

17 section 7-406o.

18 Sec. 2. Subsection (f) of section 4-68o of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective from*
20 *passage*):

21 (f) The division shall publish the first annual outcome report not
22 later than January 1, 2007, and shall publish an annual outcome report
23 not later than February fifteenth of each year thereafter. Such report
24 may be included as part of the report submitted under section 4-68p.

25 Sec. 3. Subsection (b) of section 4b-15b of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective from*
27 *passage*):

28 (b) Each lease agreement entered into on and after July 1, 2007, by
29 any state department to lease all or part of any building to be occupied
30 by state employees or others shall contain a provision requiring the
31 lessor to make all necessary efforts during the term of the lease
32 agreement to maintain the structure and mechanical systems of the
33 building as necessary to sustain the indoor air quality in the building
34 [to] at the levels in existence at the time the premises were accepted
35 and to carry out the indoor air quality protocol established under
36 subsection (a) of this section.

37 Sec. 4. Subsection (d) of section 7-131 of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective from*
39 *passage*):

40 (d) The legislative body of any town, city or borough may vote to
41 assign to its forest commission or, in the absence of a forest
42 commission, to a shade tree commission, to be constituted and
43 appointed in the manner provided for in subsection (b) of this section
44 for a forest commission, the supervision of public shade trees within
45 such town, city or borough not under the supervision of the
46 Commissioner of Transportation, including the appointment of the
47 town tree warden and the supervision of [his] the tree warden's work.

48 Sec. 5. Subsection (c) of section 7-151a of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective from*
50 *passage*):

51 (c) In addition to the power granted in subsection (a) of this section,
52 a lake authority may be granted by the legislative bodies of its
53 respective towns powers to: (1) Control and abate algae and aquatic
54 weeds in cooperation with the Commissioner of Environmental
55 Protection; (2) study water management including, but not limited to,
56 water depth and circulation and make recommendations for action to
57 its member towns; (3) act as agent for member towns with respect to
58 filing applications for grants and reimbursements with the Department
59 of Environmental Protection and other state agencies in connection
60 with state and federal programs; and (4) [to] act as agent for member
61 towns with respect to receiving gifts for any of its purposes.

62 Sec. 6. Section 7-163e of the general statutes is repealed and the
63 following is substituted in lieu thereof (*Effective from passage*):

64 (a) The legislative body of a municipality, or in any municipality
65 where the legislative body is a town meeting or representative town
66 meeting, the board of selectmen, shall conduct a public hearing on the
67 sale, lease or transfer of real property owned by the municipality prior
68 to final approval of such sale, lease or transfer. Notice of the hearing
69 shall be published in a newspaper having a general circulation in such
70 municipality where the real property that is the subject of the hearing
71 is located at least twice, at intervals of not less than two days, the first
72 not more than fifteen days or less than ten days and the last not less
73 than two days before the date set for the hearing. The municipality
74 shall also post a sign conspicuously on the real property [land] that is
75 the subject of the public hearing.

76 (b) The provisions of subsection (a) of this section shall not apply to
77 (1) sales of real property, except parkland, open space or playgrounds,
78 if the fair market value of such property does not exceed ten thousand
79 dollars, (2) renewals of leases where there is no change in use of the

80 real property, and (3) the [sales] sale, lease or transfer of real property
81 acquired by the municipality by foreclosure.

82 Sec. 7. Subsection (e) of section 7-323c of the general statutes is
83 repealed and the following is substituted in lieu thereof (*Effective from*
84 *passage*):

85 (e) The rates of contribution referred to in subsections (b) and (c) of
86 this section shall be proportions of the pay of members, which shall
87 each be uniform for each participating municipality, [;] except that, if
88 any error or omission in the data furnished to the commission by any
89 municipality causes the contribution rate fixed by the commission for
90 any year under subsection (c) of this section to be insufficient, the
91 entire amount of any required increase shall be charged to the
92 municipality or municipalities by which such errors or omissions were
93 made.

94 Sec. 8. Subdivision (3) of section 7-425 of the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective from*
96 *passage*):

97 (3) "Legislative body" means, for towns having a town council, the
98 council; for other towns, the selectmen; for cities, the common council
99 or other similar body of officials; for boroughs, the warden and
100 burgesses; for regional school districts, the regional board of
101 education; for district departments of health, the board of the district;
102 for probate districts, the judge of probate; for regional planning
103 agencies, the regional planning board; for regional emergency
104 telecommunications [center] centers, a representative board; for
105 tourism districts, the board of directors of such tourism district; and in
106 all other cases the body authorized by the general statutes or by special
107 act to make ordinances for the municipality.

108 Sec. 9. Subsection (b) of section 8-265i of the general statutes is
109 repealed and the following is substituted in lieu thereof (*Effective from*
110 *passage*):

111 (b) Any mortgage shall be for a term of not more than six years. The
112 Connecticut Housing Finance Authority shall establish written
113 procedures, in accordance with section [1-120] 1-121, setting forth
114 eligibility criteria for homeowners and specifying medical and other
115 costs that may be covered by loan payments.

116 Sec. 10. Subsection (b) of section 10-158a of the general statutes is
117 repealed and the following is substituted in lieu thereof (*Effective from*
118 *passage*):

119 (b) Subject to the provisions of subsection (c) of this section, any
120 board of education may withdraw from any agreement entered into
121 under subsection (a) of this section if, at least one year prior to the date
122 of the proposed withdrawal, it gives written notice of its intent to do so
123 to each of the other boards. Upon withdrawal by one or more boards
124 of education, two or more boards of education may continue their
125 commitment to the agreement. If two or more boards of education
126 continue the arrangement, then such committee established within the
127 arrangement may continue to hold title to any real or personal
128 property given to or purchased by the committee in trust for all the
129 boards of education which entered the agreement, unless otherwise
130 provided in the agreement or by law or by the grantor or donor of
131 such property. Upon dissolution of the committee, any property held
132 in trust shall be distributed in accordance with the agreement, if such
133 distribution is not contrary to law.

134 Sec. 11. Subsection (d) of section 10-221d of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective from*
136 *passage*):

137 (d) (1) The provisions of this section shall not apply to a person
138 required to submit to [a] state and national criminal history records
139 [check] checks pursuant to the provisions of subsection [(d)] (e) of
140 section 14-44.

141 (2) The provisions of this section shall not apply to a student
142 employed by the local or regional school district in which the student

143 attends school.

144 (3) The provisions of subsection (a) of this section requiring state
145 and national criminal history records checks shall, at the discretion of a
146 local or regional board of education, apply to a person employed by a
147 local or regional board of education as a teacher for a noncredit adult
148 class or adult education activity, as defined in section 10-67, who is not
149 required to hold a teaching certificate pursuant to section 10-145b for
150 his or her position.

151 Sec. 12. Subsection (b) of section 12-2 of the general statutes is
152 repealed and the following is substituted in lieu thereof (*Effective from*
153 *passage*):

154 (b) Notwithstanding any provision of the general statutes to the
155 contrary, the commissioner may issue administrative
156 pronouncements providing his interpretation of the tax laws.
157 Within one hundred eighty days from the issuance of any
158 administrative pronouncement the commissioner shall publish
159 notice of intent to adopt regulations, in accordance with the
160 provisions of chapter 54, to implement the provisions of any
161 administrative pronouncement issued on or after August 22, 1991,
162 and such regulations shall be presented to the legislative regulation
163 review committee within six months from the date of the issuance of
164 any such pronouncement. Such pronouncements shall not have the
165 force and effect of regulations and shall carry a notice stating that
166 the administrative pronouncements do not have the force and effect
167 of law, provided taxpayers shall be entitled to rely on such
168 pronouncements. For the purpose of this subsection, "administrative
169 pronouncement" [shall mean] means a statement by the
170 Commissioner of Revenue Services which provides his
171 interpretation of the tax laws and which is published and made
172 available to the public. The commissioner shall, with respect to any
173 provision of the general statutes which authorizes the issuance of
174 rules, file with the legislative regulation review committee, within
175 six months after the issuance of such rules, regulations which

176 implement the provisions of such rules.

177 Sec. 13. Section 12-81dd of the general statutes is repealed and the
178 following is substituted in lieu thereof (*Effective from passage*):

179 Any municipality may, upon approval by its legislative body, abate
180 the real or personal property taxes due for any portion of a tax year or
181 the interest on delinquent taxes with respect to any tax paid by a
182 nonprofit land conservation organization that [were] was due for a
183 period before the date of acquisition but which [were] was paid
184 subsequent to the date of acquisition.

185 Sec. 14. Section 12-193 of the general statutes is repealed and the
186 following is substituted in lieu thereof (*Effective from passage*):

187 Court costs, reasonable appraiser's fees, and reasonable attorney's
188 fees incurred by a municipality as a result of any foreclosure action
189 brought pursuant to section 12-181 or 12-182 and directly related
190 thereto shall be taxed in any such proceeding against any person or
191 persons having title to any property so foreclosed and may be collected
192 by the municipality once a foreclosure action has been brought
193 pursuant to section 12-181 or 12-182. A municipality shall reimburse a
194 taxpayer for the costs of state marshal fees [or] on any property seized
195 if the court finds that such costs were incurred because of an error by
196 the tax assessor or tax collector and not as the result of any action or
197 failure on the part of the taxpayer.

198 Sec. 15. Section 13b-50a of the general statutes is repealed and the
199 following is substituted in lieu thereof (*Effective from passage*):

200 The following initiatives shall be established to preserve
201 Connecticut's licensed [private] privately owned, [public] publicly
202 used airports which have a paved runway and a minimum of five
203 thousand operations per year: (1) The state shall have the right of first
204 refusal to purchase, via fair market value and state property
205 acquisition procedures, an airport, if that airport is threatened with
206 sale or closure, for the express purpose [in] of preserving the airport;

207 (2) the Commissioner of Transportation may acquire the development
 208 rights, based on fair market value for such rights, of such airports,
 209 provided the airport remains a public airport; (3) the state shall fund
 210 capital improvements to private airports, in which case the state shall
 211 participate in ninety per cent of the eligible costs and the balance by
 212 the sponsor, with budget and priorities to be determined by the
 213 Department of Transportation, and engineering in accordance with
 214 Federal Aviation Administration Advisory Circulars; and (4) the
 215 establishment of a new airport zoning category for the airport's
 216 imaginary surfaces as defined by Federal Aviation Regulations.
 217 Development within these surfaces shall require notices for proposed
 218 construction and a federal determination of obstructions. Construction
 219 of obstructions deemed hazardous to navigation shall not be allowed.

220 Sec. 16. Subsection (j) of section 13b-57g of the general statutes is
 221 repealed and the following is substituted in lieu thereof (*Effective from*
 222 *passage*):

223 (j) Not later than January 1, 2007, and quadrennially thereafter, the
 224 board shall review and, if necessary, revise the strategy adopted
 225 pursuant to subsection (a) of this section. A report describing any
 226 revisions and the reasons for [them] such revisions shall be submitted
 227 to the Governor and, pursuant to section 11-4a, the General Assembly.
 228 Such report shall include a prioritized list of projects which the board,
 229 in consultation with the commissioner, determines are necessary to
 230 implement the recommended strategy, including the estimated capital
 231 and operating costs and time frame of such projects, and a completion
 232 schedule for all projects. Not later than January 31, 2007, and
 233 quadrennially thereafter, the joint standing committees of the General
 234 Assembly having cognizance of matters relating to transportation,
 235 finance, revenue and bonding and planning and development and the
 236 chairpersons and ranking members of the joint standing committee
 237 having cognizance of matters relating to commerce [,] shall meet with
 238 the Commissioners of Transportation and Economic and Community
 239 Development, the Secretary of the Office of Policy and Management,
 240 the chairperson of the Transportation Strategy Board and such other

241 persons as they deem appropriate to consider the report required by
242 this subsection.

243 Sec. 17. Subsection (b) of section 14-12a of the general statutes is
244 repealed and the following is substituted in lieu thereof (*Effective from*
245 *passage*):

246 (b) (1) For the purposes of this section, a declaration of the person
247 registering a motor vehicle, made in such form as the Department of
248 Motor Vehicles may prescribe, shall be prima facie evidence of the
249 facts relevant to the application of subsection (a) of this section. (2)
250 Consistent with the provisions of this section, the Department of Motor
251 Vehicles shall have power to enter into agreements with the
252 appropriate authorities of other states pursuant to which uncertainties
253 as to the proper state of registration for motor vehicles may be
254 determined and allocations of vehicles for purposes of registration
255 made.

256 Sec. 18. Subsection (e) of section 14-36a of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective from*
258 *passage*):

259 (e) Any person who violates [any provision of] subsection (d) [or
260 (e)] of this section shall, for a first offense, be deemed to have
261 committed an infraction and be fined not less than thirty-five dollars or
262 more than fifty dollars and, for a subsequent offense, shall be fined not
263 more than one hundred dollars or imprisoned not more than thirty
264 days, or both.

265 Sec. 19. Subsection (b) of section 14-44 of the general statutes is
266 repealed and the following is substituted in lieu thereof (*Effective from*
267 *passage*):

268 (b) No operator's license bearing an endorsement shall be issued or
269 renewed in accordance with the provisions of this section or section 14-
270 36a, until the commissioner, or the commissioner's authorized
271 representative, is satisfied that the applicant is a proper person to

272 receive such an operator's license bearing an endorsement, holds a
 273 valid motor vehicle operator's license, or, if necessary for the class of
 274 vehicle operated, a commercial driver's license and is at least eighteen
 275 years of age. Each applicant for an operator's license bearing an
 276 endorsement or the renewal of such a license shall furnish the
 277 commissioner, or the commissioner's authorized representative, with
 278 satisfactory evidence, under oath, to prove that such person [: Has] has
 279 no criminal record [] and has not been convicted of a violation of
 280 subsection (a) of section 14-227a within five years of the date of
 281 application and that no reason exists for a refusal to grant or renew
 282 such an operator's license bearing an endorsement. Each applicant for
 283 such an operator's license bearing an endorsement shall submit with
 284 the application proof satisfactory to the commissioner that such
 285 applicant has passed a physical examination administered not more
 286 than ninety days prior to the date of application, and which is in
 287 compliance with safety regulations established from time to time by
 288 the United States Department of Transportation. Each applicant for
 289 renewal of such license shall present evidence that such applicant is in
 290 compliance with the medical qualifications established in 49 CFR 391,
 291 as amended. Each applicant for such an operator's license bearing an
 292 endorsement shall be fingerprinted before the license bearing an
 293 endorsement is issued.

294 Sec. 20. Subsection (c) of section 14-44i of the general statutes is
 295 repealed and the following is substituted in lieu thereof (*Effective from*
 296 *passage*):

297 (c) There shall be charged, in addition to the fee provided in
 298 subsection (b) of this section for the commercial driver's license
 299 knowledge test, a fee of five dollars for each test for an endorsement to
 300 a commercial driver's license. There shall be charged, in addition to the
 301 fee provided in subsection (b) of this section for such knowledge test, a
 302 fee of five dollars for each test for the removal of a restriction to a
 303 commercial driver's license relating to air brakes. There shall be
 304 charged, in addition to the fee provided in subsection (b) of this section
 305 for such knowledge test, a fee of five dollars for each combination

306 vehicle knowledge test.

307 Sec. 21. Subsections (a) and (b) of section 14-181 of the general
308 statutes are repealed and the following is substituted in lieu thereof
309 (*Effective from passage*):

310 (a) If the interest of an owner in a vehicle passes to another other
311 than by voluntary transfer, the transferee shall, except as provided in
312 subsection (b) of this section, promptly mail or deliver to the
313 commissioner the last certificate of title, if available, proof of the
314 transfer, and [his] the transferee's application for a new certificate in
315 the form the commissioner prescribes.

316 (b) If the interest of the owner is terminated or the vehicle is sold
317 under a security agreement by a lienholder named in the certificate of
318 title, the transferee shall promptly mail or deliver to the commissioner
319 the last certificate of title, [his] the transferee's application for a new
320 certificate in the form the commissioner prescribes, and an affidavit
321 made by or on behalf of the lienholder that the vehicle was repossessed
322 and that the interest of the owner was lawfully terminated or sold
323 pursuant to the terms of the security agreement. If the lienholder
324 succeeds to the interest of the owner and holds the vehicle for resale,
325 [he] the lienholder need not secure a new certificate of title but, upon
326 transfer to another person, shall promptly mail or deliver to the
327 transferee or to the commissioner the certificate, affidavit and other
328 documents required to be sent to the commissioner by the transferee.

329 Sec. 22. Subsection (a) of section 14-222a of the general statutes is
330 repealed and the following is substituted in lieu thereof (*Effective from*
331 *passage*):

332 (a) Except as provided in subsection (b) of this section, any person
333 who, in consequence of the negligent operation of a motor vehicle,
334 causes the death of another person shall be fined not more than one
335 thousand dollars or imprisoned not more than six months, or both.

336 Sec. 23. Subsection (b) of section 14-275 of the general statutes is

337 repealed and the following is substituted in lieu thereof (*Effective from*
338 *passage*):

339 (b) Each school bus shall be painted a uniform yellow color known
340 as "National School Bus Glossy Yellow", except for the fenders and
341 trim which may be painted black and the roof which may be painted
342 white, and shall have conspicuously painted on the rear and on the
343 front [thereof] of such vehicle, in black lettering of a size to be
344 determined by the Commissioner of Motor Vehicles, the words "School
345 Bus-Stop on Signal", except that each school bus equipped with an
346 eight-light warning system shall have the words "School Bus" painted
347 on the rear and on the front [thereof] of such vehicle in such lettering.
348 The sides of such vehicles may be inscribed with the words "School
349 Bus", the school name or such other legend or device as may be
350 necessary for purposes of identification or safety. Each school bus shall
351 have conspicuously painted on the rear and sides of such [vehicles]
352 vehicle, in black lettering of a size to be determined by the
353 commissioner, the name of the school bus company, the school bus
354 company's telephone number and the school bus number.

355 Sec. 24. Subsection (c) of section 14-279 of the general statutes is
356 repealed and the following is substituted in lieu thereof (*Effective from*
357 *passage*):

358 (c) Upon receipt of a written report from any school bus operator
359 specifying the license plate number, color and type of any vehicle
360 observed violating any provision of subsection (a) of this section and
361 the date, approximate time and location of such violation, a police
362 officer shall issue a written warning or a summons to the owner of any
363 such vehicle.

364 Sec. 25. Subsection (b) of section 14-296aa of the general statutes is
365 repealed and the following is substituted in lieu thereof (*Effective from*
366 *passage*):

367 (b) (1) Except as otherwise provided in this subsection and
368 subsections (c) and (d) of this section, no person shall operate a motor

369 vehicle upon a highway, as defined in [subsection (a) of] section 14-1,
370 while using a hand-held mobile telephone to engage in a call or while
371 using a mobile electronic device while such vehicle is in motion. (2) An
372 operator of a motor vehicle who holds a hand-held mobile telephone
373 to, or in the immediate proximity of, his or her ear while such vehicle
374 is in motion is presumed to be engaging in a call within the meaning of
375 this section. The presumption established by this subdivision is
376 rebuttable by evidence tending to show that the operator was not
377 engaged in a call. (3) The provisions of this subsection shall not be
378 construed as authorizing the seizure or forfeiture of a hand-held
379 mobile telephone or a mobile electronic device, unless otherwise
380 provided by law. (4) Subdivision (1) of this subsection does not apply
381 to: (A) The use of a hand-held mobile telephone for the sole purpose of
382 communicating with any of the following regarding an emergency
383 situation: An emergency response operator; a hospital, physician's
384 office or health clinic; an ambulance company; a fire department; or a
385 police department, or (B) any of the following persons while in the
386 performance of their official duties and within the scope of their
387 employment: A peace officer, as defined in subdivision (9) of section
388 53a-3, a firefighter or an operator of an ambulance or authorized
389 emergency vehicle, as defined in [subsection (a) of] section 14-1, or (C)
390 the use of a hands-free mobile telephone.

391 Sec. 26. Subsection (e) of section 14-296aa of the general statutes is
392 repealed and the following is substituted in lieu thereof (*Effective from*
393 *passage*):

394 (e) Except as provided in subsections (b) to (d), inclusive, of this
395 section, no person shall engage in any activity not related to the actual
396 operation of a motor vehicle in a manner that interferes with the safe
397 operation of such vehicle on any highway, as defined in [subsection (a)
398 of] section 14-1.

399 Sec. 27. Subsection (f) of section 15-154 of the general statutes is
400 repealed and the following is substituted in lieu thereof (*Effective from*
401 *passage*):

402 (f) A person who violates subsection (e) of this section shall be fined
403 not less than fifty dollars [nor] or more than two hundred dollars.

404 Sec. 28. Subsection (b) of section 16a-47a of the general statutes is
405 repealed and the following is substituted in lieu thereof (*Effective from*
406 *passage*):

407 (b) The goals of the campaign established pursuant to subsection (a)
408 of this section shall include, but not be limited to, educating electric
409 consumers regarding (1) the benefits of pursuing strategies that
410 increase energy efficiency, including information on the Connecticut
411 electric efficiency partner program established pursuant to section 16a-
412 46e and combined heat and power technologies, (2) the real-time
413 energy reports [prepared] developed pursuant to section [16a-47d]
414 16a-47b and the real-time energy electronic mail and cellular phone
415 alert system [prepared] developed pursuant to section [61 of public act
416 07-242*] 16a-47d, and (3) the option of choosing a participating electric
417 [suppliers] supplier, as defined in subsection (k) of section 16-244c.

418 Sec. 29. Subsection (c) of section 16-262m of the general statutes is
419 repealed and the following is substituted in lieu thereof (*Effective from*
420 *passage*):

421 (c) For systems serving twenty-five or more residents that are not
422 the subject of proceedings under subsection (c) of section 16-262n or
423 section 16-262o, an application for a certificate of public convenience
424 and necessity shall be on a form prescribed by the Department of
425 Public Utility Control, in consultation with the Department of Public
426 Health, and accompanied by a copy of the water company's
427 construction or expansion plans, a fee of one hundred dollars and
428 when applicable, a copy of a signed agreement between the water
429 company and provider for the exclusive service area, as determined
430 pursuant to section 25-33g, detailing those terms and conditions under
431 which the system will be constructed or expanded and for which the
432 provider will assume service and ownership responsibilities. The
433 departments shall issue a certificate to an applicant upon determining,

434 to their satisfaction, that (1) no interconnection is feasible with a water
 435 system owned by, or made available through arrangement with, the
 436 provider for the exclusive service area, as determined pursuant to
 437 section 25-33g, or with another existing water system where no
 438 exclusive service area has been assigned, (2) the applicant will
 439 complete the construction or expansion in accordance with
 440 engineering standards established by regulation by the Department of
 441 Public Utility Control for water supply systems, (3) ownership of the
 442 system will be assigned to the provider for the exclusive service area,
 443 as determined pursuant to section 25-33g, (4) the proposed
 444 construction or expansion will not result in a duplication of water
 445 service in the applicable service area, and (5) the applicant meets all
 446 federal and state standards for water supply systems. Any
 447 construction or expansion with respect to which a certificate is
 448 required shall thereafter be built, maintained and operated in
 449 conformity with the certificate and any terms, limitations or conditions
 450 contained therein.

451 Sec. 30. Subdivision (1) of subsection (e) of section 16-262m of the
 452 general statutes is repealed and the following is substituted in lieu
 453 thereof (*Effective from passage*):

454 (e) (1) For systems serving twenty-five or more persons, but not
 455 twenty-five or more residents, at least sixty days in any one year an
 456 application for a certificate of public convenience and necessity shall
 457 be on a form prescribed by the Department of Public Health and
 458 accompanied by a copy of the construction or expansion plans. The
 459 Department of Public Health shall issue a certificate to an applicant
 460 upon determining, to its satisfaction, that (A) no interconnection is
 461 feasible with a water system owned by, or made available through
 462 arrangement with, the provider for the exclusive service area, as
 463 determined pursuant to section 25-33g, or with another existing water
 464 system where no existing exclusive service area has been assigned, (B)
 465 the applicant will complete the construction or expansion in
 466 accordance with engineering standards established by regulation for
 467 water supply systems, (C) ownership of the system will be assigned to

468 the provider for the exclusive service area, as determined pursuant to
 469 section 25-33g, if agreeable to the exclusive service area provider and
 470 the Department of Public Health, or may remain with the applicant, if
 471 agreeable to the Department of Public Health, provided the applicant
 472 has the financial, managerial and technical resources to (i) operate the
 473 proposed water supply system in a reliable and efficient manner, and
 474 (ii) provide continuous adequate service to consumers served by the
 475 system, until such time as the water system for the exclusive service
 476 area, as determined by section 25-33g, has made an extension of the
 477 water main, after which the applicant shall obtain service from the
 478 provider for the exclusive service area, (D) the proposed construction
 479 or expansion will not result in a duplication of water service in the
 480 applicable service area, and (E) the applicant meets all federal and
 481 state standards for water supply systems. Any construction or
 482 expansion with respect to which a certificate is required shall
 483 thereafter be built, maintained and operated in conformity with the
 484 certificate and any terms, limitation or conditions contained therein.
 485 Properties held by the Department of Environmental Protection and
 486 used for or in support of fish culture, natural resource conservation or
 487 outdoor recreational purposes shall be exempt from the requirements
 488 of subdivisions (1), (3) and (4) of subsection (c) of this section and
 489 subparagraphs (A), (C) and (D) of [subdivision (1) of subsection (e) of
 490 this section] this subdivision.

491 Sec. 31. Subsection (a) of section 17b-256 of the general statutes is
 492 repealed and the following is substituted in lieu thereof (*Effective from*
 493 *passage*):

494 (a) The Commissioner of Social Services may administer, within
 495 available appropriations, a program providing payment for the cost of
 496 drugs prescribed by a physician for the treatment of acquired
 497 immunodeficiency syndrome or human immunodeficiency virus. The
 498 commissioner, in consultation with the Commissioner of Public
 499 Health, shall determine specific drugs to be covered and may
 500 implement a pharmacy lock-in procedure for the program. The
 501 Commissioner of Social Services shall adopt regulations, in accordance

502 with the provisions of chapter 54, to carry out the purposes of this
 503 section. The commissioner may implement the program while in the
 504 process of adopting regulations, provided notice of intent to adopt the
 505 regulations is published in the Connecticut Law Journal within twenty
 506 days of implementation. The regulations may include eligibility for all
 507 persons with acquired immunodeficiency syndrome or human
 508 immunodeficiency virus whose income is below four hundred per cent
 509 of the federal poverty level. Subject to federal approval, the
 510 commissioner may, within available federal resources, maintain
 511 existing insurance policies for eligible clients, including, but not
 512 limited to, coverage of costs associated with such policies, that provide
 513 a full range of human immunodeficiency virus treatments and access
 514 to comprehensive primary care services as determined by the
 515 commissioner and as provided by federal law, and may provide
 516 payment, determined by the commissioner, for (1) drugs and
 517 nutritional supplements prescribed by a physician that prevent or treat
 518 opportunistic diseases and conditions associated with acquired
 519 immunodeficiency syndrome or human immunodeficiency virus; (2)
 520 ancillary supplies related to the administration of such drugs; and (3)
 521 laboratory tests ordered by a physician. On and after May 26, 2006,
 522 [persons] any person who previously received insurance assistance
 523 under the program established pursuant to section 17b-255 of the
 524 general statutes, revision of 1958, revised to 2005, shall continue to
 525 receive such assistance until the expiration of the insurance coverage,
 526 provided such person continues to meet program eligibility
 527 requirements established in accordance with this subsection. On or
 528 before March 1, 2007, and annually thereafter, the Commissioner of
 529 Social Services shall report, in accordance with section 11-4a, to the
 530 joint standing committees of the General Assembly having cognizance
 531 of matters relating to human services, public health and appropriations
 532 and the budgets of state agencies on the projected availability of funds
 533 for the program established pursuant to this section.

534 Sec. 32. Subsection (d) of section 17b-341 of the general statutes is
 535 repealed and the following is substituted in lieu thereof (*Effective from*

536 *passage*):

537 (d) Any party aggrieved by said commissioner's decision after a
538 hearing conducted pursuant to subsection (b) or (c) [.] of this section
539 may appeal therefrom in accordance with the provisions of section 4-
540 183, except venue shall be in the judicial district in which the home or
541 hospital is located. Such appeal shall have precedence in respect to
542 order of trial over all other cases except writs of habeas corpus, actions
543 brought by or on behalf of the state, including informations on the
544 relation of private individuals, and appeals from awards or decisions
545 of workers' compensation commissioners.

546 Sec. 33. Subsection (c) of section 18-101b of the general statutes is
547 repealed and the following is substituted in lieu thereof (*Effective from*
548 *passage*):

549 (c) Any inmate requesting permission to remain in a correctional
550 facility, as provided in subsection (a) of this section, or any person
551 requesting permission to remain in a program, as provided in
552 subsection (b) of this section, shall submit such request, in writing, to
553 the Commissioner of Correction not later than one week prior to the
554 scheduled date for the inmate's parole or discharge.

555 Sec. 34. Section 19a-88a of the general statutes is repealed and the
556 following is substituted in lieu thereof (*Effective from passage*):

557 For the purposes of subsection (c) of section 19a-88, the
558 commissioner shall adopt regulations, in accordance with the
559 provisions of chapter 54, no later than January 1, 2000. Such
560 regulations shall include, but not be limited to, (1) a definition of
561 "retired from the profession" as that term applies to registered nurses,
562 advanced practice registered nurses and licensed practical nurses, (2)
563 procedures for the return to active employment of such nurses who
564 have retired from the profession, (3) appropriate restrictions upon the
565 scope of practice for such nurses who are retired from the profession,
566 including restricting the license of such nurses to the provision of
567 volunteer services without monetary compensation, and (4) the

568 requirement that any registered nurse, advanced practice registered
569 nurse, or licensed practical nurse seeking to renew a license under the
570 provisions of subsection (c) of section 19a-14, subsection (c) of section
571 19a-88, this section, subdivision (3) of section 20-66, subsections (l) to
572 (n), inclusive, of section 20-74s, section 20-206bb and sections 7 to 9,
573 inclusive, of public act 99-249* shall be a holder in good standing of a
574 current license issued pursuant to chapter 378 as of the date of
575 application for renewal.

576 Sec. 35. Subsection (c) of section 20-677 of the general statutes is
577 repealed and the following is substituted in lieu thereof (*Effective from*
578 *passage*):

579 (c) In addition to any other remedy provided for in sections 20-670
580 to 20-676, inclusive, any person who violates any provision of
581 subsection (b) of this section [.] shall be fined not more than one
582 thousand dollars or imprisoned not more than six months, or both.

583 Sec. 36. Subsection (b) of section 22-287 of the general statutes is
584 repealed and the following is substituted in lieu thereof (*Effective from*
585 *passage*):

586 (b) Surveillance tests may be performed by a technician trained by
587 and under the supervision of the State Veterinarian and employed by
588 [the Livestock Division of] the Department of Agriculture, provided [.]
589 no condemnation shall be made on the basis of such surveillance tests.
590 The owner of any herd to be so tested shall provide assistance and
591 proper restraint for confining the animals for and during the
592 application of [said] such tests.

593 Sec. 37. Section 22-301 of the general statutes is repealed and the
594 following is substituted in lieu thereof (*Effective from passage*):

595 No milk may be offered for sale in Connecticut unless produced
596 from herds complying with sections 22-298, 22-299a, 22-303, 22-304, 22-
597 306 and 22-307 and this section. Before a permit may be issued by the
598 Commissioner of Agriculture for the sale of milk, information must be

599 available from the [Livestock Division] state Department of
600 Agriculture or from the livestock official of the state where the milk is
601 produced that such herd producing milk for sale has reacted
602 negatively to tests which meet Connecticut specifications for the
603 control of tuberculosis and brucellosis.

604 Sec. 38. Subdivision (5) of section 22-415a of the general statutes is
605 repealed and the following is substituted in lieu thereof (*Effective from*
606 *passage*):

607 (5) "Official test" means a serological test for equine infectious
608 anemia that is (A) approved by the Animal and Plant Health
609 Inspection Service of the United States Department of Agriculture, (B)
610 conducted in a laboratory approved by the Commissioner of
611 Agriculture, and (C) administered by a licensed veterinarian, state
612 veterinarian, or full-time employee with the [livestock division of the]
613 state Department of Agriculture.

614 Sec. 39. Section 26-72 of the general statutes is repealed and the
615 following is substituted in lieu thereof (*Effective from passage*):

616 The commissioner may, after notice and public hearing conducted
617 in the manner prescribed by section 26-67, issue regulations governing
618 and prescribing the taking of all species of fur-bearing animals by use
619 of traps within the state. Such regulations may (1) establish the open
620 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
621 methods that may be used, including size, type and kind of traps and
622 the type and kind of bait and lures, (4) designate the places where
623 traps may be placed and set and the conditions under which the
624 placing and setting of traps will be legal, (5) establish the daily bag
625 limit and the season bag limit, and (6) assess a reasonable fee, or
626 develop a comparable equitable plan, for season trapping rights on
627 state-owned property. Assignment of such rights for specific areas may
628 be determined by drawing or by the order in which requests therefor
629 are recorded as received in the office of the commissioner when there
630 is a set fee for such areas, or the method of high bid may be used. No

631 person shall set, place or attend any trap upon the land of another
632 without having in [his] such person's possession the written
633 permission of the owner or lessee of such land, or [his] such owner's or
634 lessee's agent, and no person shall set, place or attend any trap not
635 having the name of the person using such trap legibly stamped
636 thereon or attached thereto; provided the owner or legal occupant of
637 such land or such person as [he] such owner or legal occupant
638 designates may set, place or attend any legal steel trap in any place
639 within a radius of one hundred feet of any permanent building located
640 on such land. No person who sets, places or attends any trap shall
641 permit more than twenty-four hours to elapse between visits to such
642 trap; [; provided,] except that if such twenty-four-hour period expires
643 before sunset, the person who set such trap shall have until sunset to
644 visit the [same] trap. No person shall place, set or attend any snare, net
645 or similar device capable of taking or injuring any animal. The pelt of
646 any fur-bearing animal legally taken may be possessed, sold or
647 transported at any time. Upon demand of any officer having authority
648 to serve criminal process or any representative of the Department of
649 Environmental Protection, any person in possession of any such pelt
650 shall furnish to such officer or such representative satisfactory
651 evidence that such pelt was legally taken or acquired. No provision
652 [hereof] of this section shall be construed as prohibiting any landowner
653 or lessee of land used for agricultural purposes or any citizen of the
654 United States, or any person having on file in the court having
655 jurisdiction thereof a written declaration of [his] such person's
656 intention to become a citizen of the United States, who is regularly
657 employed by such landowner or lessee, from pursuing, trapping and
658 killing at any time any fur-bearing animal, except deer, which is
659 injuring any property, or the owner of any farm or enclosure used for
660 breeding or raising any legally acquired fur-bearing animal who has a
661 game breeder's license issued by the commissioner or a fur breeder's
662 license issued by the [Livestock Division of the] Department of
663 Agriculture, from taking or killing any such animal legally in his or her
664 possession at any time or having in possession any pelt thereof. No
665 person shall molest, injure or disturb any muskrat house or den at any

666 time. Any fur-bearing animal legally taken alive may be possessed by
667 the person taking the [same] animal, provided [he] the person shall
668 notify the commissioner in a writing signed by [him] the person
669 stating the species and sex of such animal, the date and the name of the
670 town where such animal was taken and the specific address where
671 such animal will be kept. Any representative of the department may at
672 any time inspect such animal and the enclosure or other facilities used
673 to hold such animal and make inquiry concerning the diet and other
674 care such animal should have and if, in the opinion of the
675 commissioner or such representative, such animal is not being
676 provided adequate or proper facilities or care, such animal may be
677 seized by such representative of the department and be disposed of as
678 determined by the commissioner. Fur-bearing animals taken alive, as
679 [herein] provided in this section, shall not be sold or exchanged,
680 provided the person who legally possesses such animal may apply to
681 the commissioner for a game breeder's license or to the [Livestock
682 Division of the] Department of Agriculture for a fur breeder's license
683 and when so licensed [he] such person may breed such animal and the
684 progeny thereof, and such issue when three generations removed from
685 the wild may be sold or exchanged alive or dead. Any trap illegally set
686 and any snare, net or similar device found placed or set in violation of
687 the provisions of this section shall be seized by any representative of
688 the department and, if not claimed within twenty-four hours, the
689 commissioner may order such trap, snare, net or other device
690 destroyed, sold or retained for use by the commissioner. Any person
691 who violates any provision of this section or any regulation issued by
692 the commissioner shall be fined not more than two hundred dollars or
693 be imprisoned not more than sixty days, or both. Whenever any
694 person is convicted, or forfeits any bond, or has [his] such person's case
695 nulled upon the payment of any sum of money, or receives a
696 suspended sentence or judgment for a violation of any of the
697 provisions of this section or any regulation issued hereunder by the
698 commissioner, all traps used, set or placed in violation of any such
699 provisions or any such regulation may, by order of the trial court, be
700 forfeited to the state and may be retained for use by the department or

701 may be sold or destroyed at the discretion of the commissioner. The
702 proceeds from any such sale shall be paid to the State Treasurer and
703 [by him credited] the State Treasurer shall credit such proceeds to the
704 General Fund.

705 Sec. 40. Subsection (f) of section 31-109 of the general statutes is
706 repealed and the following is substituted in lieu thereof (*Effective from*
707 *passage*):

708 (f) Except as provided in subsection (e) of this section, unless
709 otherwise directed by the court, commencement of proceedings under
710 subsections (a) and (d) of this section shall not operate as a stay of such
711 order.

712 Sec. 41. Subsection (b) of section 31-276 of the general statutes is
713 repealed and the following is substituted in lieu thereof (*Effective from*
714 *passage*):

715 (b) Notwithstanding the provisions of subsection (a) of this section,
716 on and after October 1, 1988, any commissioner whose term expires on
717 December thirty-first shall continue to serve until the next succeeding
718 March thirty-first.

719 Sec. 42. Section 32-1o of the general statutes is repealed and the
720 following is substituted in lieu thereof (*Effective from passage*):

721 (a) On or before July 1, 2009, and every five years thereafter, the
722 Commissioner of Economic and Community Development, within
723 available appropriations, shall prepare an economic strategic plan for
724 the state in consultation with the Secretary of the Office of Policy and
725 Management, the Commissioners of Environmental Protection and
726 Transportation, the Labor Commissioner, the executive directors of the
727 Connecticut Housing Finance Authority, the Connecticut Development
728 Authority, [the] Connecticut Innovations, [Inc.] Incorporated, the
729 Commission on Culture and Tourism and the Connecticut Health and
730 Educational Facilities Authority, and the president of the Office of
731 Workforce Competitiveness, or their respective designees, and any

732 other agencies the Commissioner of Economic and Community
733 Development deems appropriate.

734 (b) In developing the plan, the Commissioner of Economic and
735 Community Development shall:

736 (1) Ensure that the plan is consistent with (A) the text and locational
737 guide map of the state plan of conservation and development []
738 adopted pursuant to chapter 297, (B) the long-range state housing plan
739 [] adopted pursuant to section 8-37t, and (C) the transportation
740 strategy adopted pursuant to section 13b-57g;

741 (2) Consult regional councils of governments, regional planning
742 organizations, regional economic development agencies, interested
743 state and local officials, entities involved in economic and community
744 development, stakeholders and business, economic, labor, community
745 and housing organizations;

746 (3) Consider (A) regional economic, community and housing
747 development plans, and (B) applicable state and local workforce
748 investment strategies;

749 (4) Assess and evaluate the economic development challenges and
750 opportunities of the state and against the economic development
751 competitiveness of other states and regions; and

752 (5) Host regional forums to provide for public involvement in the
753 planning process.

754 (c) The strategic plan required under this section shall include, but
755 not be limited to, the following:

756 (1) A review and evaluation of the economy of the state. Such
757 review and evaluation shall include, but not be limited to, a sectoral
758 analysis, housing market and housing affordability analysis, labor
759 market and labor quality analysis, demographic analysis and [include]
760 historic trend analysis and projections;

761 (2) A review and analysis of factors, issues and forces that impact or
762 impede economic development and responsible growth in Connecticut
763 and its constituent regions. Such factors, issues or forces shall include,
764 but not be limited to, transportation, including, but not limited to,
765 commuter transit, rail and barge freight, technology transfer,
766 brownfield remediation and development, health care delivery and
767 costs, early education, primary education, secondary and
768 postsecondary education systems and student performance, business
769 regulation, labor force quality and sustainability, social services costs
770 and delivery systems, affordable and workforce housing cost and
771 availability, land use policy, emergency preparedness, taxation,
772 availability of capital and energy costs and supply;

773 (3) Identification and analysis of economic clusters that are growing
774 or declining within the state;

775 (4) An analysis of targeted industry sectors in the state that (A)
776 identifies those industry sectors that are of current or future
777 importance to the growth of the state's economy and to its global
778 competitive position, (B) identifies what those industry sectors need
779 for continued growth, and (C) identifies [.] those industry [sectors]
780 sectors' current and potential impediments to growth;

781 (5) A review and evaluation of the economic development structure
782 in the state, including, but not limited to, (A) a review and analysis of
783 the past and current economic, community and housing development
784 structures, budgets and policies, efforts and responsibilities of its
785 constituent parts in Connecticut; and (B) an analysis of the
786 performance of the current economic, community and housing
787 development structure, and its individual constituent parts, in meeting
788 its statutory obligations, responsibilities and mandates and their
789 impact on economic development and responsible growth in
790 Connecticut;

791 (6) Establishment and articulation of a vision for Connecticut that
792 identifies where the state should be in five, ten, fifteen and twenty

793 years;

794 (7) Establishment of clear and measurable goals and objectives for
795 the state and regions, to meet the short and long-term goals established
796 under this section and provide clear steps and strategies to achieve
797 said goals and objectives, including, but not limited to, the following:
798 (A) The promotion of economic development and opportunity, (B) the
799 fostering of effective transportation access and choice including the use
800 of airports and ports for economic development, (C) enhancement and
801 protection of the environment, (D) maximization of the effective
802 development and use of the workforce consistent with applicable state
803 or local workforce investment strategy, (E) promotion of the use of
804 technology in economic development, including access to high-speed
805 telecommunications, and (F) the balance of resources through sound
806 management of physical development;

807 (8) Prioritization of goals and objectives established under this
808 section;

809 (9) Establishment of relevant measures that clearly identify and
810 quantify (A) whether a goal and objective is being met at the state,
811 regional, local and private sector level, and (B) cause and effect
812 relationships, and [provides] provide a clear and replicable
813 measurement methodology;

814 (10) Recommendations on how the state can best achieve goals
815 under the strategic plan and provide cost estimates for implementation
816 of the plan and the projected return on investment for those areas; and

817 (11) Any other responsible growth information that the
818 commissioner deems appropriate.

819 (d) On or before July 1, 2009, and every five years thereafter, the
820 Commissioner of Economic and Community Development shall
821 submit an economic development strategic plan for the state to the
822 Governor for approval. The Governor shall review and approve or
823 disapprove such plan not more than sixty days after submission. The

824 plan shall be effective upon approval by the Governor or sixty days
825 after the date of submission.

826 (e) Upon approval, the commissioner shall submit the economic
827 development strategic plan to the joint standing committees of the
828 General Assembly having cognizance of matters relating to commerce,
829 planning and development, appropriations and the budgets of state
830 agencies and finance, revenue and bonding. Not later than thirty days
831 after such submission, the commissioner shall post the plan on the web
832 site of the Department of Economic and Community Development.

833 (f) The commissioner, from time to time, may revise and update the
834 strategic plan upon approval of the Governor. The commissioner shall
835 post any such revisions on the web site of the Department of Economic
836 and Community Development.

837 Sec. 43. Subsection (b) of section 32-237 of the general statutes is
838 repealed and the following is substituted in lieu thereof (*Effective from*
839 *passage*):

840 (b) The center for supply chain integration, established pursuant to
841 subsection (a) of this section, shall make its services available to assist
842 small and medium-sized manufacturers in the state. The center shall
843 provide the same services to such manufacturers to promote supply
844 chain development, as described in subsection (a) of this section.

845 Sec. 44. Subsection (a) of section 34-327 of the general statutes is
846 repealed and the following is substituted in lieu thereof (*Effective from*
847 *passage*):

848 (a) Except as otherwise provided in subsections (b), (c) and (d) of
849 this section, all partners are liable jointly and severally for all
850 obligations of the partnership unless otherwise agreed by the claimant
851 or provided by law.

852 Sec. 45. Subsection (b) of section 38a-503b of the general statutes is
853 repealed and the following is substituted in lieu thereof (*Effective from*

854 *passage*):

855 (b) Each carrier shall permit a female enrollee direct access to a
856 participating in-network obstetrician-gynecologist for any
857 gynecological examination or care related to pregnancy and shall allow
858 direct access to a participating in-network obstetrician-gynecologist for
859 primary and preventive obstetric and gynecologic services required as
860 a result of any gynecological examination or as a result of a
861 gynecological condition. Such obstetric and gynecologic services
862 include, but are not limited to, pap smear tests. The plan may require
863 the participating in-network obstetrician-gynecologist to discuss such
864 services and any treatment plan with the female enrollee's primary
865 care provider. Nothing in this section shall preclude access to an in-
866 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
867 86g and in-network advanced practice registered nurses, as licensed
868 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
869 services within their scope of practice.

870 Sec. 46. Subsection (b) of section 38a-530b of the general statutes is
871 repealed and the following is substituted in lieu thereof (*Effective from*
872 *passage*):

873 (b) Each carrier shall permit a female enrollee direct access to a
874 participating in-network obstetrician-gynecologist for any
875 gynecological examination or care related to pregnancy and shall allow
876 direct access to a participating in-network obstetrician-gynecologist for
877 primary and preventive obstetric and gynecologic services required as
878 a result of any gynecological examination or as a result of a
879 gynecological condition. Such obstetric and gynecologic services
880 include, but are not limited to, pap smear tests. The plan may require
881 the participating in-network obstetrician-gynecologist to discuss such
882 services and any treatment plan with the female enrollee's primary
883 care provider. Nothing in this section shall preclude access to an in-
884 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
885 86g and in-network advanced practice registered nurses, as licensed
886 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological

887 services within their scope of practice.

888 Sec. 47. Subsection (c) of section 45a-8 of the general statutes is
889 repealed and the following is substituted in lieu thereof (*Effective from*
890 *passage*):

891 (c) If suitable court facilities are not provided in accordance with
892 subsection (a) or (b) of this section: (1) The Probate Court
893 Administrator shall provide written notice, by first class mail, to the
894 judge of probate of the district and the chief executive officer of the
895 town in which the court is located, on or before October first of any
896 year in which suitable court facilities are not so provided. Such notice
897 shall specify the requirements of subsection (a) or (b) of this section
898 that are not met and shall direct the submission of a plan as required
899 by this subdivision. Not later than January first of the year following
900 the year in which such notice is provided, such chief executive officer,
901 or his or her representative, shall file with the Probate Court
902 Administrator a plan and time frame for meeting such requirements
903 and providing suitable court facilities; (2) not later than February first
904 of the year following the year in which notice is provided under
905 subdivision (1) of this [section] subsection, the Probate Court
906 Administrator shall submit a report to the joint standing committee of
907 the General Assembly having cognizance of matters relating to the
908 judiciary concerning the failure of the probate district to provide the
909 required court facilities, which report may include a recommendation
910 that the probate district be abolished as a separate district and be
911 consolidated with a contiguous district where suitable court facilities
912 can be provided; or (3) if, in the opinion of the Probate Court
913 Administrator, abolition of the district is not in the public interest and
914 judicial action is necessary to enforce the provision of suitable court
915 facilities, the Probate Court Administrator shall bring an action in the
916 Superior Court to enforce the requirements for the provision of
917 suitable court facilities.

918 Sec. 48. Subsection (a) of section 45a-186c of the general statutes is
919 repealed and the following is substituted in lieu thereof (*Effective from*

920 *passage*):

921 (a) In an appeal taken under section 45a-186, costs may be taxed in
922 favor of the prevailing party in the same manner, and to the same
923 extent, [that] as such costs are allowed in judgments rendered by the
924 Superior Court.

925 Sec. 49. Section 45a-199 of the general statutes is repealed and the
926 following is substituted in lieu thereof (*Effective from passage*):

927 As used in sections [45a-143, 45a-152,] 45a-186c, 45a-202 to 45a-208,
928 inclusive, and 45a-242 to 45a-244, inclusive, unless otherwise defined
929 or unless otherwise required by the context, "fiduciary" includes an
930 executor, administrator, trustee, conservator or guardian.

931 Sec. 50. Subsection (b) of section 45a-649 of the general statutes is
932 repealed and the following is substituted in lieu thereof (*Effective from*
933 *passage*):

934 (b) The notice required by subdivision (2) of subsection (a) of this
935 section shall specify [(A)] (1) the nature of involuntary representation
936 sought and the legal consequences thereof, [(B)] (2) the facts alleged in
937 the application, [(C)] (3) the date, time and place of the hearing, and
938 [(D)] (4) that the respondent has a right to be present at the hearing
939 and has a right to be represented by an attorney of the respondent's
940 choice at the respondent's own expense. The notice shall also include a
941 statement in boldface type of a minimum size of twelve points in
942 substantially the following form:

943 "POSSIBLE CONSEQUENCES OF THE APPOINTMENT OF A
944 CONSERVATOR FOR YOU

945 This court has received an application to appoint a conservator for
946 you. A conservator is a court-appointed legal guardian who may be
947 assigned important decision-making authority over your affairs. If the
948 application is granted and a conservator is appointed for you, you will
949 lose some of your rights.

950 A permanent conservator may only be appointed for you after a
951 court hearing. You have the right to attend the hearing on the
952 application for appointment of a permanent conservator. If you are not
953 able to access the court where the hearing will be held, you may
954 request that the hearing be moved to a convenient location, even to
955 your place of residence.

956 You should have an attorney represent you at the hearing on the
957 application. If you are unable to obtain an attorney to represent you at
958 the hearing, the court will appoint an attorney for you. If you are
959 unable to pay for representation by an attorney, the court will pay
960 attorney fees as permitted by the court's rules. Even if you qualify for
961 payment of an attorney on your behalf, you may choose an attorney if
962 the attorney will accept the attorney fees permitted by the court's rules.

963 If, after a hearing on the application, the court decides that you lack
964 the ability to care for yourself, pay your bills or otherwise manage
965 your affairs, the court may review any alternative plans you have to
966 get assistance to handle your own affairs that do not require
967 appointment of a conservator. If the court decides that there are no
968 adequate alternatives to the appointment of a conservator, the court
969 may appoint a conservator and assign the conservator responsibility
970 for some or all of the duties listed below. While the purpose of a
971 conservator is to help you, you should be aware that the appointment
972 of a conservator limits your rights. Among the areas that may be
973 affected are:

- 974 - Accessing and budgeting your money
- 975 - Deciding where you live
- 976 - Making medical decisions for you
- 977 - Paying your bills
- 978 - Managing your real and personal property

979 You may participate in the selection of your conservator. If you

980 have already designated a conservator or if you inform the court of
981 your choice for a conservator, the court must honor your request
982 unless the court decides that the person designated by you is not
983 appropriate.

984 The conservator appointed for you may be a lawyer, a public official
985 or someone whom you did not know before the appointment. The
986 conservator will be required to make regular reports to the court about
987 you. The conservator may charge you a fee, under the supervision of
988 the court, for being your conservator."

989 Sec. 51. Subsections (g) and (h) of section 45a-650 of the general
990 statutes are repealed and the following is substituted in lieu thereof
991 (*Effective from passage*):

992 (g) When determining whether a conservator should be appointed
993 the court shall consider the following factors: (1) The abilities of the
994 respondent; (2) the respondent's capacity to understand and articulate
995 an informed preference regarding the care of his or her person or the
996 management of his or her affairs; (3) any relevant and material
997 information obtained from the respondent; (4) evidence of the
998 respondent's past preferences and life style choices; (5) the
999 respondent's cultural background; (6) the desirability of maintaining
1000 continuity in the respondent's life and environment; (7) whether the
1001 respondent had previously made adequate alternative arrangements
1002 for the care of his or her person or for the management of his or her
1003 affairs, including, but not limited to, the execution of a durable power
1004 of attorney [] or springing power of attorney, the appointment of a
1005 health care representative or health care agent, the execution of a living
1006 will or trust or the execution of any other similar document; (8) any
1007 relevant and material evidence from the respondent's family and any
1008 other person regarding the respondent's past practices and
1009 preferences; and (9) any supportive services, technologies or other
1010 means that are available to assist the respondent in meeting his or her
1011 needs.

1012 (h) The respondent or conserved person may appoint, designate or
 1013 nominate a conservator pursuant to section 19a-580e, 19a-580g or 45a-
 1014 645, or may, orally or in writing, nominate a conservator who shall be
 1015 appointed unless the court finds that the appointee, designee or
 1016 nominee is unwilling or unable to serve or there is substantial evidence
 1017 to disqualify such person. If there is no such appointment, designation
 1018 or nomination or if the court does not appoint the person appointed,
 1019 designated or nominated by the respondent or conserved person, the
 1020 court may appoint any qualified person, authorized public official or
 1021 corporation in accordance with subsections (a) and (b) of section 45a-
 1022 644. In considering [who] whom to appoint as conservator, the court
 1023 shall consider (1) the extent to which a proposed conservator has
 1024 knowledge of the respondent's or conserved person's preferences
 1025 regarding the care of his or her person or the management of his or her
 1026 affairs, (2) the ability of the proposed conservator to carry out the
 1027 duties, responsibilities and powers of a conservator, (3) the cost of the
 1028 proposed conservatorship to the estate of the respondent or conserved
 1029 person, (4) the proposed conservator's commitment to promoting the
 1030 respondent's or conserved person's welfare and independence, and (5)
 1031 any existing or potential conflicts of interest of the proposed
 1032 conservator.

1033 Sec. 52. Subsection (b) of section 45a-654 of the general statutes is
 1034 repealed and the following is substituted in lieu thereof (*Effective from*
 1035 *passage*):

1036 (b) Unless the court waives the medical evidence requirement
 1037 pursuant to subsection (e) of this section, an appointment of a
 1038 temporary conservator shall not be made unless a report is filed with
 1039 the application for appointment of a temporary conservator, signed by
 1040 a physician licensed to practice medicine or surgery in this state,
 1041 stating: (1) That the physician has examined the respondent and the
 1042 date of such examination, which shall not be more than three days
 1043 prior to the date of presentation to the judge; (2) that it is the opinion of
 1044 the physician that the respondent is incapable of managing his or her
 1045 affairs or incapable of caring for himself or herself; and (3) the reasons

1046 for such opinion. Any physician's report filed with the court pursuant
1047 to this subsection shall be confidential. The court shall provide for the
1048 disclosure of the medical information required pursuant to this
1049 subsection to the respondent on the respondent's request, to the
1050 respondent's attorney and to any other party considered appropriate
1051 by the court.

1052 Sec. 53. Subsection (h) of section 45a-656b of the general statutes is
1053 repealed and the following is substituted in lieu thereof (*Effective from*
1054 *passage*):

1055 (h) For purposes of this section, an "institution for long-term care"
1056 means a facility that has been federally certified as a skilled nursing
1057 facility, an intermediate care facility, a residential care home, an
1058 extended care facility, a nursing home, a rest home [and] or a
1059 rehabilitation hospital or facility.

1060 Sec. 54. Subsection (b) of section 46b-124 of the general statutes is
1061 repealed and the following is substituted in lieu thereof (*Effective from*
1062 *passage*):

1063 (b) All records of cases of juvenile matters, as provided in section
1064 46b-121, except delinquency proceedings, or any part thereof, and all
1065 records of appeals from probate brought to the superior court for
1066 juvenile matters pursuant to [subsection (b) of] section 45a-186, shall be
1067 confidential and for the use of the court in juvenile matters, and open
1068 to inspection or disclosure to any third party, including bona fide
1069 researchers commissioned by a state agency, only upon order of the
1070 Superior Court, except that: (1) The records concerning any matter
1071 transferred from a court of probate pursuant to section 45a-623 or
1072 subsection (g) of section 45a-715 or any appeal from probate to the
1073 superior court for juvenile matters pursuant to [subsection (b) of]
1074 section 45a-186 shall be available to the court of probate from which
1075 such matter was transferred or from which such appeal was taken; (2)
1076 such records shall be available to (A) the attorney representing the
1077 child or youth, including the Division of Public Defender Services, in

1078 any proceeding in which such records are relevant, (B) the parents or
 1079 guardian of the child or youth until such time as the child or youth
 1080 reaches the age of majority or becomes emancipated, (C) an adult
 1081 adopted person in accordance with the provisions of sections 45a-736,
 1082 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
 1083 Division of Criminal Justice who in the performance of their duties
 1084 require access to such records, (E) employees of the Judicial Branch
 1085 who in the performance of their duties require access to such records,
 1086 (F) another court under the provisions of subsection (d) of section 46b-
 1087 115j, (G) the subject of the record, upon submission of satisfactory
 1088 proof of the subject's identity, pursuant to guidelines prescribed by the
 1089 Office of the Chief Court Administrator, provided the subject has
 1090 reached the age of majority or has been emancipated, (H) the
 1091 Department of Children and Families, and (I) the employees of the
 1092 Commission on Child Protection who in the performance of their
 1093 duties require access to such records; and (3) all or part of the records
 1094 concerning a youth in crisis with respect to whom a court order has
 1095 been issued pursuant to subdivision (1) of subsection (c) of section 46b-
 1096 150f may be made available to the Department of Motor Vehicles,
 1097 provided such records are relevant to such order. Any records of cases
 1098 of juvenile matters, or any part thereof, provided to any persons,
 1099 governmental and private agencies, and institutions pursuant to this
 1100 section shall not be disclosed, directly or indirectly, to any third party
 1101 not specified in subsection (d) of this section, except as provided by
 1102 court order or in the report required under section 54-76d or 54-91a.

1103 Sec. 55. Subsection (b) of section 46b-124 of the general statutes, as
 1104 amended by section 81 of public act 07-4 of the June special session, is
 1105 repealed and the following is substituted in lieu thereof (*Effective*
 1106 *January 1, 2010*):

1107 (b) All records of cases of juvenile matters, as provided in section
 1108 46b-121, except delinquency proceedings, or any part thereof, and all
 1109 records of appeals from probate brought to the superior court for
 1110 juvenile matters pursuant to [subsection (b) of] section 45a-186, shall be
 1111 confidential and for the use of the court in juvenile matters, and open

1112 to inspection or disclosure to any third party, including bona fide
1113 researchers commissioned by a state agency, only upon order of the
1114 Superior Court, except that: (1) The records concerning any matter
1115 transferred from a court of probate pursuant to section 45a-623 or
1116 subsection (g) of section 45a-715 or any appeal from probate to the
1117 superior court for juvenile matters pursuant to [subsection (b) of]
1118 section 45a-186 shall be available to the court of probate from which
1119 such matter was transferred or from which such appeal was taken; (2)
1120 such records shall be available to (A) the attorney representing the
1121 child or youth, including the Division of Public Defender Services, in
1122 any proceeding in which such records are relevant, (B) the parents or
1123 guardian of the child or youth until such time as the child or youth
1124 reaches the age of majority or becomes emancipated, (C) an adult
1125 adopted person in accordance with the provisions of sections 45a-736,
1126 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
1127 Division of Criminal Justice who in the performance of their duties
1128 require access to such records, (E) employees of the Judicial Branch
1129 who in the performance of their duties require access to such records,
1130 (F) another court under the provisions of subsection (d) of section 46b-
1131 115j, (G) the subject of the record, upon submission of satisfactory
1132 proof of the subject's identity, pursuant to guidelines prescribed by the
1133 Office of the Chief Court Administrator, provided the subject has
1134 reached the age of majority or has been emancipated, (H) the
1135 Department of Children and Families, and (I) the employees of the
1136 Commission on Child Protection who in the performance of their
1137 duties require access to such records; and (3) all or part of the records
1138 concerning a youth in crisis with respect to whom a court order was
1139 issued prior to January 1, 2010, may be made available to the
1140 Department of Motor Vehicles, provided such records are relevant to
1141 such order. Any records of cases of juvenile matters, or any part
1142 thereof, provided to any persons, governmental and private agencies,
1143 and institutions pursuant to this section shall not be disclosed, directly
1144 or indirectly, to any third party not specified in subsection (d) of this
1145 section, except as provided by court order or in the report required
1146 under section 54-76d or 54-91a.

1147 Sec. 56. Subsection (b) of section 47-75a of the general statutes is
1148 repealed and the following is substituted in lieu thereof (*Effective from*
1149 *passage*):

1150 (b) The principal officer of the unit owners' association or such other
1151 officer or officers as the condominium instruments may specify [,] shall
1152 furnish the statements prescribed [by] in subsection (a) [hereof] of this
1153 section upon the written request of any unit owner within fifteen days
1154 of the receipt of such request.

1155 Sec. 57. Subsection (a) of section 50a-60 of the general statutes is
1156 repealed and the following is substituted in lieu thereof (*Effective from*
1157 *passage*):

1158 (a) Subject to subsection (b) of this section, if an action is brought to
1159 enforce a judgment of another jurisdiction expressed in a foreign
1160 money and the judgment is recognized in this state as enforceable, the
1161 enforcing judgment shall be entered as provided in section 50a-57,
1162 whether or not the foreign judgment confers an option to pay in an
1163 equivalent amount of United States dollars. A satisfaction or partial
1164 payment made upon the foreign judgment, on proof thereof, shall be
1165 credited against the amount of foreign money specified in the
1166 judgment, notwithstanding the entry of judgment in this state.

1167 Sec. 58. Subsection (e) of section 52-143 of the general statutes is
1168 repealed and the following is substituted in lieu thereof (*Effective from*
1169 *passage*):

1170 (e) If any person summoned by the state, or by the Attorney General
1171 or an assistant attorney general, or by any public defender or assistant
1172 public defender acting in his or her official capacity, by a subpoena
1173 containing the statement as provided in subsection (d) of this section,
1174 or if any other person upon whom a subpoena is served to appear and
1175 testify in a cause pending before any court and to whom one day's
1176 attendance and fees for traveling to court have been tendered, fails to
1177 appear and testify, without reasonable excuse, [he] such person shall
1178 be fined not more than twenty-five dollars and pay all damages to the

1179 party aggrieved; and the court or judge, on proof of the service of a
1180 subpoena containing the statement as provided in subsection (d) of
1181 this section, or on proof of the service of a subpoena and the tender of
1182 such fees, may issue a *capias* directed to some proper officer to arrest
1183 the witness and bring [him] the witness before the court to testify.

1184 Sec. 59. Subsection (b) of section 22a-133aa of the general statutes is
1185 repealed and the following is substituted in lieu thereof (*Effective from*
1186 *passage*):

1187 (b) Any covenant entered into under this section shall release only
1188 those claims said commissioner may have which are related to
1189 pollution or contamination on or emanating from the property, which
1190 contamination resulted from a discharge, spillage, uncontrolled loss,
1191 seepage or filtration on such property prior to the effective date of the
1192 covenant. Such covenant shall provide that the commissioner will not
1193 take any action against the holder of the covenant to require
1194 remediation of the parcel or any other action against such holder
1195 related to such discharge, spillage, uncontrolled loss, seepage or
1196 filtration unless (1) prior to the commissioner's approval of a detailed
1197 written plan for remediation pursuant to a brownfields investigation
1198 plan and remediation schedule, the commissioner finds that there is
1199 substantial noncompliance with such investigation plan and
1200 remediation schedule and there has not been a good faith effort to
1201 substantially comply therewith, (2) such property is not remediated in
1202 accordance with the detailed written plan approved by the
1203 commissioner and incorporated by reference in such covenant, (3)
1204 prior to completion of remediation in accordance with such plan, the
1205 commissioner finds that there is substantial noncompliance with any
1206 such plan and there has not been a good faith effort to substantially
1207 comply therewith, (4) remediation of the parcel in accordance with any
1208 detailed written plan for remediation did not comply with standards
1209 adopted by the commissioner pursuant to section 22a-133k which were
1210 in effect as of the effective date of either the covenant or the
1211 commissioner's approval of the detailed written plan for remediation,
1212 whichever is later, (5) if required by the standards adopted by the

1213 commissioner pursuant to section 22a-133k, an environmental land use
 1214 restriction has not been recorded in accordance with section 22a-133o
 1215 or there has been a failure to comply with the provisions of such a
 1216 restriction, (6) for a property subject to the brownfield plan and
 1217 remediation schedule, the commissioner does not approve a detailed
 1218 written plan for remediation, or (7) the prospective buyer or owner
 1219 fails to pay the fee, including [fails] the failure to pay in accordance
 1220 with any payment schedule pursuant to subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section	<i>from passage</i>	3-20a(a)
Sec. 2	<i>from passage</i>	4-68o(f)
Sec. 3	<i>from passage</i>	4b-15b(b)
Sec. 4	<i>from passage</i>	7-131(d)
Sec. 5	<i>from passage</i>	7-151a(c)
Sec. 6	<i>from passage</i>	7-163e
Sec. 7	<i>from passage</i>	7-323c(e)
Sec. 8	<i>from passage</i>	7-425(3)
Sec. 9	<i>from passage</i>	8-265i(b)
Sec. 10	<i>from passage</i>	10-158a(b)
Sec. 11	<i>from passage</i>	10-221d(d)
Sec. 12	<i>from passage</i>	12-2(b)
Sec. 13	<i>from passage</i>	12-81dd
Sec. 14	<i>from passage</i>	12-193
Sec. 15	<i>from passage</i>	13b-50a
Sec. 16	<i>from passage</i>	13b-57g(j)
Sec. 17	<i>from passage</i>	14-12a(b)
Sec. 18	<i>from passage</i>	14-36a(e)
Sec. 19	<i>from passage</i>	14-44(b)
Sec. 20	<i>from passage</i>	14-44i(c)
Sec. 21	<i>from passage</i>	14-181(a) and (b)
Sec. 22	<i>from passage</i>	14-222a(a)
Sec. 23	<i>from passage</i>	14-275(b)
Sec. 24	<i>from passage</i>	14-279(c)
Sec. 25	<i>from passage</i>	14-296aa(b)
Sec. 26	<i>from passage</i>	14-296aa(e)
Sec. 27	<i>from passage</i>	15-154(f)

Sec. 28	<i>from passage</i>	16a-47a(b)
Sec. 29	<i>from passage</i>	16-262m(c)
Sec. 30	<i>from passage</i>	16-262m(e)(1)
Sec. 31	<i>from passage</i>	17b-256(a)
Sec. 32	<i>from passage</i>	17b-341(d)
Sec. 33	<i>from passage</i>	18-101b(c)
Sec. 34	<i>from passage</i>	19a-88a
Sec. 35	<i>from passage</i>	20-677(c)
Sec. 36	<i>from passage</i>	22-287(b)
Sec. 37	<i>from passage</i>	22-301
Sec. 38	<i>from passage</i>	22-415a(5)
Sec. 39	<i>from passage</i>	26-72
Sec. 40	<i>from passage</i>	31-109(f)
Sec. 41	<i>from passage</i>	31-276(b)
Sec. 42	<i>from passage</i>	32-1o
Sec. 43	<i>from passage</i>	32-237(b)
Sec. 44	<i>from passage</i>	34-327(a)
Sec. 45	<i>from passage</i>	38a-503b(b)
Sec. 46	<i>from passage</i>	38a-530b(b)
Sec. 47	<i>from passage</i>	45a-8(c)
Sec. 48	<i>from passage</i>	45a-186c(a)
Sec. 49	<i>from passage</i>	45a-199
Sec. 50	<i>from passage</i>	45a-649(b)
Sec. 51	<i>from passage</i>	45a-650(g) and (h)
Sec. 52	<i>from passage</i>	45a-654(b)
Sec. 53	<i>from passage</i>	45a-656b(h)
Sec. 54	<i>from passage</i>	46b-124(b)
Sec. 55	<i>January 1, 2010</i>	46b-124(b)
Sec. 56	<i>from passage</i>	47-75a(b)
Sec. 57	<i>from passage</i>	50a-60(a)
Sec. 58	<i>from passage</i>	52-143(e)
Sec. 59	<i>from passage</i>	22a-133aa(b)

JUD *Joint Favorable*