstanding the provisions of subsection (a) of this section, the department may issue a license as a respiratory care practitioner to a person who (1) has been registered as a respiratory therapist by the Canadian Society of Respiratory Therapists, (2) has passed the clinical simulation examination of the National Board for Respiratory Care and (3) is currently credentialed by said board as a registered respiratory therapist. Each person seeking licensure pursuant to this subsection shall make application on forms prescribed by the commissioner, pay an application fee of one hundred **[**fifty**]** ninety dollars and present to the commissioner satisfactory evidence of his credentialing by said society and said board.

(d) The department may, upon receipt of an application for respiratory care licensure, accompanied by the licensure application fee of one hundred **[**fifty**]** ninety dollars, issue a temporary permit to a person who has completed an educational program in respiratory care which satisfies the requirements of subdivision (1) of subsection (a) of this section. Such temporary permit shall authorize the permittee to practice as a respiratory care practitioner under the supervision of a person licensed pursuant to this section. Such practice shall be limited to those settings where the licensed supervisor is physically present on the premises and is immediately available to render assistance and supervision as needed, to the permittee. Such temporary permit shall

be valid from the date of issuance of same until the date of issuance of the results of the first examination administered pursuant to subdivision (2) of subsection (a) of this section, following the permittee's completion of said educational program in respiratory care. Such permit shall remain valid for each person who passes said examination until the permittee receives their license from the department. Such permit shall become void and shall not be reissued in the event that the permittee fails to pass said examination. No permit shall be issued to any person who has previously failed said examination or who is the subject of an unresolved complaint or pending professional disciplinary action. Violation of the restrictions on practice set forth in this section may constitute a basis for denial of licensure as a respiratory care practitioner.

(e) Notwithstanding the provisions of subsection (a) of this section, from July 1, 1995, until July 1, 1996, a person seeking licensure pursuant to this section may present to the department satisfactory evidence that he has, from July 1, 1980, until July 1, 1995, practiced as a respiratory care practitioner for at least ten years and has been determined eligible by the National Board for Respiratory Care, Inc. to sit for the examination required pursuant to subdivision (2) of subsection (a) of this section, provided any license issued pursuant to this subsection shall become void on October 1, 1997, unless the person has, on or before that date, presented to the department satisfactory evidence that he has met the requirements of subdivisions (2) and (3) of subsection (a) of this section.

(f) Licenses shall be renewed annually in accordance with the provisions of section 19a-88<u>, as amended by this act</u>. The fee for renewal shall be **[**fifty**]** <u>one hundred</u> dollars.

(g) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or

territory.

(h) The commissioner may adopt regulations in accordance with the provisions of chapter 54 to administer provisions of sections 20-162n to 20-162q, inclusive.

Sec. 210. Section 20-188 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Before granting a license to a psychologist, the department shall, except as provided in section 20-190, as amended by this act, require any applicant therefor to pass an examination in psychology prescribed by the department with the advice and consent of the board. Each applicant shall pay a fee of **[**four hundred fifty**]** five hundred sixty-five dollars, and shall satisfy the department that such applicant (1) has received the doctoral degree based on a program of studies whose content was primarily psychological from an educational institution approved in accordance with section 20-189; and (2) has had at least one year's experience that meets the requirements established in regulations adopted by the department, in consultation with the board, in accordance with the provisions of chapter 54. The department shall establish a passing score with the consent of the board. Any certificate granted by the board of examiners prior to June 24, 1969, shall be deemed a valid license permitting continuance of profession subject to the provisions of this chapter.

Sec. 211. Section 20-190 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

An applicant for licensure by endorsement shall present evidence satisfactory to the Department of Public Health that the applicant is a currently practicing, competent practitioner and who at the time of application is licensed or certified by a similar board of another state whose standards, in the opinion of the department, are substantially

similar to, or higher than, those of this state, or that the applicant holds a current certificate of professional qualification in psychology from the Association of State and Provincial Psychology Boards. The department may waive the examination for any person holding a diploma from a nationally recognized board or agency approved by the department, with the consent of the board of examiners. The department may require such applicant to provide satisfactory evidence that the applicant understands Connecticut laws and regulations relating to the practice of psychology. The fee for such license shall be **[**four hundred fifty**]** five hundred sixty-five dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board annually of the number of applications it receives for licensure by endorsement under this section.

Sec. 212. Section 20-195c of the general statutes, as amended by section 44 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each applicant for licensure as a marital and family therapist shall present to the department satisfactory evidence that such applicant has: (1) Completed a graduate degree program specializing in marital and family therapy from a regionally accredited college or university or an accredited postgraduate clinical training program approved by the Commission on Accreditation for Marriage and Family Therapy Education and recognized by the United States Department of Education; (2) completed a supervised practicum or internship with emphasis in marital and family therapy supervised by the program granting the requisite degree or by an accredited postgraduate clinical training program, approved by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education in which the

student received a minimum of five hundred direct clinical hours that included one hundred hours of clinical supervision; (3) completed a minimum of twelve months of relevant postgraduate experience, including at least (A) one thousand hours of direct client contact offering marital and family therapy services subsequent to being awarded a master's degree or doctorate or subsequent to the training year specified in subdivision (2) of this subsection, and (B) one hundred hours of postgraduate clinical supervision provided by a licensed marital and family therapist; and (4) passed an examination prescribed by the department. The fee shall be **[**two hundred fifty**]** three hundred fifteen dollars for each initial application.

(b) The department may grant licensure without examination, subject to payment of fees with respect to the initial application, to any applicant who is currently licensed or certified in another state as a marital or marriage and family therapist on the basis of standards which, in the opinion of the department, are substantially similar to or higher than those of this state. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(c) Licenses issued under this section may be renewed annually in accordance with the provisions of section 19a-88, as amended by this act. The fee for such renewal shall be **[**two hundred fifty**]** three hundred fifteen dollars. Each licensed marital and family therapist applying for license renewal shall furnish evidence satisfactory to the commissioner of having participated in continuing education programs. The commissioner shall adopt regulations, in accordance with chapter 54, to (1) define basic requirements for continuing education programs, (2) delineate qualifying programs, (3) establish a system of control and reporting, and (4) provide for waiver of the continuing education requirement for good cause.

Sec. 213. Section 20-195o of the general statutes, as amended by

section 18 of public act 09-1 of the June 19 special session, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Application for licensure shall be on forms prescribed and furnished by the commissioner. Each applicant shall furnish evidence satisfactory to the commissioner that he has met the requirements of section 20-195n. The application fee shall be **[**two hundred fifty**]** three hundred fifteen dollars.

(b) Notwithstanding the provisions of section 20-195n concerning examinations, the commissioner may issue a license without examination, prior to January 1, 1998, to any applicant who offers proof to the satisfaction of the commissioner that he met the requirements of subdivisions (1) and (2) of section 20-195n and was an employee of the federal government with not less than three thousand hours postmaster's social work experience prior to October 1, 1986.

(c) (1) Each person licensed pursuant to this chapter may apply for renewal of such licensure in accordance with the provisions of subsection (e) of section 19a-88, as amended by this act. A fee of one hundred **[**fifty**]** ninety dollars shall accompany each renewal application. Each such applicant shall furnish evidence satisfactory to the commissioner of having participated in continuing education. The commissioner shall adopt regulations in accordance with chapter 54 to (A) define basic requirements for continuing education programs, (B) delineate qualifying programs, (C) establish a system of control and reporting, and (D) provide for waiver of the continuing education requirement for good cause.

(2) A person licensed pursuant to this chapter who holds a professional educator certificate that is endorsed for school social work and issued by the State Board of Education pursuant to sections 10-144o to 10-149, inclusive, as amended by **[**this act**]** section 9 of public

act 09-1 of the June special session, may satisfy the continuing education requirements contained in regulations adopted pursuant to this section by successfully completing professional development activities pursuant to subsection (i) of section 10-145b, as amended by **[**this act**]** section 2 of public act 09-1 of the June 19 special session and this act, provided the number of continuing education hours completed by such person is equal to the number of hours per registration period required by such regulations. For purposes of this subdivision, "registration period" means the one-year period during which a license has been renewed in accordance with section 19a-88, as amended by this act, and is current and valid.

Sec. 214. Section 20-195cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Public Health shall grant a license as a professional counselor to any applicant who furnishes evidence satisfactory to the commissioner that such applicant has met the requirements of section 20-195dd. The commissioner shall develop and provide application forms. The application fee shall be **[**two hundred fifty**]** three hundred fifteen dollars.

(b) Licenses issued under this section may be renewed annually pursuant to section 19a-88, as amended by this act. The fee for such renewal shall be one hundred **[**fifty**]** ninety dollars. Each licensed professional counselor applying for license renewal shall furnish evidence satisfactory to the commissioner of having participated in continuing education programs. The commissioner shall adopt regulations, in accordance with chapter 54, to (1) define basic requirements for continuing education programs, (2) delineate qualifying programs, (3) establish a system of control and reporting, and (4) provide for a waiver of the continuing education requirement for good cause.

Sec. 215. Section 20-199 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall be issued a license until such person has taken and passed, with a minimum passing grade established by the department with the consent of the board, written, oral or practical examinations prescribed by the department with the advice and consent of the board. Before being admitted to the examination, each applicant shall pay to the department the sum of **[**four hundred fifty**]** five hundred sixty-five dollars and an applicant rejected by the department may be reexamined at any subsequent time, upon payment of the sum of **[**four hundred fifty**]** five hundred sixty-five dollars for each appearance. The Department of Public Health under the supervision of the board shall hold such examinations at least once each year at such places as it designates and at such other times and places as it determines.

Sec. 216. Section 20-200 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Notwithstanding the provisions of section 20-198, the Department of Public Health may issue a license by endorsement to any veterinarian of good professional character who is currently licensed and practicing in some other state or territory, having requirements for admission determined by the department to be at least equal to the requirements of this state, upon the payment of a fee of **[**four hundred fifty**]** five hundred sixty-five dollars to said department. Notwithstanding the provisions of section 20-198, the department may, upon payment of a fee of **[**four hundred fifty**]** five hundred sixty-five dollars, issue a license without examination to a currently practicing, competent veterinarian in another state or territory who (1) holds a current valid license in good professional standing issued after examination by another state or territory that maintains licensing standards which, except for examination, are commensurate with this state's standards, and (2) has worked

continuously as a licensed veterinarian in an academic or clinical setting in another state or territory for a period of not less than five years immediately preceding the application for licensure without examination. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board annually of the number of applications it receives for licensure under this section.

(b) The Department of Public Health may issue a temporary permit to an applicant for licensure without examination upon receipt of a completed application form, accompanied by the fee for licensure without examination, a copy of a current license from another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States, and a notarized affidavit attesting that the license is valid and belongs to the person requesting notarization. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days and shall not be renewable. The department shall not issue a temporary permit under this section to any applicant against whom professional disciplinary action is pending, or who is the subject of an unresolved complaint.

Sec. 217. Section 20-206b of the general statutes, as amended by section 1 of public act 09-182, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall engage in the practice of massage therapy unless the person has obtained a license from the department pursuant to this section. Each person seeking licensure as a massage therapist shall make application on forms prescribed by the department, pay an application fee of three hundred <u>seventy-five</u> dollars and present to the department satisfactory evidence that the applicant: (1) Has graduated from a school of massage therapy offering a course of study of not less

than five hundred classroom hours, with the instructor present, and, at the time of the applicant's graduation, was either (A) accredited by an agency recognized by the United States Department of Education or by a state board of postsecondary technical trade and business schools, or (B) accredited by the Commission on Massage Therapy Accreditation, and (2) has passed the National Certification Examination for Therapeutic Massage and Bodywork. Passing scores on the examination shall be prescribed by the department.

(b) Licenses shall be renewed once every two years in accordance with the provisions of section 19a-88, as amended by this act. The fee for renewal shall be two hundred fifty dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or jurisdiction. Any certificate granted by the department prior to June 1, 1993, shall be deemed a valid license permitting continuance of profession subject to the provisions of this chapter.

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

(2) Notwithstanding the provisions of subsection (a) of this section and subdivision (1) of this subsection, the department may issue a license to an applicant who submits evidence satisfactory to the commissioner that the applicant (A) was enrolled, on or before July 1, 2005, in a school of massage therapy that was approved or accredited by a state board of postsecondary technical trade and business schools or a state agency recognized as such state's board of postsecondary technical trade and business schools, (B) graduated from a school of massage therapy with a course of study of not less than five hundred classroom hours, with the instructor present, that at the time of the applicant's graduation was approved or accredited by a state board of postsecondary technical trade and business schools or a state agency recognized as such state's board of postsecondary technical trade and business schools, and (C) has passed the National Certification Examination for Therapeutic Massage and Bodywork. Passing scores on the examination shall be prescribed by the department.

(d) Each person licensed pursuant to this section has an affirmative duty to make a written referral to a licensed healing arts practitioner, as defined in section 20-1, of any client who has any physical or medical condition that would constitute a contraindication for massage therapy or that may require evaluation or treatment beyond the scope of massage therapy.

(e) No person shall use the title "massage therapist", "licensed massage therapist", "massage practitioner", "massagist", "masseur" or "masseuse", unless the person holds a license issued in accordance with this section or other applicable law.

(f) Notwithstanding the provisions of subsection (a) of this section, the commissioner may issue a license to an out-of-state applicant who submits evidence satisfactory to the commissioner of either: (1) (A) A current license to practice therapeutic massage from another state or jurisdiction, (B) documentation of practice for at least one year

immediately preceding application, and (C) successful completion of the National Certification Examination for Therapeutic Massage and Bodywork; or (2) (A) graduation from a school of massage therapy offering a course of study of not less than five hundred classroom hours, with the instructor present, and, at the time of the applicant's graduation, was either (i) accredited by an agency recognized by the United States Department of Education or by a state board of postsecondary technical trade and business schools, or (ii) accredited by the Commission on Massage Therapy Accreditation, and (B) successful completion of the National Certification Examination for Therapeutic Massage and Bodywork.

(g) Any person who violates the provisions of subsection (a) or (e) of this section shall be guilty of a class C misdemeanor.

Sec. 218. Section 20-206e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The department may, upon receipt of an application for massage therapist licensure, accompanied by the licensure application fee of three hundred <u>seventy-five</u> dollars, issue a temporary permit to a person who has met the requirements of subsection (a) of section 20-206b, <u>as amended by this act,</u> except that the applicant has not yet sat for or received the results of the examination required under said subsection (a). Such temporary permit shall authorize the permittee to practice as a massage therapist under the supervision of a person licensed pursuant to section 20-206b<u>, as amended by this act</u>. Such practice shall be limited to those settings where the licensed supervisor is physically present on the premises and is immediately available to render assistance and supervision, as needed, to the permittee. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of completion of the required course of study in massage therapy and shall not be renewable. Such permit shall become void and shall not be reissued in

the event that the permittee fails to pass the examination for licensure. No permit shall be issued to any person who has previously failed the examination for licensure prescribed pursuant to section 20-206b, as amended by this act, or who is the subject of an unresolved complaint or pending professional disciplinary action. Violation of the restrictions on practice set forth in this section may constitute a basis for denial of licensure as a massage therapist.

Sec. 219. Section 20-206n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The department may, upon receipt of an application and fee of one hundred **[**fifty**]** ninety dollars, issue a certificate as a dietitian-nutritionist to any applicant who has presented to the commissioner satisfactory evidence that (1) such applicant is certified as a registered dietitian by the Commission on Dietetic Registration, or (2) such applicant has (A) successfully passed a written examination prescribed by the commissioner, and (B) received a master's degree or doctoral degree, from an institution of higher education accredited to grant such degree by a regional accrediting agency recognized by the United States Department of Education, with a major course of study which focused primarily on human nutrition or dietetics and which included a minimum of thirty graduate semester credits, twenty-one of which shall be in not fewer than five of the following content areas: (i) Human nutrition or nutrition in the life cycle, (ii) nutrition biochemistry, (iii) nutrition assessment, (iv) food composition or food science, (v) health education or nutrition counseling, (vi) nutrition in health and disease, and (vii) community nutrition or public health nutrition.

(b) No certificate shall be issued under this section to any applicant against whom a professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 220. Section 20-206o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The department may, upon receipt of an application and fee of one hundred **[**fifty**]** ninety dollars, issue a certificate without examination to any person who presents proof of current licensure or certification as a dietitian or nutritionist in another state, the District of Columbia, or territory of the United States which maintains standards for certification determined by the department to be equal to or higher than those of this state. No certificate shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 221. Section 20-206r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Certificates issued under section 20-206n, as amended by this act, or 20-206o, as amended by this act, shall be renewed annually, subject to the provisions of section 19a-88, as amended by this act, upon payment of a **[**fifty-dollar**]** one-hundred-dollar renewal fee.

Sec. 222. Section 20-206bb of the general statutes, as amended by section 1 of public act 09-21, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall perform acupuncture without a license as an acupuncturist issued pursuant to this section.

(b) Each person seeking licensure as an acupuncturist shall make application on forms prescribed by the department, pay an application fee of **[**one**]** two hundred dollars and present to the department satisfactory evidence that the applicant (1) has completed sixty semester hours, or its equivalent, of postsecondary study in an institution of postsecondary education that, if in the United States or its territories, was accredited by a recognized regional accrediting

body or, if outside the United States or its territories, was legally chartered to grant postsecondary degrees in the country in which located, (2) has successfully completed a course of study in acupuncture in a program that, at the time of graduation, was in candidate status with or accredited by an accrediting agency recognized by the United States Department of Education and included a minimum of one thousand three hundred fifty hours of didactic and clinical training, five hundred of which were clinical, (3) has passed an examination prescribed by the department and (4) has successfully completed a course in clean needle technique prescribed by the department. Any person successfully completing the education, examination or training requirements of this section in a language other than English shall be deemed to have satisfied the requirement completed in that language.

(c) An applicant for licensure as an acupuncturist by endorsement shall present evidence satisfactory to the commissioner of licensure or certification as an acupuncturist, or as a person entitled to perform similar services under a different designation, in another state or jurisdiction whose requirements for practicing in such capacity are substantially similar to or higher than those of this state and that there are no disciplinary actions or unresolved complaints pending. Any person completing the requirements of this section in a language other than English shall be deemed to have satisfied the requirements of this section.

(d) Notwithstanding the provisions of subsection (b) of this section, the department shall, prior to September 1, 2005, issue a license to any applicant who presents to the department satisfactory evidence that the applicant has (1) earned, or successfully completed requirements for, a master's degree in acupuncture from a program that includes a minimum of one thousand three hundred fifty hours of didactic and clinical training, five hundred of which are clinical, from an institution

of higher education accredited by the Department of Higher Education at the time of the applicant's graduation, (2) passed all portions of the National Certification Commission for Acupuncture and Oriental Medicine acupuncture examination, including the acupuncture portion of the comprehensive written examination in acupuncture, the clean needle technique portion of the comprehensive written examination in acupuncture and the practical examination of point location skills, and (3) successfully completed a course in clean needle technique offered by the Council of Colleges of Acupuncture and Oriental Medicine.

(e) Licenses shall be renewed once every two years in accordance with the provisions of subsection (e) of section 19a-88, as amended by this act. The fee for renewal shall be two hundred fifty dollars.

(f) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or territory of the United States.

(g) Nothing in section 19a-89c, 20-206aa, 20-206cc or this section shall be construed to prevent licensed practitioners of the healing arts, as defined in sections 20-1 and 20-196, physical therapists or dentists from providing care or performing services consistent with accepted standards within their respective professions.

(h) Notwithstanding the provisions of subsection (a) of this section, any person certified by an organization approved by the Commissioner of Public Health may practice auricular acupuncture for the treatment of alcohol and drug abuse, provided the treatment is performed under the supervision of a physician licensed under chapter 370 and is performed in either (1) a private free-standing facility licensed by the Department of Public Health for the care or treatment of substance abusive or dependent persons, or (2) a setting operated by the Department of Mental Health and Addiction Services. The

Commissioner of Public Health shall adopt regulations, in accordance with the provisions of chapter 54, to ensure the safe provision of auricular acupuncture within private free-standing facilities licensed by the Department of Public Health for the care or treatment of substance abusive or dependent persons.

(i) Notwithstanding the provisions of subsection (a) of this section, no license to practice acupuncture is required of: (1) Students enrolled in a college or program of acupuncture if (A) the college or program is recognized by the Accreditation Commission for Acupuncture and Oriental Medicine or licensed or accredited by the Board of Governors of Higher Education, and (B) the practice that would otherwise require a license is pursuant to a course of instruction or assignments from a licensed instructor and under the supervision of the instructor; or (2) licensed faculty members providing the didactic and clinical training necessary to meet the accreditation standards of the Accreditation Commission for Acupuncture and Oriental Medicine at a college or program recognized by the commission or licensed or accredited by the Board of Governors of Higher Education. For purposes of this subsection, "licensed faculty member" and "licensed instructor" means a faculty member or instructor licensed under this section or otherwise authorized to practice acupuncture in this state.

(j) No person shall use the title "acupuncturist", or use in connection with his or her name, any letters, words or insignia indicating or implying that such person is a licensed acupuncturist or advertise services as an acupuncturist, unless such person holds a license as an acupuncturist issued pursuant to this section. No person shall represent himself or herself as being certified to practice auricular acupuncture for the treatment of alcohol and drug abuse, or use in connection with his or her name the term "acupuncture detoxification specialist", or the letters "A.D.S." or any letters, words or insignia indicating or implying that such person is certified to practice

auricular acupuncture for the treatment of alcohol and drug abuse unless such person is certified in accordance with subsection (h) of this section. Nothing in this subsection shall be construed to prevent a person from providing care, or performing or advertising services within the scope of such person's license or as otherwise authorized in this section.

Sec. 223. Section 20-206*ll* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner, as defined in section 19a-175, shall issue a license as a paramedic to any applicant who furnishes evidence satisfactory to the commissioner that the applicant has met the requirements of section 20-206mm, as amended by this act. The commissioner shall develop and provide application forms. The application fee shall be **[**seventy-five**]** one hundred fifty dollars.

(b) The license may be renewed annually pursuant to section 19a-88, as amended by this act, for a fee of **[**seventy-five**]** one hundred fifty dollars.

Sec. 224. Section 20-206mm of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as provided in subsections (b) and (c) of this section, an applicant for a license as a paramedic shall submit evidence satisfactory to the commissioner, as defined in section 19a-175, that the applicant has successfully (1) completed a mobile intensive care training program approved by the commissioner, and (2) passed an examination prescribed by the commissioner.

(b) An applicant for licensure by endorsement shall present evidence satisfactory to the commissioner that the applicant (1) is licensed or certified as a paramedic in another state or jurisdiction whose requirements for practicing in such capacity are substantially

similar to or higher than those of this state and that the applicant has no pending disciplinary action or unresolved complaint against him or her, or (2) (A) is currently licensed or certified as a paramedic in good standing in any New England state, New York or New Jersey, (B) has completed an initial training program consistent with the United States Department of Transportation, National Highway Traffic Safety Administration paramedic curriculum, and (C) has no pending disciplinary action or unresolved complaint against him or her.

(c) Any person who is certified as an emergency medical technician-paramedic by the Department of Public Health on October 1, 1997, shall be deemed a licensed paramedic. Any person so deemed shall renew his license pursuant to section 19a-88, as amended by this act, for a fee of **[**seventy-five**]** one hundred fifty dollars.

Sec. 225. Section 20-213 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) After a student embalmer has completed a program of education in mortuary science approved by the board with the consent of the Commissioner of Public Health, has successfully completed an examination prescribed by the department with the consent of the board and has completed one year of practical training and experience in full-time employment under the personal supervision and instruction of an embalmer licensed under the provisions of this chapter, such training and experience to be in the state of Connecticut and of a grade and character satisfactory to the commissioner, and has embalmed fifty human bodies under the supervision of a licensed embalmer or embalmers, he shall submit to the department an application and fee of **[**one hundred sixty-five**]** two hundred ten dollars and then be examined in writing on the Connecticut public health laws and the regulations of the Department of Public Health pertaining to the activities of an embalmer, and shall take an examination in practical embalming which shall include an actual

demonstration upon a cadaver. When such registered student embalmer has satisfactorily passed said examinations, said department shall issue to him a license to practice embalming. At the expiration of such license, if the holder thereof desires a renewal, the department shall grant it pursuant to section 20-222a, as amended by this act, except for cause.

(b) Examinations for registration as a student embalmer and for an embalmer's license shall be administered to applicants by the Department of Public Health, under the supervision of the board, semiannually and at such other times as may be determined by the department.

(c) Any person licensed as an embalmer in another state whose requirements for licensure in such capacity are substantially similar to or higher than those of this state and who is a currently practicing competent practitioner shall be eligible for licensure without examination upon application and payment of a fee of **[**one hundred sixty-five**]** two hundred ten dollars, provided all such applicants shall be required to pass an examination, given in writing, on the Connecticut public health laws and the regulations of the Department of Public Health pertaining to the activities of an embalmer. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 226. Section 20-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) When a student funeral director has completed a program of education approved by the board with the consent of the Commissioner of Public Health, has successfully completed an examination prescribed by the department with the consent of the board and furnishes the department with satisfactory proof that he has

completed one year of practical training and experience in full-time employment under the personal supervision of a licensed embalmer or funeral director, and pays to the department a fee of **[**one hundred sixty-five**]** two hundred ten dollars, he shall be entitled to be examined upon the Connecticut state law and regulations pertaining to his professional activities. If found to be qualified by the Department of Public Health, he shall be licensed as a funeral director. Renewal licenses shall be issued by the Department of Public Health pursuant to section 20-222a, as amended by this act, unless withheld for cause as herein provided, upon a payment of a fee of **[**one hundred fifteen**]** two hundred thirty dollars.

(b) Examinations for a funeral director's license shall be held semiannually and at such other times as may be determined by the Department of Public Health.

(c) Any person licensed as a funeral director in another state whose requirements for licensure in such capacity are substantially similar to or higher than those of this state and who is a currently practicing competent practitioner shall be eligible for licensure without examination upon application and payment of a fee of **[**one hundred sixty-five**]** two hundred ten dollars, provided all such applicants shall be required to pass an examination, given in writing, on the Connecticut public health laws and the regulations of the Department of Public Health pertaining to the activities of a funeral director. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 227. Section 20-222 of the general statutes, as amended by section 13 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person, firm, partnership or corporation shall enter into,

engage in, or carry on a funeral service business unless an inspection certificate has been issued by the department for each place of business. Any person, firm, partnership or corporation desiring to engage in the funeral service business shall submit, in writing, to the department an application upon blanks furnished by the department for an inspection certificate for a funeral service business for each place of business, and each such application shall be accompanied by a fee of three hundred seventy-five dollars and shall identify the manager. Each holder of an inspection certificate shall, annually, on or before July first, submit in writing to the Department of Public Health an application for renewal of such certificate together with a fee of one hundred **[**fifty**]** ninety dollars. If the Department of Public Health issues to such applicant such an inspection certificate, the same shall be valid until July first next following, unless revoked or suspended.

(b) Upon receipt of an application for an inspection certificate or renewal thereof, the Department of Public Health shall make an inspection of each building or part thereof wherein a funeral service business is conducted or is intended to be conducted, and satisfactory proof shall be furnished the Department of Public Health that the building or part thereof, in which it is intended to conduct the funeral service business, contains an adequate sanitary preparation room equipped with tile, cement or composition flooring, necessary ventilation, sink, and hot and cold running water, sewage facilities, and such instruments and supplies for the preparing or embalming of dead human bodies for burial, transportation or other disposition as the Commissioner of Public Health, with advice and assistance from the board, deems necessary and suitable for the conduct and maintenance of such business.

(c) Any person, firm, partnership or corporation desiring to change its place of business shall notify the Department of Public Health thirty days in advance of such change, and a fee of twenty-five dollars shall

accompany the application for the inspection certificate of the new premises. Any person, firm, partnership or corporation desiring to change its manager shall notify the Department of Public Health thirty days in advance of such change, on a form prescribed by the Commissioner of Public Health.

(d) The building or part thereof in which is conducted or intended to be conducted any funeral service business shall be open at all times for inspection by the board or the Department of Public Health. The Department of Public Health may make inspections whenever it deems advisable.

(e) If, upon inspection by the Department of Public Health, it is found that such building, equipment or instruments are in such an unsanitary condition as to be detrimental to public health, the board shall give to the applicant or operator of the funeral service business notice and opportunity for hearing as provided in the regulations adopted by the Commissioner of Public Health. At any such hearing, the Commissioner of Public Health or his designee shall be considered a member of the board and entitled to a vote. The board, or the Department of Public Health or his designee acting upon the board's finding or determination, may, after such hearing, revoke or refuse to issue or renew any such certificate upon cause found after hearing. Any person aggrieved by the finding of said board or action taken by the Department of Public Health may appeal therefrom in accordance with the provisions of section 4-183.

(f) Any of the inspections provided for in this section may be made by a person designated by the Department of Public Health or by a representative of the Commissioner of Public Health.

(g) Any person, firm, partnership or corporation engaged in the funeral service business shall maintain at the address of record of the funeral service business identified on the certificate of inspection:

(1) All records relating to contracts for funeral services, prepaid funeral contracts or escrow accounts for a period of not less than six years after the death of the individual for whom funeral services were provided;

(2) Copies of all death certificates, burial permits, authorizations for cremation, documentation of receipt of cremated remains and written agreements used in making arrangements for final disposition of dead human bodies, including, but not limited to, copies of the final bill and other written evidence of agreement or obligation furnished to consumers, for a period of not less than six years after such final disposition; and

(3) Copies of price lists, for a period of not less than six years from the last date such lists were distributed to consumers.

Sec. 228. Section 20-222a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each embalmer's license, funeral director's license and inspection certificate issued pursuant to the provisions of this chapter shall be renewed, except for cause, by the Department of Public Health upon the payment to said Department of Public Health by each applicant for license renewal of the sum of **[**fifty-five**]** one hundred ten dollars in the case of an embalmer, **[**one hundred fifteen**]** two hundred thirty dollars in the case of a funeral director and for inspection certificate renewal the sum of one hundred **[**fifty**]** ninety dollars for each certificate to be renewed. Fees for renewal of inspection certificates shall be given to the Department of Public Health on or before July first in each year and the renewal of inspection certificates shall begin on July first of each year and shall be valid for one calendar year. Licenses shall be renewed in accordance with the provisions of section 19a-88, as amended by this act.

Sec. 229. Section 20-236 of the general statutes, as amended by section 45 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) Any person desiring to obtain a license as a barber shall apply in writing on forms furnished by the Department of Public Health and shall pay to the department a fee of **[**fifty**]** one hundred dollars. The department shall not issue a license until the applicant has made written application to the department, setting forth by affidavit that the applicant has (A) successfully completed the eighth grade, (B) completed a course of not less than fifteen hundred hours of study in a school approved in accordance with the provisions of this chapter, or, if trained outside of Connecticut, in a barber school or college whose requirements are equivalent to those of a Connecticut barber school or college, and (C) passed a written examination satisfactory to the department. Examinations required for licensure under this chapter shall be prescribed by the department with the advice and assistance of the board. The department shall establish a passing score for examinations required under this chapter with the advice and assistance of the board.

(2) Any person who (A) holds a license at the time of application to practice the occupation of barbering in any other state, the District of Columbia or in a commonwealth or territory of the United States, (B) has completed not less than fifteen hundred hours of formal education and training in barbering, and (C) was issued such license on the basis of successful completion of an examination, shall be eligible for licensing in this state and entitled to a license without examination upon payment of a fee of **[**fifty**]** one hundred dollars. Applicants who trained in another state, district, commonwealth or territory which required less than fifteen hundred hours of formal education and training, may substitute no more than five hundred hours of licensed work experience in such other state, district, commonwealth or

territory toward meeting the training requirement.

(3) Any person who holds a license to practice the occupation of barbering in any other state, the District of Columbia, or in a commonwealth or territory of the United States, and has held such license for a period of not less than forty years, shall be eligible for licensure without examination. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(b) Barber schools shall obtain approval pursuant to this section prior to commencing operation. In the event that an approved school undergoes a change of ownership or location, such approval shall become void and the school shall apply for a new approval pursuant to this section. Applications for such approval shall be on forms prescribed by the Commissioner of Public Health. In the event that a school fails to comply with the provisions of this subsection, no credit toward the fifteen hundred hours of study required pursuant to subsection (a) of this section shall be granted to any student for instruction received prior to the effective date of school approval.

Sec. 230. Section 20-239 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

All licenses issued to master barbers by the Department of Public Health shall be renewed once every two years, and shall expire in accordance with the provisions of section 19a-88, as amended by this act. No person shall carry on the occupation of master barber after the expiration of his license until he has made application bearing the date of his insignia card to said department, accompanied by a fee of **[**fifty**]** one hundred dollars for the renewal of such license for two years. Such application shall be in writing, addressed to said department and signed by the person applying for such renewal.

Sec. 231. Section 20-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

License or examination fees shall be paid to the department at the time of application as follows: (1) For examination as a registered hairdresser and cosmetician, the sum of **[**fifty**]** one hundred dollars; and (2) for renewal of any hairdresser and cosmetician license, the sum of **[**fifty**]** one hundred dollars. Each person engaged in the occupation of registered hairdresser and cosmetician shall, at all times, conspicuously display such person's license within the place where such occupation is being conducted. All hairdresser and cosmetician licenses, except as otherwise provided in this chapter, shall be renewed once every two years and shall expire in accordance with the provisions of section 19a-88, as amended by this act. No person shall carry on the occupation of hairdressing and cosmetology after the expiration of such person's license until such person has made application to the department for the renewal of such license. Such application shall be in writing, addressed to the department and signed by the person applying for such renewal. The department may renew any hairdresser and cosmetician license if application for such renewal is received by the department within ninety days after the expiration of such license.

Sec. 232. Section 20-270 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall engage in the practice of electrology, except as provided in this section, until such person has obtained a license issued by the department. No person shall receive a license, except as provided in this section, until such person has passed a written, oral and practical examination prescribed by the department with the advice and consent of the board. The examination shall be administered to applicants by the department under the supervision of the board. All applications to the department for examination shall be

in writing signed by the applicant and upon blanks, furnished by the department, which shall set forth such facts concerning the applicant as the department may require. Application to the department shall be accompanied by a fee of **[**seventy-five**]** one hundred fifty dollars. No person shall be eligible for examination under the provisions of this chapter unless the department finds, from evidence satisfactory to it, presented by the applicant, that such person has met the educational and other requirements prescribed by the board with the consent of the department. The department shall issue a license to any person who has passed such examination, which license shall include a statement that the person named therein has been examined and found qualified to practice electrology. The department may waive the written examination for a person who has passed the written examination of a nationally recognized board or agency approved by the department and the board. The department may refuse to grant a license, or the board may revoke such license or take any action set forth in section 19a-17 for the following reasons: (1) The employment of fraud or deception in applying for admittance to examination or in the act of taking an examination; (2) addiction to alcoholic liquor, narcotics or other habit-forming drugs; or (3) conviction in a court of competent jurisdiction, either within or without this state, of any crime in the practice of the person's profession. Such person shall file with the department such certificates and a statement on blanks furnished by the department, subscribed to by the applicant, which shall set forth such person's name, age, place of birth, residence, academic and professional training with such other information as the department requires, and such person shall thereupon receive from the department a license to practice electrology. Such license shall include a statement that the person named therein is qualified to practice electrology. Such license shall also contain a statement defining the practice of electrology. The department shall establish a passing score for examinations with the consent of the board. No license shall be issued under this section to any applicant against whom professional

disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or territory.

Sec. 233. Section 20-275 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person licensed under the provisions of this chapter shall renew such license once every two years with the department in accordance with the provisions of section 19a-88, as amended by this act, on forms provided by the department. The renewal fee shall be **[**one**]** two hundred dollars.

(b) Each licensed electrologist applying for license renewal shall furnish evidence satisfactory to the Commissioner of Public Health of having participated in continuing education programs. The commissioner shall adopt regulations, in accordance with chapter 54, to (1) define basic requirements for continuing education programs, (2) delineate qualifying programs, (3) establish a system of control and reporting, and (4) provide for waiver of the continuing education requirement for good cause.

Sec. 234. Section 20-281c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The board shall grant the certificate of "certified public accountant" to any person who meets the good character, education, experience and examination requirements of subsections (b) to (d), inclusive, of this section and upon the payment of a fee of **[**seventy-five**]** one hundred fifty dollars.

(b) Good character for purposes of this section means lack of a history of dishonest or felonious acts. The board may refuse to grant a certificate on the grounds of failure to satisfy this requirement only if there is a substantial connection between the lack of good character of the applicant and the professional responsibilities of a licensee and if

the finding by the board of lack of good character is supported by clear and convincing evidence, and when based upon the prior conviction of a crime, is in accordance with the provisions of section 46a-80. When an applicant is found to be unqualified for a certificate because of a finding of lack of good character, the board shall furnish the applicant a statement containing the findings of the board and a complete record of the evidence upon which the determination was based.

(c) An applicant may apply to take the examination if such person holds a baccalaureate degree, or its equivalent, conferred by a college or university acceptable to the board, with an accounting concentration or equivalent, as determined by the board by regulation to be appropriate. The educational requirements for a certificate shall be prescribed in regulations to be adopted by the board as follows:

(1) Until December 31, 1999, a baccalaureate degree or its equivalent conferred by a college or university acceptable to the board, with an accounting concentration or equivalent as determined by the board by regulation to be appropriate;

(2) After January 1, 2000, at least one hundred fifty semester hours of college education including a baccalaureate or higher degree conferred by a college or university acceptable to the board. The total educational program shall include an accounting concentration or equivalent, as determined by the board by regulation to be appropriate.

(d) The board may charge each applicant a fee, in an amount prescribed by the board by regulation, for each section of the examination or reexamination taken by the applicant, or the board may authorize a third party administering the examination to charge each applicant a fee for each section of the examination or reexamination taken by the applicant.

(e) The experience requirement for a certificate shall be as prescribed by the board by regulation.

(f) The holder of a certificate may register his certificate annually and pay a fee of **[**twenty**]** forty dollars in lieu of an annual renewal of a license and such registration shall entitle the registrant to use the abbreviation "CPA" and the title "certified public accountant" under conditions and in the manner prescribed by the board by regulation.

Sec. 235. Section 20-281d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The board shall issue or renew licenses to persons who make application and demonstrate their qualifications in accordance with subsections (b) to (g), inclusive, of this section.

(b) Licenses shall be initially issued for one year and renewed annually. Applications for such licenses shall be made in such form, and in the case of applications for renewal, between such dates, as the board shall by regulation specify.

(c) An applicant for initial issuance of a license under this section shall show:

(1) That he holds a valid certificate;

(2) If the applicant's certificate was issued more than four years prior to his application for issuance of an initial license under this section, that he has fulfilled the requirements of continuing professional education that would have been applicable under subsection (e) of this section if he had secured his initial license within four years of issuance of his certificate and was now applying under subsection (e) of this section for renewal of such license.

(d) The board shall issue a certificate to a holder of a certificate

issued by another state upon a showing that:

(1) The applicant passed the examination required for issuance of his certificate with grades that would have been passing grades at the time in this state; and

(2) The applicant meets all current requirements in this state for issuance of a certificate at the time the application is made; or the applicant, at the time of the issuance of the applicant's certificate in the other state, met all such requirements then applicable in this state; or the applicant has had five years of experience in the practice of public accountancy no earlier than the ten years immediately preceding the applicant's application or meets equivalent requirements prescribed by the board by regulation.

(e) For renewal of a license under this section an applicant shall show that he has completed forty hours of continuing professional education during each year from the date of issuance or last renewal. The board may prescribe, by regulation, the content, duration and organization of continuing professional education courses which contribute to the general professional competence of the applicant.

(f) For renewal of a license under this section, the board shall charge the following fees for failure to earn continuing education credits by the June thirtieth deadline:

(1) **[**Two hundred fifty**]** Three hundred fifteen dollars for reporting on a renewal application a minimum of forty hours of continuing professional education, any of which was earned after June thirtieth and on or by September thirtieth;

(2) **[**Five hundred**]** Six hundred twenty-five dollars for reporting on a renewal application a minimum of forty hours of continuing professional education any of which was earned after June thirtieth and on or by December thirty-first.

(g) The board shall charge a fee of **[**seventy-five**]** one hundred fifty dollars for the initial issuance and the professional services fee for class I, as defined in section 33-182*l*, as amended by this act, for each annual renewal of such license.

(h) Applicants for initial issuance or renewal of licenses under this section shall in their applications list all states in which they have applied for or hold certificates or licenses, and each holder of or applicant for a license under this section shall notify the board in writing, within thirty days after its occurrence, of any issuance, denial, revocation or suspension of a certificate or license by another state.

Sec. 236. Subsection (e) of section 20-281e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(e) The board shall charge an annual fee for each application for initial issuance or renewal of a permit under this section in the amount of **[**seventy-five**]** one hundred fifty dollars; provided, no such fee shall be charged to a firm having not more than one licensee.

Sec. 237. Section 20-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each licensed architect shall renew his license each year and pay to the department the professional services fee for class F, as defined in section 33-182*l*, as amended by this act.

(b) Each corporation holding a certificate of authorization for the practice of architecture shall renew its certificate of authorization for the practice of architecture each year and pay to the department a renewal fee of **[**one hundred seventy-five**]** two hundred twenty dollars.

(c) An applicant for examination or reexamination under this

chapter shall pay a nonrefundable fee of [thirty-six] seventy-two dollars and an amount sufficient to meet the cost of conducting each portion of the examination taken by such applicant. The fee for an applicant who qualifies for a license, other than by examination, in accordance with the provisions of section 20-291, shall be [fifty] one hundred dollars.

Sec. 238. Section 20-305 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Applications for licensure under this chapter shall be on forms prescribed and furnished by the Department of Consumer Protection. The nonrefundable application fee for a professional engineer license shall be [forty] eighty dollars. The nonrefundable application fee for an engineer-in-training license shall be [thirty-eight] seventy-six dollars, which shall accompany the application and which shall include the cost of the issuance of a license. The nonrefundable application fee for a land surveyor license shall be [forty] eighty dollars. The nonrefundable application fee for a surveyor-in-training license shall be [thirty-two] sixty-four dollars, which shall accompany the application and which shall include the cost of the issuance of a license. The initial license fee for a professional engineer license or a land surveyor license shall be [one hundred ten] two hundred twenty dollars. The application fee for a combined license as professional engineer and land surveyor shall be [forty] eighty dollars. The initial license fee for such combined license shall be [one hundred ten] two hundred twenty dollars.

Sec. 239. Section 20-306a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The practice of or the offer to practice professional engineering in this state by individual licensed professional engineers or the practice of or the offer to practice land surveying in this state by individual

licensed land surveyors under the corporate form or by a corporation or limited liability company, a material part of the business of which includes engineering or land surveying, is permitted, provided (1) such personnel of such corporation or limited liability company as act in its behalf as engineers or land surveyors are licensed or exempt from licensure under the provisions of this chapter, and (2) such corporation or limited liability company has been issued a certificate of registration by the board as provided in this section. No such corporation or limited liability company shall be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of its compliance with the provisions of this section, nor shall any individual practicing engineering or land surveying be relieved of responsibility for engineering or land surveying services performed by reason of his employment or relationship with such corporation or limited liability company. All final drawings, specifications, plots, reports or other engineering or land surveying papers or documents involving the practice of engineering or land surveying which are prepared or approved by any such corporation or limited liability company or engineer or land surveyor for use of or for delivery to any person or for public record within this state shall be dated and bear the signature and seal of the engineer or land surveyor who prepared them or under whose supervision they were prepared.

(b) A qualifying corporation or limited liability company desiring a certificate of registration shall file with the board an application upon a form prescribed by the Department of Consumer Protection accompanied by an application fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. Each such certificate shall expire annually and shall be renewable upon payment of a fee of three hundred <u>seventy-five</u> dollars. If all requirements of this chapter are met, the board shall authorize the department to issue to such corporation or limited liability company a certificate of registration within thirty days of such application, provided the board may refuse to authorize the issuance

of a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate.

(c) Each such corporation or limited liability company shall file with the board a designation of an individual or individuals licensed to practice engineering or land surveying in this state who shall be in charge of engineering or land surveying by such corporation or limited liability company in this state. Such corporation or limited liability company shall notify the board of any change in such designation within thirty days after such change becomes effective.

Sec. 240. Section 20-306b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) One or more architects, each of whom is licensed under the provisions of chapter 390, one or more professional engineers or one or more land surveyors each of whom is licensed under the provisions of this chapter, may form a corporation or limited liability company for the joint practice of architecture, professional engineering and land surveying services, or for the joint practice of architecture and professional engineering services, or for the joint practice of architecture and land surveying services, or for the joint practice of professional engineering and land surveying services, provided (1) persons licensed as architects, engineers or land surveyors under chapter 390 or this chapter together own not less than two-thirds of the voting stock of the corporation or not less than two-thirds of the voting interests of the limited liability company, and the members of each profession forming the corporation or limited liability company together own at least twenty per cent of the voting stock of the corporation or at least twenty per cent of the voting interests of the limited liability company, (2) the personnel in responsible charge of the practice of architecture for such corporation or limited liability company shall be licensed under chapter 390 and the personnel in responsible charge of the practice of engineering or land surveying for

such corporation or limited liability company shall be licensed under this chapter, and (3) such corporation or limited liability company has been issued a joint certificate of registration by the Department of Consumer Protection at the direction of the Architectural Licensing Board and the appropriate members of the State Board of Examiners for Professional Engineers and Land Surveyors designated to administer the provisions of this chapter with respect to professional engineers or land surveyors. Such corporation or limited liability company shall, upon request by the Architectural Licensing Board or the State Board of Examiners for Professional Engineers and Land Surveyors, provide the requesting board with information concerning its officers, directors, members, beneficial owners and all other aspects of its business organization. Corporations for such joint practice in existence as of July 1, 1992, may continue to be governed by the provisions of this subsection as revised to 1989, provided the certificate issued under this section did not expire more than two years before that date.

(b) Application by such corporation or limited liability company for a certificate of registration under this section shall be made to both boards jointly on a form prescribed by the department and accompanied by an application fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. Each such certificate shall expire annually and shall be renewable upon payment of a fee of three hundred <u>seventy-five</u> dollars, if all requirements of chapter 390 and this chapter with respect to corporate or limited liability company practice are met. The boards by joint action may refuse to authorize the issuance or renewal of a certificate if any facts exist which would entitle the boards to suspend or revoke an existing certificate.

(c) Any corporation or limited liability company issued a certificate under this section shall be required to comply with all provisions of chapter 390 and this chapter with respect to corporate or limited

liability company practice.

(d) No such corporation or limited liability company shall be relieved of responsibility for the conduct or acts of its agents, employees, members or officers by reason of its compliance with the provisions of this section, nor shall any individual practicing architecture, engineering or land surveying be relieved of responsibility for services performed by reason of his employment or relationship with such corporation or limited liability company.

(e) All fees collected under this section shall be paid to the State Treasurer for deposit in the General Fund.

(f) The Commissioner of Consumer Protection, with the advice and assistance of the Architectural Licensing Board and the appropriate members of the State Board of Examiners for Professional Engineers and Land Surveyors designated to administer the provisions of this chapter with respect to professional engineers or land surveyors, shall adopt regulations, in accordance with chapter 54, to carry out the provisions of this section.

Sec. 241. Section 20-308 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The board may, upon application and the payment of a fee of one hundred **[**fifty**]** <u>ninety</u> dollars to the Department of Consumer Protection, authorize the department to issue a license as a professional engineer, or a combined license as a professional engineer and land surveyor or, upon application and the payment of a fee of **[**one hundred fifty**]** <u>one hundred ninety</u> dollars, to issue a license as a land surveyor to any person who holds a certificate of qualification, licensure or registration issued to such person by the proper authority of any state, territory or possession of the United States, or any country, or the National Bureau of Engineering Registration, provided

the requirements for the licensure or registration of professional engineers or land surveyors under which such license, certificate of qualification or registration was issued shall not conflict with the provisions of this chapter and shall be of a standard not lower than that specified in section 20-302. Upon request of any such applicant the board may, if it determines that the application is in apparent good order, authorize the department to grant to such applicant permission in writing to practice engineering or land surveying or both for a specified period of time while such application is pending. The board may waive the first part of the examination specified in subdivision (1) of section 20-302 in the case of an applicant for licensure as a professional engineer who holds a certificate as an engineer-in-training issued to him by the proper authority of any state, territory or possession of the United States, provided the requirements under which the certificate was issued do not conflict with the provisions of this chapter and are of a standard at least equal to that specified in said subdivision (1). The board may waive that part of the examination specified in subdivision (3) of section 20-302 relating to the fundamentals of land surveying, in the case of an applicant for licensure as a land surveyor who holds a certificate as a surveyor-in-training issued to him by the proper authority of any state, territory or possession of the United States, provided the requirements under which the certificate was issued do not conflict with the provisions of this chapter and are of a standard at least equal to that specified in said subdivision (3).

(b) The board may, upon application and the payment of a fee to be fixed by the board, authorize the Department of Consumer Protection to issue a license as an engineer-in-training to any person who holds a certificate of qualification as engineer-in-training or surveyor-in-training issued to him by the proper authority of any state or territory or possession of the United States, or any country, provided the requirements for certification under which such certificate of

qualification was issued do not conflict with the provisions of this chapter and are of a standard at least equal to that specified in section 20-302.

Sec. 242. Section 20-314 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Licenses shall be granted under this chapter only to persons who bear a good reputation for honesty, truthfulness and fair dealing and who are competent to transact the business of a real estate broker or real estate salesperson in such manner as to safeguard the interests of the public.

(b) Each application for a license or for a renewal thereof shall be made in writing, on such forms and in such manner as is prescribed by the Department of Consumer Protection and accompanied by such evidence in support of such application as is prescribed by the commission. The commission may require such information with regard to an applicant as the commission deems desirable, with due regard to the paramount interests of the public, as to the honesty, truthfulness, integrity and competency of the applicant and, where the applicant is a corporation, association or partnership, as to the honesty, truthfulness, integrity and competency of the officers of such corporation or the members of such association or partnership.

(c) In order to determine the competency of any applicant for a real estate broker's license or a real estate salesperson's license the commission shall, on payment to the commission of an application fee of **[**sixty**]** one hundred twenty dollars by an applicant for a real estate broker's license or on payment to the commission of an application fee of **[**forty**]** eighty dollars by an applicant for a real estate salesperson's license, subject such applicant to personal written examination as to the applicant's competency to act as a real estate broker or real estate salesperson, as the case may be. Such examination shall be prepared by

the Department of Consumer Protection or by a national testing service designated by the Commissioner of Consumer Protection and shall be administered to applicants by the Department of Consumer Protection or by such testing service at such times and places as the commissioner may deem necessary. The commission may waive the uniform portion of the written examination requirement in the case of an applicant who has taken the national testing service examination in another state within two years from the date of application and has received a score deemed satisfactory by the commission. The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, establishing passing scores for examinations. In addition to such application fee, applicants taking the examination administered by a national testing service shall be required to pay directly to such testing service an examination fee covering the cost of such examination. Each payment of such application fee shall entitle the applicant to take such examination four times within the one-year period from the date of payment.

(d) (1) Each applicant for a real estate broker's license shall, before being admitted to such examination, prove to the satisfaction of the commission: (A) (i) That the applicant has been actively engaged for at least two years as a licensed real estate salesperson under the supervision of a licensed real estate broker in this state, (ii) that the applicant has successfully completed a course approved by the commission in real estate principles and practices of at least sixty classroom hours of study, (iii) that the applicant has successfully completed a course approved by the commission in real estate appraisal consisting of at least thirty classroom hours of study, and (iv) that the applicant has successfully completed a course approved by the commission consisting of at least thirty classroom hours as prescribed by the commission, or (B) that the applicant has equivalent experience or education as determined by the commission.

(2) Each applicant for a real estate salesperson's license shall, before being admitted to such examination, prove to the satisfaction of the commission (A) that the applicant has successfully completed a course approved by the commission in real estate principles and practices consisting of at least sixty classroom hours of study, or (B) that the applicant has equivalent experience or education as determined by the commission.

(e) The provisions of subsections (c) and (d) of this section shall not apply to any renewal of a real estate broker's license, or a real estate salesperson's license issued prior to October 1, 1973.

(f) All licenses issued under the provisions of this chapter shall expire annually. At the time of application for a real estate broker's license, there shall be paid to the commission, for each individual applicant and for each proposed active member or officer of a firm, partnership, association or corporation, the sum of **[**four hundred fifty**]** five hundred sixty-five dollars, and for the annual renewal thereof, the sum of three hundred seventy-five dollars and for a real estate salesperson's license two hundred **[**twenty-five**]** eighty-five dollars and for the annual renewal thereof the sum of two hundred **[**twenty-five**]** eighty-five dollars. Three dollars of each such annual renewal fee shall be payable to the Real Estate Guaranty Fund established pursuant to section 20-324a. If a license is not issued, the fee shall be returned. A real estate broker's license issued to any partnership, association or corporation shall entitle the individual designated in the application, as provided in section 20-312, upon compliance with the terms of this chapter, but without the payment of any further fee, to perform all of the acts of a real estate broker under this chapter on behalf of such partnership, association or corporation. Any license which expires and is not renewed pursuant to this subsection may be reinstated by the commission, if, not later than two years after the date of expiration, the former licensee pays to the commission for each real estate broker's

license the sum of three hundred seventy-five dollars and for each real estate salesperson's license the sum of two hundred **[**twenty-five**]** eighty-five dollars for each year or fraction thereof from the date of expiration of the previous license to the date of payment for reinstatement, except that any licensee whose license expired after such licensee entered military service shall be reinstated without payment of any fee if an application for reinstatement is filed with the commission within two years after the date of expiration. Any such reinstated license shall expire on the next succeeding April thirtieth.

(g) Any person whose application has been filed as provided in this section and who is refused a license shall be given notice and afforded an opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection.

Sec. 243. Section 20-329f of the general statutes, as amended by section 32 of public act 09-74, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commission shall, upon completion of the investigation and inspection as provided in section 20-329e, as amended by **[**this act**]** section 31 of public act 09-74, but, in the absence of any agreement to the contrary between the applicant and the commission, not later than three months from the receipt of the completed license application, or receipt of an effective statement of record filed with the Secretary of Housing and Urban Development and filed with the commission pursuant to subsection (c) of section 20-329b, (1) approve or disapprove the prospectus, property report or offering statement submitted under subsection (c) of section 20-329b or section 20-329d, as the case may be, and (2) if satisfied, issue to the applicant, upon payment to the commission of a fee computed as provided in subsection (b) of this section, a license to offer and dispose of in this state the subdivision or parcels, units or other interests in any subdivision that is the subject of the application or such effective

statement of record. Such license shall be valid for one year and may be renewed annually upon payment to the commission of a fee, computed as provided in subsection (b) of this section, unless there is a material change affecting such subdivision or lot, parcels, units or other interest in any subdivision or the offer or disposition thereof, in which case all new facts shall be reported to the commission immediately. Upon receipt of such report or in the event that any such material change is discovered by or comes to the attention of the commission through other sources, the commission may, after a hearing pursuant to section 20-321, take such action as the commission considers necessary, including the suspension or revocation of such license if justified.

(b) The amount any person shall pay for an initial license fee or a renewal license fee for each subdivision covered by the license shall be computed on the basis of the rates set forth in the following schedule.

Number Of Lots or Units	Initial Fee	Annual Renewal Fee
1- 50	[$250.] $315.	[$100.] $200.
51-100	[$275.] 345.	[$125.] 250.
101-150	[$300.] 375.	[$150.] 190.
151-200	[$325.] 410.	[$175.] 220.
201-250	[$350.] 440.	[$200.] 250.
251-300	[$375.] 470.	[$225.] 285.
301-350	[$400.] 500.	[$250.] 315.
351-400	[$425.] 535.	[$275.] 345.
401-450	[$450.] 565.	[$300.] 375.
451-500	[$475.] 595.	[$325.] 410.
501 and above	[$500.] 625.	[$350.] 440.

Sec. 244. Section 20-333 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Consumer Protection shall hold at least four examinations each year, at such times as the appropriate board may determine and in such locations as may be convenient, written notice of the time and place of each such examination to be given to each applicant at least ten days prior to such examination. To obtain a license under this chapter, an applicant shall have attained such applicant's eighteenth birthday and shall furnish such evidence of competency as the appropriate board, with the consent of the Commissioner of Consumer Protection, shall require. The applicant shall satisfy such board that such applicant is of good moral character, possesses a diploma or other evidence of graduation from the eighth grade of grammar school, or possesses an equivalent education to be determined on examination and has the requisite skill to perform the work in the trade for which such applicant is applying for a license and can comply with all other requirements of this chapter and the regulations adopted under this chapter. Upon application for any such license, the applicant shall pay to the department a nonrefundable application fee of **[**forty-five**]** ninety dollars for a license under subdivisions (2) and (3) of subsection (a) and subdivision (4) of subsection (e) of section 20-334a, or a nonrefundable application fee of **[**seventy-five**]** one hundred fifty dollars for a license under subdivision (1) of subsection (a), subdivisions (1) and (2) of subsection (b), subdivision (1) of subsection (c) and subdivisions (1), (2) and (3) of subsection (e) of section 20-334a. The department shall conduct such written, oral and practical examinations as the appropriate board, with the consent of the commissioner, deems necessary to test the knowledge of the applicant in the work for which a license is being sought. Any person completing the required apprentice training program for a journeyman's license under section 20-334a shall, within thirty days following such completion, apply for a licensure examination given by the department. If an applicant does not pass such licensure examination, the commissioner shall provide each failed applicant with information on how to retake the examination and a

report describing the applicant's strengths and weaknesses in such examination. The applicant may take up to two additional examinations during the one-year period commencing on the date of such applicant's first examination application, provided, if the applicant does not pass such applicant's third examination the applicant may not be examined again until one year after the date of such third examination. Any apprentice permit issued under section 20-334a to an applicant who fails three licensure examinations in any one-year period shall remain in effect if such applicant applies for and takes the first licensure examination given by the department following the one-year period from the date of such applicant's third and last unsuccessful licensure examination. Otherwise, such permit shall be revoked as of the date of the first examination given by the department following expiration of such one-year period. When an applicant has qualified for a license, the department shall, upon receipt of the license fee, issue to such applicant a license entitling such applicant to engage in the work or occupation for which a license was sought and shall register each successful applicant's name and address in the roster of licensed persons authorized to engage in the work or occupation within the appropriate board's authority. Each board may declare forfeited the application fee of any applicant who has failed to appear for examination at three successive examinations for which written notice has been sent. All fees and other moneys collected by the department shall be promptly transmitted to the State Treasurer as provided in section 4-32.

Sec. 245. Section 20-334a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as otherwise provided in this section, the following licenses may be issued by the Department of Consumer Protection, upon authorization of the boards, under the provisions of section 20-333:

(1) (A) An unlimited contractor's license may be issued to a person who has served as a journeyman in the trade for which such person seeks a license for not less than two years and, if such service as a journeyman was outside this state, has furnished evidence satisfactory to the appropriate state board that such service is comparable to similar service in this state, or has furnished satisfactory evidence of education and experience and has passed an examination which has demonstrated that such person is competent in all aspects of such trade to be an unlimited contractor. (B) A limited contractor's license may be issued to a person who fulfills the requirements of subparagraph (A) of this subdivision as to a specific area or areas within the trade for which such person seeks a license. (C) The holder of an unlimited or a limited contractor's license may, within the trade, or the area or areas of the trade, for which such holder has been licensed, furnish supplies and do layout, installation, repair and maintenance work and distribute and handle materials, provided nothing in this subdivision shall be construed to authorize the performance of any action for which licensure is required under the provisions of chapter 390 or 391. Such licensee shall furnish the board with evidence that such licensee will comply with all state requirements pertaining to workers' compensation and unemployment insurance and that such evidence shall be available to any properly interested person prior to the issuance of a license under this subdivision.

(2) (A) An unlimited journeyman's license may be issued to any person who has completed a bona fide apprenticeship program, including not less than four years' experience in the trade for which such person seeks a license, and has demonstrated such person's competency to perform all services included in the trade for which a license is sought by successfully completing the applicable state licensure examination. (B) A limited journeyman's license may be issued to a person who fulfills the requirements of subparagraph (A) of

this subdivision in a specific area or areas of the trade for which such person seeks a license, provided the length of experience required may be less than four years for such area or areas of the trade.

(3) (A) An elevator craftsman's license may be issued to any person who has completed an apprenticeship program, has at least two years' experience in elevator installation, repair and maintenance work and has demonstrated such person's competency to perform such work. (B) An elevator helper's license may be issued for the performance of elevator maintenance under the supervision of an elevator craftsman.

(4) An apprentice's permit may be issued for the performance of work in a trade licensed under the provisions of this chapter, for the purpose of training, which work may be performed only under the supervision of a licensed contractor, journeyman or elevator craftsman.

(5) An apprentice permit shall expire upon the failure of the apprentice holding such permit to apply for the first licensure examination given by the department following completion of an apprentice training program as provided in subdivision (2) of this subsection.

(b) The following licenses for solar thermal work may be issued by the department, upon authorization of the examining board for heating, piping, cooling and sheet metal work, under the provisions of section 20-333, including an examination on solar work:

(1) A solar thermal contractor's license may be issued to any person who (A) not later than July 1, 1984, (i) has been issued a P-1, P-3, S-1, S-3, S-5, S-7, D-1 or D-3 license under subdivision (1) of subsection (a) of this section or installs at least six fully operational solar hot water heating systems, and (ii) qualifies for a solar thermal contractor's license under section 20-333, or (B) has served as a solar thermal journeyman for not less than two years.

(2) A solar thermal journeyman's license may be issued to any person who (A) not later than July 1, 1984, (i) is issued a P-2, P-4, S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a) of this section, and (ii) qualifies for a solar thermal journeyman's license under section 20-333, (B) after July 1, 1984, is issued a P-2, P-4, S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a) of this section and whose bona fide apprenticeship program includes instruction in solar thermal work, or (C) after July 1, 1984, completes a bona fide solar thermal work apprenticeship program and has not less than two years' experience in solar thermal work. A solar thermal journeyman may work only under the supervision of a licensed solar thermal contractor.

(3) A solar thermal apprentice's permit may be issued for the performance of solar thermal work for the purpose of training. Such work may be performed only under the supervision of a licensed solar thermal contractor or journeyman.

(c) The following licenses for fire protection sprinkler systems work may be issued by the department: (1) A fire protection sprinkler contractor's license may be issued to a person who provides satisfactory evidence of education and experience in fire protection sprinkler systems work, as defined in subdivision (9) of section 20-330, and who has passed an examination which has demonstrated competence in all aspects of such trade. Applicants for such license shall complete a form provided by the commissioner; and (2) a journeyman sprinkler fitter's license may be issued to a person who has completed a bona fide apprenticeship program pursuant to section 20-334c, and who has not less than four years experience in fire protection sprinkler systems work, as defined in subdivision (9) of section 20-330, or who has been licensed under this section, and has passed an examination which has demonstrated competence in all aspects of such trade. Applicants for such license shall complete a form

provided by the department.

(d) The following licenses for irrigation work may be issued by the department upon authorization of the examining board for plumbing and piping work under the provisions of section 20-333: (1) An irrigation contractor's license, and (2) an irrigation journeyman's license.

(e) The following licenses for sheet metal work may be issued by the department upon authorization of the examining board for heating, piping, cooling and sheet metal work, under the provisions of section 20-333, in addition to any licenses or permits issued for such work under subsection (a) of this section:

(1) Prior to January 1, 2002, a limited contractor's license for large commercial sheet metal work may be issued to any person who has worked as a sheet metal contractor or successfully worked in such trade in the capacity of a journeyman sheet metal worker for not less than two years.

(2) On or after January 1, 2002, a limited contractor's license for large commercial sheet metal work may be issued to any person who has (A) served as a journeyman in the trade for which such person seeks a license for not less than two years, and (B) if such service as a journeyman was outside this state, furnished evidence satisfactory to the examining board for heating, piping, cooling and sheet metal work that such service is comparable to similar service in this state.

(3) Prior to January 1, 2002, a limited journeyman's license for large commercial sheet metal work may be issued to any person who has (A) successfully completed a bona fide apprenticeship program, including not less than four years of experience in the trade for which such person seeks a license, or (B) demonstrated such person's competency to perform such work by furnishing proof of continuous

employment in such trade for not less than eight thousand hours within the previous five years, subject to the approval of the examining board for heating, piping, cooling and sheet metal work.

(4) On or after January 1, 2002, a limited journeyman's license for large commercial sheet metal work may be issued to any person who has (A) successfully completed a bona fide apprenticeship program, including not less than four years of experience in the trade for which such person seeks a license, and (B) demonstrated such person's competency to perform all services included in the trade for which a license is sought by successfully completing the applicable state licensure examination.

(f) On and after January 1, 2002, the following licenses for automotive glass work and flat glass work may be issued by the department upon authorization of the examining board for automotive glass work and flat glass work, under the provisions of section 20-333:

(1) On and after January 1, 2002, but before January 1, 2003, an unlimited contractor's license for automotive glass work or flat glass work may be issued to any person who has served as a journeyman in the trade for which such person seeks a license for not less than three years. On and after January 1, 2002, an unlimited contractor's license for automotive glass work or flat glass work may be issued to any person who (A) has served as a journeyman in the trade for which such person seeks a license for not less than three years and, if such service as a journeyman was outside this state, has furnished evidence satisfactory to the examining board for automotive glass work and flat glass work that such service is comparable to similar service in this state, and (B) has furnished satisfactory evidence of education and experience and has passed an examination which has demonstrated that such person is competent in all aspects of such trade to be an unlimited contractor for automotive glass work or flat glass work.

(2) On and after January 1, 2002, but before January 1, 2003, an unlimited journeyman's license for automotive glass work or flat glass work may be issued to any person who has served in the trade for which such person seeks a license for not less than two years. On and after January 1, 2002, an unlimited journeyman's license for automotive glass work or flat glass work may be issued to any person who has successfully completed a bona fide apprenticeship program as required by the examining board for automotive glass work and flat glass work, and has demonstrated such person's competency to perform all services included in the trade for which a license is sought by successfully completing the applicable state licensure examination.

(g) On or after July 1, 2003, a medical gas and vacuum systems certificate for medical gas and vacuum systems work may be issued by the department, upon the authorization of the Plumbing and Piping Work Board or the Heating, Piping and Cooling Work Board, as appropriate, to any person who (1) has been issued a P-1, P-2, S-1, S-2, S-3 or S-4 license under subdivision (1) of subsection (a) of this section, (2) has been certified as a medical gas and vacuum system brazer issued in accordance with the standards of Section IX entitled "Welding and Brazing Qualifications" of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, and (3) has been certified as having completed an approved training course on medical gas and vacuum system installation as required by American National Standards Institute-American Society of Sanitary Engineering Series 6000. No person shall perform medical gas and vacuum systems work unless such person has obtained a certificate pursuant to this subsection. Such certificate shall be renewed consistent with the renewal process for the prerequisite licenses. The fee for such certificate shall be **[**twenty-five**]** <u>fifty</u> dollars.

(h) A limited sheet metal power industry license may be issued to any person upon authorization of the examining board for heating,

piping, cooling and sheet metal work, subject to the provisions of section 20-333. Prior to taking the licensure examination, an applicant shall successfully complete an education and training program established and approved by the Labor Department with the advice of the Connecticut State Apprenticeship Council. The holder of such license may only install, erect, replace, repair or alter breeching exhaust and inlet air systems at electric generation facilities, including, but not limited to, cogeneration plants, bio-mass facilities, blast furnaces, combined cycle facilities, fossil fuel, gas and hydro power facilities, incinerators and nuclear power facilities. The holder of such license may only perform such work while in the employ of a contractor licensed to perform such sheet metal work under this chapter.

(i) The Electrical Work Board shall authorize any person to install, service and repair residential security systems limited to twenty-five volts and five amperes in one to three-family residential dwellings, provided the person is in the employ of an electrical contractor holding an E-1 unlimited contractor license or an L-5 contractor license issued pursuant to subdivision (1) of subsection (a) of this section and the person has successfully completed an apprenticeship and training program established and approved by the Labor Department with the advice of the Connecticut State Apprenticeship Council. Any person authorized to work under this subsection shall not perform telecommunications electrical work, as defined in section 20-340b, with the exception of work involving interface wiring from a residential security system to an existing telephone connection for monitoring purposes. Any person who is authorized to work under this subsection shall, no later than fifteen months after being issued said authorization, secure an L-6 limited electrical journeyperson's license pursuant to subdivision (2) of subsection (a) of this section.

Sec. 246. Section 20-335 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person who has successfully completed an examination for such person's initial license under this chapter shall pay to the Department of Consumer Protection a fee of [seventy-five] one hundred fifty dollars for a contractor's license or a fee of [sixty] one hundred twenty dollars for any other such license. All such licenses shall expire annually. No person shall carry on or engage in the work or occupations subject to this chapter after the expiration of such person's license until such person has filed an application bearing the date of such person's registration card with the appropriate board. Such application shall be in writing, addressed to the secretary of the board from which such renewal is sought and signed by the person applying for such renewal. A licensee applying for renewal shall, at such times as the commissioner shall by regulation prescribe, furnish evidence satisfactory to the board that the licensee has completed any continuing professional education required under sections 20-330 to 20-341, inclusive, or any regulations adopted thereunder. The board may renew such license if the application for such renewal is received by the board no later than one month after the date of expiration of such license, upon payment to the department of a renewal fee of [seventy-five] one hundred fifty dollars in the case of a contractor and of [sixty] one hundred twenty dollars for any other such license. The department shall issue a receipt stating the fact of such payment, which receipt shall be a license to engage in such work or occupation. A licensee who has failed to renew such licensee's license for a period of over one year from the date of expiration of such license shall have it reinstated only upon complying with the requirements of section 20-333. All license fees and renewal fees paid to the department pursuant to this section shall be deposited in the General Fund.

Sec. 247. Section 20-341e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Public Health shall hold at least four examinations each year, at such times and in such locations as may be convenient. Notice of the time and place of each examination shall be given in writing to each applicant at least ten days prior to the examination. To obtain a license an applicant shall furnish such evidence of competency as said department shall require. The applicant shall satisfy said department that he has the requisite skill to perform the work of a subsurface sewage disposal system installer or cleaner and can comply with all other requirements of this chapter. Upon application to said department for a license, the applicant shall pay to said department a fee of **[**twenty-five**]** fifty dollars for a subsurface sewage disposal system installer license or **[**ten**]** twenty dollars for a subsurface sewage disposal system cleaner license. The applicant shall present himself at the next regular examination. The Department of Public Health shall conduct such written, oral and practical examinations as it deems necessary to test the knowledge of the applicant for a subsurface sewage disposal system installer's license on sewage disposal system construction and installation or to test the knowledge of the applicant for a subsurface sewage disposal system cleaner on subsurface sewage disposal system cleaning and servicing. When an applicant has qualified for a license, the department shall issue to such person a license entitling him to engage in the work or occupation of subsurface sewage disposal system installer or subsurface sewage disposal system cleaner until the date for renewal under section 19a-88, as amended by this act. All fees collected by said department shall be promptly transmitted to the State Treasurer.

Sec. 248. Section 20-341y of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each mechanical contractor shall exhibit on all job sites the original or a copy of its certificate of registration.

(b) No mechanical contractor shall: (1) Present or attempt to present, as its own, the certificate of another, (2) knowingly give false evidence of a material nature to the commissioner for the purpose of procuring a certificate, (3) use or attempt to use a certificate which has expired or which has been suspended or revoked, (4) offer to perform or perform any heating, piping and cooling work or any plumbing and piping work without having first obtained a certificate of registration under sections 20-341s to 20-341bb, inclusive, or (5) represent in any manner that its registration constitutes an endorsement of the quality of its workmanship or of its competency by the commissioner. A violation of any of the provisions of sections 20-341s to 20-341bb, inclusive, shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

(c) Certificates issued to mechanical contractors shall be valid for one year and shall not be transferable or assignable.

(d) The fee for renewal of a certificate shall be **[**fifty-five**]** <u>one hundred ten</u> dollars.

Sec. 249. Section 20-349 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall install, service, maintain, recondition or repair receiving equipment of another, or procure the services of a third person to act on his behalf in the installation, servicing, maintenance, reconditioning or repair of receiving equipment of another without a license or a temporary permit issued for such purpose in accordance with the provisions of this chapter.

(b) No person shall offer by advertisement, telephone or in any other manner to install, service, maintain or repair receiving equipment unless such person has been licensed for such purpose in accordance with the provisions of this chapter.

(c) Any person desiring to be licensed under this chapter shall apply to the board in writing, on forms which the Department of Consumer Protection shall provide, stating: (1) Such person's name, residence address and business address; (2) a brief description of his qualifications, including the length and nature of his experience; (3) in the case of an apprentice, the name of his employer or supervisor; and (4) such other information as the department may require. Each application for a license as a service dealer shall be accompanied by a fee of **[**one**]** two hundred dollars. Each application for a license as a licensed electronics technician, licensed antenna technician or licensed radio electronics technician shall be accompanied by a fee of **[**forty**]** eighty dollars. Each application for a permit as an apprentice shall be accompanied by a fee of **[**twenty**]** forty dollars. If a service dealer as an individual is a licensed electronics technician or licensed radio electronics technician, only one license fee shall be charged in the amount of **[**one**]** two hundred dollars. On receipt of an application under the provisions of this section, the board may, for an additional fee of **[**twenty**]** forty dollars, authorize the department to issue a temporary permit which will allow the applicant to serve in the capacity for which he seeks licensure until the next examination for such license, provided only one such temporary permit shall be issued to such applicant. All such fees shall be paid to the department.

Sec. 250. Section 20-357m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section:

(1) "Telecommunications infrastructure" means structured cabling for voice and data telecommunications;

(2) "Telecommunications infrastructure layout technician" means an individual licensed by the Department of Consumer Protection pursuant to this section, to produce telecommunications infrastructure

designs that comply with nationally recognized standards;

(3) "Telecommunications infrastructure layout" means the preparing and producing of telecommunications infrastructure design and working drawings to be used for the installation, alteration or modification of a telecommunications infrastructure in all buildings, except residential buildings;

(4) "Nationally recognized standards" means the National Electric Code (NFPA-70), the (ANSI/TIA/EIA 568-A) Commercial Building Telecommunications Cabling Standard, the (ANSI/EIA/TIA-569-A) Commercial Building Standard for Telecommunications Pathways and Spaces, the (ANSI/EIA/TIA-570) Residential and Light Commercial Telecommunications Wiring Standard and all other ANSI approved telecommunications infrastructure installation standards or the equivalent thereof, as determined by the Department of Consumer Protection.

(b) No individual shall use the title "telecommunications infrastructure layout technician" unless the individual has obtained a telecommunications infrastructure layout technician license from the Department of Consumer Protection issued pursuant to this section.

(c) Each applicant shall submit an application for a telecommunications infrastructure layout technician license on forms prescribed and furnished by the Department of Consumer Protection. The applications shall include the applicant's name, residential address, business address, business telephone number and such other information or photographs as the commissioner may require. The submitted application shall include a nonrefundable application fee of **[**seventy-five**]** <u>one hundred fifty</u> dollars.

(d) The commissioner shall issue a telecommunications infrastructure layout technician license to any individual who: (1)

Completes a college level program or other program of instruction approved by the Department of Consumer Protection that assures industry standards in telecommunications infrastructure design; (2) submits an application pursuant to subsection (c) of this section deemed acceptable by the Commissioner of Consumer Protection; and (3) at the time of application, has held for not less than five years and continues to hold a valid unlimited or limited electrical license issued under the Electrical Work Board or a public service technician certificate of registration issued pursuant to section 20-340b, or has other equivalent experience and training as required for an electrical license, as determined by the commissioner. A license issued pursuant to this subsection is nontransferable. The fee for a telecommunications infrastructure layout technician license is **[**two hundred fifty**]** <u>three hundred fifteen</u> dollars. Such license shall be renewed biennially and the renewal fee is **[**two hundred fifty**]** <u>three hundred fifteen</u> dollars.

(e) Each licensee shall obtain a seal in such manner as prescribed by the Department of Consumer Protection. The licensee shall sign and apply the seal to all documentation required by this subsection concerning work within the scope of the telecommunications infrastructure layout technician license. If such documentation is more than one page and bound together, the licensee may sign and apply the seal to one page, unless such documentation concerns filing plans for a building permit or appurtenant structures where the licensee shall sign and apply the seal to every page. No licensee shall sign or apply the seal to any documentation that such licensee did not supervise the preparation of.

(f) If, after notice and opportunity for hearing as provided in regulations adopted by the Commissioner of Consumer Protection in accordance with the provisions of chapter 54, the Department of Consumer Protection determines that: (1) Negligent or incompetent work within the scope of a license issued pursuant to this section is

performed by a licensee; or (2) the licensee engages in conduct of a character likely to mislead, deceive or defraud the department or the public, the department may issue an appropriate order to such licensee providing for the immediate discontinuance of such negligent or incompetent work or conduct, and may order restitution or issue a civil penalty of up to one thousand dollars, or both.

(g) The Department of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this section and section 20-340b.

(h) Any person who is a professional engineer licensed in accordance with the provisions of chapter 391 shall be exempt from provisions of this section.

(i) Nothing in this section shall be construed to require any plans, designs, drawings or similar materials used by a public service technician, as defined in section 20-340b, in connection with telecommunications electrical work performed by such public service technician to be signed by a telecommunications infrastructure layout technician.

Sec. 251. Section 20-360 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Applications for licensure shall be on forms prescribed by the commissioner. The licensure fee for a sanitarian shall be **[**forty**]** eighty dollars for initial licensure. Each license shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act. The fee for license renewal shall be **[**twenty**]** forty dollars.

Sec. 252. Section 20-374 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Every licensed landscape architect shall pay an annual license fee

to the department. A holder of a valid license who is not engaging in the active practice of the holder's profession in this state and does not desire to register may allow the license to lapse by notifying the board of the holder's intention not to renew the license. After a license has been allowed to lapse or has been suspended, it may be reinstated upon payment of a reinstatement fee and such proof of the landscape architect's qualifications as may be required in the sound discretion of the board. The department shall issue a receipt to each landscape architect promptly upon the payment of the annual fee for a license. The amount of fees prescribed by this chapter is that fixed by the following schedule: (1) The application fee for examination shall be a nonrefundable fee of **[**forty**]** eighty dollars; (2) the fee for an initial license shall be **[**one hundred forty**]** two hundred eighty dollars; (3) the fee for a duplicate license shall be **[**five**]** fifteen dollars; (4) the annual license fee shall be the professional services fee for class E, as defined in section 33-182*l*, as amended by this act; (5) the reinstatement fee for a suspended license shall be two hundred fifty dollars; and (6) the reinstatement fee for a lapsed license shall be **[**ninety**]** one hundred eighty dollars.

(b) The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, that require persons licensed in accordance with the provisions of this chapter to fulfill a continuing education requirement. Any such person applying to renew his license shall submit to the board such proof of compliance with such continuing education requirement as the commissioner may require.

Sec. 253. Section 20-377m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A person seeking a certificate of registration as an interior designer shall apply to the commissioner in writing, on a form provided by the commissioner. Such application shall include the

applicant's name, residence address, business address and such other information as the commissioner may by regulation require.

(b) Each application for a certificate of registration shall be accompanied by a fee of **[**one hundred fifty**]** one hundred ninety dollars, provided any architect licensed in this state shall not be required to pay such fee.

Sec. 254. Section 20-377s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A registered interior designer shall exhibit his certificate of registration upon request by any interested party.

(b) No person shall: (1) Present or attempt to present, as his own, the certificate of another, (2) knowingly give false evidence of a material nature to the commissioner for the purpose of procuring a certificate, (3) use or attempt to use a certificate which has expired or which has been suspended or revoked, (4) represent himself falsely as, or impersonate, a registered interior designer or (5) include his certificate number as a part of any advertisement or represent in any manner that his certificate of registration constitutes an endorsement of the quality of his workmanship or of his competency by the commissioner.

(c) Certificates of registration issued to an interior designer shall not be transferable or assignable.

(d) All certificates of registration issued under the provisions of sections 20-377k to 20-377v, inclusive, shall expire annually.

(e) The fee for renewal of a certificate of registration as an interior designer shall be one hundred **[**fifty**]** ninety dollars, provided any architect licensed in this state shall not be required to pay such fee.

Sec. 255. Section 20-398 of the general statutes, as amended by

section 80 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person may engage in the practice of fitting or selling hearing aids, or display a sign or in any other way advertise or claim to be a person who sells or engages in the practice of fitting or selling hearing aids unless such person has obtained a license under this chapter or as an audiologist under sections 53 to 59, inclusive, of **[**this act**]** public act 09-232. No audiologist, other than an audiologist who is a licensed hearing instrument specialist on and after July 1, 1996, shall engage in the practice of fitting or selling hearing aids until such audiologist has presented satisfactory evidence to the commissioner that the audiologist has (1) completed at least six semester hours of coursework regarding the selection and fitting of hearing aids and eighty hours of supervised clinical experience with children and adults in the selection and fitting of hearing aids at an institution of higher education in a program accredited, at the time of the audiologist's completion of coursework and clinical experience, by the American Speech-Language Hearing Association or such successor organization as may be approved by the department, or (2) has satisfactorily passed the written section of the examination required by this section for licensure as a hearing instrument specialist. No person may receive a license, except as provided in subsection (b) of this section, unless such person has submitted proof satisfactory to the department that such person has completed a four-year course at an approved high school or has an equivalent education as determined by the department; has satisfactorily completed a course of study in the fitting and selling of hearing aids or a period of training approved by the department; and has satisfactorily passed a written, oral and practical examination given by the department. Application for the examination shall be on forms prescribed and furnished by the department. Examinations shall be given at least twice yearly. The fee for the examination shall be **[**one**]** two hundred dollars; and for the initial license and each renewal

thereof shall be two hundred fifty dollars.

(b) Nothing in this chapter shall prohibit a corporation, partnership, trust, association or other like organization maintaining an established business address from engaging in the business of selling or offering for sale hearing aids at retail, provided such organization employs only persons licensed, in accordance with the provisions of this chapter or as audiologists under sections 53 to 59, inclusive, of **[**this act**]** public act 09-232, in the direct sale and fitting of such products.

(c) Nothing in this chapter shall prohibit a hearing instrument specialist licensed under this chapter from making impressions for earmolds or a physician licensed in this state or an audiologist licensed under the provisions of sections 53 to 59, inclusive, of **[**this act**]** public act 09-232, from making impressions for earmolds in the course of such person's clinical practice.

Sec. 256. Section 20-400 of the general statutes, as amended by section 81 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A temporary permit may be issued to a person who has submitted proof satisfactory to the department that the applicant has completed a four-year course at an approved high school or has an equivalent education as determined by the department, upon application on forms prescribed and furnished by the department, accompanied by a fee of **[**thirty**]** sixty dollars. A temporary permit shall entitle the applicant to engage in the fitting or sale of hearing aids for a period of one year under the direct supervision and training of a person holding a valid hearing instruments dispenser's license or a license as an audiologist under sections 53 to 59, inclusive, of **[**this act**]** public act 09-232 or while enrolled in a course of study approved by the department, except that a person who holds a temporary permit shall be excluded from making selections of hearing aids.

(b) If a person who holds a temporary permit under this section has not successfully passed the licensing examination within one year from the date of its issuance, the temporary permit may be renewed once upon a payment of a **[**thirty-dollar**]** sixty-dollar fee for such renewal.

Sec. 257. Section 20-412 of the general statutes, as amended by section 64 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The fee for an initial license as provided for in section 20-411, as amended by **[**this act**]** section 63 of public act 09-232, as a speech and language pathologist shall be **[**one**]** two hundred dollars. Licenses shall expire in accordance with section 19a-88, as amended by this act, and shall become invalid unless renewed. Renewal may be effected upon payment of a fee of **[**one**]** two hundred dollars and in accordance with section 19a-88, as amended by this act.

Sec. 258. Section 20-417b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall engage in the business of new home construction or hold himself or herself out as a new home construction contractor unless such person has been issued a certificate of registration by the commissioner in accordance with the provisions of sections 20-417a to 20-417j, inclusive. No new home construction contractor shall be relieved of responsibility for the conduct and acts of its agents, employees or officers by reason of such new home construction contractor's compliance with the provisions of sections 20-417a to 20-417j, inclusive.

(b) Any person seeking a certificate of registration shall apply to the commissioner, in writing, on a form provided by the commissioner. The application shall include (1) the applicant's name, business street address and business telephone number, (2) the identity of the insurer

that provides the applicant with insurance coverage for liability, (3) if such applicant is required by any provision of the general statutes to have workers' compensation coverage, the identity of the insurer that provides the applicant with such workers' compensation coverage, and (4) if such applicant is required by any provision of the general statutes to have an agent for service of process, the name and address of such agent. Each such application shall be accompanied by a fee of **[**one hundred twenty**]** two hundred forty dollars, except that no such application fee shall be required if such person has paid the registration fee required under section 20-421 during any year in which such person's registration as a new home construction contractor would be valid.

(c) Certificates issued to new home construction contractors shall not be transferable or assignable.

(d) All certificates issued under the provisions of sections 20-417a to 20-417j, inclusive, shall expire biennially. The fee for renewal of a certificate shall be the same as the fee charged for an original application, except that no renewal fee is due if a person seeking renewal of a certificate has paid the registration fee under section 20-427 during any year in which such person's registration as a new home construction contractor would be valid.

(e) A certificate shall not be restored unless it is renewed not later than one year after its expiration.

(f) Failure to receive a notice of expiration or a renewal application shall not exempt a new home construction contractor from the obligation to renew.

Sec. 259. Section 20-421 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person seeking a certificate of registration shall apply to the

commissioner in writing, on a form provided by the commissioner. The application shall include the applicant's name, residence address, business address, business telephone number and such other information as the commissioner may require.

(b) Each application for a certificate of registration as a home improvement contractor shall be accompanied by a fee of **[**sixty**]** one hundred twenty dollars, except that no such application fee shall be required in any year during which such person has paid the registration fee required under section 20-417b or in any year in which such person's registration as a new home construction contractor is valid.

(c) Each application for a certificate of registration as a salesman shall be accompanied by a fee of **[**sixty**]** one hundred twenty dollars.

(d) The application fee for a certificate of registration as a home improvement contractor acting solely as the contractor of record for a corporation, shall be waived, provided the contractor of record shall use such registration for the sole purpose of directing, supervising or performing home improvements for such corporation.

Sec. 260. Section 20-435 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

On and after one year following the effective date of regulations adopted pursuant to section 20-440, no person shall provide services as an asbestos contractor in this state without a license issued by the commissioner. Applications for such license shall be made to the department on forms provided by it, shall be accompanied by a fee of **[**five hundred**]** six hundred twenty-five dollars and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to section 20-440, including, but not limited to, demonstrating that all employees have

passed a training course approved by the department and have been issued a certificate by the department. The department shall approve the technical, equipment and personnel resources of each applicant. No person shall be issued a license to act as an asbestos contractor unless he obtains such approval. The commissioner may issue a license under this section to any person who is licensed in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Licenses issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, upon payment of a fee of **[**five hundred**]** six hundred twenty-five dollars.

Sec. 261. Section 20-436 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after one year following the effective date of regulations adopted pursuant to section 20-440, no person shall act as an asbestos consultant in this state without a license issued by the commissioner. Applications for such license shall be made to the department on forms provided by it, and shall be accompanied by a fee of two hundred fifty dollars, and shall contain such information regarding the applicant's qualifications and experience in asbestos-related consultations as the department may require in regulations adopted pursuant to section 20-440. Except as provided in this section, no person shall be licensed as an asbestos consultant unless he completes a training course approved by the department, passes an examination prescribed by the department, receives a certificate issued by the department and satisfies employment experience and educational requirements established by the commissioner pursuant to section 20-441.

(b) The commissioner may issue a license under this section without examination to any person who is licensed in another state under a law which provides standards equal to or higher than those of Connecticut

and is not subject to any unresolved complaints or pending disciplinary actions. Licenses issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, upon payment of a fee of two hundred fifty dollars.

(c) Notwithstanding the provisions of subsection (a) of this section, a person who between July 1, 1985, and November 1, 1994, has been employed for a minimum of two years as an asbestos consultant may be licensed as an asbestos consultant without the educational requirements established pursuant to subsection (a) of this section.

Sec. 262. Section 20-437 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

On and after one year following the effective date of regulations adopted pursuant to section 20-440, no person shall be employed as an asbestos abatement worker unless such worker has completed a training program on asbestos hazards and abatement procedures approved by the department and has been issued a certificate by the department. Applications for such certificate shall be made to the department on forms provided by the department and shall contain such information regarding the applicant's qualifications as may be required in regulations adopted pursuant to section 20-440, and shall be accompanied by a fee of **[**twenty-five**]** fifty dollars. The department may issue a certificate under this section to any person who is licensed or certified in another state under a law which provides standards which are equal to or higher than those of this state, provided such person is not subject to any unresolved complaints or pending disciplinary actions. Certificates issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, upon payment of a fee of **[**twenty-five**]** fifty dollars.

Sec. 263. Section 20-457 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person engaged in providing association management services shall (1) exhibit his certificate of registration upon request by any interested party, (2) state in any advertisement the fact that he is registered, and (3) include his registration number in any advertisement.

(b) No person shall: (1) Present or attempt to present, as his own, the certificate of another, (2) knowingly give false evidence of a material nature to the commission or department for the purpose of procuring a certificate, (3) represent himself falsely as, or impersonate, a registered community association manager, (4) use or attempt to use a certificate which has expired or which has been suspended or revoked, (5) offer to provide association management services without having a current certificate of registration under sections 20-450 to 20-462, inclusive, (6) represent in any manner that his registration constitutes an endorsement of the quality of his services or of his competency by the commission or department. In addition to any other remedy provided for in sections 20-450 to 20-462, inclusive, any person who violates any provision of this subsection shall be fined not more than five hundred dollars or imprisoned for not more than one year or be both fined and imprisoned. A violation of any of the provisions of sections 20-450 to 20-462, inclusive, shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

(c) Certificates issued to community association managers shall not be transferable or assignable.

(d) All certificates issued under the provisions of sections 20-450 to 20-462, inclusive, shall expire annually on the thirty-first day of January. The fee for renewal of a certificate shall be **[**one**]** <u>two</u> hundred dollars.

(e) A community association manager whose certificate has expired more than one month before his application for renewal is made shall have his registration restored upon payment of a fee of **[**twenty-five**]** fifty dollars in addition to his renewal fee. Restoration of a registration shall be effective upon approval of the application for renewal by the commission.

(f) A certificate shall not be restored unless it is renewed not later than one year after its expiration.

(g) Failure to receive a notice of expiration or a renewal application shall not exempt a community association manager from the obligation to renew.

Sec. 264. Section 20-475 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

On and after the effective date of regulations adopted pursuant to section 20-478, no entity shall hold itself out as a lead abatement contractor or lead consultant contractor, or to principally engage in such work in this state without a license issued by the Commissioner of Public Health. Applications for such license shall be made to the department on forms provided by it, and shall be accompanied by a fee of **[**five hundred**]** six hundred twenty-five dollars, and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to said section 20-478 including, but not limited to, demonstrating that all employees of any applicant who require certification pursuant to subsections (e) and (f) of section 19a-88, as amended by this act, and sections 20-474 to 20-482, inclusive, are certified by the department. The department shall review the technical, equipment and personnel resources of each applicant. No person shall be issued a license to act as a lead abatement contractor or lead consultant contractor unless such person obtains such approval. The commissioner may issue a

license under this section to any person who is licensed in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Licenses issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, upon payment of a fee of **[**five hundred**]** six hundred twenty-five dollars.

Sec. 265. Section 20-476 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

On and after the effective date of regulations adopted pursuant to section 20-478, no person shall hold himself out as a lead consultant, lead abatement supervisor or a lead abatement worker as defined in regulations adopted pursuant to section 20-478, in this state without a certificate issued by the Commissioner of Public Health. Applications for such certificate shall be made to the department on forms provided by it and shall be accompanied by a fee of **[**twenty-five**]** fifty dollars, and shall contain such information regarding the applicant's qualifications as the department may require in regulations adopted pursuant to said section 20-478. No person shall be issued a certificate to act as a lead consultant, lead abatement supervisor or lead abatement worker unless such person obtains such approval. The commissioner may issue a certificate under this section to any person who is licensed or certified in another state under a law which provides standards which are equal to or higher than those of Connecticut and is not subject to any unresolved complaints or pending disciplinary actions. Certificates issued pursuant to this section shall be renewed annually in accordance with the provisions of section 19a-88, as amended by this act, upon payment of a fee of **[**twenty-five**]** fifty dollars.

Sec. 266. Section 20-477 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after July 1, 1994, all training courses and refresher training courses offered by training providers for persons seeking instruction as a lead consultant, including inspector or planner-project designer, lead abatement supervisor and lead abatement worker, shall be approved by the department and shall be conducted in accordance with the requirements of this section. Each application for approval of each training course offered by a training provider shall be accompanied by a fee of one thousand two hundred fifty dollars. Each application for approval of each refresher training course offered by a training provider shall be accompanied by a fee of **[**two hundred fifty**]** three hundred fifteen dollars. Each training course shall be reapproved by the department every three years. Each training provider shall pay a fee of one thousand two hundred fifty dollars for application for reapproval of each training course in accordance with this section. Each refresher training course shall be reapproved by the department every three years. Each refresher training provider shall pay a fee of **[**two hundred fifty**]** three hundred fifteen dollars for application for reapproval of each refresher training course in accordance with this section. No fee shall be imposed upon training courses or refresher training courses operated and provided by the state, municipalities or nonprofit agencies. In order to facilitate uniformity among states in regulatory programs for lead abatement and lead consultant personnel and reciprocity of licensure and certification programs, the commissioner may establish liaisons with other states having state certification or licensure programs.

(b) (1) A training provider seeking approval of a training course or a refresher training course shall submit to the department completed application forms provided by the department and other associated material and such information as the department shall require to establish compliance with the requirements of this section.

(2) A training provider may offer any training course or refresher

training course as desired, provided each course is approved by the department. Only training providers who have already received approval for a training course in a particular discipline, or are concurrently seeking such approval, may seek approval for a refresher training course in that discipline.

(3) Training course curricula shall encompass topics and materials as established by the commissioner. These curricula shall conform to standards or guidance for such course as established by the federal Environmental Protection Agency or such other federal agencies as may have jurisdiction.

(4) Training courses and refresher training courses shall utilize staff and faculty who comply with educational and experience standards as established by the commissioner. These standards shall conform to standards or guidance for such personnel qualifications as established by the federal Environmental Protection Agency or such other federal agencies as may have jurisdiction.

(c) Refresher training courses for each training course shall include the following: (1) An overview of key safety practices; (2) an update on new federal, state and local laws and regulations; and (3) an update on new technologies. Each refresher course shall consist of a minimum of seven training hours.

(d) Each training provider shall administer a closed book objective examination at the completion of each training or refresher training course. Such examination shall be an evaluation of the knowledge and skills acquired by each student. The course examination shall cover the course curriculum taught in each course. Training providers shall establish a passing standard for each course examination, provided such standard shall not be lower than seventy per cent correct.

(e) The department may conduct an audit of any training course or

refresher training course prior to reapproval. The training provider shall submit an application for reapproval not earlier than one hundred eighty days [nor] or later than ninety days before the current course approval expires. In the event an audit is performed, the following elements may be examined: (1) Course materials; (2) instructor competency; (3) validity and security of the course examination; (4) the conduct of hands-on skills assessments; (5) adequacy of the facility and equipment; and (6) the training course quality control plan.

(f) Each training provider shall retain the following information: (1) Records of staff and faculty qualifications; (2) curriculum and course materials; (3) course examination or pool of examination questions; (4) information on how hands-on skills assessments were conducted; and (5) student files grouped alphabetically by class and year. Each student file shall contain results of the hands-on skills assessment and the examination and copies of any course completion certificate issued. The training provider shall retain these records at the location specified on the training provider's approved application for a minimum of three years.

(g) The department may, after opportunity for hearing, suspend, revoke or withdraw approval of a training or refresher training course upon a finding that a training course provider has committed any of the following acts: (1) Misrepresentation or concealment of a material fact in the obtaining of approval or reapproval of a training or a refresher training course; (2) failure to submit required information or notifications in a timely manner; (3) failure to maintain requisite records; (4) falsification of records, instructor qualifications or other approval information; (5) failure to adhere to the training standards and requirements of this section; (6) failure on the part of the training manager or other person with supervisory authority over the delivery of training to comply with federal, state or local lead statutes or

regulations; or (7) fraudulent issuance of a course completion document to a person who has failed to successfully complete the course or course examination. Notice of any contemplated action under this subsection, the cause of action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54. The commissioner may petition the superior court for the judicial district of Hartford to enforce any order or action taken pursuant to this subsection. The provisions of this subsection shall not apply to applications for approval or reapproval filed pursuant to this section.

(h) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, requiring that applicants successfully complete an examination prescribed by the department, for certification in the following professions: Lead consultant, lead abatement supervisor and lead abatement worker.

Sec. 267. Section 20-492a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The department shall issue to each applicant who achieves a passing score on the examination administered by the department pursuant to section 20-491a and who meets the requirements for licensure set forth in subsection (a) of section 20-492b and in regulations adopted by the commissioner pursuant to section 20-491 a home inspector license indicating that the holder is entitled to engage in home inspection, and the holder of such license shall carry it upon such holder's person while engaging in such work. The licensee shall show such license to any client on request. No license shall be transferred to or used by any person other than the person to whom the license was issued.

(b) Prior to performing a home inspection, each licensee shall inform the client, in writing, that the licensee's work is subject to regulation by

the department and that inquiries and complaints concerning the licensee's work may be directed to the department.

(c) All licenses issued under the provisions of this section shall expire biennially and may be renewed upon application and payment to the department of a renewal fee in the amount of two hundred fifty dollars.

(d) The department shall maintain a register containing the names of all persons to whom such licenses are issued which shall be open to public inspection.

Sec. 268. Section 20-493a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The department shall issue to each applicant who meets the eligibility requirements set forth in section 20-493b and the regulations adopted by the commissioner pursuant to section 20-491 a home inspector intern permit indicating that the holder is entitled to engage in home inspection under the supervision of a licensed home inspector, and the holder of such permit shall carry it upon such holder's person while engaging in such work. Such permit shall state that it must be shown to any properly interested person on request. No permit shall be transferred to or used by any person other than the person to whom the permit was issued.

(b) All permits issued under the provisions of this section shall expire biennially and may be renewed upon application and payment to the department of an application fee in the amount of **[**one**]** two hundred dollars.

(c) The department shall keep a register containing the names of all persons to whom such permits are issued which shall be open to public inspection.

Sec. 269. Section 20-511 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) In order to obtain a certification, license, limited license or provisional license, persons who have met, to the satisfaction of the commission, the minimum requirements established by the commission for such certification, license, limited license or provisional license, shall pay to the commission, in addition to the application fee described in subsection (c) of section 20-509, an initial fee of: Three hundred seventy-five dollars, in the case of certified appraisers; two hundred **[**twenty-five**]** eighty-five dollars, in the case of licensed appraisers and limited licensed appraisers; and **[**fifty**]** one hundred dollars, in the case of provisional appraisers.

(b) All certifications, licenses, limited licenses and provisional licenses issued under the provisions of sections 20-500 to 20-528, inclusive, shall expire annually and be subject to renewal. The renewal fee for certifications, licenses, limited licenses and provisional licenses, to be paid to the commission, shall be: Two hundred **[**twenty-five**]** eighty-five dollars in the case of certified appraisers; two hundred **[**twenty-five**]** eighty-five dollars in the case of licensed and limited licensed appraisers; and **[**fifty**]** one hundred dollars, in the case of provisional appraisers.

(c) In order for the commission to comply with federal law and transmit a roster of real estate appraisers to the appropriate federal regulatory entity, real estate appraisers shall pay to the Commissioner of Consumer Protection, in addition to application and recordation fees, an annual registry fee established by the commission.

(d) Any certification, license, limited license or provisional license which expires pursuant to this subsection may be reinstated by the commission, if, not later than two years after the date of expiration, the former certification holder, licensee, limited licensee or provisional

licensee pays to the commission for each certification the sum of two hundred twenty-five dollars, for each license or limited license the sum of two hundred twenty-five dollars and for each provisional license the sum of fifty dollars for each year or fraction thereof from the date of expiration of the previous certification, license, limited license or provisional license to the date of payment for reinstatement, except that any certified, licensed, limited licensed or provisionally licensed appraiser whose certification, license, limited license or provisional license expired after entering military service shall be reinstated without payment of any fee if an application for reinstatement is filed with the commission within two years after the date of expiration. Any such reinstated certification, license, limited license or provisional license shall expire annually. Any such reinstated certification, license, limited license or provisional license shall be subject to an annual renewal thereafter.

(e) Any person whose application has been filed as provided in this section and section 20-509 who is refused a certification, license, limited license or provisional license shall be given notice and afforded an opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection.

Sec. 270. Section 20-517 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) There is hereby established an annual renewal certification, license, limited license and provisional license to be issued by the Department of Consumer Protection.

(b) The commission shall authorize the Department of Consumer Protection to issue a renewal certification, license, limited license or provisional license, as the case may be, to any applicant who possesses the qualifications specified and otherwise has complied with the provisions of sections 20-500 to 20-528, inclusive, and any regulation

adopted in conformity with said sections.

(c) Persons certified, licensed, limited licensed or provisionally licensed in accordance with the provisions of sections 20-500 to 20-528, inclusive, shall fulfill a continuing education requirement. Applicants for an annual renewal certification, license, limited license or provisional license shall, in addition to the other requirements imposed by the provisions of said sections, biennially within any even-numbered year submit proof of compliance with the continuing education requirements of this subsection, if any, to the commission, accompanied by **[**an eight-dollar**]** a sixteen-dollar processing fee.

(d) The continuing education requirements for certified, licensed, limited licensed, or provisionally licensed appraisers shall be satisfied by successful completion of the required number of hours of classroom study, during the two-year period preceding such renewal of certification, license, limited license or provisional license as provided by the commission or standards of the Appraiser Qualification Board of the Appraisal Foundation, as the case may be.

(e) If the commission refuses to grant a renewal certification, license, limited license or provisional license, the certificate holder, licensee, limited licensee or provisional licensee, upon written notice received as provided for in this chapter, may avail himself or herself of any of the remedies provided by sections 20-511 and 20-520.

(f) The Commissioner of Consumer Protection, in consultation with the commission, shall adopt regulations in accordance with the provisions of chapter 54, concerning the approval of schools, institutions or organizations offering courses in current real estate or real estate appraisal practices and licensing laws and the content of such courses. Such regulations may include, but not be limited to: (1) Specifications for meeting equivalent continuing educational experience or study; (2) exceptions from continuing education

requirements for reasons of health or instances of individual hardship.

Sec. 271. Section 20-540 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section and section 20-541:

(1) "Gas service work" means the repair, alteration or maintenance of equipment, appliances, accessories or fixtures within or adjacent to a building or structure in connection with the utilization of gas supplied by a public service company.

(2) "Public service gas technician" means an employee of a public service company, as defined in section 16-1, who is engaged in the supervision or performance of gas service work.

(b) Notwithstanding any provisions of chapter 393 to the contrary, a public service gas technician shall be issued a certificate of registration by the Department of Consumer Protection in lieu of any license which otherwise might be required under said chapter, which shall entitle the holder of such certificate to perform gas service work only as provided in this section, provided the public service company which employs the public service gas technician certifies to the Department of Consumer Protection that the employee has obtained such training and experience deemed necessary by the public service company to perform gas service work included in such employee's job functions. All public service gas technicians employed by a public service company prior to July 1, 1995, who have completed a gas public service company's training program or are participating in such a program on said date shall be issued a certificate of registration upon the payment of the fee required in subsection (h) of this section.

(c) The content and duration of the training and experience programs provided by the public service company shall be relevant to the duties of the employee and shall be approved biennially by the

Labor Department. In reviewing the programs and training provided by a public service company, the Labor Department shall consider the specialization of the employees of the company, the employee's previous company training, the service record of the company, the experience of the company in training employees to perform gas service work and the quality assurance measures used by the company.

(d) An employee enrolled in the company's training programs shall be issued a trainee's certificate by such company valid for the duration of the training program and may perform gas service work only under the supervision of an employee of the public service company who is a registered public service gas technician or holds a journeyman's license.

(e) A public service company employing a public service gas technician shall inform the Department of Consumer Protection upon the change in job description or termination of any registered public service gas technician previously certified pursuant to subsection (b) of this section and upon the issuance or termination of a trainee's certificate provided to an employee pursuant to subsection (d) of this section.

(f) A registered public service gas technician or employee of a public service company issued a trainee's certificate by such company may only perform such work on behalf of such public service company and only while in the direct employment of such public service company. Such registration or trainee's certificate shall be immediately relinquished upon termination of employment from such public service company.

(g) A registered public service gas technician may not supervise any duly registered apprentice performing work under a permit issued pursuant to subdivision (4) of subsection (a) of section 20-334a.

(h) The public service gas technician's registration shall expire annually. Upon application for a license, the applicant shall pay to the department a nonrefundable application fee of **[**forty-five**]** ninety dollars. The fee for registration as a public service gas technician shall be the same fee as that charged for a journeyman's license under section 20-335.

(i) The Department of Consumer Protection may suspend or revoke a certificate granted or issued by it pursuant to this section if the holder of such certificate is convicted of a felony, is grossly incompetent, engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations regarding his work. Prior to such suspension or revocation, such holder shall be given notice and an opportunity for hearing as provided in regulations adopted by the Commissioner of Consumer Protection. Any person whose certificate has been suspended may, after ninety days, apply to the department to have such certificate reinstated.

(j) The Department of Consumer Protection may, after notice and hearing, impose a civil penalty on any person who (1) engages in or practices gas service work without having first obtained a trainee's certificate or a certificate of registration for such work, (2) wilfully employs a person who does not have a certificate for such work, (3) wilfully and falsely pretends to qualify to engage in or practice such work, or (4) engages in or practices such work after the expiration of his certificate. Such penalty shall be in an amount not more than five hundred dollars for a first violation of this subsection, not more than seven hundred fifty dollars for a second violation and not more than one thousand five hundred dollars for each violation of this subsection occurring less than three years after a second or subsequent violation of this subsection.

(k) The Department of Consumer Protection may act in accordance

with the provisions of subdivision (7) of section 21a-7 in the case of a person who: (1) Knowingly engages in fraud or material deception in order to obtain a certificate to perform gas service work or doing so in order to aid another in obtaining such a certificate; (2) performs work beyond the scope of such a certificate; (3) illegally uses or transfers such a certificate; (4) performs incompetent or negligent gas service work; (5) knowingly makes false, misleading or deceptive representations to the public regarding gas service work to be performed; or (6) violates any provision of the general statutes or any regulation adopted thereunder, relating to his profession or occupation.

(l) In lieu of displaying a contractor's license number, each public service company authorized pursuant to this section to employ registered public service gas technicians shall display its name, logo or other trademark which clearly identifies the company on all commercial vehicles used in its business and in a conspicuous manner on all printed advertisements, bid proposals, contracts, invoices and on all stationery used in its business.

Sec. 272. Section 20-559h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

An application for registration or renewal of registration shall be accompanied by a fee in the following amount:

(1) Two hundred <u>fifty</u> dollars for an initial application for registration;

(2) Two hundred <u>fifty</u> dollars for an application for registration based upon a certificate of registration or licensure issued by another state;

(3) Two hundred <u>fifty</u> dollars for an application for renewal of registration; or

(4) Two hundred fifty dollars for an application for renewal of registration based upon an application for renewal of registration or licensure submitted in another state.

Sec. 273. Section 20-601 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The department shall collect the following nonrefundable fees:

(1) The fee for issuance of a pharmacist license is **[**one**]** two hundred dollars, payable at the date of application for the license.

(2) The fee for applying to take the pharmacist license examination required in section 20-590 and in section 20-591 is one hundred **[**fifty**]** ninety dollars, payable at the date of application for the pharmacist license.

(3) The fee for renewal of a pharmacist license is the professional services fee for class A, as defined in section 33-182*l*. Before the commission grants a license to an applicant who has not held a license authorized by the commission within five years of the date of application, the applicant shall pay the fees required in subdivisions (1) and (2) of this section.

(4) The fee for issuance of a pharmacy license is **[**six hundred**]** seven hundred fifty dollars.

(5) The fee for renewal of a pharmacy license is one hundred **[**fifty**]** ninety dollars.

(6) The late fee for an application for renewal of a license to practice pharmacy, a pharmacy license or a permit to sell nonlegend drugs is the amount set forth in section 21a-4.

(7) The fee for notice of a change in officers or directors of a corporation holding a pharmacy license is **[**thirty**]** sixty dollars for each

pharmacy license held. A late fee for failing to give such notice within ten days of the change is [twenty-five] fifty dollars in addition to the fee for notice.

(8) The fee for filing notice of a change in name, ownership or management of a pharmacy is [forty-five] ninety dollars. A late fee for failing to give such notice within ten days of the change is [twenty-five] fifty dollars in addition to the fee for notice.

(9) The fee for application for registration as a pharmacy intern is [thirty] sixty dollars.

(10) The fee for application for a permit to sell nonlegend drugs is [seventy] one hundred forty dollars.

(11) The fee for renewal of a permit to sell nonlegend drugs is [fifty] one hundred dollars.

(12) The late fee for failing to notify the commission of a change of ownership, name or location of the premises of a permit to sell nonlegend drugs within five days of the change is [ten] twenty dollars.

(13) The fee for issuance of a nonresident pharmacy certificate of registration is [six hundred] seven hundred fifty dollars.

(14) The fee for renewal of a nonresident pharmacy certificate of registration is one hundred [fifty] ninety dollars.

(15) The fee for application for registration as a pharmacy technician is [fifty] one hundred dollars.

(16) The fee for renewal of a registration as a pharmacy technician is [twenty-five] fifty dollars.

(17) The fee for issuance of a temporary permit to practice pharmacy is [one] two hundred dollars.

Sec. 274. Section 20-653 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person seeking a license under the provisions of sections 20-650 to 20-656, inclusive, shall apply to the board in writing on a form provided by the board. Such application shall include the applicant's name, residence address, business address and such other information as the Commissioner of Consumer Protection may require by regulation adopted in accordance with chapter 54 upon the recommendation of the board.

(b) Each application for a license under the provisions of sections 20-650 to 20-656, inclusive, shall be accompanied by a nonrefundable application fee of **[**fifty**]** one hundred dollars and a license fee of one hundred **[**fifty**]** ninety dollars. The fee for the renewal of any license issued under the provisions of sections 20-650 to 20-656, inclusive, shall be one hundred **[**fifty**]** ninety dollars.

Sec. 275. Section 20-660 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall practice hypnosis or hold himself or herself out as a hypnotist in this state without first registering with the Department of Consumer Protection pursuant to subsection (b) of this section.

(b) Each person who practices hypnosis in this state shall, upon payment of an application fee of **[**fifty**]** one hundred dollars, register with the Department of Consumer Protection on a form provided by the department with such information and attestation as the Commissioner of Consumer Protection deems necessary, including, but not limited to, (1) such person's name in full, (2) such person's residential and business addresses, and (3) a representation, in writing, that such person is not subject to the registration requirements of

chapter 969. Each such person shall notify the department, in writing, not later than thirty days after the date of any change in such person's name, residential address or business address or if such person becomes subject to the registration requirements of chapter 969. A registration shall expire annually and may be renewed upon payment of a renewal fee of **[**fifty**]** one hundred dollars.

(c) The Commissioner of Consumer Protection may deny registration as a hypnotist to an individual who has been the subject of a finding rendered pursuant to subsection (d) of this section. The registry shall contain information concerning any individual who has been denied said registration, as well as any brief statement disputing such denial by such individual.

(d) The Department of Consumer Protection shall receive and investigate complaints against individuals who are practicing or have practiced hypnosis in this state and may cause a prosecution to be instigated based on such investigation. The grounds for complaint shall include physical or sexual abuse, misappropriation of property, and fraud or deceit in obtaining or attempting to obtain registration as a hypnotist. A hypnotist shall be given written notice by certified mail by the commissioner of any complaint against him or her. A hypnotist who wishes to appeal a complaint against him or her shall, not later than thirty days after the date of the mailing, file with the department a request in writing for a hearing to contest the complaint. Any such hearing shall be conducted pursuant to chapter 54. The commissioner shall render a finding on such complaint and enter such finding on the registry. The commissioner shall have the authority to render a finding and enter such finding on the registry against an individual who is practicing or has practiced hypnosis in this state, without regard to whether such individual is on the registry or has obtained registration as a hypnotist from the department.

(e) A hypnotist may petition the Commissioner of Consumer

Protection to have the finding removed from the registry upon a determination by the commissioner that: (1) The employment and personal history of the hypnotist does not reflect a pattern of abusive, deceitful or fraudulent behavior; and (2) the conduct involved in the original finding was a singular occurrence. In no case shall a determination on a petition submitted under this subsection be made prior to the expiration of a one-year period beginning on the date on which the finding was added to the registry pursuant to subsection (d) of this section.

(f) The Commissioner of Consumer Protection may, after notice and hearing, in accordance with the provisions of chapter 54, assess a civil penalty of not more than one hundred dollars against any person who has practiced hypnosis in this state without first registering with the department pursuant to subsection (b) of this section.

(g) The Commissioner of Consumer Protection shall revoke the registration of a person under this section after notice and hearing in accordance with the provisions of chapter 54 if such person becomes subject to the registration requirements of chapter 969.

(h) The provisions of this section do not apply to any person licensed in this state to provide medical, dental, nursing, counseling or other health care, substance abuse or mental health services.

(i) The Commissioner of Consumer Protection, in consultation with the Commissioner of Public Health, may adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

(j) For purposes of this section, "hypnosis" means an artificially induced altered state of consciousness, characterized by heightened suggestibility and receptivity to direction.

Sec. 276. Section 20-672 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person seeking a certificate of registration as a homemaker-companion agency shall apply to the Commissioner of Consumer Protection, in writing, on a form provided by the commissioner. The application shall include the applicant's name, residence address, business address, business telephone number and such other information as the commissioner may require. An applicant shall also be required to certify under oath to the commissioner that: (1) Such agency complies with the requirements of section 20-678 concerning employee comprehensive background checks, (2) such agency provides all persons receiving homemaker or companion services with a written individualized contract or service plan that specifically identifies the anticipated scope, type, frequency and duration of homemaker or companion services provided by the agency to the person, (3) such agency maintains a surety bond, and (4) all records maintained by such agency shall be open, at all reasonable hours, for inspection, copying or audit by the commissioner.

(b) Each application for a certificate of registration as a homemaker-companion agency shall be accompanied by a fee of three seventy-five hundred dollars.

(c) Upon the failure by a homemaker-companion agency to comply with the registration provisions of this section, the Attorney General, at the request of the Commissioner of Consumer Protection, is authorized to apply in the name of the state of Connecticut to the Superior Court for an order temporarily or permanently restraining and enjoining a homemaker-companion agency from continuing to do business in the state.

Sec. 277. Section 21-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each itinerant vendor or managing itinerant vendor shall obtain a license from the Department of Consumer Protection prior to conducting business in this state. Application for such license shall be made on a form prescribed by the Commissioner of Consumer Protection and the commissioner shall require as a condition to the issuance and renewal of any license obtained under this chapter that the application for such license shall be accompanied by a license fee of **[**one**]** two hundred dollars, together with a fee of **[**one**]** two hundred dollars payable to the Itinerant Vendor Guaranty Fund established in section 21-33b. Such license shall authorize the licensee to do business in this state in conformity with the provisions of this chapter for the term of one year from the date thereof. Each license shall set forth a copy of the application upon which it is granted and shall not be transferable. Each itinerant vendor or managing itinerant vendor licensed under this chapter shall display in a conspicuous manner in all printed advertisements, the license number and the name under which the license is issued. Any license obtained, held or used in violation of law shall be void. All applications for state licenses shall be sworn to, shall disclose the names and residences of the owner or owners or parties in whose interest the business is to be conducted, and shall be kept on file by the commissioner, and a record shall be kept by him of all licenses issued upon such applications. All files and records, both of the commissioner and of the several towns, cities and boroughs, relative to such licenses shall be in convenient form and open for public inspection.

(b) At least ten days prior to the commencement of any organized show of itinerant vendors, each managing itinerant vendor shall submit a list of participating vendors to the commissioner, together with any other information which the commissioner may prescribe. The list of participating itinerant vendors in each show shall be maintained by the managing itinerant vendor for a period of one year and shall be made available to the commissioner within ten days of a

written request by the commissioner.

(c) For the purposes of this chapter, any itinerant vendor who participates in any show under the direction and control of a managing itinerant vendor, shall be deemed to be an agent of the managing itinerant vendor and shall not be required to obtain an individual itinerant vendor license.

(d) The commissioner, after providing notice and conducting a hearing in accordance with the provisions of chapter 54, may revoke, suspend or refuse to issue an itinerant vendor license or a managing itinerant vendor license to any person who (1) engages in conduct of a character likely to mislead, deceive or defraud the public or the commissioner; (2) engages in any untruthful or misleading advertising; or (3) violates any provision of the general statutes relating to this chapter or any regulation adopted pursuant to section 21-33a or 42-110b.

Sec. 278. Section 21-35m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall act as a promoter, as defined in section 21-35a, for any closing-out sale unless he has first registered with the commissioner. Applications for registration and for the renewal of a registration shall be in writing, under oath in the form prescribed by the commissioner and shall be accompanied by a fee of **[**one**]** <u>two</u> hundred dollars. The application shall contain such information as the commissioner shall require. Each registration shall be valid for one year and may be renewed for additional one-year periods.

(b) Each agreement between a promoter and a closing-out sale licensee shall: (1) Be in writing; (2) contain the date of the agreement; (3) contain the entire agreement between the promoter and licensee; (4) contain the name and address of the promoter; and (5) be signed by

both parties.

(c) The commissioner, after providing notice and conducting a hearing in accordance with the provisions of chapter 54, may revoke or suspend the registration of any person as a promoter for (1) conduct of a character likely to mislead, deceive or defraud the public or the commissioner; (2) engaging in any untruthful or misleading advertising; or (3) violating any provision of this chapter relating to closing-out sales or any regulation established pursuant to section 21-35i or 42-110b. In addition, the commissioner, after providing notice and conducting a hearing in accordance with the provisions of chapter 54 may impose a civil penalty of not more than five hundred dollars for each offense. Each violation with respect to each separate item of merchandise shall be deemed a separate offense.

Sec. 279. Section 21-67 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Application for a license to operate a mobile manufactured home park shall be made in writing to the department on such forms and in such manner and accompanied by such evidence in support of the application as the department may prescribe together with a fee determined in accordance with subsection (c) of this section. Certification of approval by the appropriate local official or commission of compliance with the State Building Code and any existing municipal ordinance or planning or zoning regulation shall accompany such application.

(b) The department shall, within sixty-five days after the receipt of the application, review the application, plans and specifications and inspect the location. If the department finds that the proposed park meets the provisions of this chapter and of any other state statutes or regulations and municipal ordinances or regulations, it shall approve the application and, subject to reinspection and approval on

completion of the park or sections of the park and payment of the annual license fee as provided in subsection (c), shall issue a license effective for one year.

(c) The annual license fee for each mobile manufactured home park shall be computed on the basis of the number of mobile manufactured home spaces located in the park in accordance with the following schedule:

Not more than twenty-nine spaces	[One hundred twenty-five] two hundred fifty dollars plus three dollars for each space
More than twenty-nine but not more than fifty spaces	[Six hundred eighty-eight] eight hundred sixty dollars
More than fifty but not more than one hundred spaces	One thousand [sixty-three] three hundred fifteen dollars
More than one hundred spaces	One thousand [two hundred fifty] five hundred dollars

No municipality shall charge any fee or assessment under a mobile manufactured home or trailer ordinance or zoning regulation other

than a fee for seasonal use.

(d) The department shall, upon receipt of a renewal application, accompanied by the annual license fee, and after inspection of the mobile manufactured home park and determination that the park continues to conform with the requirements of this chapter, issue a renewal license.

(e) The department shall annually issue a mobile manufactured home seller's license to any person who, on October 1, 1992, has a valid Department of Motor Vehicles dealers' and repairers' license under which the licensee has engaged in the sale or resale of mobile manufactured homes. The mobile manufactured home seller's license shall allow the licensee, or any of his employees, to sell new or used mobile manufactured homes. The mobile manufactured home seller's license shall be issued annually after payment of an annual licensing fee of three hundred seventy-five dollars. No person, except a person licensed or specifically exempted under chapter 392, shall act as a real estate broker or a real estate agent for the resale of a mobile manufactured home without a license issued pursuant to this subsection.

Sec. 280. Section 21a-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The applicant for a vending machine operator's license shall pay a license fee according to the following schedule: For machines vending products at one penny; a fee of **[**ten**]** twenty dollars for the first three machines; a fee of **[**twenty**]** forty dollars for four but not more than fifty machines; a fee of **[**forty**]** eighty dollars for fifty-one but not more than one hundred machines; and for operators of more than one hundred machines, a fee of **[**forty**]** eighty dollars for each one hundred machines or fraction thereof. For machines vending products at five cents or more; a fee of **[**twenty**]** forty dollars for the first three

machines; a fee of **[**fifty**]** one hundred dollars for four but not more than fifty machines; a fee of **[**one**]** two hundred dollars for fifty-one but not more than one hundred machines; and for operators of more than one hundred machines, a fee of **[**one**]** two hundred dollars for each one hundred machines or fraction thereof. An operator may place machines in operation in excess of the number permitted by the fee schedule for his license, during the period covered by such license, provided he shall pay the higher fee required by the fee schedule for the applicable number of machines, less the fee previously paid for such period.

(b) An applicant who operates machines in both vending price categories shall pay the sum of the fees in each appropriate category.

(c) The provisions of this section shall not apply to any religious association or society, any department or agency of the United States, the state or any political subdivision of this state, or to any person exempted under the provisions of section 10-303. The commissioner may exempt from the provisions of this section any amateur athletic group composed principally of minors, any association of youths sponsored by the Division of State Police within the Department of Public Safety or a municipal police department or the members thereof, and any charitable or philanthropic organization registered with the Commissioner of Consumer Protection under the provisions of section 21a-190b or exempted from such registration under the provisions of section 21a-190d upon finding that the application of this section to any such group, association or organization would not materially aid in its administration and that such exception would not be inimical to public health and safety.

Sec. 281. Section 21a-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The license fee for a retail manufacturer of frozen desserts shall be

[twenty-five**]** fifty dollars for each plant. The license fee for a wholesale manufacturer to manufacture frozen desserts or frozen dessert mix within Connecticut or to sell within Connecticut, as the case may be, shall be **[**fifty**]** one hundred dollars for the first twenty-five thousand gallons or fraction thereof and an additional **[**seventy-five**]** one dollar and fifty cents per thousand gallons or fraction thereof above twenty-five thousand gallons manufactured or sold in Connecticut during the previous calendar year, provided such fee shall not exceed **[**twenty-five hundred**]** two thousand seven hundred fifty dollars. In any case where dessert mix is manufactured by a particular manufacturer and such mix is subsequently converted by the same manufacturer into frozen dessert, either in the same plant or in another owned by such manufacturer, the license fee payable by such manufacturer on account of all of the processes wherein such mix is concerned shall be computed on the basis of the total number of gallons of finished frozen desserts so manufactured using such mix, and no license fee shall be due or payable on any such frozen mix so manufactured and used. The fee shall be tendered to the Commissioner of Consumer Protection with the application and, upon the issuance of the license, shall be remitted by the commissioner to the State Treasurer.

Sec. 282. Section 21a-70 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section: (1) "Wholesaler" or "distributor" means a person, whether within or without the boundaries of the state of Connecticut, who supplies drugs, medical devices or cosmetics prepared, produced or packaged by manufacturers, to other wholesalers, manufacturers, distributors, hospitals, prescribing practitioners, as defined in subdivision (22) of section 20-571, pharmacies, federal, state or municipal agencies, clinics or any other person as permitted under subsection (h) of this section, except that a retail pharmacy or a pharmacy within a licensed hospital which

supplies to another such pharmacy a quantity of a noncontrolled drug or a schedule III, IV or V controlled substance normally stocked by such pharmacies to provide for the immediate needs of a patient pursuant to a prescription or medication order of an authorized practitioner, a pharmacy within a licensed hospital which supplies drugs to another hospital or an authorized practitioner for research purposes, and a retail pharmacy which supplies a limited quantity of a noncontrolled drug or of a schedule II, III, IV or V controlled substance for emergency stock to a practitioner who is a medical director of a chronic and convalescent nursing home, of a rest home with nursing supervision or of a state correctional institution shall not be deemed a wholesaler under this section; (2) "manufacturer" means a person whether within or without the boundaries of the state of Connecticut who produces, prepares, cultivates, grows, propagates, compounds, converts or processes, directly or indirectly, by extraction from substances of natural origin or by means of chemical synthesis or by a combination of extraction and chemical synthesis, or who packages, repackages, labels or relabels a container under such manufacturer's own or any other trademark or label any drug, device or cosmetic for the purpose of selling such items. The words "drugs", "devices" and "cosmetics" shall have the meaning ascribed to them in section 21a-92; and (3) "commissioner" means the Commissioner of Consumer Protection.

(b) No wholesaler or manufacturer shall operate as such until he has received a certificate of registration issued by the commissioner, which certificate shall be renewed annually, provided no such certificate shall be required of a manufacturer whose principal place of business is located outside the state, who is registered with the federal Food and Drug Administration or any successor agency and who files a copy of such registration with the commissioner. A fee of one hundred **[**fifty**]** <u>ninety</u> dollars shall be charged for each wholesaler's certificate and renewal thereof and the fee for a manufacturer's certificate and

renewal thereof shall be two hundred [twenty-five] eighty-five dollars for manufacturers employing not more than five licensed pharmacists or qualified chemists or both; three hundred seventy-five dollars for manufacturers employing not more than ten licensed pharmacists or qualified chemists or both; and [seven hundred fifty] nine hundred forty dollars for manufacturers employing more than ten licensed pharmacists or qualified chemists or both. No such certificate shall be issued to a manufacturer unless such drugs, medical devices or cosmetics are manufactured or compounded under the direct supervision of a licensed pharmacist or a qualified chemist. No certificate of registration shall be issued under this section until the applicant has furnished proof satisfactory to the commissioner that the applicant is equipped as to facilities and apparatus to properly carry on the business described in his application and that the applicant conforms to chapter 418 and regulations adopted thereunder.

(c) The commissioner shall have the right to deny a certificate of registration if he determines that the issuance of such registration is inconsistent with the public interest. In determining the public interest, the commissioner shall consider, at a minimum, the following factors:

(1) Any convictions or regulatory actions involving the applicant under any federal, state or local law relating to drug samples, wholesale or retail drug distribution, or distribution or possession of drugs including controlled substances;

(2) Any felony convictions of the applicant under federal, state or local laws;

(3) The applicant's past experience in the manufacture or distribution of drugs;

(4) The furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or

distribution;

(5) Suspension, revocation or other sanction by federal, state or local government of any license or registration currently or previously held by the applicant for the manufacture or distribution of any drugs;

(6) Compliance with licensing or registration requirements under previously granted licenses or registrations;

(7) Compliance with requirements to maintain or make available to the commissioner or to federal, state or local law enforcement officials those records required by any federal or state statute or regulation;

(8) Failure to provide adequate control against the diversion, theft and loss of drugs;

(9) Provision of required security for legend drugs and, in the case of controlled substances, compliance with security requirements for wholesalers set forth in regulations adopted under chapter 420b; and

(10) Compliance with all regulations adopted to enforce the provisions of this section.

(d) The commissioner may suspend, revoke or refuse to renew a registration, or may issue a letter of reprimand or place a registrant on probationary status, for sufficient cause. Any of the following shall be sufficient cause for such action:

(1) The furnishing of false or fraudulent information in any application or other document filed with the commissioner;

(2) Any criminal conviction of the registrant under any federal or state statute concerning drugs;

(3) The suspension, revocation or other restriction or penalty issued against a license or registration related to drugs;

(4) Failure to provide adequate control against the diversion, theft and loss of drugs; or

(5) A violation of any provision of any federal or state statute or regulation concerning drugs.

(e) Wholesalers shall operate in compliance with applicable federal, state and local statutes, regulations and ordinances, including any applicable laws concerning controlled substances, drug product salvaging or reprocessing.

(f) Wholesalers and manufacturers shall permit the commissioner, or his authorized representatives, to enter and inspect their premises and delivery vehicles, and to audit their records and written operating procedures, at reasonable times and in a reasonable manner.

(g) Before denying, suspending, revoking or refusing to renew a registration, or before issuing a letter of reprimand or placing a registrant on probationary status, the commissioner shall afford the applicant or registrant an opportunity for a hearing in accordance with the provisions of chapter 54. Notice of such hearing may be given by certified mail. The commissioner may subpoena witnesses and require the production of records, papers and documents pertinent to such hearing.

(h) No manufacturer or wholesaler shall sell any drugs except to the state or any political subdivision thereof, to another manufacturer or wholesaler, to any hospital recognized by the state as a general or specialty hospital, to any institution having a full-time pharmacist who is actively engaged in the practice of pharmacy in such institution not less than thirty-five hours a week, to a chronic and convalescent nursing home having a pharmacist actively engaged in the practice of pharmacy based upon the ratio of one-tenth of one hour per patient per week but not less than twelve hours per week, to a practicing

physician, podiatrist, dentist, optometrist or veterinarian or to a licensed pharmacy or a store to which a permit to sell nonlegend drugs has been issued as provided in section 20-624. The commissioner may adopt such regulations as are necessary to administer and enforce the provisions of this section.

(i) Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

Sec. 283. Section 21a-79 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) For the purposes of this section (1) "consumer commodity" and "unit of a consumer commodity" have the same meaning as in section 21a-73, except that consumer commodity does not include alcoholic liquor, as defined in subdivision (3) of section 30-1, or a carbonated soft drink container; (2) "carbonated soft drink container" means an individual, separate, sealed glass, metal or plastic bottle, can, jar or carton containing a carbonated liquid soft drink sold separately or in packages of not more than twenty-four individual containers; (3) "universal product coding" means any system of coding that entails electronic pricing; (4) an electronic shelf labeling system is an electronic system that utilizes an electronic device attached to the shelf or at any other point of sale, immediately below or above the item, that conspicuously and clearly displays to the consumer the unit price and the price of the consumer commodity. Such electronic shelf labeling system reads the exact same data as the electronic cash register scanning system; and (5) an electronic pricing system is a system that utilizes the universal product coding bar code by means of a scanner in combination with the cash register to record and total a customer's purchases.

(b) (1) (A) Any person, firm, partnership, association or corporation

that utilizes universal product coding in totaling a retail customer's purchases shall mark or cause to be marked each consumer commodity that bears a Universal Product Code with its retail price.

(B) Any person, firm, partnership, association or corporation that utilizes an electronic pricing system in totaling a retail consumer's purchases shall provide each consumer with an item-by-item digital display, plainly visible to the consumer as each universal pricing code is scanned, of the price of each consumer commodity or carbonated soft drink container, or both, selected for purchase by such consumer prior to accepting payment from such consumer for such commodity or container. The provisions of this subparagraph do not apply to any person, firm, partnership, association or corporation operating in a retail sales area of not more than ten thousand square feet.

(2) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply if: (A) The Commissioner of Consumer Protection, by regulation, allows for the utilization of electronic shelf labeling systems; (B) a retailer is granted approval to utilize an electronic shelf labeling system by the commissioner; (C) the retailer has demonstrated to the satisfaction of the commissioner that such electronic shelf labeling system is supported by an electronic pricing system that utilizes universal product coding in totaling a retail customer's purchases; and (D) the retailer has received approval for such an electronic pricing system by the commissioner.

(3) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply if: (A) The retailer has met the conditions of subdivision (2) of this subsection; and (B) the retailer has received permission by the commissioner to suspend implementation of the electronic pricing system for a period not to exceed thirty days in order to allow the retailer or an agent acting on behalf of the retailer to reset, remodel, repair or otherwise modify such system at the retail establishment.

(4) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply if: (A) The retailer applies and is approved for an exemption by the Commissioner of Consumer Protection, (B) the retailer demonstrates to the satisfaction of the commissioner that the retailer has achieved price scanner accuracy of at least ninety-eight per cent, as determined by the latest version of the National Institute of Standards and Technology Handbook 130, "Examination Procedures for Price Verification, as adopted by The National Conference on Weights and Measures", (C) the retailer pays an application fee, to be used to offset annual inspection costs, of **[**two hundred fifty**]** three hundred fifteen dollars if the premises consists of less than twenty thousand square feet of retail space and **[**five hundred**]** six hundred twenty-five dollars if the premises consists of twenty thousand square feet or more of retail space, (D) the retailer makes available a consumer price test scanner approved by the commissioner and located prominently in an easily accessible location for each twelve thousand square feet of retail floor space, or fraction thereof, and (E) price accuracy inspections resulting in less than ninety-eight per cent price scanner accuracy are reinspected without penalty and the retailer pays a **[**two-hundred-dollar**]** two-hundred-fifty-dollar reinspection fee.

(5) Notwithstanding any provision of this subsection, consumer commodities that are offered for sale and that are located on an end cap display within the retail sales area are not subject to the requirements specified under this subsection, provided any information that would have been available to a consumer pursuant to this section is clearly and conspicuously posted on or adjacent to such end cap. For purposes of this subdivision, "end cap display" means the location in the retail sales area that is at the immediate end of an aisle.

(6) Consumer commodities that are advertised in a publicly-circulated printed form as being offered for sale at a reduced price for a minimum seven-day period need not be individually marked at such

reduced retail price, provided such consumer commodities are individually marked with their regular retail price and a conspicuous sign is adjacent to such consumer commodities, which sign discloses: (A) The reduced retail price and its unit price; and (B) a statement that the item will be electronically priced at the reduced price by the cashier.

(7) If a consumer commodity is offered for sale and its electronic price is higher than the posted price, then one item of such consumer commodity, up to a value of twenty dollars, shall be given to the consumer at no cost. A conspicuous sign shall adequately disclose to the consumer that in the event the electronic price is higher than the posted retail price, one item of such consumer commodity shall be given to the customer at no cost.

(c) (1) The Commissioner of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, concerning the marking of prices and use of universal product coding on each unit of a consumer commodity.

(2) The Commissioner of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, designating not more than twelve consumer commodities that need not be marked in accordance with subdivision (1) of subsection (b) of this section and specifying the method of providing adequate disclosure to consumers to insure that the electronic pricing of the designated consumer commodities is accurate. The commissioner may establish by regulation methods to protect consumers against electronic pricing errors of such designated consumer commodities and to insure that the electronic prices of such designated consumer commodities are accurate. Among the methods that the commissioner may consider are conditions similar to those set forth in subdivision (5) of subsection (b) of this section.

(d) The Commissioner of Consumer Protection, after providing notice and conducting a hearing in accordance with the provisions of chapter 54, may issue a warning citation or impose a civil penalty of not more than one hundred dollars for the first offense and not more than five hundred dollars for each subsequent offense on any person, firm, partnership, association or corporation that violates any provision of subsection (b) of this section or any regulation adopted pursuant to subsection (c) of this section. Any person, firm, partnership, association or corporation that violates any provision of subsection (b) of this section or any regulation adopted pursuant to subsection (c) of this section shall be fined not more than two hundred dollars for the first offense and not more than one thousand dollars for each subsequent offense. Each violation with respect to all units of a particular consumer commodity on any single day shall be deemed a single offense.

Sec. 284. Section 21a-137 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A fee of **[**seventy-five**]** <u>one hundred fifty</u> dollars shall accompany each application for the license provided for in section 21a-136. Each such license shall expire annually. Such license shall be in such form as the commissioner determines and shall be kept exposed to view in a conspicuous place upon the premises where such business is conducted or carried on. All fees received for such licenses shall be paid by the commissioner to the State Treasurer. No person, firm or corporation shall sell or offer for sale within the state any beverages manufactured or bottled beyond the boundaries of the state unless such person, firm or corporation has made application for and secured a license from said commissioner upon the payment of **[**seventy-five**]** <u>one hundred fifty</u> dollars, and no such license shall be issued by said commissioner until such establishment has been inspected by him or his agent or until such establishment has furnished said commissioner

a certificate from the commission having the enforcement of the beverage law in the state where such establishment is located that such establishment complies in every respect with the requirements of the Connecticut beverage law. The provisions of this section shall not apply to out-of-state manufacturers, bottlers or distributors of malt and cereal drinks, grape juice, lime juice, fruit-flavored syrups, powders or mixtures, concentrated fruit juices or fruit and vegetable juices.

Sec. 285. Section 21a-146 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Under the provisions of this part apple juice is exempted from the provisions of part I. Any plant or place where juice is extracted from apples or put in containers shall be registered with the Commissioner of Consumer Protection and shall be subject to sanitary inspection by the commissioner or his agents and to labeling regulations promulgated by the commissioner. The registration fee shall be **[**ten**]** twenty dollars per year and shall accompany each registration application. Each registration shall expire annually. The form of registration application shall be specified by the commissioner.

(b) Each container in which unpasteurized apple juice or cider is sold shall carry a label stating that such apple juice or cider is not pasteurized. Such label shall be printed in at least ten-point type.

Sec. 286. Section 21a-152 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each building or room occupied as a bakery shall be so situated as not to be exposed to contamination from its surroundings, shall be drained and plumbed in a manner conducive to a healthful and sanitary condition, shall be adequately lighted and shall have such air-shafts and windows or ventilating pipes, to insure ventilation, as the

Commissioner of Consumer Protection directs. Each bakery shall be provided with a washroom and lavatory facilities apart from the bake-room and any room where the manufacture of food products is conducted and suitable locker space shall be provided for each employee. Lavatory facilities shall not be within, or communicate directly with, production areas of a bakery. All bakery rooms shall be of a height adequate for proper ventilation. The walls and ceilings of preparation areas shall be constructed of a smooth material which is impervious to water and which is easily cleaned. Floors and walls shall fit tightly to prevent the accumulation of filth. All bakeries shall be free of vermin. Doors, windows, transoms, skylights and other openings shall be tightly screened between May first and November first of each year. The furniture, utensils and floors of such rooms shall be kept in a sanitary condition and fly-tight metal or plastic refuse containers shall be provided and emptied each day. Bakery products shall not be produced, prepared, packed or held under unsanitary conditions whereby they may be rendered unwholesome or otherwise injurious to health. The manufactured flour or meal food products shall be kept in clean, dry and airy rooms. Hot and cold running water under pressure shall be provided at a sink of sufficient size to be used for the washing of baking utensils. A sink suitable for washing hands shall be provided in the production area. Flour shall be stored on suitable racks at least six inches above the floor and all raw materials shall be protected in a sanitary manner at all times. Sleeping rooms shall be separated from the rooms where bakery products are manufactured or stored.

(b) No person, firm or corporation shall operate a bakery without having obtained from said commissioner a bakery license. Application for such license shall be made on forms, furnished by the commissioner, showing the name and address of such bakery and the number of persons engaged in the production of bread and pastry products, excluding porters, dishwashers, drivers, sales personnel and other employees not directly engaged in such production. The

commissioner shall cause an inspection to be made of the premises described in the application and, if conditions are found satisfactory, such license shall be issued. No person, firm or corporation operating a bakery, or any agent, servant or employee thereof, shall refuse, hinder or otherwise interfere with access by the commissioner or his authorized representative for the purpose of conducting an inspection. No person, firm or corporation shall sell or distribute bread, cakes, doughnuts, crullers, pies, cookies, crackers, spaghetti, macaroni or other food products, including frozen or canned baked goods made in whole or in part of flour or meal produced in any bakery located within or beyond the boundaries of this state, unless such bakery has obtained a license from said commissioner. The commissioner may promulgate regulations excepting out-of-state manufacturers of products, commonly known as cookies, crackers, brown bread or plum puddings in hermetically sealed containers and other similar products, from the license provisions of this section. Such license shall be valid for one year and a fee therefor shall be collected as follows: From a person, firm or corporation owning or conducting a bakery in which there are four persons or fewer engaged in the production of bread and pastry products, **[**ten**]** twenty dollars; in which there are not fewer than five nor more than nine persons so engaged, **[**twenty**]** forty dollars; in which there are not fewer than ten nor more than twenty-four persons so engaged, **[**fifty**]** one hundred dollars; in which there are not fewer than twenty-five nor more than ninety-nine persons so engaged, **[**one**]** two hundred dollars; in which there are more than one hundred persons so engaged, two hundred fifty dollars.

(c) A bakery license may be revoked by said commissioner for violation of this chapter after a hearing conducted in accordance with chapter 54. In addition, a bakery license may be summarily suspended pending a hearing if said commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action. Within ten days following the suspension order said

commissioner shall cause to be held a hearing which shall be conducted in accordance with the provisions of said chapter 54. Following said hearing said commissioner shall dissolve such suspension or order revocation of the bakery license. Any person, firm or corporation whose license has been revoked may make application for a new license and said commissioner shall act on such application within thirty days of receipt. The costs of any inspections necessary to determine whether or not an applicant, whose license has been revoked, is entitled to have a new license granted shall be borne by the applicant at such rates as the commissioner may determine. Said commissioner may refuse to grant any bakery license if he finds that the applicant has evidenced a pattern of noncompliance with the provisions of this chapter. Prima facie evidence of a pattern of noncompliance shall be established if said commissioner shows that the applicant has had two or more bakery licenses revoked.

(d) All vehicles used in the transportation of bakery products shall be kept in a sanitary condition and shall have the name and address of the bakery, owner, operator or distributor legibly printed on both sides. Each compartment in which unwrapped bakery products are transported shall be enclosed in a manner approved by the commissioner.

(e) The provisions of this section shall not prevent local health authorities from enforcing orders or regulations concerning the sanitary condition of bakeries.

Sec. 287. Section 21a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each individual place of business of each health club shall obtain a license from the Department of Consumer Protection prior to the sale of any health club contract. Application for such license shall be made on forms provided by the Commissioner of Consumer Protection and

said commissioner shall require as a condition to the issuance and renewal of any license obtained under this chapter (1) that the applicant provide for and maintain on the premises of the health club sanitary facilities; (2) that the application be accompanied by (A) a license or renewal fee of two hundred fifty dollars, (B) a list of the equipment and each service which the applicant intends to have available for use by buyers during the year of operations following licensure or renewal, and (C) two copies of each health club contract which the applicant is currently using or intends to use; and (3) compliance with the requirements of section 21a-226. Such licenses shall be renewed annually. The commissioner may impose a civil penalty of not more than three hundred dollars against any health club that continues to sell or offer for sale health club contracts for any location but fails to submit a license renewal and license renewal fee for such location not later than thirty days after such license's expiration date.

(b) No health club shall (1) engage in any act or practice which is in violation of or contrary to the provisions of this chapter or any regulation adopted to carry out the provisions of this chapter, including the use of contracts which do not conform to the requirements of this chapter, or (2) engage in conduct of a character likely to mislead, deceive or defraud the buyer, the public or the commissioner. The Commissioner of Consumer Protection may refuse to grant or renew a license to, or may suspend or revoke the license of, any health club which engages in any conduct prohibited by this chapter.

(c) If the commissioner refuses to grant or renew a license of any health club, the commissioner shall notify the applicant or licensee of the refusal, and of his right to request a hearing within ten days from the date of receipt of the notice of refusal. If the applicant or licensee requests a hearing within ten days, the commissioner shall give notice

of the grounds for his refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of chapter 54 concerning contested matters.

(d) The Attorney General at the request of the Commissioner of Consumer Protection is authorized to apply in the name of the state of Connecticut to the Superior Court for an order temporarily or permanently restraining and enjoining any health club from operating in violation of any provision of this chapter.

Sec. 288. Section 21a-234 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall act as a manufacturer, supply dealer, importer, renovator or secondhand dealer without first completing an application and obtaining a numbered license from the commissioner. Based on the information furnished in the application, the commissioner shall determine and issue the appropriate license. The license shall be conspicuously posted in the establishment of the person to whom the license is issued. A license shall be valid for one year.

(b) Any method of sterilization or sanitation used in connection with this chapter shall require the prior approval of the commissioner. Each person who wishes to sterilize or sanitize bedding or filling material shall complete an application and obtain a numbered permit from the commissioner. The permit must be conspicuously posted in the establishment of the person to whom the permit is issued. Each permit shall cost twenty-five dollars and shall be valid for one year.

(c) Manufacturers shall pay, prior to the issuance or reissuance of a manufacturers' license, a fee of **[**fifty**]** <u>one hundred</u> dollars. The licensee may then operate as a manufacturer, supply dealer, renovator or secondhand dealer. Supply dealers shall pay, prior to the issuance

or reissuance of a supply dealers' license, a fee of **[**fifty**]** one hundred dollars. The licensee may then operate as a supply dealer, renovator or secondhand dealer. Renovators shall pay, prior to the issuance or reissuance of a renovators' license, a fee of **[**twenty-five**]** fifty dollars. The licensee may then operate as a renovator and secondhand dealer. Secondhand dealers shall pay, prior to the issuance or reissuance of a secondhand dealers' license, a fee of **[**twenty-five**]** fifty dollars. The licensee may then operate as a secondhand dealer. Importers shall pay, prior to the issuance or reissuance of an importer's license, a fee of one hundred dollars.

(d) A person shall be entitled to a refund of a license or permit fee only in the case of error on the part of the department.

Sec. 289. Section 21a-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person within this state shall manufacture, wholesale, repackage, supply, compound, mix, cultivate or grow, or by other process produce or prepare, controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection and no person within this state shall operate a laboratory for the purpose of research or analysis using controlled substances without first obtaining a license to do so from the Commissioner of Consumer Protection, except that such activities by pharmacists or pharmacies in the filling and dispensing of prescriptions or activities incident thereto, or the dispensing or administering of controlled substances by dentists, podiatrists, physicians or veterinarians, or other persons acting under their supervision, in the treatment of patients shall not be subject to the provisions of this section, and provided laboratories for instruction in dentistry, medicine, nursing, pharmacy, pharmacology and pharmacognosy in institutions duly licensed for such purposes in this state shall not be subject to the provisions of this section except with respect to narcotic drugs and

schedule I and II controlled substances. Upon application of any physician licensed pursuant to chapter 370, the Commissioner of Consumer Protection shall without unnecessary delay, license such physician to possess and supply marijuana for the treatment of glaucoma or the side effects of chemotherapy. No person outside this state shall sell or supply controlled substances within this state without first obtaining a license to do so from the Commissioner of Consumer Protection, provided no such license shall be required of a manufacturer whose principal place of business is located outside this state and who is registered with the federal Drug Enforcement Administration or other federal agency, and who files a copy of such registration with the appropriate licensing authority under this chapter.

(b) Such licenses shall expire annually, and may be renewed by application to the licensing authority. The Commissioner of Consumer Protection following a hearing as prescribed in section 21a-275, may revoke or suspend any license granted by him pursuant to this section for violation of the provisions of any statute relative to controlled substances or of any regulation made hereunder. The licensing authority, upon application of any person whose license has been suspended or revoked, may reinstate such license upon a showing of good cause.

(c) The fee for licenses provided pursuant to this section shall be according to the following schedule: For any wholesaler, one hundred **[**fifty**]** ninety dollars per annum; for manufacturers employing not more than five licensed pharmacists or qualified chemists or both, two hundred **[**twenty-five**]** eighty-five dollars per annum; for manufacturers employing six to ten licensed pharmacists or qualified chemists or both, three hundred seventy-five dollars per annum; for manufacturers employing more than ten licensed pharmacists or qualified chemists or both, **[**seven hundred fifty**]** nine hundred forty

dollars per annum; for laboratories, **[**forty**]** eighty dollars per annum. A separate fee is required for each place of business or professional practice where the licensee uses, manufactures, stores, distributes, analyzes or dispenses controlled drugs.

(d) Controlled substances which are possessed, kept or stored at an address or location other than the address or location indicated on the registration required by chapter 420c or by federal laws and regulations shall be deemed to be possessed, kept or stored illegally and shall be subject to seizure and forfeited to the state. The following are subject to forfeitures: (1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this chapter; (2) all raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter; (3) all property which is used, or intended for use, as a container for property described in paragraph (1) or (2); (4) all conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in paragraph (1) or (2), but (i) no conveyance used by any person as a common carrier is subject to forfeiture under this chapter unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter; (ii) no conveyance is subject to forfeiture under this chapter by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent.

Sec. 290. Section 21a-321 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Registration may be renewed by application to the Commissioner of Consumer Protection. Renewal applications shall be in such form as the commissioner shall prescribe and shall be accompanied by a

biennial renewal fee of **[**twenty**]** forty dollars. A separate fee shall be required for each place of business or professional practice where the practitioner stores, distributes or dispenses controlled substances.

Sec. 291. Section 22-12b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The breeding and raising in captivity of foxes, mink, chinchilla, marten, fisher, nutria and muskrat, and the marketing of such animals, shall be classified as farming and as an agricultural pursuit and all such animals so raised in captivity, or lawfully acquired, shall be classified as domestic animals. No person shall possess two or more such animals of opposite sex without first obtaining a fur breeder's license from the Department of Agriculture. The fee for such license shall be **[**eight**]** sixteen dollars. Such license shall be annual and nontransferable and shall expire on the thirty-first day of December after its issuance. All applications for such licenses shall be upon blanks prepared and furnished by the Commissioner of Agriculture. All license fees received by the commissioner under the provisions of this section shall be transmitted to the State Treasurer and by him be applied to the General Fund. All licensees shall keep a record of all such animals exchanged or transported by such licensees, whether the same are alive or dead, and shall report to the commissioner at the expiration of the license period, on forms furnished by the commissioner, the number of animals possessed at the beginning of the license period, those disposed of during such period and the number of animals on hand at the close of the period. For purposes of disease control, the commissioner at his discretion may require special import or export permits for any specified period. Said commissioner, in the interest of protecting game or domestic animals from disease, may confiscate animals possessed by licensees referred to herein, and may quarantine the same, and may destroy such animals when, in his opinion, such action is advisable. Any license granted under the

provisions of this section may be revoked by the commissioner for a violation of any regulation made by him or a violation of any provision of this section. Any person who violates any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

Sec. 292. Section 22-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall sell, offer for sale, expose for sale or transport for sale any agricultural or vegetable seed or seed used for lawn or turf purposes within this state unless the person is registered with the Commissioner of Agriculture, except that any person selling only seeds which are supplied and labeled by a registered distributor is not required to be registered. The application for registration shall be submitted to the commissioner on a form furnished by the commissioner. The application shall be accompanied by a fee of **[**fifty**]** one hundred dollars. On and after January 1, 1993, said fee shall be established by the commissioner by regulations adopted in accordance with the provisions of chapter 54. All registrations shall expire on March thirty-first of each year.

(b) No person shall sell, offer for sale, expose for sale or transport for sale any agricultural or vegetable seed or seed used for lawn or turf purposes within this state unless the following conditions are complied with: (1) The test to determine the percentage of germination required by section 22-56 was completed within the nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to the sale, exposure for sale or offering for sale or transportation. Any seed not sold within the nine-month period shall be retested with test samples taken from stock at the point of wholesale and retail sale; (2) the seed is labeled in accordance with the provisions of this chapter and the labeling is not false or misleading and the seed has not been advertised in a false or

misleading manner; (3) the labeling, advertising or other representations subject to this chapter shall represent the seed as certified or registered if: (A) A seed-certifying agency has determined that the seed was produced, processed and packaged, and conforms to purity standards for the kind or variety of seed, in compliance with the rules and regulations of the agency pertaining to the seed and (B) the seed bears an official label of the certifying agency stating that the seed is certified or registered, and (4) the seed does not contain: (A) Prohibited noxious weed seeds subject to tolerances; (B) restricted noxious-weed seeds per pound in excess of the number prescribed by the regulations adopted in accordance with the provisions of this chapter, or in excess of the number declared on the label attached to the container of the seed or associated with the seed within recognized tolerances, and (C) more than two and one-half per cent by weight of all weed seeds.

(c) No person shall, within this state: (1) Detach, alter, deface or destroy any label provided for in this chapter or the regulations adopted thereunder, or alter or substitute seed, in a manner that may defeat the purposes of this chapter; (2) disseminate any false or misleading advertisement concerning agricultural or vegetable seed; (3) hinder or obstruct any authorized person in the performance of his duties under this chapter; (4) fail to comply with a "stop-sale" order, or move or otherwise handle or dispose of any lot of seed held under a "stop-sale" order or tags attached thereto, except with express permission of the enforcing officer and for the purpose specified thereby; (5) use the word "trace" as a substitute for any statement which is required, or (6) use the word "type" in any labeling in connection with the name of any agricultural or vegetable seed variety. Each person whose name appears on the label as handling agricultural or vegetable seeds subject to this chapter shall keep for a period of two years complete records of each lot of agricultural or vegetable seed handled, and keep for one year a file sample of each lot of seed after

final disposition of such lot. All records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the Commissioner of Agriculture or the commissioner's authorized agents during usual business hours.

Sec. 293. Section 22-236 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The annual license fee for each milk dealer, yogurt manufacturer, or subdealer shall be **[**fifty**]** one hundred dollars. The license fee for dealers and subdealers with yearly sales in excess of one hundred thousand quarts shall be increased at a rate of .021 cents per one hundred quarts of milk product sold during the reporting period.

(b) The license fee for each cheese manufacturer shall be **[**fifty**]** one hundred dollars.

(c) The license fee for each dry milk manufacturer shall be **[**fifty**]** one hundred dollars.

(d) The license fee for each store shall be **[**thirty**]** sixty dollars.

(e) The Commissioner of Agriculture shall adopt regulations, in accordance with the provisions of chapter 54, necessary to carry out the provisions of this section.

(f) The commissioner may grant a waiver from any fee established in this chapter to any nonprofit organization, as defined in Section 501(c)(3) of the United States Internal Revenue Code, upon presentation to the commissioner of adequate proof of the organization's nonprofit status.

Sec. 294. Section 22-277 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "livestock animal" means any camelid or

hooved animal raised for domestic or commercial use. The Commissioner of Agriculture shall supervise commission sales stables where livestock animals are sold at public auctions. Any person, firm or corporation engaged in the business of selling livestock animals at such auctions or sales shall annually apply to said commissioner for a license upon a form to be prescribed by the commissioner. The fee for each such license shall be one hundred **[**fifty**]** ninety dollars, payable to said commissioner. Each such license shall be issued for the period of one year from July first and may be revoked for cause. If, in the judgment of the commissioner, any provision of this section has been violated, the commissioner shall send notice by registered or certified mail to the licensee, who shall be given a hearing, and, if violation is proven, the license shall be revoked. If a license to deal in livestock, issued to any person, firm or corporation by another state, has been suspended or revoked by such state within five years next preceding the date of issuance or renewal of a license to such person, firm or corporation under the provisions of this section, such suspension or revocation shall constitute just cause for revocation under this section. All dairy animals to be sold at such auction shall be segregated from beef animals prior to such sales. The sale of dairy animals shall precede the sale of those assigned for slaughter. All bovines more than three hundred pounds in weight, except dairy and breeding animals, that are delivered to a sale shall be branded with the letter "S" in a conspicuous place or identified in a manner acceptable to the commissioner or the commissioner's designee by the operator of the sale or the operator's representative. All dairy and breeding animals from within the state arriving at a sale shall be from a herd that: (1) Is under state supervision for the control of brucellosis and tuberculosis and that has been tested for brucellosis and tuberculosis less than fourteen months before the sale, (2) has been tested for tuberculosis less than fourteen months before the sale and is regularly tested under the brucellosis ring test program of the Department of Agriculture or (3) is certified to be brucellosis-free under the program established

pursuant to section 22-299a. All dairy and breeding animals arriving at a sale from outside the state shall comply with section 22-304 and be accompanied by a health certificate issued by the livestock official of the state of their origin and by a permit from the commissioner. All animals offered for dairy or breeding purposes over six months of age shall be identified by an official ear tag, a tattoo or by registration papers. All female dairy or breeding animals over six months of age shall have been calfhood vaccinated against brucellosis. Animals consigned for slaughter shall be sold only to owners or agents of slaughtering establishments and moved directly to such slaughtering establishments for immediate slaughter. All stables and sales rings shall be kept clean and shall be suitably disinfected prior to each sale. The provisions of this section shall not apply to the sale of an individual herd at an auction conducted by the owner thereof. Any person, or any officer or agent of any corporation, who violates any provision of this section or who obstructs or attempts to obstruct the Commissioner of Agriculture or the commissioner's deputy or assistants in the performance of their duty, shall be fined not more than two hundred dollars or imprisoned not more than thirty days, or both.

(b) Any person, firm or corporation licensed pursuant to subsection (a) of this section shall make, execute and thereafter maintain on file with the Commissioner of Agriculture a bond to the state, satisfactory to the commissioner, to secure the performance of obligations incurred in this state or in lieu thereof, and a bond filed with the United States Department of Agriculture in the amount as required herein, pursuant to the provisions of the Packers and Stockyards Act (7 USC 181 et seq.). The amount of each such bond shall be based on the amount of one average sale of such person, firm or corporation. One average sale shall be computed by dividing the total yearly gross receipts from the sale of all livestock during the preceding twelve months by the number of sales during such time, provided the number of sales used to compute

one average sale shall not be greater than one hundred thirty. If the amount of one average sale is ten thousand dollars or less the amount of the bond shall be ten thousand dollars. If the amount of one average sale is more than ten thousand dollars but not more than twenty-six thousand dollars, the amount of the bond shall be not less than the next multiple of two thousand dollars above such amount. If the amount of one average sale is more than twenty-six thousand dollars but not more than thirty thousand dollars, the amount of such bond shall be thirty thousand dollars. If the amount of one average sale is more than thirty thousand dollars, the amount of the bond shall be not less than the next multiple of five thousand dollars above such amount.

Sec. 295. Section 22-320c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall feed garbage to swine on any premises unless such premises have been registered with the department. Upon receipt of an application for registration on a form provided by the department, which application shall be accompanied by a registration fee of **[**five**]** fifteen dollars, unless the applicant is the state or any political subdivision thereof, the department shall send an authorized representative familiar with equipment used to cook garbage on swine farms to inspect the premises where the applicant desires to conduct garbage cooking. If such representative finds that such premises cannot be approved under sections 22-320a to 22-320h, inclusive, and regulations promulgated thereunder, he shall notify the applicant wherein he fails to comply. If, within a reasonable time thereafter, to be fixed by the department, the specified defects are remedied, the department shall make a second inspection and proceed therewith as in the case of the original inspection. No registration granted under this section shall be transferable by the registrant and each registration shall apply to only one place of business, which shall be specified in

the registration. There shall be only one registrant for each place of business. No registration shall be issued by the department to conduct a garbage-feeding swine farm, nor shall any place be used for that purpose, unless the department is satisfied that all regulations of the department will be complied with and that all garbage fed to swine will be satisfactorily treated as required by section 22-320b.

Sec. 296. Section 22-326f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after July 1, 1989, no person shall commence an intensive poultry farming operation without a permit from the Commissioner of Agriculture. Any person seeking such a permit shall apply on forms provided by the commissioner and pay an application fee of **[**ten**]** twenty dollars. Upon receipt of a completed application the commissioner shall cause an inspection to be made of the premises where the applicant desires to conduct an intensive poultry farming operation. If the commissioner finds that such premises meet the requirements of sections 22-323a to 22-324a, inclusive, and applicable regulations and may reasonably be expected to continue to meet such requirements, he shall issue the permit. If the commissioner finds that the premises do not meet such requirements, or may not reasonably be expected to continue to meet such requirements, the application shall be denied. When any permit has been denied the applicant may, within ten days of the notification of the denial, request in writing a hearing and appeal before the commissioner or his designee. Any person aggrieved by the decision of the commissioner after a hearing may appeal to the superior court for the judicial district in which he seeks to conduct such farming operation. No permit granted under this section shall be transferable by the permittee, and each permit shall apply to only one premise, which shall be specified in the permit. The commissioner may issue only one permit for a premise.

(b) The commissioner may require a surety bond in an amount not

exceeding ten thousand dollars as a condition of the permit described in subsection (a) of this section. The bond shall indemnify the commissioner for expenses he may incur in carrying out the provisions of section 22-326d.

(c) The commissioner may suspend or revoke a permit issued pursuant to subsection (a) of this section for failure to operate in compliance with the provisions of sections 22-323a to 22-324a, inclusive, and applicable regulations. Whenever the commissioner is satisfied of the existence of one or more reasons for suspending or revoking a permit, he shall give notice to the permittee by registered mail of a hearing to be held in accordance with the provisions of chapter 54 at the time stated in the notice. The commissioner may compel the attendance of witnesses and the person complained against shall have the opportunity to produce witnesses or other evidence in his behalf. Any person aggrieved by the decision of the commissioner after a hearing may appeal to the superior court for the judicial district in which he conducts such farming operation.

Sec. 297. Section 22-332b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any hospital, educational institution or laboratory desiring to obtain a license to use living dogs in medical or biological teaching, research or study shall apply to the Commissioner of Public Health, on forms which said commissioner shall provide, giving its name, address, the nature of the activity for which a license is desired and the location at which such activity is to be conducted. Such application shall be accompanied by a fee of **[**two hundred fifty**]** <u>three hundred fifteen</u> dollars. Upon receipt of an application and fee, the Commissioner of Public Health shall cause an investigation to be made of the applicant and shall issue a license upon finding that the applicant (1) has adequate land, buildings, equipment and facilities to engage in the activity described in the application<u>,</u> and (2) agrees to

comply with all laws and regulations respecting the housing and care of dogs. Each license shall be in lieu of any license required by sections 22-338, 22-339, 22-342 and 22-344, as amended by this act, and shall be issued only for the premises and activity described in the application. No license shall be transferable. Each license shall expire on June thirtieth following the date of issue and shall be renewable annually upon application and payment of a fee of **[**two hundred fifty**]** three hundred fifteen dollars.

(b) The Commissioner of Public Health shall suspend or revoke a license for wilful or material failure to comply with the provisions of this section or any law or regulation relating to the acquisition, housing and care of dogs. No such suspension or revocation shall be ordered except upon notice and hearing. Such notice shall be in writing and shall inform the licensee of the substance of the violation charged and that an opportunity for hearing will be provided upon written request filed within ten days after receipt of such notice. The Commissioner of Public Health shall file with each order suspending or revoking a license a finding of fact and statement of his conclusions and serve upon the licensee, by registered or certified mail, a copy of such order, finding and statement. Any person whose application for a license is denied or whose license is revoked or suspended under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183.

(c) The Commissioner of Public Health shall adopt regulations in accordance with chapter 54, establishing humane standards for the proper housing, care, treatment, handling and disposition of dogs used by licensees under this section.

Sec. 298. Section 22-344 of the general statutes, as amended by section 2 of public act 09-52, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall maintain a commercial kennel until he has obtained from the commissioner a license to maintain such kennel under such regulations as the commissioner provides as to sanitation, disease and humane treatment of dogs or cats and the protection of the public safety. Upon written application and the payment of a fee of **[**one**]** two hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such kennel is to be maintained has certified that the kennel conforms to the municipal zoning regulations. Such license shall be renewed annually, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the licensee to another premises upon approval of the commissioner.

(b) No person shall maintain a pet shop until he has obtained from the commissioner a license to maintain such pet shop under such regulations as the commissioner provides as to sanitation, disease and humane treatment of animals and the protection of the public safety. Upon written application and the payment of a fee of two hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such pet shop is to be maintained has certified that the pet shop conforms to the municipal zoning regulations. Such pet shop license may be transferred by the licensee to another premises upon the approval of the commissioner. The commissioner, after consultation with the Commissioners of Public Health and Environmental Protection, shall establish and maintain, pursuant to regulations adopted in accordance with chapter 54, a list of animals which are deemed to be injurious to the health and safety of

the public or whose maintenance in captivity is detrimental to the health and safety of the animal. The sale or offer of sale of any animal which is on said list is prohibited and any person who violates this provision shall be fined not more than five hundred dollars.

(c) No person shall engage in the business of grooming or maintaining a grooming facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of the public safety. Upon written application and the payment of a fee of one hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such grooming is to be maintained has certified that the facility conforms to the municipal zoning regulations. Such license shall be renewed annually, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the licensee to other premises upon approval of the commissioner.

(d) No person shall maintain a training facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of public safety. Upon written application and the payment of a fee of one hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such training facility is to be maintained has certified that the facility conforms to the

municipal zoning regulations. Such license shall be renewed annually upon the terms required for the original license and may be transferred by the licensee to another premises upon approval of the commissioner.

(e) The commissioner may, at any time, inspect or cause to be inspected by the commissioner's agents any such commercial kennel, pet shop, grooming facility or training facility, and if, (1) in the commissioner's judgment such kennel, pet shop, grooming facility or training facility is not being maintained in a sanitary and humane manner or in a manner that protects the public safety, (2) the commissioner finds that contagious, infectious or communicable disease or other unsatisfactory conditions exist, or (3) in the case of a pet shop, the commissioner finds any violation of the provisions of section 22a-381d, as amended by **[**this act**]** section 3 of public act 09-52, the commissioner may issue such orders as the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such kennel, pet shop, grooming facility or training facility fails to comply with the regulations or orders of the commissioner, or fails to comply with any provision of the statutes or regulations relating to dogs or other animals, the commissioner may revoke or suspend such license. Any person aggrieved by any order issued under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183. Any person maintaining any commercial kennel, pet shop, grooming facility or training facility without having obtained a license for the same or after any such license has been revoked or suspended as provided herein shall be fined not more than two hundred dollars. The provisions of this section shall not apply to veterinary hospitals, except those boarding or grooming dogs for nonmedical purposes, and other establishments where all the dogs or animals were born and raised on the premises where they are kept for sale.

(f) The provisions of subsections (a) to (d), inclusive, of this section requiring certification by the zoning enforcement official that every commercial kennel, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, pet shop, grooming facility or training facility is maintained shall not apply to any person who is licensed under said subsections and maintained any such kennel, pet shop or grooming facility prior to October 1, 1977, provided such person does not relocate such kennel, pet shop, grooming facility or training facility in a zone in which such kennel, pet shop, grooming facility or training facility is not a permitted use. In addition, the provisions of said subsections requiring certification by the zoning enforcement official that every commercial kennel, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, pet shop, grooming facility or training facility is maintained shall not apply when a zone in which such kennel, pet shop, grooming facility or training facility is maintained is changed to a use which does not permit such kennel, pet shop, grooming facility or training facility in such zone.

Sec. 299. Section 22-384 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person before engaging in the business of a dealer or broker shall file an application with the commissioner on a form prescribed by the commissioner and pay a license fee. The fee shall be one hundred **[**fifty**]** <u>ninety</u> dollars, provided the fee may be increased by the commissioner by regulations adopted in accordance with the provisions of chapter 54. Such application shall state the nature of the business, the type of livestock the applicant proposes to handle, the name of the person applying for a license and, if the applicant is a firm, association, partnership or corporation, the full name of each member of such firm, association or partnership or the names of the officers of

the corporation, and the name of the agent or agents of the applicant, the municipality and post-office address at which business is to be conducted and such other facts as the commissioner may prescribe. The applicant shall further satisfy the commissioner as to the applicant's character, financial responsibility and good faith in seeking to engage in the business.

Sec. 300. Section 22-385 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Upon compliance by the applicant with section 22-384, as amended by this act, the commissioner shall, subject to the provisions of this chapter, issue a license entitling the applicant or the applicant's agents to conduct the business of buying or receiving livestock or receiving, selling, exchanging or soliciting or negotiating the sale, resale, exchange or shipment of livestock at the place named in the application until June thirtieth next following. Such license shall be renewable annually, unless suspended or revoked, on payment of a fee of **[**fifty**]** one hundred dollars.

Sec. 301. Section 22-414 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Agriculture shall supervise commission sales stables where equines are sold at public auctions. Any person, firm or corporation engaged in the business of selling equines at auctions shall annually apply to the commissioner for a license upon a form to be prescribed by the commissioner. The fee for a license to hold one public auction annually shall be **[**fifteen**]** thirty dollars and the fee for a license to hold more than one public auction annually shall be **[**fifty**]** one hundred dollars. Each such license shall be issued for the period of one year from July first and may be revoked for cause. If, in the judgment of the commissioner, any provision of this section has been violated, the commissioner shall send notice by registered or certified

mail to the licensee, who shall be given a hearing, and, if violation is proven, the licensee's license shall be revoked. All stables and sales rings shall be kept clean and shall be suitably disinfected prior to each sale. The provisions of this section shall not apply to the private sale of equines conducted by the owner thereof. Any person, or any officer or agent of any corporation, who violates any provision of this section or who obstructs or attempts to obstruct the Commissioner of Agriculture or the commissioner's deputy or any of the commissioner's assistants in the performance of the commissioner's duty shall be fined not less than one hundred dollars or more than five hundred dollars.

Sec. 302. Section 25-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Consumer Protection, with the advice and assistance of the board, shall establish the requirements of registration for well drilling contractors. Each person, before engaging in the business of well drilling or pump installing, shall obtain annually from the Department of Consumer Protection a certificate of registration as a well drilling contractor, using an application blank prepared by said department. Each application for issuance or renewal of a certificate of registration shall be accompanied by a certificate of liability coverage for bodily injury of at least one hundred thousand dollars per person with an aggregate of at least three hundred thousand dollars and for property damage of at least fifty thousand dollars per accident with an aggregate of at least one hundred thousand dollars. The applicant shall pay a registration fee of **[**forty-four**]** <u>eighty-eight</u> dollars with the application and an annual renewal registration fee of **[**one hundred twenty-five**]** <u>two hundred fifty</u> dollars for renewals on and after April 1, 1984. A certificate of registration is not transferable and expires annually. A lost, destroyed or mutilated registration certificate may be replaced by a duplicate upon payment of a lost fee of **[**three**]** <u>fifteen</u> dollars. One seal shall be issued to each registrant as provided in

subsection (b) of this section. Additional seals may be obtained at a fee of three dollars each.

(b) A well drilling contractor shall place in a conspicuous location on both sides of his well drilling machine his registration number in letters not less than two inches high. A seal furnished by said department designating the year the certificate of registration was issued or renewed and the words "Connecticut registered well drilling contractor" shall be affixed directly adjacent to the registration number.

(c) A governmental unit engaged in water-supply well drilling shall be registered under this chapter, but shall be exempt from paying the registration fees. A governmental unit engaged in non-water-supply well drilling shall be exempt from the requirements for registration under this chapter if the drilling is done by regular employees of, and with equipment owned by, the unit and the work is on non-water-supply wells intended for use by the governmental unit.

(d) This chapter shall not restrict a plumber or electrician from engaging in the trade for which he has been licensed.

(e) (1) A certificate of registration may be refused, or a certificate of registration duly issued may be suspended or revoked, or the renewal thereof refused by the board if said board has good and sufficient reason to believe or finds that the applicant for or the holder of such a certificate has: (A) Made a material misstatement in the application for a registration of any application for renewal thereof; or (B) obtained the registration through wilful fraud or misrepresentation; or (C) demonstrated gross incompetency to act as a well driller; or (D) been guilty of failure to comply with the provisions of this chapter or the State Well Drilling Code, as from time to time amended; or (E) refused to file reports of wells drilled as required by subsection (a) of section 25-131; or (F) been found guilty by the board, the Commissioner of Public Health or by a court of competent jurisdiction, of any fraud,

deceit, gross negligence, incompetency or misconduct in the industry, operations or business of well drilling.

(2) Before any certificate of registration shall be refused, suspended or revoked, or the renewal thereof refused, the board shall give notice of the intended action and afford opportunity for hearing in accordance with regulations adopted pursuant to this chapter.

(3) Appeal from the decisions of the board may be taken in accordance with the provisions of section 4-183.

(4) After one year from the date of refusal or revocation of a registration, application to register may be made again by the person affected.

(f) The department shall prepare a roster of all registered well drillers and distribute it annually to the local director of health or his agent and the building inspector, if there is one, of each town.

(g) The Commissioner of Consumer Protection, with the advice and assistance of the board, shall adopt regulations, in accordance with the provisions of chapter 54, to establish certificates of registration for limited contractor and limited journeyperson well casing extension. Such certificates of registration shall permit persons licensed to perform plumbing and piping work pursuant to chapter 393 to perform well casing extension, repair and maintenance work. Upon initial application, an applicant shall demonstrate knowledge of well casing extension, repair and maintenance work by passing an examination subject to the provisions of section 20-333. The applicant shall pay a registration fee of **[**twenty-five**]** fifty dollars upon initial application and an annual renewal registration fee of **[**twenty-five**]** fifty dollars. A certificate of registration under this subsection is nontransferable and expires annually.

Sec. 303. Section 26-212 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall take or gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from any natural shellfish bed in the state in any boat or vessel unless it is licensed and numbered in the manner provided in this section. Any person desiring to use any boat or vessel for such purpose may make written application to the Commissioner of Agriculture, stating the name, owner, rig, general description and tonnage of such boat or vessel and the place where it is owned, and the commissioner shall issue to the owner of such boat or vessel a license to take and gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from the natural shellfish beds in the state for the term expiring on the next succeeding twentieth day of July, unless sooner revoked, upon the payment of **[**fifteen**]** thirty dollars; provided, before such license is granted, the owner or master shall prove to the satisfaction of the commissioner that such boat or vessel may legally be used on work on the public beds of the state and that the dredges and other contrivances do not weigh more than thirty pounds. Each boat or vessel so licensed shall, while at work upon any of the natural shellfish beds of the state, display the number of such license in black figures not less than one foot in length. No such license may be transferred. The sale of any boat so licensed shall operate as a forfeiture and revocation of the license, and the license certificate shall be surrendered to the commissioner.

Sec. 304. Section 26-213 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall take or gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from any natural shellfish bed in the state and no person shall be permitted upon any boat, licensed pursuant to the provisions of section 26-212, as amended by this act, while the boat is being used for such taking or gathering until

the person has been licensed in the manner provided in this section. The person shall apply in writing, to the Commissioner of Agriculture upon blanks to be furnished by the commissioner, stating his name, residence, post-office address and such other information as may be required by said commissioner, and said commissioner, upon payment of a fee of **[**ten**]** twenty dollars, shall issue to the person a license for such purpose. All licenses so issued shall be revocable at any time by the commissioner and shall expire on the twentieth day of July in each year. The commissioner shall account to the Treasurer for all money received for licenses under the provisions of this section. Any person who violates any of the provisions of this section relating to licensing shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

Sec. 305. Section 26-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any person may apply to the Commissioner of Agriculture for a license to take conchs in excess of one-half bushel daily. Such license shall not apply to any area lawfully designated as oyster, clam or mussel beds under town or state jurisdiction. Such application shall state the name, residence and post-office address of the applicant and such other information as said commissioner requires. Such license shall be valid for one year from the date of its issuance, and a fee of **[**fifty**]** one hundred dollars shall be charged therefor. Any person who takes any conchs in excess of one-half bushel daily without having obtained such a license shall be fined not more than two hundred dollars or imprisoned not more than thirty days, or both.

Sec. 306. Section 29-10b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Public Safety shall charge the following fees for the item or service indicated:

(1) Each search of the record files made pursuant to a request for a copy of an accident or investigative report which results in no document being produced, six dollars, and on and after July 1, 1993, **[**eight**]** sixteen dollars.

(2) Each copy of an accident or investigative report, six dollars, and on and after July 1, 1993, **[**eight**]** sixteen dollars.

Sec. 307. Section 29-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The bureau in the Division of State Police within the Department of Public Safety known as the State Police Bureau of Identification shall be maintained for the purposes (1) of providing an authentic record of each person sixteen years of age or over who is charged with the commission of any crime involving moral turpitude, (2) of providing definite information relative to the identity of each person so arrested, (3) of providing a record of the final judgment of the court resulting from such arrest, unless such record has been erased pursuant to section 54-142a, and (4) for maintaining a central repository of complete criminal history record disposition information. The Commissioner of Public Safety is directed to maintain the State Police Bureau of Identification, which bureau shall receive, classify and file in an orderly manner all fingerprints, pictures and descriptions, including previous criminal records as far as known of all persons so arrested, and shall classify and file in a like manner all identification material and records received from the government of the United States and from the various state governments and subdivisions thereof, and shall cooperate with such governmental units in the exchange of information relative to criminals. The State Police Bureau of Identification shall accept fingerprints of applicants for admission to the bar of the state and, to the extent permitted by federal law, shall exchange state, multistate and federal criminal history records with the State Bar Examining Committee for purposes of investigation of the

qualifications of any applicant for admission as an attorney under section 51-80. The record of all arrests reported to the bureau after March 16, 1976, shall contain information of any disposition within ninety days after the disposition has occurred.

(b) Any cost incurred by the State Police Bureau of Identification in conducting any name search and fingerprinting of applicants for admission to the bar of the state shall be paid from fees collected by the State Bar Examining Committee.

(c) The Commissioner of Public Safety shall charge the following fees for the service indicated: (1) Name search, **[**eighteen**]** thirty-six dollars; (2) fingerprint search, **[**twenty-five**]** fifty dollars; (3) personal record search, **[**twenty-five**]** fifty dollars; (4) letters of good conduct search, **[**twenty-five**]** fifty dollars; (5) bar association search, **[**twenty-five**]** fifty dollars; (6) fingerprinting, **[**five**]** fifteen dollars; (7) criminal history record information search, **[**twenty-five**]** fifty dollars. Except as provided in subsection (b) of this section, the provisions of this subsection shall not apply to any federal, state or municipal agency.

(d) The Commissioner of Public Safety may adopt regulations, in accordance with the provisions of chapter 54, necessary to implement the provisions of the National Child Protection Act of 1993, the Violent Crime Control and Law Enforcement Act of 1994, the Volunteers for Children Act of 1998, and the National Crime Prevention and Privacy Compact as provided in section 29-164f to provide for national criminal history records checks to determine an employee's or volunteer's suitability and fitness to care for the safety and well-being of children, the elderly and individuals with disabilities.

Sec. 308. Section 29-17a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) If a criminal history records check is required pursuant to any

provision of the general statutes, such check shall be requested from the State Police Bureau of Identification and shall be applicable to the individual identified in the request. The requesting party shall arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation. The fingerprints or other positive identifying information shall be forwarded to the State Police Bureau of Identification which shall conduct a state criminal history records check. If a national criminal history records check is requested, the State Police Bureau of Identification shall submit the fingerprints or other positive identifying information to the Federal Bureau of Investigation for a national criminal history records check, unless the Federal Bureau of Investigation permits direct submission of the fingerprints or other positive identifying information by the requesting party.

(b) The Commissioner of Public Safety may charge fees for conducting criminal history background checks as follows:

(1) Except as provided in subdivision (2) of this subsection, for a person requesting (A) a state criminal history records check, the fee charged by the Department of Public Safety for performing such check, and (B) a national criminal history records check, the fee charged by the Federal Bureau of Investigation for performing such check.

(2) For a state agency requesting a national criminal history records check of a person, the fee charged by the Federal Bureau of Investigation for performing such check. The state agency shall reimburse the Department of Public Safety for such cost. Unless otherwise provided by the provision of the general statutes requiring the criminal history records check, the state agency may charge the person a fee equal to the amount paid by the state agency under this subdivision.

(c) The Commissioner of Public Safety may provide an expedited service for persons requesting criminal history records checks in accordance with this section. Such expedited service shall include making the results of such records checks available to the requesting party through the Internet. The commissioner may enter into a contract with any person, firm or corporation to establish and administer such expedited service. The commissioner shall charge, in addition to the fees charged pursuant to subsection (b) of this section, a fee of **[**twenty-five**]** fifty dollars for each expedited criminal history record check provided. The fee charged pursuant to subsection (b) of this section and the expedited service fee charged pursuant to this subsection shall be paid by the requesting party in such manner as may be required by the commissioner.

Sec. 309. Section 29-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The fee for each permit originally issued under the provisions of subsection (a) of section 29-28 for the sale at retail of pistols and revolvers shall be **[**one**]** two hundred dollars and for each renewal thereof **[**one**]** two hundred dollars. The fee for each state permit originally issued under the provisions of subsection (b) of section 29-28 for the carrying of pistols and revolvers shall be **[**seventy**]** one hundred forty dollars plus sufficient funds as required to be transmitted to the Federal Bureau of Investigation to cover the cost of a national criminal history records check. The local authority shall forward sufficient funds for the national criminal history records check to the commissioner no later than five business days after receipt by the local authority of the application for the temporary state permit. **[**Thirty-five**]** Seventy dollars shall be retained by the local authority. Upon approval by the local authority of the application for a temporary state permit, **[**thirty-five**]** seventy dollars shall be sent to the commissioner. The fee to renew each state permit originally issued under the

provisions of subsection (b) of section 29-28 shall be **[**thirty-five**]** seventy dollars. Upon deposit of such fees in the General Fund, ten dollars of each fee shall be credited within thirty days to the appropriation for the Department of Public Safety to a separate nonlapsing account for the purposes of the issuance of permits under subsections (a) and (b) of section 29-28.

(b) A local permit originally issued before October 1, 2001, whether for the sale at retail of pistols and revolvers or for the carrying of pistols and revolvers, shall expire five years after the date it becomes effective and each renewal thereof shall expire five years after the expiration date of the permit being renewed. On and after October 1, 2001, no local permit for the carrying of pistols and revolvers shall be renewed.

(c) A state permit originally issued under the provisions of section 29-28 for the carrying of pistols and revolvers shall expire five years after the date such permit becomes effective and each renewal thereof shall expire five years after the expiration date of the state permit being renewed and such renewal shall not be contingent on the renewal or issuance of a local permit. A temporary state permit issued for the carrying of pistols and revolvers shall expire sixty days after the date it becomes effective, and may not be renewed.

(d) The renewal fee required pursuant to subsection (a) of this section shall apply for each renewal which is requested not earlier than thirty-one days before, and not later than thirty-one days after, the expiration date of the state permit being renewed.

(e) No fee or portion thereof paid under the provisions of this section for issuance or renewal of a state permit shall be refundable except if such permit for which the fee or portion thereof was paid was not issued or renewed. The portion of the fee expended on the national criminal history records check for any such permit that was not issued

or renewed shall not be refunded.

(f) The issuing authority shall send a notice of the expiration of a state permit to carry a pistol or revolver, issued pursuant to section 29-28, to the holder of such permit, by first class mail, not less than ninety days before such expiration, and shall enclose with such notice a form for the renewal of said state permit. A state permit to carry a pistol or revolver, issued pursuant to section 29-28, shall be valid for a period of ninety days after the expiration date, except this provision shall not apply to any state permit to carry a pistol or revolver which has been revoked or for which revocation is pending, pursuant to section 29-32.

Sec. 310. Section 29-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Public Safety shall prescribe a form of application to be signed by each applicant and may require such information respecting the business in which the applicant proposes to engage as he finds necessary to safeguard the public from all forms of lascivious conduct, immoral practices, vice or violations of the law. Said commissioner or any employee of the Department of Public Safety authorized by him for said purpose may enter into any place so licensed or upon the premises where such business is being conducted for the purpose of observing the conduct of the same. Said commissioner shall issue to each applicant so licensed a certificate to be designated "amusement park license", and each certificate shall state the name of the applicant, the location of the place where such amusement, entertainment, diversion or recreation may be conducted and the hours each day during which the same may be conducted. Each certificate shall be displayed conspicuously for public view by the licensee at the place where the business so licensed is conducted. Any such license may be suspended or revoked by said commissioner whenever it appears that any of the conditions required to be stated in such license have been violated. Such applications and license

certificates shall be printed at the expense of the state. The annual license fee shall be [fifty] one hundred dollars to be paid by the applicant to the Commissioner of Public Safety with each application for such license. Such licenses shall not be transferable and, if any licensee voluntarily discontinues operations thereunder, all rights secured thereby shall terminate. On and after January 1, 1986, the license year shall be from January first until December thirty-first following, inclusive. Each such license shall be for a period of one license year.

Sec. 311. Section 29-134 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No owner shall exhibit or provide any amusement, as defined in section 29-133, in this state unless he has obtained a license therefor as hereinafter provided and otherwise complies with the provisions of sections 29-133 to 29-142, inclusive. An annual license fee of [one] two hundred dollars shall be paid by the applicant to the Commissioner of Public Safety with each application for such amusement license.

Sec. 312. Section 29-143j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this chapter, "commissioner" means the Commissioner of Public Safety.

(b) The commissioner shall have sole control of and jurisdiction over all amateur and professional boxing and sparring matches held, conducted or given within the state by any person or persons, club, corporation or association, except amateur boxing and sparring matches held under the supervision of any school, college or university having an academic course of study or of the recognized athletic association connected with such school, college or university or amateur boxing and sparring matches held under the auspices of any

amateur athletic association that has been determined by the commissioner to be capable of ensuring the health and safety of the participants; provided the commissioner may at any time assume jurisdiction over any amateur boxing or sparring match if the commissioner determines that the health and safety of the participants is not being sufficiently safeguarded. The commissioner may appoint inspectors who shall, on the order of the commissioner, represent the commissioner at all boxing matches. The commissioner may appoint a secretary who shall prepare for service such notices and papers as may be required and perform such other duties as the commissioner directs.

(c) The commissioner or the commissioner's authorized representative may cause a full investigation to be made of the location of, and paraphernalia and equipment to be used in any boxing or sparring match and all other matters and shall determine whether or not such match will be reasonably safe for the participants and for public attendance and may make reasonable orders concerning alterations or betterments to the equipment and paraphernalia, and concerning the character and arrangement of the seating, means of egress, lighting, firefighting appliances, fire and police protection and such other provisions as shall make the match reasonably safe against both fire and casualty hazards.

(d) When any serious physical injury, as defined in subdivision (4) of section 53a-3, or death occurs in connection with a boxing or sparring match, the owner of the location of the match shall, not later than four hours after such occurrence, report the injury or death to the commissioner or the commissioner's designee. Not later than four hours after receipt of such report, the commissioner or the commissioner's designee shall cause an investigation of the occurrence to determine the cause of such serious physical injury or death. The commissioner or the commissioner's designee may enter into any place

or upon any premises so registered or licensed in furtherance of such investigation and inspection.

(e) The commissioner, in consultation with the Connecticut Boxing Commission, shall adopt such regulations in accordance with chapter 54 as the commissioner deems necessary and desirable for the conduct, supervision and safety of boxing matches, including the licensing of the sponsors and the participants of such boxing matches, and for the development and promotion of the sport of boxing in this state, including, but not limited to, regulations to improve the competitiveness of the sport of boxing in this state relative to other states. Such regulations shall require fees for the issuance of licenses to such sponsors and participants as follows: (1) For referees, a fee of not less than **[**sixty-three**]** one hundred twenty-six dollars; (2) for matchmakers and assistant matchmakers, a fee of not less than **[**sixty-three**]** one hundred twenty-six dollars; (3) for timekeepers, a fee of not less than **[**thirteen**]** twenty-six dollars; (4) for professional boxers, a fee of not less than **[**thirteen**]** twenty-six dollars; (5) for amateur boxers, a fee of not less than **[**three**]** fifteen dollars; (6) for managers, a fee of not less than **[**sixty-three**]** one hundred twenty-six dollars; (7) for trainers, a fee of not less than **[**thirteen**]** twenty-six dollars; (8) for seconds, a fee of not less than **[**thirteen**]** twenty-six dollars; (9) for announcers, a fee of not less than **[**thirteen**]** twenty-six dollars; and (10) for promoters, a fee of not less than **[**two hundred fifty**]** three hundred fifteen dollars.

(f) No organization, gymnasium or independent club shall host a sparring match unless such organization, gymnasium or independent club registers with the Department of Public Safety in accordance with this subsection. The commissioner shall register any organization, gymnasium or independent club that the commissioner deems qualified to host such matches. Application for such registration shall be made on forms provided by the department and accompanied by a

fee of **[**fifty**]** one hundred dollars. For the purpose of enforcing the provisions of this chapter, the commissioner or an authorized representative may inspect the facility of any such organization, gymnasium or independent club. The Attorney General, at the request of the Commissioner of Public Safety, may apply in the name of the state of Connecticut to the Superior Court for an order temporarily or permanently restraining any organization, gymnasium or independent club from operating in violation of any provision of this chapter or the regulations adopted pursuant to this subsection. The commissioner, in consultation with the Connecticut Boxing Commission, shall adopt such regulations, in accordance with chapter 54, as the commissioner deems necessary for the conduct, supervision and safety of sparring matches.

(g) The state, acting by and in the discretion of the commissioner, may enter into a contract with any person for the services of such person acting as an inspector appointed in accordance with the provisions of this section.

Sec. 313. Section 29-146 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Public Safety shall, upon receipt of such application, cause an investigation to be made of the character and financial responsibility of the applicant and, if he finds that such applicant is a resident elector of good moral character and of sound financial responsibility, he shall, upon payment by such applicant to the state of a license fee of **[**one**]** two hundred dollars, issue a license to such applicant to do business in this state as a professional bondsman. Each such license shall be for such term not exceeding one year as said commissioner determines.

Sec. 314. Section 29-152g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Upon being satisfied, after investigation, that the applicant is a suitable person to receive a license as a bail enforcement agent, and that the applicant meets the licensing requirements of section 29-152f, the Commissioner of Public Safety may issue a license to such applicant to do business in this state as a bail enforcement agent. The fee for such license shall be **[**one**]** two hundred dollars. Each such license shall be for such term not exceeding one year as said commissioner determines. Any bail enforcement agent holding a license issued pursuant to this section or section 29-152h shall notify the commissioner within two business days of any change of address. The notification shall include the bail enforcement agent's old address and new address.

Sec. 315. Section 29-152m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, shall carry a pistol, revolver or other firearm while engaging in the business of a professional bondsman, surety bail bond agent or bail enforcement agent, as the case may be, or while traveling to or from such business unless such bondsman or agent obtains a special permit from the Commissioner of Public Safety in accordance with the provisions of subsection (b) of this section. The permit required under this section shall be in addition to the permit requirement imposed under section 29-28.

(b) The Commissioner of Public Safety may grant to any professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, a permit to carry a pistol or revolver or other firearm while engaging in the business of professional bondsman, surety bail bond agent or bail enforcement

agent, as the case may be, or while traveling to or from such business, provided that such bondsman or agent has proven to the satisfaction of the commissioner that such bondsman or agent has successfully completed a course, approved by the commissioner, of training in the safety and use of firearms. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering such courses, requirements for instructors and the required number of hours and content of such courses.

(c) Application for a permit issued pursuant to this section shall be made on forms provided by the commissioner and shall be accompanied by a **[**thirty-one-**]** sixty-two dollar fee. Such permit shall have an expiration date that coincides with that of the state permit to carry a pistol or revolver issued pursuant to section 29-28. A permit issued pursuant to this section shall be renewable every five years with a renewal fee of **[**thirty-one**]** sixty-two dollars. The commissioner shall send, by first class mail, a notice of expiration of the bail enforcement agent firearms permit issued pursuant to this section, together with a notice of expiration of the permit to carry a pistol or revolver issued pursuant to section 29-28, in one combined form. The commissioner shall send such combined notice to the holder of the permits not later than ninety days before the date of the expiration of both permits, and shall enclose a form for renewal of the permits. A bail enforcement agent firearms permit issued pursuant to this section shall be valid for a period of ninety days after the expiration date, except this provision shall not apply if the permit to carry a pistol or revolver has been revoked or revocation is pending pursuant to section 29-32, in which case the bail enforcement agent firearms permit shall also be revoked.

Sec. 316. Section 29-155c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The fee for an individual private detective shall, for an original

license, be one thousand **[**two hundred**]** four hundred fifty dollars and for renewal of any such license, **[**five hundred**]** six hundred twenty-five dollars every two years. The fee for a private detective agency shall, for an original license, be one thousand **[**five hundred**]** seven hundred fifty dollars and for renewal of any such license, **[**eight hundred**]** one thousand dollars every two years. If a licensee fails to apply for renewal of any license within ninety days after the expiration thereof, such licensee shall pay for renewal thereof the fee provided for an original license.

Sec. 317. Section 29-156a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any licensee may employ as many private investigators as such licensee deems necessary for the conduct of such licensee's business, provided such employees shall be of good moral character and at least eighteen years of age.

(b) Immediately upon hiring a private investigator, the licensee shall apply to register such employee with the Commissioner of Public Safety. Such application shall be made on forms furnished by the commissioner, and, under oath of the employee, shall give the employee's name, address, date and place of birth, employment for the past five years, experience in the position applied for, any convictions for violations of the law and such other information as the commissioner may require, by regulation, to properly investigate the character, competency and integrity of the employee.

(c) The Commissioner of Public Safety shall require any applicant for registration under this section to submit to state and national criminal history records checks conducted in accordance with section 29-17a, as amended by this act. The application for registration shall be accompanied by two sets of fingerprints of the employee and two full-face photographs of the employee, two inches wide by two inches

high, taken no earlier than six months prior to the date of application for registration, and a **[**twenty**]** forty-dollar registration fee payable to the state. Subject to the provisions of section 46a-80, no person shall be registered who has been convicted of a felony, any sexual offense or any crime involving moral turpitude, or who has been refused a license under the provisions of this chapter for any reason except lack of minimum experience, or whose license, having been granted, has been revoked or is under suspension. The commissioner shall register all qualified employees and so notify the licensee and place the registration form and all related material on file with the Division of State Police within the Department of Public Safety.

(d) The licensee shall notify the commissioner not later than five days after the termination of employment of any registered employees.

(e) Any person, firm or corporation that violates any provision of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Sec. 318. Section 29-161n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The fee for an individual, association or partnership licensed as a security service shall, for an original license, be one thousand **[**two hundred**]** four hundred fifty dollars, and for renewal thereof, **[**five hundred**]** six hundred twenty-five dollars every two years. The fee for a corporation licensed as a security service shall, for an original license, be one thousand **[**five hundred**]** seven hundred fifty dollars and for renewal thereof **[**eight hundred**]** one thousand dollars every two years. If a licensee fails to apply for renewal of any license within ninety days after the expiration thereof, the licensee shall pay for renewal thereof the fee provided for an original license.

Sec. 319. Section 29-161q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any security service or business may employ as many security officers as such security service or business deems necessary for the conduct of the business, provided such security officers are of good moral character and at least eighteen years of age.

(b) No person hired or otherwise engaged to perform work as a security officer, as defined in section 29-152u, shall perform the duties of a security officer prior to being licensed as a security officer by the Commissioner of Public Safety. Each applicant for a license shall complete a minimum of eight hours training in the following areas: Basic first aid, search and seizure laws and regulations, use of force, basic criminal justice and public safety issues. The training shall be approved by the commissioner in accordance with regulations adopted pursuant to section 29-161x.

(1) On and after October 1, 2008, no person or employee of an association, corporation or partnership shall conduct such training without the approval of the commissioner except as provided in subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner and accompanied by a fee of **[**twenty**]** <u>forty</u> dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects required to be taught under this subsection, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or

instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person approved as an instructor in accordance with this section shall notify the commissioner of such change and such notification shall include both the old and new addresses.

(2) If a security officer training course described in this subsection is approved by the commissioner on or before September 30, 2008, the instructor of such course shall have until April 1, 2009, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.

(3) Each person approved as an instructor in accordance with this section may apply for the renewal of such approval on a form approved by the commissioner, accompanied by a fee of **[**twenty**]** forty dollars. Such form may require the disclosure of any information necessary for the commissioner to determine whether the instructor's suitability to serve as an instructor has changed since the issuance of the prior approval. The term of such renewed approval shall not exceed two years.

(c) Upon successful completion of the training pursuant to subsection (b) of this section, the applicant may submit an application for a license as a security officer on forms furnished by the commissioner and, under oath, shall give the applicant's name, address, date and place of birth, employment for the previous five years, experience in the position applied for, any convictions for violations of the law and such other information as the commissioner may require, by regulation, to properly investigate the character, competency and integrity of the applicant. Applicants shall submit with their application two sets of fingerprints of the employee and the Commissioner of Public Safety shall require any applicant for a license under this section to submit to state and national criminal history

records checks conducted in accordance with section 29-17a, as amended by this act. Applicants shall submit with their application two sets of their fingerprints and two full-face photographs of them, two inches wide by two inches high, taken not earlier than six months prior to the date of application, and a **[**fifty-dollar**]** one-hundred-dollar licensing fee, made payable to the state. Subject to the provisions of section 46a-80, no person shall be approved for a license who has been convicted of a felony, any sexual offense or any crime involving moral turpitude, or who has been refused a license under the provisions of sections 29-161g to 29-161x, inclusive, for any reason except minimum experience, or whose license, having been granted, has been revoked or is under suspension. Upon being satisfied of the suitability of the applicant for licensure, the commissioner may license the applicant as a security officer. Such license shall be renewed every five years for a **[**fifty-dollar**]** one-hundred-dollar fee.

(d) Upon the security officer's successful completion of training and licensing by the commissioner, or immediately upon hiring a licensed security officer, the security service employing such security officer shall apply to register such security officer with the commissioner on forms provided by the commissioner. Such application shall be accompanied by payment of a **[**twenty-dollar**]** forty-dollar application fee payable to the state. The Division of State Police within the Department of Public Safety shall keep on file the completed registration form and all related material. An identification card with the name, date of birth, address, full-face photograph, physical descriptors and signature of the applicant shall be issued to the security officer, and shall be carried by the security officer at all times while performing the duties associated with the security officer's employment. Registered security officers, in the course of performing their duties, shall present such card for inspection upon the request of a law enforcement officer.

(e) The security service shall notify the commissioner not later than five days after the termination of employment of any registered employee.

(f) Any fee or portion of a fee paid pursuant to this section shall not be refundable.

(g) No person, firm or corporation shall employ or otherwise engage any person as a security officer, as defined in section 29-152u, unless such person is a licensed security officer.

(h) Any person, firm or corporation that violates any provision of subsection (b), (d), (e) or (g) of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.

Sec. 320. Section 29-161z of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No employee of a licensed security service and no employee hired by a firm or corporation to perform work as a security officer may carry a pistol, revolver or other firearm while on duty or directly en route to or from such employment unless such employee obtains a special permit from the Commissioner of Public Safety in accordance with the provisions of subsection (b) of this section. No licensed security service and no firm or corporation may permit any employee to carry a pistol, revolver or other firearm while on duty or directly en route to or from such employment unless it obtains proof that such employee has obtained such permit from the commissioner. The permit required under this section shall be in addition to the permit requirement imposed under section 29-28.

(b) The Commissioner of Public Safety may grant to any suitable employee of a licensed security service, or to an employee hired by a

firm or corporation to perform work as a uniformed or nonuniformed security officer, a special permit to carry a pistol or revolver or other firearm while actually on duty on the premises of the employer, or, while directly en route to or from such employment, provided that such employee has proven to the satisfaction of the commissioner that such employee has successfully completed a course, approved by the commissioner, of training in the safety and use of firearms. The commissioner may grant to such employee a temporary permit pending issuance of the permit, provided such employee has submitted an application and successfully completed such training course immediately following employment. All armed security officers shall complete such safety course and yearly complete a refresher safety course approved by the commissioner. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 concerning the approval of schools, institutions or organizations offering such courses, requirements for instructors and the required number of hours and content of such courses.

(c) Application for a special permit shall be made on forms provided by the commissioner and shall be accompanied by a **[**thirty-one-dollar**]** sixty-two-dollar fee. Such permit shall have the same expiration date as the pistol permit issued under subsection (b) of section 29-28 and may be renewed for additional five-year periods.

(d) (1) On and after October 1, 2008, no person or employee of an association, corporation or partnership shall conduct the training pursuant to subsection (b) of this section without the approval of the commissioner, except as provided in subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner, accompanied by a fee of **[**twenty**]** forty dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects required to be

taught under subsection (b) of this section, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person approved as an instructor in accordance with this section shall notify the commissioner of such change and such notification shall include both the old and new addresses.

(2) If a course of training in the safety and use of firearms is approved by the commissioner in accordance with subsection (b) of this section on or before September 30, 2008, the person serving as an instructor of such course shall have until April 1, 2009, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.

(3) Each person approved as an instructor in accordance with this section may apply for the renewal of such approval on a form approved by the commissioner, accompanied by a fee of **[**twenty**]** forty dollars. Such form may require the disclosure of any information necessary for the commissioner to determine whether the instructor's suitability to serve as an instructor has changed since the issuance of the prior approval. The term of such renewed approval shall not exceed two years.

(e) Any fee or portion of a fee paid pursuant to the provisions of this section shall not be refundable.

(f) Any person, firm or corporation that violates any provision of this section shall be fined seventy-five dollars for each offense. Each violation of this section shall be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense.

(g) The commissioner may suspend or revoke a security service license, a special permit issued to a security officer or instructor approval upon a finding by the commissioner that such licensee, permit holder or instructor has violated any provision of this section, provided notice shall have been given to such licensee, permit holder or instructor to appear before the commissioner to show cause why the license, permit or approval should not be suspended or revoked. Any party aggrieved by an order of the commissioner may appeal therefrom in accordance with the provisions of section 4-183, except the venue for such appeal shall be the judicial district of New Britain.

Sec. 321. Section 29-193 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No new elevator or escalator shall be erected or installed and no elevator or escalator shall be relocated or altered until detailed plans and specifications of the proposed construction or other work have been submitted in triplicate to the department for approval. A fee of two hundred <u>fifty</u> dollars for each elevator or escalator payable to the department shall accompany each such proposal. Notice that such plans are approved or disapproved shall be given within a reasonable time and final inspection of the elevator or escalator, when installed, relocated or altered, shall be made before final approval for operation is given by the department. The department may issue a temporary operating permit, if necessary, pending final inspection and approval. The provisions of this chapter shall not prevent the operation of any elevator installed for temporary use in connection with building operations or the operation of any elevator for purposes connected

with the installation or the testing of the same.

Sec. 322. Section 29-196 of the general statutes, as amended by section 2 of public act 09-35, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

As soon as the department approves any new, relocated or altered elevator or escalator as being fit for operation, it shall issue to the owner a certificate of operation for a capacity and speed specified in the inspector's report. The fee for the certificate first issued shall be two hundred fifty dollars. Such certificate shall be posted conspicuously in the car or cage or on the platform of the elevator or escalator and shall be valid for twelve months. Thereafter, the certificate shall be renewed every two years upon receipt of the renewal fee of **[**one hundred twenty**]** two hundred forty dollars, except that elevators located in private residences shall not be subject to said renewal requirement. No fee shall be required of the state or any agency of the state. No elevator or escalator may be lawfully operated without such certificate.

Sec. 323. Section 29-238 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The owner or user of a boiler required by this chapter to be inspected by the Commissioner of Public Safety, state boiler inspectors or special inspectors shall pay to the commissioner the sum of **[**forty**]** eighty dollars for each operating certificate issued. No fee shall be required of the state or any agency of the state. All fees collected by the commissioner under authority of this chapter shall be transferred by the commissioner to the State Treasurer for deposit in the General Fund. If the report of inspection by the Department of Public Safety inspector or special inspector indicates that any boiler meets the requirements of this chapter and the boiler regulations, an operating certificate shall be issued by the commissioner to the owner or user. Such certificate shall state the pressure and other conditions under

which such boiler may be lawfully operated. An operating certificate shall be valid for a period of not more than twelve months from the date of internal inspection, in the case of power boilers inspected pursuant to subdivision (1) of section 29-237, except that the certificate shall be valid for a period of not more than two months beyond the period set by the Commissioner of Public Safety in accordance with section 29-237. An operating certificate shall be valid for a period of not more than eighteen months from the date of internal inspection in the case of power boilers inspected pursuant to subdivision (2) of section 29-237. Operating certificates shall be valid for twenty-four months in the case of low pressure steam or vapor heating boilers, hot water heating boilers, hot water supply boilers and hot water heaters approved by a nationally recognized testing agency. If a boiler inspected by a state boiler inspector or special inspector commissioned by said commissioner is found to conform with the requirements of this chapter and the boiler regulations, an operating certificate shall be issued by said commissioner to the owner or user upon the receipt of the insuring company's report or the state boiler inspector's report. Said commissioner may order reinspection if reasonable doubt exists regarding any inspection. Such certificate shall state the pressure and other conditions under which such boiler may be lawfully operated and shall be valid not more than the period indicated in this section and shall be renewed each year in the case of power boilers inspected pursuant to subdivision (1) of section 29-237, every eighteen months in the case of power boilers inspected pursuant to subdivision (2) of section 29-237, and biennially in the case of hot water heating or hot water supply boilers and hot water heaters. An operating certificate shall be immediately invalid if the boiler is relocated or altered, unless such relocation or alteration has been approved in accordance with this chapter or the boiler code and regulations. No boiler shall be operated unless a valid operating certificate is displayed under glass in a conspicuous place in the room in which such boiler is located. If the boiler is not located within the building, the certificate shall be posted

in a location convenient to the boiler inspected. In the case of a portable boiler such certificate shall be kept in a metal container to be fastened to the boiler or kept in a tool box accompanying the boiler.

Sec. 324. Section 29-349 of the general statutes, as amended by section 5 of public act 09-35, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Public Safety shall have exclusive jurisdiction in the preparation of and may enforce reasonable regulations for the safe and convenient storage, transportation and use of explosives and blasting agents used in connection therewith, which regulations shall deal in particular with the quantity and character of explosives and blasting agents to be stored, transported and used, the proximity of such storage to inhabited dwellings or other occupied buildings, public highways and railroad tracks, the character and construction of suitable magazines for such storage, protective measures to secure such stored explosives and blasting agents and the abatement of any hazard that may arise incident to the storage, transportation or use of such explosives and blasting agents.

(b) No person, firm or corporation shall engage in any activity concerning the storage, transportation or use of explosives unless such person, firm or corporation has obtained a license therefor from the Commissioner of Public Safety. Such license shall be issued upon payment of a fee of **[**one**]** two hundred dollars and upon submission by the applicant of evidence of good moral character and of competence in the control and handling of explosives, provided, if such license is for the use of explosives, it may be issued only to an individual person after demonstration that such individual is technically qualified to detonate explosives. Any such license to use explosives shall bear both the fingerprints of the licensee obtained by the Commissioner of Public Safety at the time of licensing, and the licensee's photograph, furnished by the licensee, of a size specified by

the commissioner and taken not more than one year prior to the issuance of the license. Each such license shall be valid for one year from the date of its issuance, unless sooner revoked or suspended, and may be renewed annually thereafter upon a payment of **[**seventy-five**]** one hundred fifty dollars.

(c) The Commissioner of Public Safety shall require any applicant for a license under this section to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a, as amended by this act.

(d) No person shall manufacture, keep, store, sell or deal in any explosives unless such person has a valid license under the provisions of subsection (b) of this section and obtains from the Commissioner of Public Safety or from the fire marshal of the town where such business is conducted a written permit therefor, which permit shall not be valid for more than one year and for which such person shall pay a fee of **[**fifty**]** one hundred dollars. If the permit is issued by the Commissioner of Public Safety, the commissioner shall forward a copy thereof to the local fire marshal. Such permit so granted shall definitely state the location of the building where such business is to be carried on or such explosive deposited and shall state that such building or premises complies with the regulations provided for in this section.

(e) No person shall procure, transport or use any explosives unless such person has a valid license under subsection (b) of this section and has obtained a written permit therefor signed by the Commissioner of Public Safety or by the fire marshal of the town where such explosive is to be used, specifying the name of the purchaser, the amount to be purchased and transported and the purpose for which it is to be used. Any such permit to use explosives shall state the number of years the permittee has been engaged in blasting activity. Such permit shall be valid for such period, not longer than one year, as is required to

accomplish the purpose for which it was obtained. No carrier shall transport any such explosive until the vehicle transporting the explosive has been inspected and approved by the Department of Public Safety and unless such written permit accompanies the same and no person shall have in such person's possession any such explosive unless such person has a license and permit therefor. The fee for such inspection shall be **[**fifty**]** one hundred dollars. The fee for such permit shall be **[**thirty**]** sixty dollars. Each person who has in such person's custody or possession any explosive or any detonating caps for explosives shall keep the same either under personal observation or securely locked up.

(f) Any license or permit issued under the provisions of this section may be suspended or revoked by the issuing authority for violation by the licensee or permittee of any provision of law or regulation relating to explosives or conviction of such licensee or permittee of any felony or misdemeanor. Suspension or revocation of a license shall automatically suspend or revoke the permit and the suspension or revocation of a permit shall automatically suspend or revoke the license.

(g) Any person who, by himself or herself or by such person's employee or agent or as the employee or agent of another, violates any provision of this section, or any regulation made by the Commissioner of Public Safety pursuant to the provisions of this section, shall be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(h) As used in this section, "blasting agent" means any material, composition or mixture intended for blasting, consisting substantially of a fuel and oxidizer, none of the ingredients of which is an explosive as defined in section 29-343, and the finished product of which as mixed and packaged for use or shipment cannot be detonated by the test procedure established by regulations adopted by the

Commissioner of Public Safety in accordance with chapter 54.

(i) Notwithstanding the provisions of this section, the Labor Commissioner shall regulate the storage, transportation and use of explosives and blasting agents in places of employment insofar as such activities relate to employee health and safety, provided such regulations shall be no less stringent than those prepared and enforced by the Commissioner of Public Safety pursuant to this section.

(j) The State Fire Marshal may grant variations or exemptions from, or approve equivalent or alternate compliance with, particular provisions of any regulation adopted under this section where strict compliance with such provisions would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted, provided any such variation, exemption, equivalent or alternate compliance shall, in the opinion of the State Fire Marshal, secure the public safety.

Sec. 325. Subsection (b) of section 29-357 of the general statutes, as amended by section 17 of public act 09-177, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2011*):

(b) The State Fire Marshal shall adopt reasonable regulations, in accordance with chapter 54, for the granting of permits for supervised displays of fireworks or for the indoor use of pyrotechnics, sparklers and fountains for special effects by municipalities, fair associations, amusement parks, other organizations or groups of individuals or artisans in pursuit of their trade. Such permit may be issued upon application to said State Fire Marshal and after (1) inspection of the site of such display or use by the local fire marshal to determine compliance with the requirements of such regulations, and (2) approval of the chiefs of the police and fire departments, or, if there is no police or fire department, of the first selectman, of the municipality wherein the display is to be held as is provided in this section. No such

display shall be handled or fired by any person until such person has been granted a certificate of competency by the State Fire Marshal, in respect to which a fee of **[**one**]** two hundred dollars shall be payable to the State Treasurer when issued and which may be renewed every three years upon payment of a fee of one hundred **[**fifty**]** ninety dollars to the State Treasurer, provided such certificate may be suspended or revoked by said marshal at any time for cause. Such certificate of competency shall attest to the fact that such operator is competent to fire a display. Such display shall be of such a character and so located, discharged or fired as in the opinion of the chiefs of the police and fire departments or such selectman, after proper inspection, will not be hazardous to property or endanger any person or persons. In an aerial bomb, no salute, report or maroon may be used that is composed of a formula of chlorate of potash, sulphur, black needle antimony and dark aluminum. Formulas that may be used in a salute, report or maroon are as follows: (A) Perchlorate of potash, black needle antimony and dark aluminum, and (B) perchlorate of potash, dark aluminum and sulphur. No high explosive such as dynamite, fulminate of mercury or other stimulator for detonating shall be used in any aerial bomb or other pyrotechnics. Application for permits shall be made in writing at least fifteen days prior to the date of display, on such notice as the State Fire Marshal by regulation prescribes, on forms furnished by the State Fire Marshal, and a fee of **[**fifty**]** one hundred dollars shall be payable to the State Treasurer with each such application. After such permit has been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. Any permit issued under the provisions of this section may be suspended or revoked by the State Fire Marshal or the local fire marshal for violation by the permittee of any provision of the general statutes, any regulation or any ordinance relating to fireworks.

Sec. 326. Section 29-402 of the general statutes, as amended by

section 6 of public act 09-35, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this part, the term "license" includes the whole or part of any permit which the Department of Public Safety issues under authority of the general statutes, and which (1) requires persons to place their names on a list maintained by the department before they can engage in the business of demolition of buildings, (2) requires a person to demonstrate competence by examination or other means, and (3) may be revoked or suspended by the department for cause.

(b) No person shall engage in the business of demolition of buildings without a license obtained from the Department of Public Safety. An applicant for an initial license shall file an application with the Department of Public Safety, furnish evidence of expertise and financial responsibility and pay a fee of **[**three hundred fifty**]** <u>four hundred forty</u> dollars for a class B license and **[**even hundred fifty**]** <u>nine hundred forty</u> dollars for a class A license. Each license shall be valid for twelve months from date of issuance and shall be renewable on application of the licensee upon payment of an annual fee of two hundred <u>fifty</u> dollars for a class B license and **[**six hundred**]** <u>seven hundred fifty</u> dollars for a class A license. The department may refuse to issue any such license for cause, and may revoke or refuse to renew any such license for failure to carry out and conform to the provisions of this part or to any regulations adopted hereunder, or for any violation of title 22a. No person shall be refused a license or a renewal thereof, and no license shall be revoked, without an opportunity for a hearing conducted by the Department of Public Safety in accordance with the provisions of chapter 54.

(c) The provisions of this section shall not apply to (1) a person who is engaged in the disassembling, transportation and reconstruction of historic buildings for historical purposes or in the demolition of farm buildings or in the renovation, alteration or reconstruction of a single-

family residence, (2) the removal of underground petroleum storage tanks, (3) the burning of a building or structure as part of an organized fire department training exercise, or (4) the demolition of a single-family residence or outbuilding by an owner of such structure if it does not exceed a height of thirty feet, provided (A) the owner shall be present on site while such demolition work is in progress and shall be held personally liable for any injury to individuals or damage to public or private property caused by such demolition, and (B) such demolition shall be permitted only with respect to buildings which have clearance from other structures, roads or highways equal to or greater than the height of the structure subject to demolition. The local building official may require additional clearance when deemed necessary for safety.

Sec. 327. Section 30-16 of the general statutes, as amended by section 1 of public act 09-47, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A manufacturer permit shall allow the manufacture of alcoholic liquor and the storage, bottling and wholesale distribution and sale of alcoholic liquor manufactured or bottled to permittees in this state and without the state as may be permitted by law; but no such permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection. A holder of a manufacturer permit may apply for and shall receive an out-of-state shipper's permit for manufacturing plants and warehouse locations outside the state owned by such manufacturer or a subsidiary corporation thereof, at least eighty-five per cent of the voting stock of which is owned by such manufacturer, to bring into any of its plants or warehouses in the state alcoholic liquors for reprocessing, repackaging, reshipment or sale either (1) within the state to wholesaler permittees not owned or controlled by such manufacturer, or (2) outside the state. A holder of a manufacturer

permit, except a manufacturer permit for cider, may apply for and shall receive a wholesaler permit. The annual fee for a manufacturer permit shall be one thousand **[**six**]** eight hundred fifty dollars.

(b) A manufacturer permit for beer shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to beer, but shall permit the storage of beer in any part of the state. Such permit shall also authorize the offering and tasting, on the premises of the permittee, of free samples of beer brewed on such premises and the selling at retail from the premises of sealed bottles or other sealed containers of such beer for consumption off the premises. The offering and tasting shall be limited to visitors who have attended a tour of the premises of the permittee. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than eight liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for beer shall be **[**eight hundred**]** one thousand dollars.

(c) A manufacturer permit for cider not exceeding six per cent alcohol by volume and apple wine not exceeding fifteen per cent alcohol by volume shall allow (1) the manufacture, storage, bottling and wholesale distribution and sale at retail of such cider and apple wine to permittees and nonpermittees in this state as may be permitted by law; but no such permit shall be issued unless the place or the plan of the place of manufacture has received the approval of the department; and (2) the sale and shipment by the holder of such permit of such cider and such apple wine to persons outside the state and to consumers in this state in the same manner and subject to the same conditions as such sale and shipment is permitted for wine by a farm winery manufacturer permittee pursuant to subsection (e) of this section. The annual fee for a manufacturer permit for cider shall be

[one hundred sixty**]** two hundred dollars.

(d) A manufacturer permit for apple brandy and eau-de-vie shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to apple brandy or eau-de-vie, or both. The annual fee for a manufacturer permit for apple brandy and eau-de-vie shall be **[**three hundred twenty**]** four hundred dollars.

(e) (1) A manufacturer permit for a farm winery shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to wine and brandies distilled from grape products or other fruit products, including grappa and eau-de-vie. As used in this section, "farm winery" means any place or premises, located on a farm in the state in which wine is manufactured and sold.

(2) Such permit shall, at the single principal premises of the farm winery, authorize (A) the sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit; (B) as to a manufacturer who produces one hundred thousand gallons of wine or less per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by the farm winery permittee in the original sealed containers of not more than fifteen gallons per container; (C) the sale and shipment by the holder thereof of wine manufactured by the farm winery permittee to persons outside the state; (D) the offering and tasting of free samples of such wine or brandy to visitors and prospective retail customers for consumption on the premises of the farm winery permittee; (E) the sale at retail from the premises of sealed bottles or other sealed containers of such wine or brandy for consumption off the premises; (F) the sale at retail from the premises of wine or brandy by the glass and bottle to visitors on the premises of the farm winery permittee for consumption on the premises; and (G) subject to the provisions of subdivision (3) of this

subsection, the sale and delivery or shipment of wine manufactured by the permittee directly to a consumer in this state. Notwithstanding the provisions of subparagraphs (D), (E) and (F) of this subdivision, a town may, by ordinance or zoning regulation, prohibit any such offering, tasting or selling at retail at premises within such town for which a manufacturer permit for a farm winery has been issued.

(3) A permittee, when selling and shipping wine directly to a consumer in this state, shall: (A) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (C) not ship more than five gallons of wine in any two-month period to any person in this state; (D) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales; (E) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (F) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; and (G) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit.

(4) No licensed farm winery may sell any such wine or brandy not

manufactured by such winery, except a licensed farm winery may sell from the premises wine manufactured by another farm winery located in this state.

(5) The farm winery permittee shall grow on the premises of the farm winery or on property under the same ownership and control of said permittee or leased by the backer of a farm winery permit or by said permittee within the farm winery's principal state an average crop of fruit equal to not less than twenty-five per cent of the fruit used in the manufacture of the farm winery permittee's wine. An average crop shall be defined each year as the average yield of the farm winery permittee's two largest annual crops out of the preceding five years, except that during the first seven years from the date of issuance of a farm winery permit, an average crop shall be defined as three tons of grapes for each acre of vineyard farmed by the farm winery permittee. In the event the farm winery consists of more than one property, the aggregate acreage of the farm winery shall not be less than five acres.

(6) A holder of a manufacturer permit for a farm winery, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(7) The annual fee for a manufacturer permit for a farm winery shall be **[**two hundred forty**]** <u>three hundred</u> dollars.

(f) A manufacturer permit for a brew pub shall allow: (1) The manufacture, storage and bottling of beer, (2) the retail sale of alcoholic liquor to be consumed on the premises with or without the sale of food, (3) the selling at retail from the premises of sealed bottles or other sealed containers of beer brewed on such premises for consumption off the premises, and (4) the sale of sealed bottles or other sealed containers of beer brewed on such premises to the holder of a

wholesaler permit issued pursuant to subsection (b) of section 30-17, provided that the holder of a manufacturer permit for a brew pub produces at least five thousand gallons of beer on the premises annually. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than eight liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for a brew pub shall be **[**two hundred forty**]** three hundred dollars.

Sec. 328. Section 30-17 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) A wholesaler permit shall allow the bottling of alcoholic liquor and the wholesale sale of alcoholic liquor to permittees in this state and without the state, as may be permitted by law, and the sale of alcoholic liquors to vessels engaged in coastwise or foreign commerce, and the sale of alcohol and alcoholic liquor for industrial purposes to nonpermittees, such sales to be made in accordance with the regulations adopted by the Department of Consumer Protection, and the sale of alcohol and alcoholic liquor for medicinal purposes to hospitals and charitable institutions and to religious organizations for sacramental purposes and the receipt from out-of-state shippers of multiple packages of alcoholic liquor. The holder of a wholesaler permit may apply for and shall thereupon receive an out-of-state shipper's permit for direct importation from abroad of alcoholic liquors manufactured outside the United States and an out-of-state shipper's permit for direct importation from abroad of beer manufactured outside the United States. The annual fee for a wholesaler permit shall be two thousand **[**four**]** six hundred fifty dollars.

(2) When a holder of a wholesaler permit has had the

distributorship of any alcohol, beer, spirits or wine product of a manufacturer or out-of-state shipper for six months or more, such distributorship may be terminated or its geographic territory diminished upon (A) the execution of a written stipulation by the wholesaler and manufacturer or out-of-state shipper agreeing to the change and the approval of such change by the Department of Consumer Protection; or (B) the sending of a written notice by registered mail, return receipt requested, by the manufacturer or out-of-state shipper to the wholesaler, a copy of which notice has been sent simultaneously by registered mail, return receipt requested, to the Department of Consumer Protection. No such termination or diminishment shall become effective except for just and sufficient cause, provided such cause shall be set forth in such notice and the Department of Consumer Protection shall determine, after hearing, that just and sufficient cause exists. If an emergency occurs, caused by the wholesaler, prior to such hearing, which threatens the manufacturers' or out-of-state shippers' products or otherwise endangers the business of the manufacturer or out-of-state shipper and said emergency is established to the satisfaction of the Department of Consumer Protection, the department may temporarily suspend such wholesaler permit or take whatever reasonable action the department deems advisable to provide for such emergency and the department may continue such temporary action until its decision after a full hearing. The Department of Consumer Protection shall render its decision with reasonable promptness following such hearing. Notwithstanding the aforesaid, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for an alcohol, spirits or wine product within such territory, provided such appointment shall not be effective until six months from the date such manufacturer or out-of-state shipper sets forth such intention in written notice to the existing wholesaler by registered mail, return receipt requested, with a copy of such notice simultaneously sent by registered mail, return receipt requested, to the Department of

Consumer Protection. For just and sufficient cause, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for a beer product within such territory provided such manufacturer or out-of-state shipper sets forth such intention and cause in written notice to the existing wholesaler by registered mail, return receipt requested, with a copy of such notice simultaneously sent by registered mail, return receipt requested, to the Department of Consumer Protection. For the purposes of this section, "just and sufficient cause" means the existence of circumstances which, in the opinion of a reasonable person considering all of the equities of both the wholesaler and the manufacturer or out-of-state shipper warrants a termination or a diminishment of a distributorship as the case may be. For the purposes of this section, "manufacturer or out-of-state shipper" means the manufacturer or out-of-state shipper who originally granted a distributorship of any alcohol, beer, spirits or wine product to a wholesaler, any successor to such manufacturer or out-of-state shipper, which successor has assumed the contractual relationship with such wholesaler by assignment or otherwise, or any other manufacturer or out-of-state shipper who acquires the right to ship such alcohol, beer, spirits or wine into the state.

(3) Nothing contained herein shall be construed to interfere with the authority of the Department of Consumer Protection to retain or adopt reasonable regulations concerning the termination or diminishment of a distributorship held by a wholesaler for less than six months.

(4) All hearings held hereunder shall be held in accordance with the provisions of chapter 54.

(b) A wholesaler permit for beer shall be in all respects the same as a wholesaler permit, except that the scope of operations of the holder shall be limited to beer; but shall not prohibit the handling of nonalcoholic merchandise. The holder of a wholesaler permit for beer may apply for and shall thereupon receive an out-of-state shipper's

permit for direct importation from abroad of beer manufactured outside the United States. The annual fee for a wholesaler permit for beer shall be **[**eight hundred**]** one thousand dollars.

Sec. 329. Section 30-17b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall be employed by any wholesaler of alcoholic liquor to sell or offer for sale alcoholic liquor to any retailer of alcoholic liquor unless such person holds a wholesaler's salesman certificate or files an application for such certificate not later than ten days after the date of his initial employment. Any person desiring a wholesaler's salesman certificate or renewal thereof, shall file a sworn application for such certificate upon forms to be furnished by the Department of Consumer Protection, showing his name, address and such other information as the department may require. An application for an initial certificate shall be accompanied by a nonrefundable fee in the amount of **[**twenty-five**]** fifty dollars. Upon approval of such application, the department shall issue a certificate which shall be renewed only upon change of employment. If a certified wholesaler's salesman changes employment, a renewal application shall be filed not later than ten days after the date such new employment commences and shall be accompanied by a nonrefundable fee in the amount of **[**twenty-five**]** fifty dollars.

(b) The department shall not issue a wholesaler's salesman certificate to any person who is, by statute or regulation, declared to be an unsuitable person to hold a permit to sell alcoholic liquor.

(c) The Department of Consumer Protection may, in its discretion, refuse a certificate to a wholesaler's salesman if it has reasonable ground to believe: (1) That the applicant appears to be financially irresponsible; (2) that the applicant is in the habit of using alcoholic beverages to excess; (3) that the applicant has wilfully made any false

statement to the department in a material matter; or (4) that the applicant has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25 or has such a criminal record that the department reasonably believes he is not a suitable person to hold a certificate, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80 and 46a-81.

(d) The Department of Consumer Protection may, of its own motion, revoke or suspend a wholesaler's salesman certificate upon cause found after hearing, provided ten days' written notice of such hearing has been given to the holder of the certificate setting forth, with the particulars required in civil pleadings, the charges upon which such proposed revocation or suspension is predicated and provided no certificate shall be suspended or revoked for any violation of this chapter of which the holder of the certificate was finally found not guilty by, or received dismissal in, a court having jurisdiction thereof, and no disciplinary action shall be taken thereafter by said department against the holder of the certificate, and provided the department shall not initiate hearing proceedings pursuant to this section based upon any arrest which has not resulted in a conviction. Any appeal from such order of revocation or suspension shall be taken in accordance with the provisions of section 4-183.

(e) Any person who applies for a wholesaler's salesman certificate or for the renewal of such certificate, whose application is refused or any person who holds a certificate which is revoked or suspended by the Department of Consumer Protection may appeal therefrom in the same manner as provided in section 30-60.

Sec. 330. Section 30-18 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) An out-of-state shipper's permit for alcoholic liquor other than beer shall allow the sale of such alcoholic liquor to manufacturer and wholesaler permittees in this state as permitted by law and, as to any out-of-state shipper operating a farm winery who produces not more than one hundred thousand gallons of wine per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by such permittee on the permitted premises in the original sealed containers of not more than fifteen gallons per container. The permit premises of an out-of-state shipper's permit for alcoholic liquor may be located within this state or outside this state. The annual fee for an out-of-state shipper's permit for alcoholic liquor other than beer shall be **[**forty-five**]** ninety dollars for a Connecticut manufacturer or wholesaler holding such a permit and shall be one thousand two hundred fifty dollars for any other person holding such a permit. For purposes of this subsection, "farm winery" means any place or premises, located on a farm in which wine is manufactured and sold provided not less than twenty-five per cent of the fruit used in the manufacture of such wine is produced on such farm.

(b) Subject to the provisions of this subsection, an out-of-state shipper's permit for alcoholic liquor other than beer shall allow the sale and delivery or shipment of wine manufactured by the permittee on the permitted premises directly to a consumer in this state. Such permittee, when selling and shipping wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (3) not ship more than five gallons of wine in any two-month period to any person

in this state and not ship any wine until such permittee is registered, with respect to the permittee's sales of wine to consumers in this state, for purposes of the taxes imposed under chapters 219 and 220, with the Department of Revenue Services; (4) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales, with the amount of such taxes to be calculated as if the sale were in this state at the location where delivery is made; (5) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (6) permit the Department of Consumer Protection and Department of Revenue Services, separately or jointly, to perform an audit of the permittee's records upon request; (7) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; (8) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit; and (9) execute a written consent to the jurisdiction of this state, its agencies and instrumentalities and the courts of this state concerning the enforcement of this section and any related laws, rules, or regulations, including, but not limited to, tax laws, rules or regulations.

(c) The Department of Consumer Protection, in consultation with the Department of Revenue Services, may adopt regulations, in accordance with the provisions of chapter 54, to assure compliance with the provisions of subsection (b) of this section.

(d) A holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when advertising or offering wine for direct shipment

to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(e) (1) For purposes of chapter 219, the holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when shipping wine directly to a consumer in this state, shall be deemed to be a retailer engaged in business in this state, as defined in chapter 219, and shall be required to be issued a seller's permit pursuant to chapter 219.

(2) For purposes of chapter 220, the holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when shipping wine directly to a consumer in this state, shall be deemed to be a distributor as defined in chapter 220 and shall be required to be licensed pursuant to chapter 220.

(f) As used in this section, "out-of-state" means any state other than Connecticut, any territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, but does not include any foreign country.

Sec. 331. Section 30-18a of the general statutes, as amended by section 2 of public act 09-47, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) An out-of-state winery shipper's permit for wine shall allow the sale of wine to manufacturer and wholesaler permittees in this state as permitted by law and for those shippers that produce not more than one hundred thousand gallons of wine per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by such permittee in the original sealed containers of not more than fifteen gallons per container. For purposes of this section, "wine" shall include cider not exceeding six per cent alcohol by volume and apple wine not exceeding fifteen per cent alcohol by volume.

(b) Subject to the provisions of this subsection, an out-of-state winery shipper's permit for wine shall allow the sale and delivery or shipment of wine manufactured by the permittee directly to a consumer in this state. Such permittee, when selling and shipping wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (3) not ship more than five gallons of wine in any two-month period to any person in this state and not ship any wine until such permittee is registered, with respect to the permittee's sales of wine to consumers in this state, for purposes of the taxes imposed under chapters 219 and 220, with the Department of Revenue Services; (4) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales, with the amount of such taxes to be calculated as if the sale were in this state at the location where delivery is made; (5) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (6) permit the Department of Consumer Protection and Department of Revenue Services, separately or jointly, to perform an audit of the permittee's records upon request; (7) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; (8) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through

the use of a person who holds such an in-state transporter's permit; and (9) execute a written consent to the jurisdiction of this state, its agencies and instrumentalities and the courts of this state concerning the enforcement of this section and any related laws, rules, or regulations, including tax laws, rules or regulations.

(c) The Department of Consumer Protection, in consultation with the Department of Revenue Services, may adopt regulations in accordance with the provisions of chapter 54 to assure compliance with the provisions of subsection (b) of this section.

(d) A holder of an out-of-state winery shipper's permit for wine, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(e) (1) For purposes of chapter 219, the holder of an out-of-state winery shipper's permit for wine, when shipping wine directly to a consumer in this state, shall be deemed to be a retailer engaged in business in this state as defined in chapter 219 and shall be required to be issued a seller's permit pursuant to chapter 219.

(2) For purposes of chapter 220, the holder of an out-of-state winery shipper's permit for wine, when shipping wine directly to a consumer in this state, shall be deemed to be a distributor as defined in chapter 220 and shall be required to be licensed pursuant to chapter 220.

(f) Any person who applies for an out-of-state winery shipper's permit for wine or for the renewal of such permit shall furnish an affidavit to the Department of Consumer Protection, in such form as may be prescribed by the department, affirming whether the out-of-state winery that is the subject of such permit produced more than one hundred thousand gallons of wine during the most recently completed

calendar year.

(g) The annual fee for an out-of-state winery shipper's permit for wine shall be **[**two hundred fifty**]** three hundred fifteen dollars.

(h) As used in this section, "out-of-state" means any state other than Connecticut, any territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, but does not include any foreign country.

Sec. 332. Section 30-19 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

An out-of-state shipper's permit for beer shall allow the sale of beer to manufacturer and wholesaler permittees in this state as permitted by law. The permit premises of an out-of-state shipper's permit for beer may be located within this state or outside this state. The annual fee for an out-of-state shipper's permit for beer shall be **[**forty-five**]** ninety dollars for a Connecticut manufacturer or wholesaler holding such a permit and shall be one thousand two hundred fifty dollars for any other person holding such a permit.

Sec. 333. Section 30-19f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) An in-state transporter's permit for alcoholic liquor shall allow the commercial transportation of any alcoholic liquor as permitted by law. The annual fee for an in-state transporter's liquor permit shall be one thousand two hundred fifty dollars.

(b) No person, corporation, trust, partnership, incorporated or unincorporated association, and any other legal entity except: (1) The holder of an out-of-state shipper's permit issued pursuant to section 30-18 or 30-19; (2) the holder of a manufacturer's permit issued pursuant to section 30-16 other than the holder of a manufacturer's

permit for a farm winery; and (3) the holder of a wholesaler's permit issued pursuant to section 30-17 shall transport any alcoholic beverages imported into this state unless such person holds an in-state transporter's permit and the tax imposed on such alcoholic liquor by section 12-435 has been paid and, if applicable, the tax imposed on the sale of such alcoholic liquor pursuant to chapter 219 has been paid.

(c) An in-state transporter, when shipping or delivering wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; and (3) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9.

(d) Any person convicted of violating subsections (a), (b) and (c) of this section shall be fined not more than two thousand dollars for each offense.

Sec. 334. Section 30-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A package store permit shall allow the retail sale of alcoholic liquor not to be consumed on the premises, such sales to be made only in sealed bottles or other containers. The holder of a package store permit may, in accordance with regulations adopted by the Department of Consumer Protection pursuant to the provisions of chapter 54, offer free samples of alcoholic liquor for tasting on the premises, conduct demonstrations and conduct tastings or

demonstrations provided by a permittee or backer of a package store for a nominal charge to charitable nonprofit organizations. Any offering, tasting or demonstration held on permit premises shall be conducted only during the hours a package store is permitted to sell alcoholic liquor under section 30-91. No store operating under a package store permit shall sell any commodity other than alcoholic liquor except that, notwithstanding any other provision of law, such store may sell (1) cigarettes, (2) publications, (3) bar utensils, which shall include, but need not be limited to, corkscrews, beverage strainers, stirrers or other similar items used to consume or related to the consumption of alcoholic liquor, (4) gift packages of alcoholic liquor shipped into the state by a manufacturer or out-of-state shipper, which may include a nonalcoholic item in the gift package that may be any item, except food or tobacco products, provided the dollar value of the nonalcoholic items does not exceed the dollar value of the alcoholic items of the package, (5) nonalcoholic beverages, (6) concentrates used in the preparation of mixed alcoholic beverages, (7) beer and wine-making kits and products related to beer and wine-making kits, (8) ice in any form, (9) articles of clothing imprinted with advertising related to the alcoholic liquor industry, (10) gift baskets or other containers of alcoholic liquor, (11) multiple packages of alcoholic liquors, as defined in subdivision (3) of section 30-1, provided in all such cases the minimum retail selling price for such alcoholic liquor shall apply, and (12) lottery tickets authorized by the Division of Special Revenue, if licensed as an agent to sell such tickets by said division. A package store permit shall also allow the taking and transmitting of orders for delivery of such merchandise in other states. Notwithstanding any other provision of law, a package store permit shall allow the participation in any lottery ticket promotion or giveaway sponsored by the Division of Special Revenue. The annual fee for a package store permit shall be **[**four**]** <u>five</u> hundred dollars plus the sum required by section 30-66.

(b) A grocery store beer permit may be granted to any grocery store and shall allow the retail sale of beer in standard size containers not to be consumed on the premises. A holder of a grocery store beer permit shall post in a prominent location adjacent to the beer display, the retail price for each brand of beer and said retail price shall include all applicable federal and state taxes including the applicable state sales taxes. The annual fee for a grocery store beer permit shall be **[**eighty**]** one hundred sixty dollars plus the sum required by section 30-66.

(c) "Grocery store" means any store commonly known as a supermarket, food store, grocery store or delicatessen, primarily engaged in the retail sale of all sorts of canned goods and dry goods such as tea, coffee, spices, sugar and flour, either packaged or in bulk, with or without fresh fruits and vegetables, and with or without fresh, smoked and prepared meats, fish and poultry, except that no store primarily engaged in the retail sale of seafood, fruits and vegetables, candy, nuts and confectioneries, dairy products, bakery products or eggs and poultry shall be included in the definition of "grocery store".

Sec. 335. Section 30-20a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) A university permit for beer shall allow the retail sale of beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning as defined by section 10a-34 which has been accredited by the Board of Governors of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer shall be **[**two hundred forty**]** three hundred dollars.

(2) A university permit for wine and beer shall allow the retail sale of wine and beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning as defined by section 10a-34 which has been accredited by the Board of Governors of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer and wine shall be **[**five hundred sixty**]** seven hundred dollars.

(b) A university liquor permit shall allow the retail sale of alcoholic liquor: (1) In a room that is subject to the care, custody and control of The University of Connecticut Board of Trustees, or (2) on land or in a building situated on or abutting a golf course which is subject to the care, custody and control of an institution offering a program of higher learning, as defined in section 10a-34, which has been accredited by the Board of Governors of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university liquor permit shall be **[**two hundred forty**]** three hundred dollars.

Sec. 336. Section 30-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A hotel permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a hotel. The annual fee for a hotel permit shall be as follows: (1) In towns having a population according to the last-preceding United States census of not more than ten thousand, one thousand **[**two hundred**]** four hundred fifty dollars, (2) in towns having a population of more than ten thousand but not more than fifty thousand, one thousand **[**six hundred**]** eight hundred fifty dollars, and

(3) in towns having a population of more than fifty thousand, two thousand **[**four hundred**]** six hundred fifty dollars.

(b) A hotel permit for beer shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of a hotel. The annual fee for a hotel permit for beer shall be **[**two hundred forty**]** three hundred dollars.

(c) (1) A patron of a dining room, restaurant or other dining facility in a hotel may remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased a full course meal and consumed a portion of the bottle of wine with such meal on the hotel premises. For purposes of this section, "full course meal" means a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking.

(2) A partially consumed bottle of wine that is to be removed from the dining facility premises within the hotel pursuant to this subsection shall be securely sealed and placed in a bag by the permittee or permittee's agent or employee prior to removal from such premises.

(d) "Hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served at all times when alcoholic liquor is served and where sleeping accommodations are offered for pay to transient guests, where, in towns having a population according to the last-preceding United States census of forty thousand or less, not less than five rooms are used for the sleeping accommodations of transient guests and food is served at least five days a week, and where, in towns having a population according to the last-preceding United States census of over forty thousand, ten or more rooms are used for the sleeping accommodations of transient guests and food is served at least seven

days a week and, in any case, having one or more dining rooms where meals are served to transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith, and such building or buildings, structure or structures being provided, in the judgment of the department, with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein such number and kinds of servants and employees as the department may, by regulation, prescribe for preparing, cooking and serving suitable food for its guests. Golf facilities and swimming pools within the confines of the entire property owned by and under the control of the permittee or backer shall also be considered part of the hotel premises.

Sec. 337. Section 30-21b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A resort permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a resort. The annual fee for a resort permit shall be one thousand **[**two**]** <u>four</u> hundred <u>fifty</u> dollars.

(b) "Resort" means those premises upon which a hotel with other facilities, such as, but not limited to, a golf course, tennis courts, ski slopes or trails, riding stables or swimming facilities, is operated on a seasonal basis.

Sec. 338. Section 30-22 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A restaurant permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a restaurant. A restaurant patron shall be allowed to remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased such bottle of wine at such restaurant and has purchased a full course meal at such restaurant and consumed a portion of the bottle of wine with

such meal on such restaurant premises. For the purposes of this section, "full course meal" means a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking. A restaurant permit, with prior approval of the Department of Consumer Protection, shall allow alcoholic liquor to be served at tables in outside areas which are screened or not screened from public view where permitted by fire, zoning and health regulations. If not required by fire, zoning or health regulations, a fence or wall enclosing such outside areas shall not be required by the Department of Consumer Protection. No fence or wall used to enclose such outside areas shall be less than thirty inches high. The annual fee for a restaurant permit shall be one thousand **[**two hundred**]** four hundred fifty dollars.

(b) A restaurant permit for beer shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of a restaurant. The annual fee for a restaurant permit for beer shall be **[**two hundred forty**]** three hundred dollars.

(c) A restaurant permit for wine and beer shall allow the retail sale of wine and beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of the restaurant. A restaurant patron may remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased a full course meal and consumed a portion of the bottle of wine with such meal on the restaurant premises. The annual fee for a restaurant permit for wine and beer shall be **[**five hundred sixty**]** seven hundred dollars.

(d) Repealed by P.A. 77-112, S. 1.

(e) A partially consumed bottle of wine that is to be removed from the premises pursuant to subsection (a) or (c) of this section shall be securely sealed and placed in a bag by the permittee or permittee's

agent or employee prior to removal from the premises.

(f) "Restaurant" means space, in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served, but which has no sleeping accommodations for the public and which shall be provided with an adequate and sanitary kitchen and dining room and employs at all times an adequate number of employees.

Sec. 339. Section 30-22a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A cafe permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a cafe. Premises operated under a cafe permit shall regularly keep food available for sale to its customers for consumption on the premises. The availability of sandwiches, soups or other foods, whether fresh, processed, precooked or frozen, shall be deemed compliance with this requirement. The licensed premises shall at all times comply with all the regulations of the local department of health. Nothing herein shall be construed to require that any food be sold or purchased with any liquor, nor shall any rule, regulation or standard be promulgated or enforced requiring that the sale of food be substantial or that the receipts of the business other than from the sale of liquor equal any set percentage of total receipts from sales made therein. A cafe permit shall allow, with the prior approval of the Department of Consumer Protection, alcoholic liquor to be served at tables in outside areas that are screened or not screened from public view where permitted by fire, zoning and health regulations. If not required by fire, zoning or health regulations, a fence or wall enclosing such outside areas shall not be required by the Department of Consumer Protection. No fence or wall used to enclose such outside areas shall be less than thirty inches high. The annual fee for a cafe permit shall be **[**one thousand seven hundred fifty**]** <u>two thousand</u> dollars.

(b)(1) A cafe patron may remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased a full course meal and consumed a portion of the wine with such meal on the cafe premises. For purposes of this section, "full course meal" means a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking.

(2) A partially consumed bottle of wine that is to be removed from the premises pursuant to this subsection shall be securely sealed and placed in a bag by the permittee or the permittee's agent or employee prior to removal from the premises.

(c) As used in this section, "cafe" means space in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where alcoholic liquor and food is served for sale at retail for consumption on the premises but which does not necessarily serve hot meals; it shall have no sleeping accommodations for the public and need not necessarily have a kitchen or dining room but shall have employed therein at all times an adequate number of employees.

Sec. 340. Section 30-22b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A restaurant permit for a catering establishment shall allow a catering establishment to serve alcoholic liquor at a function, occasion or event on the premises of a catering establishment; provided (1) that alcoholic liquor shall be sold only to persons invited to and attending such a function, occasion or event and (2) that alcoholic liquor shall be sold only during the specific hours such function, occasion or event is scheduled on the premises. The permittee shall comply with the regulations of the local department of health. The department may waive the requirements of subdivisions (1) and (2) of this subsection

for not more than four functions, occasions or events of a catering establishment annually, provided such establishment makes written application to the department at least ten days prior to the scheduled date of the function, occasion or event for which a waiver is sought. The annual fee for a restaurant permit for a catering establishment shall be one thousand **[**two hundred**]** four hundred fifty dollars.

(b) Nothing in this section shall be construed to require that any catering establishment operated under a restaurant permit for a catering establishment be open for business to the public at any time other than when a particular function, occasion or event is scheduled on such premises.

(c) No organization eligible for a club or nonprofit club permit, or other entity established primarily to serve its members shall be eligible for a restaurant permit for a catering establishment.

(d) "Catering establishment" means any premises that (1) has an adequate, suitable and sanitary kitchen, dining room and facilities to provide hot meals, (2) has no sleeping accommodations for the public, (3) is owned or operated by any person, firm, association, partnership or corporation that regularly furnishes for hire on such premises, one or more ballrooms, reception rooms, dining rooms, banquet halls or similar places of assemblage for a particular function, occasion or event or that furnishes provisions and services for consumption or use at such function, occasion or event, and (4) employs an adequate number of employees on such premises at the time of any such function, occasion or event.

Sec. 341. Section 30-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a club but only by members or their

guests. The annual fee for a club permit shall be [two hundred forty] three hundred dollars.

(b) "Club" means an association of persons, whether incorporated or unincorporated, which has been in existence as a bona fide organization for at least three years prior to applying for a permit issued as provided by this chapter, or has been a bona fide national or international fraternal or social organization or affiliation thereof which has been in existence in this state for one year, for the promotion of some common object, not including associations organized for any commercial or business purpose the object of which is money profit, owning, hiring or leasing a building, or space in a building, or having substantial control of a building or space therein, of such extent and character as, in the judgment of the department, may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests; provided, as to such clubs as the department finds to be bona fide and which offer facilities and privileges in addition to the privileges of the club building, such as golf, tennis, bathing or beach facilities, hunting or riding, the three-year requirement shall not apply; and provided such club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the election of any additional member, his name and address, and provided its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, shall be sufficient to defray the annual rental of its leased or rented premises, or, if such premises are owned by the club, shall be sufficient to meet the taxes, insurance and repairs and the interest on any mortgage thereof; and provided, further, its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting, and no member or any officer, agent or employee of the club shall be paid or, directly or indirectly, shall receive in the form of

salary or other compensation any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the department, within three months after such annual meeting, and as, in the judgment of the department, is reasonable and proper compensation for the services of such member, officer, agent or employee.

(c) A nonprofit club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a nonprofit club by members or their guests and by persons other than members or their guests, provided the total receipts of such club in any year, including receipts from the sale of alcoholic liquor, derived from making its facilities and services available to such persons in furtherance of such club's recreational or other nonprofit purpose shall not exceed fifteen per cent of such club's gross receipts for such year. "Nonprofit club" means a club that is exempt from federal income tax under Section 501(a) of the Internal Revenue Code and is described in Section 501(c) of the code. The annual fee for a nonprofit club permit shall be **[**six hundred fifty**]** eight hundred fifteen dollars.

Sec. 342. Section 30-24a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A golf country club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a golf country club but only by members and their guests. Notwithstanding section 30-23, in a no-permit town a golf country club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises by members of a nonprofit service club located in such town at a function of such club held at such golf country club. The annual fee for a golf country club permit shall be **[**eight hundred**]** one thousand dollars.

(b) A nonprofit service club as used in subsection (a) of this section shall include the Kiwanis Club, Rotary Club, Exchange Club, Lions Club, volunteer fire department association, police benevolent association and religious clubs located in the same no-permit town as the golf country club.

(c) "Golf country club" means (1) an association of persons, whether incorporated or unincorporated, that has been in existence as a bona fide organization for at least one year prior to applying for a permit issued as provided by this chapter, or that at the time of applying for the permit is in existence as a bona fide organization and has not less than twenty members who have paid annual membership fees or dues and have signed affidavits of their intention to remain members of the association for not less than one year after that time, not including associations organized for any commercial or business purpose the object of which is money profit, which maintains a golf course of not less than eighteen holes and a course length of at least fifty-five hundred yards and a club house with facilities that include locker rooms, a dining room and a lounge; provided the club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the election of any additional member, his name and address, and provided its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, shall be sufficient to defray the annual rental of its leased or rented premises, or, if the premises are owned by the club, shall be sufficient to meet the taxes, insurance and repairs and the interest on any mortgage thereof; and provided, further, its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting, and no member or any officer, agent or employee of the club shall be paid or, directly or indirectly, shall receive in the form of salary or other compensation any profits from the disposition or sale of

alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the department, within three months after the annual meeting, and as is, in the judgment of the department, reasonable and proper compensation for the services of such member, officer, agent or employee; or (2) an association of persons, whether incorporated or unincorporated, which has been in existence as a bona fide organization for at least one year prior to applying for a permit issued as provided by this chapter, or which at the time of applying for the permit is in existence as a bona fide organization and has not less than twenty members who have paid annual membership fees or dues and is directly or indirectly wholly owned by a corporation which is and continues to be nonprofit and to which the Internal Revenue Service has issued a ruling classifying it as an exempt organization under Section 501(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States as from time to time amended, which maintains a golf course of not less than eighteen holes and a course length of at least fifty-five hundred yards and a club house with facilities which include locker rooms, a dining room and a lounge; provided the club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the admission of any additional member, his name and address. The nonprofit corporation shall demonstrate to the commission an ability to pay any operating deficit of the golf country club, exclusive of any proceeds of the sale of alcoholic liquor; and provided, further, the affairs and the management of the nonprofit corporation are conducted by a board of directors, executive committee or similar body at least forty per cent of the members of which are chosen by the members of the nonprofit corporation at their annual meeting and the balance of the members of the board of directors are professionals

chosen for their knowledge of the business of the nonprofit corporation, and all moneys earned by the golf country club shall be used to defray its expenses of operation or for charitable purposes, and any balance shall be directly or indirectly remitted to the nonprofit corporation.

Sec. 343. Section 30-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A special club permit shall allow the sale of alcoholic liquor by the drink at retail to be consumed at the grounds of an outdoor picnic conducted by a club or golf country club. Such permits shall be issued only to holders of club or golf country club permits and shall be issued on a daily basis subject to the hours of sale in section 30-91, and shall be the same as provided therein for clubs and golf country clubs. The exception that applies to railroad and boat permits in section 30-48 shall apply to such a special club permit. No such club or golf country club shall be granted more than four such special club permits during any one calendar year.

(b) The Department of Consumer Protection shall have full discretion in the issuance of such special club permits as to suitability of place and may make any regulations with respect thereto.

(c) The fee for such a special club permit shall be **[**twenty-five**]** <u>fifty</u> dollars per day.

Sec. 344. Section 30-26 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A tavern permit shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume and wine to be consumed on the premises of a tavern with or without the sale of food. "Tavern" means a place where beer and wine are sold under a tavern permit. The annual fee for a tavern permit shall be **[**two hundred forty**]** <u>three</u>

hundred dollars.

Sec. 345. Section 30-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A railroad permit may be granted to any corporation that operates a railway in this state or that operates club, parlor, dining, buffet or lounge cars upon the lines of any such railway in this state. Such permit shall allow the sale and public consumption of alcoholic liquor in any club, parlor, dining, buffet or lounge car of a passenger train operated in this state. A railroad permit shall be subject to all the privileges, obligations and penalties provided for in this chapter except that it shall be issued to a corporation instead of to a person and if it is revoked, another application may be made by the corporation for the issuance of another railroad permit at any time after the expiration of one year after such revocation. The annual fee for a railroad permit shall be **[**four**]** five hundred dollars.

Sec. 346. Section 30-28a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) An airline permit shall allow such permittee to purchase from a holder of a wholesaler permit alcoholic liquor as is permitted to be sold by a holder of a package store permit and in addition alcoholic liquor in miniatures of one and six-tenths and two and zero-tenths ounces or of forty-six and eight-tenths and ninety-three and seven-tenths milliliters.

(b) An airline permit, being granted to any airline, shall permit the sale or dispensing or consumption of alcoholic liquor to passengers only and while in actual transit on any aircraft being operated on regularly scheduled flights by such airline.

(c) The annual fee for an airline permit shall be **[**four**]** five hundred dollars.

Sec. 347. Section 30-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A boat permit shall allow the sale and public consumption of alcoholic liquor by passengers with or without meals upon any one designated boat engaged in the transportation of passengers for hire to or from any port in this state. The annual fee for a boat permit shall be **[**four**]** <u>five</u> hundred dollars.

Sec. 348. Section 30-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A broker's permit shall allow the holder thereof to sell warehouse receipts, certificates or other documents pertaining to alcoholic liquor to permittees within this state upon approval of the Department of Consumer Protection of such transactions. The annual fee for a broker's permit shall be **[**one hundred sixty**]** <u>two hundred</u> dollars.

Sec. 349. Section 30-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A concession permit shall allow the sale and consumption of beer or wine on the premises of any fair grounds, ball park, amusement park, indoor-outdoor amphitheater, outdoor amphitheater contiguous to and under the same ownership as an amusement park, public golf course or sports arena provided no sales of alcoholic liquor shall occur within one hour of the scheduled end of a performance at an indoor-outdoor amphitheater constructed to seat not less than fifteen thousand people. A concession permit shall also allow the sale and consumption of alcohol or spirits in all enclosed nonseating areas within an indoor-outdoor amphitheater. Such areas shall be enclosed by a fence or wall not less than thirty inches high and separate from each other. Such permit shall be issued in the discretion of the Department of Consumer Protection and shall be effective only in

accordance with a schedule of hours and days determined by the department for each such permit within the limitation of hours and days fixed by law. As used in this section, "public golf course" means a golf course of not less than nine holes and a course length of not less than twenty-seven hundred fifty yards. The fee for a concession permit shall be as follows: For a period of one year, **[**two hundred forty**]** three hundred dollars; for a period of six months, **[**one hundred sixty**]** two hundred dollars; and for a period of one day, **[**twenty-five**]** fifty dollars.

Sec. 350. Section 30-33a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A coliseum permit shall allow the retail sale of alcoholic liquor in any portion of the coliseum, including the coliseum club, to be consumed on the premises of the coliseum except that the retail sale of alcoholic liquor shall not be permitted under this permit in the arena of the coliseum during a sporting event, concert, exhibition, trade show, entertainment presentation or similar function and in any public restaurant located on the premises. A coliseum permit shall allow the retail sale of alcoholic liquor in the arena of the coliseum during a convention, banquet, meeting, dance, fund-raising function or similar function provided sales of alcoholic liquor shall occur at a coliseum within one hour of the scheduled end of a function at such coliseum. The annual fee for a coliseum permit shall be two thousand two hundred fifty dollars.

(b) A coliseum concession permit shall allow the retail sale and consumption of beer, in paper containers only, at sporting events within the arena and at concession stands within the arena or outside the arena but directly connected to the arena or in areas adjacent to the hallways for public passage around the arena. The coliseum concession permit shall allow the retail sale and consumption of beer, in paper containers only, at such concession stands only during (1) a trade show

for which a ticket is required for admission; (2) an exhibition for which a ticket is required for admission; or (3) a convention. No sales of beer shall occur at a coliseum concession stand within one hour of the scheduled end of a function at such coliseum. The annual fee for a coliseum concession permit shall be one thousand two hundred fifty dollars.

(c) Notwithstanding any provision of this chapter to the contrary, neither the permittee nor the backer of a coliseum permit or a coliseum concession permit need be a proprietor if the coliseum for which such permit is being applied for is owned by a municipality or a municipal authority. The Department of Consumer Protection shall have discretionary powers to waive requirements where physical conditions make compliance an impossibility.

(d) "Coliseum" means a structure which contains an enclosed roofed arena constructed to seat not less than two thousand people, and any related facility which is a part of, adjacent to or connected therewith by enclosed passageways, which structure is used for sporting events, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances or fund-raising functions or similar functions or a structure such as a minor league baseball stadium built around an athletic field without an enclosed roof arena constructed to seat not less than five thousand people and containing at least ten thousand square feet of enclosed buildings, and any related facility which is part of, adjacent to or connected therewith by enclosed passageways, which structure is used for sporting events, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances or fund-raising functions or similar functions. "Arena" means all that portion of a coliseum containing a floor area enclosed by fixed seats. "Coliseum club" means an enclosed facility within a coliseum kept, used and maintained as a place where alcoholic liquor or food is served for sale at retail for consumption on

the coliseum premises but which does not necessarily serve hot meals and need not have a kitchen or dining room but shall have employed therein at all times an adequate number of employees who shall serve only the following categories of people: (1) Persons who are in the coliseum to attend an event or function; and (2) persons who are in the coliseum club to attend a private party or banquet.

Sec. 351. Section 30-33b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A special sporting facility restaurant permit shall allow the retail sale of alcoholic liquor at any location in a special sporting facility kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served and which has an adequate and sanitary kitchen and dining room and has employed therein at all times an adequate number of employees, provided such alcoholic liquor is to be consumed within the special sporting facility. The annual fee for a special sporting facility restaurant permit shall be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars.

(b) A special sporting facility employee recreational permit shall allow the retail sale of beer in an establishment located within a special sporting facility and created to provide eating, sleeping and recreational accommodations to any person employed within such special sporting facility, provided such beer is to be consumed within such special sporting facility. The annual fee for a special sporting facility employee recreational permit shall be **[**two hundred forty**]** <u>three hundred</u> dollars.

(c) A special sporting facility guest permit shall allow the retail sale of alcoholic liquor at any location in a special sporting facility reserved for guests approved by the holder of such permit and by the operator of such special sporting facility, provided such alcoholic liquor is to be consumed within such special sporting facility. The annual fee for a

special sporting facility guest permit shall be **[**two hundred forty**]** three hundred dollars.

(d) A special sporting facility concession permit shall allow the retail sale of beer and wine at locations within a special sporting facility, provided such beer and wine is to be consumed within such special sporting facility. The annual fee for a special sporting facility concession permit shall be **[**two hundred forty**]** three hundred dollars.

(e) A special sporting facility bar permit shall allow the retail sale of alcoholic liquor at any location within a special sporting facility, provided such alcoholic liquor is to be consumed within such special sporting facility. The annual fee for a special sporting facility bar permit shall be three hundred seventy-five dollars.

(f) Notwithstanding the provisions of section 30-52, a coliseum concession permit that is issued to a municipality or a municipal authority shall allow the sale and consumption of beer and wine at jai alai frontons located within the boundaries of the municipality at such times when the municipality is a lessee or has physical control of the fronton; provided no such coliseum concession permit shall be issued or valid after December 31, 1982. The existence of another permit for the same fronton shall not bar sales under the coliseum concession permit and sales under a coliseum concession permit shall not bar the issuance or operation of any other permit on the fronton premises.

(g) Any of the special sporting facility permits established under subsections (a) to (e), inclusive, of this section shall allow the retail sale of alcoholic liquor by such special sporting facility to any bona fide, nonprofit organization that rents, leases or otherwise uses such facility for social gatherings and events sponsored by such organization.

(h) "Special sporting facility" means all of the land and buildings in which the principal business conducted is racing or jai alai exhibitions

with pari-mutuel betting licensed by the gaming policy board.

Sec. 352. Section 30-33c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A special outing facility beer permit shall allow the retail sale of beer by a special outing facility to be consumed on its premises by patrons.

(b) A special outing facility liquor permit shall allow the retail sale of alcoholic liquor by a special outing facility to be consumed on its premises by patrons.

(c) The annual fee for a special outing facility beer permit shall be **[**two hundred forty**]** <u>three hundred</u> dollars and for a special outing facility liquor permit shall be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars.

(d) "Special outing facility" means a facility designed, constructed and used for corporate and private parties, sporting events, concerts, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances, fund raising events and similar functions, located on a tract of land of not less than twenty acres containing an enclosed roofed pavilion constructed to seat not less than two hundred fifty people, where hot meals are regularly served in an adequate and sanitary dining area, such meals having been prepared in an adequate and sanitary kitchen on the premises, and employing an adequate number of employees who shall serve only persons who are at such outing facility to attend an event, function, private party or banquet.

Sec. 353. Section 30-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A military permit shall allow the retail sale of beer at any camp or military installation used and controlled by the Connecticut National

Guard or the state guard. The annual fee for a military permit shall be **[**fifteen**]** thirty dollars.

Sec. 354. Section 30-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A temporary beer permit shall allow the sale of beer and a temporary liquor permit shall allow the sale of alcoholic liquor at any outing, picnic or social gathering conducted by a bona fide noncommercial organization, which organization shall be the backer of the permittee under such permit. The profits from the sale of such beer or alcoholic liquor shall be retained by the organization conducting such outing, picnic or social gathering and no portion thereof shall be paid, directly or indirectly, to any individual or other corporation. Such permit shall be issued subject to the approval of the Department of Consumer Protection and shall be effective only for the time limited by the department. The combined total of temporary beer permits and temporary liquor permits issued to an organization shall not exceed six during any one calendar year. The fee for a temporary beer permit shall be **[**fifteen**]** thirty dollars per day and for a temporary liquor permit shall be **[**twenty-five**]** fifty dollars per day.

Sec. 355. Section 30-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A nonprofit theater permit shall allow the retail sale of alcoholic liquor by a nonprofit theater to be consumed on its premises by patrons on any day on which a performance is given and twelve other days per year; provided the proceeds derived from such sales, except for reasonable operating costs, shall be used in furtherance of the charitable, literary and educational activities of such theater. The annual fee for a nonprofit theater permit shall be two hundred fifty dollars.

(b) "Nonprofit theater" means an organization organized for nonprofit, charitable, literary and educational purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, and which carries on a program of performing arts for the general public at a theater located on its premises.

Sec. 356. Section 30-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A druggist permit may be issued by the Department of Consumer Protection to a drug store proprietor. No druggist permit shall be issued covering a new drug store or a new location for an old drug store until the Commission of Pharmacy is satisfied that a drug store at such location is necessary to the convenience and best interest of the public. A druggist permit (1) shall allow the use of alcoholic liquors for the compounding of prescriptions of physicians, advanced practice registered nurses, physician assistants and dentists and for the manufacturing of all United States Pharmacopoeia and National Formulary preparations and all other medicinal preparations, (2) shall allow the retail sale of alcoholic liquor in containers of not less than eight ounces or one hundred eighty-seven and one-half milliliters and not more than one quart or one liter capacity except that beer may be sold in containers of not more than forty ounces or twelve hundred milliliters capacity, to any person, and (3) shall forbid the drinking of such alcoholic liquor on the premises of any drug store. Such permittee shall keep all alcoholic liquors in compartments, which compartments shall be securely locked except during those hours when the sale of alcoholic liquor is permitted by law. The holder of a druggist permit shall not display any alcoholic liquors or containers, marked or labeled or in any other way suggesting the contents of intoxicating liquors, in the windows of the permit premises. The Commission of Pharmacy shall revoke or suspend the pharmacy license of any pharmacist upon

whose premises any violation of any provision of this section occurs. The annual fee for a druggist permit shall be **[**four**]** five hundred dollars plus the sum required by section 30-66.

Sec. 357. Section 30-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A nonprofit public museum permit shall allow the retail sale of alcoholic liquor by a nonprofit public museum only on land and in buildings that are subject to the care, custody and control of its board of trustees to be consumed on its premises by its patrons on any day on which such nonprofit public museum is open to visitors from the general public. Proceeds derived from such sales, except for reasonable operating costs, shall be used in furtherance of the charitable, literary and educational activities of such nonprofit public museum. Sections 30-9 to 30-13, inclusive, and 30-91, insofar as said sections refer to local regulations of sales, shall not apply to such permit. The annual fee for a nonprofit public museum permit shall be two hundred fifty dollars.

(b) "Nonprofit public museum" means any public museum organized for nonprofit, charitable, literary and educational purposes.

Sec. 358. Section 30-37b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A charitable organization permit shall allow the retail sale of alcoholic liquor by the drink to be consumed on the premises owned or leased by the organization. Such permit shall be issued on a daily basis subject to the hours of sale in section 30-91 and only eight such permits shall be issued to the same charitable organization in any calendar year. The fee for a charitable organization permit shall be **[**twenty-five**]** fifty dollars.

Sec. 359. Section 30-37c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A bowling establishment permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a commercial bowling establishment containing ten or more lanes. A bowling establishment permit for beer and wine shall allow the retail sale of beer and wine to be consumed on the premises of a commercial bowling establishment containing ten or more lanes. The annual fee for a bowling establishment permit shall be two thousand two hundred fifty dollars and for a bowling establishment permit for beer and wine shall be **[**three hundred fifty**]** four hundred forty dollars.

(b) A racquetball facility permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a commercial racquetball facility containing five or more courts. The annual fee for a racquetball facility permit shall be two thousand two hundred fifty dollars.

Sec. 360. Section 30-37d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A nonprofit public television corporation permit shall allow the retail sale of beer and wine at auction, provided the auction is held as part of a fund-raising event to benefit the tax-exempt activities of the nonprofit public television corporation. Each permit shall allow the sale of wine at a single auction only. A maximum of three such permits may be issued to one nonprofit public television corporation in any calendar year. The fee for a nonprofit public television corporation permit shall be **[**twenty-five**]** fifty dollars for each permit.

(b) "Nonprofit public television corporation" means a television broadcasting corporation organized for nonprofit, literary and educational purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code.

Sec. 361. Section 30-37e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) An airport restaurant permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served and which has an adequate and sanitary kitchen and dining room and has employed therein at all times an adequate number of employees, provided such alcoholic liquor is to be consumed on the premises. The annual fee for an airport restaurant permit shall be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars.

(b) An airport bar permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex, with or without the sale of food, for consumption on the premises. The annual fee for an airport bar permit shall be three hundred <u>seventy-five</u> dollars.

(c) An airport airline club permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex, with or without the sale of food, for consumption on the premises by airline club members or their guests. Any airline or other concessionaire under lease or other agreement with the state of Connecticut may receive an airport airline club permit. The annual fee for an airport airline club permit shall be **[**six hundred fifty**]** <u>eight hundred fifteen</u> dollars.

Sec. 362. Section 30-37g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

A nonprofit golf tournament permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a golf country club at which a golf tournament, sponsored by an organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986 or any subsequent corresponding internal revenue code of the United States, as from time to time amended, is being conducted. Such permit shall be issued to any such organization for a period not to exceed eight days. Only one such permit shall be issued in any calendar year. Such permit shall allow the operation of not more than twenty-five consumer bars on the grounds of a golf country club. The fee for a nonprofit golf tournament permit shall be two hundred fifty dollars.

Sec. 363. Section 30-37i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A hotel guest bar permit, available to a hotel permittee, shall allow the retail sale of alcoholic liquor located in registered hotel guest rooms. The annual fee for a hotel guest bar permit shall be **[**fifty**]** one hundred dollars for each hotel room equipped for the retail sale of alcoholic liquor.

(b) A hotel guest bar shall: (1) Be accessible only by key, magnetic card or similar device provided by the hotel to a registered guest twenty-one years of age or older; and (2) restocked no earlier than nine o'clock a.m. and no later than one o'clock a.m.

(c) The Department of Consumer Protection shall adopt regulations, in accordance with the provisions of chapter 54, for the operation of hotel guest bars.

Sec. 364. Section 30-37j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A caterer liquor permit shall allow a person regularly engaged in

the business of providing food and beverages to others for service at private gatherings or at special events to sell and serve alcoholic liquor for on-premises consumption at any activity, event or function for which such person has been hired. The annual fee for a caterer liquor permit shall be **[**three hundred fifty**]** four hundred forty dollars.

(b) The holder of a caterer liquor permit shall, on a form prescribed by the Department of Consumer Protection or electronically, notify the department, in writing, of the date, location and hours of each event at which alcohol is served under such permit at least one business day in advance of such event. If the holder of a caterer liquor permit is unable to provide the written notice required under this section due to exigent circumstances, such holder may provide notice to the department by telephone of the date, location and hours of each event at which alcohol is served under such permit.

(c) Notwithstanding the provisions of subsection (a) of section 30-48, a backer or holder of a caterer liquor permit may be a backer or holder of any other permit issued under the provisions of this chapter except a manufacturer permit issued under section 30-16 or a wholesaler permit issued under section 30-17.

(d) The holder of a caterer liquor permit and any other permit issued under the provisions of this chapter that prohibits the off-premises consumption of alcoholic liquor shall be exempt from such prohibition for the purposes of conducting such holder's catering business only.

(e) The holder of a caterer liquor permit shall be exempt from the provisions of sections 30-38, 30-52 and 30-54 and from the requirements to affix and maintain a placard, as provided in subdivision (3) of subsection (b) of section 30-39.

Sec. 365. Section 30-37k of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section and subsection (a) of section 30-91: (1) "Casino" means the premises within which a gaming facility is operated with other facilities, including, but not limited to, restaurants, hotels, nightclubs, bingo halls or convention centers; and (2) "gaming facility" means a room or rooms within which class III gaming, as defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701, et seq., is legally conducted.

(b) A casino permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a casino.

(c) A casino permit shall allow the manufacture, storage and bottling of beer to be consumed on the premises with or without the sale of food, provided the holder of a casino permit produces at least five thousand gallons of beer on the premises annually.

(d) A casino permit shall allow the retail sale of alcoholic liquor by means of a guest bar located in hotel guest rooms provided such guest bar is: (1) Accessible only by key, magnetic card or similar device provided by the hotel to a registered guest twenty-one years of age or older; and (2) restocked no earlier than nine o'clock a.m. and no later than one o'clock a.m.

(e) The annual fee for a casino permit shall be **[**two thousand four hundred**]** <u>two thousand six hundred fifty</u> dollars plus an additional **[**fifty**]** <u>one hundred</u> dollars for each guest room containing a guest bar.

Sec. 366. Section 30-62a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Department of Consumer Protection, subject to such regulations as said department shall adopt, may permit more than one consumer bar in any premises for which a permit has been issued under this part

for the retail sale of alcoholic liquor to be consumed on the premises. A consumer bar is a counter, with or without seats, at which a patron may purchase and consume or purchase alcoholic liquor. The fee for each additional consumer bar shall be one hundred **[**fifty**]** ninety dollars per annum.

Sec. 367. Section 30-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No holder of any manufacturer, wholesaler or out-of-state shipper's permit shall ship, transport or deliver within this state, or sell or offer for sale, any alcoholic liquors unless the name of the brand, trade name or other distinctive characteristic by which such alcoholic liquors are bought and sold, the name and address of the manufacturer thereof and the name and address of each wholesaler permittee who is authorized by the manufacturer or his authorized representative to sell such alcoholic liquors are registered with the Department of Consumer Protection and until such brand, trade name or other distinctive characteristic has been approved by the department. Such registration shall be valid for a period of three years. The fee for such registration, or renewal thereof, shall be **[**one**]** two hundred dollars for out-of-state shippers and **[**three**]** fifteen dollars for Connecticut manufacturers for each brand so registered, payable by the manufacturer or such manufacturer's authorized representative when such liquors are manufactured in the United States and by the importer or such importer's authorized representative when such liquors are imported into the United States. The department shall not approve the brand registration of any fortified wine, as defined in section 12-433, which is labeled, packaged or canned so as to appear to be a wine or liquor cooler, as defined in section 12-433.

(b) No manufacturer, wholesaler or out-of-state shipper permittee shall discriminate in any manner in price discounts between one permittee and another on sales or purchases of alcoholic liquors

bearing the same brand or trade name and of like age, size and quality, nor shall such manufacturer, wholesaler or out-of-state shipper permittee allow in any form any discount, rebate, free goods, allowance or other inducement for the purpose of making sales or purchases. Nothing in this subsection shall be construed to prohibit beer manufacturers, beer wholesalers or beer out-of-state shipper permittees from differentiating in the manner in which their products are packaged on the basis of on-site or off-site consumption.

(c) For alcoholic liquor other than beer, each manufacturer, wholesaler and out-of-state shipper permittee shall post with the department, on a monthly basis, the bottle, can and case price of any brand of goods offered for sale in Connecticut, which price when so posted shall be the controlling price for such manufacturer, wholesaler or out-of-state permittee for the month following such posting. On and after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-state shipper permittee shall post with the department, on a monthly basis, the bottle, can and case price, and the price per keg or barrel or fractional unit thereof for any brand of goods offered for sale in Connecticut which price when so posted shall be the controlling price for such brand of goods offered for sale in this state for the month following such posting. Such manufacturer, wholesaler and out-of-state shipper permittee may also post additional prices for such bottle, can, case, keg or barrel or fractional unit thereof for a specified portion of the following month which prices when so posted shall be the controlling prices for such bottle, can, case, keg or barrel or fractional unit thereof for such specified portion of the following month. Notice of all manufacturer, wholesaler and out-of-state shipper permittee prices shall be given to permittee purchasers by direct mail, Internet web site or advertising in a trade publication having circulation among the retail permittees except a wholesaler permittee may give such notice by hand delivery. Price postings with the department setting forth wholesale prices to retailers shall be available for inspection

during regular business hours at the offices of the department by manufacturers and wholesalers until three o'clock p.m. of the first business day after the last day for posting prices. A manufacturer or wholesaler may amend such manufacturer's or wholesaler's posted price for any month to meet a lower price posted by another manufacturer or wholesaler with respect to alcoholic liquor bearing the same brand or trade name and of like age, vintage, quality and unit container size; provided that any such amended price posting shall be filed before three o'clock p.m. of the fourth business day after the last day for posting prices; and provided further such amended posting shall not set forth prices lower than those being met. Any manufacturer or wholesaler posting an amended price shall, at the time of posting, identify in writing the specific posting being met. On and after July 1, 2005, all wholesaler postings, other than for beer, for the following month shall be provided to retail permittees not later than the twenty-seventh day of the month prior to such posting. All wholesaler postings for beer shall be provided to retail permittees not later than the twentieth day of the month prior to such posting.

Sec. 368. Section 31-22r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) Each person who registered as an apprentice with the Labor Department before July 1, 2003, and has not completed an apprenticeship as of July 9, 2003, shall pay to the Labor Department a registration fee of twenty-five dollars on or before July 1, 2003, and a renewal registration fee of twenty-five dollars on or before July first of each subsequent year until (A) such registration is withdrawn, or (B) such person has completed an apprenticeship and possesses a valid journeyperson card of occupational license, if required.

(2) Each person who initially registers as an apprentice with the Labor Department on or after July 1, 2003, shall pay to the Labor Department a registration fee of **[**twenty-five**]** <u>fifty</u> dollars at the time

of registration and an annual renewal registration fee of **[**twenty-five**]** fifty dollars until (A) such registration is withdrawn, or (B) such person has completed an apprenticeship and possesses a valid journeyperson card of occupational license, if required.

(b) Each person sponsoring an apprenticeship program registered with the Labor Department as of July 1, 2003, shall pay to the Labor Department an annual registration fee of **[**thirty**]** sixty dollars for each apprentice participating in such program until the apprentice has completed the apprenticeship and possesses a valid journeyperson card of occupational license, if required, or such program is cancelled by the sponsor or deregistered for cause by the Labor Department in accordance with regulations adopted pursuant to this chapter, whichever is earlier.

(c) Any amount collected by the Labor Department pursuant to this section shall be deposited in the General Fund. **[**and credited to a separate nonlapsing appropriation to the Labor Department, for the purpose of administering the department's apprentice training program and sections 31-22m to 31-22p, inclusive.**]**

Sec. 369. Section 33-182*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The annual fee for the provision of professional services, as defined in section 33-182a, for: Class A is **[**thirty**]** sixty dollars; Class B is **[**fifty**]** one hundred dollars; Class C is **[**sixty**]** one hundred twenty dollars; Class D is **[**seventy-five**]** one hundred fifty dollars; Class E is **[**eighty**]** one hundred sixty dollars; Class F is one hundred **[**fifty**]** ninety dollars; Class G is two hundred **[**twenty-five**]** eighty-five dollars; Class H is three hundred seventy-five dollars; and Class I is **[**four hundred fifty**]** five hundred sixty-five dollars. The annual fee shall be payable to the State Treasurer.

Sec. 370. Section 33-617 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Secretary of the State shall charge and collect the following fees for filing documents and issuing certificates and remit them to the Treasurer for the use of the state: (1) Filing application to reserve, register, renew or cancel registration of corporate name, **[**thirty**]** sixty dollars; (2) filing transfer of reserved corporate name, **[**thirty**]** sixty dollars; (3) filing certificate of incorporation, including appointment of registered agent, **[**fifty**]** one hundred dollars; (4) filing change of address of registered agent or change of registered agent, **[**twenty-five**]** fifty dollars; (5) filing notice of resignation of registered agent, **[**twenty-five**]** fifty dollars; (6) filing amendment to certificate of incorporation, **[**fifty**]** one hundred dollars; (7) filing restated certificate of incorporation, **[**fifty**]** one hundred dollars; (8) filing certificate of merger or share exchange, **[**thirty**]** sixty dollars; (9) filing certificate of correction, **[**fifty**]** one hundred dollars; (10) filing certificate of surrender of special charter and adoption of general certificate of incorporation, **[**fifty**]** one hundred dollars; (11) filing certificate of dissolution, **[**twenty-five**]** fifty dollars; (12) filing certificate of revocation of dissolution, **[**twenty-five**]** fifty dollars; (13) filing annual report, **[**seventy-five**]** one hundred fifty dollars except as otherwise provided in sections 33-953 and 33-954; (14) filing application of foreign corporation for certificate of authority to transact business in this state and issuing certificate of authority, **[**fifty**]** one hundred dollars; (15) filing application of foreign corporation for amended certificate of authority to transact business in this state and issuing amended certificate of authority, **[**fifty**]** one hundred dollars; (16) filing application for withdrawal of foreign corporation and issuing certificate of withdrawal, **[**fifty**]** one hundred dollars; (17) filing application for reinstatement, **[**seventy-five**]** one hundred fifty dollars; (18) filing a corrected annual report, **[**fifty**]** one hundred dollars; and (19) filing an interim notice of change of director or officer, **[**ten**]**

twenty dollars.

(b) The Secretary of the State shall charge and collect the following miscellaneous charges and remit them to the Treasurer for the use of the state: (1) At the time of any service of process on the Secretary of the State as registered agent of a corporation, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action, the plaintiff in the process so served shall pay **[**twenty-five**]** fifty dollars; (2) for preparing and furnishing a copy of any document, instrument or paper filed or recorded relating to a corporation: For each copy of each such document thereof regardless of the number of pages, **[**twenty**]** forty dollars; for affixing his certification and official seal thereto, **[**five**]** fifteen dollars; (3) for preparing and furnishing his certificate of existence or authorization, which certificate may reflect any and all changes of corporate names and the date or dates of filing thereof, **[**forty**]** eighty dollars; (4) for preparing and furnishing his certificate of existence or authorization reflecting certificates effecting fundamental changes to a certificate of incorporation and the date or dates of filing thereof, **[**sixty**]** one hundred twenty dollars; and (5) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees as will in his judgment cover the cost of the services provided.

(c) The tax imposed under chapter 219 shall not be imposed upon any transaction for which a fee is charged under the provisions of this section.

(d) Each foreign corporation shall pay to the Secretary of the State a license fee of two hundred **[**twenty-five**]** eighty-five dollars at the time of filing its application for a certificate of authority to transact business in this state, and annually thereafter on or before the last day of the calendar month in which falls the anniversary of the day of issuance of its certificate of authority, until such time as it has filed a certificate of

withdrawal from the state or its certificate of authority to transact business in this state has been revoked.

(e) The Secretary of the State shall proceed as provided in section 33-935 whenever a foreign corporation is in default in payment of its license fees as therein provided.

Sec. 371. Section 33-1013 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Secretary of the State shall charge and collect the following fees for filing documents and issuing certificates and remit them to the Treasurer for the use of the state: (1) Filing application to reserve, register, renew or cancel registration of corporate name, **[**thirty**]** sixty dollars; (2) filing transfer of reserved corporate name, **[**thirty**]** sixty dollars; (3) filing a certificate of incorporation, including appointment of registered agent, **[**ten**]** twenty dollars; (4) filing change of address of registered agent or change of registered agent, **[**ten**]** twenty dollars; (5) filing notice of resignation of registered agent in duplicate, **[**ten**]** twenty dollars; (6) filing certificate of amendment to certificate of incorporation, **[**ten**]** twenty dollars; (7) filing restated certificate of incorporation, **[**ten**]** twenty dollars; (8) filing certificate of merger, **[**ten**]** twenty dollars; (9) filing certificate of correction, **[**ten**]** twenty dollars; (10) filing certificate of surrender of special charter and adoption of certificate of incorporation, **[**ten**]** twenty dollars; (11) filing certificate of dissolution, **[**ten**]** twenty dollars; (12) filing certificate of revocation of dissolution, **[**ten**]** twenty dollars; (13) filing annual report, **[**twenty-five**]** fifty dollars; (14) filing application of foreign corporation for certificate of authority to conduct affairs in this state and issuing certificate of authority, **[**twenty**]** forty dollars; (15) filing application of foreign corporation for amended certificate of authority to conduct affairs in this state and issuing amended certificate of authority, **[**twenty**]** forty dollars; (16) filing application for withdrawal of foreign corporation and issuing certificate of withdrawal, **[**twenty**]** forty dollars; (17) filing

certificate of reinstatement, including appointment of registered agent, **[**fifty-five**]** one hundred ten dollars; (18) filing a corrected annual report, **[**twenty-five**]** fifty dollars; and (19) filing an interim notice of change of director or officer, **[**ten**]** twenty dollars.

(b) The Secretary of the State shall charge and collect the following miscellaneous charges and remit them to the Treasurer for the use of the state: (1) At the time of any service of process on the Secretary of the State as registered agent of a corporation, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action, the plaintiff in the process so served shall pay **[**twenty-five**]** fifty dollars; (2) for preparing and furnishing a copy of any document, instrument or paper filed or recorded relating to a corporation: (A) For each copy of each such document thereof regardless of the number of pages, **[**twenty**]** forty dollars; (B) for affixing the official seal thereto, **[**five**]** fifteen dollars; (3) for preparing and furnishing his certificate of existence or authorization, which certificate may reflect any and all changes of corporate name and the date or dates of filing thereof, **[**forty**]** eighty dollars; (4) for preparing and furnishing his certificate of existence or authorization reflecting certificates affecting fundamental changes to a certificate of incorporation and the date or dates of filing thereof, **[**sixty**]** one hundred twenty dollars; and (5) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees as will, in his judgment, cover the cost of the services provided.

(c) The tax imposed under chapter 219 shall not be imposed upon any transaction for which a fee is charged under the provisions of this section.

Sec. 372. Section 34-38n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Secretary of the State shall receive, for filing any document or certificate required to be filed under sections 34-10, 34-13a, 34-13e, 34-32, 34-32a, 34-32c, 34-38g and 34-38s, the following fees: (1) For reservation or cancellation of reservation of name, **[**thirty**]** sixty dollars; (2) for a certificate of limited partnership and appointment of statutory agent, **[**sixty**]** one hundred twenty dollars; (3) for a certificate of amendment, **[**sixty**]** one hundred twenty dollars; (4) for a certificate of merger or consolidation, **[**thirty**]** sixty dollars; (5) for a certificate of cancellation, **[**thirty**]** sixty dollars; (6) for a certificate of registration, **[**sixty**]** one hundred twenty dollars; (7) for a change of agent or change of address of agent, **[**ten**]** twenty dollars; (8) for a certificate of reinstatement, **[**sixty**]** one hundred twenty dollars; and (9) for an annual report, **[**ten**]** twenty dollars.

(b) Miscellaneous charges: (1) At the time of any service of process on the Secretary of the State as statutory agent of a limited partnership, the plaintiff in the process so served shall pay **[**twenty-five**]** fifty dollars; (2) for preparing and furnishing a copy of any document or instrument or paper filed or recorded relating to a limited partnership: For each copy of each such document thereof regardless of the number of pages, **[**twenty**]** forty dollars; for affixing his certification and official seal thereto, **[**five**]** fifteen dollars; (3) for preparing and furnishing a certificate that may reflect any and all changes of limited partnership names and the dates of filing thereof, **[**twenty-five**]** fifty dollars; and (4) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees which shall, in his judgment, cover the cost of the services provided.

Sec. 373. Section 34-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Secretary of the State shall charge and collect the following fees and remit them to the Treasurer for the use of the state:

(a) Fees for filing documents and issuing certificates: (1) Filing application to reserve a limited liability company name or to cancel a reserved limited liability company name, [thirty] sixty dollars; (2) filing transfer of reserved limited liability company name, [thirty] sixty dollars; (3) filing articles of organization, including appointment of statutory agent, [sixty] one hundred twenty dollars; (4) filing change of address of statutory agent or change of statutory agent, [twenty-five] fifty dollars; (5) filing notice of resignation of statutory agent in duplicate, [twenty-five] fifty dollars; (6) filing amendment to articles of organization, [sixty] one hundred twenty dollars; (7) filing restated articles of organization, [sixty] one hundred twenty dollars; (8) filing articles of merger or consolidation, [thirty] sixty dollars; (9) filing articles of dissolution by resolution, [twenty-five] fifty dollars; (10) filing articles of dissolution by expiration, [twenty-five] fifty dollars; (11) filing judicial decree of dissolution, [twenty-five] fifty dollars; (12) filing certificate of reinstatement, [sixty] one hundred twenty dollars; (13) filing application by a foreign limited liability company for certificate of registration to transact business in this state and issuing certificate of registration, [sixty] one hundred twenty dollars; (14) filing application of foreign limited liability company for amended certificate of registration to transact business in this state and issuing amended certificate of registration, [sixty] one hundred twenty dollars; (15) filing application for withdrawal of foreign limited liability company and issuing certificate of withdrawal, [sixty] one hundred twenty dollars; (16) filing an annual report, [ten] twenty dollars; and (17) filing an interim notice of change of manager or member, [ten] twenty dollars.

(b) Miscellaneous charges: (1) At the time of any service of process on the Secretary of the State as statutory agent of a limited liability company, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action, the plaintiff in the process so served shall pay [twenty-five] fifty dollars; (2) for preparing and furnishing a copy

of any document, instrument or paper filed or recorded relating to a limited liability company: For each copy of each such document thereof regardless of the number of pages, **[**twenty**]** forty dollars; for affixing his certification thereto, **[**five**]** fifteen dollars; (3) for the issuance of a certification of legal existence of a domestic limited liability company, **[**twenty-five**]** fifty dollars; (4) for the issuance of a certificate of legal existence which certificate may reflect any and all changes of limited liability company names and the dates of filing thereof, **[**twenty-five**]** fifty dollars; (5) for the issuance of a certificate of legal existence reflecting articles effecting fundamental changes to articles of organization and the date or dates of filing thereof, **[**fifty**]** one hundred dollars; and (6) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees as will in his judgment cover the cost of the services provided.

(c) The tax imposed under chapter 219 shall not be imposed upon any transaction for which a fee is charged under the provisions of this section.

Sec. 374. Section 34-413 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Secretary of the State shall charge and collect the following fees and remit them to the Treasurer for the use of the state:

(a) Fees for filing documents and processing certificates: (1) Filing application to reserve a registered limited liability partnership name or to cancel a reserved limited liability partnership name, **[**thirty**]** sixty dollars; (2) filing transfer of reserved registered limited liability partnership name, **[**thirty**]** sixty dollars; (3) filing change of address of statutory agent or change of statutory agent, **[**twenty-five**]** fifty dollars; (4) filing certificate of limited liability partnership, **[**sixty**]** one hundred twenty dollars; (5) filing amendment to certificate of limited liability

partnership, [sixty] one hundred twenty dollars; (6) filing renunciation of status report, [twenty-five] fifty dollars; (7) filing certificate of authority to transact business in this state, including appointment of statutory agent, [sixty] one hundred twenty dollars; (8) filing amendment to certificate of authority to transact business in this state, [sixty] one hundred twenty dollars; (9) filing withdrawal of certificate of authority, [sixty] one hundred twenty dollars; (10) filing an annual report, [ten] twenty dollars; and (11) filing statement of merger, [thirty] sixty dollars.

(b) Miscellaneous charges: (1) For preparing and furnishing a copy of any document, instrument or paper filed or recorded relating to a registered limited liability partnership or foreign registered limited liability partnership: For each copy of each such document thereof regardless of the number of pages, [twenty] forty dollars; for affixing his certification thereto, [five] fifteen dollars; (2) for the issuance of a certification of legal existence of a registered limited liability partnership, [twenty] forty dollars; (3) for the issuance of a certificate of legal existence which certificate may reflect any and all changes of registered limited liability partnership names and the dates of filing thereof, [forty] eighty dollars; (4) for the issuance of a certificate of legal existence reflecting amendments and the date or dates of filing thereof, [sixty] one hundred twenty dollars; and (5) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees as will in his judgment cover the cost of the services provided.

Sec. 375. Section 34-509 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Secretary of the State shall charge and collect the following fees and remit them to the Treasurer for the use of the state: (1) For filing of an application for reservation of name, and application for renewal of reservation, or notice of transfer or cancellation of

reservation pursuant to section 34-506, **[**thirty**]** sixty dollars; (2) for filing of a certificate of trust, a certificate of amendment, a restated certificate of trust or a certificate of cancellation, **[**sixty**]** one hundred twenty dollars; (3) for preparing and furnishing a copy of any certificate filed relating to a statutory trust: For each copy of each such document thereof regardless of the number of pages, **[**twenty**]** forty dollars; for affixing his certification thereto, **[**five**]** fifteen dollars; (4) for preparing and furnishing a certificate of existence or authorization, **[**twenty**]** forty dollars; (5) for preparing and furnishing a certificate of existence or authorization reflecting any and all changes of name and the date or dates of filing thereof, **[**forty**]** eighty dollars; (6) for filing of a certificate of merger or consolidation, **[**thirty**]** sixty dollars; and (7) for other services for which fees are not provided by the general statutes, the Secretary of the State may charge such fees as will in his judgment cover the cost of the services provided.

(b) The tax imposed under chapter 219 shall not be imposed upon any transaction for which a fee is charged under sections 34-500 to 34-547, inclusive.

Sec. 376. Section 35-11e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Upon compliance by the applicant with the requirements of this chapter, the Secretary of the State shall cause a certificate of registration to be issued and delivered to the applicant. The certificate of registration shall be issued under the signature of the Secretary of the State and the seal of the state, and it shall show the name and business address and, if a corporation, the state of incorporation, or if a partnership, the state in which the partnership is organized and the names of the general partners, as specified by the Secretary of the State, of the person claiming ownership of the mark, the date claimed for the first use of the mark anywhere and the date claimed for the first use of the mark in this state, the class of goods or services and a

description of the goods or services on or in connection with which the mark is used, a reproduction of the mark, the registration date and the term of the registration. Any certificate of registration issued by the Secretary of the State or a copy thereof certified by the Secretary of the State shall be admissible in evidence as competent and sufficient proof of the registration of such mark in any action or judicial proceedings in any court of this state.

(b) (1) Registration of a mark under this chapter shall be effective for a term of five years from the date of registration and, upon application filed within six months prior to the expiration of such term, in a manner complying with the requirements of the Secretary of the State, the registration may be renewed for a like term from the end of the expiring term. A fee for the application for renewal of **[**fifty**]** one hundred dollars, payable to the Secretary of the State, shall accompany the application for renewal of the registration. A registration of a mark may be renewed for successive periods of five years in like manner. (2) Any registration in force on October 1, 1993, shall expire ten years from the date of the registration or of the last renewal thereof and may be renewed for periods of five years each by filing a renewal application with the Secretary of the State as provided in subdivision (1) of this subsection.

(c) All applications for renewal under this section shall include a verified statement that the mark has been in use and is still in use in this state, and include three specimens showing actual use of the mark in commerce in the state upon or in connection with the goods or services.

(d) The Secretary of the State shall keep for public examination a record of all marks registered or renewed under this chapter.

Sec. 377. Section 35-11f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any mark and its registration under this chapter shall be assignable with the good will of the business in which the mark is used, or with that part of the good will of the business connected with the use of and symbolized by the mark. Assignment shall be by instruments in writing duly executed and may be recorded with the Secretary of the State upon the payment of a recording fee of **[**twenty-five**]** fifty dollars, for each registration in the assignment document, payable to the Secretary of the State, who, upon recording of the assignment, shall issue in the name of the assignee a new certificate for the remainder of the term of the registration or of the last renewal thereof. An assignment of any registration under this chapter shall be void as against any subsequent purchaser for valuable consideration without notice, unless it is recorded with the Secretary of the State within three months after the date thereof or prior to such subsequent purchase.

(b) Any registrant or applicant effecting a change of the name of the person to whom the registration was issued or by whom an application was filed may record a certificate of change of name of registrant or applicant with the Secretary of the State upon the payment of the recording fee of **[**twenty-five**]** fifty dollars for each registration identified by the registrant or applicant.

(c) The Secretary of the State shall issue in the new name of the registrant or applicant, or the assignee, a new certificate for the remainder of the term of the registration or last renewal thereof.

(d) Other instruments which relate to a mark registered or application pending pursuant to this chapter including, but not limited to, licenses, security interests or mortgages, may be recorded in the discretion of the Secretary of the State, provided such instrument is in writing and duly executed. A grant of a security interest shall be by instrument in writing duly executed. Such other instruments shall be recorded by the Secretary of the State upon the payment of the

recording fee of **[**twenty-five**]** fifty dollars for each registration identified in the instrument.

(e) Acknowledgment shall be prima facie evidence of the execution of an assignment or other instrument and, when recorded by the Secretary of the State, the record shall be prima facie evidence of execution.

(f) A photocopy of any instrument referred to in subsection (a), (b), (c) or (d) of this section shall be accepted for recording if it is certified by any of the parties thereto, or their successors, to be a true and correct copy of the original.

(g) The Secretary of the State shall keep for public examination a record of all documents recorded pursuant to this section.

Sec. 378. Section 35-11g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Secretary of the State shall cancel from the register, in whole or in part, (1) any registration concerning which the Secretary of the State receives a voluntary request for cancellation thereof from the registrant or the assignee of record, accompanied by a recording fee of **[**twenty-five**]** fifty dollars; (2) all registrations granted under this chapter and not renewed in accordance with the provisions hereof; (3) any registration concerning which a court of competent jurisdiction orders cancellation after finding: (A) That the registered mark has been abandoned; (B) that the registrant is not the owner of the mark; (C) that the registration was granted contrary to the provisions of section 35-11b; (D) that the registration was obtained fraudulently or in bad faith; (E) that the registered mark is so similar, as to be likely to cause confusion or mistake or to deceive, to a mark registered by another person in the United States Patent and Trademark Office prior to the date of first use in Connecticut by the registrant under this chapter,

and used in Connecticut and not abandoned, provided, if the registrant proves that the registrant is the owner of concurrent registration of a mark in the United States Patent and Trademark Office covering an area including this state, the registration under this chapter shall not be cancelled for such area of the state; (F) that the registered mark has become the generic name for the goods or services, or a portion thereof, for which it has been registered; or (G) that another person has rights in the state of Connecticut superior to those of the registrant; or (4) any registration concerning which a court of competent jurisdiction orders cancellation on any other ground.

Sec. 379. Section 35-11*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Upon request of any person, the Secretary of the State shall issue a certificate showing whether any trade or service mark or marks using a particular name or design referred to in such certificate, or using a similar name or design, in a particular class has been registered and, if so, the date and hour of such registration. The fee for such certificate shall be **[**twenty-five**]** fifty dollars. Upon request, the secretary shall furnish a copy of any trade or service mark for a fee of **[**twenty**]** forty dollars or a certified copy of any trade or service mark for a fee of **[**twenty-five**]** fifty dollars.

Sec. 380. Section 36a-491 of the general statutes, as amended by section 11 of public act 09-209, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The expiration date of any mortgage lender, mortgage correspondent lender and mortgage broker license that expires on September 30, 2008, shall be extended to the close of business on December 31, 2008. On and after July 1, 2008, each mortgage lender, mortgage correspondent lender, mortgage broker and mortgage loan originator license shall expire at the close of business on December

thirty-first of the year in which it is approved, unless such license is renewed, and provided any such license that is approved on or after November first shall expire at the close of business on December thirty-first of the year following the year in which it is approved. An application for renewal of a license shall be filed between November first and December thirty-first of the year in which the license expires. Each applicant for an initial license or renewal of a license as a mortgage lender or mortgage correspondent lender shall pay to the system any required fees or charges and a license fee of **[**eight hundred**]** one thousand dollars, and each applicant for an initial or renewal license as a mortgage broker shall pay to the system any required fees or charges and a license fee of **[**four**]** five hundred dollars, provided each mortgage lender or mortgage correspondent lender licensee who is a licensee on September 30, 2008, who submits a renewal application shall, at the time of making such application, pay to the system any required fees or charges and a license fee of **[**nine hundred**]** one thousand one hundred twenty-five dollars and each mortgage broker who was a licensee on June 30, 2008, who submits a renewal application shall, at the time of making such application, pay to the system any required fees or charges and a license fee of **[**four hundred fifty**]** five hundred sixty-five dollars. Effective November 1, 2009, each applicant for an initial license or renewal of a license as a mortgage loan originator shall pay to the system any required fees or charges and a license fee of three hundred dollars.

(b) All fees paid pursuant to this section, including fees paid in connection with an application that is denied or withdrawn prior to the issuance of the license, shall be nonrefundable, provided any license fee paid by an originator for a license that is not sponsored by a mortgage lender, mortgage correspondent lender or mortgage broker may be refundable. No fee paid pursuant to this section shall be prorated if the license is surrendered, revoked or suspended prior to the expiration of the period for which it was approved.

Sec. 381. Section 36a-599 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each application for an original license shall be accompanied by a nonrefundable investigation fee of **[**five hundred**]** six hundred twenty-five dollars and a license fee of two thousand two hundred fifty dollars, except that if such application is filed not earlier than one year before the date such license will expire, the applicant shall pay a nonrefundable investigation fee of **[**five hundred**]** six hundred twenty-five dollars and a license fee of one thousand two hundred fifty dollars. Each application for a renewal license shall be accompanied by a license fee of two thousand two hundred fifty dollars, or in the case of a license that expires on June 30, 2007, a license fee of two thousand two hundred fifty dollars. The license fee shall be refunded if the application for an original license is denied, the commissioner refuses to issue a renewal license or an application for a license or renewal license is withdrawn prior to issuance of a license or renewal license by the commissioner. Each licensee shall pay to the commissioner a nonrefundable name change fee of **[**one**]** two hundred dollars for each application to change a name. No licensee shall use any name other than the name specified on the license issued by the commissioner.

(b) A license issued pursuant to sections 36a-595 to 36a-610, inclusive, shall expire at the close of business on September thirtieth of the odd-numbered year following its issuance, unless renewed or earlier surrendered, suspended or revoked pursuant to said sections, provided any license that is renewed effective July 1, 2007, shall expire on September 30, 2009. Not later than fifteen days after a licensee ceases to engage in this state in the business of issuing Connecticut payment instruments or ceases to engage in the business of money transmission for any reason, including a business decision to terminate operations in this state, license revocation, bankruptcy or voluntary dissolution, such licensee shall surrender to the commissioner in

person or by registered or certified mail its license for each location in which such licensee has ceased to engage in such business.

Sec. 382. Section 36b-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person applying for registration as a broker-dealer or investment adviser shall pay to the commissioner or to any person designated by the commissioner in writing to collect such fee on behalf of the commissioner, a nonrefundable fee of **[**two hundred fifty**]** <u>three hundred fifteen</u> dollars.

(b) Each person applying for registration as an agent or investment adviser agent shall pay to the commissioner or to any person designated by the commissioner to collect such fee on behalf of the commissioner, a nonrefundable fee of **[**fifty**]** <u>one hundred</u> dollars.

(c) Each registration issued pursuant to this section shall expire at the close of business on December thirty-first of the calendar year in which the registration became effective.

(d) (1) Except as provided in subdivision (2) of this subsection, each person registered as an agent or investment adviser agent, requesting transfer of the registration of such agent or investment adviser agent to another registered broker-dealer or investment adviser, shall pay to the commissioner or to any person designated by the commissioner in writing to collect such fee on behalf of the commissioner, a nonrefundable fee of **[**fifty**]** <u>one hundred</u> dollars for each transfer requested.

(2) Each broker-dealer or investment adviser receiving a mass transfer shall pay to the commissioner or to any person designated by the commissioner in writing to collect such fee on behalf of the commissioner, a nonrefundable fee of fifty dollars for each agent or investment adviser agent whose registration is transferred. For

purposes of this subsection, "mass transfer" means a transfer of multiple agents of a broker-dealer or investment adviser agents of an investment adviser from a transferring broker-dealer or investment adviser to a receiving broker-dealer or investment adviser due to a cessation of business activity, succession, acquisition, merger, consolidation or other reorganization affecting the transferring broker-dealer or investment adviser.

(e) Each person applying for registration under subsection (a) or (b) of this section and any registrant applying for renewal of such registration under section 36b-13 shall pay the actual cost, as determined by the commissioner, of any reasonable investigation or examination made of such applicant or registrant by or on behalf of the commissioner.

Sec. 383. Section 36b-13 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each person registered as a broker-dealer or investment adviser may renew such registration for a one-year period not later than December thirty-first of each calendar year by making application in such manner as prescribed by the commissioner. The fee for renewal of registration for each registered broker-dealer or investment adviser shall be one hundred **[**fifty**]** <u>ninety</u> dollars per renewal application, nonrefundable, payable at the time of renewal, and shall be submitted, together with the renewal application, to the commissioner or any person designated in writing by the commissioner to collect such fee on his behalf.

(b) Each person registered as an agent or investment adviser agent may renew such registration for a one-year period by December thirty-first of each calendar year by making application in such manner as prescribed by the commissioner. The fee for renewal of registration for each person registered as an agent or investment adviser agent shall be

[fifty] one hundred dollars, nonrefundable, payable at the time of renewal, and shall be submitted, together with the renewal application, to the commissioner or any person designated in writing by the commissioner to collect such fee on his behalf.

(c) Each registrant or person requesting renewal of a registration shall pay the actual cost, as determined by the commissioner, of any reasonable investigation or examination made of such person by or on behalf of the commissioner.

Sec. 384. Section 38a-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner shall demand and receive the following fees: (1) For the annual fee for each license issued to a domestic insurance company, [one] two hundred dollars; (2) for receiving and filing annual reports of domestic insurance companies, [twenty-five] fifty dollars; (3) for filing all documents prerequisite to the issuance of a license to an insurance company, [one hundred seventy-five] two hundred twenty dollars, except that the fee for such filings by any health care center, as defined in section 38a-175, shall be one thousand [one hundred] three hundred fifty dollars; (4) for filing any additional paper required by law, [fifteen] thirty dollars; (5) for each certificate of valuation, organization, reciprocity or compliance, [twenty] forty dollars; (6) for each certified copy of a license to a company, [twenty] forty dollars; (7) for each certified copy of a report or certificate of condition of a company to be filed in any other state, [twenty] forty dollars; (8) for amending a certificate of authority, [one] two hundred dollars; (9) for each license issued to a rating organization, [one] two hundred dollars. In addition, insurance companies shall pay any fees imposed under section 12-211; (10) a filing fee of [twenty-five] fifty dollars for each initial application for a license made pursuant to section 38a-769; (11) with respect to insurance agents' appointments: (A) A filing fee of [twenty-five] fifty dollars for each request for any

agent appointment, except that no filing fee shall be payable for a request for agent appointment by an insurance company domiciled in a state or foreign country which does not require any filing fee for a request for agent appointment for a Connecticut insurance company; (B) a fee of [forty] eighty dollars for each appointment issued to an agent of a domestic insurance company or for each appointment continued; and (C) a fee of [twenty] eighty dollars for each appointment issued to an agent of any other insurance company or for each appointment continued, except that no fee shall be payable for an appointment issued to an agent of an insurance company domiciled in a state or foreign country which does not require any fee for an appointment issued to an agent of a Connecticut insurance company; (12) with respect to insurance producers: (A) An examination fee of [seven] fifteen dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of [seven] fifteen dollars to the commissioner for each examination taken by an applicant; (B) a fee of [forty] eighty dollars for each license issued; (C) a fee of [forty] eighty dollars per year, or any portion thereof, for each license renewed; and (D) a fee of [forty] eighty dollars for any license renewed under the transitional process established in section 38a-784; (13) with respect to public adjusters: (A) An examination fee of [seven] fifteen dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of [seven] fifteen dollars to the commissioner for each examination taken by an applicant; and (B) a fee of [one hundred twenty-five] two hundred fifty dollars for each license issued or renewed; (14) with respect to casualty adjusters: (A) An examination fee of [ten] twenty dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of [ten] twenty dollars to the commissioner for each examination taken by an applicant; (B) a fee of [forty] eighty dollars for each license issued or renewed; and (C) the expense of any examination administered outside the state shall be the responsibility of the entity making the request and such entity shall pay to the

commissioner **[**one**]** two hundred dollars for such examination and the actual traveling expenses of the examination administrator to administer such examination; (15) with respect to motor vehicle physical damage appraisers: (A) An examination fee of **[**forty**]** eighty dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of **[**forty**]** eighty dollars to the commissioner for each examination taken by an applicant; (B) a fee of **[**forty**]** eighty dollars for each license issued or renewed; and (C) the expense of any examination administered outside the state shall be the responsibility of the entity making the request and such entity shall pay to the commissioner **[**one**]** two hundred dollars for such examination and the actual traveling expenses of the examination administrator to administer such examination; (16) with respect to certified insurance consultants: (A) An examination fee of **[**thirteen**]** twenty-six dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of **[**thirteen**]** twenty-six dollars to the commissioner for each examination taken by an applicant; (B) a fee of two hundred fifty dollars for each license issued; and (C) a fee of **[**one hundred twenty-five**]** two hundred fifty dollars for each license renewed; (17) with respect to surplus lines brokers: (A) An examination fee of **[**ten**]** twenty dollars for each examination taken, except when a testing service is used, the testing service shall pay a fee of **[**ten**]** twenty dollars to the commissioner for each examination taken by an applicant; and (B) a fee of **[**five hundred**]** six hundred twenty-five dollars for each license issued or renewed; (18) with respect to fraternal agents, a fee of **[**forty**]** eighty dollars for each license issued or renewed; (19) a fee of **[**thirteen**]** twenty-six dollars for each license certificate requested, whether or not a license has been issued; (20) with respect to domestic and foreign benefit societies shall pay: (A) For service of process, **[**twenty-five**]** fifty dollars for each person or insurer to be served; (B) for filing a certified copy of its charter or articles of association, **[**five**]** fifteen dollars; (C) for filing the annual report, **[**ten**]** twenty dollars; and (D) for filing any additional paper required by law,

[three] fifteen dollars; (21) with respect to foreign benefit societies: (A) For each certificate of organization or compliance, [four] fifteen dollars; (B) for each certified copy of permit, [two] fifteen dollars; and (C) for each copy of a report or certificate of condition of a society to be filed in any other state, [four] fifteen dollars; (22) with respect to reinsurance intermediaries: A fee of [five hundred] six hundred twenty-five dollars for each license issued or renewed; (23) with respect to life settlement providers: (A) A filing fee of [thirteen] twenty-six dollars for each initial application for a license made pursuant to section 38a-465a; and (B) a fee of [twenty] forty dollars for each license issued or renewed; (24) with respect to life settlement brokers: (A) A filing fee of [thirteen] twenty-six dollars for each initial application for a license made pursuant to section 38a-465a; and (B) a fee of [twenty] forty dollars for each license issued or renewed; (25) with respect to preferred provider networks, a fee of two thousand [five hundred] seven hundred fifty dollars for each license issued or renewed; (26) with respect to rental companies, as defined in section 38a-799, a fee of [forty] eighty dollars for each permit issued or renewed; (27) with respect to medical discount plan organizations licensed under section 38a-479rr, a fee of [five hundred] six hundred twenty-five dollars for each license issued or renewed; (28) with respect to pharmacy benefits managers, an application fee of [fifty] one hundred dollars for each registration issued or renewed; (29) with respect to captive insurance companies, as defined in section 38a-91aa, a fee of three hundred seventy-five dollars for each license issued or renewed; and (30) with respect to each duplicate license issued a fee of [twenty-five] fifty dollars for each license issued.

(b) If any state imposes fees upon domestic fraternal benefit societies greater than are fixed by this section or sections 38a-595 to 38a-626, inclusive, 38a-631 to 38a-640, inclusive, or 38a-800, the commissioner shall collect from each fraternal benefit society incorporated by or organized under the laws of such other state and

admitted to transact business in this state, the same fees as are imposed upon similar domestic societies and organizations by such other state. The expense of any examination or inquiry made outside the state shall be borne by the society so examined.

(c) Each unauthorized insurer declared to be an eligible surplus lines insurer shall pay to the Insurance Commissioner, on or before May first of each year, an annual fee of **[**sixty-three**]** one hundred twenty-six dollars in order to remain on the list of eligible surplus lines insurers.

(d) For service of process on the commissioner, the commissioner shall demand and receive a fee of **[**twenty-five**]** fifty dollars for each person or insurer to be served. The commissioner shall also collect, for each hospital or ambulance lien filed, **[**twenty-five**]** fifty dollars, and for each small claims notice filed, **[**five**]** fifteen dollars, each of which shall be paid by the plaintiff at the time of service, the same to be recovered by him as part of the taxable costs if he prevails in the suit.

(e) Each insurance company depositing any security with the Treasurer pursuant to section 38a-83 shall pay to the commissioner **[**two hundred fifty**]** three hundred fifteen dollars, annually. In case of an examination or appraisal made outside the office of the Treasurer, and in such case the company in whose behalf such examination or appraisal has been made shall pay to the commissioner **[**one**]** two hundred dollars for such examination and the actual traveling expenses of the officer making such examination or appraisal.

Sec. 385. Section 42a-9-525 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The filing office described in subdivision (2) of subsection (a) of section 42a-9-501 shall charge and collect the following uniform fee: For filing and indexing an initial financing statement, a correction

statement or an amendment, **[**twenty-five**]** fifty dollars. No fee shall be charged (1) to the state when the initial financing statement, correction statement or amendment is filed by or at the request of the Attorney General or an assistant attorney general or by a duly authorized official of the state or any of its agencies, boards or commissions acting in an official capacity, or (2) to a municipality when the initial financing statement, correction statement or amendment is filed by a tax collector or other municipal officer of such municipality pursuant to the provisions of sections 12-195a to 12-195g, inclusive, or (3) for any filing accomplished solely by electronic means and without the physical submission of any document, instrument or paper, in accordance with a plan approved by the Secretary of the State.

(b) The uniform fee for responding to a request for information from the filing office described in subdivision (2) of subsection (a) of section 42a-9-501, including issuing a certificate showing whether there is on file, on the date and time stated therein, any financing statement naming a particular debtor and any amendment thereof and, if there is, giving the date and hour of filing such amendment and the name and address of each secured party named therein, is **[**twenty-five**]** fifty dollars. Upon request, the filing officer shall furnish a photographic or electronic copy of any filed financing statement or amendment for a uniform fee of **[**twenty**]** forty dollars regardless of the number of pages and affix such filing officer's certification and official seal thereto for a fee of **[**five**]** fifteen dollars. No fee shall be charged to the state when a certificate showing whether there is on file, on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any amendment thereof, is requested by the Attorney General or an assistant attorney general or by a duly authorized official of the state or any of its agencies, boards or commissions acting in an official capacity, and no fee shall be charged to a municipality when such certificate is requested by the tax collector or other municipal officer of such municipality pursuant to the

provisions of sections 12-195a to 12-195g, inclusive.

(c) This section does not require a fee with respect to a record of a mortgage which is effective as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut under subsection (c) of section 42a-9-502. However, the recording and satisfaction fees that otherwise would be applicable to the record of the mortgage apply.

Sec. 386. Section 43-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Consumer Protection shall be state Commissioner of Weights and Measures. The commissioner may appoint inspectors of weights and measures, with all the powers incident to that office, when directed so to act by the commissioner. Said commissioner shall take charge of the standards adopted, under the provisions of section 43-2, as the standards of the state, and cause them to be kept in a fire-proof building belonging to the state, or in a suitable place in his office, from which they shall not be removed except for repairs or for certification, and he shall take all other necessary precautions for their safekeeping. He shall maintain the state standards in good order and shall provide for their certification as prescribed by the National Institute of Standards and Technology at least once in ten years. He shall, at least once in two years, test by the state standards all standard weights, measures and other apparatus which belong to any municipality and shall seal such apparatus as is found to be accurate, by stamping thereon, with seals kept for that purpose, the letter "C" and the last two figures of the year of certification. He shall have general supervision of the weights, measures and weighing and measuring devices sold, offered for sale or used in the state. He, or the inspectors by his direction, shall, at least once in each year, test all scales, weights and measures used in checking the receipt or disbursement of supplies in each institution for

the maintenance of which moneys are appropriated by the General Assembly, and he shall report, in writing, his findings to the supervisory board and to the executive officer of the institution concerned, and, at the request of such board or executive officer, he shall appoint, in writing, one or more employees, in the service of each institution, who shall act as special deputies for the purpose of checking the receipt or disbursement of supplies. He shall keep a complete record of the standards, balances and other apparatus belonging to the state, and take a receipt for the same from his successor in office. He, or the inspectors at his direction, shall, at least once in two years, inspect the work of the local sealers throughout the state and shall have power to inspect and ascertain the correctness of all weights, scales, beams, measures, instruments or mechanical devices for measuring, and tools, appliances or accessories connected with any such instruments or measures kept, offered or exposed for sale, sold, used or employed by any proprietor, agent, lessee or employee in proving the size, quantity, extent, area or measurement of quantities, things, produce or articles for distribution or consumption, offered or submitted by such person or persons for sale, hire or reward; and shall, from time to time, weigh or measure packages or amounts of commodities of any kind kept for the purpose of sale, offered for sale or sold, or in the process of delivery, in order to determine whether the same contain the amounts represented, and whether they are offered for sale or sold in accordance with law. They may, in the performance of their official duties, enter, without warrant, into or upon any stand, place, building or other premises, or stop any vendor, peddler, junk dealer or driver of any vehicle transporting or containing coal, coke, ice or other commodity, or any dealer, and require him to proceed to some place which they may specify, for the purpose of making tests. Said commissioner or the inspectors may seal any such weighing or measuring instrument or apparatus which is found to be correct and may seize and destroy any incorrect weight, measure or weighing or measuring instrument. The commissioner

shall issue, from time to time, regulations prescribing specifications and tolerances for commercial weights and measures and weighing and measuring devices and regulations for the guidance of municipal sealers, which regulations shall govern the procedure to be followed by such officers in the discharge of their duties. The commissioner may by regulation exempt specific duties and restrict specific powers of the municipal sealers appointed under the provisions of section 43-6 thereby reserving exclusively to the commissioner within the municipality the duties exempted and powers restricted. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, prescribing fees to be charged for any calibration services performed by the Department of Consumer Protection, provided no fee shall be charged for services provided in accordance with the provisions of section 43-50. Whenever any municipality required by section 43-6 to appoint a sealer of weights and measures fails to do so or when a municipal sealer appointed under the provisions of said section fails or neglects to perform his duties, the Commissioner of Weights and Measures may direct his inspectors to perform such duties and the clerk or comptroller of such municipality shall, upon notification and request by the Commissioner of Weights and Measures, reimburse the state for the cost of such services rendered.

(b) Notwithstanding any regulations to the contrary, the following weighing and measuring devices shall be registered annually with the commissioner and the commissioner shall charge the following annual registration fees: (1) Each motor fuel dispenser, **[**twenty-five**]** <u>fifty</u> dollars; (2) each large weighing or measuring device, **[**one hundred twenty-five**]** <u>two hundred fifty</u> dollars; (3) each medium weighing or measuring device, **[**fifty**]** <u>one hundred</u> dollars; and (4) each small weighing or measuring device, **[**fifteen**]** <u>thirty</u> dollars.

Sec. 387. Section 43-16f of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

Before the issuance of any license as a licensed public weigher, or any renewal thereof, the applicant shall pay to the commissioner a fee of **[**twenty**]** forty dollars.

Sec. 388. Section 43-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall act as a dealer or repairman without first obtaining a certificate of registration from the Commissioner of Consumer Protection as provided in this section. Any person wishing to be registered as a dealer or repairman shall make application to the Commissioner of Consumer Protection on forms provided by him, furnishing such pertinent information as he may require. Each application shall be accompanied by a fee of **[**twenty-five**]** fifty dollars in the case of a dealer and **[**ten**]** twenty dollars in the case of a repairman. Upon approval, said commissioner shall issue to the applicant a registration certification bearing an identification number identifying such dealer or repairman. The certification shall expire annually unless suspended or revoked under the provisions of section 43-51. Such registration shall be renewable annually on payment of a fee of **[**twenty-five**]** fifty dollars in the case of a dealer and **[**ten**]** twenty dollars in the case of a repairman.

Sec. 389. Section 47-244a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Not later than January 1, 1992, each unit owners' association, as defined in section 47-202, that is not incorporated in this state shall have and maintain a statutory agent for service in this state as provided in this section. A statutory agent for service shall be either (1) a natural person who is a resident of this state, (2) a domestic corporation with or without capital stock, or (3) any corporation not

organized under the laws of this state which has procured a certificate of authority to transact business or conduct affairs in this state.

(b) A statutory agent for service of a unit owners' association shall be appointed by filing with the Secretary of the State a written appointment in such form as he prescribes setting forth: (1) The name of the common interest community and of the association; (2) the name of the statutory agent for service; and (3) if the statutory agent is a natural person, the business and residence address thereof; if the statutory agent is a domestic corporation, the address of the principal office thereof; if the statutory agent is a corporation not organized under the laws of this state, the address of the principal office thereof in this state, if any. In each case the address shall include the street and number or other particular designation.

(c) The written appointment shall be signed by the president, vice president or secretary of the appointing association. Each written appointment shall also be signed by the statutory agent for service therein appointed.

(d) If a statutory agent for service dies, dissolves, withdraws from the state or resigns, the unit owners' association shall forthwith appoint another statutory agent for service. If the statutory agent for service changes his or its address within the state from that appearing upon the record in the office of the Secretary of the State, the unit owners' association shall forthwith file with the Secretary of the State notice of the new address. A statutory agent for service may resign by filing with the Secretary of the State a signed statement in duplicate to that effect. The Secretary of the State shall forthwith file one copy and mail the other copy of such statement to the unit owners' association at its principal office. Upon the expiration of thirty days after such filing, the resignation shall be effective and the authority of such statutory agent for service shall terminate. A unit owners' association may revoke the appointment of a statutory agent for service by making a

new appointment as provided in this section and any new appointment so made shall revoke all appointments theretofore made.

(e) The Secretary of the State shall charge and collect a fee of **[**forty-five**]** ninety dollars for filing an appointment of a statutory agent, and a fee of **[**nine**]** eighteen dollars for filing a change of address of statutory agent or change of statutory agent.

Sec. 390. Section 51-81b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person who has been admitted as an attorney by the judges of the Superior Court shall annually on or before January fifteenth file an annual return prescribed or furnished by the Commissioner of Revenue Services. If any such person was engaged in the practice of law in the year preceding the year in which an occupational tax is due hereunder, such person, unless exempted under this section, shall annually on or before January fifteenth pay to the Commissioner of Revenue Services a tax in the amount of **[**four hundred fifty**]** five hundred sixty-five dollars. Any person who has been admitted as an attorney pro hac vice by a judge of the Superior, Appellate or Supreme Court in accordance with the rules of said court shall file such return and pay such tax as provided in this subsection with respect to any year in which such person was admitted pro hac vice and engaged in the practice of law in this state.

(b) Upon failure of any such person to pay the sum due hereunder within thirty days of the due date, the provisions of section 12-35 shall apply with respect to the enforcement of this section and the collection of such sum. The warrant therein provided for shall be signed by the commissioner or his authorized agent. The amount of any such tax, penalty and interest shall be a lien, from the thirty-first day of December next preceding the due date of such tax until discharged by payment, against all real estate of the taxpayer within the state, and a

certificate of such lien signed by the commissioner may be filed for record in the office of the clerk of any town in which such real estate is situated, provided no such lien shall be effective as against any bona fide purchaser or qualified encumbrancer of any interest in any such property. When any tax with respect to which a lien has been recorded under the provisions of this section has been satisfied, the commissioner, upon request of any interested party, shall issue a certificate discharging such lien, which certificate shall be recorded in the same office in which the lien was recorded. Any action for the foreclosure of such lien shall be brought by the Attorney General in the name of the state in the superior court for the judicial district in which the property subject to such lien is situated, or, if such property is located in two or more judicial districts, in the superior court for any one such judicial district, and the court may limit the time for redemption or order the sale of such property or make such other or further decree as it judges equitable.

(c) The Commissioner of Revenue Services shall notify the Chief Court Administrator of the failure of any person to comply with the provisions of this section and the Chief Court Administrator shall notify the judges of the Superior Court of such failure.

(d) If any person fails to pay the amount of tax reported to be due on such person's return within the time specified under the provisions of this section, there shall be imposed a penalty of fifty dollars, which penalty shall be payable to, and recoverable by, the commissioner in the same manner as the tax imposed under this section. Subject to the provisions of section 12-3a, the commissioner may waive all or part of the penalties provided under this section when it is proven to his satisfaction that the failure to pay any tax was due to reasonable cause and was not intentional or due to neglect.

(e) If any tax is not paid when due as provided in this section, there shall be added to the amount of the tax interest at the rate of one per

cent per month or fraction thereof from the date the tax became due until it is paid.

(f) If the commissioner is satisfied beyond a reasonable doubt that the failure to file a return or to pay the tax was due to reasonable cause and was not intentional or due to neglect, he may abate or remit the whole or any part of any penalty under this section.

(g) This section shall not apply (1) to any attorney whose name has been removed from the roll of attorneys maintained by the clerk of the superior court for the judicial district of Hartford, or (2) to any attorney who has retired from the practice of law, provided the attorney shall file written notice of retirement with the clerk of the superior court for the judicial district of Hartford, or to any attorney who does not engage in the practice of law as an occupation and receives less than four hundred fifty dollars in legal fees or other compensation for services involving the practice of law during any calendar year, or (3) with respect to the tax due in any calendar year, to any attorney serving on active duty with the armed forces of the United States for more than six months in such year.

(h) No person shall be liable for payment of the occupational tax under this section solely by virtue of such person having engaged in the practice of law while acting as an employee of the state, any political subdivision of the state or any probate court.

(i) The provisions of sections 12-548 to 12-554, inclusive, and section 12-555a shall apply to the provisions of this section in the same manner and with the same force and effect as if the language of said sections 12-548 to 12-554, inclusive, and section 12-555a had been incorporated in full into this section and had expressly referred to the tax under this section, except to the extent that any such provision is inconsistent with a provision of this section.

Sec. 391. (NEW) (*Effective October 1, 2009*) Notwithstanding any provision of the general statutes or any regulation of Connecticut state agencies to the contrary, on and after October 1, 2009, each fee in effect pursuant to regulations adopted pursuant to any section of the general statutes that is (1) one thousand dollars or more shall be increased by two hundred fifty dollars, (2) one hundred fifty dollars or more, but less than one thousand dollars, shall be increased by twenty-five per cent and rounded up to the next whole five-dollar increment, and (3) less than one hundred fifty dollars shall be doubled.

Sec. 392. Subsection (b) of section 14-21e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) The Commissioner of Motor Vehicles shall establish, by regulations adopted in accordance with chapter 54, a fee to be charged for Long Island Sound commemorative number plates in addition to the regular fee or fees prescribed for the registration of a motor vehicle. The fee shall be for such number plates with letters and numbers selected by the Commissioner of Motor Vehicles. The Commissioner of Motor Vehicles may establish a higher fee for: (1) Such number plates which contain letters in place of numbers as authorized by section 14-49, in addition to the fee or fees prescribed for plates issued under said section; and (2) such number plates which are low number plates, in accordance with section 14-160, in addition to the fee or fees prescribed for plates issued under said section. The Commissioner of Motor Vehicles shall establish, by regulations adopted in accordance with the provisions of chapter 54, an additional voluntary lighthouse preservation donation which shall be deposited in the Connecticut Lighthouse Preservation account established under section 22a-27n. All fees established and collected pursuant to this section shall be deposited in the **[**Long Island Sound account established pursuant to section 22a-27k**]** General Fund.

Sec. 393. Section 14-49b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

[(a)**]** For each new registration or renewal of registration of any motor vehicle with the Commissioner of Motor Vehicles pursuant to this chapter, the person registering such vehicle shall pay to the commissioner a fee of ten dollars for registration for a biennial period and five dollars for registration for an annual period, except that any individual who is sixty-five years of age or older on or after January 1, 1994, may, at the discretion of such individual, pay the fee for either a one-year or two-year period. The provisions of this section shall not apply with respect to any motor vehicle which is not self-propelled, which is electrically powered, or which is exempted from payment of a registration fee. This fee may be identified as the "federal Clean Air Act fee" on any registration form provided by the commissioner. Payments collected pursuant to the provisions of this section shall be deposited as follows: (1) Fifty-seven and one-half per cent of such payments collected shall be deposited into the Special Transportation Fund established pursuant to section 13b-68, and (2) forty-two and one-half per cent of such payments collected shall be deposited **[**in a treasurer's account and credited to a separate, nonlapsing federal Clean Air Act account which shall be established by the Comptroller within the**]** <u>into the</u> General Fund. **[**The federal Clean Air Act account may be used to pay any costs to state agencies of implementing the requirements of the federal Clean Air Act Amendments of 1990 that are not otherwise met by the fees collected pursuant to section 22a-174 and any funds transferred to the account pursuant to section 22a-27m may additionally be used by the Commissioner of Environmental Protection to carry out the provisions of chapter 446c. All moneys deposited in this account are deemed to be appropriated for this purpose.**]** The fee required by this section is in addition to any other fees prescribed by any other provision of this title for the registration of a motor vehicle.

[(b) The Commissioner of Environmental Protection, in consultation with the Commissioner of Motor Vehicles, shall annually, within ninety days prior to the beginning of the next ensuing fiscal year, submit to the Secretary of the Office of Policy and Management an annual operating budget for the federal Clean Air Act account, providing for the operation of programs to implement the federal Clean Air Act Amendments of 1990, to the extent that the payment of such costs has not otherwise been adequately provided for. Such annual operating budget shall include an estimate of revenues from the fees and charges fixed by law, and from any and all other sources, to meet the estimated expenditures of the federal Clean Air Act account for such fiscal year. Within thirty days prior to the first day of such fiscal year the Secretary of the Office of Policy and Management shall approve said annual operating budget, with such changes, amendments, additions and deletions as shall be agreed upon prior to that date by the Commissioner of Environmental Protection and the Secretary of the Office of Policy and Management.**]**

Sec. 394. Section 15-155 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

[(a)**]** All revenue received by the state, annually, for the twelve-month period from November first to October thirty-first, inclusive, in fees for the numbering and registration of vessels under section 15-144 shall be paid to the Treasurer and allocated **[**and distributed as follows: (1) The first one million dollars, and any balance in excess of the amounts required under subdivision (2) of this subsection, shall be deposited in the Conservation Fund and credited to the separate account known as the boating account and (2) an amount equal to the amount of property tax paid on vessels on the assessment list of October 1, 1978, in each town, as defined in section 15-127, to the extent such revenue is sufficient, shall be distributed to such towns in lieu of property tax on vessels in the manner set forth and as

determined by section 15-155b. The boating account shall be an account of the Conservation Fund. In the event that total revenue from such fees for any period of twelve months from November first to October thirty-first next following, inclusive, is less than the amount necessary to credit the sum of one million dollars to the boating account, as provided under subdivision (1) of this subsection, and make such distribution equivalent to the total of certain property taxes paid on vessels in each town, as provided under subdivision (2) of this subsection, the additional amount necessary to provide for such credit and payment in full shall be allocated for such purpose from any unallocated funds in the boating account, as determined immediately following the end of such period of twelve months**]** to the General Fund.

[(b) The boating account shall be used for the following purposes: (1) All expenses incurred by the Commissioner of Motor Vehicles and the Commissioner of Environmental Protection in the administration and enforcement of this part and the laws and regulations of the state respecting boating safety and water pollution from vessels, and any payments in accordance with subsection (a) of this section that may be necessary for purposes of the distribution to towns in lieu of property tax on vessels. (2) Expenditures for boating safety, boating education, marine patrols and enforcement training programs, and for the acquisition, construction, maintenance and improvement of recreational and navigational facilities related to boating. (3) Any town which incurs expenses in the enforcement of this part or any law or regulation of the state respecting boating safety, vessel theft prevention or recovery, search and rescue or water pollution from vessels shall be entitled to reimbursement from such moneys in said account as are not provided for under subdivision (2) of this subsection. On or before the first day of December each year, each town desiring such reimbursement shall submit its request to the Commissioner of Environmental Protection with a verified statement of expenses so

incurred during the preceding year. Upon receipt of such request on a form prescribed by the Commissioner of Environmental Protection said commissioner shall allow such expenses as he finds were reasonable and necessary and shall certify such amounts to the Comptroller for payment to the requesting town. If funds are insufficient to reimburse in full each town so applying, reimbursement shall be made on a pro rata basis. The determination of the amounts available for reimbursement under this subsection shall be made by the Commissioner of Environmental Protection annually in the month of November. (4) The balance of such revenue remaining after payment of the foregoing expenses shall be allocated for use of the several towns for boating safety education and for the construction, maintenance and improvement of boating facilities. Any town desiring to obtain such funds shall apply to the Commissioner of Environmental Protection, giving such information about the proposed use as he may require. Said commissioner may approve payment to any municipality, in amounts not exceeding two thousand dollars per town per year, upon satisfactory evidence that the proposed use has been approved as prescribed by law by the legislative body of the requesting town, that it is needed for the safety or convenience of the boating public, that it is not in conflict with any program planned or undertaken by any agency of the state and that it will not adversely affect any privately-owned and operated boating facility.

(c) The Commissioners of Environmental Protection and Motor Vehicles shall annually on or before December thirty-first, submit separate reports to the joint standing committee of the General Assembly having cognizance of matters relating to state finance, revenue and bonding, on the operation of the boating account. The report shall contain a detailed statement of expenditures related to each of the purposes set forth in subsection (b) for the twelve-month period ending October thirty-first, a projected budget for such purposes for the next succeeding twelve-month period and

recommendations, if any, concerning the operation of the account and the boating safety and enforcement programs.**]**

Sec. 395. Section 22a-6f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each annual fee charged by the Commissioner of Environmental Protection pursuant to the general statutes shall be due on or before July first of each year, unless otherwise specified in the general statutes or in regulations adopted pursuant thereto. The fee for late payment of an annual fee charged by said commissioner pursuant to the general statutes shall be ten per cent of the annual fee due, plus one and one-quarter per cent per month or part thereof that the annual fee remains unpaid. Each permit fee and permit application fee charged by the commissioner pursuant to the general statutes is due upon the submission of the permit application, unless otherwise specified in the general statutes or in regulations adopted pursuant thereto. Each permit fee and permit application fee payable to the commissioner shall apply equally to the issuance, renewal, modification and transfer of a permit unless otherwise specified in the general statutes or in regulations adopted pursuant thereto. The commissioner may waive any fee payable to him as it applies to the activities of an agency, board, commission, council or department of the state, provided such agency, board, commission, council or department compensates the Department of Environmental Protection in an amount equal to such fee pursuant to a written agreement.

(b) Notwithstanding any provision of the general statutes or any regulation adopted under this title, on and after August 20, 2003, each fee in effect pursuant to regulations adopted pursuant to any section of this title that is greater than one hundred dollars shall be increased by fifty per cent and all such fees of one hundred dollars or less shall be doubled, provided no such fee shall be less than one hundred dollars.

(c) Notwithstanding the provisions of subsection (b) of this section: (1) The fees and annual adjustment for Title V emissions shall be assessed pursuant to the regulations adopted under section 22a-174, as amended by this act; (2) each fee imposed pursuant to a general permit, in effect on or before August 20, 2003, shall be double the amount specified in such permit; and (3) each fee imposed pursuant to a certificate of permission, issued in accordance with section 22a-363b, shall be double the amount in effect on or before August 20, 2003.

(d) Notwithstanding any provision of the general statutes or any regulation adopted under this title, on and after October 1, 2009, any fee in effect pursuant to regulations adopted pursuant to any section of this title that is greater than one thousand dollars shall be increased by two hundred fifty dollars, any such fee that is greater than or equal to one hundred fifty dollars, but less than or equal to one thousand dollars, shall be increased by twenty-five per cent and rounded up to the nearest whole five-dollar increment and any such fee of less than one hundred fifty dollars shall be doubled.

[(d)**]** (e) Unless otherwise specified in a general permit, the registration fee for a general permit shall be as follows: (1) If the person intending to engage in the regulated activity is required to register with the Department of Environmental Protection and obtain approval of the registration before the activity is authorized, one thousand dollars; or (2) if the person intending to engage in the regulated activity is only required to register with the Department of Environmental Protection before the activity is authorized, five hundred dollars. No fee for a general permit shall exceed five thousand dollars.

[(e)**]** (f) Unless otherwise established by regulations adopted pursuant to section 22a-354i, the fee for a permit of a regulated activity, as described in section 22a-354i, shall be one thousand dollars and the fee to register such regulated activity with the Department of

Environmental Protection, pursuant to section 22a-354i, shall be five hundred dollars.

[(f)**]** (g) The fee for a consolidated general permit issued in accordance with more than one section of this title shall be specified in such general permit and shall not exceed the total sum for individual general permits, as authorized pursuant to subdivision (2) of subsection (c) of this section.

Sec. 396. Section 22a-27j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person, firm or corporation, other than a municipality, making an application for any approval required by chapters 124, 126, 440 and 444 or by regulations adopted pursuant to said chapters shall pay a fee of twenty dollars, in addition to any other fee which may be required, to the municipal agency or legislative body which is authorized to approve the application. On and after July 1, 2004, the fee shall be thirty dollars. On and after October 1, 2009, the fee shall be sixty dollars. Such municipal agency or legislative body shall collect such fees, retaining two dollars of such fee for administrative costs, and shall pay the remainder of such fees quarterly to the Department of Environmental Protection and the receipts shall be deposited into **[**an account of the State Treasurer and credited to the Environmental Quality Fund established pursuant to section 22a-27g. The portion of such fund attributable to the fees established by this section shall be used by the Department of Environmental Protection as follows: (1) Nineteen dollars shall be used for the purpose of funding the environmental review teams program of the Bureau of Water Management within said department, the Council on Soil and Water Conservation established pursuant to section 22a-315 and the eight county soil and water conservation districts, and (2) nine dollars shall be deposited into the hazard mitigation and floodplain management account established pursuant to section 22a-27q and used for grants

under section 25-68k**]** the General Fund.

(b) Not later than three months following the close of each fiscal year starting with fiscal year July 1, 2000, the Department of Environmental Protection shall identify those municipalities that are not in compliance with subsection (a) of this section for the previous fiscal year and shall provide the Office of Policy and Management with a list of such municipalities. The list shall be submitted annually and in such manner as the Office of Policy and Management may require. The Office of Policy and Management, when issuing the first payment from the Mashantucket Pequot and Mohegan Fund established pursuant to section 3-55i, in the fiscal year during which said list is received, shall reduce said payment to a municipality by one thousand dollars for each quarter of the preceding fiscal year that the municipality has not been in compliance with subsection (a) of this section to a maximum of four thousand dollars in each fiscal year. **[**The Office of Policy and Management shall certify to the State Comptroller the amount of any funds withheld under this subsection to be transferred to the Environmental Quality Fund for the uses set forth in subsection (a) of this section, and the State Comptroller shall cause said amount to be transferred to such fund.**]**

Sec. 397. Subsection (g) of section 22a-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(g) The registrant shall pay a fee of **[**seven hundred fifty**]** nine hundred forty dollars for each pesticide registered and for each renewal of a registration. A registration shall expire after five years. The commissioner shall establish regulations to phase in pesticide registration so that one fifth of the pesticides registered expire each year. The commissioner may register a pesticide for less than five years and prorate the registration fee accordingly to implement the regulations established pursuant to this subsection. The fees collected

in accordance with this section shall be deposited in the General Fund. **[**provided, on and after October 1, 1997, two hundred dollars from each payment of the fee required under this subsection shall be deposited into the Environmental Quality Fund established under section 22a-27g and shall be used by the commissioner to carry out the purposes of section 22a-66*l*.**]**

Sec. 398. Subsections (e) and (f) of section 22a-54 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(e) The following provisions shall govern the certification of aircraft applicators:

(1) No person shall apply, offer to apply or cause to be applied any pesticide or fertilizer by aircraft without a certificate or permit issued in accordance with the provisions of this subsection.

(2) Upon application of any person qualified to fly an aircraft, the commissioner may issue a certificate for the application of pesticides or fertilizers by aircraft. Application for said certificate shall be on forms provided by the commissioner and shall be accompanied by a fee of fifty dollars.

(3) The commissioner may issue a permit to the owner of any crop or land, or to a representative designated by such owner, for application of pesticides or fertilizers by a certified aircraft applicator. Application for said permit shall be on forms provided by the commissioner and shall be accompanied by a fee established by the commissioner by regulations adopted in accordance with the provisions of chapter 54 provided the fee shall be not less than **[**ten**]** twenty dollars. The commissioner may waive the application form and fee requirements imposed pursuant to regulations adopted in accordance with the provisions of chapter 54 in circumstances where

application of broad spectrum chemical pesticides from the air is necessary to control specific vectors of human disease which pose an imminent threat to public health. The commissioner may require inspection of the crop or area and its immediate environs and approval as follows:

(A) For agricultural crops, nurseries and orchards, by the director of the Connecticut Agricultural Experiment Station;

(B) For rodent control, woodland spraying and mosquito control spraying, by the commissioner;

(C) For control of vectors of human disease, by the Commissioner of Public Health.

(4) The commissioner shall designate the kind and amount of pesticides permitted for use by aircraft. Permits for aircraft spraying in congested areas shall be issued only with the approval of the director of health of the municipality in which the operation is to be conducted except in circumstances where the commissioner determines that the application of broad spectrum chemical pesticides from the air is necessary to control specific vectors of human disease which pose an imminent threat to public health.

(5) The commissioner, with the advice of the Commissioner of Transportation, may adopt such regulations as he deems necessary for the protection of public health, aquatic and animal life and public and private property, governing:

(A) The type of aircraft to be used;

(B) The hours during which aircraft may be so used;

(C) The wind and weather conditions under which aircraft spraying or dusting may be performed;

(D) The minimum area on which aircraft spraying or dusting may be done; and

(E) The amount of public liability and property damage insurance to be carried by the aircraft applicator.

(6) No person may apply pesticides or fungicides by aircraft or by misting-type devices to shade tobacco crops within three hundred feet of an inhabited residential building for which a certificate of occupancy was issued prior to January 1, 1997, without the written permission of the owner of such building, except spray applications may be administered within the confines of the netting. This subdivision shall not apply to an application of pesticides or fungicides to land which was poled for the cultivation of shade tobacco between January 1, 1994, and January 1, 1997.

(f) The commissioner may by regulation prescribe fees for applicants to defray the cost of administering examinations and assisting in carrying out the purposes of section 22a-451, as amended by this act, except the fees for certification and renewal of a certification shall be as follows: (1) For supervisory certification as a commercial applicator, two hundred **[**twenty-five**]** eighty-five dollars; (2) for operational certification as a commercial applicator, **[**forty**]** eighty dollars, and (3) for certification as a private applicator, **[**fifty**]** one hundred dollars. A federal, state or municipal employee who applies pesticides solely as part of his employment shall be exempt from payment of a fee. Any certificate issued to a federal, state or municipal employee for which a fee has not been paid shall be void if the holder leaves government employment. The fees collected in accordance with this section shall be deposited in the General Fund.

Sec. 399. Section 22a-54a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The owner of any golf course which has a course length greater than one thousand yards shall, not later than December thirty-first annually, pay a fee of two hundred fifty dollars to the Commissioner of Environmental Protection to assist in carrying out the purposes of section 22a-451, as amended by this act. The fees collected in accordance with this section shall be deposited in the General Fund.

Sec. 400. Subsection (c) of section 22a-56 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) Any person who distributes, sells, offers for sale, holds for sale or offers to deliver any restricted or permit use pesticide to any person in the state shall register his name and address with the commissioner annually. The commissioner may by regulations adopted in accordance with the provisions of chapter 54 require the payment of a fee sufficient to cover the cost of administering examinations for registration and assisting in carrying out the purposes of section 22a-451, as amended by this act. The fee for each annual registration shall be **[**sixty**]** one hundred twenty dollars. The fees collected in accordance with this section shall be deposited in the General Fund.

Sec. 401. Subsection (c) of section 22a-66c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) An application for a certificate shall be accompanied by payment of a fee of **[**one hundred twenty**]** two hundred forty dollars. The commissioner may waive payment of the fee for the initial renewal of a certificate issued during the three months prior to expiration. A pesticide application business which employs not more than one certified applicator shall be exempt from payment of a fee. An application for a certificate or renewal shall not be deemed to be complete or sufficient until the fee is paid in full. Funds received by the

commissioner in accordance with the provisions of this section shall be deposited in the General Fund.

Sec. 402. Section 22a-66z of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Environmental Protection may issue permits for the introduction of chemicals into the waters of the state for the control of aquatic vegetation, fish populations or other aquatic organisms. Application for said permit shall be on forms provided by the commissioner and shall be accompanied by a fee established by the commissioner by regulations adopted in accordance with the provisions of chapter 54 provided the fee shall be not less than **[**twenty**]** forty dollars. No permit shall be issued without prior approval, if the proposed application of chemicals involves areas tributary to reservoirs, lakes, ponds or streams used for public water supply, by the Commissioner of Public Health. Each permittee shall be responsible for any and all damages resulting from the applications of any pesticide to control aquatic vegetation, fish populations or other organisms. The commissioner, acting with the Department of Public Health, may establish regulations governing the use of pesticides in the waters of the state, including the marine district. The provisions of this section shall not apply to normal, emergency or experimental operations of the Department of Environmental Protection, the Department of Public Health or public water supply utilities, except that chemicals may not be applied to waters used for water supply furnished to the public or tributary to such water supply without prior approval of the Department of Public Health. Enforcement officers of the Department of Environmental Protection and the Department of Public Health may enforce the provisions of this section.

Sec. 403. Section 22a-133f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The costs of remedial action pursued in accordance with the provisions of section 22a-133e may be paid from (1) **[**the emergency spill response account established pursuant to section (d) of section 22a-451**]** available appropriations, or (2) any account authorized under subsection (a) of section 29 of special act 87-77 or subdivision (5) of subsection (e) of section 2 of special act 86-54. The costs may be paid from such funds and accounts provided the commissioner determines that the threat to the environment and public health from the site is unacceptable and (A) the commissioner is unable to determine the responsible party for the disposal or cleanup of the hazardous waste, (B) the responsible party is not in timely compliance with orders issued by the commissioner to provide remedial action, or (C) the commissioner has not issued a final decision on an order to a responsible party to provide remedial action because of (i) a request for a hearing made pursuant to section 22a-436 or sections 4-177 to 4-182, inclusive, or (ii) an order issued pursuant to said section 22a-436 is subject to an appeal pending before the Superior Court pursuant to section 22a-437 or sections 4-183 and 4-184.

(b) The commissioner shall adopt regulations in accordance with chapter 54, setting forth priorities for the use of such funds and accounts. In setting such priorities the commissioner shall consider any factor he deems appropriate, including the score developed pursuant to section 22a-133d.

Sec. 404. Section 22a-133v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section: (1) "Environmental professional" means a person who is qualified by reason of his knowledge, as specified in subsection (e) of this section, to engage in activities associated with the investigation and remediation of pollution and sources of pollution including the rendering or offering to render to clients professional services in connection with the investigation and remediation of

pollution and sources of pollution; (2) "pollution" means pollution, as defined in section 22a-423; and (3) "commissioner" means the Commissioner of Environmental Protection or his designated agent.

(b) There shall be within the Department of Environmental Protection a State Board of Examiners of Environmental Professionals. The board shall consist of eleven members. One member, who shall be the chairman of the board, shall be the Commissioner of Environmental Protection, or his designee. The Governor shall appoint the other ten members of the board who shall consist of the following: Six members shall be licensed environmental professionals or, prior to the publication by the board of the first roster of licensed environmental professionals, persons on the list maintained by the commissioner pursuant to subsection (h) of this section, including at least two having hydrogeology expertise and two who are licensed professional engineers; two members who are active members of an organization that promotes the protection of the environment; one member who is an active member of an organization that promotes business; and one member who is an employee of a lending institution. The members of the board shall administer the provisions of this section as to licensure and issuance, reissuance, suspension or revocation of licenses concerning environmental professionals. The Governor may remove any member of the board for misconduct, incompetence or neglect of duty. The members of the board shall receive no compensation for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties. The board shall keep a true and complete record of all its proceedings.

(c) A licensed environmental professional shall perform his duties in accordance with the standard of care applicable to professionals engaged in such duties. The commissioner, with advice and assistance from the board, may adopt regulations, in accordance with the provisions of chapter 54, concerning professional ethics and conduct

appropriate to establish and maintain a high standard of integrity and dignity in the practice of an environmental professional and may make rules for the conduct of the board's affairs and for the examination of applicants for licenses.

(d) The commissioner shall receive and account for all moneys derived under the provisions of this section and shall deposit such moneys in the **[**Environmental Quality Fund established pursuant to section 22a-27g**]** General Fund. The board shall keep a register of all applications for licenses with the actions of the board thereon. A roster showing the names of all licensees shall be prepared each year. A copy of such roster shall be placed on file with the Secretary of the State.

(e) The board shall authorize the commissioner to issue a license under subsection (d) of section 22a-133m, sections 22a-184 to 22a-184e, inclusive, this section and section 22a-133w to any person who demonstrates to the satisfaction of the board that such person: (1) (A) Has for a minimum of eight years engaged in the investigation and remediation of releases of hazardous waste or petroleum products into soil or groundwater, including a minimum of four years in responsible charge of investigation and remediation of the release of hazardous waste or petroleum products into soil or groundwater, and holds a bachelor's or advanced degree from an accredited college or university in a related science or related engineering field or is a professional engineer licensed in accordance with chapter 391, or (B) has for a minimum of fourteen years engaged in the investigation and remediation of releases of hazardous waste or petroleum products into soil or groundwater, including a minimum of seven years in responsible charge of investigation and remediation of hazardous waste or petroleum products into soil or groundwater; (2) has successfully passed a written examination, or a written and oral examination, prescribed by the board and approved by the commissioner, which shall test the applicant's knowledge of the

physical and environmental sciences applicable to an investigation of a polluted site and remediation conducted in accordance with regulations adopted by the commissioner under section 22a-133k and any other applicable guidelines or regulations as may be adopted by the commissioner; and (3) has paid an examination fee of **[**one hundred eighty-eight**]** two hundred thirty-five dollars to the commissioner. In considering whether a degree held by an applicant for such license qualifies for the educational requirements under this section, the board may consider all undergraduate, graduate, postgraduate and other courses completed by the applicant.

(f) The board shall authorize the commissioner to issue a license to any applicant who, in the opinion of the board, has satisfactorily met the requirements of this section. The issuance of a license by the commissioner shall be evidence that the person named therein is entitled to all the rights and privileges of a licensed environmental professional while such license remains unrevoked or unexpired. A licensed environmental professional shall pay to the commissioner an annual fee of **[**three hundred thirty-eight**]** four hundred twenty-five dollars, due and payable on July first of every year beginning with July first of the calendar year immediately following the year of license issuance. The commissioner, with the advice and assistance of the board, may adopt regulations in accordance with the provisions of chapter 54, pertaining to the design and use of seals by licensees under this section and governing the license issuance and renewal process, including, but not limited to, procedures for allowing the renewal of licenses when an application is submitted not later than six months after the expiration of the license without the applicant having to take the examination required under subsection (e) of this section.

(g) The board may conduct investigations concerning the conduct of any licensed environmental professional. The commissioner may conduct audits of any actions authorized by law to be performed by a

licensed environmental professional. The board shall authorize the commissioner to: (1) Revoke the license of any environmental professional; (2) suspend the license of any environmental professional; (3) impose any other sanctions that the board deems appropriate; or (4) deny an application for such licensure if the board, after providing such professional with notice and an opportunity to be heard concerning such revocation, suspension, other sanction or denial, finds that such professional has submitted false or misleading information to the board or has engaged in professional misconduct including, without limitation, knowingly or recklessly making a false verification of a remediation under section 22a-134a, or violating any provision of this section or regulations adopted under the provisions of this section.

(h) The board shall hold the first examination pursuant to this section no later than eighteen months after the date the commissioner adopts regulations pursuant to section 22a-133k, and shall publish the first roster of licensed environmental professionals no later than six months after the date of such examination. Until such time as the board publishes the first roster of licensed environmental professionals, any person who (1) has for a minimum of eight years engaged in the investigation and remediation of releases of hazardous waste or petroleum products into soil or groundwater, including a minimum of four years in responsible charge of investigation and remediation of the release of hazardous waste or petroleum products into soil or groundwater, (2) holds a bachelor's or advanced degree from an accredited college or university in a related science or related engineering field or is a professional engineer licensed in accordance with chapter 391, and (3) pays a registration fee of two hundred **[**twenty-five**]** eighty-five dollars may apply to the commissioner to be placed on a list of environmental professionals. Any person on such list may perform any duties authorized by law to be performed by a licensed environmental professional until such time as the first roster

of licensed environmental professionals is published by the board.

(i) Nothing in this section shall be construed to authorize a licensed environmental professional to engage in any profession or occupation requiring a license under any other provisions of the general statutes without such license.

Sec. 405. Subsection (e) of section 22a-133x of the general statutes, as amended by section 10 of public act 09-235, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(e) The fee for submitting an environmental condition assessment form to the commissioner pursuant to this section shall be three thousand two hundred fifty dollars and shall be paid at the time the environmental condition assessment form is submitted. Any fee paid pursuant to this section shall be deducted from any fee required by subsection (m) or (n) of section 22a-134e, as amended by this act, for the transfer of any parcel for which an environmental condition assessment form has been submitted within three years of such transfer.

Sec. 406. Section 22a-134e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "cost of remediation" shall include total costs related to the complete investigation of pollution on-site and off-site, evaluation of remediation alternatives, design and implementation of approved remediation, operation and maintenance costs for the remediation and postremediation monitoring.

(b) The fee for filing a Form I, as defined in section 22a-134, shall be three hundred seventy-five dollars. The fee for filing a Form II shall be one thousand **[**fifty**]** three hundred dollars except as provided for in subsections (e) and (p) of this section.

(c) The fee for filing a Form III, after July 1, 1990, and before July 1, 1993, shall be as follows: (1) Four thousand five hundred dollars if the cost of remediation is less than one hundred thousand dollars; (2) seven thousand dollars if the cost of remediation is equal to or greater than one hundred thousand dollars but less than five hundred thousand dollars; (3) ten thousand dollars if the cost of remediation is equal to or greater than five hundred thousand dollars but less than one million dollars; and (4) thirteen thousand dollars if the cost of remediation is equal to or greater than one million dollars.

(d) The fee for filing a Form III with the Commissioner of Environmental Protection prior to July 1, 1990, and which concern a site for which the commissioner had not given written approval of a final remediation plan before July 1, 1990, shall be as follows: For a Form III filed between October 1, 1985, and September 30, 1986, the fee shall be twenty per cent of the amount specified in subsection (c) of this section; for a Form III filed between October 1, 1986, and September 30, 1987, the fee shall be forty per cent of the amount specified in subsection (c) of this section; for a Form III filed between October 1, 1987, and September 30, 1988, the fee shall be sixty per cent of the amount specified in subsection (c) of this section; for a Form III filed between October 1, 1988, and September 30, 1989, the fee shall be eighty per cent of the amount specified in subsection (c) of this section and for a Form III filed between October 1, 1989, and July 1, 1990, the fee shall be ninety per cent of the amount specified in said subsection (c).

(e) If a Form II is filed after July 1, 1990, and before October 1, 1995, and within three years following completion of remedial measures as approved by the Commissioner of Environmental Protection, the fee for such transfer shall be the fee specified in subsection (c) of this section.

(f) The fees specified in subsections (b) and (e) of this section shall

be due upon the filing of the notification required under section 22a-134a.

(g) The fee specified in subsection (c) of this section shall be due in accordance with the following schedule: (1) Four thousand five hundred dollars shall be paid upon filing of the Form III; (2) the balance, if any, shall be paid within thirty days of receipt from the commissioner of written approval of a remedial action plan or within thirty days of the issuance of an order, consent agreement or stipulated judgment, whichever is earlier; (3) any remaining balance shall be paid within thirty days after receipt of written notice from the commissioner that it is due; and (4) any refund, if applicable, will be paid after receipt of a letter from the commissioner stating that no further action is required or after receipt of a letter of compliance.

(h) The fee specified in subsection (d) of this section shall be due in accordance with the following schedule: (1) Nine hundred dollars shall be paid within thirty days of receipt of a written notice of a fee due from the Commissioner of Environmental Protection; (2) the balance, if any, shall be paid within thirty days of receipt from the commissioner of written approval of a remedial action plan or within thirty days of the issuance of an order, consent agreement or stipulated judgment, whichever is earlier; (3) any remaining balance shall be paid within thirty days after receipt of written notice from the commissioner that it is due; and (4) any refund, if applicable, will be paid after receipt of a letter from the commissioner stating that no further action is required or after receipt of a letter of compliance.

(i) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to prescribe the amount of the fees required pursuant to this section. Upon the adoption of such regulations, the fees required by this section shall be as prescribed in such regulations.

(j) The fees specified in this section shall be paid by the certifying

party.

(k) The fee for filing a Form III, on and after July 1, 1993, and before October 1, 1995, shall be as follows: (1) Twenty-three thousand dollars if the cost of remediation is equal to or greater than one million dollars; (2) twenty thousand dollars if the cost of remediation is equal to or greater than five hundred thousand dollars but less than one million dollars; (3) fourteen thousand dollars if the cost of remediation is equal to or greater than one hundred thousand dollars but less than five hundred thousand dollars; (4) four thousand five hundred dollars if the cost of remediation is equal to or greater than fifty thousand dollars but less than one hundred thousand dollars; (5) three thousand dollars if the cost of remediation is equal to or greater than twenty-five thousand dollars but less than fifty thousand dollars; and (6) two thousand dollars if the cost of remediation is less than twenty-five thousand dollars.

(l) The fee specified in subsection (k) of this section shall be due in accordance with the following schedule: (1) Two thousand dollars shall be paid upon the filing of the notification required under section 22a-134a if the cost of remediation is less than one hundred thousand dollars; (2) six thousand dollars shall be paid upon filing of the notification required under section 22a-134a if the cost of remediation is equal to or greater than one hundred thousand dollars; (3) the balance, if any, shall be paid within thirty days of receipt from the commissioner of written approval of a remedial action plan or within thirty days of the issuance of an order, consent agreement or stipulated judgment, whichever is earlier; (4) any remaining balance shall be paid within thirty days after receipt of written notice from the commissioner that it is due; <u>and</u> (5) any refund, if applicable, will be paid after receipt of a letter from the commissioner stating that no further action is required or after receipt of a letter of compliance. After the deposit of any appropriated funds, funds from the sale of bonds of

the state or any contribution pursuant to section 22a-16a, 22a-133t or 22a-133u or section 3 of public act 96-250* to the Special Contaminated Property Remediation and Insurance Fund established under section 22a-133t, any amount received by the commissioner pursuant to this section shall be deposited into said fund.

(m) On and after October 1, 1995, the fee for filing a Form III or Form IV shall be due in accordance with the following schedule: An initial fee of three thousand dollars shall be submitted to the commissioner with the filing of a Form III or Form IV. If a licensed environmental professional verifies the remediation of the establishment and the commissioner has not notified the certifying party that the commissioner's written approval of the remediation is required, no additional fee shall be due. If the commissioner notifies the certifying party that the commissioner's written approval of the remediation is required, the balance of the total fee shall be due prior to the commissioner's issuance of the commissioner's final approval of the remediation.

(n) On and after October 1, 1995, the total fee for filing a Form III shall be as follows: (1) Thirty-four thousand **[**five hundred**]** <u>seven hundred fifty</u> dollars if the total cost of remediation is equal to or greater than one million dollars; (2) thirty thousand <u>two hundred fifty</u> dollars if the total cost of remediation is equal to or greater than five hundred thousand dollars but less than one million dollars; (3) twenty-one thousand <u>two hundred fifty</u> dollars if the total cost of remediation is equal to or greater than one hundred thousand dollars but less than five hundred thousand dollars; (4) **[**six**]** <u>seven</u> thousand **[**seven hundred fifty**]** dollars if the total cost of remediation is equal to or greater than fifty thousand dollars but less than one hundred thousand dollars; (5) four thousand **[**five hundred**]** <u>seven hundred fifty</u> dollars if the total cost of remediation is equal to or greater than twenty-five thousand dollars but less than fifty thousand dollars; and (6) three

thousand two hundred fifty dollars if the total cost of remediation is less than twenty-five thousand dollars.

(o) On and after October 1, 1995, except as provided in subsection (p) of this section, the total fee for filing a Form IV shall be as follows: (1) Seventeen thousand **[**two hundred fifty**]** five hundred dollars if the total cost of remediation is equal to or greater than one million dollars; (2) fifteen thousand two hundred fifty dollars if the total cost of remediation is equal to or greater than five hundred thousand dollars but less than one million dollars; (3) ten thousand **[**five hundred**]** seven hundred fifty dollars if the total cost of remediation is greater than or equal to one hundred thousand dollars but less than five hundred thousand dollars; (4) three thousand **[**three hundred seventy-five**]** six hundred twenty-five dollars if the total cost of remediation is equal to or greater than fifty thousand dollars but less than one hundred thousand dollars; and (5) three thousand two hundred fifty dollars if the total cost of remediation is less than fifty thousand dollars.

(p) Notwithstanding any other provision of this section, the fee for filing a Form II or Form IV for an establishment for which the commissioner has issued a written approval of a remediation under subsection (c) of section 22a-133x within three years of the date of the filing of the form shall be the total fee for a Form III specified in subsection (n) of this section and shall be due upon the filing of the Form II or Form IV.

(q) The requirements of this section shall not apply to a transfer of property to a municipality under the provisions of section 12-157.

Sec. 407. Section 22a-150 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Environmental Protection shall, by regulation, require registration of devices emitting x-rays used for diagnostic or

therapeutic purposes by or under the supervision of a person or persons licensed to practice medicine, surgery, chiropractic, natureopathy, dentistry, podiatry or veterinary medicine and surgery, as authorized by law. The commissioner shall charge a registration fee of one hundred **[**fifty**]** ninety dollars biennially for each such device, except that hospitals operated by the state or a municipality shall be exempt from payment of the fee.

Sec. 408. Section 22a-201c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after January 1, 2007, the Commissioner of Motor Vehicles shall charge a fee of five dollars, in addition to any other fees required for registration, for each new motor vehicle. Said fee may be identified as the "greenhouse gas reduction fee" on any registration form, or combined with the fee specified by subdivision (3) of subsection (k) of section 14-164c. All receipts from the payment of such fee shall be deposited into the **[**federal Clean Air Act account established pursuant to section 14-49b**]** General Fund.

(b) The **[**Commissioner of Environmental Protection may draw upon not more than sixty per cent of the funds deposited into said account pursuant to subsection (a) of this section to implement the requirements of section 22a-174, sections 22a-200a to 22a-200d, inclusive, and sections 22a-201a and 22a-201b, and the**]** Commissioner of Motor Vehicles may draw upon not more than forty per cent of the funds **[**deposited into said account**]** generated pursuant to subsection (a) of this section to implement the requirements of sections 22a-201a and 22a-201b.

Sec. 409. Section 22a-233a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Notwithstanding any other provision of the general statutes, any

cost of testing a resources recovery facility or any other activity eligible for payment **[**from the solid waste account established by section 22a-233**]** shall be paid from **[**said account**]** the General Fund and shall not be paid by the owner of the facility, provided such owner shall pay any cost associated with: (1) Continuous meteorological and emissions monitoring of the facility required pursuant to section 22a-193 including the proportionate share, as determined by the Commissioner of Environmental Protection, of the telemetry costs incurred by the Department of Environmental Protection, (2) testing conducted as part of a performance test required as a condition for the approval by the commissioner of any initial permit to operate including, but not limited to, stack testing of dioxin and furan emissions and residue testing, but not including ambient air and ambient environmental monitoring for dioxin, (3) testing conducted as part of a performance test in conjunction with any modification of a facility which requires the approval of the commissioner of a new or amended construction or operating permit, and (4) special testing necessary to demonstrate compliance with any permit issued for the facility if the commissioner has reason to believe that the facility does not comply with such permit.

Sec. 410. Section 22a-234a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Beginning on and after July 1, 1992, and ending on June 30, 1994, there shall be paid to the Commissioner of Revenue Services by the owner of any resources recovery facility or mixed municipal solid waste landfill forty cents per ton of solid waste processed at the facility or disposed of at the landfill. Beginning on June 30, 1994, to July 1, 1995, there shall be paid to the commissioner by such owner zero cents per ton of such solid waste.

(b) Each owner of a facility or landfill subject to the assessment as provided by this section shall submit a return quarterly to the

Commissioner of Revenue Services, applicable with respect to the calendar quarter beginning July 1, 1992, and each calendar quarter thereafter, ending on June 30, 1994, on or before the last day of the month immediately following the end of each such calendar quarter, on a form prescribed by the commissioner, together with payment of the quarterly assessment determined and payable in accordance with the provisions of subsection (a) of this section.

(c) Whenever such assessment is not paid when due, a penalty of ten per cent of the amount due or fifty dollars, whichever is greater, shall be added to the amount due and such penalty shall immediately accrue, and thereafter such assessment shall bear interest at the rate of one and one-half per cent per month until the same is paid. The Commissioner of Revenue Services shall cause copies of a form prescribed for submitting returns as required under this section to be distributed throughout the state. Failure to receive such form shall not be construed to relieve anyone subject to assessment under this section from the obligations of submitting a return, together with payment of such assessment within the time required.

(d) Any person or municipality delivering solid waste to a facility or landfill whose owner is subject to the assessment imposed by subsection (a) of this section shall reimburse the owner for any assessment paid for the solid waste delivered by such person or municipality. The assessment shall be a debt from the person or municipality responsible for paying such assessment to the owner.

[(e) Any revenue collected under the provisions of this section shall be deposited in the municipal solid waste recycling trust account established under section 22a-241.**]**

[(f)**]** (e) The provisions of sections 12-548 to 12-554, inclusive, and section 12-555a shall apply to the provisions of this section in the same manner and with the same force and effect as if the language of

sections 12-548 to 12-554, inclusive, and section 12-555a had been incorporated in full in this section, except to the extent that any such provision is inconsistent with a provision in this section and except that the term "tax" shall be read as "solid waste assessment".

Sec. 411. Section 22a-240a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Environmental Protection, in consultation with the Commissioner of Public Health, shall conduct a study of dioxin levels in the area of any existing or proposed resources recovery facilities and report the findings of any such study to the joint standing committee of the General Assembly having cognizance of matters relating to the environment and to the chief elected official of the town in which such facility is located. Any study shall include (1) measurement and evaluation of dioxin levels in the food chain, including cow's milk, and in soil, (2) appropriate environmental monitoring tests to determine dioxin levels both before and after the resources recovery facility has begun operating and (3) appropriate biological monitoring tests after operation. Any study may include appropriate biological monitoring tests before operation. The costs of such tests shall be paid from the **[**solid waste account in accordance with the provisions of sections 22a-233 and 22a-233a**]** General Fund. Any costs not paid **[**from said account**]** by the state shall be paid by the owner of the resources recovery facility.

(b) The commissioner shall reimburse the owner of a resources recovery facility for any costs incurred for preoperational ambient air or ambient environmental monitoring tests required under subsection (a) of this section. **[**Any reimbursement shall be from the solid waste account established by section 22a-233.**]**

Sec. 412. Section 22a-241 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) There shall be established a municipal solid waste recycling program. The Commissioner of Environmental Protection, in consultation and coordination with the advisory council established under subsection (c) of this section, shall develop a plan for such program. The plan shall (1) be consistent with the state-wide solid waste management plan adopted pursuant to section 22a-228, (2) give priority in all parts of the plan to regional approaches to the recycling of solid waste, (3) provide for grants **[**from the municipal solid waste recycling trust account established under subsection (d) of this section**]** to municipalities, regional organizations representing municipalities or agencies or political subdivisions of the state representing municipalities for purposes which may include but shall not be limited to (A) the acquisition or lease of land, easements, structures, machinery and equipment, for solid waste recycling facilities, (B) the planning, design, construction and improvement of solid waste recycling facilities, (C) the purchase or lease of collection equipment and materials for municipalities and homeowners to carry out municipal recycling programs and (D) the support and expansion of municipal solid waste recycling programs, (4) establish standards for municipalities which shall effect the maximum level of recycling and source separation, condition each grant to a municipality under subdivision (3) of this subsection on the adoption of such standards by the municipality and give priority in the making of such grants to municipalities which, on July 17, 1986, require residents and businesses to separate recyclables from solid waste, (5) provide for the development of intermediate centers for the processing of solid waste recyclables, giving priority to sites where waste-to-energy facilities are located or planned to be located, (6) provide for financial assistance from the municipal solid waste recycling trust account for the development of such centers and (7) review existing contracts entered into by municipalities for the delivery of solid waste to waste-to-energy facilities and provide financial incentives to such municipalities for the coordination of such contracts with the municipal solid waste

recycling program.

(b) The Commissioner of Environmental Protection, in consultation with such advisory council, shall submit the plan developed under subsection (a) of this section to the Governor and the General Assembly not later than January 1, 1987, and, if the General Assembly adopts a resolution approving such plan, the commissioner shall implement the municipal solid waste recycling program not later than April 1, 1987, in accordance with the provisions of such plan, and the commissioner shall adopt regulations in accordance with the provisions of chapter 54 to carry out the purposes of such program. In implementing such program the commissioner shall utilize private recycling markets to the extent feasible.

(c) There is established an advisory council to advise the Commissioner of Environmental Protection on implementation of the municipal solid waste recycling program. The advisory council may study any issue related to recycling, including composting and packaging. In any such study the advisory council may consult with persons with specific information related to the study. If it deems it appropriate, the advisory council shall recommend a list of materials that should be banned in the state. The advisory council shall consist of: The Secretary of the Office of Policy and Management, or his designee; the Commissioner of Economic and Community Development, or his designee; the Commissioner of Administrative Services, or his designee; the Commissioner of Transportation, or his designee; the chairman of the Connecticut Resources Recovery Authority, or his designee; one person appointed by the Connecticut Conference of Municipalities; one person appointed by the Council of Small Towns; one person representing a municipality having a population of not more than ten thousand to be appointed by the minority leader of the Senate, one person representing a municipality having a population of more than ten thousand but not more than fifty

thousand to be appointed by the minority leader of the House of Representatives, one person representing a municipality having a population of more than fifty thousand but not more than one hundred thousand to be appointed by the president pro tempore of the Senate, one person representing a municipality having a population of more than one hundred thousand to be appointed by the speaker of the House of Representatives; two members of the public, one of whom shall be appointed by the majority leader of the House of Representatives and one of whom shall be appointed by the majority leader of the Senate; two persons representing recycling industries, one of whom shall be appointed by the speaker of the House of Representatives and one by the minority leader of the House of Representatives; two persons representing the packaging industry, one of whom shall be appointed by the speaker of the House of Representatives and one of whom shall be appointed by the president pro tempore of the Senate; a trash hauler to be appointed by the speaker of the House of Representatives; one person representing an industry using recycled material, to be appointed by the president pro tempore of the Senate; one person representing an environmental organization to be appointed by the speaker of the House of Representatives; one person representing business and industry to be appointed by the minority leader of the House of Representatives, and a regional recycling coordinator to be appointed by the minority leader of the Senate, the cochairmen and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the environment and four members of the General Assembly to be appointed as follows: One by the speaker of the House of Representatives, one by the president pro tempore of the Senate, one by the minority leader of the House of Representatives and one by the majority leader of the House of Representatives. The members of the task force shall elect a chairman, who shall be one of the members appointed by the speaker of the House of Representatives or by the president pro tempore of the Senate.

[(d) There is established an account to be known as the "municipal solid waste recycling trust account". The municipal solid waste recycling trust account shall be an account of the Environmental Quality Fund. Notwithstanding any provision of the general statutes to the contrary, any moneys required by law to be deposited in the account shall be deposited in the Environmental Quality Fund and credited to the municipal solid waste recycling trust account. Any balance remaining in said account at the end of any fiscal year shall be carried forward in said account for the fiscal year next succeeding.

(e) The Commissioner of Environmental Protection may accept and receive on behalf of said account any available federal, state or private funds. Any such funds shall be deposited in the Environmental Quality Fund and credited to the municipal solid waste recycling account.

(f) The proceeds of said account shall be applied to the municipal solid waste recycling program established under subsection (a) of this section, provided (1) not more than fifty thousand dollars shall be allocated, for the fiscal year ending June 30, 1987, to the Commissioner of Environmental Protection for the implementation of such program; (2) not more than two hundred thousand dollars shall be allocated for the expenses of the advisory council established under subsection (c) of this section; (3) not more than eight hundred thousand dollars shall be annually allocated to the Department of Environmental Protection for costs incurred in the administration of such program; (4) not more than four hundred thousand dollars shall be allocated to the Commissioner of Environmental Protection as follows: One hundred fifty thousand dollars shall be expended for marketing studies and market development of recycled products, two hundred thousand dollars shall be expended for the study of reuse or recycling of ash from resources recovery facilities and fifty thousand dollars shall be expended for the study required pursuant to section 17 of public act

88-231*; (5) not more than fifty thousand dollars shall be allocated to the Department of Economic and Community Development for the fiscal year ending June 30, 1989, for development of a plan required under section 32-1e; and (6) not more than one million dollars shall be allocated to the Department of Environmental Protection for public education on waste reduction and for recovered materials market development, including but not limited to, costs incurred for recycled product promotion, technical assistance to recycling industries, recovered materials export assistance and for administrative costs. Funds allocated to the commissioner under subdivision (6) may be expended for any contract entered into pursuant to said subdivision (6) with the Commissioner of Economic and Community Development for development of the recovered materials market. Any funds deposited in the account pursuant to section 22a-234a which exceed the eight hundred thousand dollars allocated to the department under subdivision (3) of this subsection shall be distributed to municipalities, regional organizations representing municipalities, or agencies or political subdivisions of the state representing municipalities for competitive grants for recycling related purposes. Notwithstanding the provisions of this subsection, one million three hundred thousand dollars shall be allocated to the Department of Environmental Protection from the account for purposes of making a grant to the Southeast Connecticut Regional Resources Recovery Authority.**]**

Sec. 413. Section 22a-241h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Notwithstanding the provisions of the recycling strategy of the state-wide solid waste management plan adopted pursuant to section 22a-227, any single municipality, or any regional solid waste authority or regional solid waste operating committee comprised of at least five municipalities, may apply for and receive any funds made available by the Commissioner of Environmental Protection. **[**from the municipal

solid waste recycling trust account established under section 22a-241.**]** In making a grant under **[**said**]** section 22a-241, as amended by this act, to any such regional solid waste authority or regional solid waste operating committee, the commissioner shall develop a plan for the use of the grant in consultation with such authority or operating committee.

Sec. 414. Section 22a-256t of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any revenue collected under the provisions of sections 22a-256o and 22a-256q shall be deposited in the **[**municipal solid waste recycling trust account established under section 22a-241**]** General Fund.

Sec. 415. Section 22a-256cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any revenue collected under the provisions of section 22a-256aa shall be deposited in the **[**municipal solid waste recycling trust account established under section 22a-241**]** General Fund.

Sec. 416. Section 22a-342 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner shall establish, along any tidal or inland waterway or flood-prone area considered for stream clearance, channel improvement or any form of flood control or flood alleviation measure, lines beyond which, in the direction of the waterway or flood-prone area, no obstruction, encroachment or hindrance shall be placed by any person, and no such obstruction, encroachment or hindrance shall be maintained by any person unless authorized by said commissioner. The commissioner shall issue or deny permits upon applications for establishing such encroachments based upon his findings of the effect of such proposed encroachments upon the flood-carrying and water storage capacity of the waterways and flood plains,

flood heights, hazards to life and property, and the protection and preservation of the natural resources and ecosystems of the state, including but not limited to ground and surface water, animal, plant and aquatic life, nutrient exchange, and energy flow, with due consideration given to the results of similar encroachments constructed along the reach of waterway. Each application for a permit shall be accompanied by a fee as follows: (1) No change in grades and no construction of above-ground structures, **[**three hundred seventy-five**]** four hundred seventy dollars; (2) a change in grade and no construction of above-ground structures, **[**seven hundred fifty**]** nine hundred forty dollars; and (3) a change in grade and above-ground structures or buildings, **[**three thousand seven hundred fifty**]** four thousand dollars.

Sec. 417. Subsection (a) of section 22a-361 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person, firm or corporation, public, municipal or private, shall dredge, erect any structure, place any fill, obstruction or encroachment or carry out any work incidental thereto or retain or maintain any structure, dredging or fill, in the tidal, coastal or navigable waters of the state waterward of the high tide line until such person, firm or corporation has submitted an application and has secured from said commissioner a certificate or permit for such work and has agreed to carry out any conditions necessary to the implementation of such certificate or permit. Each application for a permit, except for an emergency authorization, for any structure, filling or dredging which uses or occupies less than five thousand five hundred square feet in water surface area based on the perimeters of the project shall be accompanied by a fee equal to eighty cents per square foot provided such fee shall not be less than **[**five hundred twenty-five**]** six hundred sixty dollars. Each application for a permit

for any structure, filling or dredging which uses or occupies five thousand five hundred square feet or more but less than five acres in water surface area based on the perimeters of the project shall be accompanied by a fee of three thousand **[**three hundred**]** five hundred fifty dollars plus ten cents per square foot for each square foot in excess of five thousand five hundred square feet. Each application for a permit for any structure, filling or dredging which uses or occupies five or more acres in water surface area based on the perimeters of the project shall be accompanied by a fee of nineteen thousand **[**two hundred twenty-three**]** four hundred seventy-five dollars plus five hundred twenty-five dollars per acre for each acre or part thereof in excess of five acres. Each application for a mooring area or multiple mooring facility, regardless of the area to be occupied by moorings, shall be accompanied by a fee of **[**five hundred twenty-five**]** six hundred sixty dollars provided that such mooring areas or facilities shall not include fixed or floating docks, slips or berths. Application fees for aquaculture activities shall not be based on areal extent. The commissioner may waive or reduce any fee payable to him for (1) a tidal wetlands or coastal resource restoration or enhancement activity, (2) experimental activities or demonstration projects, (3) nonprofit academic activities, or (4) public access activities in tidal, coastal or navigable waters, provided no fee shall be waived or reduced for activities required by statute, regulation, permit, order or enforcement action. As used in this section, "resource restoration or enhancement activity" means an action taken to return a wetland or coastal resource to a prior natural condition or to improve the natural functions or habitat value of such resource, but shall not include actions required pursuant to an enforcement action of the commissioner, and "public access activities" means activities whose principal purpose is to provide or increase access for the general public to tidal, coastal or navigable waters, including, but not limited to, boardwalks, boat ramps, observation areas and fishing piers.

Sec. 418. Section 22a-363c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each application for a certificate of permission, pursuant to section 22a-363b shall be accompanied by a fee of three hundred seventy-five dollars.

Sec. 419. Subsection (e) of section 22a-372 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(e) Each application for a permit shall be accompanied by a fee as follows: (1) Withdrawal for consumptive use of more than fifty thousand gallons but less than five hundred thousand gallons in any twenty-four-hour period, **[**one thousand eight hundred**]** two thousand fifty dollars; (2) five hundred thousand gallons or more but less than two million gallons in any twenty-four-hour period, **[**three thousand seven hundred fifty**]** four thousand dollars; (3) two million gallons or more in any twenty-four-hour period, six thousand two hundred fifty dollars; (4) for nonconsumptive uses where the tributary watershed area above the point of diversion is one-half square mile or smaller, **[**one thousand eight hundred**]** two thousand fifty dollars; (5) for nonconsumptive uses where the tributary watershed area above the point of diversion is larger than one-half square mile but smaller than two square miles, **[**three thousand seven hundred fifty**]** four thousand dollars; and (6) for nonconsumptive uses where the tributary watershed area above the point of diversion is two square miles or larger, six thousand two hundred fifty dollars.

Sec. 420. Section 22a-379 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each person or municipality holding a diversion permit authorizing a consumptive use of waters of the state shall pay an annual fee of

[seven hundred fifty**]** nine hundred forty dollars to the commissioner. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to prescribe the amount of the fees required pursuant to this section. Upon the adoption of such regulations, the fees required by this section shall be as prescribed in such regulations.

Sec. 421. Subsection (c) of section 22a-409 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) The commissioner shall periodically inspect dams registered pursuant to subsection (b) of this section. The fee for such inspection shall be **[**five hundred twenty-five**]** six hundred sixty dollars. Any dam which impounds less than three acre-feet of water or any dam which the commissioner finds has a potential for negligible damage in the event of a failure, after an initial inspection, shall be exempt from the provisions of this subsection except upon determination by the commissioner that such dam poses a unique hazard. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 establishing (1) a schedule for the frequency of inspection of dams, (2) the inspection fees for regularly scheduled inspections, sufficient to cover the reasonable cost of such inspections, (3) procedures for registration and criteria for waiver of registration and inspection fees, and (4) criteria for determining whether a dam has a potential for negligible damage in the event of a failure.

Sec. 422. Subsection (e) of section 22a-449 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

[(e) The fee for the inspection of each nonresidential underground storage facility which, pursuant to regulations adopted pursuant to this section, submits notification to the commissioner shall be one hundred dollars per tank, provided such fee may not be charged more

than once every five years.**]**

(e) On and after October 1, 2009, the fee for the inspection of each nonresidential underground storage facility which, pursuant to this section, submits notification to the commissioner shall be one hundred dollars per tank. Such notification shall be submitted annually on a form prescribed by the commissioner on or before October first and shall be accompanied by such fee. Such fee shall not apply to any of the following: A farm or residential tank of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes; a tank used for storing heating oil for consumptive use on the premises where stored; a septic tank; a pipeline facility; a surface impoundment; a stormwater or wastewater collection system; a flow-through process tank; a liquid trap or associated gathering lines directly related to oil or gas production and gathering operations; a storage tank situated in an underground area, including, but not limited to, a basement, cellar, mineworking drift, shaft or tunnel, if the storage tank is situated above the surface on the floor.

Sec. 423. Section 22a-449c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) There is established an **[**account to be known as the "underground storage tank petroleum clean-up account". The underground storage tank petroleum clean-up account shall be an account of the Environmental Quality Fund. Notwithstanding any provision of the general statutes to the contrary, any moneys collected shall be deposited in the Environmental Quality Fund and credited to the underground storage tank petroleum clean-up account. Any balance remaining in said account at the end of any fiscal year shall be carried forward in said account for the fiscal year next succeeding**]** underground storage tank petroleum clean-up program.

(2) The **[**account shall be used by the Commissioner of

Environmental Protection to] program shall provide money for reimbursement or payment pursuant to section 22a-449f, as amended by this act, within available appropriations, to responsible parties or parties supplying goods or services, for costs, expenses and other obligations paid or incurred, as the case may be, as a result of releases, and suspected releases, costs of investigation and remediation of releases and suspected releases, and for claims by a person other than a responsible party for bodily injury, property damage and damage to natural resources that have been finally adjudicated or settled with the prior written consent of the board. The commissioner may also make payment [from the account] to an assignee who is in the business of receiving assignments of amounts approved by the board, but not yet paid from the account, provided the party making any such assignment, using a form approved by the commissioner, directs the commissioner to pay such assignee, that no cost of any assignment shall be borne by the [account] state and that the state and its agencies shall not bear any liability with respect to any such assignment.

(3) Notwithstanding the provisions of this section regarding reimbursements of parties pursuant to section 22a-449f, as amended by this act, and regulations adopted pursuant to section 22a-449e, as amended by this act, and regardless of when an application for payment or reimbursement from the [account] program may have been submitted to the board, payment or reimbursement shall be made in accordance with the following: (A) After June 1, 2004, no payment or reimbursement shall be made for any costs, expenses and other obligations paid or incurred for remediation, including any monitoring to determine the effectiveness of the remediation, of a release to levels more stringent than or beyond those specified in the remediation standards established pursuant to section 22a-133k, except to the extent the applicant demonstrates that it has been directed otherwise, in writing, by the commissioner; (B) after June 1, 2005, no payment or reimbursement [from the account] shall be made to any person for

diminution in property value or interest, provided that reimbursement for interest accrued on attorneys' fees may be permitted if an application seeking interest accrued on attorneys' fees was submitted to the commissioner on or before March 31, 2003, and such application has been tabled by the board for three or more years; and (C) after June 1, 2005, no payment or reimbursement **[**from the account**]** shall be made for attorneys' fees or other costs of legal representation paid or incurred as a result of a release or suspected release (i) in excess of five thousand dollars to any responsible party, (ii) in excess of ten thousand dollars to any person other than a responsible party, and (iii) by a responsible party regarding the defense of claims brought by another person, except that applications for reimbursement filed on or before June 30, 2005, shall not be subject to the limitations for reimbursement imposed by clauses (i) and (ii) of this subparagraph. In addition, notwithstanding the provisions of this section regarding reimbursements of parties pursuant to section 22a-449f, as amended by this act, the responsible party shall bear all costs of the release that are less than ten thousand dollars and all persons shall bear all costs of the release that are more than one million dollars, except that for any such release which was reported to the department prior to December 31, 1987, and for which more than five hundred thousand dollars has been expended by the responsible party to remediate such release prior to June 19, 1991, the responsible party for the release shall bear all costs of such release which are less than ten thousand dollars or more than five million dollars, provided the portion of any reimbursement or payment in excess of three million dollars may, at the discretion of the commissioner, be made in annual payments for up to a five-year period. **[**There shall be allocated to the department annually, for administrative costs, two million dollars.**]**

[(b) There is established a subaccount within the underground storage tank petroleum clean-up account to be known as the "residential underground heating oil storage tank system clean-up

subaccount" to be used solely for the provision of reimbursements under sections 22a-449*l* and 22a-449n, for the remediation of contamination attributed to residential underground heating oil storage tank systems. The subaccount shall hold the proceeds of the bond funds allocated pursuant to section 51 of public act 00-167*.

(c) There is established a subaccount within the underground storage tank petroleum clean-up account to be known as the "pay for performance subaccount" with which the commissioner may implement a program, in consultation with the board, in which reimbursement or repayment in accordance with this section is based upon the achievement of environmental milestones or results. The commissioner, with the approval of the board, may enter into contracts to implement any such program.**]**

[(d)**]** (b) (1) If an initial application or request for payment or reimbursement is received by the board before July 1, 2005, no supplemental application or request for payment or reimbursement shall be submitted to the board on or after October 1, 2009, regarding costs, expenses or other obligations paid or incurred in response to the release or suspected release noted in any such initial application or request for payment or reimbursement. The provisions of this subdivision shall apply regardless of whether the cost, expense or other obligation was paid or incurred before October 1, 2009, and no reimbursement or payment from the account shall be ordered by the board or made by the commissioner regarding any such supplemental application or request for payment or reimbursement received by the board on or after the October 1, 2009, deadline established in this subdivision.

(2) If an initial application or request for payment or reimbursement is received by the board on or after July 1, 2005, no supplemental application or request for payment or reimbursement shall be submitted to the board more than five years after the date that the

initial application or request for payment or reimbursement was received by the board, regarding costs, expenses or other obligations paid or incurred in response to the release or suspected release noted in such initial application or request for payment or reimbursement. The provisions of this subdivision shall apply regardless of whether a cost, expense or other obligation was paid or incurred before the expiration of the five-year deadline established in this subdivision and no reimbursement or payment from the account shall be ordered by the board or made by the commissioner regarding any such supplemental application or request for payment or reimbursement received by the board after the five-year deadline established in this subdivision.

(3) Notwithstanding the provisions of subsection (i) of section 22a-449f, as amended by this act, if an application or request for payment or reimbursement is not brought before the board for a decision not later than six months after having been received by the board, then six months shall be added to the deadline applicable pursuant to subdivision (1) or (2) of this subsection, provided no more than two years shall be added to the deadline established pursuant to subdivision (1) or (2) of this subsection regardless of whether one or more applications or requests for payment or reimbursement have been received by the board but have not been brought before the board for a decision not later than six months after receipt. In addition, if the commissioner determines that an application or request for payment or reimbursement is ready for decision by the board and such application or request has been placed on the agenda for the meeting of the board, but cannot be brought before the board because the board is unable to meet or cannot act on such application or request, the deadlines established pursuant to subdivision (1) or (2) of this subsection shall also be extended only for that period that the board is unable to meet or is unable to act on such application or request.

(4) The provisions of this subsection shall not apply to annual groundwater remedial actions, including the preparation of a groundwater remedial action progress report, performed pursuant to subdivision (6) of section 22a-449p, as amended by this act. Notwithstanding the provisions of this subsection, the board may continue to receive applications or requests for payment or reimbursement and provided all other requirements have been met, may order payment or reimbursement from the account for such activities.

[(e)**]** (c) (1) Any person who has insurance, or a contract or other agreement to provide payment or reimbursement for any costs, expense or other obligation paid or incurred in response to a release or suspected release may submit an application or request seeking payment or reimbursement from the account to the board, provided any such application or request for payment or reimbursement shall be subject to all applicable requirements, including, but not limited to, subdivision (7) of subsection (c) of section 22a-449f, as amended by this act.

(2) Any person who at any time receives or expects to receive payment or reimbursement from any source other than the **[**account**]** program for any cost, expense, obligation, damage or injury for which such person has received or has applied for payment or reimbursement from the **[**account**]** program, shall notify the board, in writing, of such supplemental or expected payment and shall, not more than thirty days after receiving such supplemental payment, repay the **[**underground storage tank petroleum clean-up account**]** program all such amounts received from any other source.

(3) If the board determines that a person is seeking or has sought payment or reimbursement for any cost, expense, obligation, damage or injury from the **[**account**]** program and that payment or reimbursement for any such cost, expense, obligation, damage or

injury is actually or potentially available to any such person from any source other than the **[**account**]** program, the board may impose any conditions it deems reasonable regarding any amount it orders to be paid from the **[**account**]** program.

Sec. 424. Section 22a-449d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) There is established an Underground Storage Tank Petroleum Clean-Up **[**Account**]** Review Board. Upon application for reimbursement or payment pursuant to section 22a-449f, as amended by this act, the board shall determine, based on the provisions of sections 22a-449a to 22a-449i, inclusive, as amended by this act, and all regulations adopted pursuant to said sections 22a-449a to 22a-449i, inclusive, whether or not to order payment or reimbursement from the **[**account**]** program. The board shall have the authority to order payment **[**from the residential underground heating oil storage tank system clean-up subaccount**]** within available resources to registered contractors pursuant to section 22a-449*l*, as amended by this act, or to owners pursuant to section 22a-449n, as amended by this act, for reasonable costs associated with the remediation of a residential underground heating oil storage tank system based on the guidelines established pursuant to subsection (c) of this section; hold hearings, administer oaths, subpoena witnesses and documents through its chairperson when authorized by the board; designate an agent to perform such duties of the board as it deems necessary except the duty to render a final decision to order reimbursement or payment from the account; and provide by notice, printed on any form, that any false statement made thereof or pursuant thereto is punishable pursuant to section 53a-157b.

(b) The board shall consist of the Commissioners of Environmental Protection and Revenue Services, the Secretary of the Office of Policy and Management and the State Fire Marshal, or their designees; one

member representing the Connecticut Petroleum Council, appointed by the speaker of the House of Representatives; one member representing the Service Station Dealers Association, appointed by the majority leader of the Senate; one member of the public, appointed by the majority leader of the House of Representatives; one member representing the Independent Connecticut Petroleum Association, appointed by the president pro tempore of the Senate; one member representing the Gasoline and Automotive Service Dealers of America, Inc., appointed by the minority leader of the House of Representatives; one member representing a municipality with a population greater than one hundred thousand, appointed by the Governor; one member representing a municipality with a population of less than one hundred thousand, appointed by the minority leader of the Senate; one member representing a small manufacturing company which employs fewer than seventy-five persons, appointed by the speaker of the House of Representatives; one member experienced in the delivery, installation, and removal of residential underground petroleum storage tanks and remediation of contamination from such tanks, appointed by the president pro tempore of the Senate; and one member who is an environmental professional licensed under section 22a-133v, as amended by this act, and is experienced in investigating and remediating contamination attributable to underground petroleum storage tanks, appointed by the Governor. The board shall annually elect one of its members to serve as chairperson.

(c) Not later than July 1, 2000, the board shall establish guidelines for determining what costs are reasonable for payment under sections 22a-449*l*, as amended by this act, and 22a-449n, as amended by this act, and shall establish requirements for financial assurance, training and performance standards for registered contractors, as defined in said sections 22a-449*l* and 22a-449n. The board shall make payment pursuant to section 22a-449n, as amended by this act, to the owner at a rate not to exceed one hundred fifty-seven dollars per ton of

contaminated soil removed which shall be considered as full payment for all eligible costs for remediation. For any claim filed pursuant to section 22a-449n, as amended by this act, where no contaminated soil is removed the board shall reimburse eligible costs in accordance with the guidelines pursuant to this section.

(d) To the extent that funds are available, [in the residential underground heating oil storage tank system clean-up subaccount,] the board may order payment [from such subaccount] to registered contractors for reimbursement of eligible costs for services associated with the remediation of a residential underground heating oil storage tank system prior to July 1, 2001, to owners of such systems for payment for eligible costs incurred after July 1, 2001. No such payment shall be authorized unless the board deems the costs reasonable based on the guidelines established pursuant to subsection (c) of this section. Notwithstanding the provisions of this subsection, if the board determines that the owner may not receive reimbursement payment from the contractor, the board may, if reimbursement has not been sent to the contractor, directly reimburse the owner of such system for eligible costs incurred by the owner and paid to the registered contractor for services associated with a remediation of a system prior to July 1, 2001.

Sec. 425. Subsections (a) and (b) of section 22a-449e of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Environmental Protection, after consultation with the members of the board established by section 22a-449d, as amended by this act, shall adopt regulations in accordance with the provisions of chapter 54 setting forth procedures for reimbursement and payment from the [account] program established under section 22a-449c, as amended by this act. Such regulations shall include such provisions as the commissioner deems necessary to carry

out the purposes of sections 22a-449a to 22a-449h, inclusive, as amended by this act, including, but not limited to, provisions for (1) notification of eligible parties of the existence of the account; (2) records required for submission of claims and reimbursement and payment; (3) periodic and partial reimbursement and payment to enable responsible parties to meet interim costs, expenses and obligations; and (4) reimbursement and payment for costs, expenses and obligations incurred in connection with releases or suspected releases discovered before or after July 5, 1989, provided reimbursement and payment shall not be made for costs, expenses and obligations incurred by a responsible party on or before said date.

(b) (1) The commissioner, in accordance with the procedures set forth in subdivision (2) of this subsection, may prescribe a schedule for the maximum or range of amounts to be paid **[**from the account**]** for labor, equipment, materials, services or other costs, expenses or obligations paid or incurred as a result of a release or suspected release. Such schedule shall not be a regulation, as defined in section 4-166 and the adoption, modification, repeal or use of such schedule shall not be subject to the provisions of chapter 54 concerning a regulation. The amounts in any such schedule may be less than and shall be not more than the usual, customary and reasonable amounts charged, as determined by the commissioner. Notwithstanding the provisions of sections 22a-449a to 22a-449j, inclusive, as amended by this act, or any regulation adopted by the commissioner pursuant to this section, upon adoption of any such schedule, the amount to be paid **[**from the account**]** for any labor, equipment, materials, services or other costs, expenses or other obligations, shall not exceed the amount established in any such schedule and such schedule may serve as guidance with respect to any costs, expenses or other obligations paid or incurred before the adoption of such schedule.

(2) The commissioner shall adopt, revise or revoke the schedule in

accordance with the provisions of this subsection. After consultation with the board, the commissioner shall publish notice of intent to adopt, revise or revoke the schedule, or any portion thereof, in a newspaper having substantial circulation in the affected area. There shall be a comment period of thirty days following publication of such notice during which interested persons may submit written comments to the commissioner. The commissioner shall publish notice of the adoption, revision or revocation of the schedule, or part thereof, in a newspaper having substantial circulation in the affected area. The commissioner shall, upon request, review the schedule and shall make any revisions the commissioner deems necessary to such schedule once every two years or may do so more frequently as the commissioner deems necessary. The commissioner, after consultation with the board, may revise or revoke the schedule, in whole or in part, using the procedures specified in this subsection. Any person may request that the commissioner adopt, revise or revoke the schedule in accordance with this subsection.

Sec. 426. Section 22a-449f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) A responsible party may apply to the Underground Storage Tank Petroleum Clean-Up **[**Account**]** Review Board established under section 22a-449d, <u>as amended by this act,</u> for reimbursement for costs paid and payment of costs incurred as a result of a release, or a suspected release, including costs of investigating and remediating a release, or a suspected release, incurred or paid by such party who is determined not to have been liable for any such release. If a person other than a responsible party, claims to have suffered bodily injury, property damage or damage to natural resources from a release, the person with such claim shall make reasonable attempts to provide written notice to the responsible party of such claim and if such person cannot provide such notice or if the responsible party does not apply

to the board for payment of such claim not later than sixty days after receipt of such notice or such other time as may be agreed to by the parties, the person holding such claim may apply to the board for payment for such damage or bodily injury.

(b) (1) In addition to all other applicable requirements, a person seeking payment or reimbursement from the account shall demonstrate that when the total costs, expenses or other obligations in response to a release or suspected release (A) are two hundred fifty thousand dollars or less, all labor, equipment and materials provided after October 1, 2005, and all services and activities undertaken after October 1, 2005, are approved, in writing, either by the commissioner or by a licensed environmental professional with a currently valid and effective license issued pursuant to section 22a-133v, as amended by this act; and (B) exceed two hundred fifty thousand dollars, all labor, equipment and materials provided after October 1, 2005, and all services and activities undertaken after October 1, 2005, are approved, in writing, by the commissioner, provided the commissioner may authorize, in writing, a licensed environmental professional with a currently valid and effective license issued pursuant to section 22a-133v, as amended by this act, to approve, in writing, such labor, equipment, materials, services and activities, in lieu of the commissioner. The provisions of this subsection shall apply to all costs, expenses or other obligations for which a person is seeking payment or reimbursement from the account and the board shall not order and the commissioner shall not make payment or reimbursement from the account for any cost, expense or other obligation, unless the person seeking such payment or reimbursement provides the written approval required by this subdivision. Any written approval provided by a licensed environmental professional pursuant to this subdivision shall be submitted with the application for payment or reimbursement. Any written approval provided by the commissioner pursuant to this subdivision shall not constitute an approval pursuant to any other

provision of the general statutes or any regulation and shall be presented to the board prior to the board making a decision regarding the application that such approval concerns.

(2) The fees charged by a licensed environmental professional regarding labor or services rendered in response to a release or suspected release may be included in any application or request for payment or reimbursement submitted to the board. The amount to be paid or reimbursed **[**from the account**]** for such fees may also be established in the schedule adopted by the commissioner pursuant to subsection (b) of section 22a-449e, as amended by this act.

(3) Providing it is true and accurate, a licensed environmental professional shall submit the following certification regarding any approval provided under subdivision (1) of this subsection and section 22a-449p, as amended by this act: "I hereby agree that all of the labor, equipment, materials, services, and activities described in or covered by this certification were appropriate under the circumstances to abate an emergency or were performed as part of a plan specifically designed to ensure that the release or suspected release is or has been investigated in accordance with prevailing standards and guidelines and remediated consistent with and to achieve compliance with the remediation standards adopted under section 22a-133k of the general statutes.".

(c) The board shall order reimbursement or payment **[**from the account**]** for any cost paid or incurred, as the case may be, if, (1) such cost is or was incurred after July 5, 1989, (2) a responsible party was or would have been required to demonstrate financial responsibility under 40 CFR Part 280.90 et seq. as said regulation was published in the Federal Register of October 26, 1988, for the underground storage tank or underground storage tank system from which the release emanated, whether or not such party is required to comply with said requirements on the date any such cost is incurred, provided if the

state is the responsible party, the board may order payment, [from the account] within available resources, without regard to whether the state was or would have been required to demonstrate financial responsibility under said sections 40 CFR Part 280.90 et seq., (3) after the release, if any, the responsible party incurred a cost, expense or obligation for investigation, cleanup or for claims of a person other than a responsible party resulting from the release, provided any such claim shall be required to be finally adjudicated or settled with the prior written approval of the board before an application for reimbursement or payment is made, (4) the board determines that the cost, expense or other obligation is reasonable and that there are not grounds for recovery specified in subdivision (1) or (3) of subsection (g) of this section, (5) the responsible party notified the board, as soon as practicable, of the release and of any other claim by a person other than a responsible party, resulting from the release, in accordance with the regulations adopted pursuant to section 22a-449e, as amended by this act, (6) the responsible party, or, if a person other than a responsible party applies for payment or reimbursement from the account, then such person demonstrates the remediation, including any monitoring to determine the effectiveness of the remediation, for which payment or reimbursement is sought is not more stringent than that required by the remediation standards established pursuant to section 22a-133k, except to the extent the responsible party or such person demonstrates that it has been directed otherwise, in writing, by the commissioner, (7) the responsible party, or, if a person other than a responsible party applies for payment or reimbursement, [from the account,] then such person demonstrates that it does not have insurance, or a contract or other agreement to provide payment or reimbursement for any cost, expense or other obligation incurred in response to a release or suspected release, or if there is any such insurance, contract or other agreement, that any insurance coverage has been denied or is insufficient to cover the costs, expenses or other obligations, paid or incurred or that any contract or other agreement is

not able to or is insufficient to cover the costs, expenses or other obligations, paid or incurred, for which payment or reimbursement is sought, [from the account,] (8) the responsible party demonstrates and the board determines that one of the milestones noted in section 22a-449p, as amended by this act, has been completed, (9) the board determines what, if any, reductions to the amounts sought [from the account] should be made based upon the compliance evaluations performed pursuant to subsection (d) of this section, and (10) at the time any application or request for payment or reimbursement, including any supplemental application or request, is submitted to the board, (A) for applications filed with the underground storage tank petroleum clean-up [account] review board on or after October 1, 2007, there is no underground storage tank system subject to the financial responsibility demonstration required in subdivision (2) of this subsection dispensing petroleum on the property where the release or suspected release emanated or occurred, and if the application is submitted by the person who owns or operates or who owned or operated the underground storage tank system at the time of the release, such person demonstrates, in addition to all other applicable requirements, that lack of compliance with provisions of the general statutes and regulations governing underground storage tank systems was not a proximate cause of the release or suspected release and that there are not grounds for recovery specified in subdivision (2) of subsection (g) of this section, or (B) for applications filed with the [underground storage tank petroleum clean-up account] Underground Storage Tank Petroleum Clean-Up Review Board prior to October 1, 2007, there is no underground storage tank system dispensing petroleum on the property where the release or suspected release emanated or occurred, and if the application is submitted by the person who owns or operates or who owned or operated the underground storage tank system at the time of the release, such person demonstrates, in addition to all other applicable requirements, that lack of compliance with provisions of the general statutes and

regulations governing underground storage tank systems was not a proximate cause of the release or suspected release and that there are not grounds for recovery specified in subdivision (2) of subsection (g) of this section. Subdivision (10) of this subsection shall not apply to any application filed with the underground storage tank petroleum clean-up account concerning a release of an underground storage tank system that was reported to the Commissioner of Environmental Protection in September, 2003 where such system was owned or operated by a municipality or other political subdivision of the state at the time of the release and such system was removed on or before April 1, 2005. In acting on an application or a request for payment or reimbursement, the board, using funds from the account, may contract with experts, including, but not limited to, attorneys and medical professionals, to better evaluate and defend against claims and negotiate claims by persons other than responsible parties. The costs of the board for experts shall not be charged to the amount allocated to the Department of Environmental Protection pursuant to section 22a-449c, as amended by this act. If a person other than a responsible party applies to the board claiming to have suffered bodily injury, property damage or damage to natural resources, the board shall order reimbursement or payment **[**from the account**]** if such person demonstrates that subdivisions (1), (2), (6) and (7) of this subsection are satisfied, the board determines that as a result of a release or suspected release such person has suffered bodily injury, property damage or damage to natural resources, that the costs, expenses or other obligations incurred are reasonable and the person submitting such claim demonstrates that it has attempted to or has provided written notice of its claim to the responsible party as required in subsection (a) of this section and that the responsible party has not applied to the board for payment or reimbursement of this claim. On or before June 30, 2005, if the board denied reimbursement or provided for only partial payment or reimbursement from the account regarding a release, pursuant to subdivision (4) of this subsection, such denial or

partial payment or reimbursement shall remain in effect and shall apply to all subsequent applications or requests for payment or reimbursement regarding such release.

(d) (1) Except as provided in this subsection, if at the time any application or request for payment or reimbursement is submitted to the board, including any supplemental application or request, there is an underground storage tank system dispensing petroleum on the property where the release or suspected release emanated or occurred, such application or request shall not be deemed complete and shall not be acted upon by the board unless such application or request includes a summary of the compliance status of all the underground storage tank systems on the subject property. Any such summary shall include an evaluation of compliance with the design, construction, installation, notification, general operating, release detecting, system upgrading, abandonment and removal date requirements of the regulations adopted pursuant to sections 22a-449, as amended by this act, and 22a-449o, as amended by this act, and shall be prepared by an independent consultant on a form prescribed by or acceptable to the commissioner. The summary shall be based on an evaluation of said underground storage tank systems performed not more than one hundred eighty days before the board receives an application or a request for reimbursement or payment, except that with respect to any provision of the subject regulations regarding record keeping, periodic monitoring or testing, the summary shall be based on an evaluation of a one-year period terminating within one hundred eighty days prior to the board's receipt of an application or a request for payment or reimbursement. The summary shall also include a full description of all corrective measures that have been taken or that are being taken with regard to any noncompliance identified in the compliance evaluation performed pursuant to this subdivision.

(2) With respect to any initial application or request for payment or

reimbursement regarding a release or suspected release the provisions of subdivision (1) of this subsection shall apply only to applications or requests received on or after January 1, 2006. With respect to any supplemental application or request for payment or reimbursement regarding a release or suspected release, the provisions of subdivision (1) of this subsection shall apply to each application or request submitted to the board on or after January 1, 2006, regardless of when the initial application or request was submitted, except that submission of a compliance summary shall not be required if at the time a supplemental application or request is submitted, less than one year has passed since the performance of a compliance evaluation submitted with any prior application or request.

(3) The cost of hiring an independent consultant to perform a compliance evaluation, as required by this subsection, shall be eligible for payment or reimbursement **[**from the account**]** up to a maximum of one thousand dollars per compliance evaluation, provided the evaluation is in conformance with the requirements of this subsection and includes all underground storage tank systems on the property where a release or suspected release emanated or occurred. If the schedule adopted by the commissioner pursuant to subsection (b) of section 22a-449e, as amended by this act, includes an amount for performing a compliance evaluation, upon adoption of any such schedule, the amount eligible for payment or reimbursement for performing a compliance evaluation shall be the amount prescribed in any such schedule.

(4) Nothing in this subsection shall affect the continued applicability of any decision of the board to (A) deny reimbursement or payment, **[**from the account,**]** or (B) provide only partial payment or reimbursement regarding all applications or requests for payment or reimbursement. **[**from the account.**]** Any such decision shall remain in effect and shall not be subject to reconsideration or reevaluation as a

result of this subsection.

(5) Except as provided for in this subdivision, if at the time any application or request for payment or reimbursement, including any supplemental application or request, is submitted, there is no underground storage tank system dispensing petroleum on the property where the release or suspected release emanated or occurred, any such application or request shall be subject to the provisions of subdivision (10) of subsection (c) of this section, even where a prior application or request was subject to the provisions of this subsection. The provisions of this subdivision shall not apply to an application or request for payment or reimbursement for annual groundwater remedial actions, including the preparation of a groundwater remedial action progress report, performed pursuant to subdivision (6) of section 22a-449p, as amended by this act.

(e) (1) If the compliance evaluation summary performed pursuant to subsection (d) of this section indicates that any of the violations noted in this subdivision exist with respect to any underground storage tank or underground storage tank system on the property at which a release or suspected release occurred and any such violations have not been fully corrected by the time an application or request for reimbursement is submitted to the board, the board shall reduce any payment or amount to be reimbursed as follows: (A) A one hundred per cent reduction of the payment or amount to be reimbursed for failure to meet the tank or piping construction requirements of section 22a-449o, as amended by this act, or the regulations adopted pursuant to section 22a-449, as amended by this act, or for failure to report the release to the commissioner as required by this section, (B) a seventy-five per cent reduction of the payment or amount to be reimbursed for failure to have properly functioning cathodic protection, spill prevention, overfill prevention, or release detection as required by the regulations adopted pursuant to section 22a-449, as amended by this act.

Notwithstanding the provisions of this subsection, the board may reduce any amount to be paid or reimbursed based on any other violation of the provisions of the general statutes or regulations of Connecticut state agencies regarding ownership or operation of an underground storage tank system.

(2) Nothing in this subsection and no determination by the board of any issue of fact or law shall affect the authority of the commissioner under any other statute or regulations, including, but not limited to, taking any enforcement action based upon the violations identified in any compliance evaluation performed pursuant to subsection (d) of this section.

(f) (1) For all work or services performed or materials provided before October 1, 2004, the board shall not order payment or reimbursement **[**from the account**]** for any cost paid or incurred, unless when seeking payment or reimbursement, the application or any submission regarding work, services or materials that have been pre-authorized by the board is received by the board on or before April 1, 2005.

(2) For purposes of this subsection, work or services shall be deemed rendered or performed on the date such work is rendered or performed and a material shall be deemed provided on the date a material is made available for use.

(3) After June 30, 2005, the board shall not order payment or reimbursement **[**from the account**]** for any cost, expense or other obligation, paid or incurred, unless the application or request for payment or reimbursement is received by the board not later than one year after the completion of all or substantially all of the work or activities necessary to prepare the plan or report required by the milestones set forth in section 22a-449p<u>, as amended by this act</u>.

(g) The Attorney General, upon the request of the board or the commissioner, may institute an action in the superior court for the judicial district of Hartford to recover the amounts specified in this section from any person who owns or operates an underground storage tank system at the time a release emanates or occurs from such system or any person who owns the real property on which a release emanates or occurs, provided such person owned the real property at or any time after the release emanates or occurs until the time that a final remediation action report is submitted by a licensed environmental professional or approved by the commissioner pursuant to subdivision (7) of section 22a-449p, as amended by this act, if: (1) Prior to the occurrence of the release, the underground storage tank or underground storage tank system from which the release emanated was required by regulations adopted under section 22a-449, as amended by this act, to be the subject of an Underground Storage Facility Notification Form, or EPHM-6 but the person who owns or operates or who owned or operated such tank or tank system knowingly and intentionally failed to submit such notification form to the commissioner; (2) the release results from a reckless, wilful, wanton or intentional act or omission of such person or a negligent act or omission of such person that constitutes noncompliance with the general statutes or regulations governing the installation, operation and maintenance of underground storage tanks; or (3) the release occurs from an underground storage tank or system which is not in compliance with a final order issued by the commissioner pursuant to this chapter or a final judgment issued by a court concerning noncompliance with a requirement of this chapter; or (4) payment has been made, **[**from the account,**]** including payment to the commissioner pursuant to subsection (i) of this section, to a person other than a person against whom an action may be brought pursuant to this subsection. All costs to the state relating to actions to recover such payments, including, but not limited to, reasonable attorneys' fees, shall initially be paid **[**from the underground storage tank

petroleum clean-up account**]** within available resources. In any recovery the board or the commissioner is entitled to recover from such person (A) all payments made **[**from the account**]** with respect to a release or suspected release, (B) all payments made by the commissioner pursuant to subsection (i) of this section with respect to a release or suspected release, (C) interest on such payments at a rate of ten per cent per year from the date such payments were made, and (D) all costs of the state relating to actions to recover such payments, including, but not limited to, reasonable attorneys' fees. All actions brought pursuant to this section shall have precedence in the order of trial, as provided in section 52-191. If the Attorney General has filed an action against a person seeking recovery of the amounts specified in this subsection or if the commissioner sends a person a demand letter regarding costs incurred by the state pursuant to section 22a-451, as amended by this act, any such person against whom an action has been brought or who receives a demand letter shall not submit an application or request for payment or reimbursement to the board seeking payment or reimbursement of any such amount sought by the Attorney General or by the commissioner. If any such application or request for payment or reimbursement is submitted, the board shall not take any action regarding any such application or request.

(h) The board shall render its decision not more than ninety days after receipt of an application from a person, provided, in the case of a second or subsequent application, the board shall render its decision not more than forty-five days after receipt of such application. A copy of the decision shall be sent to the commissioner and the person seeking payment or reimbursement by certified mail, return receipt requested. The commissioner or any person aggrieved by the decision of the board may, within twenty days from the date of issuance of such decision, request a hearing before the board in accordance with the provisions of chapter 54. After such hearing, the board shall consider the information submitted to it and affirm or modify its decision on the

application. A copy of the affirmed or modified decision shall be sent to all parties to the hearing by certified mail, return receipt requested. Once the board renders a decision regarding an application or request for payment or reimbursement and no hearing has been requested pursuant to this subsection regarding any such decision, the costs, expenses or other obligations addressed by any such decision shall not be resubmitted in any other application or request.

(i) Whenever the commissioner determines that as a result of a release, as defined in section 22a-449a, or a suspected release, a clean-up is necessary, including, but not limited to, actions to prevent or abate pollution or a potential source of pollution and to provide potable drinking water, the commissioner may undertake such actions using not more than one million dollars, **[**from the underground storage tank petroleum clean-up account,**]** within available resources, for each release or suspected release from an underground storage tank or an underground storage tank system for which the responsible party is the state or for which a responsible party was or would have been required to demonstrate financial responsibility under 40 CFR Part 280.90 et seq., as said regulation was published in the Federal Register of October 26, 1988.

(j) (1) If through an initial application or request for payment or reimbursement received by the board before June 1, 2005, the board has determined that a person has paid or incurred costs, expenses or other obligations that are eligible for payment or reimbursement, **[**from the account,**]** with respect to any supplemental application or request for payment or reimbursement the following shall apply. The commissioner may identify a category of activities, costs, expenses, or other obligations that are less than one hundred thousand dollars for which, in lieu of full payment, the board may approve a percentage of the costs, expenses or other obligations paid or incurred. In making any such recommendation to the board, the commissioner shall

consider the amounts previously paid from the account and any other information the commissioner deems relevant. Any such percentage shall be not more than, but may be less than, ninety per cent of the average amount, as determined by the commissioner, previously paid from the account for any activity, cost, expense or obligation. The board shall approve or disapprove, but shall not modify, payment of the percentage recommended by the commissioner pursuant to this subdivision. The commissioner may, using the procedures specified in this subdivision, recommend changes to any percentage previously approved by the board under this subdivision.

(2) If the board approves payment of the percentage recommended by the commissioner, a person with a supplemental application or request for payment or reimbursement may agree to accept the percentage payment approved by the board. Any such acceptance shall be in writing, signed by the person seeking payment or reimbursement and shall acknowledge that the person is agreeing to accept less than the full amount sought by such person for the costs, expenses or other obligations covered by such acceptance. If the commissioner has prescribed forms, any such acceptance shall be made using the forms prescribed by the commissioner. Once a completed written acceptance is received, the board shall, not later than ninety days after receiving such acceptance, determine whether to order payment or reimbursement from the account. Any such determination by the board shall be limited to whether the costs, expenses or other obligations are within those for which the board has approved payment pursuant to subdivision (1) of this subsection.

(3) Any amount ordered to be paid or reimbursed by the board shall be considered full payment for any such activity, expense or other obligation and a person shall not seek any additional reimbursement **[**from the account**]** for any such activity, expense or other obligation. The categories or activities for which the commissioner recommends

payment of a percentage pursuant to this subsection may constitute all or a portion of the amounts sought in a supplemental application or supplemental request for payment or reimbursement.

(k) Notification to the commissioner pursuant to regulations adopted pursuant to section 22a-449, as amended by this act, shall constitute compliance with any regulation adopted pursuant to section 22a-449e, as amended by this act, regarding notification to the board of a release.

Sec. 427. Section 22a-449k of the general statutes, as amended by section 2 of public act 09-122, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall remove or replace or subcontract for the removal or replacement of a residential underground heating oil storage tank system if the person finds such removal or replacement will involve remediation of contaminated soil or groundwater, **[**the costs of which are to be paid out of the residential underground heating oil storage tank system clean-up subaccount established pursuant to subsection (b) of section 22a-449c,**]** unless the person is a registered contractor. To become a registered contractor, a person shall provide to the Commissioner of Environmental Protection, on forms prescribed by said commissioner, (1) evidence of financial assurance in the form of liability insurance coverage or liquid company assets in an amount not less than one million dollars, and (2) a written statement certifying that such person has had any training required by law for such business and that such person has (A) performed no fewer than three residential underground petroleum storage tank system removals, or (B) has contracted for at least three removals of residential underground petroleum storage tank systems. Such person shall pay a registration fee of **[**seven hundred fifty**]** nine hundred forty dollars to the commissioner. Each contractor holding a valid registration on July first shall, not later than August first of that year, pay a renewal fee to the

commissioner of **[**three hundred seventy-five**]** four hundred seventy dollars in order to maintain such registration. Any money collected for registration pursuant to this section shall be deposited in the **[**Environmental Quality**]** General Fund. The commissioner may revoke a registration for cause and, on and after the date the review board establishes requirements for financial assurance, training and performance standards under subsection (c) of section 22a-449d, as amended by this act, may reject any application for registration that does not meet such requirements.

Sec. 428. Section 22a-449*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "registered contractor" means a person registered with the Commissioner of Environmental Protection pursuant to section 22a-449k, as amended by this act.

(b) Prior to July 1, 2001, if, in the course of removing or replacing a residential underground heating oil storage tank system, a registered contractor finds that there has been a spill, as defined in section 22a-452c, attributable to such system and such contractor estimates that the remediation of such spill is likely to cost more than five thousand dollars, such contractor shall immediately notify the Department of Environmental Protection regarding such spill. If, after the contractor's initial estimate, the contractor subsequently determines that such cost will exceed five thousand dollars, the contractor shall upon that determination notify the Department of Environmental Protection. The department may assess the spill and confirm that the remediation proposed by the contractor is appropriate and necessary, or may authorize an environmental professional licensed under section 22a-133v, as amended by this act, to assess the spill and make such confirmation. Any such remediation shall be subject to approval by the department, except that the department may authorize an environmental professional licensed under section 22a-133v, as

amended by this act, to make a recommendation regarding such approval. If a registered contractor estimates that the remediation of such spill is likely to cost more than ten thousand dollars, the commissioner or any agent of the commissioner or an environmental professional licensed under said section 22a-133v contracted by the department shall inspect the site and confirm that such remediation is reasonable. The costs of such an inspection shall be eligible for payment [under the residential underground heating oil storage tank system clean-up subaccount established under subsection (b) of section 22a-449c] within available resources.

(c) (1) In order to receive reimbursement of eligible costs for services commenced after July 1, 1999, and prior to July 1, 2001, a registered contractor shall on or before December 1, 2001, submit to the Underground Storage Tank Petroleum Clean-Up [Account] Review Board established under section 22a-449d for a disbursement from [the residential underground heating oil storage tank system clean-up subaccount] available resources, all reasonable costs for work commenced prior to July 1, 2001, pursuant to a contract with the owner or the state for the remediation of a residential underground heating oil storage tank system for the purpose of providing payment for the costs of such remediation. An owner of a residential underground heating oil storage tank system shall not be responsible to the registered contractor or any subcontractor of the registered contractor for any costs that are eligible for payment from the residential underground heating oil storage tank system clean-up [subaccount] program over five hundred dollars. The registered contractor or any subcontractor shall not bill the owner for any costs eligible for payment from said [subaccount] program over five hundred dollars unless the contractor or subcontractor enters into a separate written contract with the owner, on a form prescribed by the commissioner, authorizing the contractor or subcontractor to bill the owner more than five hundred dollars and such separate contract gives the owner the

right to cancel such contract up to three days after entering into it. Such owner shall provide to the review board a statement confirming the registered contractor has been engaged by such owner to remove or to replace such residential underground heating oil storage tank system and perform the remediation and shall execute an instrument which provides for payment to said account of any amounts realized by the owner, after any costs of litigation or attorney's fees have been paid, from a judgment or settlement regarding any claim for the costs of such remediation made against an insurance policy or any party. In any service contract entered into between a registered contractor and an owner for the remediation of a residential underground heating oil storage tank system, the registered contractor shall clearly identify all costs, including markup costs, that are not or may not be eligible for payment **[**from**]** under said **[**subaccount**]** program.

(2) The registered contractor shall submit documentation, satisfactory to the review board, of any costs associated with such remediation. The review board may deny remediation costs of the registered contractor that the review board determines are unreasonable based on the guidelines established pursuant to subsection (c) of section 22a-449d, as amended by this act, on and after the date the review board establishes such guidelines, and may deny remediation costs (A) in excess of five thousand dollars if the Department of Environmental Protection was not notified in accordance with the provisions of subsection (b) of this section, and (B) in excess of ten thousand dollars if the site was not inspected in accordance with the provisions of subsection (b) of this section. The review board shall deny any such costs in excess of fifty thousand dollars unless the commissioner determines such additional costs are warranted to protect public health and the environment. If a registered contractor fails to submit to the review board documentation of costs associated with such remediation that may be eligible for payment from the residential underground heating oil storage tank system

clean-up [subaccount] program or if the registered contractor submits documentation of such costs but the board denies payment of such costs, the registered contractor shall be liable for such costs and shall have no cause of action against the owner of the underground petroleum storage tank.

(3) A copy of the review board's decision shall be sent to the Commissioner of Environmental Protection and to the registered contractor by certified mail, return receipt requested. The commissioner or any contractor aggrieved by a decision of the review board may, not more than twenty days after the date the decision was issued, request a hearing before the review board in accordance with chapter 54. After such hearing, the board shall consider the information submitted to it and affirm or modify its decision on the reimbursement. A copy of the affirmed or modified decision shall be sent to the commissioner and any contractor by certified mail, return receipt requested.

(d) Neither the Underground Storage Tank Petroleum Clean-Up [Account] Review Board nor the Commissioner of Environmental Protection shall accept applications pursuant to this section on or after December 1, 2001, for the reimbursement of eligible costs for services completed prior to July 1, 2001, except that, notwithstanding subsection (c) of this section, prior to July 1, 2004, the board may accept applications for reimbursement from and make payments to any owner who demonstrates that the owner paid for eligible costs for services provided to the owner prior to July 1, 2001, and either (1) the registered contractor filed an application for reimbursement between December 1, 2001, and January 1, 2003, or (2) the owner, prior to May 1, 2003, filed a complaint with the board or the commissioner regarding the failure of the registered contractor to file a timely application.

Sec. 429. Subsection (a) of section 22a-449m of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any remediation of contaminated soil or groundwater the cost of which is to be paid out of the **[**subaccount**]** program established under subsection **[**(b)**]** (a) of section 22a-449c, as amended by this act, shall be performed by or under the direct onsite supervision of a registered contractor, as defined in sections 22a-449*l*, as amended by this act, and 22a-449n, as amended by this act, and shall be performed in accordance with regulations adopted by the commissioner pursuant to section 22a-133k that establish direct exposure criteria for soil, pollutant mobility criteria for soil and groundwater protection criteria for GA and GAA areas. If the replacement of any such residential underground heating oil storage tank system performed pursuant to the provisions of this section involves installation of an underground petroleum storage tank, such tank shall conform to any standards which apply to new underground petroleum storage tanks.

Sec. 430. Section 22a-449n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) As used in this section, "registered contractor" means a person registered with the Commissioner of Environmental Protection pursuant to section 22a-449k, as amended by this act, "qualifying income" means the owner's adjusted gross income, as defined in section 12-701, for the calendar year immediately preceding the year in which costs eligible for payment were incurred under this section and "costs eligible for payment" means costs that are reasonable for payment, as determined by the guidelines established pursuant to section 22a-449d, as amended by this act.

(b) If, in the course of removing or replacing a residential underground heating oil storage tank system, a registered contractor finds that there has been a spill, as defined in section 22a-452c,

attributable to such a system, or if such contractor estimates that the remediation of such spill is likely to cost more than ten thousand dollars then such contractor shall immediately notify the Department of Environmental Protection. The commissioner may assess the spill and confirm that the remediation proposed by the contractor is appropriate and necessary, or may authorize an environmental professional licensed under section 22a-133v, as amended by this act, to assess the spill and make such confirmation. Any such remediation shall be subject to approval by the commissioner. The commissioner may authorize an environmental professional licensed under section 22a-133v, as amended by this act, to make a recommendation regarding such approval. The costs of an inspection pursuant to this section shall be eligible for payment under the residential underground heating oil storage tank system clean-up **[**subaccount**]** program established under subsection (b) of section 22a-449c, as amended by this act. The commissioner may revoke a registration pursuant to section 22a-449k, as amended by this act, for failure of a contractor to notify the department as required by this section.

(c) On or after July 1, 2001, to be eligible for payment pursuant to this section, an owner shall submit the following information to the Commissioner of Environmental Protection, in such form as the commissioner may require, prior to entering into a contract with a registered contractor for remediation of a spill attributable to a residential underground heating oil storage tank system: (1) The name and Social Security number of the property owner; (2) a verification that such tank serves the owner's primary residence; (3) a verification of the owner's qualifying income; and (4) the name of the registered contractor who will perform the remediation. The commissioner shall, not later than thirty days following receipt of such information, send a written notice to the owner that specifies whether the owner is eligible for payment under this section, whether funds are available for the owner under this section and the amount of remediation costs for

which the owner is responsible prior to receiving payment under this section.

(d) Subject to the provisions of subsection (e) of this section, an owner may be reimbursed for all reasonable costs for work commenced on or after July 1, 2001, in accordance with the following: (1) If an owner's qualifying income is less than or equal to fifty thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of five hundred dollars; (2) if an owner's qualifying income is greater than fifty thousand dollars and less than or equal to one hundred thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of two thousand dollars; (3) if an owner's qualifying income is greater than one hundred thousand dollars and less than or equal to one hundred fifty thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of four thousand dollars; (4) if an owner's qualifying income is greater than one hundred fifty thousand dollars and less than or equal to two hundred thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of five thousand dollars; (5) if an owner's qualifying income is greater than two hundred thousand dollars and less than or equal to two hundred fifty thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of seven thousand five hundred dollars; (6) if an owner's qualifying income is greater than two hundred fifty thousand dollars and less than or equal to five hundred thousand dollars, the owner may be reimbursed for costs eligible for payment in excess of ten thousand dollars; (7) if an owner's qualifying income is greater than five hundred thousand dollars, the owner is not eligible for payment of costs. No registered contractor or any subcontractor of a registered contractor shall accept payment for any costs eligible for payment from said **[**subaccount**]** program until it has provided the owner with the information necessary to apply for a disbursement pursuant to subsection (e) of this section.

(e) (1) On or after July 1, 2001, an owner shall submit to the Underground Storage Tank Petroleum Clean-Up **[**Account**]** Review Board established under section 22a-449d, as amended by this act, an application that is postmarked no later than December 31, 2001, for a disbursement from the residential underground heating oil storage tank system clean-up **[**subaccount**]** program, within available resources, documentation of all costs eligible for payment for work performed pursuant to a contract with the owner for the remediation of a residential underground heating oil storage tank system for the purpose of providing payment for the costs of such remediation, provided such owner has complied with the provisions of subdivisions (1) and (2) of subsection (a) of section 22a-449j and provided such remediation was completed on or before December 1, 2001. Such payments shall be made in accordance with subsection (d) of this section. Such owner shall provide to the review board a statement confirming that the registered contractor has been engaged by such owner to remove or to replace such residential underground heating oil storage tank system, except that a storage tank system and any associated ancillary equipment shall not be subject to such requirement and perform the remediation and shall execute an instrument which provides for payment to said account of any amounts realized by the owner, after any costs of litigation or attorney's fees have been paid, from a judgment or settlement regarding any claim for the costs of such remediation made against an insurance policy or any person.

(2) In any service contract entered into between a registered contractor and an owner for the remediation of a residential underground heating oil storage tank system, the registered contractor shall clearly identify all costs, including markup costs, that are not or may not be eligible for payment from said **[**subaccount**]** program.

(3) The owner shall submit documentation, satisfactory to the review board, of any costs associated with such remediation. The

review board may deny payment of remediation costs that the review board determines are unreasonable based on the guidelines established pursuant to subsection (c) of section 22a-449d, as amended by this act, on and after the date the review board establishes such guidelines. The review board shall deny any such costs if the owner fails to comply with subsection (c) of this section and any such costs in excess of fifty thousand dollars unless the commissioner determines such additional costs are warranted to protect public health and the environment.

(4) A copy of the review board's decision shall be sent to the Commissioner of Environmental Protection and to the owner by certified mail, return receipt requested. The commissioner or owner aggrieved by a decision of the review board may, not more than twenty days after the date the decision was issued, request a hearing before the review board in accordance with chapter 54. After such hearing, the board shall consider the information submitted to it and affirm or modify its decision. A copy of the affirmed or modified decision shall be sent to the commissioner and owner by certified mail, return receipt requested.

(5) No owner shall be entitled to reimbursement both under this section and section 22a-449*l*, as amended by this act.

Sec. 431. Section 22a-449p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Notwithstanding any provision of sections 22a-449a to 22a-449i, inclusive, as amended by this act, or any regulation adopted pursuant to said sections, except as provided for in subdivision (6) of this section, with respect to the investigation and remediation of a release, the underground storage tank petroleum clean-up **[**account**]** program established pursuant to section 22a-449c, as amended by this act, shall be used to provide payment or reimbursement only when any of the

following milestones are completed:

(1) A release response report prepared by an environmental professional, as defined in section 22a-133v, as amended by this act, has been submitted to the Commissioner of Environmental Protection which report describes: (A) All initial response actions taken that are necessary to prevent an on-going release and to mitigate an explosion, fire or other safety hazard resulting from the release; (B) the results of an initial site investigation that determines the presence and extent of free product from the release, the potential for or existence of groundwater pollution from the release which threatens the quality of drinking water well or wells, and whether the release has resulted in soil vapors or indoor air that threatens public health; and (C) all interim actions taken and proposed to remove such free product to the extent technically practicable, to provide potable water to any person whose drinking water has been polluted by a substance from the release which is above the groundwater protection criteria or above a level determined by the Commissioner of Public Health to be an unacceptable risk of injury to the health or safety of persons using such groundwater as a public or private source of water for drinking or other personal or domestic uses, whichever is more stringent, and to mitigate any risk to public health from polluted soil vapor or indoor air resulting from the release.

(2) An interim remedial action report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or an interim remedial action report has been approved, in writing, by the commissioner. Such interim remedial action report shall describe in detail all interim remedial action taken to: (A) Remove free product to the maximum extent technically practicable; (B) ensure that all persons whose drinking water was polluted by the release have been provided potable water; and (C) ensure that soil vapors which pose a risk to

public health are prevented from migrating into any overlying buildings.

(3) An investigation report and remedial action plan approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or an investigation report and remedial action plan has been approved, in writing, by the commissioner. Such investigation report and remedial action plan shall include a detailed description of an investigation which determines the existing and potential extent and degree of soil, surface water, soil vapor and groundwater pollution, on and off-site, resulting from the release and describes all actions proposed to remediate soil, surface water, air or groundwater polluted by the release in accordance with the regulations adopted pursuant to section 22a-133k.

(4) A soil remedial action report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or a soil remedial action report has been approved, in writing, by the commissioner. Such soil remedial action report shall describe in detail the extent of soil pollution resulting from the release, all remedial actions taken to abate such soil pollution, and all documentation that demonstrates that such soil pollution has been remediated in accordance with the regulations adopted pursuant to section 22a-133k.

(5) A groundwater remedial action progress report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or a groundwater remedial action progress report has been approved, in writing, by the commissioner. Such report may only be submitted after all construction necessary to implement the approved groundwater remedial actions has been completed and the groundwater remedial actions have been operated and monitored for one year. Such report shall include a detailed description of the remedial actions, the results

of groundwater or any other monitoring conducted, an analysis of whether the remedial actions are effective, and a proposal for any changes in the groundwater remedial actions and monitoring that may be necessary to achieve compliance with the regulations adopted pursuant to section 22a-133k.

(6) An annual groundwater remedial action progress report approved, in writing, by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection or approved, in writing, by the commissioner. Such report shall include a detailed description of the remedial actions, the results of groundwater or any other monitoring conducted for the year covered by the report, an analysis of whether the remedial actions are effective, and a proposal for any changes in the groundwater remedial actions and monitoring that may be necessary to achieve compliance with the regulations adopted pursuant to section 22a-133k. A responsible party pursuant to section 22a-449f, as amended by this act, may submit to the board up to, but not more than, four separate applications or requests for payment or reimbursement in a calendar year regarding costs, expenses or obligations paid or incurred concerning annual groundwater monitoring or compliance with this subdivision.

(7) A final remedial action report approved by a licensed environmental professional has been submitted to the Commissioner of Environmental Protection, or a final remedial action report has been approved, in writing, by the commissioner, that documents that the release has been investigated in accordance with prevailing standards and guidelines and that the soil, surface water, groundwater and air polluted by the release has been remediated in accordance with the regulations adopted pursuant to section 22a-133k.

(8) The Commissioner of Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, establishing milestones for investigation and remediation of releases or

suspected releases from underground storage tank systems, including milestones that differ from those set forth in this section. Upon the adoption of such regulations, the milestones for investigation and remediation for which payment or reimbursement is available from the **[**account**]** program shall be those set forth in the regulations.

(9) This section shall apply to an application or request for reimbursement or payment received by the board on or after October 1, 2005, regardless of when the release or suspected release occurred, whether actions in response to the release or suspected release have already occurred or whether prior applications or requests seeking payment or reimbursement have already been submitted to the board.

Sec. 432. Section 22a-451 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Any person, firm or corporation which directly or indirectly causes pollution and contamination of any land or waters of the state or directly or indirectly causes an emergency through the maintenance, discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum or chemical liquids or solid, liquid or gaseous products or hazardous wastes or which owns any hazardous wastes deemed by the commissioner to be a potential threat to human health or the environment and removed by the commissioner shall be liable for all costs and expenses incurred in investigating, containing, removing, monitoring or mitigating such pollution and contamination, emergency or hazardous waste, and legal expenses and court costs incurred in such recovery, provided, if such pollution or contamination or emergency was negligently caused, such person, firm or corporation may, at the discretion of the court, be liable for damages equal to one and one-half times the cost and expenses incurred and provided further if such pollution or contamination or emergency was wilfully caused, such person, firm or corporation may, at the discretion of the court, be liable for damages equal to two times the cost and

expenses incurred. The costs and expenses of investigating, containing, removing, monitoring or mitigating such pollution, contamination, emergency or hazardous waste shall include, but not be limited to, the administrative cost of such action calculated at ten per cent of the actual cost plus the interest on the actual cost at a rate of ten per cent per year thirty days from the date such costs and expenses were sought from the party responsible for such pollution, contamination or emergency. The costs of recovering any legal expenses and court costs shall be calculated at five per cent of the actual costs, plus interest at a rate of ten per cent per year thirty days from the date such costs were sought from the party responsible for such pollution, contamination or emergency. Upon request of the commissioner, the Attorney General shall bring a civil action to recover all such costs and expenses.

(b) If the person, firm or corporation which causes any discharge, spillage, uncontrolled loss, seepage or filtration does not act immediately to contain and remove or mitigate the effects of such discharge, spillage, loss, seepage or filtration to the satisfaction of the commissioner, or if such person, firm or corporation is unknown, and such discharge, spillage, loss, seepage or filtration is not being contained, removed or mitigated by the federal government, a state agency, a municipality or a regional or interstate authority, the commissioner may contract with any person issued a permit pursuant to section 22a-454, as amended by this act, to contain and remove or mitigate the effects of such discharge, spillage, loss, seepage or filtration. The commissioner may contract with any person issued a permit pursuant to said section 22a-454 to remove any hazardous waste that the commissioner deems to be a potential threat to human health or the environment.

(c) Whenever the commissioner incurs contractual obligations pursuant to subsection (b) of this section and the responsible person, firm or corporation or the federal government does not assume such

contractual obligations, the commissioner shall request the Attorney General to bring a civil action pursuant to subsection (a) of this section to recover the costs and expenses of such contractual obligations. If the responsible person, firm or corporation is unknown, the commissioner shall request the federal government to assume such contractual obligations to the extent provided for by the federal Water Pollution Control Act.

[(d) There is established an account to be known as the emergency spill response account, for the purpose of providing money for (1) costs associated with the implementation of section 22a-449 and chapter 441; (2) the containment and removal or mitigation of the discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum or chemical liquids or solid, liquid or gaseous products or hazardous wastes including the state share of payments of the costs of remedial action pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.), as amended; (3) provision of potable drinking water pursuant to section 22a-471; (4) completion of the inventory required by section 22a-8a; (5) the removal of hazardous wastes that the commissioner deems to be a potential threat to human health or the environment; (6) (A) the provision of short-term potable drinking water pursuant to subdivision (1) of subsection (a) of section 22a-471 and the preparation of an engineering report pursuant to subdivision (2) of subsection (a) of said section when pollution of the groundwaters by pesticides has occurred or can reasonably be expected to occur; (B) the study required by special act 86-44* and (C) as funds allow, education of the public on the proper use and disposal of pesticides and the prevention of pesticide contamination in drinking water supplies; (7) loans and lines of credit made in accordance with the provisions of section 32-23z; (8) the accomplishment of the purposes of sections 22a-133b to 22a-133g, inclusive, and sections 22a-134 to 22a-134d, inclusive, including staffing, and section 22a-133k; (9) development and implementation by

the commissioner of a state-wide aquifer protection program pursuant to the provisions of sections 19a-37, 22-6c, 22a-354c, 22a-354e, 22a-354g to 22a-354bb, inclusive, 25-32d, 25-33h, 25-33n and subsection (a) of section 25-84, including, but not limited to, development of state regulations for land uses in aquifer protection areas, technical assistance and educational programs; (10) research on toxic substance contamination, including research by the Environmental Research Institute and the Institute of Water Resources at The University of Connecticut and by the Connecticut Agricultural Experiment Station; (11) the costs of the commissioner in performing or approving level A mapping of aquifer protection areas pursuant to this title; and (12) inventory and evaluation of the farm resource management requirements of farms in aquifer areas by the eight county soil and water conservation districts. The emergency spill response account shall be an account of the Environmental Quality Fund. On July 1, 2001, any balance remaining in said account shall be transferred to the resources of the Environmental Quality Fund. No expenditures shall be made from the amount transferred until on or after July 1, 2001.

(e) The Commissioner of Environmental Protection shall, annually, in accordance with section 4-77, submit to the Secretary of the Office of Policy and Management an operating budget for the emergency spill response account that provides for the operation of programs funded from such account. Such annual operating budget shall include an estimate of revenues from all other sources to meet the estimated expenditures of the account for such fiscal year. Within thirty days prior to the first day of such fiscal year the Secretary of the Office of Policy and Management shall approve said operating budget, with such changes, amendments, additions and deletions as shall be agreed upon prior to that date by the Commissioner of Environmental Protection and the Secretary of the Office of Policy and Management.**]**

Sec. 433. Section 22a-454 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall engage in the business of collecting, storing or treating waste oil or petroleum or chemical liquids or hazardous wastes or of acting as a contractor to contain or remove or otherwise mitigate the effects of discharge, spillage, uncontrolled loss, seepage or filtration of such substance or material or waste nor shall any person, municipality or regional authority dispose of waste oil or petroleum or chemical liquids or waste solid, liquid or gaseous products or hazardous wastes without a permit from the commissioner. Such permit shall be in writing, shall contain such terms and conditions as the commissioner deems necessary and shall be valid for a fixed term not to exceed five years. No permit shall be granted, renewed or transferred unless the commissioner is satisfied that the activities of the permittee will not result in pollution, contamination, emergency or a violation of any regulation adopted under sections 22a-30, 22a-39, 22a-116, 22a-347, 22a-377, 22a-430, 22a-449, as amended by this act, 22a-451, as amended by this act, and 22a-462. The commissioner shall require payment of a fee of **[**five hundred**]** six hundred twenty-five dollars per year for each year covered by a permit to transport hazardous waste and the payment of a fee of fourteen thousand two hundred fifty dollars for a permit to treat waste oil or petroleum or chemical liquids. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to prescribe the amount of the fees required pursuant to this section. Upon the adoption of such regulations, the fees required by this section shall be as prescribed in such regulations. The commissioner may suspend or revoke a permit for violation of any term or condition of the permit, for conviction of a violation of section 22a-131a or for assessment of a fine under section 22a-131. The commissioner may conduct a program of study and research and demonstration, relating to new and improved methods of waste oil and petroleum or chemical liquids or waste solid, liquid or gaseous products or hazardous wastes disposal. For the purposes of

this section, collecting, storing, or treating of waste oil, petroleum or chemical liquids or hazardous waste shall mean such activities when engaged in by a person whose principal business is the management of such wastes.

(b) No person may dispose of any hazardous waste in a hazardous waste land disposal facility except the following: (1) Metal hydroxide sludge generated from the treatment of electroplating or metal finishing operation waste waters or any other metal hydroxide sludge approved by the commissioner; (2) hazardous waste sludge or residue resulting from an operation determined by the commissioner to be a recycling operation and which has received the required approvals from the commissioner and the Connecticut Siting Council, provided the commissioner determines that such residue cannot reasonably be incinerated or otherwise managed; and (3) hazardous waste spills, fly ash, residue from waste-to-energy facilities or municipal wastewater treatment sludge that has been determined to be hazardous waste but approved for such disposal by the commissioner. As used in this subsection, "hazardous waste" has the same meaning as in section 22a-115 and "hazardous waste land disposal facility" means a facility or part of a facility where hazardous waste is applied onto, placed within or beneath the soil surface and remains after closure of the facility. The prohibition established by this subsection shall not continue after July 1, 1991, unless renewed by the General Assembly. Notwithstanding the provisions of this subsection, any restrictions on the land disposal of hazardous waste imposed by the commissioner pursuant to this subsection shall be as stringent as those imposed under Subtitle C of the Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.), as amended.

(c) No person shall engage in the business of the transfer of hazardous waste from one vehicle to another or from one mode of transportation to another without a permit from the commissioner

issued under subsection (a) of this section.

(d) The commissioner shall require the payment of the following fees for permits under this section: (1) Forty-five thousand two hundred fifty dollars to operate a hazardous waste landfill or incinerator; (2) twenty-one thousand two hundred fifty dollars to store or treat hazardous waste; (3) ten thousand [five hundred] seven hundred fifty dollars to engage in the transfer of hazardous waste as described in subsection (c) of this section if the hazardous waste is transferred from its original container to another container; and (4) [three thousand seven hundred fifty] four thousand dollars to engage in the transfer of hazardous waste as described in subsection (c) of this section if the hazardous waste remains in the original container. The commissioner shall also charge a fee of [one] two hundred dollars for each hazardous waste treatment, disposal or storage facility which submits an application for a status change to a generator. The commissioner shall charge a fee of [fifty] one hundred dollars for each hazardous waste large quantity generator which submits an application for status change to a small generator.

(e) (1) The commissioner may issue a general permit for a category of activities which require a permit under subsection (a) of this section or license under subsection (b) of section 22a-449, as amended by this act, except for an activity for which an individual permit has already been obtained provided the issuance of the general permit is not inconsistent with the requirements of the federal Resource Conservation and Recovery Act. Any person or municipality conducting an activity for which a general permit has been issued shall not be required to obtain an individual permit under subsection (a) of this section, except as provided in subdivision (3) of this subsection. The general permit may regulate a category of activities which: (A) Involve the same or substantially similar types of operations; (B) involve the collection, storage, treatment or disposal of the same types

of substances; (C) require the same operating conditions or standards, and (D) require the same or similar monitoring, and which in the opinion of the commissioner are more appropriately controlled under a general permit than under an individual permit. The general permit may require any person or municipality proposing to conduct any activity under the general permit to register such activity with the commissioner before it is covered by the general permit. Registration shall be on a form prescribed by the commissioner.

(2) Notwithstanding any provisions of this section, or any regulations adopted thereunder, or of chapter 54, the following procedures shall apply to the issuance, renewal, modification, revocation or suspension of a general permit: (A) A general permit shall be issued for a term specified by the permit and shall clearly define the activity covered thereby and may include such conditions and requirements as the commissioner deems appropriate, including but not limited to operation and maintenance requirements, management practices, and reporting requirements; (B) the commissioner shall publish notice of intent to issue a general permit in a newspaper having a substantial circulation in the affected area; (C) there shall be a comment period of thirty days following publication of such notice during which interested persons may submit written comments to the commissioner; (D) the commissioner shall publish notice of the issuance or decision not to issue a general permit in a newspaper having substantial circulation in the affected area. The commissioner may revoke, suspend or modify a general permit in accordance with the notice and comment procedures for issuance of a general permit specified in this subsection. Any person may request that the commissioner issue, modify, suspend or revoke a general permit in accordance with this subsection; and (E) summary suspension may be ordered in accordance with subsection (c) of section 4-182.

(3) Subsequent to the issuance of a general permit, the commissioner may require any person or municipality whose activity is or may be covered by the general permit to apply for and obtain an individual permit pursuant to subsection (a) of this section if he determines that an individual permit would better protect the land, air and waters of the state from pollution. The commissioner may require an individual permit under this subdivision in cases including, but not limited to the following: (A) When the owner or operator is not in compliance with the conditions of the general permit; (B) when a change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollution applicable to the activity; (C) when circumstances have changed since the time of the issuance of the general permit so that the activity is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized activity is necessary; or (D) when a relevant change has occurred in the applicability of the federal Resource Conservation and Recovery Act. In making the determination to require an individual permit, the commissioner may consider the location, character, and size of the activity, and any other relevant factors. The commissioner may require an individual permit under this subdivision only if the affected person or municipality covered by the general permit has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time for the person or municipality to file the application, and a statement that on the effective date of the individual permit the general permit as it applies to the individual permittee shall automatically terminate. The commissioner may grant an extension of time upon the request of the applicant. If the affected person or municipality does not submit a complete application for an individual permit within the time frame set forth in the commissioner's notice or as extended by the commissioner in writing, then the general permit as it applies to the affected person or municipality shall automatically

terminate. The applicant shall use his best efforts to obtain the individual permit. Any interested person or municipality may petition the commissioner to take action under this subdivision.

(4) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 to carry out the purposes of this subsection.

Sec. 434. Section 22a-454a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each hazardous waste treatment, storage or disposal facility, as defined in regulations adopted by the commissioner pursuant to section 22a-449, as amended by this act, shall pay a fee of **[**three thousand seven hundred fifty**]** four thousand dollars at the time it submits closure/postclosure plans to the Department of Environmental Protection.

Sec. 435. Section 22a-454b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each hazardous waste treatment, storage or disposal facility, as defined in regulations adopted by the commissioner pursuant to section 22a-449, as amended by this act, which is subject to groundwater monitoring requirements shall pay a fee of **[**seven hundred fifty**]** nine hundred forty dollars annually during its operating and postclosure period.

Sec. 436. Section 22a-454c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each generator which generates in any calendar month during the calendar year one thousand kilograms or more of hazardous waste or one kilogram or more of acutely hazardous waste shall pay an annual fee of **[**one**]** two hundred dollars to the Commissioner of Environmental Protection.

(b) Each hazardous waste landfill, incinerator, storage, treatment or land treatment facility, as defined in regulations adopted by the Commissioner of Environmental Protection in regulations adopted pursuant to section 22a-449, as amended by this act, shall pay an annual fee of one thousand **[**five hundred**]** seven hundred fifty dollars.

Sec. 437. Section 23-61b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall advertise, solicit or contract to do arboriculture within this state at any time without a license issued in accordance with the provisions of this section, except that any person may improve or protect any tree on such person's own premises or on the property of such person's employer without securing such a license provided such activity does not violate the provisions of chapter 441, subsection (a) of section 23-61a or this section. Application for such license shall be made to the Commissioner of Environmental Protection and shall contain such information regarding the applicant's qualifications and proposed operations and other relevant matters as the commissioner may require and shall be accompanied by a fee of **[**twenty-five**]** fifty dollars which shall not be returnable.

(b) The commissioner shall require the applicant to show upon examination that the applicant possesses adequate knowledge concerning the proper methods of arboriculture and the dangers involved and the precautions to be taken in connection with these operations, together with knowledge concerning the proper use and application of pesticides and the danger involved and precautions to be taken in connection with their application. If the applicant is other than an individual, the applicant shall designate an officer, member or technician of the organization to take the examination, which designee shall be subject to approval of the commissioner except that any person who uses pesticides in arboriculture shall be licensed to do arboriculture or shall be a licensed commercial applicator under

chapter 441. If the extent of the applicant's operations warrant, the commissioner may require more than one such member or technician to be examined. If the commissioner finds the applicant qualified, the commissioner shall issue a license to perform arboriculture within this state. A license shall be valid for a period of five years. If the commissioner finds that the applicant is not qualified, or if the commissioner refuses to issue a license for any other reason, the commissioner shall so inform the applicant in writing, giving reasons for such refusal.

(c) The commissioner may issue a license without examination to any nonresident who is licensed in another state under a law that provides substantially similar qualifications for licensure and which grants similar privileges of licensure without examination to residents of this state licensed under the provisions of this section.

(d) Each licensee shall pay a license renewal fee of one hundred **[**fifty**]** ninety dollars for each renewal. All examination and license renewal fees shall be deposited as provided in section 4-32, and any expenses incurred by the commissioner in making examinations, issuing certificates, inspecting tree work or performing any duties of the commissioner shall be charged against appropriations of the General Fund.

(e) Each licensee shall maintain and, upon request, furnish such records concerning licensed activities as the commissioner may require.

(f) The commissioner may suspend for not more than ten days and, after notice and hearing as provided in any regulations established by the commissioner, may suspend for additional periods, or the commissioner may revoke, any license issued under this section if the commissioner finds that the licensee is no longer qualified or has violated any provision of section 23-61a or this section, or any

regulation adopted thereunder.

(g) The Commissioner of Environmental Protection, in consultation with the board, shall establish standards for examining applicants and reexamining applicators with respect to the proper use and application of pesticides and agricultural methods. Such standards shall provide that in order to be certified, an individual shall be competent with respect to the use and handling of pesticides or the use and handling of the pesticide or class of pesticides covered by such individual's application or certification and in the proper and safe application of recognized arboricultural methods.

(h) Any licensed arborist shall be considered to be a certified applicator under section 22a-54, as amended by this act, with respect to the use of pesticides.

Sec. 438. Section 23-65j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, governing the conduct of forest practices including, but not limited to, the harvest of commercial forest products and other such matters as the commissioner deems necessary to carry out the provisions of sections 23-65f to 23-65o, inclusive. Notice of intent to adopt such regulations shall be sent by certified mail, return receipt requested, to the chief elected official of each municipality concurrent with publication in the Connecticut Law Journal. Such regulations shall provide for a comprehensive state-wide system of laws and forest practices regulations which will achieve the following purposes and policies: (1) Afford protection to and improvement of air and water quality; (2) afford protection to forests from fire, insects, disease and other damaging agents; (3) afford protection to and promote the recovery of threatened and endangered species regulated pursuant to chapter 495;

(4) encourage the harvesting of forest products in ways which result in no net loss of site productivity and which respect aesthetic values; (5) assure that forest practices are conducted in a safe manner; (6) provide a continuing supply of forest products from a healthy, vigorous forest resource; (7) promote the sound, professionally guided, long-term management of forested lands and forest resources, considering both the goals of ownership held by the forest owner and the public interest; (8) encourage the retention of healthy forest vegetation whenever possible as forested lands are converted to nonforest uses or developed for recreational, residential or industrial purposes; (9) provide the Commissioner of Environmental Protection with essential data on pressures and influences on forest resources, state-wide and on the rate of loss of forested lands. Prior to adopting such regulations, the commissioner shall prepare a report assessing the costs to the regulated entities, the benefits to the state and the environmental impacts of adopting such regulations. Such regulations may include, but not be limited to: (A) Minimum standards for forest practices; (B) establishment of a process by which harvests of commercial forest products from lands other than state-owned lands managed by the department shall be authorized; and (C) necessary administrative provisions.

(b) The commissioner may by regulation prescribe fees for the authorization of harvests of commercial forest products from lands other than state-owned lands managed by the department. The fees collected in accordance with this section shall be deposited directly in the **[**Environmental Conservation Fund established pursuant to section 22a-27h**]** General Fund.

Sec. 439. Section 26-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as provided in subsection (b), (c), (e) or (f) of this section and other provisions of this chapter providing specific license

exemption, no person shall take, hunt or trap, or shall attempt to take, hunt or trap, or assist in taking, hunting or trapping, any wild bird or mammal and no person more than sixteen years of age shall take, attempt to take, or assist in taking any fish or bait species in the inland waters or marine district by any method or land marine fish and bait species in the state, regardless of where such marine fish or bait species are taken, without first having obtained a license as provided in this chapter. No person under sixteen years of age shall hunt or trap, except as provided in section 26-38.

(b) Any landowner who has a domiciliary residence in this state, his spouse or lineal descendants may hunt, trap or fish on land owned by him or on land leased by him and on which he is actually domiciled, which land is not used for club, fishing or hunting purposes, without a license, subject to the provisions of this chapter.

(c) No fishing license shall be required for any person who is rowing a boat or operating the motor of a boat from which other persons are taking or attempting to take fish.

(d) The taking of fish and bait species as herein provided shall be regarded as sport fishing and the taking or landing of such species in the inland waters or marine district by commercial methods for commercial purposes shall be governed by other provisions of this chapter.

(e) No fishing license shall be required for any resident of the state who is participating in a fishing derby authorized in writing by the Commissioner of Environmental Protection provided (1) no fees are charged for such derby, (2) such derby has a duration of one day or less and (3) such derby is sponsored by a nonprofit civic service organization. Such organization shall be limited to one derby in any calendar year.

(f) The Commissioner of Environmental Protection may designate one day in each calendar year when no license shall be required for sport fishing.

(g) No fishing license shall be required for any person who is fishing as a passenger on a party boat, charter boat or head boat registered under section 26-142a, as amended by this act, and operating solely in the marine district.

Sec. 440. Section 26-27b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On or after July 1, 1993, no person sixteen years of age or older may hunt waterfowl or take waterfowl in the state without first procuring a Connecticut Migratory Bird Conservation Stamp and having such stamp in his possession with his signature written in ink across the face of the stamp while hunting waterfowl or taking waterfowl. The stamp shall not be transferable and shall be issued annually beginning on July first.

(b) The Commissioner of Environmental Protection shall provide for the design, production and procurement of the mandatory Connecticut Migratory Bird Conservation Stamp and shall, by regulations adopted in accordance with the provisions of chapter 54, provide for the issuance of the stamp. Stamps shall be sold at a price determined by the commissioner, provided the price of a mandatory stamp shall not exceed **[**ten**]** fifteen dollars. Any agent or town clerk issuing such stamps may retain a fee of fifty cents for each stamp sold and shall remit the balance to the Department of Environmental Protection.

Sec. 441. Section 26-27c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Environmental Protection may provide for the Connecticut Migratory Bird Stamp to be reproduced and marketed in

the form of prints and other related artwork. **[**Funds generated from such marketing and from the sale of stamps pursuant to section 26-27b shall be deposited in a separate account maintained by the Treasurer and known as the migratory bird conservation account. The migratory bird conservation account shall be an account of the Conservation Fund. All funds credited to the migratory bird conservation account shall only be used for: (1) The development, management, preservation, conservation, acquisition, purchase and maintenance of waterfowl habitat and wetlands and purchase or acquisition of recreational rights or interests relating to migratory birds; and (2) the design, production, promotion and procurement and sale of the prints and related artwork.**]**

Sec. 442. Section 26-27d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) There is established a Citizens' Advisory Board for the Connecticut Migratory Bird Conservation Stamp Program. The board shall consist of seven members appointed by the Commissioner of Environmental Protection. The members of the board shall be individuals representing organizations having a record of activity in migratory bird or wetland habitat conservation or who have an expertise or recognized knowledge in an area pertinent and valuable to the program. The board shall elect a chairman from among its membership on or before July 1, 1992. The chairman shall be unaffiliated with any administrative agency of the state.

(b) The board shall advise the Commissioner of Environmental Protection on the design, production and procurement of the Connecticut Migratory Bird Conservation Stamp. **[**and the expenditure of funds generated from the sale of such stamps and associated art products produced pursuant to sections 26-27b and 26-27c.**]**

Sec. 443. Section 26-28 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Except as provided in subsection (b) of this section, the fees for firearms hunting, archery hunting, trapping and sport fishing licenses or for the combination thereof shall be as follows: (1) Resident firearms hunting license, **[**fourteen**]** twenty-eight dollars; (2) resident fishing license, **[**twenty**]** forty dollars; (3) resident marine waters fishing license, thirty dollars; (4) one-day resident marine waters fishing license, fifteen dollars; (5) resident all-waters fishing license, fifty dollars; (6) resident combination license to **[**firearms hunt and**]** fish in inland waters and firearms hunt, **[**twenty-eight**]** fifty-six dollars; **[**(4)**]** (7) resident combination license to fish in marine waters and firearms hunt, fifty dollars; (8) resident combination license to fish in all waters and firearms hunt, sixty dollars; (9) resident combination license to fish in all waters and bow and arrow permit to hunt deer and small game issued pursuant to section 26-86c, as amended by this act, eighty-four dollars; (10) resident firearms super sport license to fish in all waters and firearms hunt, firearms private land shotgun or rifle deer permit issued pursuant to section 26-86a, as amended by this act, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by this act, one hundred sixteen dollars; (11) resident archery super sport license to fish in all waters, bow and arrow permit to hunt deer and small game issued pursuant to section 26-86c, as amended by this act, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by this act, one hundred four dollars; (12) resident trapping license, **[**twenty-five**]** fifty dollars; **[**(5)**]** (13) resident junior trapping license for persons under sixteen years of age, **[**three**]** fifteen dollars; **[**(6)**]** (14) junior firearms hunting license, **[**three**]** fifteen dollars; **[**(7)**]** (15) nonresident firearms hunting license, **[**sixty-seven**]** one hundred thirty-four dollars; **[**(8)**]** (16) nonresident inland waters fishing license, **[**forty**]** eighty dollars; **[**(9)**]** (17) nonresident inland waters fishing license for a period of three consecutive days,

[sixteen] thirty-two dollars; [(10)] (18) nonresident marine waters fishing license, sixty dollars; (19) nonresident marine waters fishing license for a period of three consecutive days, twenty-four dollars; (20) nonresident all-waters fishing license, one hundred dollars; (21) nonresident combination license to firearms hunt and inland waters fish, [eighty-eight] one hundred seventy-six dollars; [and (11)] (22) nonresident combination license to fish in all waters and firearms hunt, one hundred ninety dollars; (23) nonresident combination license to fish in marine waters and firearms hunt, one hundred seventy dollars; and (24) nonresident trapping license, two hundred fifty dollars. Persons sixty-five years of age and over who have been residents of this state for not less than one year and who meet the requirements of subsection (b) of section 26-31 may be issued [a lifetime] an annual license to firearms hunt or to fish or combination license to fish and firearms hunt or a license to trap without fee. The issuing agency shall indicate on a combination license the specific purpose for which such license is issued. The town clerk shall retain a recording fee of one dollar for each license issued by him.

(b) Any nonresident residing in one of the New England states or the state of New York may procure a license to hunt or to fish or to hunt and fish for the same fee or fees as a resident of this state if he is a resident of a state the laws of which allow the same privilege to residents of this state.

Sec. 444. Section 26-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Each firearms hunting, archery hunting, trapping or sport fishing license or the combination firearms hunting and fishing license, except licenses issued pursuant to subdivisions [(7) and (10)] (4), (17) and (19) of subsection (a) of section 26-28, as amended by this act, shall expire December thirty-first next following the date of issue and shall not be transferable. No person shall change or alter such a license or loan to

another or permit another to have or use such license issued to himself or use any license issued to another. All licenses shall be carried as designated by the commissioner at all times when such licensee is hunting, trapping or sport fishing and shall be produced for examination upon demand of any conservation officer or other employee of the department designated by the commissioner or any other officer authorized to make arrests or the owner or lessee or the agent of any owner or lessee of any land or water upon which such licensed person may be found. Whenever the commissioner has designated any land or water area a wildlife management study area, he may require such licensee to surrender his license upon entering such area and issue to the licensee an arm band, back tag or other identification. The license shall be returned to the licensee upon leaving such area. Each person receiving a license to hunt or to trap shall make an annual report to the commissioner in such form and at such time as may be required by him showing the numbers and kinds of birds and quadrupeds killed or trapped. A firearms hunting or a combination firearms hunting and fishing license shall not authorize the carrying or possession of a pistol or revolver.

Sec. 445. Section 26-37 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner, upon written application and the payment of a fee of **[**seven**]** <u>fifteen</u> dollars, shall issue to any person licensed to hunt, to hunt and trap or fish, or the combination thereof, a duplicate license when he is satisfied that the original license of such person has been lost, destroyed or mutilated beyond recognition. No such application form shall contain any material false statement. All such application forms shall have printed thereon, "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject

to the penalties provided for false statement and such offense shall be deemed to have been committed in the town of residence of the applicant, except that in the case of applications received from nonresidents such offense shall be deemed to have been committed in the town in which such application is presented or received for processing. The town clerk certifying such application form shall receive from the total fee herein specified the sum of one dollar.

Sec. 446. Section 26-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Any hunting organization or individual owning and using for hunting an organized pack of ten or more hounds or beagles may hunt foxes or rabbits for sport during the open season provided therefor, provided such organization or individual shall be licensed to do so. The commissioner may issue such license upon application and the payment of an annual fee of **[**thirty-five**]** seventy dollars. Persons participating in hunting conducted with an organized pack of hounds under such a license shall not be required to have a hunting license. No participant in such hunt shall carry firearms.

Sec. 447. Section 26-40 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person, association or corporation shall possess more than one live specimen of, breed or propagate any wild game bird or wild game quadruped of the following species without a game breeder's license as provided herein: In the family Anatidae, all ducks, geese and swans; in the family Phasianidae, all quail, partridge and the following strains of pheasant: Blackneck, Chinese, English, Formosan, melanistic mutant and Mongolian or any cross-breeding thereof and for the purpose of section 22-327 all other members of this family shall be classed as domestic fowls; in the family Tetranoidae, the ruffed grouse; in the family Melegrididae, turkeys except domestic strains; in the family

Cervidae, the sika and white tail deer; in the family Procyonidae, the raccoon; in the family Mustelidae, the otter; in the family Castoridae, the beaver; and in the family Leporidae, all species except domestic strains. The commissioner, upon written application and the payment of a fee of **[**twenty-one**]** forty-two dollars, may license any person, association or corporation to possess, breed, propagate and sell any birds or mammals specified in this section. Such license shall be annual and nontransferable and shall expire on the thirty-first day of December after its issuance. The commissioner may adopt regulations concerning the granting of such licenses and the sale, propagation and transportation of birds or mammals specified in this section propagated and possessed by any such licensee. All applications for such licenses shall be upon blanks prepared and furnished by the commissioner. Any person, association or corporation, licensed under the provisions of this section, shall keep a record of all birds or mammals specified in this section which are sold, transported or propagated by such licensee, whether the same are sold dead or alive, and shall report to the commissioner not later than the January thirty-first of the year following the expiration of the license period. Such report shall contain the number of birds and mammals procured, possessed and propagated and the name of each person to whom any such sale has been made and the date of such sale or transportation. Each package containing birds or mammals specified in this section, or any part thereof, so propagated or possessed and offered for transportation shall be plainly labeled with the name and license number of the licensee offering the same for transportation, the name of the consignee and a statement of the contents of such package. Any license granted under the provisions of this section may be revoked by the commissioner. No person, association or corporation may breed, propagate or sell any skunk or raccoon, except that such animals, with the approval of the commissioner may be kept in a zoo, nature center, museum, laboratory or research facility maintained by a scientific or educational institution. In no instance shall such animals be accessible

to handling by the general public. No person may possess any skunk purchased in any Connecticut retail establishment after May 1, 1979, or any raccoon purchased after October 1, 1985. Any person, association or corporation which violates any provision of this section or any regulation issued by the commissioner pursuant thereto shall be fined not more than ninety dollars for each offense.

Sec. 448. Section 26-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall engage in the business of buying raw furs produced in this state without obtaining a license from the commissioner. Such license shall be nontransferable and shall expire on June thirtieth next succeeding its issuance. Any license issued in accordance with the provisions of this section may be revoked for failure of the licensee to report the activities engaged in under the license to the commissioner. Activities shall be reported in a manner and at a time specified by the commissioner. Any conservation officer, special conservation officer or recreation officer may examine and inspect any premises used by or records maintained by any person pursuant to a license issued under this section. Notwithstanding any provision of section 1-210 to the contrary, no person shall obtain, attempt to obtain or release to any person or government agency any identifiable individual record of, or information derived from, any report submitted in accordance with the provisions of this section or submitted voluntarily upon request of the commissioner without the consent of the person making the report, except that the commissioner may authorize the release of such information for the purposes of wildlife research, management or development. The fees for such licenses shall be as follows: For each nonresident, or resident, **[**forty-two**]** eighty-four dollars, and for each authorized agent of a licensed resident fur buyer, **[**twenty-eight**]** fifty-six dollars.

(b) The commissioner may adopt regulations in accordance with the

provisions of chapter 54 concerning the buying and selling of raw furs. Such regulations may establish (1) procedures for recording and reporting transactions involving raw furs, and (2) tagging requirements for buying and selling raw furs.

(c) Any person who violates any provision of this section shall be fined not less than one hundred dollars or more than two hundred fifty dollars or imprisoned not more than ten days or be both fined and imprisoned.

Sec. 449. Section 26-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall possess for the purpose of sale, sell or offer for sale any bait species without first obtaining a bait dealer's license from the commissioner, provided the provisions hereof shall not apply to persons issued a commercial hatchery license under section 26-149, as amended by this act. Application forms for such license shall be furnished by the commissioner. Such license shall be nontransferable. The fee for each such license shall be **[**fifty**]** one hundred dollars annually. Each such license shall expire on the last day of December next after issuance. Each such licensed bait dealer may possess and sell only such bait species as shall be authorized under regulations issued by the commissioner, provided live carp and goldfish shall not be possessed for any purpose on premises used by licensed bait dealers. Each such licensee shall keep such records relating to the operation of such business as the commissioner determines on forms furnished by the commissioner and shall file such report with the commissioner within thirty days after the expiration of such license. No such report shall contain any material false statement. Failure to file such report shall be a violation of this section and the commissioner may refuse to reissue such license until the licensee complies with this requirement. Representatives of the commissioner may enter upon the premises of bait dealers at any time to inspect required records and the bait species

possessed and to detect violations of this section and regulations issued hereunder by the commissioner, and such representatives may confiscate and dispose of any fish illegally possessed. Any person who violates any provision of this section or any such regulation issued by the commissioner shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned not more than thirty days or both.

Sec. 450. Subsection (b) of section 26-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) (1) No person shall engage in the business of controlling nuisance wildlife, other than rats or mice, without obtaining a license from the commissioner. Such license shall be valid for a period of two years and may be renewed in accordance with a schedule established by the commissioner. The fee for such license shall be two hundred fifty dollars. The controlling of nuisance wildlife at the direction of the commissioner shall not constitute engaging in the business of controlling nuisance wildlife for the purposes of this section. No person shall be licensed under this subsection unless the person: (A) Provides evidence, satisfactory to the commissioner, that the person has completed training which included instruction in site evaluation, methods of nonlethal and approved lethal resolution of common nuisance wildlife problems, techniques to prevent reoccurrence of such problems and humane capture, handling and euthanasia of nuisance wildlife and instruction in methods of nonlethal resolution of common nuisance wildlife problems, including, but not limited to, training regarding frightening devices, repellants, one-way door exclusion and other exclusion methods, habitat modification and live-trapping and releasing and other methods as the commissioner may deem appropriate; and (B) is a resident of this state or of a state that does not prohibit residents of this state from being licensed as nuisance wildlife

control operators because of lack of residency.

(2) The licensure requirements shall apply to municipal employees who engage in the control or handling of animals, including, but not limited to, animal control officers, except that no license shall be required of such employees for the emergency control of rabies. Notwithstanding the requirements of this subsection, the commissioner shall waive the licensure fee for such employees. The commissioner shall provide to such municipal employees, without charge, the training required for licensure under this subsection. A license held by a municipal employee shall be noncommercial, nontransferable and conditional upon municipal employment.

(3) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, which (A) define the scope and methods for controlling nuisance wildlife provided such regulations shall incorporate the recommendations of the 1993 report of the American Veterinary Medical Association panel on euthanasia and further provided such regulations may provide for the use of specific alternatives to such recommendations only in specified circumstances where use of a method of killing approved by such association would involve an imminent threat to human health or safety and only if such alternatives are designed to kill the animal as quickly and painlessly as practicable while protecting human health and safety, and (B) establish criteria and procedures for issuance of a license.

(4) Except as otherwise provided in regulations adopted under this section, no person licensed under this subsection may kill any animal by any method which does not conform to the recommendations of the 1993 report of the American Veterinary Medical Association panel on euthanasia. No person may advertise any services relating to humane capture or relocation of wildlife unless all methods employed in such services conform to such regulations.

(5) Any person licensed under this subsection shall provide all clients with a written statement approved by the commissioner regarding approved lethal and nonlethal options, as provided in this subsection, which are available to the client for resolution of common nuisance problems. If a written statement cannot be delivered to the client prior to services being rendered, the licensee shall leave the statement at the job site or other location arranged with the client.

(6) Each person licensed under this subsection shall submit a report to the commissioner, on such date as the commissioner may determine, that specifies the means utilized in each case of nuisance wildlife control service provided in the preceding calendar year including any method used in those cases where an animal was killed. Any information included in such report which identifies a client of such person or the client's street address may be released by the commissioner only pursuant to an investigation related to enforcement of this section.

Sec. 451. Section 26-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner may issue permits authorizing the establishment and operation of regulated private shooting preserves when in his judgment such preserves will not conflict with any reasonable prior public interest. The fee for such permit shall be **[**fifty**]** <u>one hundred</u> dollars per season. A hunting license shall not be required to hunt on such private shooting preserves. The commissioner shall govern and prescribe by regulations the size of the preserves, the methods of hunting, the species and sex of birds that may be taken, the open and closed seasons, the tagging of birds with tags furnished by the commissioner at a reasonable fee and the releasing, possession and use of legally propagated game birds thereon; and may require such reports as the commissioner deems necessary concerning the operation of such preserves. Any permit issued under the provisions of this

section may be revoked for a violation of any provision of this chapter or for a violation of any regulation made by the commissioner relating to private shooting preserves.

Sec. 452. Section 26-48a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, standards for the management of salmon, migratory game birds in accordance with section 26-92, pheasant and turkey which shall include provision for the issuance of permits, tags or stamps. The commissioner may charge a fee for a permit, tag or stamp as follows: Not more than **[**fourteen**]** twenty-eight dollars for turkey; not more than **[**three**]** fifteen dollars for migratory game birds; not more than **[**fourteen**]** twenty-eight dollars for pheasant and not more than **[**twenty-eight**]** fifty-six dollars for salmon. No person shall be issued a permit, tag or stamp for migratory birds, pheasant or turkey without first obtaining a license to hunt and no person shall be issued a permit, tag or stamp for salmon without first obtaining a license to fish. Notwithstanding any provision of any regulation to the contrary, the commissioner may charge a fee of **[**fourteen**]** twenty-eight dollars for the issuance of a permit to hunt wild turkey on state-owned or private land during the fall season.

(b) Such permits, tags or stamps shall be issued to qualified applicants by any town clerk. Application for such permits, tags or stamps shall be on such form and require of the applicant such information as the commissioner may prescribe. The commissioner may adopt regulations in accordance with the provisions of chapter 54 authorizing a town clerk to retain part of any fee paid for a permit, tag or stamp issued by such town clerk pursuant to this section, provided the amount retained shall not be less than fifty cents.

Sec. 453. Subsection (b) of section 26-49 of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) Said commissioner may authorize the establishment and operation of regulated hunting dog-training areas and may issue to any person holding a private shooting preserve permit, as provided for under section 26-48, as amended by this act, or to any established game breeder holding a game breeder's license, as provided for under section 26-40, as amended by this act, or to any person holding a commercial kennel license, as provided for under section 22-342, a permit, which shall expire on June thirtieth next after issuance and for which a fee of **[**fourteen**]** twenty-eight dollars shall be charged, authorizing the liberation of artificially propagated game birds and pigeons, legally possessed and suitably tagged with tags furnished by the commissioner, for which a reasonable fee may be charged, and the subsequent shooting of such game birds and pigeons by persons authorized by any such permittee, in connection with the training of hunting dogs only, at any time, including Sunday; provided permission to shoot on Sunday on the area specified in the permit shall have the approval of the proper authorities of the town or towns in which such dog-training area is located and shall apply only to the period from sunrise to sunset.

Sec. 454. Section 26-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner may, upon application and payment of a fee of **[**seven**]** fifteen dollars, issue to any responsible person or organization a permit to hold a field dog trial subject to such regulations as he may prescribe. Any such permit may be revoked by the commissioner at any time.

Sec. 455. Section 26-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner may issue to any responsible person or authorized field trial group a permit to hold field dog trials, on land approved by the commissioner as suitable for the purpose, at any time, including Sunday, during daylight hours, at which liberated game birds, waterfowl and pigeons legally possessed may be shot. All such game birds shall, immediately after being shot, be tagged with tags furnished by the commissioner, for which a reasonable fee may be charged. Such game birds so tagged may be possessed, transported, bought and sold at any time. Tags shall not be removed from such game birds until such time as such birds are finally prepared for consumption. The commissioner may, by regulation, govern and prescribe the minimum number of such birds that shall be released, the method of liberating and the method of taking such birds, the species and sex of such birds that may be shot, locations where such field dog trials may be held, periods of the year when such field dog trials may be held, the maximum number of such field dog trials that shall be sponsored or conducted by an individual or group during the period from July first to June thirtieth and the method of reporting all such activities. Notwithstanding the provision of any regulation to the contrary, the fee for a permit to hold a field dog trial on state-owned land shall be **[**twenty-eight**]** fifty-six dollars and the fee for a permit to hold a field dog trial on private land shall be **[**fourteen**]** twenty-eight dollars.

Sec. 456. Section 26-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall practice taxidermy for profit unless he has obtained a license from the commissioner. The commissioner may, upon the application of any citizen of this state, accompanied by payment of a fee of **[**eighty-four**]** one hundred sixty-eight dollars, issue to such person a license to practice taxidermy, which license shall expire on December thirty-first next following the date of issue. Any

such licensee shall permit, at any time, any law enforcement officer to examine and inspect any premises used by him for the practice of taxidermy. Such licensee may receive any bird or animal legally killed in this state or any bird or animal legally killed and imported into this state, for the purpose of tanning, curing or mounting the same, and the provisions of section 26-76 shall not apply to such person. Each licensee shall make an annual report to the commissioner, containing such information as he requires.

(b) Any person who violates any provision of subsection (a) of this section shall be fined not less than one dollar or more than one hundred dollars or imprisoned not more than thirty days or be both fined and imprisoned.

(c) The license of any person to practice taxidermy may be revoked or suspended at any time for cause by the commissioner.

Sec. 457. Section 26-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The commissioner may grant to any properly accredited person not less than eighteen years of age, upon written application, a permit to collect fish, crustaceans and wildlife and their nests and eggs, for scientific and educational purposes only, and not for sale or exchange or shipment from or removal from the state without the consent of the commissioner. The commissioner may determine the number and species of such fish, crustaceans and wildlife and their nests and eggs which may be taken and the area and method of collection of such fish, crustaceans and wildlife under any permit in any year. The permit shall be issued for a term established by the commissioner in accordance with federal regulations and shall not be transferable. The commissioner shall charge an annual fee of **[**twenty**]** <u>forty</u> dollars for such permit. Each person receiving a permit under the provisions of this section shall report to the commissioner on blanks furnished by

the commissioner, at or before the expiration of such permit, the detailed results of the collections made thereunder. Any person violating the provisions of this chapter or of the permit held by him shall be subject to the penalties provided in section 26-64, and, upon conviction of such violation, the permit so held by him shall become void.

Sec. 458. Section 26-86a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The commissioner shall establish by regulation adopted in accordance with the provisions of chapter 54 standards for deer management, and methods, regulated areas, bag limits, seasons and permit eligibility for hunting deer with bow and arrow, muzzleloader and shotgun, except that no such hunting shall be permitted on Sunday. No person shall hunt, pursue, wound or kill deer with a firearm without first obtaining a deer permit from the commissioner in addition to the license required by section 26-27, as amended by this act. Application for such permit shall be made on forms furnished by the commissioner and containing such information as he may require. Such permit shall be of a design prescribed by the commissioner, shall contain such information and conditions as the commissioner may require, and may be revoked for violation of any provision of this chapter or regulations adopted pursuant thereto. As used in this section, "muzzleloader" means a rifle or shotgun of at least forty-five caliber, incapable of firing a self-contained cartridge, which uses powder, a projectile, including, but not limited to, a standard round ball, mini-balls, maxi-balls and Sabot bullets, and wadding loaded separately at the muzzle end and "rifle" means a long gun the projectile of which is six millimeters or larger in diameter. The fee for a firearms permit shall be **[**fourteen**]** twenty-eight dollars for residents of the state and **[**fifty**]** one hundred dollars for nonresidents, except that any nonresident who is an active full-time member of the armed forces, as

defined in section 27-103, may purchase a firearms permit for the same fee as is charged a resident of the state. The commissioner shall issue, without fee, a private land deer permit to the owner of ten or more acres of private land and the husband or wife, parent, grandparent, sibling and any lineal descendant of such owner, provided no such owner, husband or wife, parent, grandparent, sibling or lineal descendant shall be issued more than one such permit per season. Such permit shall allow the use of a rifle, shotgun, muzzleloader or bow and arrow on such land from November first to December thirty-first, inclusive. Deer may be so hunted at such times and in such areas of such state-owned land as are designated by the Commissioner of Environmental Protection and on privately owned land with the signed consent of the landowner, on forms furnished by the department, and such signed consent shall be carried by any person when so hunting on private land. The owner of ten acres or more of private land may allow the use of a rifle to hunt deer on such land during the shotgun season. The commissioner shall determine, by regulation, the number of consent forms issued for any regulated area established by said commissioner. The commissioner shall provide for a fair and equitable random method for the selection of successful applicants who may obtain shotgun and muzzleloader permits for hunting deer on state lands. Any person whose name appears on more than one application for a shotgun permit or more than one application for a muzzleloader permit shall be disqualified from the selection process for such permit. No person shall hunt, pursue, wound or kill deer with a bow and arrow without first obtaining a bow and arrow permit pursuant to section 26-86c<u>, as amended by this act</u>. "Bow and arrow" as used in this section and in section 26-86c<u>, as amended by this act,</u> means a bow with a draw weight of not less than forty pounds. The arrowhead shall have two or more blades and may not be less than seven-eighths of an inch at the widest point. No person shall carry firearms of any kind while hunting with a bow and arrow under said sections.

(b) Any person who takes a deer without a permit shall be fined not less than two hundred dollars or more than five hundred dollars or imprisoned not less than thirty days or more than six months or shall be both fined and imprisoned, for the first offense, and for each subsequent offense shall be fined not less than two hundred dollars or more than one thousand dollars or imprisoned not more than one year or shall be both fined and imprisoned.

Sec. 459. Section 26-86c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person may hunt deer or small game with a bow and arrow under the provisions of this chapter without a valid permit issued by the Commissioner of Environmental Protection pursuant to this section or section 26-86a, as amended by this act, for persons hunting deer with bow and arrow under private land deer permits issued free to qualifying landowners, or their husbands or wives, parents, grandparents, lineal descendants or siblings under that section. The fee for such bow and arrow permit to hunt deer and small game shall be **[**thirty**]** sixty dollars for residents and **[**one**]** two hundred dollars for nonresidents, or **[**thirteen**]** twenty-six dollars for any person twelve years of age or older but under sixteen years of age, except that any nonresident who is an active full-time member of the armed forces, as defined in section 27-103, may purchase a bow and arrow permit to hunt deer and small game for the same fee as is charged a resident of the state. Permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants therefor by the Commissioner of Environmental Protection, in such form as said commissioner prescribes. Applications shall be made on forms furnished by the commissioner containing such information as he may require and all such application forms shall have printed thereon: "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any

material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement and said offense shall be deemed to have been committed in the town in which the applicant resides. No such application shall contain any material false statement. On and after January 1, 2002, permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants who have successfully completed the conservation education bow hunting course as specified in section 26-31 or an equivalent course in another state.

Sec. 460. Subsection (c) of section 26-142a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) The fee for the following fishing licenses and registrations and for a commercial fishing vessel permit shall be: (1) For a license to take blue crabs for commercial purposes, **[**seventy-five**]** one hundred fifty dollars; (2) for a license to take lobsters for personal use, but not for sale, (A) by the use of not more than ten lobster pots, traps or similar devices provided finfish may be taken incidentally during such use if taken in accordance with recreational fishery creel limits adopted under section 26-159a and if taken for personal use and not for sale, or (B) by skin diving, scuba diving or by hand, **[**sixty**]** one hundred twenty dollars; (3) for a license to take lobsters, fish or crabs, other than blue crabs for personal use or for sale, by the use of more than ten lobster pots or similar devices, one hundred **[**fifty**]** ninety dollars for residents of this state and two hundred **[**twenty-five**]** eighty-five dollars for nonresidents, provided any such license issued to a resident of a state that does not issue commercial licenses conferring the same authority to take lobsters to residents of Connecticut shall be limited to the taking of crabs, other than blue crabs, and a nonresident shall not be issued such license if the laws of the nonresident's state concerning

the taking of lobster are less restrictive than regulations adopted pursuant to section 26-157c; (4) for a license to take lobsters, crabs other than blue crabs, squid, sea scallops and finfish, for personal use or for sale, by the use of more than ten lobster pots or similar devices, or by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, two hundred **[**twenty-five**]** eighty-five dollars for residents of this state and one thousand **[**two hundred fifty**]** five hundred dollars for nonresidents, provided any such license issued to residents of states which do not issue commercial licenses conferring the same authority to take lobsters to residents of Connecticut shall be limited to the taking of crabs other than blue crabs, squid, sea scallops and finfish by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, and a nonresident shall not be issued such license if the laws of the state of residency concerning the taking of lobster are less restrictive than regulations adopted under the authority of section 26-157c; (5) for a license to set or tend gill nets, seines, scap or scoop nets used to take American shad, **[**one**]** two hundred dollars; (6) for the registration of each pound net or similar device used to take finfish, two hundred **[**twenty-five**]** eighty-five dollars, provided persons setting, operating, tending or assisting in setting, operating or tending such pound nets shall not be required to be licensed; (7) for a license to set or tend gill nets, seines, traps, fish pots, cast nets, fykes, scaps, scoops, eel pots or similar devices to take finfish other than American shad or bait species for commercial purposes, or, in any waters seaward of the inland district demarcation line, to take finfish other than American shad or bait species for commercial purposes by hook and line, or to take horseshoe crabs by hand, one hundred **[**fifty**]** ninety dollars for residents of this state and two hundred fifty dollars for nonresidents, and any such license obtained for the taking of any fish species for commercial purposes by hook and line, in excess of any creel limit adopted under the authority of section 26-159a, three hundred seventy-five dollars for residents of this state and **[**five hundred**]** six hundred twenty-five dollars for

nonresidents, provided for the taking for bait of horseshoe crabs only, this license may be issued without regard to the limitations in section 26-142b to any holder of a Department of Agriculture conch license who held such license between January 1, 1995, and July 1, 2000, inclusive; (8) for a license to set or tend seines, traps, scaps, scoops, weirs or similar devices to take bait species in the inland district for commercial purposes, **[**fifty**]** one hundred dollars; (9) for a license to set or tend seines, traps, scaps, scoops or similar devices to take bait species in the marine district for commercial purposes, **[**fifty**]** one hundred dollars; (10) for a license to buy finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species for resale from any commercial fisherman licensed to take or land such species for commercial purposes, regardless of where taken, two hundred fifty dollars; (11) for the registration of any party boat, head boat or charter boat used for fishing, **[**two hundred fifty**]** three hundred fifteen dollars; (12) for a license to land finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species, **[**four**]** five hundred dollars; (13) for a commercial fishing vessel permit, **[**fifty**]** one hundred dollars; (14) for a license to take menhaden from marine waters for personal use, but not for sale, by the use of a single gill net not more than sixty feet in length, **[**fifty**]** one hundred dollars; and (15) for an environmental tourism cruise vessel permit, **[**fifty**]** one hundred dollars, provided the landing of any species regulated under Department of Environmental Protection regulations is prohibited.

Sec. 461. Section 26-149 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

No person shall operate a commercial hatchery to hold, hatch or rear finfish or crustaceans, including, but not limited to, lobsters and blue crabs, in this state unless such person has obtained a commercial hatchery license from the Commissioner of Agriculture in accordance

with the provisions of section 22-11h. The commissioner may issue such license to qualified applicants upon the submission of an application, on forms provided by the commissioner, containing such information as prescribed by the commissioner. There shall be an annual fee of **[**sixty-five**]** one hundred thirty dollars for each such license. Such license shall expire on the last day of December next after the issuance thereof. All legally acquired finfish and crustaceans hatched, reared or held in commercial hatcheries may be taken and sold at any time for the purpose of stocking other waters, for bait or for food, except that lobsters or blue crabs sold for any purpose other than for rearing in another commercial hatchery shall not have ova or spawn attached and must meet the minimum legal length requirements provided in subsection (a) of section 26-157a. Each owner or operator of any such hatchery shall keep such records as are required by the commissioner on forms provided by the commissioner which record shall be open to inspection by said commissioner or the commissioner's authorized agents at any time and a copy of such records shall be furnished to the commissioner by January thirty-first of the year following the year covered by the report. Representatives of the commissioner may enter upon the premises of any such licensed hatchery at any time to inspect any facility, equipment, impoundment or any finfish or crustaceans to determine the presence of disease or parasites. In such case said commissioner, when so requested, may render such technical assistance as is necessary and possible and may charge a reasonable fee for such services. In the event that the presence of disease or parasites is confirmed in finfish or crustaceans hatched, held or reared in such licensed hatchery said commissioner is authorized to suspend or revoke any such commercial hatchery license and issue an order prohibiting the sale, exchange or removal from such premises of such finfish or crustaceans, and direct such disposition of such remaining finfish or crustaceans including the eggs of such finfish or crustaceans as the commissioner determines would be in the public interest. Any person issued a license to operate a commercial finfish

hatchery may charge a fee for the privilege of fishing in the waters included under said license and may sell any species of finfish removed therefrom, provided no sport fishing license shall be required. Said commissioner may adopt regulations, in accordance with the provisions of chapter 54, governing and prescribing the methods of taking such finfish and the conditions under which such finfish may be sold, removed from the premises, possessed and transported. Said commissioner may adopt regulations, in accordance with the provisions of chapter 54, governing and prescribing the method of taking particular species of finfish and the conditions under which such finfish may be removed from the premises, possessed and transported, without a sport fishing license, from artificial facilities at fairs, sportsmen's shows and at such other place as said commissioner authorizes. Persons operating such facilities shall not be required to pay a fee to said commissioner and such persons may charge a fee for the privilege of fishing in such water, provided any such facility and any finfish used in connection therewith may be inspected at any time by any representative of the department to determine the presence of disease or parasites. In the event the presence of disease or parasites is confirmed any such representative may issue a written order directing that such facility be immediately closed to the public and directing such disposition of such remaining finfish as would be in the public interest. Any person who violates any provision of this section or any regulation adopted or order issued by the commissioner, or such representative, or any person who, without proper authorization, takes or attempts to take any finfish or crustacean from any waters described herein shall be fined not more than two hundred dollars or be imprisoned for not more than thirty days or both.

Sec. 462. (NEW) (*Effective October 1, 2009*) Any person, firm, corporation, franchise or other entity engaged in the harvesting of shellfish for wholesale or retail sale from shellfish grounds lying within the waters of this state shall pay to the Commissioner of

Environmental Protection a fee of one dollar for each bushel bag or equivalent of shellfish harvested by such person, firm, corporation, franchise or other entity for wholesale or retail sale. Such fee shall be known as the "shellfish harvest fee" and be paid to the commissioner by the tenth day of each calendar month for all shellfish so harvested by such person, firm, corporation, franchise or other entity in the month previous. If such fee due is not paid on or before the date such fee becomes payable, the commissioner shall make and issue a warrant for the collection thereof, with interest thereon, at the rate of one per cent per month from the day such fee becomes payable until paid, with the expenses of such collection, which warrant shall authorize any reputable person named therein to seize any vessel, vehicle, equipment, dock, building, structure or any other asset or property owned and used by such person, firm, corporation, franchise or other entity for the harvest, storage, transport or sale of shellfish and to sell the same, or so much thereof as he may find necessary, at such time and place, in such manner and by such person as said commissioner may direct, whereupon such sale shall be so made, and such warrant shall be immediately returned to said commissioner by such person with all their doings endorsed thereon, and shall pay to said commissioner the money received upon such sale, and the commissioner shall apply the same to the payment of such fee and all the expenses thereon, including the expenses of such sale, returning any balance that remains to such owner or owners. All moneys received by said commissioner in payment of fees and interest shall be accounted for and deposited in the General Fund.

Sec. 463. Subsection (f) of section 22a-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(f) Any person who is not certified as a commercial applicator who performs or advertises or solicits to perform commercial application of

a pesticide, or any person possessing an operational certificate for commercial application under section 22a-54 who performs or advertises or solicits to perform any activity requiring a supervisory certificate for commercial application shall be assessed a civil penalty in an amount not less than one thousand dollars or more than two thousand dollars for each day such violation continues. For any subsequent violation, such penalty shall be not more than five thousand dollars. The Attorney General, upon complaint of the commissioner, may institute a civil action to recover such penalty in the superior court for the judicial district of Hartford. **[**Any penalties collected under this subsection shall be deposited in the Environmental Quality Fund established under section 22a-27g and shall be used by the commissioner to carry out the purposes of this section.**]**

Sec. 464. Subsection (h) of section 22a-174 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(h) The commissioner may require, by regulations adopted in accordance with the provisions of chapter 54, payment of a fee by the owner or operator of a source of air pollution, sufficient to cover the reasonable cost of a visual test of an air pollution control device through the use of a dust compound in the detection of leaks in such device, or the monitoring of such test, provided such fee may not exceed the average cost to the department for the conduct or monitoring of such tests plus ten per cent of such average cost. **[**Except as specified in section 22a-27g, all**]** <u>All</u> payments received by the commissioner pursuant to this subsection shall be deposited in the General Fund and credited to the appropriations of the Department of Environmental Protection in accordance with the provisions of section 4-86.

Sec. 465. Subsections (a) and (b) of section 22a-630 of the general

statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) Each manufacturer of covered electronic devices shall register with the Department of Environmental Protection not later than January 1, 2008, and annually thereafter, on a form prescribed by the Commissioner of Environmental Protection and accompanied by a fee set by the Commissioner of Environmental Protection in accordance with this section and any regulations adopted pursuant to this section. The department may review, at a public hearing, as necessary, the CED recycling and registration fees. **[**The commissioner shall deposit the proceeds of the fees received from registrants in the electronic device recycling program account established under section 22a-27g for the purposes of covering the cost for the department to administer the program created in sections 22a-629 to 22a-640, inclusive, except as otherwise provided.**]**

(b) Not later than January 1, 2008, each manufacturer that has sold more than one hundred CEDs in calendar year 2007 shall pay an initial registration fee of five thousand dollars. On or after January 1, 2008, each manufacturer that has not sold CEDs by any means in the state prior to January 1, 2008, shall pay an initial registration fee of five thousand dollars and an additional fee equivalent to the greater of: (1) One per cent of the prior year's total share of orphan devices expressed in pounds multiplied by fifty cents, or (2) one thousand dollars. **[**Such additional fee shall be deposited in the covered electronic recycler reimbursement account established under section 22a-27g for the purpose of reimbursing covered electronic recyclers for unpaid qualified expenses incurred under section 22a-631. The initial registration fee of five thousand dollars shall be deposited in the electronic device recycling program account established under section 22a-27g for the purposes of covering the cost for the department to administer the program created in sections 22a-629 to 22a-640,

inclusive.**]**

Sec. 466. Subsection (d) of section 22a-631 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(d) On and after July 1, 2009, each manufacturer shall pay the reasonable costs of transportation and recycling incurred by a covered electronic recycler for the CEDs attributed to such manufacturer and the manufacturer's pro rata share of orphan devices processed by a covered electronic recycler. A manufacturer's pro rata share of orphan devices shall be calculated as a manufacturer's market share for the preceding calendar year divided by the total market share of all registered manufacturers for the same year multiplied by the total, in pounds, of orphan devices returned. The commissioner may suspend the registration of any manufacturer in arrears for more than ninety days. A manufacturer that has had such manufacturer's registration suspended in accordance with this subsection shall demonstrate that all past due payments and a penalty equivalent to ten per cent of such past due payments has been paid to the commissioner prior to seeking reinstatement of such registration. **[**The commissioner shall deposit such penalty in the covered electronic recycler reimbursement account established under section 22a-27g for the purpose of reimbursing covered electronic recyclers for unpaid qualified expenses in accordance with this section and any regulations adopted pursuant to section 22a-638. Any covered electronic recycler seeking reimbursement for such qualified expenses shall file a request with the commissioner and certify that such expenses are qualified. The commissioner shall reimburse each covered electronic recycler to the extent that funds are available.**]**

Sec. 467. Subsection (c) of section 26-194 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) The Commissioner of Agriculture shall assess the owner of any facility that requires a certificate issued pursuant to section 16-50k or that requires approval by the Federal Energy Regulatory Commission and that crosses any grounds of Long Island Sound within the jurisdiction of the state, including, but not limited to, any shellfish area or leased, designated or granted grounds, an annual host payment fee of forty cents per linear foot for the length of such facility within the jurisdiction of the state. The Commissioner of Agriculture shall deposit seventy-five per cent of the proceeds of such fee into the expand and grow Connecticut agriculture account established pursuant to section 22-38c and shall transfer the remaining twenty-five per cent to the **[**Commissioner of Environmental Protection for deposit into the Environmental Quality Fund established pursuant to section 22a-27g**]** General Fund.

Sec. 468. Subsection (c) of section 7-131d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) No grant may be made under the protected open space and watershed land acquisition grant program established under subsection (a) of this section or under the Charter Oak open space grant program established under section 7-131t for: (1) Land to be used for commercial purposes or for recreational purposes requiring intensive development, including, but not limited to, golf courses, driving ranges, tennis courts, ballfields, swimming pools and uses by motorized vehicles other than vehicles needed by water companies to carry out their purposes, provided trails or pathways for pedestrians, motorized wheelchairs or nonmotorized vehicles shall not be considered intensive development; (2) land with environmental contamination over a significant portion of the property provided grants for land requiring remediation of environmental contamination may be made if remediation will be completed before acquisition of

the land or any interest in the land and an environmental assessment approved by the Commissioner of Environmental Protection has been completed and no environmental use restriction applies to the land; (3) land which has already been committed for public use; (4) development costs, including, but not limited to, construction of ballfields, tennis courts, parking lots or roadways; (5) land to be acquired by eminent domain; or (6) reimbursement of in-kind services or incidental expenses associated with the acquisition of land. This subsection shall not prohibit the continuation of agricultural activity, the activities of a water company for public water supply purposes or the selling of timber incidental to management of the land which management is in accordance with approved forest management practices provided any proceeds of such timber sales shall be used for management of the land. In the case of land acquired under this section which is designated as a state park, any fees charged by the state for use of such land shall be used by the state in accordance with the provisions of title 23. **[**or section 22a-27h.**]**

Sec. 469. Section 23-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Commissioner of Environmental Protection shall administer the statutes relating to forestry and the protection of forests. The commissioner may employ such field and office assistants as may be necessary for the execution of his or her duties. The commissioner may, from time to time, publish the forestry laws of the state and other literature of general interest and practical value pertaining to forestry. The commissioner may enter into cooperation with departments of the federal government for the promotion of forest resource management and protection within the state. The commissioner may, with the assistance of the State Forester, develop and administer plans for the protection and management of publicly owned woodlands. Such plans shall include, but not be limited to proposals for the establishment of

forest plantations and the marketing of forest products. Not later than January 10, 2010, the commissioner shall apply to have publicly owned woodlands or products from such woodlands certified or licensed under one or more of the following, provided the commissioner uses private funding from gifts, donations or bequests, as authorized in this section, for the cost of all such applications: (1) The Sustainable Forestry Initiative Program, (2) the American Tree Farm System, (3) the Canadian Standards Association's Sustainable Management System Standards, (4) the Finnish Standard, (5) the Forest Stewardship Council, (6) the Pan-European Forest Certification Program, (7) the Swedish Standards, (8) the United Kingdom Woodland Assurance Scheme, (9) the Smart Wood Program, as administered by the Rainforest Alliance, or (10) any other programs deemed necessary, as determined by the commissioner. The commissioner shall implement any sustainable forestry practice necessary for such certification or licensure. The commissioner may accept, on behalf of the Department of Environmental Protection, any gifts, donations or bequests for the purposes of applying for and obtaining such certification or licensure. The commissioner may harvest forest products from woodlands owned by the state and take such other measures as he or she deems necessary for their efficient management and protection, may sell wood, timber and other products from any state woodlands whenever he or she deems such sales desirable and may develop recreational facilities in the woodlands managed by the Department of Environmental Protection. The commissioner shall charge no less than ten dollars per cord for any such wood or timber sold as fuel. The commissioner may rent state forest property and buildings thereon under his or her jurisdiction for a period not exceeding twenty-five years, provided any lease for such property and building for a term of more than ten years shall be subject to the review and approval of the State Properties Review Board. The proceeds of such sales, rentals and any receipts resulting from management of the state forests, or from reimbursements from other state departments or state institutions,

shall be deposited in the General Fund in accordance with the provisions of section 4-32. **[**, provided the amount of annual proceeds in excess of six hundred thousand dollars derived from the sale of wood, timber and other products from publicly owned woodlands shall be deposited in the Conservation Fund, as established in section 22a-27h and shall be used only to support forestry programs.**]** Expenditures incurred by the commissioner for the protection, management and development of the forests, the preparation and marketing of forest products and the acquisition of land for the extension and completion of the state forests as provided in section 23-21 may **[**also**]** be paid with moneys appropriated from the General Fund. The provisions of this section shall not apply to land owned or managed by the state on which forest resource management measures may be restricted by deed, statute, or incompatible use. As used in this section, woodland means land owned or managed by a state agency and stocked with forest tree species not less than six hundred stems per acre and at least one year old.

Sec. 470. Subdivision (7) of subsection (c) of section 23-65h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(7) The commissioner may, by regulation, adopted in accordance with the provisions of chapter 54, prescribe fees for applicants to defray the cost of administering examinations and carrying out the provisions of this chapter. A state or municipal employee who engages in activities for which certification is required by this section solely as part of his employment shall be exempt from payment of a fee. Any certificate issued to a state or municipal employee for which a fee has not been paid shall be void upon termination of such government employment. **[**The fees collected in accordance with this section shall be deposited in the Environmental Conservation Fund established pursuant to section 22a-27h.**]**

Sec. 471. Subsection (a) of section 26-3b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) When the Commissioner of Environmental Protection deems that it would be in the interest of the state, he may rent to any person, or assign departmental employees to occupy, houses, other buildings or property in the custody or control of said commissioner. If he rents property to persons who are not employees of the department he shall first obtain the approval of the State Properties Review Board and any such rent shall at least be equal to the fair market rental value of such property as determined by the commissioner, notwithstanding any other provision of the general statutes or of any regulations of any state agency. Rentals to persons other than departmental employees may be for commercial, residential or any other purpose that the commissioner deems to be in the interest of the state. If he assigns departmental employees to occupy such property, he may impose whatever conditions he deems necessary upon such assignment. He may also rent any such property to a departmental employee, and if, in his judgment, a rental fee should be charged to such employee, he shall determine such rental fee, notwithstanding any other provision of the general statutes or of any regulations of any state agency. The commissioner may, in the name of the state, execute leases, contracts or other documents to carry out the purposes of this section. **[**All moneys from the rental of any such property shall be deposited into the maintenance, repair and improvement account established under section 22a-27h.**]**

Sec. 472. Subsection (g) of section 53a-217e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(g) Any fine imposed for a conviction under subsection (b), **[**or**]** (c), <u>(d) or (e)</u> of this section or subsection (b) of section 53-206d shall be

deposited in the Criminal Injuries Compensation Fund established pursuant to section 54-215. **[**Any fine imposed for a conviction under subsection (d) or (e) of this section shall be deposited in the Conservation Fund established under section 22a-27h for land management or acquisition of hunting easements.**]**

Sec. 473. Section 22a-190 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

As used in sections 22a-191, 22a-193 **[**,**]** <u>and</u> 22a-231 **[**and 22a-233,**]** "resources recovery facility" means a facility utilizing processes aimed at reclaiming the material or energy values from municipal solid wastes, "dioxin and furan emissions" means tetrachlorodibenzodioxin and tetrachlorodibenzofuran emissions or emissions of any other isomers of comparable toxicity.

Sec. 474. Subsection (a) of section 22a-191a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On or before February 1, 1994, the Commissioner of Environmental Protection, in conjunction with the dioxin testing program established under section 22a-191 and within available appropriations, shall prepare a plan to implement a program of testing of resource recovery facilities for the presence of mercury and other metals in the air emissions of such facilities. Such plan shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to the environment. Such testing shall commence July 1, 1994, in accordance with applicable testing protocols established by the United States Environmental Protection Agency and shall be conducted at least once annually thereafter. **[**The costs of such testing shall be paid out of the solid waste account established pursuant to section 22a-233.**]**

Sec. 475. Section 4-89 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No officer, department, board, commission, institution or other agency of the state shall, after the close of any fiscal year, incur, or vote or order or approve the incurring of, any obligation or expenditure under any appropriation made by the General Assembly for any fiscal year that had expired at the time the obligation for such expenditure was incurred. The Comptroller is authorized to draw warrants or process interdepartmental transactions against the available appropriations made for the current fiscal year for the payment of expenditures incurred during the prior fiscal year for which appropriations were made or in fulfillment of contracts properly made during such prior year, and the Treasurer is authorized to pay such warrants or record such interdepartmental transactions. The balances of certain appropriations which otherwise would lapse at the close of any fiscal year and for which no appropriation is made in the following year shall be extended into the succeeding fiscal year for the period of one month to permit liquidation of obligations of the prior fiscal year.

(b) Except as provided in this section, all unexpended balances of appropriations made by the General Assembly in the state budget act shall lapse at the end of the period for which they have been made and shall revert to the unappropriated surplus of the fund from which such appropriation or appropriations were made, except that any appropriation for the improvement of or maintenance work by contract on public roads, for the purchase of land or the erection of buildings or new construction or for specific projects for capital improvements and repairs, provided in the case of such specific projects allotments shall have been made by the Governor for design and construction, shall continue to be available until the attainment of the object or the completion of the work for which such appropriation

was made, but in no case for more than six years unless renewed by act of the General Assembly.

(c) All unexpended balances of special appropriations made by the General Assembly for special programs, projects or studies shall lapse at the end of the period for which they have been made, except that if satisfied that the work of any such program, project or study is not completed and will continue during the following fiscal year, the Secretary of the Office of Policy and Management shall order any unexpended balance remaining in the special appropriation to be continued to the ensuing fiscal year.

(d) Any appropriation made by the General Assembly for no specific period, or any unexpended balance thereof, shall lapse on June thirtieth in the fourth year after such appropriation was made, provided when the purpose for which any such appropriation was made has been accomplished or there is no further need for funds thereunder, the unexpended balance thereof, upon the written consent of the head of the department, board, commission, institution or other agency to which such appropriation was made, shall lapse and shall revert to the unappropriated surplus of the fund from which such appropriation was made.

(e) The provisions of this section shall not apply to appropriations for Department of Transportation equipment, the highway and planning research program administered by the Department of Transportation, Department of Environmental Protection equipment or the purchase of public transportation equipment, the minor capital improvement account in the Department of Public Works, the litigation/settlement account in the Office of Policy and Management, library or educational equipment for the constituent units of the state system of higher education, or library or educational materials for the State Library, or the state-wide tourism marketing account of the Commission on Culture and Tourism. Such appropriations shall not

lapse until the end of the fiscal year succeeding the fiscal year of the appropriation, provided an obligation to spend such funds has been incurred in the next preceding fiscal year, except that for the purposes of library or educational equipment or materials, such funds shall not exceed twenty-five per cent of the amount of the appropriation for such purposes.

(f) The provisions of this section shall not apply to appropriations to the Department of Higher Education for student financial assistance for the scholarship program established under section 10a-169, for the high technology graduate scholarship program established under section 10a-170a, for Connecticut higher education centers of excellence established under section 10a-25h, for the minority advancement program established under subsection (b) of section 10a-11, for the high technology doctoral fellowship program established under section 10a-25n, or to the operating funds of the constituent units of the state system of higher education established pursuant to sections 10a-105, 10a-99 and 10a-77. Such appropriations shall not lapse until the end of the fiscal year succeeding the fiscal year of the appropriation except that centers of excellence appropriations deposited by the board of governors in the Endowed Chair Investment Fund, established under section 10a-20a, shall not lapse but shall be held permanently in the Endowed Chair Investment Fund and any moneys remaining in higher education operating funds of the constituent units of the state system of higher education shall not lapse but shall be held permanently in such funds. On or before September first, annually, the Board of Governors of Higher Education shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the Office of Fiscal Analysis, concerning the amount of each such appropriation carried over from the preceding fiscal year.

(g) The provisions of this section shall not apply to appropriations to the Commission on the Deaf and Hearing Impaired in an amount not greater than the amount of reimbursements of prior year expenditures for the services of interpreters received by the commission during the fiscal year pursuant to section 46a-33b and such appropriations shall not lapse until the end of the fiscal year succeeding the fiscal year of the appropriation.

[(h) The provisions of this section shall not apply to appropriations from the municipal solid waste recycling trust account established under subsection (d) of section 22a-241. Such appropriations shall not lapse.**]**

[(i)**]** (h) The provisions of this section shall not apply to appropriations to the Labor Department, from the General Fund, for the federal Workforce Investment Act. Such appropriations shall not lapse.

Sec. 476. Subsection (b) of section 15-140f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, setting forth the content of safe boating operation courses. Such regulations may include provisions for examinations, issuance of safe boating certificates and establishment of reasonable fees for the course and examination and for issuing certificates, temporary certificates and duplicate certificates. **[**Any fees collected pursuant to such regulations shall be deposited in the boating account established pursuant to section 15-155.**]**

Sec. 477. Subsection (d) of section 15-140j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(d) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, establishing the content of courses in safe personal watercraft handling. Such regulations may include provisions for examinations, issuance of certificates of personal watercraft operation and establishment of a reasonable fee for such course and examination and for the issuance of a certificate and duplicate certificate. **[**Any fee collected pursuant to regulations adopted under this section shall be deposited in the boating account established pursuant to section 15-155.**]**

Sec. 478. Subsection (b) of section 14-21i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) The Commissioner of Motor Vehicles shall establish, by regulations adopted in accordance with chapter 54, a fee to be charged for greenways commemorative number plates in addition to the regular fee or fees prescribed for the registration of a motor vehicle. The fee shall be for such number plates with letters and numbers selected by the Commissioner of Motor Vehicles. The Commissioner of Motor Vehicles may establish a higher fee for: (1) Such number plates which contain letters in place of numbers as authorized by section 14-49, in addition to the fee or fees prescribed for plates issued under said section; and (2) such number plates which are low number plates, in accordance with section 14-160, in addition to the fee or fees prescribed for plates issued under said section. **[**All fees established and collected pursuant to this section shall be deposited in the greenways account of the Conservation Fund, established pursuant to section 22a-27o.**]**

Sec. 479. Subsection (b) of section 15-145 of the general statutes, as amended by section 2 of public act 09-105, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) The commissioner may adopt regulations, in accordance with

the provisions of chapter 54, regarding: (1) The establishment of fees for each marine dealer registration number issued, (2) application for such numbers, (3) examination of a marine dealer, marine engine manufacturer or marine surveyor with respect to criteria for issuance of such numbers, and (4) issuance and display of marine dealer registration numbers. **[**Such fees shall be deposited in the boating account of the Conservation Fund.**]** Such application shall contain an affidavit stating that (A) such marine dealer is a person engaged in the business of manufacturing, selling or repairing new or used vessels and that such person has an established place of business for the sale, trade, display or repair of such vessels, unless specifically exempted in this subsection from the requirement to have an established place of business, (B) such marine engine manufacturer is a person engaged in the business of manufacturing, selling or repairing marine engines and that such person has an established place of business for the sale, trade, display or repair of such engines, or (C) such marine surveyor is a person engaged in the inspection, surveying or examination of vessels and meets the definition of a "marine surveyor", as defined in section 15-141, as amended by **[**this act**]** section 1 of public act 09-105. Yacht brokers shall not be required to have an established place of business. A marine dealer's, marine engine manufacturer's or marine surveyor's registration certificate shall be denominated as such and shall state the dealer's, engine manufacturer's or surveyor's name, residence address, business address, registration number, the expiration date of the certificate and such other information as the Commissioner of Environmental Protection may prescribe. The certificate, or a copy of the certificate, shall be carried aboard and shall be available for inspection upon each vessel which displays the marine dealer's, marine engine manufacturer's or marine surveyor's registration number whenever such vessel is in operation. A number or certificate may not be used on more than one vessel at a time. Each certificate shall be renewed on the first day of May of the year following the date of issue and shall expire on the last day of April of

the year following such renewal, unless sooner terminated or surrendered. At least thirty days prior to the expiration date of each certificate, the Commissioner of Environmental Protection shall notify each marine dealer, marine engine manufacturer and marine surveyor of such expiration. Within ninety days before its expiration, each marine dealer's, marine engine manufacturer's or marine surveyor's certificate may be renewed upon application and upon payment of the fee prescribed by the commissioner pursuant to this subsection. Each registration number assigned to a marine dealer, marine engine manufacturer or marine surveyor shall remain the same as long as such dealer, manufacturer or surveyor continues, under the same name, in the business described in such dealer's, manufacturer's or surveyor's application affidavit as required pursuant to this subsection.

Sec. 480. Section 22a-449i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

Nothing in sections 22a-449a to 22a-449h, inclusive, **[**and no determination of fact or law by the Underground Storage Tank Petroleum Clean-Up Account Review Board pursuant thereto,**]** shall affect the authority of the Commissioner of Environmental Protection or the Commissioner of Public Health under any other statute or regulation, including, but not limited to, the authority to issue any order to prevent or abate pollution or potential sources of pollution or to provide potable drinking water.

Sec. 481. Subsections (a) and (b) of section 22a-471 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) (1) If the commissioner determines that pollution of the groundwaters has occurred or can reasonably be expected to occur and the Commissioner of Public Health determines that the extent of

pollution creates or can reasonably be expected to create an unacceptable risk of injury to the health or safety of persons using such groundwaters as a public or private source of water for drinking or other personal or domestic uses, the Commissioner of Environmental Protection shall, **[**as funds from the emergency spill response account established by section 22a-451 allow**]** within available appropriations, arrange for the short-term provision of potable drinking water to those residential buildings and elementary and secondary schools affected by such pollution until either he issues an order pursuant to this section requiring the provision of such short-term supply and the recipient complies with such order or a long-term supply of potable drinking water has been provided, whichever is earlier. In determining if pollution creates an unacceptable risk of injury, the Commissioner of Public Health shall balance all relevant and substantive facts and inferences and shall not be limited to a consideration of available statistical analysis but shall consider all of the evidence presented and any factor related to human health risks. The commissioner may issue an order to the person or municipality responsible for such pollution requiring that potable drinking water be provided to all persons affected by such pollution. If the commissioner finds that more than one person or municipality is responsible for such pollution, he shall attempt to apportion responsibility if he determines that apportionment is appropriate. If he does not apportion responsibility, all persons and municipalities responsible for the pollution of the groundwaters shall be jointly and severally responsible for the providing of potable drinking water to persons affected by such pollution. If the commissioner determines that the state or an agency or department of the state is responsible in whole or in part for the pollution of the groundwaters, such agency or department shall prepare or arrange for the preparation of an engineering report and shall provide or arrange for the provision of a long-term potable drinking water supply. If the commissioner is unable to determine the person or municipality responsible or if he determines that the

responsible persons have no assets other than land, buildings, business machinery or livestock and are unable to secure a loan at a reasonable rate of interest to provide potable drinking water, he may prepare or arrange for the preparation of an engineering report and provide or arrange for the provision of a long-term potable drinking water supply or he may issue an order to the municipality wherein groundwaters unusable for potable drinking water are located requiring that short-term provision of potable drinking water be made to those existing residential buildings and elementary and secondary schools affected by such pollution and that long-term provision of potable drinking water be made to all persons affected by such pollution. For purposes of this section, "residential building" means any house, apartment, trailer, mobile manufactured home or other structure occupied by individuals as a dwelling, except a non-owner-occupied hotel or motel or a correctional institution.

(2) Any order issued pursuant to this section may require the provision of potable drinking water in such quantities as the commissioner determines are necessary for drinking and other personal and domestic uses and may require the maintenance and monitoring of potable water supply facilities for any period which the commissioner determines is necessary. In making such determinations, the commissioner shall consider the short-term and long-term needs for potable drinking water and the health and safety of those persons whose water supply is unusable. Any order may require the submission of an engineering report which shall be subject to the approval of the commissioner and the Commissioner of Public Health and include, but not be limited to, a description in detail of the problem, area and population affected by pollution of the groundwaters; the expected duration of and extent of the pollution; alternate solutions including relative cost of construction or installation, operation and maintenance; design criteria on all alternate solutions; and any other information which the commissioner deems

necessary. Upon review of such report, the commissioner and the Commissioner of Public Health shall consider the nature of the pollution, the expected duration and extent of the pollution, the health and safety of the persons affected, the initial and ongoing cost-effectiveness and reliability of each alternative and any other factors which they deem relevant, and shall approve a system or method to provide potable drinking water pursuant to the order. Each order shall include a time schedule for the accomplishment of the steps leading to the provision of potable drinking water. Notwithstanding the fact that a responsible party has been or may be identified or a request for a hearing on or a pending appeal from an order issued pursuant to this section, when pollution of the groundwaters has occurred or may reasonably be expected to occur, the commissioner may prepare or arrange for the preparation of an engineering report as described in this subdivision and may provide or arrange for the provision of a long-term potable drinking water supply. In any case where the state or an agency or department of the state is responsible in whole or in part for the pollution of the groundwaters, such agency or department shall prepare or arrange for the preparation of an engineering report and shall provide or arrange for the provision of a long-term potable drinking water supply, and if the state is not the sole responsible party, the commissioner shall seek reimbursement under subdivision (4) of subsection (b) of this section for the costs of such report and for the provision of potable water. The cost of the report and of the provision of a long-term potable drinking water supply, as funds allow, shall be paid from the **[**emergency spill response account pursuant to the provisions of subdivision (6) of subsection (d) of section 22a-451 or from the**]** proceeds of any bonds authorized for the provision of potable drinking water.

(3) The provisions of this section shall not affect the rights of any municipality to institute suit to recover all damages, expenses and costs incurred by the municipality from any responsible party,

including, but not limited to, the costs specified in subparagraph (B)(i) and (ii) of subdivision (4) of subsection (b) of this section and, in the case of any municipality which is not responsible for the pollution of the groundwaters, the additional amounts specified in subparagraph (B)(iii) and (iv) of subdivision (4) of subsection (b) of this section.

(4) No provision of this section shall limit the liability of any person who or municipality which renders the groundwaters unusable for potable drinking water from a suit for damages by a person who or municipality which relied on said groundwaters for potable drinking water prior to the determination by the commissioner that the groundwaters are polluted.

(5) The commissioner may issue any order pursuant to this section if the pollution of the groundwaters occurred before or after July 1, 1982.

(6) The commissioner may at any time require further action by any person to whom or municipality to which an order is issued pursuant to this section if he determines that such action is necessary to protect the health and safety of those persons whose water supply was rendered unusable.

(b) (1) (A) Any municipality not responsible for the pollution of the groundwaters which is ordered to provide potable drinking water in accordance with subsection (a) of this section may apply to the commissioner for a grant as provided by this subsection. Except as provided in subparagraph (C) of subdivision (1) of this subsection and in subdivision (2) of this subsection, the commissioner shall make grants for the short-term provision of potable drinking water and the construction or installation of individual wells or individual water treatment systems, including, but not limited to, carbon absorption filters and shall make grants for other capital improvements for the long-term provision of potable drinking water from **[**the emergency spill response account established by section 22a-451 or from**]** any

bond authorization established for that purpose.

(B) The amount distributed to a municipality shall, as funds allow, equal one hundred per cent of the cost of short-term provision of potable drinking water, one hundred per cent of the cost of the engineering report required by this section, one hundred per cent of the cost of capital improvements for the most cost-effective long-term method of providing potable drinking water as determined by the commissioner and the Commissioner of Public Health upon consideration of such engineering report, and one hundred per cent of the cost during the first five years of installation of monitoring and maintaining individual water treatment systems and monitoring drinking water wells located in an area where the commissioner determines that pollution of the groundwater is reasonably likely to occur. No state funds shall be distributed to a municipality for the cost of operating or maintaining any potable water supply facilities other than as specified in this subsection.

(C) Notwithstanding any provision of this subsection to the contrary, the commissioner may advance to a municipality, from **[**the account established by section 22a-451 or from**]** the proceeds of any bonds authorized for the provision of potable drinking water, any percentage of the cost of short-term and long-term provision of potable drinking water which he deems necessary.

(2) (A) If the commissioner is unable to determine the person or municipality responsible for rendering the groundwaters unusable for potable drinking water or if he determines that the responsible persons have no assets other than land, buildings, business machinery or livestock and are unable to secure a loan at a reasonable rate of interest to provide potable drinking water, a water company which has less than ten thousand customers and which owns, maintains, operates, manages, controls or employs a water supply well which is rendered unusable for potable drinking water, may apply to the commissioner

for a grant from funds established pursuant to section 22a-451 or from the proceeds of any bonds authorized for the provision of potable drinking water. If, upon review of the engineering report required by this subsection to be submitted with an application for such a grant, the commissioner determines that a grant to a water company from **[**the emergency spill response account established by section 22a-451**]** available appropriations or from the proceeds of any bonds authorized for the provision of potable drinking water is appropriate, he may make such a grant in accordance with regulations adopted by him pursuant to subsection (e) of this section.

(B) The total amount distributed to a water company pursuant to this subsection shall, as funds allow, equal fifty per cent of the cost of the engineering report required by this subsection and fifty per cent of the cost of the most cost-effective long-term method of rendering the water supply in question usable for potable drinking water, as determined by the commissioner and the Commissioner of Public Health upon consideration of the required engineering report.

(C) For purposes of this section, "water company" and "customer" shall have the same meaning as specified in section 25-32a.

(D) Any water company applying for a grant pursuant to this section shall prepare or have prepared an engineering report which shall be subject to the approval of the commissioner and the Commissioner of Public Health and include, but not be limited to, a description in detail of the problem, area and population affected by pollution of the groundwaters; alternate solutions including relative cost of construction or installation, operation and maintenance; design criteria on all alternate solutions and any other information the commissioner deems necessary.

(3) (A) If a municipality or water company receives funding from a private source, a federal grant or another state grant for any cost for

which a grant may be awarded pursuant to this section, the grant under this section shall equal the specified percentage of the costs specified in this subsection minus the amount of the other funding.

(B) If a municipality or water company receives a grant under this section and is compensated by a person who or municipality which is responsible for rendering the groundwaters unusable for potable drinking water, the municipality or water company shall reimburse the account from which the funds were made available for the grant as follows: If the compensation from the responsible party equals or exceeds the costs toward which the grant was to be applied, the municipality or water company shall reimburse the total amount of the grant; if the compensation is less than the cost toward which the grant was to be applied, the municipality or water company shall reimburse a percentage of the compensation equal to the percentage of such costs paid by the grant.

(4) (A) Notwithstanding any request for a hearing or a pending appeal therefrom, if a person or municipality responsible for pollution of the groundwaters fails to comply with an order of the commissioner issued pursuant to this section, the municipality wherein such pollution is located may, after giving written notice of its intent to the commissioner and the responsible person or municipality, undertake the actions required by the order and seek reimbursement for the cost of such actions from the responsible person or municipality. If at any time after receipt of such a notice, the responsible party intends to comply with a step of the order which the municipality has not yet completed, the responsible party may do so with the written approval of the commissioner and municipality, provided the actions which the responsible party takes are consistent with those taken by the municipality.

(B) The commissioner may order any person or municipality responsible for pollution of the groundwaters to reimburse the state, a

water company, and any municipality which is not responsible for pollution but received an order pursuant to this section or which did not receive such an order but voluntarily provided potable drinking water, for (i) the expenses each incurred in providing potable drinking water to any person affected by such pollution, provided the required reimbursement for such expenses shall not exceed the actual cost of short-term provision of potable drinking water and an amount equal to the reasonable cost of planning and implementing the most cost-effective long-term method of providing potable drinking water as determined by the commissioner and the Commissioner of Public Health; (ii) costs for recovering such reimbursement; (iii) interest on the expenses specified in (i) at a rate of ten per cent a year from the date such expenses were paid; and (iv) reasonable attorney's fees. The commissioner may request the Attorney General to bring a civil action to recover any costs or expenses incurred by the commissioner pursuant to this subsection provided no such action may be brought later than ten years after the date of discovery of the pollution of public or private sources of water for drinking or other personal or domestic use.

(C) If a municipality fails to recover all expenses specified in subparagraph (B)(i) of subdivision (4) of this subsection from the responsible party, the municipality may apply to the commissioner for a grant in accordance with this subsection, provided the total amount of funds received from the commissioner and the responsible party shall not exceed the amounts specified in subparagraph (B) of subdivision (1) of subsection (b) of this section.

(5) For purposes of this section except subdivision (3) of subsection (a) and subparagraph (B)(ii) of subdivision (4) of this subsection, "cost" includes only those costs which the commissioner determines are necessary and reasonable, including, but not limited to, the cost of plans and specifications, construction or installation and supervision

thereof.

(6) If any grant application is pending on June 7, 1994, and is approved by the commissioner, the percentage of costs to be paid by the grant shall be determined in accordance with this section. Any order pending on May 31, 1985, shall be construed in accordance with this section.

(7) Any person who or municipality which provides potable drinking water pursuant to this section may, with the approval of the commissioner, construct or install facilities beyond the areas included in the order or facilities which are more costly than those which are determined to be most cost-effective, provided any request for a grant or reimbursement shall be limited to the amounts specified in this section.

Sec. 482. Subsection (b) of section 14-21s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(b) A fee of fifty dollars shall be charged for wildlife conservation commemorative number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles to be used for the cost of producing, issuing, renewing and replacing such number plates. **[**and thirty-five dollars of such fee shall be deposited in an account controlled by the Secretary of the Office of Policy and Management for purposes of section 14-21t.**]** Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles. The commissioner may establish a higher fee for: (1) Number plates that contain the numbers and letters from a previously issued number plate; (2) number plates that contain letters in place of numbers as authorized by section 14-49, in addition to the fee or fees prescribed for registration under said section; and (3)

number plates that are low number plates issued in accordance with section 14-160, in addition to the fee or fees prescribed for registration under said section.

Sec. 483. Section 25-68*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) On and after July 1, 2005, within available appropriations, the Commissioner of Environmental Protection shall make grants to municipalities under section 25-68k. **[**, from funds in the hazard mitigation and floodplain management account, established under section 22a-27q.**]**

(b) If the commissioner finds that any grant awarded pursuant to this section is being used for other purposes or to supplant a previous source of funds, the commissioner may require repayment.

Sec. 484. Section 23-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) The Commissioner of Environmental Protection may, in cooperation with federal agencies, or by his own initiative, raise or purchase, with moneys appropriated from the General Fund, planting seed or seedling stock for reforestation, farm windbreaks, wildlife management plantings or soil conservation or other conservation purposes within the state and may sell such seedlings to landowners in this state, state agencies, municipalities or conservation organizations at prices which will cover the approximate cost of the seedlings to the state.

(b) The commissioner may provide tree seedlings at no cost to any elementary or secondary school or conservation commission for the celebration of Arbor Day in accordance with any proclamation issued pursuant to subdivision (3) of subsection (a) of section 10-29a.

(c) The commissioner may, when the space available in Connecticut state nurseries for the raising of seedling stock is in excess of that needed for raising such stock for use by Connecticut landowners, state agencies, municipalities or conservation organizations, enter into an agreement with any other state or the United States Forest Service to raise seedling stock in Connecticut state nurseries for use by such states or service for reforestation, farm windbreaks, wildlife management plantings or soil conservation or other conservation purposes. When the needs of landowners in this state have been met, the commissioner may: (1) Sell seedling stock to landowners, state agencies, municipalities or conservation organizations outside this state provided the state forester or the equivalent official of the state where the seedlings are to be planted has granted permission to do so; or (2) dispose of any excess of planting seed by sale to, or exchange with, any other state forestry organization or the United States Forest Service. Notwithstanding any other provision of the general statutes, the commissioner may sell such seeds and seedlings at prices or on such terms that he deems appropriate and such prices or terms may exceed the cost of the seeds or seedlings to the state of Connecticut.

(d) The commissioner shall require that each purchaser of seedlings, except for any nonprofit conservation organization, sign an agreement stating that the seedlings will be used for the aforementioned purposes and will not be resold at any time with roots attached and he may take such other measures as he deems necessary to assure himself that seedlings so purchased shall not be used for shade trees, landscaping or ornamental plantings. Nonprofit conservation organizations may resell or otherwise distribute seedling stock purchased from the commissioner provided such resale or distribution is in furtherance of the purposes of this section. The commissioner shall require that each nonprofit conservation organization purchasing seedlings sign an agreement that the seedlings will be resold, distributed or otherwise utilized in furtherance of such purposes and he may take such other

measures as he deems necessary to assure that seedlings so purchased shall not be used for shade trees, landscaping or ornamental plantings.

[(e) All receipts from the sale of such seeds, seedling stock, all reimbursements from state agencies and all reimbursements for subsidies received from the federal government shall be deposited in the Conservation Fund established by section 22a-27h.**]**

Sec. 485. (*Effective from passage*) The appropriations in section 1 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - GENERAL FUND

Taxes	2009-2010
Personal Income	$6,630,700,000
Sales and Use	3,166,700,000
Corporations	721,600,000
Public Service Corporations	272,300,000
Inheritance and Estate	208,700,000
Insurance Companies	202,700,000
Cigarettes	392,600,000
Real Estate Conveyance	94,500,000
Oil Companies	98,900,000
Alcoholic Beverages	48,000,000
Admissions, Dues and Cabaret	37,100,000
Miscellaneous	143,700,000
Total Taxes	12,017,500,000
Refunds of Taxes	(1,080,500,000)
R & D Credit Exchange	(9,400,000)
Taxes Less Refunds	10,927,600,000
Other Revenue	
Transfer Special Revenue	293,400,000
Indian Gaming Payments	384,100,000
Licenses, Permits and Fees	283,000,000
Sales of Commodities and Services	33,200,000
Rentals, Fines and Escheats	97,300,000

Investment Income	10,000,000
Miscellaneous	178,000,000
Refunds of Payments	(700,000)
Total Other Revenue	1,278,300,000
Other Sources	
Federal Grants	4,051,800,000
Transfer to the Resources of the General Fund	1,144,200,000
Transfer from Tobacco Settlement Fund	107,300,000
Transfer from/to Other Funds	(133,800,000)
Total Other Sources	5,169,500,000
Total Revenue	17,375,400,000

Sec. 486. (*Effective from passage*) The appropriations in section 2 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - SPECIAL TRANSPORTATION FUND

Taxes	2009-2010
Motor Fuels Tax	$494,700,000
Petroleum Products Tax	141,900,000
Sales Tax - DMV	54,800,000
Refunds of Taxes	(6,600,000)
Taxes Less Refunds	684,800,000
Other Sources	
Motor Vehicle Receipts	224,500,000
Licenses, Permits and Fees	136,100,000
Interest Income	16,500,000
Transfer to Other Funds	(9,500,000)
Transfer from Other Funds	72,000,000
Transfer to TSB Account	(15,300,000)
Refunds of Payments	(2,600,000)
Total Other Sources	421,700,000
Total Transportation Fund	1,106,500,000

Sec. 487. (*Effective from passage*) The appropriations in section 3 of

this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - MASHANTUCKET PEQUOT FUND

	2009-2010
Transfers from the General Fund	$61,800,000
Total Revenue	61,800,000

Sec. 488. (*Effective from passage*) The appropriations in section 4 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - SOLDIERS, SAILORS AND MARINES' FUND

	2009-2010
Investment Income	$3,000,000
Total Revenue	3,000,000

Sec. 489. (*Effective from passage*) The appropriations in section 5 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - REGIONAL MARKET OPERATION FUND

	2009-2010
Rentals & Investment Income	$1,000,000
Total Revenue	1,000,000

Sec. 490. (*Effective from passage*) The appropriations in section 6 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - BANKING FUND

	2009-2010
Fees and Assessments	$22,100,000
Total Revenue	22,100,000

Sec. 491. (*Effective from passage*) The appropriations in section 7 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - INSURANCE FUND

	2009-2010
Assessments & Investment Income	$25,700,000
Total Revenue	25,700,000

Sec. 492. (*Effective from passage*) The appropriations in section 8 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND

	2009-2010
Fees and Assessments	$24,600,000
Total Revenue	24,600,000

Sec. 493. (*Effective from passage*) The appropriations in section 9 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - WORKERS' COMPENSATION FUND

	2009-2010
Fees, Assessments & Investment Income	$22,700,000
Total Revenue	22,700,000

Sec. 494. (*Effective from passage*) The appropriations in section 10 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - CRIMINAL INJURIES COMPENSATION FUND

	2009-2010
Fines & Investment Income	$3,200,000
Total Revenue	3,200,000

Sec. 495. (*Effective from passage*) The appropriations in section 11 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - GENERAL FUND

Taxes	2010-2011
Personal Income	$6,654,700,000
Sales and Use	3,095,400,000
Corporations	731,900,000
Public Service Corporations	278,300,000
Inheritance and Estate	102,000,000
Insurance Companies	216,800,000
Cigarettes	403,100,000
Real Estate Conveyance	117,500,000
Oil Companies	75,500,000
Alcoholic Beverages	48,500,000
Admissions, Dues and Cabaret	37,600,000
Miscellaneous	144,700,000
Total Taxes	11,906,000,000
Refunds of Taxes	(983,300,000)
R & D Credit Exchange	(10,500,000)
Taxes Less Refunds	10,912,200,000
Other Revenue	
Transfer Special Revenue	295,100,000
Indian Gaming Payments	391,700,000
Licenses, Permits and Fees	265,200,000
Sales of Commodities and Services	34,300,000
Rentals, Fines and Escheats	103,400,000
Investment Income	10,000,000
Miscellaneous	218,500,000
Refunds of Payments	(700,000)
Total Other Revenue	1,317,500,000
Other Sources	
Federal Grants	3,770,400,000

Transfer to the Resources of the General Fund	1,665,000,000
Transfer from Tobacco Settlement Fund	106,100,000
Transfer to Other Funds	(179,300,000)
Total Other Sources	5,362,200,000
Total Revenue	17,591,900,000

Sec. 496. (*Effective from passage*) The appropriations in section 12 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - SPECIAL TRANSPORTATION FUND

Taxes	2010-2011
Motor Fuels Tax	$489,700,000
Petroleum Products Tax	165,300,000
Sales Tax - DMV	53,800,000
Refunds of Taxes	(6,900,000)
Taxes Less Refunds	701,900,000
Other Sources	
Motor Vehicle Receipts	228,200,000
Licenses, Permits and Fees	136,500,000
Interest Income	16,500,000
Transfer to Other Funds	(9,500,000)
Transfer from Other Funds	117,500,000
Transfer to TSB Account	(15,300,000)
Refunds of Payments	(2,600,000)
Total Other Sources	471,300,000
Total Transportation Fund	1,173,200,000

Sec. 497. (*Effective from passage*) The appropriations in section 13 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - MASHANTUCKET PEQUOT FUND

	2010-2011

Transfers from the General Fund	$61,800,000
Total Revenue	61,800,000

Sec. 498. (*Effective from passage*) The appropriations in section 14 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - SOLDIERS, SAILORS AND MARINES' FUND

	2010-2011
Investment Income	$3,000,000
Total Revenue	3,000,000

Sec. 499. (*Effective from passage*) The appropriations in section 15 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - REGIONAL MARKET OPERATION FUND

	2010-2011
Rentals & Investment Income	$1,000,000
Total Revenue	1,000,000

Sec. 500. (*Effective from passage*) The appropriations in section 16 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - BANKING FUND

	2010-2011
Fees and Assessments	$20,600,000
Total Revenue	20,600,000

Sec. 501. (*Effective from passage*) The appropriations in section 17 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - INSURANCE FUND

	2010-2011
Assessments & Investment Income	$26,700,000
Total Revenue	26,700,000

Sec. 502. (*Effective from passage*) The appropriations in section 18 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND

	2010-2011
Fees and Assessments	$25,200,000
Total Revenue	25,200,000

Sec. 503. (*Effective from passage*) The appropriations in section 19 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - WORKERS' COMPENSATION FUND

	2010-2011
Fees, Assessments & Investment Income	$23,100,000
Total Revenue	23,100,000

Sec. 504. (*Effective from passage*) The appropriations in section 20 of this act are supported by revenue estimates as follows:

ESTIMATED REVENUE - CRIMINAL INJURIES COMPENSATION FUND

	2010-2011
Fines & Investment Income	$3,200,000
Use of Fund Balance	300,000
Total Revenue	3,500,000

Sec. 505. (*Effective from passage*) The sum of $500,000 of funds appropriated to the Labor Department in section 14 of public act 08-176, for the mortgage crisis job training program, established in section

31-3nn of the general statutes, shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2010.

Sec. 506. (*Effective from passage*) The unexpended balance of funds appropriated to the Department of Economic and Community Development in section 21 of public act 07-1 of the June special session, for Home CT, shall not lapse on June 30, 2009, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2010.

Sec. 507. (*Effective from passage*) Notwithstanding the provisions of section 16a-22*l* of the general statutes, the unexpended balance of funds remaining in the fuel oil conservation account at the end of the fiscal year ending June 30, 2009, shall not be transferred to the General Fund in accordance with subdivision (4) of subsection (e) of said section, and shall continue to be available for such purpose during the fiscal year ending June 30, 2010.

Sec. 508. (*Effective from passage*) Notwithstanding the provisions of subsection (c) of section 51-49d of the general statutes, funding for the Judge's Retirement Fund, established by section 51-49e of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, shall be in accordance with sections 1 and 11 of this act.

Sec. 509. (*Effective from passage*) Up to $25,000 made available to the Department of Economic and Community Development, for Main Street Initiatives, shall be available for the Ansonia Nature and Recreation Center during each of the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 510. (*Effective from passage*) Up to $75,000 made available to the Department of Social Services, for Nutrition Assistance, shall be available for the Manchester Area Conference of Churches Food

Pantry during each of the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 511. (NEW) (*Effective from passage*) Notwithstanding the provisions of section 4-30a of the general statutes, after the accounts for the fiscal year ending June 30, 2010, and each fiscal year thereafter, until and including the fiscal year ending June 30, 2017, are closed, if the Comptroller determines there exists an unappropriated surplus in the General Fund, the amount of any such surplus shall first be used for redeeming prior to maturity any outstanding notes issued under section 2 of public act 09-2 of the June special session, and any amount beyond that required to redeem such notes shall be used to reduce the obligations of the state under the financing plan authorized under section 88 of this act.

Sec. 512. Sections 10-417 and 10-418 of the general statutes are repealed. (*Effective from passage*)

Sec. 513. Sections 12-460a, 14-21t, 15-155a, 15-155b, 22a-27g, 22a-27h, 22a-27k, 22a-27m, 22a-27n, 22a-27o, 22a-27q, 22a-233, 22a-449b, 22a-451a and 22a-451b of the general statutes are repealed. (*Effective October 1, 2009*)

Unsigned by Governor