



General Assembly

**Bill No. 7007**

September Special  
Session, 2009

LCO No. 9916

\*09916 \_\_\_\_\_ \*

Referred to Committee on No Committee

Introduced by:

REP. DONOVAN, 84<sup>th</sup> Dist.

SEN. WILLIAMS, 29<sup>th</sup> Dist.

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET  
CONCERNING GENERAL GOVERNMENT AND MAKING CHANGES  
TO VARIOUS PROGRAMS.**

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

1 Section 1. (*Effective from passage*) Notwithstanding section 1 of public  
2 act 09-3 of the June special session, the amounts appropriated in said  
3 section for the following purposes shall not be expended and the  
4 following sums are appropriated in lieu thereof for the purposes  
5 described:

T1	GENERAL FUND	
T2		2009-2010
T3		\$
T4	STATE COMPTROLLER	
T5	Personal Services	22,448,964
T6		
T7	DEPARTMENT OF ADMINISTRATIVE SERVICES	
T8	Personal Services	23,116,943
T9	Other Expenses	13,803,820

T10		
T11	ATTORNEY GENERAL	
T12	Personal Services	31,180,000
T13		
T14	DIVISION OF CRIMINAL JUSTICE	
T15	Forensic Sex Evidence Exams	0
T16		
T17	BOARD OF FIREARMS PERMIT EXAMINERS	
T18	Personal Services	72,390
T19	Other Expenses	8,971
T20	Equipment	100
T21		
T22	COMMISSION ON HUMAN RIGHTS AND	
T23	OPPORTUNITIES	
T24	Personal Services	6,057,632
T25	Other Expenses	728,152
T26	Equipment	100
T27		
T28		
T29	DEPARTMENT OF PUBLIC SAFETY	
T30	Personal Services	130,265,313
T31		
T32	DEPARTMENT OF ENVIRONMENTAL	
T33	PROTECTION	
T34	Boating Account	0
T35		
T36	DEPARTMENT OF CHILDREN AND FAMILIES	
T37	Personal Services	289,022,680
T38		
T39	JUDICIAL DEPARTMENT	
T40	Forensic Sex Evidence Exams	1,021,060
T41		
T42	DEBT SERVICE - STATE TREASURER	
T43	Debt Service	1,488,430,083
T44		
T45	STATE COMPTROLLER - FRINGE BENEFITS	
T46	Unemployment Compensation	9,438,980
T47	State Employees Retirement Contributions	635,501,904
T48	Insurance - Group Life	8,101,143
T49	Employers Social Security Tax	239,716,376
T50	State Employees Health Service Cost	554,918,978

6       Sec. 2. (*Effective from passage*) Notwithstanding section 2 of public act  
 7 09-3 of the June special session, the amounts appropriated in said  
 8 section for the following purposes shall not be expended and the  
 9 following sums are appropriated in lieu thereof for the purposes  
 10 described:

T51	SPECIAL TRANSPORTATION FUND	
T52		2009-2010
T53		\$
T54	DEPARTMENT OF MOTOR VEHICLES	
T55	Personal Services	44,365,796
T56		
T57	DEPARTMENT OF TRANSPORTATION	
T58	Personal Services	156,859,684
T59	Rail Operations	117,635,208
T60	Bus Operations	125,318,445
T61		
T62	STATE COMPTROLLER - FRINGE BENEFITS	
T63	Unemployment Compensation	220,960
T64	State Employees Retirement Contributions	77,508,000
T65	Insurance - Group Life	314,300
T66	Employers Social Security Tax	18,228,071
T67	State Employees Health Service Cost	33,423,070
T68		

11       Sec. 3. (*Effective from passage*) Notwithstanding section 11 of public  
 12 act 09-3 of the June special session, the amounts appropriated in said  
 13 section for the following purposes shall not be expended and the  
 14 following sums are appropriated in lieu thereof for the purposes  
 15 described:

T69	GENERAL FUND	
T70		2010-2011
T71		\$
T72	STATE COMPTROLLER	
T73	Personal Services	23,024,256
T74		
T75	DEPARTMENT OF ADMINISTRATIVE SERVICES	

T76	Personal Services	23,500,389
T77	Other Expenses	14,803,653
T78		
T79	ATTORNEY GENERAL	
T80	Personal Services	31,270,000
T81		
T82	DIVISION OF CRIMINAL JUSTICE	
T83	Forensic Sex Evidence Exams	0
T84		
T85	BOARD OF FIREARMS PERMIT EXAMINERS	
T86	Personal Services	73,536
T87	Other Expenses	8,971
T88	Equipment	100
T89		
T90	COMMISSION ON HUMAN RIGHTS AND	
T91	OPPORTUNITIES	
T92	Personal Services	5,789,994
T93	Other Expenses	663,076
T94	Equipment	100
T95		
T96		
T97	DEPARTMENT OF PUBLIC SAFETY	
T98	Personal Services	131,161,610
T99		
T100	DEPARTMENT OF ENVIRONMENTAL	
T101	PROTECTION	
T102	Boating Account	0
T103		
T104	DEPARTMENT OF CHILDREN AND FAMILIES	
T105	Personal Services	289,599,056
T106		
T107	JUDICIAL DEPARTMENT	
T108	Forensic Sex Evidence Exams	1,021,060
T109		
T110	DEBT SERVICE-STATE TREASURER	
T111	Debt Service	1,510,443,670
T112		
T113	STATE COMPTROLLER - FRINGE BENEFITS	
T114	Unemployment Compensation	6,323,979
T115	State Employees Retirement Contributions	663,329,057
T116	Insurance - Group Life	8,254,668

T117	Employers Social Security Tax	249,827,582
T118	State Employees Health Service Cost	516,871,061

16       Sec. 4. (*Effective from passage*) Notwithstanding section 12 of public  
17 act 09-3 of the June special session, the amounts appropriated in said  
18 section for the following purposes shall not be expended and the  
19 following sums are appropriated in lieu thereof for the purposes  
20 described:

T119	SPECIAL TRANSPORTATION FUND	
T120		2010-2011
T121		\$
T122	DEPARTMENT OF MOTOR VEHICLES	
T123	Personal Services	45,045,027
T124		
T125	DEPARTMENT OF TRANSPORTATION	
T126	Personal Services	157,723,930
T127	Rail Operations	127,726,327
T128	Bus Operations	132,955,915
T129		
T130	STATE COMPTROLLER - FRINGE BENEFITS	
T131	Unemployment Compensation	334,000
T132	State Employees Retirement Contributions	82,437,000
T133	Insurance - Group Life	324,000
T134	Employers Social Security Tax	20,652,971
T135	State Employees Health Service Cost	37,104,290

21       Sec. 5. Subsection (c) of section 4d-2 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective from*  
23 *passage*):

24       (c) The Chief Information Officer shall: (1) Develop and implement  
25 an integrated set of policies and architecture pertaining to information  
26 and telecommunication systems for state agencies; (2) develop a series  
27 of comprehensive standards and planning guidelines pertaining to the  
28 development, acquisition, implementation, and oversight and  
29 management of information and telecommunication systems for state  
30 agencies; (3) identify and implement (A) optimal information and

31 telecommunication systems to efficiently service the needs of state  
32 agencies, and (B) opportunities for reducing costs for such systems; (4)  
33 approve or disapprove, in accordance with guidelines established by  
34 the Chief Information Officer, each proposed state agency acquisition  
35 of hardware or software for an information or telecommunication  
36 system, except for (A) hardware or software having a cost of less than  
37 twenty thousand dollars, or (B) hardware or software having a cost of  
38 twenty thousand dollars or more, but less than one hundred thousand  
39 dollars, which is for a project that complies with the agency's business  
40 systems plan as approved by the Chief Information Officer; (5)  
41 approve or disapprove, in accordance with guidelines established by  
42 the Chief Information Officer, all state agency requests or proposed  
43 contracts for consultants for information and telecommunication  
44 systems; (6) be responsible for purchasing, leasing and contracting for  
45 all information system and telecommunication system facilities,  
46 equipment and services for state agencies, in accordance with the  
47 provisions of subsection (a) of section 4d-8, except for the offices of the  
48 Governor, Lieutenant Governor, Treasurer, Attorney General,  
49 Secretary of the State and Comptroller; (7) review existing and new  
50 information and telecommunication system technologies to ensure  
51 consistency with the strategic plan established under section 4d-7 and  
52 approved state agency architecture and make recommendations to the  
53 Standardization Committee established under section 4a-58 for review  
54 and appropriate action; (8) cooperate with the General Assembly, the  
55 Judicial Department and the constituent units of the state system of  
56 higher education in assessing opportunities for cost savings and  
57 greater sharing of information resources which could result if such  
58 entities acquire information and telecommunication systems similar to  
59 those of state agencies; [and] (9) ensure state-wide implementation of  
60 the 9-1-1 and E 9-1-1 systems; and (10) report annually, on or before  
61 February fifteenth, in accordance with section 11-4a, to the joint  
62 standing committees of the General Assembly having cognizance of  
63 matters relating to appropriations and the budgets of state agencies  
64 and government administration and elections on all technology

65 projects on which the department is working or that the department  
66 plans to undertake.

67 Sec. 6. Section 60 of public act 09-3 of the June special session is  
68 repealed and the following is substituted in lieu thereof (*Effective from*  
69 *passage*):

70 The total number of positions which may be filled by any state  
71 agency shall not exceed the number of positions recommended by the  
72 joint standing committee of the General Assembly on appropriations  
73 and the budgets of state agencies, including any revisions to such  
74 recommendation resulting from enactments of the General Assembly,  
75 as set forth in the report on the state budget for the current biennium  
76 published by the legislative Office of Fiscal Analysis, except upon the  
77 recommendation of the Governor and approval of the Finance  
78 Advisory Committee. The provisions of this section shall not apply to  
79 the constituent units of the state system of higher education.

80 Sec. 7. Section 1-123 of the general statutes is repealed and the  
81 following is substituted in lieu thereof (*Effective from passage*):

82 (a) The board of directors of each quasi-public agency shall annually  
83 submit a report to the Governor and the Auditors of Public Accounts  
84 and two copies of such report to the Legislative Program Review and  
85 Investigations Committee. Such report shall include, but not be limited  
86 to, the following: (1) A list of all bond issues for the preceding fiscal  
87 year, including, for each such issue, the financial advisor and  
88 underwriters, whether the issue was competitive, negotiated or  
89 privately placed, and the issue's face value and net proceeds; (2) a list  
90 of all projects other than those pertaining to owner-occupied housing  
91 or student loans receiving financial assistance during the preceding  
92 fiscal year, including each project's purpose, location, and the amount  
93 of funds provided by the agency; (3) a list of all outside individuals  
94 and firms receiving in excess of five thousand dollars in the form of  
95 loans, grants or payments for services, except for individuals receiving  
96 loans for owner-occupied housing and education; (4) a balance sheet

97 showing all revenues and expenditures; (5) the cumulative value of all  
98 bonds issued, the value of outstanding bonds, and the amount of the  
99 state's contingent liability; (6) the affirmative action policy statement, a  
100 description of the composition of the agency's work force by race, sex,  
101 and occupation and a description of the agency's affirmative action  
102 efforts; and (7) a description of planned activities for the current fiscal  
103 year. Not later than thirty days after receiving copies of such report  
104 from the board of a quasi-public agency, the Legislative Program  
105 Review and Investigations Committee shall prepare an assessment of  
106 whether the report complies with the requirements of this section and  
107 shall submit the assessment and a copy of the report to the joint  
108 standing committee of the General Assembly having cognizance of  
109 matters relating to the quasi-public agency.

110 (b) For the quarter commencing July 1, 2009, and for each quarter  
111 thereafter, the board of directors of each quasi-public agency shall  
112 submit a report to the Office of Fiscal Analysis accounting for moneys  
113 received or held by the agency during the quarter. Such accounting  
114 shall include, at a minimum, all expenditures and revenues of the  
115 agency. For the purposes of this subsection, "expenditures" and  
116 "revenues" have the same meaning as provided in section 4-69.

117 Sec. 8. Section 3-21b of the general statutes is repealed and the  
118 following is substituted in lieu thereof (*Effective from passage*):

119 (a) Notwithstanding the provisions of any general statute, public act  
120 or special act, upon a determination by the Treasurer and approval by  
121 the State Bond Commission that unexpended proceeds of general  
122 obligation bonds of the state issued pursuant to section 3-20 and  
123 accounted for in a general obligation bond fund of the state established  
124 by the Treasurer are no longer required for any of the purposes or  
125 projects funded or remaining to be funded from amounts in such bond  
126 fund, the Treasurer is authorized to transfer all or any portion of said  
127 unexpended bond proceeds from such bond fund for further credit to  
128 the General Fund, provided the Treasurer shall further determine that

129 such transfer shall not adversely affect the exclusion from gross  
130 income of the interest on the bonds from which such unexpended  
131 proceeds were derived pursuant to Section 103 of the Internal Revenue  
132 Code of 1986 or any corresponding internal revenue code of the United  
133 States, as from time to time amended.

134 (b) Commencing January 1, 2010, and annually thereafter, the Office  
135 of Policy and Management, in consultation with the Treasurer, shall  
136 submit a report, in accordance with section 11-4a, to the State Bond  
137 Commission, the joint standing committee of the General Assembly  
138 having cognizance of matters relating to finance, revenue and bonding,  
139 and to the legislative Office of Fiscal Analysis, identifying (1) all fully-  
140 issued general obligation bond funds, with (A) a description of the  
141 projects that may be eligible for funding under each such bond fund,  
142 (B) an identification of which such bond funds are encumbered, and  
143 (C) an account of expenditures from each such fund for the past five  
144 years or, if such bond fund is less than five years old, since its  
145 inception, and (2) any fully-issued and unencumbered general  
146 obligation bond funds from which no expenditures have been made  
147 for at least five years, and that have been determined by the Treasurer  
148 to be fully eligible for transfer pursuant to subsection (a) of this  
149 section.

150 ~~[(b)]~~ (c) The provisions of subsection (a) of this section shall not  
151 apply to any consolidated amounts, as defined in section 8-37rr.

152 Sec. 9. Section 2-36b of the general statutes, as amended by section 1  
153 of public act 09-214, is repealed and the following is substituted in lieu  
154 thereof (*Effective from passage*):

155 (a) No later than November thirtieth each year, the joint standing  
156 committees of the General Assembly having cognizance of matters  
157 relating to appropriations and the budgets of state agencies and  
158 finance, revenue and bonding shall meet with the Secretary of the  
159 Office of Policy and Management, the director of the legislative Office  
160 of Fiscal Analysis, and such other persons as they deem appropriate, to

161 consider the items submitted pursuant to subsection (b) of this section.

162 (b) On or before November fifteenth, annually, the Secretary of the  
163 Office of Policy and Management and the director of the legislative  
164 Office of Fiscal Analysis shall each submit the following to the joint  
165 standing committees of the General Assembly having cognizance of  
166 matters relating to appropriations and the budgets of state agencies  
167 and finance, revenue and bonding: (1) A consensus estimate of state  
168 revenues developed in accordance with subsection (a) of section 2 of  
169 this act, an estimate of expenditures and ending balance for each fund,  
170 for the current biennium and the next ensuing three fiscal years, and  
171 the assumptions on which such estimates are based; (2) the projected  
172 tax credits to be used in the current biennium and the next ensuing  
173 three fiscal years, and the assumptions on which such projections are  
174 based; (3) a summary of any estimated deficiencies in the current fiscal  
175 year, the reasons for such deficiencies, and the assumptions upon  
176 which such estimates are based; (4) the projected balance in the Budget  
177 Reserve Fund at the end of each uncompleted fiscal year of the current  
178 biennium and the next ensuing three fiscal years; (5) the projected  
179 bond authorizations, allocations and issuances in each of the next  
180 ensuing five fiscal years and their impact on the debt service of the  
181 major funds of the state; (6) an analysis of revenue and expenditure  
182 trends and of the major cost drivers affecting state spending, including  
183 identification of any areas of concern and efforts undertaken to  
184 address such areas, including, but not limited to, efforts to obtain  
185 federal funds; and (7) an analysis of possible uses of surplus funds,  
186 including, but not limited to, the Budget Reserve Fund, debt retirement  
187 and funding of pension liabilities.

188 (c) On or before November 15, 2010, and annually thereafter, the  
189 Secretary of the Office of Policy and Management shall submit to the  
190 joint standing committees of the General Assembly having cognizance  
191 of matters relating to appropriations and the budgets of state agencies  
192 and finance, revenue and bonding for the biennium commencing July  
193 1, 2011, and each biennium thereafter, a summary in electronic

194 database format of all nonappropriated moneys held by each budgeted  
195 agency, which shall be an accounting of moneys received or held by  
196 the agency that are authorized or received by any manner other than  
197 as an appropriation, at the end of the last-completed fiscal year in a  
198 form consistent with accepted accounting practice.

199 Sec. 10. Section 4-77 of the general statutes is repealed and the  
200 following is substituted in lieu thereof (*Effective from passage*):

201 (a) The administrative head of each budgeted agency shall transmit,  
202 on or before September first of each even-numbered year, to the  
203 Secretary of the Office of Policy and Management, on blanks to be  
204 furnished by him not later than the preceding August first, and to the  
205 joint standing committee of the General Assembly having cognizance  
206 of matters relating to appropriations and the budgets of state agencies,  
207 through the Office of Fiscal Analysis, and the standing committee  
208 having cognizance of matters relating to such budgeted agency,  
209 estimates of expenditure requirements for each fiscal year of the next  
210 biennium. On or before September first of each odd-numbered year,  
211 said agency head shall transmit recommended adjustments and  
212 revisions, if any, of such estimates. The secretary shall set guidelines  
213 for standard economic and planning factors and for unit costs, based  
214 on source of supply, for fuel oil, electricity, gas and water usage by  
215 state agencies, which shall be used by all agencies in the preparation of  
216 their estimates of expenditure requirements. The expenditure  
217 requirements shall be classified to show expenditures estimated for  
218 each major function and activity, project or program of the budgeted  
219 agency and its subdivisions, grants or aids to governmental units and  
220 capital outlay, and shall include details setting forth the estimated  
221 expenditures classified by objects according to a standard plan of  
222 classification, with citations of the statutes, if any, relating thereto.  
223 Each expenditure requirement for any purpose other than capital  
224 outlay involving an increase in or addition to any appropriation of the  
225 current fiscal year shall be accompanied by an explanation of the  
226 increase or addition. Each expenditure requirement involving a capital

227 outlay shall be accompanied by such supporting schedules of data and  
228 explanations as may be required by the secretary.

229 (b) The administrative head of each budgeted agency shall transmit,  
230 on or before September first of each year, to the secretary, in the form  
231 required by him, and, on or before November fifteenth of each year, to  
232 the joint committee of the General Assembly having cognizance of  
233 matters relating to state finance, revenue and bonding, through the  
234 Office of Fiscal Analysis, a statement showing in detail the revenue  
235 and estimated revenue of the agency for the current fiscal year, an  
236 estimate of the revenue from the same or any additional sources for the  
237 next fiscal year and, in the even-numbered year, for the next biennium.  
238 Said agency head shall include in such statement recommendations as  
239 to any changes in the management, practices, regulations or laws  
240 governing his budgeted agency affecting the amount of revenue from  
241 operations, fees, taxes or other sources or the collection thereof, and  
242 any other information required by the secretary.

243 (c) The administrative head of each budgeted agency shall transmit,  
244 to the Office of Fiscal Analysis, copies of the agency's monthly (1)  
245 financial status report, (2) personnel status report, and (3)  
246 nonappropriated moneys status report which shall be an accounting of  
247 moneys received or held by the agency that are authorized or received  
248 by any manner other than as an appropriation. Such accounting of  
249 nonappropriated moneys shall include, at a minimum, an assessment  
250 of the status of any agency fund or account of such agency receiving or  
251 holding such moneys. Such assessments of such funds and accounts  
252 shall, at a minimum, account for all expenditures, encumbrances,  
253 liabilities, reimbursements and revenues.

254 [(c)] (d) If any budgeted agency fails to submit [such] estimates  
255 required pursuant to this section within the time specified, the  
256 [secretary] Secretary of the Office of Policy and Management shall  
257 cause such estimates to be prepared for the budgeted agency. [The  
258 administrative head of each budgeted agency shall transmit a copy of

259 the agency's monthly financial status report and monthly personnel  
260 status report to the Office of Fiscal Analysis.]

261 Sec. 11. Subsection (a) of section 3-13a of the general statutes is  
262 repealed and the following is substituted in lieu thereof (*Effective from*  
263 *passage*):

264 (a) The Treasurer shall, with the advice and consent of the  
265 Investment Advisory Council, appoint a chief investment officer for  
266 the Connecticut retirement pension and trust funds, who shall serve at  
267 the pleasure of the Treasurer and whose compensation shall be  
268 determined by the Treasurer within a salary range established by the  
269 Treasurer in consultation with the Investment Advisory Council. The  
270 provisions of section 4-40 shall not apply to the compensation of said  
271 officer. Said officer shall be sworn to the faithful discharge of duties  
272 under law. Said officer shall, under the direction of the Treasurer and  
273 subject to the provisions of sections 3-13 to 3-13d, inclusive, and 3-31b,  
274 advise the Treasurer on investing the trust funds of the state. Said  
275 officer shall also perform such other duties as the Treasurer may direct.  
276 In addition to said officer, the Treasurer may, with the advice and  
277 consent of the Investment Advisory Council, appoint a deputy chief  
278 investment officer, whose compensation shall be determined by the  
279 Treasurer within salary ranges established by the Treasurer in  
280 consultation with the Investment Advisory Council and that shall not  
281 be subject to the provisions of section 4-40, principal investment  
282 officers, investment officers and other personnel to assist said chief  
283 investment officer, which officers and other personnel shall serve at  
284 the pleasure of the Treasurer.

285 Sec. 12. Section 10-397 of the general statutes is repealed and the  
286 following is substituted in lieu thereof (*Effective January 1, 2010*):

287 (a) There are established [five] three regional tourism districts, each  
288 of which shall promote and market districts as regional leisure and  
289 business traveler destinations to stimulate economic growth. The  
290 districts shall be as follows:

291 (1) The eastern regional district, which shall consist of Ashford,  
292 Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia,  
293 Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton,  
294 Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New  
295 London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret,  
296 Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington,  
297 Thompson, Union, Voluntown, Waterford, Willington, Windham and  
298 Woodstock;

299 (2) The central regional district, which shall consist of Andover,  
300 Avon, Berlin, Bethany, Bloomfield, Bolton, Branford, Canton, Cheshire,  
301 Chester, Clinton, Cromwell, Deep River, Durham, East Granby, East  
302 Haddam, East Hampton, East Hartford, East Haven, East Windsor,  
303 Ellington, Enfield, Essex, Farmington, Glastonbury, Granby, Guilford,  
304 Haddam, Hamden, Hartford, Hebron, Killingworth, Madison,  
305 Manchester, Marlborough, Meriden, Middlefield, Middletown,  
306 Milford, New Britain, New Haven, Newington, North Branford, North  
307 Haven, Old Saybrook, Orange, Plainville, Portland, Rocky Hill,  
308 Somers, South Windsor, Southington, Simsbury, Stafford, Suffield,  
309 Tolland, Vernon, [Windsor Locks] Wallingford, West Hartford, West  
310 Haven, Westbrook, Wethersfield, [and] Windsor, Windsor Locks and  
311 Woodbridge; and

312 (3) The [northwestern] western regional district, which shall consist  
313 of Ansonia, Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgeport,  
314 Bridgewater, Bristol, Brookfield, Burlington, Canaan, Colebrook,  
315 Cornwall, Danbury, Darien, Derby, Easton, Fairfield, Goshen,  
316 Greenwich, Hartland, Harwinton, Kent, Litchfield, Middlebury,  
317 Morris, Naugatuck, New Fairfield, New Hartford, New Milford,  
318 Monroe, New Canaan, Newtown, Norfolk, North Canaan, Norwalk,  
319 Oxford, Plymouth, Prospect, Redding, Ridgefield, Roxbury, Salisbury,  
320 Seymour, Sharon, Shelton, Sherman, Southbury, Stamford, Stratford,  
321 Thomaston, Torrington, Trumbull, Warren, Washington, Waterbury,  
322 Watertown, Weston, Westport, Wilton, Winchester, Wolcott and  
323 Woodbury. [;]

324 [(4) The south central regional district, which shall consist of  
325 Bethany, Branford, Cheshire, Clinton, Durham, East Haven, Guilford,  
326 Hamden, Killingworth, Madison, Middlefield, Milford, Orange, New  
327 Haven, North Branford, North Haven, Wallingford, West Haven and  
328 Woodbridge;

329 (5) The southwestern regional district, which shall consist of  
330 Bridgeport, Darien, Easton, Fairfield, Greenwich, New Canaan,  
331 Monroe, Norwalk, Shelton, Stamford, Stratford, Trumbull, Weston,  
332 Westport and Wilton.]

333 (b) Each regional tourism district shall be overseen by a board of  
334 directors consisting of one representative from each municipality  
335 within the district, appointed by the legislative body of the  
336 municipality and, where the legislative body is a town meeting, by the  
337 board of selectmen. Any such member of a board of directors shall  
338 serve for a term of three years. In addition, the board of directors may  
339 appoint up to twenty-one persons representing tourism interests  
340 within the district to serve on the board. No board member shall be  
341 deemed a state employee for serving on said board. All appointments  
342 to the board of directors shall be reported to the executive director of  
343 the Connecticut Commission on Culture and Tourism.

344 (c) The provisions of the Freedom of Information Act, as defined in  
345 section 1-200, shall apply to each regional tourism district.

346 (d) [Not later than October 1, 2003, the commission shall assist each  
347 regional tourism district in establishing a committee to draft a charter  
348 and bylaws for the regional tourism district and to organize the initial  
349 meeting of the board of directors of the district, to be held no later than  
350 October 15, 2003.] Not later than February 1, 2010, the commission  
351 shall assist the central and western regional tourism districts in  
352 establishing a committee to draft a charter and bylaws for each district  
353 and to organize the initial meeting of the board of directors of each  
354 district, to be held no later than February 15, 2010.

355 (e) Each regional tourism district shall (1) comply with uniform  
356 standards for accounting and reporting expenditures that are  
357 established by the commission in accordance with section 10-392 and  
358 are based on industry accounting standards developed by the  
359 International Association of Convention and Visitor Bureaus or other  
360 national organizations related to tourism, and (2) on or before January  
361 first of each year, submit to the commission, the Office of Policy and  
362 Management and the Office of Fiscal Analysis an independent audit in  
363 accordance with the provisions of sections 4-230 to 4-236, inclusive, as  
364 amended by this act.

365 (f) Each regional tourism district shall solicit and may accept private  
366 funds for the promotion of tourism within its towns and cities and  
367 shall coordinate its activities with any private nonprofit tourist  
368 association within the district and within this state, that promotes  
369 tourism industry businesses in this state, in order to foster cooperation  
370 in the promotion of such businesses. Any funds received by a regional  
371 tourism district may be deposited in the account established in section  
372 10-395 or in an account established by such tourism district to receive  
373 such funds.

374 (g) The central regional district office shall be located within the  
375 Hartford offices of the commission.

376 Sec. 13. Subsection (a) of section 10-393 of the general statutes is  
377 repealed and the following is substituted in lieu thereof (*Effective*  
378 *January 1, 2010*):

379 (a) The Connecticut Commission on Culture and Tourism shall  
380 consist of thirty-five voting commissioners and nonvoting ex-officio  
381 members. Such ex-officio members shall be the executive directors of  
382 the Connecticut Trust for Historic Preservation and the Connecticut  
383 Humanities Council, the State Poet Laureate, the State Historian and  
384 the State Archaeologist. The State Poet Laureate, the State Historian  
385 and the State Archaeologist shall serve as commissioners without  
386 being appointed and without receiving compensation for such service.

387 The remaining thirty commissioners shall be appointed as follows:

388 (1) The Governor shall appoint eight commissioners: (A) One  
389 commissioner shall be an individual with knowledge of and  
390 experience in the tourism industry from within the state; (B) three  
391 commissioners shall be individuals with knowledge of or experience  
392 or interest in history or humanities; (C) one commissioner shall be an  
393 individual with knowledge of or experience or interest in the arts; (D)  
394 one commissioner shall be an individual with experience relating  
395 directly to the production of digital media or motion pictures; and (E)  
396 two commissioners shall be selected at large.

397 (2) The speaker of the House of Representatives shall appoint four  
398 commissioners: (A) One commissioner shall be an individual with  
399 knowledge of and experience in the tourism industry from the  
400 [southwestern] western regional tourism district, established under  
401 section 10-397, as amended by this act; (B) one commissioner shall be  
402 an individual with knowledge of or experience or interest in history or  
403 humanities; (C) one commissioner shall be an individual with  
404 knowledge of or experience or interest in the arts; and (D) one  
405 commissioner shall be an individual with experience relating directly  
406 to the production of digital media or motion pictures.

407 (3) The president pro tempore of the Senate shall appoint four  
408 commissioners: (A) One commissioner shall be an individual with  
409 knowledge of and experience in the tourism industry from the central  
410 regional tourism district, established under section 10-397, as amended  
411 by this act; (B) one commissioner shall be an individual with  
412 knowledge of or experience or interest in history or humanities; (C)  
413 one commissioner shall be an individual with knowledge of or  
414 experience or interest in the arts; and (D) one commissioner shall be an  
415 individual with experience relating directly to the production of digital  
416 media or motion pictures.

417 (4) The majority leader of the House of Representatives shall  
418 appoint three commissioners: (A) One commissioner shall be an

419 individual with knowledge of and experience in the tourism industry  
420 from the [south] central regional tourism district, established under  
421 section 10-397, as amended by this act; (B) one commissioner shall be  
422 an individual with knowledge of or experience or interest in the arts;  
423 and (C) one commissioner shall be an individual with experience  
424 relating directly to the production of digital media or motion pictures.

425 (5) The majority leader of the Senate shall appoint three  
426 commissioners: (A) One commissioner shall be an individual with  
427 knowledge of and experience in the tourism industry from the eastern  
428 regional tourism district; (B) one commissioner shall be an individual  
429 with knowledge of or experience or interest in the arts; and (C) one  
430 commissioner shall be an individual with experience relating directly  
431 to the production of digital media or motion pictures.

432 (6) The minority leader of the House of Representatives shall  
433 appoint four commissioners: (A) One commissioner shall be an  
434 individual with knowledge of and experience in the tourism industry  
435 from within the state; (B) one commissioner shall be an individual with  
436 knowledge of or experience or interest in history or humanities; (C)  
437 one commissioner shall be an individual with knowledge of or  
438 experience or interest in the arts; and (D) one commissioner shall be an  
439 individual with experience relating directly to the production of digital  
440 media or motion pictures.

441 (7) The minority leader of the Senate shall appoint four  
442 commissioners: (A) One commissioner shall be an individual with  
443 knowledge of and experience in the tourism industry from the  
444 [northwestern] western regional tourism district, established under  
445 section 10-397, as amended by this act; (B) one commissioner shall be  
446 an individual with knowledge of or experience or interest in history or  
447 humanities; (C) one commissioner shall be an individual with  
448 knowledge of or experience or interest in the arts; and (D) one  
449 commissioner shall be an individual with experience relating directly  
450 to the production of digital media or motion pictures.

451 Sec. 14. Subsection (b) of section 10-397a of the general statutes is  
452 repealed and the following is substituted in lieu thereof (*Effective*  
453 *January 1, 2010*):

454 (b) Any former tourism district having a cash surplus, after  
455 accounting for all liabilities, may distribute such surplus to the  
456 regional tourism district or districts serving the towns formerly served  
457 by such district. Any distribution shall be divided among the new  
458 district or districts in accordance with the following schedule:

T136	Former District	New District(s)
T137		
T138	Northeastern	Eastern (100%)
T139	Southeastern	Eastern (100%)
T140	North Central	Central (100%)
T141	Greater Hartford	Central (95%)
T142		[Northwestern] <u>Western</u> (5%)
T143	Central Connecticut	Central [(80%)] <u>(100%)</u>
T144		[South Central (20%)]
T145	Connecticut Valley	Central [(60%)] <u>(100%)</u>
T146		[South Central (40%)]
T147	Greater New Haven	[South] Central (67%)
T148		[Northwestern (20%)]
T149		<u>Western (33%)</u>
T150		[Southwestern (13%)]
T151	Litchfield Hills	[Northwestern] <u>Western</u> (100%)
T152	Housatonic Valley	[Northwestern] <u>Western</u> (100%)
T153	Greater Waterbury	[Northwestern] <u>Western</u> (100%)
T154	Greater Fairfield	[Southwestern] <u>Western</u> (100%)

459 Sec. 15. Section 12-94b of the general statutes is repealed and the  
460 following is substituted in lieu thereof (*Effective from passage*):

461 (a) As used in this section, "municipality" means each town, city,  
462 borough, consolidated town and city and consolidated town and

463 borough and each district, as defined in section 7-324, and "next  
464 succeeding" means the second such date.

465 (b) On or before March fifteenth, annually, commencing March 15,  
466 1998, the assessor or board of assessors of each municipality shall  
467 certify to the Secretary of the Office of Policy and Management, on a  
468 form furnished by said secretary, the amount of exemptions approved  
469 under the provisions of subdivision (74) of section 12-81, together with  
470 such supporting information as said secretary may require including  
471 the number of taxpayers with approved claims under said subdivision  
472 (74) and the original copy of the applications filed by them. Said  
473 secretary shall review each such claim as provided in section 12-120b.  
474 Not later than December first next succeeding the conclusion of the  
475 assessment year for which the assessor approved such exemption, the  
476 secretary shall notify each claimant of the modification or denial of the  
477 claimant's exemption, in accordance with the procedure set forth in  
478 section 12-120b. Any claimant aggrieved by the results of the  
479 secretary's review shall have the rights of appeal as set forth in section  
480 12-120b. With respect to property first approved for exemption under  
481 the provisions of subdivision (74) of section 12-81 for the assessment  
482 years commencing on or after October 1, 2000, the grant payable for  
483 such property to any municipality under the provisions of this  
484 subsection shall be equal to eighty per cent of the property taxes  
485 which, except for the exemption under the provisions of subdivision  
486 (74) of section 12-81, would have been paid. The secretary shall, on or  
487 before December fifteenth, annually, certify to the Comptroller the  
488 amount due each municipality under the provisions of this subsection,  
489 including any modification of such claim made prior to December first,  
490 and the Comptroller shall draw an order on the Treasurer on or before  
491 the twenty-fourth day of December following and the Treasurer shall  
492 pay the amount thereof to such municipality on or before the thirty-  
493 first day of December following. If any modification is made as the  
494 result of the provisions of this subsection on or after the December  
495 fifteenth following the date on which the assessor has provided the  
496 amount of the exemption in question, any adjustments to the amount

497 due to any municipality for the period for which such modification  
498 was made shall be made in the next payment the Treasurer shall make  
499 to such municipality pursuant to this subsection. [The amount of the  
500 grant payable to each municipality in any year in accordance with this  
501 subsection shall be reduced proportionately in the event that the total  
502 of such grants in such year exceeds the amount appropriated for the  
503 purposes of this subsection with respect to such year.]

504 (c) On or before March fifteenth, annually, commencing March 15,  
505 2007, and ending March 15, 2011, the assessor or board of assessors of  
506 each municipality shall certify to the Secretary of the Office of Policy  
507 and Management, on a form furnished by said secretary, the amount of  
508 exemptions approved under the provisions of subdivision (72) of  
509 section 12-81, together with such supporting information as said  
510 secretary may require including the number of taxpayers with  
511 approved claims under said subdivision (72) and the original copy of  
512 the applications filed by them. Said secretary shall review each such  
513 claim as provided in section 12-120b. Not later than December first  
514 next succeeding the conclusion of the assessment year for which the  
515 assessor approved such exemption, the secretary shall notify each  
516 claimant of the modification or denial of the claimant's exemption, in  
517 accordance with the procedure set forth in section 12-120b. Any  
518 claimant aggrieved by the results of the secretary's review shall have  
519 the rights of appeal as set forth in section 12-120b. With respect to  
520 property first approved for exemption under the provisions of  
521 subdivision (72) of section 12-81 for the assessment years commencing  
522 on or after October 1, 2000, but on or before October 1, 2010, the grant  
523 payable for such property to any municipality under the provisions of  
524 this subsection shall be equal to eighty per cent of the property taxes  
525 which, except for the exemption under the provisions of subdivision  
526 (72) of section 12-81, would have been paid. The secretary shall, on or  
527 before December fifteenth, annually, certify to the Comptroller the  
528 amount due each municipality under the provisions of this subsection,  
529 including any modification of such claim made prior to December first,  
530 and the Comptroller shall draw an order on the Treasurer on or before

531 the twenty-fourth day of December following and the Treasurer shall  
532 pay the amount thereof to such municipality on or before the thirty-  
533 first day of December following. If any modification is made as the  
534 result of the provisions of this subsection on or after the December  
535 fifteenth following the date on which the assessor has provided the  
536 amount of the exemption in question, any adjustments to the amount  
537 due to any municipality for the period for which such modification  
538 was made shall be made in the next payment the Treasurer shall make  
539 to such municipality pursuant to this subsection.

540 (d) Machinery and equipment acquired between October 2, 2006, to  
541 October 1, 2010, inclusive, and approved for exemption under the  
542 provisions of subdivision (72) of section 12-81 for the assessment year  
543 commencing October 1, 2010, shall continue to be exempt from  
544 taxation for assessment years commencing on and after October 1,  
545 2011. The grant determined in accordance with section 12-94g shall  
546 replace the grant payable under the provisions of this section, in the  
547 fiscal year commencing July 1, 2013, and each fiscal year thereafter.

548 (e) The amount of the grant payable to each municipality in any  
549 year in accordance with this section shall be reduced proportionately  
550 in the event that the total of such grants in such year exceeds the  
551 amount appropriated for the purposes of this section with respect to  
552 such year.

553 Sec. 16. Section 12-94f of the general statutes is amended by adding  
554 subsection (f) as follows (*Effective from passage*):

555 (NEW) (f) The amount of the grant payable to each municipality in  
556 any year in accordance with this section shall be reduced  
557 proportionately in the event that the total of such grants in such year  
558 exceeds the amount appropriated for the purposes of this section with  
559 respect to such year.

560 Sec. 17. Section 12-94g of the general statutes is amended by adding  
561 subsection (c) as follows (*Effective from passage*):

562 (NEW) (c) The amount of the grant payable to each municipality in  
563 any year in accordance with this section shall be reduced  
564 proportionately in the event that the total of such grants in such year  
565 exceeds the amount appropriated for the purposes of this section with  
566 respect to such year.

567 Sec. 18. Section 5-259 of the general statutes, as amended by section  
568 7 of public act 09-114, is amended by adding subsection (m) as follows  
569 (*Effective from passage*):

570 (NEW) (m) (1) Notwithstanding any provision of the general  
571 statutes, the Comptroller shall begin procedures to convert the group  
572 hospitalization and medical and surgical insurance plans set forth in  
573 subsection (a) of this section, including any prescription drug plan  
574 offered in connection with or in addition to such insurance plans, to  
575 self-insured plans for benefit periods beginning on or after July 1, 2010,  
576 except that any dental plan offered in connection with or in addition to  
577 such self-insured plans may be fully insured.

578 (2) The Comptroller may enter into contracts with third-party  
579 administrators to provide administrative services only for the self-  
580 insured plans set forth in subdivision (1) of this subsection. Any such  
581 third-party administrator shall be required under such contract to  
582 charge such third-party administrator's lowest available rate for such  
583 services.

584 Sec. 19. Section 4d-9 of the general statutes is repealed and the  
585 following is substituted in lieu thereof (*Effective from passage*):

586 There shall be a Technical Services Revolving Fund in the  
587 Department of Information Technology for the purchase, installation  
588 and utilization of information systems, as defined in section 4d-1, for  
589 budgeted agencies of the state. [The working capital balance allocated  
590 to said Technical Services Revolving Fund shall be one million one  
591 hundred thousand dollars.] The Chief Information Officer and the  
592 Secretary of the Office of Policy and Management shall jointly be

593 responsible for the administration of such fund. Said officer and  
594 secretary shall develop appropriate review procedures and  
595 accountability standards for such fund and measures for determining  
596 the performance of the fund in carrying out the purposes of this part.

597       Sec. 20. (*Effective from passage*) (a)(1) Up to \$264,000 of the funds  
598 appropriated to the Department of Social Services in sections 1 and 11  
599 of public act 09-3 of the June special session, for Housing/Homeless  
600 Services, shall be made available to provide rental assistance and  
601 services for Round 3 development projects for the Next Steps Initiative,  
602 established pursuant to section 17a-485c of the general statutes, during  
603 the fiscal years ending June 30, 2010, and June 30, 2011.

604       (2) Up to \$510,000 of the funds appropriated to the Department of  
605 Mental Health and Addiction Services in section 1 of public act 09-3 of  
606 the June special session, for Housing Supports and Services, shall be  
607 made available to provide rental assistance and services for Round 3  
608 development projects for the Next Steps Initiative, established  
609 pursuant to section 17a-485c of the general statutes, during the fiscal  
610 year ending June 30, 2010.

611       (3) Up to \$1,000,000 of the funds appropriated to the Department of  
612 Mental Health and Addiction Services in section 11 of public act 09-3  
613 of the June special session, for Housing Supports and Services, shall be  
614 made available to provide rental assistance and services for Round 3  
615 development projects for the Next Steps Initiative, established  
616 pursuant to section 17a-485c of the general statutes, during the fiscal  
617 year ending June 30, 2011.

618       (4) Any funds made available in subdivisions (1), (2) and (3) of this  
619 subsection that are not used to provide rental assistance and services  
620 for Round 3 development projects for the Next Steps Initiative,  
621 established pursuant to section 17a-485c of the general statutes, shall  
622 be used for other rental assistance and services for new scattered site  
623 supportive housing.

624 (b) Up to \$1,000,000 of the funds appropriated to Debt Service -  
625 State Treasurer in sections 1 and 11 of public act 09-3 of the June  
626 special session, for Debt Service, shall be made available to provide  
627 debt service, in accordance with section 17a-485e of the general  
628 statutes, for Round 3 development projects for the Next Steps  
629 Initiative, established pursuant to section 17a-485c of the general  
630 statutes, for the fiscal years ending June 30, 2010, and June 30, 2011.

631 Sec. 21. (*Effective from passage*) Not later than December 1, 2009, the  
632 Department of Transportation and the Department of Public Safety  
633 shall enter into a memorandum of understanding to provide that all  
634 associated costs incurred by the Department of Public Safety in  
635 providing sworn members of the Division of State Police within the  
636 Department of Public Safety to the Bradley International Airport for  
637 the purposes of security shall be paid from the Bradley Enterprise  
638 Fund.

639 Sec. 22. Section 51-193c of the general statutes is repealed and the  
640 following is substituted in lieu thereof (*Effective from passage*):

641 (a) The Judicial Branch may permit, in any civil, criminal, family,  
642 juvenile or other matter, the filing of any document or data that is  
643 required by law to be filed with the Superior Court or with a judge or  
644 judge trial referee thereof, including, but not limited to, a summons  
645 issued pursuant to section 51-164n, a complaint or a summons issued  
646 pursuant to section 54-1h, and an information filed pursuant to section  
647 54-46, by computer or facsimile transmission or by employing [new]  
648 other technology. [as it is developed.]

649 (b) For the purposes of this section, the judges of the Superior Court  
650 may prescribe alternative methods for the signing, subscribing or  
651 verifying [of such document] by a person of any document or data that  
652 is required by law to be filed with the Superior Court or with a judge  
653 or judge trial referee thereof so that such document or data shall have  
654 the same validity and status as a paper document that was signed,  
655 subscribed or verified by such person.

656 (c) Notwithstanding any other provision of the general statutes, the  
657 Chief Court Administrator may permit [the] any payment [of any fee]  
658 that is required by law to be paid to the clerk of the Superior Court to  
659 be made by the use of any [existing] technology. [or new technology as  
660 it is developed.] The payor may be charged a service fee for any such  
661 payment. The service fee shall not exceed any charge by the service  
662 provider, including any discount rate.

663 (d) Any notice, order, judgment, decision, decree, memorandum,  
664 ruling, opinion, mittimus or similar document that is issued by the  
665 Superior Court or by a judge, judge trial referee or family support  
666 magistrate thereof, or by a magistrate appointed pursuant to section  
667 51-193l, may be signed or verified by computer or facsimile  
668 transmission or by employing other technology in accordance with  
669 procedures and technical standards established by the Office of the  
670 Chief Court Administrator, and such notice, order, judgment, decision,  
671 decree, memorandum, ruling, opinion, mittimus or similar document  
672 shall have the same validity and status as a paper document that was  
673 signed or verified by the Superior Court or by a judge, judge trial  
674 referee or family support magistrate thereof, or by a magistrate  
675 appointed pursuant to section 51-193l.

676 [(d)] (e) The judges of the Superior Court may adopt any rules they  
677 deem necessary to implement the provisions of this section and the  
678 Office of the Chief Court Administrator shall prescribe any forms  
679 required to implement such provisions.

680 Sec. 23. Subsection (a) of section 51-36 of the general statutes is  
681 repealed and the following is substituted in lieu thereof (*Effective from*  
682 *passage*):

683 (a) The Chief Court Administrator may cause any and all court  
684 records, papers or documents, and any and all other records, papers or  
685 documents maintained by the Judicial Branch, required to be retained  
686 indefinitely or for a period of time defined by (1) rules of court, (2)  
687 directives promulgated by the Office of the Chief Court Administrator,

688 or (3) statute, to be microfilmed or reproduced as a computerized  
689 image. The device used to reproduce such records, papers or  
690 documents on microfilm or as a computerized image shall be one  
691 which accurately reproduces the original thereof in detail. Such  
692 microfilm or computerized image shall be considered and treated the  
693 same as the original records, papers or documents [, provided a  
694 certificate of authenticity appears on each roll of microfilm. A] in  
695 accordance with directives promulgated by the Office of the Chief  
696 Court Administrator. A transcript, exemplification or certified copy  
697 [thereof] of such microfilm or computerized image shall for all  
698 purposes be deemed to be a transcript, exemplification or certified  
699 copy of the original. The original [court] records, papers or documents  
700 so reproduced may be disposed of in such manner as approved by the  
701 Office of the Chief Court Administrator. For the purposes of this  
702 subsection, "microfilm" includes microcard, microfiche,  
703 microphotograph, electronic medium or any other process which  
704 actually reproduces or forms a durable medium for so reproducing the  
705 original, and "computerized image" means any electronic reproduction  
706 of the original by a computer-based imaging system or process.

707 Sec. 24. Section 4a-19 of the general statutes is repealed and the  
708 following is substituted in lieu thereof (*Effective from passage*):

709 There shall be a State Insurance and Risk Management Board  
710 consisting of eleven persons whom the Governor shall appoint subject  
711 to the provisions of section 4-9a. Four of such appointees shall be  
712 public members and seven shall be qualified by training and  
713 experience to carry out their duties under the provisions of sections 4a-  
714 20 and 4a-21. The Comptroller shall be an ex-officio voting member of  
715 said board and may designate another person to act in his place. Not  
716 more than six appointed members of said board shall, at any time, be  
717 members of the same political party. Said appointed members shall  
718 receive no compensation for the performance of their duties as such  
719 but shall be reimbursed for their necessary expenses. The Governor  
720 may fill any vacancy on said board for the unexpired portion of the

721 term. The board shall meet at least once during each calendar quarter  
722 and at such other times as the chairperson deems necessary. Special  
723 meetings shall be held on the request of a majority of the board after  
724 notice in accordance with the provisions of section 1-225. A majority of  
725 the members of the board shall constitute a quorum. Any member who  
726 fails to attend three consecutive meetings or who fails to attend fifty  
727 per cent of all meetings held during any calendar year shall be deemed  
728 to have resigned from office. No member shall serve more than two  
729 full consecutive terms which commence on or after July 1, 1983. Said  
730 board shall be within the [Office of the State Comptroller for  
731 administrative purposes only] Department of Administrative Services,  
732 provided the board shall have independent decision-making authority.  
733 Said department shall provide staff support for the board.

734 Sec. 25. Section 4-142a of the general statutes is repealed and the  
735 following is substituted in lieu thereof (*Effective from passage*):

736 (a) The Claims Commissioner shall be appointed by the Governor  
737 with the advice and consent of the General Assembly to serve for a  
738 term of four years from the first day in July in the year of his  
739 appointment and until his successor has been appointed and has  
740 qualified. The commissioner shall be an attorney-at-law and shall have  
741 been admitted to practice before the courts of the state of Connecticut  
742 for at least five years prior to his appointment. The commissioner shall  
743 receive such compensation as is fixed under the provisions of section  
744 4-40. The commissioner may enter into such contractual agreements, in  
745 accordance with established procedures, as may be necessary for the  
746 discharge of his duties. Subject to the provisions of section 4-32, and  
747 unless otherwise provided by law, the commissioner is authorized to  
748 receive any money, revenue or services from the federal government,  
749 corporations, associations or individuals, including payments from the  
750 sale of printed matter or any other materials or services.

751 (b) The Office of the Claims Commissioner shall be within the [office  
752 of the Comptroller for administrative purposes only] Department of

753 Administrative Services, provided the office shall have independent  
754 decision-making authority.

755 Sec. 26. Section 4-142b of the general statutes is repealed and the  
756 following is substituted in lieu thereof (*Effective from passage*):

757 [The Claims Commissioner shall appoint and may at his pleasure  
758 remove a clerk of the Office of the Claims Commissioner and may  
759 employ such assistants as he finds necessary to administer the  
760 provisions of this chapter. The clerk of the Office of the Claims  
761 Commissioner and such assistants shall be in the unclassified service  
762 and shall receive such compensation as is fixed under the provisions of  
763 section 4-40.] The Department of Administrative Services shall provide  
764 staff support for the Office of the Claims Commissioner. The Claims  
765 Commissioner shall maintain a permanent office in Hartford County  
766 in such suitable space as the Commissioner of Public Works provides.  
767 All papers required to be filed with the Claims Commissioner shall be  
768 delivered to such office.

769 Sec. 27. Section 4-154 of the general statutes is repealed and the  
770 following is substituted in lieu thereof (*Effective from passage*):

771 (a) Not later than ninety days after hearing a claim, the Claims  
772 Commissioner shall render a decision as provided in subsection (a) of  
773 section 4-158. The Claims Commissioner shall make a finding of fact  
774 for each claim and file such finding with the order, recommendation or  
775 authorization disposing of the claim. The [clerk of the] Office of the  
776 Claims Commissioner shall deliver a copy of such finding and order,  
777 recommendation or authorization to the claimant and to the  
778 representative for the state, which representative may in appropriate  
779 cases be the Attorney General.

780 (b) If such claim will automatically be submitted to the General  
781 Assembly by the Claims Commissioner pursuant to the provisions of  
782 subdivision (1) of subsection (a) of section 4-159, the [clerk] Office of  
783 the Claims Commissioner shall give written notice to the claimant that

784 such claim will be so submitted and that the General Assembly may  
785 accept, modify or reject the recommendation of the Claims  
786 Commissioner or remand the claim to the Claims Commissioner.

787 (c) If the claimant has the right pursuant to subsection (b) of section  
788 4-158 to request the General Assembly to review the decision of the  
789 Claims Commissioner, the [clerk] Office of the Claims Commissioner  
790 shall give written notice to the claimant that the claimant may request  
791 the General Assembly to review the decision and that the General  
792 Assembly may confirm, modify or vacate the decision or remand the  
793 claim to the Claims Commissioner. The notice shall indicate the date  
794 by which such a request must be filed with the Office of the Claims  
795 Commissioner.

796 Sec. 28. Subsection (c) of section 4-149 of the general statutes is  
797 repealed and the following is substituted in lieu thereof (*Effective from*  
798 *passage*):

799 (c) When the representative for the state, which representative may  
800 in appropriate cases be the Attorney General, desires to oppose a  
801 claim, such representative shall file with the [clerk of the] Office of the  
802 Claims Commissioner a notice of opposition, in duplicate, containing a  
803 concise statement of such representative's objections. The [clerk] Office  
804 of the Claims Commissioner shall promptly deliver a copy thereof to  
805 the claimant.

806 Sec. 29. Section 4-147 of the general statutes is repealed and the  
807 following is substituted in lieu thereof (*Effective from passage*):

808 Any person wishing to present a claim against the state shall file  
809 with the [clerk of the] Office of the Claims Commissioner a notice of  
810 claim, in duplicate, containing the following information: (1) The name  
811 and address of the claimant; the name and address of his principal, if  
812 the claimant is acting in a representative capacity, and the name and  
813 address of his attorney, if the claimant is so represented; (2) a concise  
814 statement of the basis of the claim, including the date, time, place and

815 circumstances of the act or event complained of; (3) a statement of the  
816 amount requested; and (4) a request for permission to sue the state, if  
817 such permission is sought. A notice of claim, if sent by mail, shall be  
818 deemed to have been filed with the Office of the Claims Commissioner  
819 on the date such notice of claim is postmarked. Claims in excess of five  
820 thousand dollars shall be accompanied by a check or money order in  
821 the sum of fifty dollars payable to the Treasurer, state of Connecticut.  
822 Claims for five thousand dollars or less shall be accompanied by a  
823 check or money order in the sum of twenty-five dollars payable to the  
824 Treasurer, state of Connecticut. Fees may be waived by the  
825 commissioner for good cause but such action by the commissioner  
826 shall not relieve the claimant from the obligation of filing his notice of  
827 claim in timely fashion within the statute of limitations under section  
828 4-148. The [clerk of the] Office of the Claims Commissioner shall  
829 promptly deliver a copy of the notice of claim to the Attorney General.  
830 Such notice shall be for informational purposes only and shall not be  
831 subject to any formal or technical requirements, except as may be  
832 necessary for clarity of presentation and facility of understanding.

833 Sec. 30. Subsection (e) of section 52-592 of the general statutes is  
834 repealed and the following is substituted in lieu thereof (*Effective from*  
835 *passage*):

836 (e) The provisions of this section shall apply to any claim against the  
837 state for which a notice of claim has been properly and timely filed  
838 with the [clerk of the] Office of the Claims Commissioner in  
839 accordance with sections 4-147, as amended by this act, and 4-148 and  
840 which thereafter has been dismissed by the Claims Commissioner  
841 pursuant to section 4-142.

842 Sec. 31. Section 6-38b of the general statutes is repealed and the  
843 following is substituted in lieu thereof (*Effective from passage*):

844 (a) There is established a State Marshal Commission which shall  
845 consist of eight members appointed as follows: (1) The Chief Justice  
846 shall appoint one member who shall be a judge of the Superior Court;

847 (2) the speaker of the House of Representatives, the president pro  
848 tempore of the Senate, the majority and minority leaders of the House  
849 of Representatives and the majority and minority leaders of the Senate  
850 shall each appoint one member; and (3) the Governor shall appoint one  
851 member who shall serve as chairperson. No member of the  
852 commission shall be a state marshal, except that two state marshals  
853 appointed by the State Marshals Advisory Board in accordance with  
854 section 6-38c shall serve as ex officio, nonvoting members of the  
855 commission.

856 (b) The chairperson shall serve for a three-year term and all  
857 appointments of members to replace those whose terms expire shall be  
858 for terms of three years.

859 (c) No more than four of the members, other than the chairperson,  
860 may be members of the same political party. Of the seven nonjudicial  
861 members, other than the chairperson, at least three shall not be  
862 members of the bar of any state.

863 (d) If any vacancy occurs on the commission, the appointing  
864 authority having the power to make the initial appointment under the  
865 provisions of this section shall appoint a person for the unexpired term  
866 in accordance with the provisions of this section.

867 (e) Members shall serve without compensation but shall be  
868 reimbursed for actual expenses incurred while engaged in the duties of  
869 the commission.

870 (f) The commission, in consultation with the State Marshals  
871 Advisory Board, shall adopt regulations in accordance with the  
872 provisions of chapter 54 to establish professional standards, including  
873 training requirements and minimum fees for execution and service of  
874 process.

875 (g) The commission shall be responsible for the equitable  
876 assignment of service of restraining orders to the state marshals in each

877 county and ensure that such restraining orders are served  
878 expeditiously. Failure of any state marshal to accept for service any  
879 restraining order assigned by the commission or to serve such  
880 restraining order expeditiously without good cause shall be sufficient  
881 for the convening of a hearing for removal under subsection (j) of this  
882 section.

883 (h) Any vacancy in the position of state marshal in any county as  
884 provided in section 6-38 shall be filled by the commission with an  
885 applicant who shall be an elector in the county where such vacancy  
886 occurs. Any applicant for such vacancy shall be subject to the  
887 application and investigation requirements of the commission.

888 (i) Except as provided in section 6-38f, no person may be a state  
889 marshal and a state employee at the same time. This subsection does  
890 not apply to any person who was both a state employee and a deputy  
891 sheriff or special deputy sheriff on April 27, 2000.

892 (j) No state marshal may be removed except by order of the  
893 commission for cause after due notice and hearing.

894 (k) The commission may adopt such rules as it deems necessary for  
895 conduct of its internal affairs and shall adopt regulations in accordance  
896 with the provisions of chapter 54 for the application and investigation  
897 requirements for filling vacancies in the position of state marshal.

898 (l) The commission shall be within the Department of  
899 Administrative Services, [for administrative purposes only] provided  
900 the commission shall have independent decision-making authority.

901 Sec. 32. Section 7-294d of the general statutes is repealed and the  
902 following is substituted in lieu thereof (*Effective from passage*):

903 (a) The Police Officer Standards and Training Council shall have the  
904 following powers:

905 (1) To develop and periodically update and revise a comprehensive

906 municipal police training plan;

907 (2) To approve, or revoke the approval of, any police training school  
908 and to issue certification to such schools and to revoke such  
909 certification;

910 (3) To set the minimum courses of study and attendance required  
911 and the equipment and facilities to be required of approved police  
912 training schools;

913 (4) To set the minimum qualifications for law enforcement  
914 instructors and to issue appropriate certification to such instructors;

915 (5) To require that all probationary candidates receive the hours of  
916 basic training deemed necessary before being eligible for certification,  
917 such basic training to be completed within one year following the  
918 appointment as a probationary candidate, unless the candidate is  
919 granted additional time to complete such basic training by the council;

920 (6) To require the registration of probationary candidates with the  
921 academy within ten days of hiring for the purpose of scheduling  
922 training;

923 (7) To issue appropriate certification to police officers who have  
924 satisfactorily completed minimum basic training programs;

925 (8) To require that each police officer satisfactorily complete at least  
926 forty hours of certified review training every three years in order to  
927 maintain certification, unless the officer is granted additional time not  
928 to exceed one year to complete such training by the council;

929 (9) To renew the certification of those police officers who have  
930 satisfactorily completed review training programs;

931 (10) To establish uniform minimum educational and training  
932 standards for employment as a police officer in full-time positions,  
933 temporary or probationary positions and part-time or voluntary

934 positions;

935 (11) To visit and inspect police basic training schools and to inspect  
936 each school at least once each year;

937 (12) To consult with and cooperate with universities, colleges and  
938 institutes for the development of specialized courses of study for  
939 police officers in police science and police administration;

940 (13) To consult with and cooperate with departments and agencies  
941 of this state and other states and the federal government concerned  
942 with police training;

943 (14) To employ an executive director [, an unclassified executive  
944 secretary] and, within available appropriations, to employ any other  
945 personnel that may be necessary in the performance of its functions;

946 (15) To perform any other acts that may be necessary and  
947 appropriate to carry out the functions of the council as set forth in  
948 sections 7-294a to 7-294e, inclusive;

949 (16) To accept contributions, grants, gifts, donations, services or  
950 other financial assistance from any governmental unit, public agency  
951 or the private sector;

952 (17) To conduct any inspection and evaluation that may be  
953 necessary to determine if a law enforcement unit is complying with the  
954 provisions of this section;

955 (18) At the request and expense of any law enforcement unit, to  
956 conduct general or specific management surveys;

957 (19) To develop objective and uniform criteria for granting any  
958 waiver of regulations or procedures established by the council;

959 (20) To recruit, select and appoint candidates to the position of  
960 probationary candidate, as defined in section 7-294a, and provide  
961 recruit training for candidates of the Connecticut Police Corps

962 program in accordance with the Police Corps Act, 42 USC 14091 et  
963 seq., as amended from time to time;

964 (21) To develop, adopt and revise, as necessary, comprehensive  
965 accreditation standards for the administration and management of law  
966 enforcement units, to grant accreditation to those law enforcement  
967 units that demonstrate their compliance with such standards and, at  
968 the request and expense of any law enforcement unit, to conduct such  
969 surveys as may be necessary to determine such unit's compliance with  
970 such standards; and

971 (22) To appoint any council training instructor, or such other person  
972 as determined by the council, to act as a special police officer  
973 throughout the state as such instructor or other person's official duties  
974 may require, provided any such instructor or other person so  
975 appointed shall be a certified police officer. Each such special police  
976 officer shall be sworn and may arrest and present before a competent  
977 authority any person for any offense committed within the officer's  
978 precinct.

979 (b) No person may be employed as a police officer by any law  
980 enforcement unit for a period exceeding one year unless he has been  
981 certified under the provisions of subsection (a) of this section or has  
982 been granted an extension by the council. No person may serve as a  
983 police officer during any period when his certification has been  
984 cancelled or revoked pursuant to the provisions of subsection (c) of  
985 this section. In addition to the requirements of this subsection, the  
986 council may establish other qualifications for the employment of police  
987 officers and require evidence of fulfillment of these qualifications. The  
988 certification of any police officer who is not employed by a law  
989 enforcement unit for a period of time in excess of two years, unless  
990 such officer is on leave of absence, shall be considered lapsed. Upon  
991 reemployment as a police officer, such officer shall apply for  
992 recertification in a manner provided by the council. The council shall  
993 certify any applicant who presents evidence of satisfactory completion

994 of a program or course of instruction in another state equivalent in  
995 content and quality to that required in this state, provided he passes an  
996 examination or evaluation as required by the council.

997 (c) (1) The council may refuse to renew any certificate if the holder  
998 fails to meet the requirements for renewal of his or her certification.

999 (2) The council may cancel or revoke any certificate if: (A) The  
1000 certificate was issued by administrative error, (B) the certificate was  
1001 obtained through misrepresentation or fraud, (C) the holder falsified  
1002 any document in order to obtain or renew any certificate, (D) the  
1003 holder has been convicted of a felony, (E) the holder has been found  
1004 not guilty of a felony by reason of mental disease or defect pursuant to  
1005 section 53a-13, (F) the holder has been convicted of a violation of  
1006 subsection (c) of section 21a-279 or section 29-9, (G) the holder has  
1007 been refused issuance of a certificate or similar authorization or has  
1008 had his or her certificate or other authorization cancelled or revoked  
1009 by another jurisdiction on grounds which would authorize  
1010 cancellation or revocation under the provisions of this subdivision, (H)  
1011 the holder has been found by a law enforcement unit, pursuant to  
1012 procedures established by such unit, to have used a firearm in an  
1013 improper manner which resulted in the death or serious physical  
1014 injury of another person, or (I) the holder has been found by a law  
1015 enforcement unit, pursuant to procedures established by such unit, to  
1016 have committed any act that would constitute tampering with or  
1017 fabricating physical evidence in violation of section 53a-155, perjury in  
1018 violation of section 53a-156 or false statement in the second degree in  
1019 violation of section 53a-157b. Whenever the council believes there is a  
1020 reasonable basis for cancellation or revocation of the certification of a  
1021 police officer, police training school or law enforcement instructor, it  
1022 shall give notice and an adequate opportunity for a hearing prior to  
1023 such cancellation or revocation. The council may cancel or revoke any  
1024 certificate if, after a de novo review, it finds by clear and convincing  
1025 evidence (i) a basis set forth in subparagraphs (A) to (G), inclusive, of  
1026 this subdivision, or (ii) that the holder of the certificate committed an

1027 act set forth in subparagraph (H) or (I) of this subdivision. Any police  
1028 officer or law enforcement instructor whose certification is cancelled or  
1029 revoked pursuant to this section may reapply for certification no  
1030 sooner than two years after the date on which the cancellation or  
1031 revocation order becomes final. Any police training school whose  
1032 certification is cancelled or revoked pursuant to this section may  
1033 reapply for certification at any time after the date on which such order  
1034 becomes final.

1035 (d) Notwithstanding the provisions of subsection (b) of this section,  
1036 any police officer, except a probationary candidate, who is serving  
1037 under full-time appointment on July 1, 1982, shall be deemed to have  
1038 met all certification requirements and shall be automatically certified  
1039 by the council in accordance with the provisions of subsection (a) of  
1040 section 7-294e.

1041 (e) The provisions of this section shall apply to any person who  
1042 performs police functions. As used in this subsection, "performs police  
1043 functions" for a person who is not a police officer, as defined in section  
1044 7-294a, means that in the course of his official duties, such person  
1045 carries a firearm and exercises arrest powers pursuant to section 54-1f  
1046 or engages in the prevention, detection or investigation of crime, as  
1047 defined in section 53a-24. The council shall establish criteria by which  
1048 the certification process required by this section shall apply to police  
1049 officers.

1050 (f) The provisions of this section shall not apply to (1) any state  
1051 police training school or program, (2) any sworn member of the  
1052 Division of State Police within the Department of Public Safety, (3)  
1053 Connecticut National Guard security personnel, when acting within  
1054 the scope of their National Guard duties, who have satisfactorily  
1055 completed a program of police training conducted by the United States  
1056 Army or Air Force, (4) employees of the Judicial Department, (5)  
1057 municipal animal control officers appointed pursuant to section 22-  
1058 331, or (6) fire police appointed pursuant to section 7-313a. The

1059 provisions of this section with respect to renewal of certification upon  
1060 satisfactory completion of review training programs shall not apply to  
1061 any chief inspector or inspector in the Division of Criminal Justice who  
1062 has satisfactorily completed a program of police training conducted by  
1063 the division.

1064 Sec. 33. (NEW) (*Effective from passage*) The Office of Workforce  
1065 Competitiveness shall, within available appropriations, fund  
1066 Connecticut Career Choices.

1067 Sec. 34. Subsection (h) of section 12-263m of the general statutes is  
1068 repealed and the following is substituted in lieu thereof (*Effective from*  
1069 *passage*):

1070 (h) The Commissioner of Economic and Community Development  
1071 shall establish procedures for distribution of the grants and shall adopt  
1072 criteria to carry out the provisions of this section. Such criteria shall  
1073 specify (1) who may apply for grants; (2) how establishments, whether  
1074 owned or leased, will be determined to be eligible for grants; [and] (3)  
1075 the costs for which grants may be made; and (4) a method for ensuring  
1076 timely payment of funds to grant recipients.

1077 Sec. 35. Section 18-101a of the general statutes is repealed and the  
1078 following is substituted in lieu thereof (*Effective from passage*):

1079 The Commissioner of Correction, at the commissioner's discretion,  
1080 may extend the limits of the place of confinement of an inmate as to  
1081 whom there is reasonable belief he or she will honor his or her trust, by  
1082 authorizing the inmate under prescribed conditions to visit a  
1083 specifically designated place or places, within or without the state, for  
1084 periods not exceeding [thirty] forty-five days and return to the same or  
1085 another institution or facility. Such periods may be renewed at the  
1086 discretion of the commissioner. Such furlough may be granted only to  
1087 permit a visit to a dying relative, attendance at the funeral of a relative,  
1088 the obtaining of medical services not otherwise available, [or] the  
1089 contacting of prospective employers [, provided the commissioner has

1090 confirmed that an employment opportunity exists or an employment  
1091 interview is scheduled] or for any compelling reason consistent with  
1092 rehabilitation. Any inmate who fails to return from furlough as  
1093 provided in the furlough agreement shall be guilty of the crime of  
1094 escape in the first degree.

1095 Sec. 36. Subsection (e) of section 54-124a of the general statutes is  
1096 repealed and the following is substituted in lieu thereof (*Effective from*  
1097 *passage*):

1098 (e) Of the members appointed prior to February 1, 2008, the  
1099 chairperson shall assign seven members exclusively to parole release  
1100 hearings and shall assign five members exclusively to pardons  
1101 hearings. Except for the chairperson, no member assigned to parole  
1102 release hearings may be assigned subsequently to pardons hearings  
1103 and no member assigned to pardons hearings may be assigned  
1104 subsequently to parole release hearings. Prior to July 1, 2008, each  
1105 parole release panel shall be composed of two members from among  
1106 the members assigned by the chairperson exclusively to parole release  
1107 hearings or the members appointed by the Governor on or after  
1108 February 1, 2008, to serve exclusively on parole release panels, and the  
1109 chairperson or a member designated to serve temporarily as  
1110 chairperson, for each correctional institution. On and after July 1, 2008,  
1111 and prior to the effective date of this section, each parole release panel  
1112 shall be composed of two members appointed by the Governor on or  
1113 after February 1, 2008, to serve on parole release panels, at least one of  
1114 whom is a full-time member, and the chairperson or a full-time  
1115 member designated to serve temporarily as chairperson, for each  
1116 correctional institution. On and after the effective date of this section,  
1117 each parole release panel shall be composed of two members  
1118 appointed by the Governor to serve on parole release panels and the  
1119 chairperson or a full-time member designated to serve temporarily as  
1120 chairperson, for each correctional institution. Such parole release  
1121 panels shall be the paroling authority for the institutions to which they  
1122 are assigned and not less than two members shall be present at each

1123 parole hearing. Each pardons panel shall be composed of three  
1124 members from among the members assigned by the chairperson  
1125 exclusively to pardons hearings or the members appointed by the  
1126 Governor on or after February 1, 2008, to serve on pardons panels, one  
1127 of whom may be the chairperson, except that for hearings on  
1128 commutations from the penalty of death, one member of the panel  
1129 shall be the chairperson.

1130 Sec. 37. (*Effective from passage*) Section 6 of public act 09-114 shall  
1131 take effect July 1, 2011, and shall be applicable to premiums paid on or  
1132 after said date.

1133 Sec. 38. Section 45a-8b of the general statutes is repealed and the  
1134 following is substituted in lieu thereof (*Effective from passage*):

1135 (a) The Probate Court Administrator shall establish, within available  
1136 appropriations, an extended family guardianship and assisted care  
1137 pilot program in the regional children's probate court for the district of  
1138 New Haven, established pursuant to section 45a-8a, for the purpose of  
1139 reducing the number of children who are placed out of their  
1140 communities and in foster care due to abuse and neglect. The program  
1141 shall be designed to (1) provide outreach to extended family members  
1142 and nonrelative caregivers in the community and appoint such family  
1143 members or nonrelative caregivers as guardians, [and] (2) seek  
1144 volunteers to act as assisted care providers to assist guardians in caring  
1145 for children, and (3) provide and pay for needed services to assist  
1146 guardians in meeting the needs of such children. Under the program,  
1147 each guardian appointed by the court shall be eligible to receive a  
1148 maximum grant of [five hundred] one thousand dollars per child.

1149 (b) The Probate Court Administrator shall adopt regulations, in  
1150 accordance with [chapter 54] subsection (c) of section 45a-77, to  
1151 implement the provisions of this section. The regulations shall  
1152 establish the [eligibility] criteria for (1) becoming a guardian or an  
1153 assisted care provider under the program, [and] (2) the awarding of  
1154 grants pursuant to subsection (a) of this section, (3) the provision of

1155 services pursuant to subsection (a) of this section, and (4) obtaining  
1156 and paying for studies from private child-placing agencies in  
1157 connection with guardianship proceedings.

1158 [(c) On or before January 1, 2009, the Probate Court Administrator,  
1159 or a designee, shall report, in accordance with section 11-4a, to the joint  
1160 standing committee of the General Assembly having cognizance of  
1161 matters relating to the judiciary and the select committee of the  
1162 General Assembly having cognizance of matters relating to children,  
1163 on the status and effectiveness of the pilot program established  
1164 pursuant to subsection (a) of this section.]

1165 Sec. 39. Subsection (d) of section 3 of special act 09-6, as amended by  
1166 section 76 of public act 09-3 of the June special session, is amended to  
1167 read as follows (*Effective from passage*):

1168 (d) The Chief Justice of the Supreme Court [shall] may order judges  
1169 of the superior court to take schedule reduction days in accordance  
1170 with the provisions of this section.

1171 Sec. 40. (NEW) (*Effective from passage*) The Police Officer Standards  
1172 and Training Council may recover from any municipality that (1)  
1173 operated a local police training school, and (2) ceased the operation of  
1174 such school on or after January 1, 2007, the costs of providing law  
1175 enforcement training at the Connecticut Police Academy for such  
1176 municipality's recruits.

1177 Sec. 41. (*Effective from passage*) The sum of \$170,000 dollars is  
1178 transferred from the General Fund, to the community investment  
1179 account, established under section 4-66aa of the general statutes, as  
1180 amended by section 28 of public act 09-229.

1181 Sec. 42. (*Effective from passage*) The Commissioner of Correction and  
1182 the Chief Court Administrator shall, in consultation with the Secretary  
1183 of the Office of Policy and Management, develop a plan to consolidate  
1184 inmate transportation services presently provided by the Correction

1185 Department and the Judicial Department. On or before January 1, 2010,  
1186 the Commissioner of Correction and the Chief Court Administrator  
1187 shall submit, in accordance with section 11-4a of the general statutes,  
1188 to the joint standing committees of the General Assembly having  
1189 cognizance of matters relating to judiciary and appropriations and the  
1190 budgets of state agencies a report that describes the level of  
1191 transportation services provided, and the cost of providing such  
1192 services, before and after the proposed consolidation.

1193 Sec. 43. (*Effective from passage*) The Commissioner of Correction and  
1194 the Board of Trustees of Charter Oak State College shall, within  
1195 available appropriations, enter into a memorandum of understanding,  
1196 on or before November 1, 2009, for the purpose of implementing an  
1197 online learning program for inmates, which shall focus on completion  
1198 of high school credit requirements, preparation for the General  
1199 Educational Development test and Adult High School Credit Diploma  
1200 Program courses. On or before January 1, 2010, and quarterly  
1201 thereafter until June 30, 2011, said commissioner and board of trustees  
1202 shall submit progress and statistical reports on the program to the joint  
1203 standing committees of the General Assembly having cognizance of  
1204 matters relating to judiciary and appropriations and the budgets of  
1205 state agencies, which shall include recommendations for expansion of  
1206 the program to additional correctional facilities as appropriate.

1207 Sec. 44. Section 4-230 of the general statutes is repealed and the  
1208 following is substituted in lieu thereof (*Effective from passage*):

1209 As used in sections 4-230 to 4-236, inclusive, as amended by this act:

1210 (1) "Cognizant agency" means a state agency which is assigned by  
1211 the secretary the responsibility for implementing the requirements of  
1212 sections 4-230 to 4-236, inclusive, as amended by this act;

1213 (2) "Secretary" means the Secretary of the Office of Policy and  
1214 Management;

1215 (3) "State financial assistance" means assistance that a nonstate  
1216 entity receives or administers which is provided by a state agency or  
1217 pass-through entity in the form of grants, contracts, loans, loan  
1218 guarantees, property, cooperative agreements, interest subsidies,  
1219 insurance or direct appropriations, but does not include direct state  
1220 cash assistance to individuals or payments to a vendor;

1221 (4) "State agency" means any department, board, commission,  
1222 institution or other agency of the state;

1223 (5) "Generally accepted accounting principles" has the meaning  
1224 specified in the generally accepted auditing standards issued by the  
1225 American Institute of Certified Public Accountants (AICPA);

1226 (6) "Generally accepted government auditing standards" (GAGAS)  
1227 means the generally accepted government auditing standards issued  
1228 by the Comptroller General of the United States that are applicable to  
1229 financial audits;

1230 (7) "Independent auditor" means a public accountant who is  
1231 licensed to practice in the state and meets the independence standards  
1232 included in generally accepted government auditing standards;

1233 (8) "Internal controls" means a process, effected by an entity's board  
1234 of directors, management and other personnel, designed to provide  
1235 reasonable assurance regarding the achievement of objectives in: (A)  
1236 Reliability of financial reporting, (B) effectiveness and efficiency of  
1237 operations and (C) compliance with applicable laws and regulations;

1238 (9) "Municipality" means a town, consolidated town and city,  
1239 consolidated town and borough, city or borough, including a local  
1240 board of education as described in subsection (c) of section 7-392;

1241 (10) "Audited agency" means a [fire district, fire and sewer district,  
1242 sewer district or other municipal utility] district, as defined in section  
1243 7-324, the Metropolitan District of Hartford County, a regional board  
1244 of education, a regional planning agency, any other political

1245 subdivision of similar character which is created or any other agency  
1246 created or designated by a municipality to act for such municipality  
1247 whose [average] annual receipts from all sources exceed [two hundred  
1248 thousand] one million dollars or any tourism district established under  
1249 section 10-397, as amended by this act;

1250 (11) "Nonprofit agency" means any organization that is not a for-  
1251 profit business and provides services contracted for by (A) the state or  
1252 (B) a nonstate entity. It also means private institutions of higher  
1253 learning which receive state financial assistance;

1254 (12) "Major state program" means any program, excluding an  
1255 exempt program, [for which total expenditures of state financial  
1256 assistance by a nonstate entity during the applicable year exceed the  
1257 larger of (A) one hundred thousand dollars or (B) one per cent of the  
1258 total amount of state financial assistance expended, excluding  
1259 expenditures of an exempt program by the nonstate entity during the  
1260 audited year] determined to be a major state program by the  
1261 independent auditor pursuant to the requirements of the risk-based  
1262 approach, provided such requirements shall (A) encompass factors  
1263 consistent with requirements established by the United State Office of  
1264 Management and Budget, and (B) include, but not be limited to,  
1265 current and prior audit experience, oversight by state agencies and  
1266 pass-through entities and the risk inherent in state programs;

1267 (13) "Public accountant" means an individual who meets the  
1268 standards included in generally accepted government auditing  
1269 standards for personnel performing government audits and the  
1270 licensing requirements of the State Board of Accountancy;

1271 (14) "Subrecipient" means a nonstate entity that receives state  
1272 financial assistance from a pass-through entity, but does not include an  
1273 individual who receives such assistance;

1274 (15) "Tourism district" means a district established under section 10-  
1275 397, as amended by this act;

1276 (16) "Nonstate entity" means a municipality, tourism district,  
1277 audited agency or nonprofit agency;

1278 (17) "Pass-through entity" means a nonstate entity that provides  
1279 state financial assistance to a subrecipient;

1280 (18) "Program-specific audit" means an audit of a single state  
1281 program conducted in accordance with the regulations adopted under  
1282 section 4-236;

1283 (19) "Expended" and "expenditures" have the meanings attributed to  
1284 those terms in generally accepted accounting principles, except that  
1285 (A) state financial assistance received which does not specify a  
1286 required use shall be assumed to be fully expended in the fiscal year of  
1287 receipt, and (B) exempt programs shall be assumed to be expended in  
1288 the fiscal year that the state financial assistance is received;

1289 (20) "Exempt program" means any [of the following programs:  
1290 Education cost sharing, pursuant to sections 10-262f to 10-262j,  
1291 inclusive; public and nonpublic school pupil transportation, pursuant  
1292 to sections 10-54, 10-97, 10-266m, 10-273a, 10-277 and 10-281; special  
1293 education, excess costs equity and excess costs student-based,  
1294 pursuant to subsection (e) of section 10-76d, subsections (a), (b) and (c)  
1295 of section 10-76g and section 10-253; school building grants-principal  
1296 and interest subsidy, pursuant to chapter 173 and section 10-264h; and  
1297 school construction grants pursuant to public act 97-265 and public act  
1298 97-11 of the June 18 Special Session\*] state program designated to be  
1299 exempt by the secretary after consultation with the Auditors of Public  
1300 Accounts and the commissioner of the state agency that awarded the  
1301 state financial assistance; [and]

1302 (21) "Vendor" means a dealer, distributor, merchant or other seller  
1303 providing goods or services that are required for the conduct of a state  
1304 program. Such goods or services may be for an organization's own use  
1305 or for the use of beneficiaries of the state program; and

1306 (22) "Single audit" means an audit, as provided in section 4-235, as  
1307 amended by this act, that encompasses an entity's financial statements  
1308 and state financial assistance.

1309 Sec. 45. Section 4-231 of the general statutes is repealed and the  
1310 following is substituted in lieu thereof (*Effective from passage*):

1311 (a) (1) Each nonstate entity which expends a total amount of state  
1312 financial assistance equal to or in excess of [one] three hundred  
1313 thousand dollars in any fiscal year of such nonstate entity beginning  
1314 on or after July 1, [1998] 2009, shall have either a single audit or a  
1315 program-specific audit made for such fiscal year, in accordance with  
1316 the provisions of subdivision (2) or (3) of this subsection and the  
1317 requirements of regulations adopted pursuant to section 4-236. [If a  
1318 provision of the general statutes or an administrative rule, regulation,  
1319 guideline, standard or policy, which is effective on July 1, 1992,  
1320 requires a nonstate entity to conduct a biennial audit, the audit  
1321 required under this section shall be conducted on the same biennial  
1322 basis and shall cover both years of the biennial period.]

1323 (2) If the total amount of state financial assistance expended in any  
1324 such fiscal year is for a single program, such nonstate entity may elect  
1325 to have a program-specific audit made in lieu of a single audit,  
1326 provided a grant agreement or a statutory or regulatory provision  
1327 governing the program of state financial assistance does not require a  
1328 financial statement audit of such nonstate entity.

1329 (3) If the total amount of state financial assistance expended in any  
1330 such fiscal year is for more than one program, such entity shall have a  
1331 single audit made for such fiscal year.

1332 (b) Notwithstanding any provision of the general statutes or any  
1333 regulation adopted under any provision of the general statutes, each  
1334 nonstate entity that expends total state financial assistance of less than  
1335 [one] three hundred thousand dollars in any fiscal year of such  
1336 nonstate entity beginning on or after July 1, [1998] 2009, shall be

1337 exempt with respect to such year from complying with any statutory  
1338 or regulatory requirements concerning financial or financial and  
1339 compliance audits that would otherwise be applicable.

1340 (c) No provision of this section shall be deemed to exempt a  
1341 nonstate entity from complying with any statutory or regulatory  
1342 provision requiring the entity to (1) maintain records concerning state  
1343 financial assistance or (2) provide access to such records to a state  
1344 agency.

1345 Sec. 46. Section 4-232 of the general statutes is repealed and the  
1346 following is substituted in lieu thereof (*Effective from passage*):

1347 (a) Each nonstate entity which is required to be audited pursuant to  
1348 sections 4-230 to 4-236, inclusive, as amended by this act, shall  
1349 designate an independent auditor to conduct such audit. Not later than  
1350 thirty days before the end of the fiscal period for which the audit is  
1351 required, the nonstate entity shall file the name of such auditor with  
1352 the cognizant agency. If a nonstate entity fails to make such filing, the  
1353 cognizant agency may designate an independent auditor to conduct  
1354 the audit. A nonstate entity shall be responsible for paying the costs of  
1355 any audit conducted by an independent auditor designated by a  
1356 cognizant agency.

1357 (b) (1) Upon the completion of the audit, pursuant to sections 4-230  
1358 to 4-236, inclusive, as amended by this act, the nonstate entity shall file  
1359 [copies] a copy of the audit report with [state grantor agencies,] the  
1360 cognizant agency and, if applicable, state grantor agencies and pass-  
1361 through entities. Once filed, such report shall be made available by the  
1362 nonstate entity for public inspection. Copies of the report shall be filed  
1363 not later than thirty days after completion of such report, if possible,  
1364 but not later than six months after the end of the audit period. The  
1365 cognizant agency may grant an extension of not more than thirty days,  
1366 if the auditor [making] conducting the audit and the chief executive  
1367 officer of the nonstate entity jointly submit a request in writing to the  
1368 cognizant agency [stating] that includes the reasons for such extension

1369 and an estimate of the time needed for completion of such audit, at  
1370 least thirty days prior to the end of such six-month period. If the  
1371 reason for the extension relates to deficiencies in the accounting system  
1372 of the nonstate entity, the request shall be accompanied by a corrective  
1373 action plan. The auditor or chief executive officer shall promptly  
1374 provide any additional information the cognizant agency may require.  
1375 Before determining whether to grant an extension request, the  
1376 cognizant agency may [, after a hearing with] require the auditor and  
1377 officials of the nonstate entity [, grant an additional extension if  
1378 conditions warrant] to meet with representatives of the cognizant  
1379 agency.

1380 (2) Any nonstate entity, or auditor of such nonstate entity, which  
1381 fails to have the audit report filed on its behalf within six months after  
1382 the end of the fiscal year or within the time granted by the cognizant  
1383 agency may be assessed, by the Secretary of the Office of Policy and  
1384 Management, a civil penalty of not less than one thousand dollars but  
1385 not more than ten thousand dollars. In addition to, or in lieu of such  
1386 penalty, the cognizant agency may assign an auditor to perform the  
1387 audit of such nonstate entity. In such case, the nonstate entity shall be  
1388 responsible for the costs related to the audit. The secretary may, upon  
1389 receipt of a written request from an official of the nonstate entity or its  
1390 auditor, waive all such penalties if the secretary determines that there  
1391 appears to be reasonable cause for the entity not having completed or  
1392 provided the required audit report.

1393 Sec. 47. Section 4-233 of the general statutes is repealed and the  
1394 following is substituted in lieu thereof (*Effective from passage*):

1395 (a) Each audit required by sections 4-230 to 4-236, inclusive, as  
1396 amended by this act, shall:

1397 (1) Be conducted in accordance with generally accepted government  
1398 auditing standards, except that, for the purposes of said sections such  
1399 standards shall not be construed to require economy and efficiency  
1400 audits, program results audits, or program evaluations; and

1401 (2) Except in the case of program-specific audits, cover the entire  
1402 operations, including financial operations, of the nonstate entity,  
1403 except that such audit may exclude public hospitals.

1404 (b) Each such audit shall determine and report whether: (1) The  
1405 financial statements of the nonstate entity are presented fairly in all  
1406 material respects in conformity with generally accepted accounting  
1407 principles; (2) the schedule of expenditures of state financial assistance  
1408 of the nonstate entity is presented fairly in all material respects in  
1409 relation to the financial statements taken as a whole; (3) in addition to  
1410 the requirements of generally accepted government auditing  
1411 standards, the auditor has performed procedures to obtain an  
1412 understanding of internal control over state programs sufficient to (A)  
1413 plan the audit to support a low assessed level of control risk for major  
1414 state programs, (B) plan the testing of internal control over major state  
1415 programs to support a low assessed level of control risk for the  
1416 assertions relevant to the compliance requirement for each major state  
1417 program, and (C) perform testing of internal controls; and (4) the  
1418 nonstate entity has complied with laws, regulations and grant or  
1419 contract provisions that may have a material effect upon individual  
1420 compliance requirements for each major state program. In complying  
1421 with the requirements of subdivision (4) of this subsection, the  
1422 independent auditor shall select and test a representative number of  
1423 transactions from each major state program to provide the auditor  
1424 sufficient evidence to support an opinion of compliance. Each audit  
1425 report shall identify which programs were tested for compliance.

1426 (c) [(1)] When the total expenditures of a nonstate entity's major  
1427 state programs are less than fifty per cent of such nonstate entity's total  
1428 expenditures of state financial assistance, excluding exempt program  
1429 expenditures, the independent auditor shall select and test additional  
1430 programs as major state programs as may be necessary to achieve  
1431 audit coverage of at least fifty per cent of the nonstate entity's total  
1432 expenditures of state financial assistance, excluding exempt program  
1433 expenditures. [The provisions of this subsection shall be carried out in

1434 accordance with the regulations adopted pursuant to section 4-236 and  
1435 shall be subject to the provisions of subdivision (2) of this subsection.

1436 (2) In achieving the audit coverage in accordance with subdivision  
1437 (1) of this subsection, no more than two programs which each have  
1438 total state financial assistance expenditures of twenty-five thousand  
1439 dollars or more but not more than one hundred thousand dollars shall  
1440 be tested, if such programs are required to be tested to achieve the  
1441 audit coverage of subdivision (1) of this subsection.]

1442 (d) If an audit conducted pursuant to this section finds any material  
1443 or reportable noncompliance by a nonstate entity with applicable laws,  
1444 regulations and grant or contract provisions, or finds any [reportable  
1445 condition] significant deficiency or material weakness with respect to  
1446 the internal controls of the nonstate entity concerning the matters  
1447 described in subsection (b) of this section, the nonstate entity shall  
1448 submit to appropriate state officials a plan for corrective action to  
1449 eliminate such material or reportable noncompliance, [reportable  
1450 condition] significant deficiency or material weakness.

1451 Sec. 48. Section 4-235 of the general statutes is repealed and the  
1452 following is substituted in lieu thereof (*Effective from passage*):

1453 (a) The secretary shall designate cognizant agencies for audits  
1454 conducted pursuant to sections 4-230 to 4-236, inclusive, as amended  
1455 by this act, and shall periodically issue a state single audit compliance  
1456 supplement containing information to assist independent auditors in  
1457 conducting state single audits. Such information shall include, but is  
1458 not limited to, identification of state financial assistance programs and  
1459 their significant compliance requirements, suggested audit procedures  
1460 for determining compliance, exempt programs and information  
1461 relevant to the risk-based approach for use in determining major state  
1462 programs.

1463 (b) A cognizant agency shall: (1) Ensure through coordination with  
1464 state agencies, that audits are made in a timely manner and in

1465 accordance with the requirements of sections 4-230 to 4-236, inclusive,  
1466 as amended by this act; (2) ensure that corrective action plans made  
1467 pursuant to section 4-233, as amended by this act, are transmitted to  
1468 the appropriate state officials; and (3) (A) coordinate, to the extent  
1469 practicable, audits done by or under contract with state agencies that  
1470 are in addition to the audits conducted pursuant to sections 4-230 to 4-  
1471 236, inclusive, as amended by this act; and (B) ensure that such  
1472 additional audits build upon the audits conducted pursuant to said  
1473 sections.

1474 (c) (1) Each pass-through entity which is subject to the audit  
1475 requirements of sections 4-230 to 4-236, inclusive, as amended by this  
1476 act, shall:

1477 (A) Advise subrecipients of requirements imposed on them by state  
1478 laws, regulations, and the provisions of contracts or grant agreements,  
1479 and any supplemental requirements imposed by the pass-through  
1480 entity;

1481 (B) If the subrecipient is subject to an audit in accordance with the  
1482 requirements of said sections 4-230 to 4-236, inclusive, as amended by  
1483 this act, review such audit and ensure that prompt and appropriate  
1484 corrective action is taken with respect to material or reportable  
1485 findings of noncompliance with individual compliance requirements  
1486 or [reportable conditions] significant deficiencies or material  
1487 weaknesses in internal controls pertaining to state financial assistance  
1488 provided to the subrecipient by the pass-through entity; or

1489 (C) If the subrecipient is not subject to an audit in accordance with  
1490 the requirements of said sections 4-230 to 4-236, inclusive, as amended  
1491 by this act, monitor the activities of subrecipients as necessary to  
1492 ensure that state financial assistance is used for authorized purposes in  
1493 compliance with laws, regulations, and the provisions of contracts or  
1494 grant agreements.

1495 (2) Each pass-through entity, as a condition of receiving state

1496 financial assistance, shall require each of its subrecipients to permit the  
1497 independent auditor of the pass-through entity to have such access to  
1498 the subrecipient's records and financial statements as may be necessary  
1499 for the pass-through entity to comply with sections 4-230 to 4-236,  
1500 inclusive, as amended by this act.

1501 Sec. 49. Section 9 of public act 09-2 is repealed and the following is  
1502 substituted in lieu thereof (*Effective from passage*):

1503 (a) There is established a Commission on Enhancing Agency  
1504 Outcomes that shall identify functional overlaps and other  
1505 redundancies among state agencies and promote efficiency and  
1506 accountability in state government by identifying ways to eliminate  
1507 such overlaps and redundancies and by making such other  
1508 recommendations as the commission deems appropriate, with the goal  
1509 of reducing costs to the state and enhancing the quality and  
1510 accessibility of state services. The commission shall also consider the  
1511 merging of state agencies [such as (1) the Departments of Mental  
1512 Health and Addiction Services and Social Services, and (2) the  
1513 Connecticut Commission on Culture and Tourism, portions of the  
1514 Office of Workforce Competitiveness and the Department of Economic  
1515 and Community Development] and streamlining state operations to  
1516 further the goals of the commission.

1517 (b) The commission shall consist of: (1) The chairpersons and the  
1518 ranking members of the joint standing [committees] committee of the  
1519 General Assembly having cognizance of matters relating to  
1520 government administration and elections, [and appropriations and the  
1521 budgets of state agencies,] (2) the chairpersons and the ranking  
1522 members of the joint standing committee of the General Assembly  
1523 having cognizance of matters relating to appropriations and the  
1524 budgets of state agencies, or said chairpersons' designees, (3) the  
1525 chairpersons of the Legislative Program Review and Investigations  
1526 Committee, or said chairpersons' designees, (4) the Secretary of the  
1527 Office of Policy and Management, or the secretary's designee, [(3)] (5)

1528 two members each appointed by the speaker of the House of  
1529 Representatives and the president pro tempore of the Senate, [(4)] (6)  
1530 one member each appointed by the majority leader of the House of  
1531 Representatives and the majority leader of the Senate, and [(5)] (7) one  
1532 member each appointed by the minority leader of the House of  
1533 Representatives and the minority leader of the Senate. The  
1534 chairpersons and ranking members of the joint standing committee of  
1535 the General Assembly having cognizance of an agency under  
1536 consideration by the commission shall be ex-officio, nonvoting  
1537 members of the commission for purposes of the review of such agency.  
1538 Members of the commission shall receive no compensation for their  
1539 services.

1540 (c) Members of the General Assembly may be appointed to and  
1541 serve on the commission. All appointments to the commission shall be  
1542 made not later than seven days after the effective date of this section.  
1543 Any vacancy shall be filled by the appointing authority.

1544 (d) The chairpersons of the joint standing committee of the General  
1545 Assembly having cognizance of matters relating to government  
1546 administration and elections shall be the chairpersons of the  
1547 commission. The chairpersons shall schedule the first meeting of the  
1548 commission, which shall be held not later than fourteen days after the  
1549 effective date of this section.

1550 (e) The Legislative Program Review and Investigations Committee  
1551 shall assist the commission, within existing budgetary resources, as  
1552 determined by the Legislative Program Review and Investigations  
1553 Committee.

1554 [(e)] (f) The commissioners and agency heads of each agency under  
1555 consideration by the commission shall provide, in a timely manner,  
1556 testimony, data and any other information or materials that the  
1557 commission requests for purposes of its review and deliberations  
1558 under this section.

1559 [(f)] (g) The administrative staff of the joint standing committee of  
1560 the General Assembly having cognizance of matters relating to  
1561 government administration and elections and nonpartisan legislative  
1562 staff shall serve as administrative staff of the commission.

1563 [(g)] (h) Not later than [July 1, 2009] February 1, 2010, the  
1564 commission shall submit [a] an initial report [on its findings and  
1565 recommendations] identifying subjects for further study to the  
1566 Governor, the speaker of the House of Representatives and the  
1567 president pro tempore of the Senate, in accordance with the provisions  
1568 of section 11-4a of the general statutes. Not later than December 31,  
1569 2010, the commission shall submit a full report on its findings and  
1570 recommendations to the Governor, the speaker of the House of  
1571 Representatives and the president pro tempore of the Senate, in  
1572 accordance with the provisions of section 11-4a. The commission shall  
1573 terminate on [the date that it submits such report or July 1, 2009,  
1574 whichever is later] December 31, 2011.

1575 Sec. 50. Special Act 09-14 is amended to read as follows (*Effective*  
1576 *from passage*):

1577 (a) The Commissioner of Economic and Community Development  
1578 shall, within available appropriations, conduct a three-year study of  
1579 programs initiated, conducted and coordinated by the Department of  
1580 Economic and Community Development that promote and assist  
1581 Connecticut businesses with international trade with African countries  
1582 with whom the United States has diplomatic relations. In each of the  
1583 three years of such study, the commissioner shall focus on four  
1584 different countries in Africa.

1585 (b) On or before July 1, 2010, July 1, 2011, and July 1, 2012, the  
1586 commissioner shall, in accordance with the provisions of section [11-  
1587 4a] 32-1m of the general statutes, report to the joint standing  
1588 committee of the General Assembly having cognizance of matters  
1589 relating to commerce on the results of each phase of such three-year  
1590 study undertaken pursuant to subsection (a) of this section. Each

1591 report shall include statistics on the progress of the department and a  
1592 description of the implementation of such programs.

1593 Sec. 51. Section 10-394 of the general statutes is repealed and the  
1594 following is substituted in lieu thereof (*Effective January 1, 2010*):

1595 (a) On or before June first of each year, each regional tourism  
1596 district established under section 10-397, as amended by this act, shall  
1597 prepare a proposed budget for the next succeeding fiscal year  
1598 beginning July first to carry out its statutory duties. After approval by  
1599 said tourism district's board of directors, and no later than June first of  
1600 each year, the tourism district shall submit the proposed budget to the  
1601 executive director of the Commission on Culture and Tourism for  
1602 review, comments and recommendations by the commission  
1603 concerning the proposed expenditures. [The] On and after December  
1604 31, 2010, and annually thereafter, the commission shall review, in  
1605 consultation with the tourism district, the proposed budget no later  
1606 than June thirtieth, and approve or disapprove the budget. If the  
1607 commission disapproves any annual budget, the commission shall  
1608 adopt an interim budget and such interim budget shall take effect at  
1609 the commencement of the fiscal year and shall remain in effect until  
1610 the tourism district submits and the commission approves a modified  
1611 budget. The tourism district shall, on or before [September fifteenth]  
1612 March 15, 2011, and annually thereafter, submit a copy of the budget  
1613 to the joint standing committees of the General Assembly having  
1614 cognizance of matters relating to appropriations, finance, revenue and  
1615 bonding and commerce and the Office of Policy and Management,  
1616 including an explanation detailing the proposed expenditures for the  
1617 tourism district for the succeeding fiscal year. No funds shall be  
1618 expended on or after December 31, 2010, by the tourism district  
1619 without prior approval of the budget or adoption of an interim budget  
1620 by the Commission on Culture and Tourism.

1621 (b) [Each] On and after December 31, 2010, each regional tourism  
1622 district shall ensure that no more than twenty per cent of the total

1623 annual grant amount received by [it pursuant to section 10-398] the  
1624 district is used for administrative costs. The executive director, with  
1625 the approval of the commissioners, shall develop guidelines  
1626 concerning administrative costs for tourism districts.

1627 Sec. 52. Section 16-331bb of the general statutes is repealed and the  
1628 following is substituted in lieu thereof (*Effective from passage*):

1629 (a) There is established an account to be known as the "municipal  
1630 video competition trust account", which shall be a separate, nonlapsing  
1631 account within the General Fund. The account shall contain any  
1632 moneys required by this section to be deposited in the account. [and]  
1633 In the fiscal year commencing July 1, 2008, and in each fiscal year  
1634 thereafter, the amount in said account at the end of the preceding fiscal  
1635 year shall be distributed as property tax relief to the towns, cities and  
1636 boroughs of this state pursuant to subsection (c) of this section.

1637 (b) The Comptroller shall deposit into the municipal video  
1638 competition trust account, established pursuant to this section, a sum  
1639 not to exceed five million dollars per fiscal year from the gross  
1640 earnings tax imposed on certified competitive video service providers  
1641 pursuant to section 12-256.

1642 (c) (1) The amount to be distributed to each town from said account  
1643 shall be a proportional part of the total amount of such distribution  
1644 determined with respect to each town by the following ratio: The total  
1645 number of subscribers to certified competitive video service located in  
1646 such town at the end of [such fiscal year] the fiscal year preceding the  
1647 fiscal year during which the distribution to municipalities under this  
1648 section occurs shall be the numerator of the fraction, and the total  
1649 number of subscribers to certified competitive video service located in  
1650 all towns in this state at the end of such fiscal year shall be added  
1651 together, and the sum shall be the denominator of the fraction.

1652 (2) Any city or borough not consolidated with the town in which it  
1653 is located and any town containing such a city or borough shall receive

1654 a portion of the amount allocated to such town under subdivision (1)  
1655 of this subsection on the basis of the following ratio: The total property  
1656 taxes levied [in such fiscal year] by such town, city or borough in the  
1657 most recent fiscal year for which a certified copy of an audit report is  
1658 received by the Secretary of the Office of Policy and Management, in  
1659 accordance with section 7-393, shall be the numerator of the fraction,  
1660 and the total property taxes levied in such fiscal year by the town and  
1661 all cities or boroughs located within such town shall be added  
1662 together, and the sum shall be the denominator of the fraction. On and  
1663 after July 1, 2009, the town in which a city or borough is located shall  
1664 be entitled to retain the amount otherwise allocable to a city or  
1665 borough under the provisions of this subsection if the application of  
1666 such ratio results in an allocation of less than five dollars to such city  
1667 or borough. Any such city or borough may, by vote of its legislative  
1668 body, direct the Secretary of the Office of Policy and Management to  
1669 reallocate all or a portion of the share of such city or borough to the  
1670 town in which it is located.

1671 (d) Not later than September 15, 2008, and annually thereafter, the  
1672 Secretary of the Office of Policy and Management shall certify to the  
1673 Comptroller the [percentage of the amount in said account] amount to  
1674 be paid to each municipality from said account in accordance with this  
1675 section and the Comptroller shall draw the Comptroller's order on the  
1676 Treasurer not later than the twenty-fifth day of September in the same  
1677 year. The Treasurer shall pay the respective amount to each  
1678 municipality in accordance with this section on or before the thirtieth  
1679 day of September in the same year.

1680 (e) Not later than July 30, 2008, and annually thereafter, each  
1681 certified competitive video service provider shall file with the Office of  
1682 Policy and Management the total number of subscribers to certified  
1683 competitive video service in each town and the total subscribers to  
1684 certified competitive video service in all towns in this state as of the  
1685 last day of the immediately preceding fiscal year.

1686 Sec. 53. Section 8-13s of the general statutes is repealed and the  
1687 following is substituted in lieu thereof (*Effective from passage and*  
1688 *applicable to payments issued in the fiscal year ending June 30, 2009, and in*  
1689 *each fiscal year thereafter*):

1690 (a) Upon the determination that (1) the housing incentive zone has  
1691 been adopted; (2) the time for appeal of the final adoption of the  
1692 regulations has expired or a final and unappealable judgment  
1693 upholding such regulations has been issued in any civil action  
1694 challenging or delaying such regulations; and (3) the municipality has  
1695 otherwise complied with the requirements of sections 8-13m to 8-13x,  
1696 inclusive, the Secretary of the Office of Policy and Management shall,  
1697 subject to the availability of funds, make a zone adoption payment to  
1698 the municipality [in the amount] of up to two thousand dollars for  
1699 each unit of housing that can, as-of-right, be built as part of an  
1700 incentive housing development within such zone or zones based on  
1701 the definition of developable land and the minimum as-of-right  
1702 densities set forth in subdivision (3) of subsection (b) of section 8-13n.

1703 (b) Subject to the availability of funds the secretary shall issue to the  
1704 municipality a one-time building permit payment for each building  
1705 permit for a residential housing unit in an approved incentive housing  
1706 development upon submission by a municipality to the secretary of  
1707 proof of issuance of such building permit and after determining that  
1708 (1) no appeal from or challenge to such building permit has been filed  
1709 or is pending, and (2) such building permit was issued for housing in  
1710 an incentive housing development not later than five years after the  
1711 date of the final adoption of incentive housing zone regulations by the  
1712 zoning commission in accordance with the provisions of subsection (b)  
1713 of section 8-13q. The amount of payment shall be up to two thousand  
1714 dollars for each multifamily housing unit, duplex unit or townhouse  
1715 unit and up to five thousand dollars for each single-family detached  
1716 unit. Such payment shall be made by the secretary not more than sixty  
1717 days after receipt of proof of the issuance of building permits and  
1718 verification of the absence of any appeal or challenge.

1719 (c) Residential units that are located within an approved incentive  
1720 housing zone that are part of a development that constitutes housing  
1721 for older persons permitted by the federal Fair Housing Act, 42 USC  
1722 3607 or sections 46a-64c and 46a-64d shall not be eligible for payments  
1723 under this section.

1724 Sec. 54. (*Effective from passage*) Notwithstanding any provision of the  
1725 general statutes, the personal property tax paid on August 7, 2009, for  
1726 property acquired by the Commissioner of the Department of Public  
1727 Works, as described in public act 09-15, shall be deemed payment in  
1728 full for said property for the assessment year commencing October 1,  
1729 2008.

1730 Sec. 55. Section 1-1j of the general statutes is repealed and the  
1731 following is substituted in lieu thereof (*Effective from passage*):

1732 (a) Each state agency, as defined in section 4-166, as amended by  
1733 this act, shall accept payment in cash or by check, draft or money order  
1734 for any license issued by such agency pursuant to the provisions of the  
1735 general statutes.

1736 (b) Except as otherwise provided by the general statutes, the  
1737 Secretary of the Office of Policy and Management may authorize any  
1738 state agency (1) to [allow an applicant for a license to pay the license  
1739 fee] accept payment of any fee, cost or fine payable to such agency by  
1740 means of a credit card, charge card or debit card, or an electronic  
1741 payment service, and (2) to charge [such applicant] a service fee for  
1742 any such payment made by credit card, charge card or debit card or an  
1743 electronic payment service. Such service fee shall be (A) related to the  
1744 cost of service, (B) uniform for all credit cards, charge cards and debit  
1745 cards accepted, and (C) applied only when allowed by the operating  
1746 rules and regulations of the credit card, charge card or debit card  
1747 issuer or processor involved or when authorized in writing by such  
1748 issuer or processor. Payments by credit card, charge card, [or] debit  
1749 card or an electronic payment service shall be made at such times and  
1750 under such conditions as the secretary may prescribe in regulations

1751 adopted in accordance with the provisions of chapter 54. Payment of a  
1752 [license] fee, cost or fine by credit card, charge card, [or] debit card or  
1753 an electronic payment service shall constitute full payment of such fee,  
1754 regardless of any discount applied by a credit card company.

1755       Sec. 56. (*Effective from passage*) Notwithstanding section 30 of public  
1756 act 09-229, the sum of \$10,000,000 appropriated to the Department of  
1757 Agriculture in section 1 of public act 09-3 of the June special session,  
1758 for Dairy Farmers, shall be used for grants to milk producers, as  
1759 defined in subsection (a) of section 30 of public act 09-229, to offset the  
1760 difference between the minimum sustainable monthly cost of  
1761 production, as defined in subsection (a) of section 30 of public act 09-  
1762 229, and the federal pay price, as defined in subsection (a) of section 30  
1763 of public act 09-229, paid to such milk producers during the period  
1764 from January 1, 2009, to June 30, 2009. The Commissioner of  
1765 Agriculture may use up to \$100,000 of such appropriated amount for  
1766 costs directly related to the administration of such grants. Said  
1767 commissioner shall calculate any payment made to a milk producer  
1768 under this section on the basis of the amount of milk produced by such  
1769 milk producer during said period and shall distribute such grant  
1770 moneys no later than November 1, 2009.

1771       Sec. 57. (*Effective from passage*) Notwithstanding the provisions of  
1772 section 4-66aa of the general statutes, as amended by section 28 of  
1773 public act 09-229 and section 69 of public act 09-3 of the June special  
1774 session, the sum of \$125,000 shall be transferred from the portion of  
1775 funds received from the community investment account by each of the  
1776 following agencies, after all distributions required by said section are  
1777 made, and credited to the resources of the General Fund for the fiscal  
1778 year ending June 30, 2010: (1) The Department of Agriculture; (2) the  
1779 Department of Environmental Protection; (3) the Connecticut  
1780 Commission on Culture and Tourism; and (4) the Connecticut Housing  
1781 Finance Authority.

1782       Sec. 58. Section 40 of public act 09-3 of the June special session is

1783 repealed and the following is substituted in lieu thereof (*Effective from*  
1784 *passage*):

1785 (a) Up to \$1,100,000 made available to the Department of Mental  
1786 Health and Addiction Services, for the Pre-Trial Alcohol Substance  
1787 Abuse Program, shall be available for Regional Action Councils during  
1788 each of the fiscal years ending June 30, 2010, and June 30, 2011.

1789 (b) Up to \$510,000 made available to the Department of Mental  
1790 Health and Addiction Services, for the Pre-Trial Alcohol Substance  
1791 Abuse Program, shall be available for the Governor's Partnership to  
1792 Protect Connecticut's Workforce during each of the fiscal years ending  
1793 June 30, 2010, and June 30, 2011.

1794 (c) Up to \$100,000 made available to the Department of Mental  
1795 Health and Addiction Services, for the Pre-Trial Alcohol Substance  
1796 Abuse Program, shall be available to provide funding to a nonprofit  
1797 organization with expertise in primary and secondary substance abuse  
1798 prevention to build a community-wide, broad-based and inter-  
1799 institutional approach to substance abuse prevention during each of  
1800 the fiscal years ending June 30, 2010, and June 30, 2011.

1801 (d) Up to \$125,000 made available to the Department of Mental  
1802 Health and Addiction Services, for the Pre-Trial Alcohol Substance  
1803 Abuse Program, shall be available for the Regional Youth/Adult  
1804 Substance Abuse Project in Bridgeport during each of the fiscal years  
1805 ending June 30, 2010, and June 30, 2011.

1806 [(e) Up to \$125,000 made available to the Department of Mental  
1807 Health and Addiction Services, for the Pre-Trial Alcohol Substance  
1808 Abuse Program, shall be available for the RYASAP Regional Action  
1809 Council in Bridgeport during each of the fiscal years ending June 30,  
1810 2010, and June 30, 2011.]

1811 Sec. 59. Subsection (a) of section 14-270c of the general statutes is  
1812 repealed and the following is substituted in lieu thereof (*Effective*

1813 September 1, 2010):

1814 (a) The Commissioners of Public Safety and Motor Vehicles shall  
1815 staff the official weighing areas as follows:

1816 (1) Greenwich: Eight work shifts in each seven-day period from  
1817 Sunday through Saturday. No such shifts shall be worked  
1818 consecutively, except that two shifts may be worked consecutively on  
1819 not more than three days;

1820 (2) Danbury: [Three] The Department of Public Safety shall staff  
1821 three work shifts in each seven-day period from Sunday through  
1822 Saturday and the Department of Motor Vehicles shall staff three work  
1823 shifts in each seven-day period from Sunday through Saturday. The  
1824 Commissioner of Public Safety shall, whenever possible, coordinate  
1825 coverage between this official weighing area and the official weighing  
1826 area in Greenwich in order to ensure concurrent coverage;

1827 (3) Union: Between five and eight work shifts in each seven-day  
1828 period from Sunday through Saturday. The Commissioner of Motor  
1829 Vehicles shall coordinate the hours of operation of this official  
1830 weighing area; and

1831 (4) Portable scale locations: Ten shifts in each seven-day period from  
1832 Sunday through Saturday which shall be staggered throughout the  
1833 four geographical areas established by the Commissioner of Public  
1834 Safety with concentration in areas that have fewer hours of operation  
1835 for the permanent weighing areas.

1836 Sec. 60. Subsection (a) of section 10-393 of the general statutes is  
1837 repealed and the following is substituted in lieu thereof (*Effective from*  
1838 *passage*):

1839 (a) The Connecticut Commission on Culture and Tourism shall  
1840 consist of [thirty-five] twenty-eight voting commissioners and  
1841 nonvoting ex-officio members. Such ex-officio members shall be the  
1842 executive directors of the Connecticut Trust for Historic Preservation

1843 and the Connecticut Humanities Council, the State Poet Laureate, the  
1844 State Historian and the State Archaeologist. The State Poet Laureate,  
1845 the State Historian and the State Archaeologist shall serve as  
1846 commissioners without being appointed and without receiving  
1847 compensation for such service. The remaining [thirty] twenty-three  
1848 commissioners shall be appointed as follows:

1849 (1) The Governor shall appoint [eight] seven commissioners: (A)  
1850 One commissioner shall be an individual with knowledge of and  
1851 experience in the tourism industry from within the state; (B) three  
1852 commissioners shall be individuals with knowledge of or experience  
1853 or interest in history or humanities; (C) one commissioner shall be an  
1854 individual with knowledge of or experience or interest in the arts; and  
1855 (D) [one commissioner shall be an individual with experience relating  
1856 directly to the production of digital media or motion pictures; and (E)]  
1857 two commissioners shall be selected at large.

1858 (2) The speaker of the House of Representatives shall appoint [four]  
1859 three commissioners: (A) One commissioner shall be an individual  
1860 with knowledge of and experience in the tourism industry from the  
1861 southwestern tourism district, established under section 10-397; (B)  
1862 one commissioner shall be an individual with knowledge of or  
1863 experience or interest in history or humanities; and (C) one  
1864 commissioner shall be an individual with knowledge of or experience  
1865 or interest in the arts. [; and (D) one commissioner shall be an  
1866 individual with experience relating directly to the production of digital  
1867 media or motion pictures.]

1868 (3) The president pro tempore of the Senate shall appoint [four]  
1869 three commissioners: (A) One commissioner shall be an individual  
1870 with knowledge of and experience in the tourism industry from the  
1871 central tourism district, established under section 10-397; (B) one  
1872 commissioner shall be an individual with knowledge of or experience  
1873 or interest in history or humanities; and (C) one commissioner shall be  
1874 an individual with knowledge of or experience or interest in the arts. [;

1875 and (D) one commissioner shall be an individual with experience  
1876 relating directly to the production of digital media or motion pictures.]

1877 (4) The majority leader of the House of Representatives shall  
1878 appoint [~~three~~] two commissioners: (A) One commissioner shall be an  
1879 individual with knowledge of and experience in the tourism industry  
1880 from the south central tourism district, established under section 10-  
1881 397; and (B) one commissioner shall be an individual with knowledge  
1882 of or experience or interest in the arts. [; and (C) one commissioner  
1883 shall be an individual with experience relating directly to the  
1884 production of digital media or motion pictures.]

1885 (5) The majority leader of the Senate shall appoint [~~three~~] two  
1886 commissioners: (A) One commissioner shall be an individual with  
1887 knowledge of and experience in the tourism industry from the eastern  
1888 tourism district; and (B) one commissioner shall be an individual with  
1889 knowledge of or experience or interest in the arts. [; and (C) one  
1890 commissioner shall be an individual with experience relating directly  
1891 to the production of digital media or motion pictures.]

1892 (6) The minority leader of the House of Representatives shall  
1893 appoint [~~four~~] three commissioners: (A) One commissioner shall be an  
1894 individual with knowledge of and experience in the tourism industry  
1895 from within the state; (B) one commissioner shall be an individual with  
1896 knowledge of or experience or interest in history or humanities; and  
1897 (C) one commissioner shall be an individual with knowledge of or  
1898 experience or interest in the arts. [; and (D) one commissioner shall be  
1899 an individual with experience relating directly to the production of  
1900 digital media or motion pictures.]

1901 (7) The minority leader of the Senate shall appoint [~~four~~] three  
1902 commissioners: (A) One commissioner shall be an individual with  
1903 knowledge of and experience in the tourism industry from the  
1904 northwestern tourism district, established under section 10-397; (B) one  
1905 commissioner shall be an individual with knowledge of or experience  
1906 or interest in history or humanities; (C) one commissioner shall be an

1907 individual with knowledge of or experience or interest in the arts. ];  
1908 and (D) one commissioner shall be an individual with experience  
1909 relating directly to the production of digital media or motion pictures.]

1910 Sec. 61. Subsection (a) of section 32-1c of the general statutes, as  
1911 amended by section 5 of public act 09-234, is repealed and the  
1912 following is substituted in lieu thereof (*Effective from passage*):

1913 (a) In addition to any other powers, duties and responsibilities  
1914 provided for in this chapter, chapter 131, chapter 579 and section 4-8  
1915 and subsection (a) of section 10-409, the commissioner shall have the  
1916 following powers, duties and responsibilities: (1) To administer and  
1917 direct the operations of the Department of Economic and Community  
1918 Development; (2) to report annually to the Governor, as provided in  
1919 section 4-60; (3) to conduct and administer the research and planning  
1920 functions necessary to carry out the purposes of said chapters and  
1921 sections; (4) to encourage and promote the development of industry  
1922 and business in the state and to investigate, study and undertake ways  
1923 and means of promoting and encouraging the prosperous  
1924 development and protection of the legitimate interest and welfare of  
1925 Connecticut business, industry and commerce, within and outside the  
1926 state; (5) to serve, ex officio as a director on the board of Connecticut  
1927 Innovations, Incorporated; (6) to serve as a member of the Committee  
1928 of Concern for Connecticut Jobs; (7) to promote and encourage the  
1929 location and development of new business in the state as well as the  
1930 maintenance and expansion of existing business and for that purpose  
1931 to cooperate with state and local agencies and individuals both within  
1932 and outside the state; (8) to plan and conduct a program of information  
1933 and publicity designed to attract tourists, visitors and other interested  
1934 persons from outside the state to this state and also to encourage and  
1935 coordinate the efforts of other public and private organizations or  
1936 groups of citizens to publicize the facilities and attractions of the state  
1937 for the same purposes; (9) to advise and cooperate with municipalities,  
1938 persons and local planning agencies within the state for the purpose of  
1939 promoting coordination between the state and such municipalities as

1940 to plans and development; (10) to provide all necessary staff, services,  
1941 accounting and office space and equipment required by the  
1942 Connecticut Development Authority subject to the provisions of  
1943 section 4b-23, as amended by this act, where real estate acquisitions are  
1944 involved; (11) to aid minority businesses in their development; (12) to  
1945 appoint such assistants, experts, technicians and clerical staff, subject  
1946 to the provisions of chapter 67, as are necessary to carry out the  
1947 purposes of said chapters and sections; (13) to employ other  
1948 consultants and assistants on a contract or other basis for rendering  
1949 financial, technical or other assistance and advice; (14) to acquire or  
1950 lease facilities located outside the state subject to the provisions of  
1951 section 4b-23, as amended by this act; (15) to advise and inform  
1952 municipal officials concerning economic development and collect and  
1953 disseminate information pertaining thereto, including information  
1954 about federal, state and private assistance programs and services  
1955 pertaining thereto; (16) to inquire into the utilization of state  
1956 government resources and coordinate federal and state activities for  
1957 assistance in and solution of problems of economic development and  
1958 to inform and advise the Governor about and propose legislation  
1959 concerning such problems; (17) to conduct, encourage and maintain  
1960 research and studies relating to industrial and commercial  
1961 development; (18) to prepare and review model ordinances and  
1962 charters relating to these areas; (19) to maintain an inventory of data  
1963 and information and act as a clearinghouse and referral agency for  
1964 information on state and federal programs and services relative to the  
1965 purpose set forth herein. The inventory shall include information on all  
1966 federal programs of financial assistance for defense conversion projects  
1967 and other projects consistent with a defense conversion strategy and  
1968 shall identify businesses which would be eligible for such assistance  
1969 and provide notification to such business of such programs; (20) to  
1970 conduct, encourage and maintain research and studies and advise  
1971 municipal officials about forms of cooperation between public and  
1972 private agencies designed to advance economic development; (21) to  
1973 promote and assist the formation of municipal and other agencies

1974 appropriate to the purposes of this chapter; (22) to require notice of the  
1975 submission of all applications by municipalities and any agency  
1976 thereof for federal and state financial assistance for economic  
1977 development programs as relate to the purposes of this chapter; (23)  
1978 with the approval of the Commissioner of Administrative Services, to  
1979 reimburse any employee of the department, including the  
1980 commissioner, for reasonable business expenses, including but not  
1981 limited to, mileage, travel, lodging, and entertainment of business  
1982 prospects and other persons to the extent necessary or advisable to  
1983 carry out the purposes of subdivisions (4), (7), (8) and (11) of this  
1984 subsection and other provisions of this chapter; (24) to assist in  
1985 resolving solid waste management issues; [and] (25) (A) to serve as an  
1986 information clearinghouse for various public and private programs  
1987 available to assist businesses, [and] (B) to identify specific micro  
1988 businesses, as defined in section 32-344, whose growth and success  
1989 could benefit from state or private assistance and contact such small  
1990 businesses in order to (i) identify their needs, (ii) provide information  
1991 about public and private programs for meeting such needs, including,  
1992 but not limited to, technical assistance, job training and financial  
1993 assistance, and (iii) arrange for the provision of such assistance to such  
1994 businesses; and (26) to enhance and promote the digital media and  
1995 motion picture industries in the state.

1996 Sec. 62. Section 8-31a of the general statutes, as amended by section  
1997 1 of public act 09-80, is repealed and the following is substituted in lieu  
1998 thereof (*Effective from passage*):

1999 Within any planning region of the state as defined or redefined by  
2000 the Secretary of the Office of Policy and Management, or his designee  
2001 under the provisions of section 16a-4a a regional planning agency may  
2002 be created by the adoption of sections 8-31a to 8-37a, inclusive, by  
2003 ordinance of the legislative bodies of two or more towns, cities or  
2004 boroughs within such region, provided the total number of  
2005 representatives of such towns, cities or boroughs shall equal sixty per  
2006 cent or more of the total number of representatives possible of all the

2007 towns, cities or boroughs within such region computed as prescribed  
2008 in this section. Any other town, city or borough within such region  
2009 may join such regional planning agency by the adoption of said  
2010 sections by ordinance of its legislative body. [The chief elected official  
2011 of each] Each town, city or borough within such region, [or the  
2012 designee of such official, shall be a representative on such agency and  
2013 each such town, city or borough,] except as provided herein, shall be  
2014 entitled to two [other] representatives on such agency, one of whom  
2015 shall be the chief elected official of such town, city or borough or the  
2016 designee of such official, and additional representation on such agency  
2017 at the ratio of one representative for each fifty thousand of population  
2018 or fraction thereof over and above a population of twenty-five  
2019 thousand as determined by the last-completed federal census. Cities  
2020 and boroughs with boundaries not coterminous with the boundaries of  
2021 the town in which they are located, upon adoption of the provisions of  
2022 said sections, may have their chief elected official, or the designee of  
2023 such official, and one other representative on such agency provided  
2024 the population of the city or borough is greater than fifty per cent of  
2025 the total population of the town as determined by the last-completed  
2026 federal census, and the town, upon adoption of the provisions of said  
2027 sections, may have the chief elected official of such town, or the  
2028 designee of such official, and one other representative on such agency.  
2029 If the total population of the town is greater than twenty-five  
2030 thousand, the town may elect or appoint the extra representative or  
2031 representatives as prescribed above, except that, for each fifty  
2032 thousand population residing in the city or borough, the city or  
2033 borough may have one additional representative. Noncoterminous  
2034 cities or boroughs which do not contain fifty per cent or more of the  
2035 total population of the town in which they are located shall not adopt  
2036 the provisions of said sections and shall not join such regional  
2037 planning agency. Where a planning commission exists in a town, city  
2038 or borough established under the provisions of the general statutes or  
2039 any special act, at least one of the representatives from such town, city  
2040 or borough to the regional planning agency shall be appointed by such

2041 planning commission. The other representative or representatives shall  
2042 be elected or appointed in the manner provided by ordinance adopted  
2043 by the legislative body of such town, city or borough.

2044 Sec. 63. (NEW) (*Effective from passage*) (a) If, in the exercise of the  
2045 Secretary of the Office of Policy and Management's powers pursuant to  
2046 title 16a of the general statutes, the secretary finds that the use of a  
2047 certain technology, product or process would promote energy  
2048 conservation, energy efficiency or renewable energy technology, the  
2049 secretary may direct a state agency to test such technology, product or  
2050 process by using it in the operations of such agency on a trial basis.  
2051 The purpose of such test program shall be to validate the effectiveness  
2052 of such technology, product or process in reducing energy usage and  
2053 costs or reducing dependence on fossil fuels or green house gas  
2054 emissions. No agency shall undertake such testing of any technology,  
2055 product or process unless the business manufacturing or marketing the  
2056 technology, product or process demonstrates that (1) the use of such  
2057 technology, product or process by the state agency will not adversely  
2058 affect safety, (2) a certified independent third party or accredited  
2059 laboratory has found that the technology, product or process reduces  
2060 energy consumption and cost, and (3) the technology, product or  
2061 process is presently available for commercial sale and distribution or  
2062 has potential for commercialization not later than two years following  
2063 the completion of any test program by a state agency pursuant to this  
2064 section.

2065 (b) If the secretary finds that using such technology, product or  
2066 process would be feasible in the operations of a state agency and  
2067 would not have any detrimental effect on such operations, the  
2068 secretary, notwithstanding the requirements of chapter 58 of the  
2069 general statutes, may direct a state agency to accept delivery of such  
2070 technology, product or process and to undertake such a test program.  
2071 Any costs associated with the acquisition and use of such technology,  
2072 product or process by the testing agency for the test period shall be  
2073 borne by the manufacturer, the marketer or any investor or participant

2074 in such business. The acquisition of any technology, product or process  
2075 for purposes of the test program established pursuant to this section  
2076 shall not be deemed to be a purchase under the provisions of state  
2077 procurement law. The manufacturer, the marketer or any investor or  
2078 participant in such business shall maintain records related to such test  
2079 program, as required by the secretary. All proprietary information  
2080 derived from such test program shall be exempt from the provisions of  
2081 subsection (a) of section 1-210 of the general statutes.

2082 (c) If the secretary determines that the test program sufficiently  
2083 demonstrates that the technology, product or process reduces energy  
2084 usage and costs or reduces dependence on fossil fuels or green house  
2085 gas emissions, the testing agency may request that the Commissioner  
2086 of Administrative Services (1) procure such technology for use by any  
2087 or all state agencies, and (2) make such procurement pursuant to  
2088 subsection (b) of section 4a-58 of the general statutes.

2089 Sec. 64. Section 46b-38b of the general statutes is repealed and the  
2090 following is substituted in lieu thereof (*Effective July 1, 2010*):

2091 (a) Whenever a peace officer determines upon speedy information  
2092 that a family violence crime, except a family violence crime involving a  
2093 dating relationship, has been committed within such officer's  
2094 jurisdiction, such officer shall arrest the person or persons suspected of  
2095 its commission and charge such person or persons with the  
2096 appropriate crime. The decision to arrest and charge shall not (1) be  
2097 dependent on the specific consent of the victim, (2) consider the  
2098 relationship of the parties, or (3) be based solely on a request by the  
2099 victim. Whenever a peace officer determines that a family violence  
2100 crime has been committed, such officer may seize any firearm or  
2101 electronic defense weapon, as defined in section 53a-3, at the location  
2102 where the crime is alleged to have been committed that is in the  
2103 possession of any person arrested for the commission of such crime or  
2104 suspected of its commission or that is in plain view. Not later than  
2105 seven days after any such seizure, the law enforcement agency shall

2106 return such firearm or electronic defense weapon in its original  
2107 condition to the rightful owner thereof unless such person is ineligible  
2108 to possess such firearm or electronic defense weapon or unless  
2109 otherwise ordered by the court.

2110 (b) No peace officer investigating an incident of family violence  
2111 shall threaten, suggest or otherwise indicate the arrest of all parties for  
2112 the purpose of discouraging requests for law enforcement intervention  
2113 by any party. Where complaints are made by two or more opposing  
2114 parties, the officer shall evaluate each complaint separately to  
2115 determine whether such officer should make an arrest or seek a  
2116 warrant for an arrest. Notwithstanding the provisions of subsection (a)  
2117 of this section, when a peace officer reasonably believes that a party in  
2118 an incident of family violence has used force as a means of self  
2119 defense, such officer is not required to arrest such party under this  
2120 section.

2121 (c) No peace officer shall be held liable in any civil action regarding  
2122 personal injury or injury to property brought by any party to a family  
2123 violence incident for an arrest based on probable cause or for any  
2124 conditions of release imposed pursuant to subsection (b) of section 54-  
2125 63c.

2126 (d) It shall be the responsibility of the peace officer at the scene of a  
2127 family violence incident to provide immediate assistance to the victim.  
2128 Such assistance shall include, but not be limited to: (1) Assisting the  
2129 victim to obtain medical treatment if such treatment is required; (2)  
2130 notifying the victim of the right to file an affidavit or warrant for  
2131 arrest; [and] (3) informing the victim of services available and referring  
2132 the victim to the Office of Victim Services; and (4) providing assistance  
2133 in accordance with the uniform protocols for treating victims of family  
2134 violence whose immigration status is questionable established  
2135 pursuant to subsection (g) of this section. In cases where the officer has  
2136 determined that no cause exists for an arrest, assistance shall include:  
2137 (A) Assistance as provided in subdivisions (1) to [(3)] (4), inclusive, of

2138 this subsection; and (B) remaining at the scene for a reasonable time  
2139 until, in the reasonable judgment of the officer, the likelihood of  
2140 further imminent violence has been eliminated.

2141 (e) (1) Each law enforcement agency shall develop, in conjunction  
2142 with the Division of Criminal Justice, and implement specific  
2143 operational guidelines for arrest policies in family violence incidents.  
2144 Such guidelines shall include, but not be limited to: [(1)] (A)  
2145 Procedures for the conduct of a criminal investigation; [(2)] (B)  
2146 procedures for arrest and for victim assistance by peace officers; [(3)]  
2147 (C) education as to what constitutes speedy information in a family  
2148 violence incident; [(4)] (D) procedures with respect to the provision of  
2149 services to victims; and [(5)] (E) such other criteria or guidelines as  
2150 may be applicable to carry out the purposes of sections 46b-1, 46b-15,  
2151 46b-38a to 46b-38f, inclusive, as amended by this act, and 54-1g. Such  
2152 procedures shall be duly promulgated by such law enforcement  
2153 agency.

2154 (2) On and after July 1, 2010, each law enforcement agency shall  
2155 designate at least one officer with supervisory duties to expeditiously  
2156 process, upon request of a victim of family violence or other crime who  
2157 is applying for U Nonimmigrant Status (A) a certification of  
2158 helpfulness on Form I-918, Supplement B, or any subsequent  
2159 corresponding form designated by the United States Department of  
2160 Homeland Security, confirming that the victim of family violence or  
2161 other crime has been helpful, is being helpful, or is likely to be helpful  
2162 in the investigation or prosecution of the criminal activity, and (B) any  
2163 subsequent certification required by the victim.

2164 (f) The Police Officer Standards and Training Council, in  
2165 conjunction with the Division of Criminal Justice, shall establish an  
2166 education and training program for law enforcement officers,  
2167 supervisors and state's attorneys on the handling of family violence  
2168 incidents. Training under such program shall: (1) Stress the  
2169 enforcement of criminal law in family violence cases and the use of

2170 community resources, and include training for peace officers at both  
2171 recruit and in-service levels; and (2) include, but not be limited to: (A)  
2172 The nature, extent and causes of family violence; (B) legal rights of and  
2173 remedies available to victims of family violence and persons accused  
2174 of family violence; (C) services and facilities available to victims and  
2175 batterers; (D) legal duties imposed on police officers to make arrests  
2176 and to offer protection and assistance, including applicable probable  
2177 cause standards; and (E) techniques for handling incidents of family  
2178 violence that minimize the likelihood of injury to the officer and  
2179 promote the safety of the victim. On and after July 1, 2010, training  
2180 under such program shall also include, within available  
2181 appropriations, information on (i) the impact of arrests of multiple  
2182 parties in a family violence case on the immigration status of the  
2183 parties; (ii) crime scene investigation and evaluation practices in family  
2184 violence cases designed by the council to reduce the number of  
2185 multiple arrests in family violence cases; and (iii) practical  
2186 considerations in the application of state statutes related to family  
2187 violence. On and after July 1, 2010, such training shall also address,  
2188 within available appropriations, eligibility for federal T Visas for  
2189 victims of human trafficking and federal U Visas for unauthorized  
2190 immigrants who are victims of family violence and other crimes.

2191 (g) Not later than July 1, 2010, the Police Officer Standards and  
2192 Training Council shall establish uniform protocols for treating victims  
2193 of family violence whose immigration status is questionable, and shall  
2194 make such protocols available to law enforcement agencies. Each law  
2195 enforcement agency shall adopt and use such protocols on and after  
2196 the date they are established by the council.

2197 Sec. 65. Section 46b-38c of the general statutes is repealed and the  
2198 following is substituted in lieu thereof (*Effective July 1, 2010*):

2199 (a) There shall be family violence response and intervention units in  
2200 the Connecticut judicial system to respond to cases involving family  
2201 violence. The units shall be coordinated and governed by formal

2202 agreement between the Chief State's Attorney and the Judicial  
2203 Department.

2204 (b) The Court Support Services Division, in accordance with the  
2205 agreement between the Chief State's Attorney and the Judicial  
2206 Department, shall establish within each geographical area of the  
2207 Superior Court a local family violence intervention unit to implement  
2208 sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, as amended by  
2209 this act, and 54-1g. The Court Support Services Division shall oversee  
2210 direct operations of the local units.

2211 (c) Each such local family violence intervention unit shall: (1) Accept  
2212 referrals of family violence cases from a judge or prosecutor, (2)  
2213 prepare written or oral reports on each case for the court by the next  
2214 court date to be presented at any time during the court session on that  
2215 date, (3) provide or arrange for services to victims and offenders, (4)  
2216 administer contracts to carry out such services, and (5) establish  
2217 centralized reporting procedures. All information provided to a family  
2218 relations officer in a local family violence intervention unit shall be  
2219 solely for the purposes of preparation of the report and the protective  
2220 order forms for each case and recommendation of services and shall  
2221 otherwise be confidential and retained in the files of such unit and not  
2222 be subject to subpoena or other court process for use in any other  
2223 proceeding or for any other purpose, except that if the victim has  
2224 indicated that the defendant holds a permit to carry a pistol or revolver  
2225 or possesses one or more firearms, the family relations officer shall  
2226 disclose such information to the court and the prosecuting authority  
2227 for appropriate action.

2228 (d) In all cases of family violence, a written or oral report and  
2229 recommendation of the local family violence intervention unit shall be  
2230 available to a judge at the first court date appearance to be presented at  
2231 any time during the court session on that date. A judge of the Superior  
2232 Court may consider and impose the following conditions to protect the  
2233 parties, including, but not limited to: (1) Issuance of a protective order

2234 pursuant to subsection (e) of this section; (2) prohibition against  
2235 subjecting the victim to further violence; (3) referral to a family  
2236 violence education program for batterers; and (4) immediate referral  
2237 for more extensive case assessment. Such protective order shall be an  
2238 order of the court, and the clerk of the court shall cause (A) a certified  
2239 copy of such order to be sent to the victim, and (B) a copy of such  
2240 order, or the information contained in such order, to be sent by  
2241 facsimile or other means within forty-eight hours of its issuance to the  
2242 law enforcement agency for the town in which the victim resides and,  
2243 if the defendant resides in a town different from the town in which the  
2244 victim resides, to the law enforcement agency for the town in which  
2245 the defendant resides. If the victim is employed in a town different  
2246 from the town in which the victim resides, the clerk of the court shall,  
2247 upon the request of the victim, send, by facsimile or other means, a  
2248 copy of such order, or the information contained in such order, to the  
2249 law enforcement agency for the town in which the victim is employed  
2250 within forty-eight hours of the issuance of such order.

2251 (e) A protective order issued under this section may include  
2252 provisions necessary to protect the victim from threats, harassment,  
2253 injury or intimidation by the defendant, including, but not limited to,  
2254 an order enjoining the defendant from (1) imposing any restraint upon  
2255 the person or liberty of the victim, (2) threatening, harassing,  
2256 assaulting, molesting or sexually assaulting the victim, or (3) entering  
2257 the family dwelling or the dwelling of the victim. A protective order  
2258 issued under this section may include provisions necessary to protect  
2259 any animal owned or kept by the victim including, but not limited to,  
2260 an order enjoining the defendant from injuring or threatening to injure  
2261 such animal. Such order shall be made a condition of the bail or release  
2262 of the defendant and shall contain the following language: "In  
2263 accordance with section 53a-223 of the Connecticut general statutes,  
2264 any violation of this order constitutes criminal violation of a protective  
2265 order which is punishable by a term of imprisonment of not more than  
2266 five years, a fine of not more than five thousand dollars, or both.  
2267 Additionally, in accordance with section 53a-107 of the Connecticut

2268 general statutes, entering or remaining in a building or any other  
2269 premises in violation of this order constitutes criminal trespass in the  
2270 first degree which is punishable by a term of imprisonment of not  
2271 more than one year, a fine of not more than two thousand dollars, or  
2272 both. Violation of this order also violates a condition of your bail or  
2273 release, and may result in raising the amount of bail or revoking  
2274 release." Every order of the court made in accordance with this section  
2275 after notice and hearing shall also contain the following language:  
2276 "This court had jurisdiction over the parties and the subject matter  
2277 when it issued this protection order. Respondent was afforded both  
2278 notice and opportunity to be heard in the hearing that gave rise to this  
2279 order. Pursuant to the Violence Against Women Act of 1994, 18 USC  
2280 2265, this order is valid and enforceable in all fifty states, any territory  
2281 or possession of the United States, the District of Columbia, the  
2282 Commonwealth of Puerto Rico and tribal lands." The information  
2283 contained in and concerning the issuance of any protective order  
2284 issued under this section shall be entered in the registry of protective  
2285 orders pursuant to section 51-5c.

2286 (f) In cases referred to the local family violence intervention unit, it  
2287 shall be the function of the unit to (1) identify victim service needs and,  
2288 by contract with victim service providers, make available appropriate  
2289 services and (2) identify appropriate offender services and where  
2290 possible, by contract, provide treatment programs for offenders.

2291 (g) There shall be a pretrial family violence education program for  
2292 persons who are charged with family violence crimes. At a minimum,  
2293 such program shall inform participants of the basic elements of family  
2294 violence law and applicable penalties. The court may, in its discretion,  
2295 invoke such program on motion of the defendant when it finds: (1)  
2296 That the defendant has not previously been convicted of a family  
2297 violence crime which occurred on or after October 1, 1986; (2) the  
2298 defendant has not had a previous case assigned to the family violence  
2299 education program; (3) the defendant has not previously invoked or  
2300 accepted accelerated rehabilitation under section 54-56e for a family

2301 violence crime which occurred on or after October 1, 1986; and (4) that  
2302 the defendant is not charged with a class A, class B or class C felony, or  
2303 an unclassified felony carrying a term of imprisonment of more than  
2304 ten years, or unless good cause is shown, a class D felony or an  
2305 unclassified offense carrying a term of imprisonment of more than five  
2306 years. Participation by any person in the accelerated pretrial  
2307 rehabilitation program under section 54-56e prior to October 1, 1986,  
2308 shall not prohibit eligibility of such person for the pretrial family  
2309 violence education program under this section. The court may require  
2310 that the defendant answer such questions under oath, in open court or  
2311 before any person designated by the clerk and duly authorized to  
2312 administer oaths, under the penalties of perjury as will assist the court  
2313 in making these findings. The court, on such motion, may refer the  
2314 defendant to the family violence intervention unit, and may continue  
2315 [his] the defendant's case pending the submission of the report of the  
2316 unit to the court. The court shall also give notice to the victim or  
2317 victims that the defendant has requested assignment to the family  
2318 violence education program, and, where possible, give the victim or  
2319 victims opportunity to be heard. Any defendant who accepts  
2320 placement in the family violence education program shall agree to the  
2321 tolling of any statute of limitations with respect to the crime or crimes  
2322 with which [he] the defendant is charged, and to a waiver of [his] the  
2323 defendant's right to a speedy trial. Any such defendant shall appear in  
2324 court and shall be released to the custody of the family violence  
2325 intervention unit for such period, not exceeding two years, and under  
2326 such conditions as the court shall order. If the defendant refuses to  
2327 accept, or, having accepted, violates such conditions, [his] the  
2328 defendant's case shall be brought to trial. If the defendant satisfactorily  
2329 completes the family violence education program and complies with  
2330 the conditions imposed for the period set by the court, [he] the  
2331 defendant may apply for dismissal of the charges against [him] the  
2332 defendant and the court, on finding satisfactory compliance, shall  
2333 dismiss such charges. Upon dismissal all records of such charges shall  
2334 be erased pursuant to section 54-142a.

2335 (h) A fee of two hundred dollars shall be paid to the court by any  
2336 person who enters the family violence education program, except that  
2337 no person shall be excluded from such program for inability to pay the  
2338 fee, provided (1) the person files with the court an affidavit of  
2339 indigency or inability to pay and (2) the court enters a finding thereof.  
2340 All such fees shall be credited to the General Fund.

2341 (i) The Judicial Department shall establish an ongoing training  
2342 program for judges, Court Support Services Division personnel and  
2343 clerks to inform them about the policies and procedures of sections  
2344 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, as amended by this act, and  
2345 54-1g, including, but not limited to, the function of the family violence  
2346 intervention units and the use of restraining and protective orders.

2347 Sec. 66. (NEW) (*Effective July 1, 2010*) (a) The Judicial Department  
2348 shall provide training to Judicial Department staff, including court  
2349 personnel, within available appropriations, on family violence issues  
2350 and law, including, but not limited to, issues and law related to family  
2351 violence in immigrant communities. Such training shall address arrest  
2352 policies and eligibility for federal T Visas for victims of human  
2353 trafficking and federal U Visas for unauthorized immigrants who are  
2354 victims of family violence and other crimes.

2355 (b) The Judicial Department shall, on an ongoing basis, within  
2356 available appropriations, study and implement methods to reduce  
2357 disparities in the disposition of family violence cases among  
2358 geographic areas.

2359 Sec. 67. Subsections (a) and (b) of section 4b-51 of the general  
2360 statutes are repealed and the following is substituted in lieu thereof  
2361 (*Effective from passage*):

2362 (a) The Commissioner of Public Works shall have charge and  
2363 supervision of the remodeling, alteration, repair or enlargement of any  
2364 real asset, except any dam, flood or erosion control system, highway,  
2365 bridge or any mass transit, marine or aviation transportation facility, a

2366 facility of the Connecticut Marketing Authority, an asset of the  
2367 Department of Agriculture program established pursuant to section  
2368 26-237a, or any building under the supervision and control of the Joint  
2369 Committee on Legislative Management, involving an expenditure in  
2370 excess of five hundred thousand dollars, and except that (1) the  
2371 Judicial Branch may have charge and supervision of the remodeling,  
2372 alteration, repair, construction or enlargement of any real asset  
2373 involving an expenditure of not more than one million two hundred  
2374 fifty thousand dollars, (2) each constituent unit of the state system of  
2375 higher education may have charge and supervision of the remodeling,  
2376 alteration, repair, construction or enlargement of any real asset  
2377 involving an expenditure of not more than two million dollars, [except  
2378 that] and (3) The University of Connecticut shall have charge and  
2379 supervision of the remodeling, alteration, repair, construction, or  
2380 enlargement of any project, as defined in subdivision (16) of section  
2381 10a-109c, notwithstanding the amount of the expenditure involved. In  
2382 any decision to remodel, alter, repair or enlarge any real asset, the  
2383 commissioner shall consider the capability of the real asset to facilitate  
2384 recycling programs.

2385 (b) No officer, department, institution, board, commission or council  
2386 of the state government, except the Commissioner of Public Works, the  
2387 Commissioner of Transportation, the Connecticut Marketing  
2388 Authority, the Department of Agriculture for purposes of the program  
2389 established pursuant to section 26-237a, the Joint Committee on  
2390 Legislative Management, the Judicial Branch or a constituent unit of  
2391 the state system of higher education as authorized in subsection (a) of  
2392 this section, shall, unless otherwise specifically authorized by law,  
2393 make or contract for the making of any alteration, repair or addition to  
2394 any real asset involving an expenditure of more than five hundred  
2395 thousand dollars.

2396 Sec. 68. Subsections (a) and (b) of section 4b-52 of the general  
2397 statutes are repealed and the following is substituted in lieu thereof  
2398 (*Effective from passage*):

2399 (a) (1) No repairs, alterations or additions involving expense to the  
2400 state of five hundred thousand dollars or less or, in the case of repairs,  
2401 alterations or additions to a building rented or occupied by the Judicial  
2402 Branch, one million two hundred fifty thousand dollars or less or, in  
2403 the case of repairs, alterations or additions to a building rented or  
2404 occupied by a constituent unit of the state system of higher education,  
2405 two million dollars or less, shall be made to any state building or  
2406 premises occupied by any state officer, department, institution, board,  
2407 commission or council of the state government and no contract for any  
2408 construction, repairs, alteration or addition shall be entered into  
2409 without the prior approval of the Commissioner of Public Works,  
2410 except repairs, alterations or additions to a building under the  
2411 supervision and control of the Joint Committee on Legislative  
2412 Management and repairs, alterations or additions to a building under  
2413 the supervision of The University of Connecticut. Repairs, alterations  
2414 or additions which are made pursuant to such approval of the  
2415 Commissioner of Public Works shall conform to all guidelines and  
2416 procedures established by the Department of Public Works for agency-  
2417 administered projects. (2) Notwithstanding the provisions of  
2418 subdivision (1) of this subsection, repairs, alterations or additions  
2419 involving expense to the state of [one hundred thousand] five hundred  
2420 thousand dollars or less may be made to any state building or premises  
2421 under the supervision of the Office of the Chief Court Administrator or  
2422 a constituent unit of the state system of higher education, under the  
2423 terms of section 4b-11, and any contract for any such construction,  
2424 repairs or alteration may be entered into by the Office of the Chief  
2425 Court Administrator or a constituent unit of the state system of higher  
2426 education without the approval of the Commissioner of Public Works.

2427 (b) Except as provided in this section, no repairs, alterations or  
2428 additions involving an expense to the state of more than five hundred  
2429 thousand dollars or, in the case of repairs, alterations or additions to a  
2430 building rented or occupied by the Judicial Branch, more than one  
2431 million two hundred fifty thousand dollars, or, in the case of repairs,  
2432 alterations or additions to a building rented or occupied by a

2433 constituent unit of the state system of higher education, more than two  
2434 million dollars, shall be made to any state building or premises  
2435 occupied by any state officer, department, institution, board,  
2436 commission or council of the state government, nor shall any contract  
2437 for any construction, repairs, alteration or addition be entered into,  
2438 until the Commissioner of Public Works or, in the case of the  
2439 construction or repairs, alterations or additions to a building under the  
2440 supervision and control of the Joint Committee on Legislative  
2441 Management of the General Assembly, said joint committee or, in the  
2442 case of construction, repairs, alterations or additions to a building  
2443 involving expenditures in excess of five hundred thousand dollars but  
2444 not more than one million two hundred fifty thousand dollars under  
2445 the supervision and control of the Judicial Branch, said Judicial Branch  
2446 or, in the case of the construction, repairs, alterations or additions to a  
2447 building involving expenditures in excess of five hundred thousand  
2448 dollars but not more than two million dollars under the supervision  
2449 and control of one of the constituent units of higher education, the  
2450 constituent unit, has invited bids thereon and awarded a contract  
2451 thereon, in accordance with the provisions of sections 4b-91 to 4b-96,  
2452 inclusive. The Commissioner of Public Works, with the approval of the  
2453 authority having the supervision of state employees or the custody of  
2454 inmates of state institutions, without the necessity of bids, may employ  
2455 such employees or inmates and purchase or furnish the necessary  
2456 materials for the construction, erection, alteration, repair or  
2457 enlargement of any such state building or premises occupied by any  
2458 state officer, department, institution, board, commission or council of  
2459 the state government.

2460 Sec. 69. Section 46b-120 of the general statutes, as amended by  
2461 section 73 of public act 07-4 of the June special session, is repealed and  
2462 the following is substituted in lieu thereof (*Effective January 1, 2010*):

2463 The terms used in this chapter shall, in its interpretation and in the  
2464 interpretation of other statutes, be defined as follows:

2465 (1) "Child" means any person under sixteen years of age, except that  
2466 (A) for purposes of delinquency matters and proceedings, "child"  
2467 means any person [(A)] (i) under [eighteen] seventeen years of age  
2468 who has not been legally emancipated, or [(B) eighteen] (ii) seventeen  
2469 years of age or older who, prior to attaining [eighteen] seventeen years  
2470 of age, has committed a delinquent act and, subsequent to attaining  
2471 [eighteen] seventeen years of age, (I) violates any order of the Superior  
2472 Court or any condition of probation ordered by the Superior Court  
2473 with respect to such delinquency proceeding, or (II) wilfully fails to  
2474 appear in response to a summons under section 46b-133, as amended  
2475 by this act, with respect to such delinquency proceeding, and (B) for  
2476 purposes of family with service needs matters and proceedings, child  
2477 means a person under seventeen years of age;

2478 (2) ["youth"] (A) "Youth" means any person sixteen or seventeen  
2479 years of age who has not been legally emancipated, and (B) "youth in  
2480 crisis" means any person seventeen years of age who has not been  
2481 legally emancipated and who, within the last two years, (i) has without  
2482 just cause run away from the parental home or other properly  
2483 authorized and lawful place of abode, (ii) is beyond the control of the  
2484 youth's parents, guardian or other custodian, or (iii) has four  
2485 unexcused absences from school in any one month or ten unexcused  
2486 absences in any school year;

2487 (3) ["abused"] "Abused" means that a child or youth (A) has been  
2488 inflicted with physical injury or injuries other than by accidental  
2489 means, (B) has injuries that are at variance with the history given of  
2490 them, or (C) is in a condition that is the result of maltreatment,  
2491 including, but not limited to, malnutrition, sexual molestation or  
2492 exploitation, deprivation of necessities, emotional maltreatment or  
2493 cruel punishment;

2494 (4) [a] A child may be found "mentally deficient" who, by reason of  
2495 a deficiency of intelligence that has existed from birth or from early  
2496 age, requires, or will require, for such child's protection or for the

2497 protection of others, special care, supervision and control;

2498 (5) [a] (A) A child may be convicted as "delinquent" who has  
2499 [violated (A)] (i) while under sixteen years of age, violated any federal  
2500 or state law [, other than the commission of (i) an infraction or  
2501 violation by a youth under subsection (b) of section 51-164n, or (ii) a  
2502 motor vehicle violation by a youth for which a sentence to a term of  
2503 imprisonment may be imposed, (B) any order of the Superior Court,  
2504 except as provided in section 46b-148, or (C) conditions of probation as  
2505 ordered by the court; (6)] or municipal or local ordinance, except an  
2506 ordinance regulating behavior of a child in a family with service needs,  
2507 (ii) wilfully failed to appear in response to a summons under section  
2508 46b-133, as amended by this act, or at any other court hearing of which  
2509 the child had notice, (iii) violated any order of the Superior Court,  
2510 except as provided in section 46b-148, or (iv) violated conditions of  
2511 probation as ordered by the court;

2512 (B) A child may be convicted as "delinquent" who has (i) while  
2513 sixteen years of age, violated any federal or state law, other than (I) an  
2514 infraction, (II) a violation, (III) a motor vehicle offense or violation as  
2515 defined in chapter 248, or (IV) a violation of a municipal or local  
2516 ordinance, (ii) wilfully failed to appear in response to a summons  
2517 under section 46b-133, as amended by this act, or at any other court  
2518 hearing of which the child had notice, (iii) violated any order of the  
2519 Superior Court, except as provided in section 46b-148, or (iv) violated  
2520 conditions of probation as ordered by the court;

2521 (6) A child or youth may be found "dependent" whose home is a  
2522 suitable one for the child or youth, except for the financial inability of  
2523 the child's or youth's parents, parent or guardian, or other person  
2524 maintaining such home, to provide the specialized care the condition  
2525 of the child or youth requires; [(7) "family]

2526 (7) "Family with service needs" means a family that includes a child  
2527 or a youth sixteen years of age who (A) has without just cause run  
2528 away from the parental home or other properly authorized and lawful

2529 place of abode, (B) is beyond the control of the child's or youth's  
2530 parent, parents, guardian or other custodian, (C) has engaged in  
2531 indecent or immoral conduct, (D) is a truant or habitual truant or who,  
2532 while in school, has been continuously and overtly defiant of school  
2533 rules and regulations, or (E) is thirteen years of age or older and has  
2534 engaged in sexual intercourse with another person and such other  
2535 person is thirteen years of age or older and not more than two years  
2536 older or younger than such child or youth; [(8) a]

2537 (8) A child or youth may be found "neglected" who (A) has been  
2538 abandoned, (B) is being denied proper care and attention, physically,  
2539 educationally, emotionally or morally, (C) is being permitted to live  
2540 under conditions, circumstances or associations injurious to the  
2541 well-being of the child or youth, or (D) has been abused; [(9) a]

2542 (9) A child or youth may be found "uncared for" who is homeless or  
2543 whose home cannot provide the specialized care that the physical,  
2544 emotional or mental condition of the child or youth requires. For the  
2545 purposes of this section, the treatment of any child or youth by an  
2546 accredited Christian Science practitioner, in lieu of treatment by a  
2547 licensed practitioner of the healing arts, shall not of itself constitute  
2548 neglect or maltreatment; [(10) "delinquent act"]

2549 (10) "Delinquent act" means [the violation of any federal or state  
2550 law, or the violation of any order of the Superior Court, other than the  
2551 commission of (A) an infraction or violation by a youth under  
2552 subsection (b) of section 51-164n, or (B) a motor vehicle violation by a  
2553 youth for which a sentence to a term of imprisonment may be  
2554 imposed; (11) "serious] (A) the violation by a child under the age of  
2555 sixteen of any federal or state law or municipal or local ordinance,  
2556 except an ordinance regulating behavior of a child in a family with  
2557 service needs, (B) the violation by a child sixteen years of age of any  
2558 federal or state law, other than (i) an infraction, (ii) a violation, (iii) a  
2559 motor vehicle offense or violation under chapter 248, or (iv) a violation  
2560 of a municipal or local ordinance, (C) wilful failure of a child to appear

2561 in response to a summons under section 46b-133, as amended by this  
2562 act, or at any other court hearing of which the child has notice, (D) the  
2563 violation of any order of the Superior Court by a child, except as  
2564 provided in section 46b-148, or (E) the violation of conditions of  
2565 probation by a child as ordered by the court;

2566 (11) "Serious juvenile offense" means (A) the violation of, including  
2567 attempt or conspiracy to violate, (i) section 21a-277, 21a-278, 29-33,  
2568 29-34, 29-35, 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive,  
2569 53a-54a to 53a-56a, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to  
2570 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95,  
2571 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,  
2572 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of  
2573 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a,  
2574 53a-166 or 53a-167c, subsection (a) of section 53a-174, or section  
2575 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, by a child, or (ii)  
2576 section 53a-56b or 53a-57 by a child under sixteen years of age, or (B)  
2577 running away, without just cause, from any secure placement other  
2578 than home while referred as a delinquent child to the Court Support  
2579 Services Division or committed as a delinquent child to the  
2580 Commissioner of Children and Families for a serious juvenile offense;  
2581 [(12) "serious juvenile offender"]

2582 (12) "Serious juvenile offender" means any child convicted as  
2583 delinquent for the commission of a serious juvenile offense; [(13)  
2584 "serious juvenile repeat offender"]

2585 (13) "Serious juvenile repeat offender" means any child charged  
2586 with the commission of any felony if such child has previously been  
2587 convicted as delinquent or otherwise convicted at any age for two  
2588 violations of any provision of title 21a, 29, 53 or 53a that is designated  
2589 as a felony; [(14) "alcohol-dependent"]

2590 (14) "Alcohol-dependent" means a psychoactive substance  
2591 dependence on alcohol as that condition is defined in the most recent  
2592 edition of the American Psychiatric Association's "Diagnostic and

2593 Statistical Manual of Mental Disorders"; and [(15) "drug-dependent"]

2594 (15) "Drug-dependent" means a psychoactive substance dependence  
2595 on drugs as that condition is defined in the most recent edition of the  
2596 American Psychiatric Association's "Diagnostic and Statistical Manual  
2597 of Mental Disorders". No child shall be classified as [drug dependent]  
2598 drug-dependent who is dependent (A) upon a morphine-type  
2599 substance as an incident to current medical treatment of a  
2600 demonstrable physical disorder other than drug dependence, or (B)  
2601 upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or  
2602 other stimulant and depressant substances as an incident to current  
2603 medical treatment of a demonstrable physical or psychological  
2604 disorder, or both, other than drug dependence.

2605 Sec. 70. Section 46b-121 of the general statutes, as amended by  
2606 section 74 of public act 07-4 of the June special session, is repealed and  
2607 the following is substituted in lieu thereof (*Effective January 1, 2010*):

2608 (a) (1) Juvenile matters in the civil session include all proceedings  
2609 concerning uncared-for, neglected or dependent children and youths  
2610 within this state, termination of parental rights of children committed  
2611 to a state agency, matters concerning families with service needs,  
2612 contested matters involving termination of parental rights or removal  
2613 of guardian transferred from the Probate Court and the emancipation  
2614 of minors, but does not include matters of guardianship and adoption  
2615 or matters affecting property rights of any child or youth over which  
2616 the Probate Court has jurisdiction, except that appeals from probate  
2617 concerning adoption, termination of parental rights and removal of a  
2618 parent as guardian shall be included.

2619 (2) Juvenile matters in the criminal session include all proceedings  
2620 concerning delinquent children within this state and persons  
2621 [eighteen] seventeen years of age and older who are under the  
2622 supervision of a juvenile probation officer while on probation or a  
2623 suspended commitment to the Department of Children and Families,  
2624 for purposes of enforcing any court orders entered as part of such

2625 probation or suspended commitment.

2626 (b) (1) In juvenile matters, the Superior Court shall have authority to  
2627 make and enforce such orders directed to parents, including any  
2628 person who acknowledges before the court paternity of a child born  
2629 out of wedlock, guardians, custodians or other adult persons owing  
2630 some legal duty to a child or youth therein, as the court deems  
2631 necessary or appropriate to secure the welfare, protection, proper care  
2632 and suitable support of a child or youth subject to the court's  
2633 jurisdiction or otherwise committed to or in the custody of the  
2634 Commissioner of Children and Families. The Superior Court may  
2635 order a local or regional board of education to provide to the court  
2636 educational records of a child or youth for the purpose of determining  
2637 the need for services or placement of the child or youth. In proceedings  
2638 concerning a child charged with a delinquent act or with being from a  
2639 family with service needs, records produced subject to such an order  
2640 shall be maintained under seal by the court and shall be released only  
2641 after a hearing or with the consent of the child. Educational records  
2642 obtained pursuant to this section shall be used only for dispositional  
2643 purposes. In addition, with respect to proceedings concerning  
2644 delinquent children, the Superior Court shall have authority to make  
2645 and enforce such orders as the court deems necessary or appropriate to  
2646 punish the child, deter the child from the commission of further  
2647 delinquent acts, assure that the safety of any other person will not be  
2648 endangered and provide restitution to any victim. The Superior Court  
2649 shall also have authority to grant and enforce temporary and  
2650 permanent injunctive relief in all proceedings concerning juvenile  
2651 matters.

2652 (2) If any order for the payment of money is issued by the Superior  
2653 Court, including any order assessing costs issued under section  
2654 46b-134 or 46b-136, the collection of such money shall be made by the  
2655 court, except orders for support of children committed to any state  
2656 agency or department, which orders shall be made payable to and  
2657 collected by the Department of Administrative Services. If the Superior

2658 Court after due diligence is unable to collect such moneys within six  
2659 months, the court shall refer such case to the Department of  
2660 Administrative Services for collection as a delinquent account. In  
2661 juvenile matters, the Superior Court shall have authority to make and  
2662 enforce orders directed to persons liable hereunder on petition of the  
2663 Department of Administrative Services made to the court in the same  
2664 manner as is provided in section 17b-745, in accordance with the  
2665 provisions of section 17b-81 or 17b-223, subsection (b) of section  
2666 17b-179 or section 17a-90, 46b-129 or 46b-130, and all of the provisions  
2667 of section 17b-745 shall be applicable to such proceedings. Any judge  
2668 hearing a juvenile matter may make any other order in connection  
2669 therewith that a judge of the Superior Court is authorized to grant and  
2670 such order shall have the same force and effect as any other order of  
2671 the Superior Court. In the enforcement of the court's orders, in  
2672 connection with any juvenile matter, the court may issue process for  
2673 the arrest of any person, compel attendance of witnesses and punish  
2674 for contempt by a fine not exceeding one hundred dollars or  
2675 imprisonment not exceeding six months.

2676 Sec. 71. Subsection (c) of section 46b-127 of the general statutes, as  
2677 amended by section 75 of public act 07-4 of the June special session, is  
2678 repealed and the following is substituted in lieu thereof (*Effective*  
2679 *January 1, 2010*):

2680 (c) Upon the effectuation of the transfer, such child shall stand trial  
2681 and be sentenced, if convicted, as if such child were [eighteen]  
2682 seventeen years of age. Such child shall receive credit against any  
2683 sentence imposed for time served in a juvenile facility prior to the  
2684 effectuation of the transfer. A child who has been transferred may  
2685 enter a guilty plea to a lesser offense if the court finds that such plea is  
2686 made knowingly and voluntarily. Any child transferred to the regular  
2687 criminal docket who pleads guilty to a lesser offense shall not resume  
2688 such child's status as a juvenile regarding such offense. If the action is  
2689 dismissed or nolleed or if such child is found not guilty of the charge for  
2690 which such child was transferred or of any lesser included offenses,

2691 the child shall resume such child's status as a juvenile until such child  
2692 attains the age of [eighteen] seventeen years.

2693 Sec. 72. Section 46b-133 of the general statutes, as amended by  
2694 section 85 of public act 07-4 of the June special session, is repealed and  
2695 the following is substituted in lieu thereof (*Effective January 1, 2010*):

2696 (a) Nothing in this part shall be construed as preventing the arrest of  
2697 a child, with or without a warrant, as may be provided by law, or as  
2698 preventing the issuance of warrants by judges in the manner provided  
2699 by section 54-2a, except that no child shall be taken into custody on  
2700 such process except on apprehension in the act, or on speedy  
2701 information, or in other cases when the use of such process appears  
2702 imperative. Whenever a child is arrested and charged with a crime,  
2703 such child may be required to submit to the taking of his photograph,  
2704 physical description and fingerprints. Notwithstanding the provisions  
2705 of section 46b-124, the name, photograph and custody status of any  
2706 child arrested for the commission of a capital felony or class A felony  
2707 may be disclosed to the public.

2708 (b) Whenever a child is brought before a judge of the Superior  
2709 Court, such judge shall immediately have the case proceeded upon as  
2710 a juvenile matter. Such judge may admit the child to bail or release the  
2711 child in the custody of the child's parent or parents, the child's  
2712 guardian or some other suitable person to appear before the Superior  
2713 Court when ordered. If detention becomes necessary, such detention  
2714 shall be in the manner prescribed by this chapter, provided the child  
2715 shall be placed in the least restrictive environment possible in a  
2716 manner consistent with public safety.

2717 (c) Upon the arrest of any child by an officer, such officer (1) may  
2718 release [him] the child to the custody of [his] the child's parent or  
2719 parents, guardian or some other suitable person or agency, (2) at the  
2720 discretion of the officer, release the child to the child's own custody, or  
2721 [may] (3) immediately turn [him] the child over to a juvenile detention  
2722 center. When a child is arrested for the commission of a delinquent act

2723 and the child is not placed in detention or referred to a diversionary  
2724 program, an officer shall serve a written complaint and summons on  
2725 the child and [his] the child's parent, guardian or [other person having  
2726 control of the child] some other suitable person or agency. If such child  
2727 is released to the child's own custody, the officer shall make reasonable  
2728 efforts to notify, and to provide a copy of a written complaint and  
2729 summons to, the parent or guardian or some other suitable person or  
2730 agency prior to the court date on the summons. [Such parent, guardian  
2731 or other person shall execute a written promise to appear in court at  
2732 the time and place specified in such summons.] If any person so  
2733 summoned wilfully fails to appear in court at the time and place so  
2734 specified, the court may issue a warrant for the child's arrest or a  
2735 capias to assure the appearance in court of such parent, guardian or  
2736 other person. If a child wilfully fails to appear in response to such a  
2737 summons, the court may order such child taken into custody and such  
2738 child may be charged with the delinquent act of wilful failure to  
2739 appear under section 46b-120, as amended by this act. The court may  
2740 punish for contempt, as provided in section 46b-121, as amended by  
2741 this act, any parent, guardian or other person so summoned who  
2742 wilfully fails to appear in court at the time and place so specified.

2743 (d) The court or detention supervisor may turn such child over to a  
2744 youth service program created for such purpose, if such course is  
2745 practicable, or such child may be detained pending a hearing which  
2746 shall be held on the business day next following [his] the child's arrest.  
2747 No child shall be detained after such hearing or held in detention  
2748 pursuant to a court order unless it appears from the available facts that  
2749 there is probable cause to believe that the child has committed the acts  
2750 alleged, there is no less restrictive alternative available and that there is  
2751 (1) a strong probability that the child will run away prior to the court  
2752 hearing or disposition, (2) a strong probability that the child will  
2753 commit or attempt to commit other offenses injurious to [him] the  
2754 child or to the community [before] prior to the court disposition, (3)  
2755 probable cause to believe that the child's continued residence in [his]  
2756 the child's home pending disposition [will not safeguard the best

2757 interests of the child or the community] poses a risk to the child or the  
2758 community because of the serious and dangerous nature of the act or  
2759 acts [he] the child is alleged to have committed, (4) a need to hold the  
2760 child for another jurisdiction, [or] (5) a need to hold the child to assure  
2761 [his] the child's appearance before the court, in view of [his] the child's  
2762 previous failure to respond to the court process, or (6) the child has  
2763 violated one or more of the conditions of a suspended detention order.  
2764 Such probable cause may be shown by sworn affidavit in lieu of  
2765 testimony. No child shall be released from detention who is alleged to  
2766 have committed a serious juvenile offense except by order of a judge of  
2767 the Superior Court. [In no case shall a child be] Any child confined in a  
2768 community correctional center or lockup [, or in any place where  
2769 adults are or may be confined] shall be held in an area separate and  
2770 apart from any adult detainee, except in the case of a nursing infant, [;  
2771 nor shall any child] and no child shall at any time be held in solitary  
2772 confinement. When a female child is held in custody, she shall, as far  
2773 as possible, be in the charge of a woman attendant.

2774 (e) The police officer who brings a child into detention shall have  
2775 first notified, or made a reasonable effort to notify, the parents or  
2776 guardian of the child in question of the intended action and shall file at  
2777 the detention center a signed statement setting forth the alleged  
2778 delinquent conduct of the child. Unless the arrest was for a serious  
2779 juvenile offense or unless an order not to release is noted on the take  
2780 into custody order, arrest warrant or order to detain, the child may be  
2781 released by a detention supervisor to the custody of [his] the child's  
2782 parent or parents, guardian or some other suitable person or agency.

2783 (f) In conjunction with any order of release from detention the court  
2784 may, when it has reason to believe a child is alcohol-dependent or  
2785 drug-dependent as defined in section 46b-120, as amended by this act,  
2786 and where necessary, reasonable and appropriate, order the child to  
2787 participate in a program of periodic alcohol or drug testing and  
2788 treatment as a condition of such release. The results of any such  
2789 alcohol or drug test shall be admissible only for the purposes of

2790 enforcing the conditions of release from detention.

2791 (g) Whenever the population of a juvenile detention center equals or  
2792 exceeds the maximum capacity for such center, as determined by the  
2793 Judicial [Department] Branch, the detention supervisor in charge of  
2794 intake shall [only] admit only a child who: (1) Is charged with the  
2795 commission of a serious juvenile offense, (2) is the subject of an order  
2796 to detain or an outstanding court order to take such child into custody,  
2797 (3) is ordered by a court to be held in detention, or (4) is being  
2798 transferred to such center to await a court appearance.

2799 Sec. 73. Subsection (f) of section 46b-133c of the general statutes, as  
2800 amended by section 76 of public act 07-4 of the June special session, is  
2801 repealed and the following is substituted in lieu thereof (*Effective*  
2802 *January 1, 2010*):

2803 (f) Whenever a proceeding has been designated a serious juvenile  
2804 repeat offender prosecution pursuant to subsection (b) of this section  
2805 and the child does not waive such child's right to a trial by jury, the  
2806 court shall transfer the case from the docket for juvenile matters to the  
2807 regular criminal docket of the Superior Court. Upon transfer, such  
2808 child shall stand trial and be sentenced, if convicted, as if such child  
2809 were [eighteen] seventeen years of age, except that no such child shall  
2810 be placed in a correctional facility but shall be maintained in a facility  
2811 for children and youths until such child attains [eighteen] seventeen  
2812 years of age or until such child is sentenced, whichever occurs first.  
2813 Such child shall receive credit against any sentence imposed for time  
2814 served in a juvenile facility prior to the effectuation of the transfer. A  
2815 child who has been transferred may enter a guilty plea to a lesser  
2816 offense if the court finds that such plea is made knowingly and  
2817 voluntarily. Any child transferred to the regular criminal docket who  
2818 pleads guilty to a lesser offense shall not resume such child's status as  
2819 a juvenile regarding such offense. If the action is dismissed or nolleed or  
2820 if such child is found not guilty of the charge for which such child was  
2821 transferred, the child shall resume such child's status as a juvenile until

2822 such child attains [eighteen] seventeen years of age.

2823 Sec. 74. Subsection (f) of section 46b-133d of the general statutes, as  
2824 amended by section 77 of public act 07-4 of the June special session, is  
2825 repealed and the following is substituted in lieu thereof (*Effective*  
2826 *January 1, 2010*):

2827 (f) When a proceeding has been designated a serious sexual  
2828 offender prosecution pursuant to subsection (c) of this section and the  
2829 child does not waive the right to a trial by jury, the court shall transfer  
2830 the case from the docket for juvenile matters to the regular criminal  
2831 docket of the Superior Court. Upon transfer, such child shall stand trial  
2832 and be sentenced, if convicted, as if such child were [eighteen]  
2833 seventeen years of age, except that no such child shall be placed in a  
2834 correctional facility but shall be maintained in a facility for children  
2835 and youths until such child attains [eighteen] seventeen years of age or  
2836 until such child is sentenced, whichever occurs first. Such child shall  
2837 receive credit against any sentence imposed for time served in a  
2838 juvenile facility prior to the effectuation of the transfer. A child who  
2839 has been transferred may enter a guilty plea to a lesser offense if the  
2840 court finds that such plea is made knowingly and voluntarily. Any  
2841 child transferred to the regular criminal docket who pleads guilty to a  
2842 lesser offense shall not resume such child's status as a juvenile  
2843 regarding such offense. If the action is dismissed or nolleed or if such  
2844 child is found not guilty of the charge for which such child was  
2845 transferred, the child shall resume such child's status as a juvenile until  
2846 such child attains [eighteen] seventeen years of age.

2847 Sec. 75. Section 46b-137 of the general statutes is repealed and the  
2848 following is substituted in lieu thereof (*Effective January 1, 2010*):

2849 (a) Any admission, confession or statement, written or oral, made by  
2850 a child under the age of sixteen to a police officer or Juvenile Court  
2851 official shall be inadmissible in any proceeding concerning the alleged  
2852 delinquency of the child making such admission, confession or  
2853 statement unless made by such child in the presence of [his] the child's

2854 parent or parents or guardian and after the parent or parents or  
2855 guardian and child have been advised (1) of the child's right to retain  
2856 counsel, or if unable to afford counsel, to have counsel appointed on  
2857 the child's behalf, (2) of the child's right to refuse to make any  
2858 statements, and (3) that any statements [he] the child makes may be  
2859 introduced into evidence against [him] the child.

2860 (b) Any admission, confession or statement, written or oral, made  
2861 by a child sixteen years of age to a police officer or Juvenile Court  
2862 official shall be inadmissible in any proceeding concerning the alleged  
2863 delinquency of the child making such admission, confession or  
2864 statement, unless (1) the police or Juvenile Court official has made  
2865 reasonable efforts to contact a parent or guardian of the child, and (2)  
2866 such child has been advised that (A) the child has the right to contact a  
2867 parent or guardian and to have a parent or guardian present during  
2868 any interview, (B) the child has the right to retain counsel or, if unable  
2869 to afford counsel, to have counsel appointed on behalf of the child, (C)  
2870 the child has the right to refuse to make any statement, and (D) any  
2871 statement the child makes may be introduced into evidence against the  
2872 child.

2873 (c) The admissibility of any admission, confession or statement,  
2874 written or oral, made by a child sixteen years of age to a police officer  
2875 or Juvenile Court official shall be determined by considering the  
2876 totality of the circumstances at the time of the making of such  
2877 admission, confession or statement. When determining the  
2878 admissibility of such admission, confession or statement, the court  
2879 shall consider (1) the age, experience, education, background and  
2880 intelligence of the child, (2) the capacity of the child to understand the  
2881 advice concerning rights and warnings required under subdivision (2)  
2882 of subsection (b) of this section, the nature of the privilege against self-  
2883 incrimination under the United States and Connecticut Constitutions,  
2884 and the consequences of waiving such rights and privilege, (3) the  
2885 opportunity the child had to speak with a parent, guardian or some  
2886 other suitable individual prior to or while making such admission,

2887 confession or statement, and (4) the circumstances surrounding the  
2888 making of the admission, confession or statement, including, but not  
2889 limited to, (A) when and where the admission, confession or statement  
2890 was made, (B) the reasonableness of proceeding, or the need to  
2891 proceed, without a parent or guardian present, and (C) the  
2892 reasonableness of efforts by the police or Juvenile Court official to  
2893 attempt to contact a parent or guardian.

2894 [(b)] (d) Any confession, admission or statement, written or oral,  
2895 made by the parent or parents or guardian of the child or youth after  
2896 the filing of a petition alleging such child or youth to be neglected,  
2897 uncared-for or dependent, shall be inadmissible in any proceeding  
2898 held upon such petition against the person making such admission or  
2899 statement unless such person shall have been advised of [his] the  
2900 person's right to retain counsel, and that if [he] the person is unable to  
2901 afford counsel, counsel will be appointed to represent [him] the  
2902 person, that [he] the person has a right to refuse to make any statement  
2903 and that any statements [he] the person makes may be introduced in  
2904 evidence against [him] the person.

2905 Sec. 76. Subsection (g) of section 46b-140 of the general statutes is  
2906 repealed and the following is substituted in lieu thereof (*Effective*  
2907 *January 1, 2010*):

2908 (g) Any child or youth coming within the jurisdiction of the court,  
2909 who is found to be mentally ill, may be committed by said court to the  
2910 Commissioner of Children and Families and, if the court convicts a  
2911 child as delinquent and finds such child to be mentally deficient, [it]  
2912 the court may commit such child to an institution for mentally  
2913 deficient children or youth or delinquents. Whenever it is found that a  
2914 child convicted [by the court] as delinquent or adjudged [by the court]  
2915 to be a member of a family with service needs [who is fourteen years of  
2916 age or older would not benefit from continued school attendance]  
2917 would benefit from a work-study program or employment with or  
2918 without continued school attendance, the court may, [order] as a

2919 condition of probation or supervision, authorize such child to be  
2920 [placed on vocational probation if such court finds that such child may  
2921 properly be] employed for part or full-time at some useful occupation  
2922 [and that such employment] that would be favorable to such child's  
2923 welfare, and the probation officer shall supervise such employment.  
2924 For the purposes of this section, the limitations of subsection (a) of  
2925 section 31-23 on the employment of minors under the age of sixteen  
2926 years shall not apply for the duration of such [vocational] probation or  
2927 supervision.

2928 Sec. 77. Section 46b-146 of the general statutes, as amended by  
2929 section 80 of public act 07-4 of the June special session, is repealed and  
2930 the following is substituted in lieu thereof (*Effective January 1, 2010*):

2931 Whenever any child has been [found to be] convicted as delinquent,  
2932 [or] has been adjudicated a member of a family with service needs [,]  
2933 or has signed a statement of responsibility admitting to having  
2934 committed a delinquent act, [or being a member of a family with  
2935 service needs,] and has subsequently been discharged from the  
2936 supervision of the Superior Court or from the custody of the  
2937 Department of Children and Families or from the care of any other  
2938 institution or agency to whom the child has been committed by the  
2939 court, such child, or the child's parent or guardian, may file a petition  
2940 with the Superior Court. [and, if] If such court finds (1) that at least  
2941 two years or, in the case of a child convicted as delinquent for the  
2942 commission of a serious juvenile offense, four years have elapsed from  
2943 the date of such discharge, (2) that no subsequent juvenile proceeding  
2944 [has been instituted] or adult criminal proceeding is pending against  
2945 such child, (3) that such child has not been [found guilty of a crime]  
2946 convicted of a delinquent act that would constitute a felony or  
2947 misdemeanor if committed by an adult during such two-year or four-  
2948 year period, (4) that such child has not been convicted as an adult of a  
2949 felony or misdemeanor during such two-year or four-year period, and  
2950 (5) that such child has reached [sixteen] seventeen years of age, [within  
2951 such period, it] the court shall order all police and court records

2952 pertaining to such child to be erased. Upon the entry of such an  
2953 erasure order, all references including arrest, complaint, referrals,  
2954 petitions, reports and orders, shall be removed from all agency, official  
2955 and institutional files, and a finding of delinquency or that the child  
2956 was a member of a family with service needs shall be deemed never to  
2957 have occurred. The persons in charge of such records shall not disclose  
2958 to any person information pertaining to the record so erased, except  
2959 that the fact of such erasure may be substantiated where, in the  
2960 opinion of the court, it is in the best interests of such child to do so. No  
2961 child who has been the subject of such an erasure order shall be  
2962 deemed to have been arrested ab initio, within the meaning of the  
2963 general statutes, with respect to proceedings so erased. Copies of the  
2964 erasure order shall be sent to all persons, agencies, officials or  
2965 institutions known to have information pertaining to the delinquency  
2966 or family with service needs proceedings affecting such child.  
2967 Whenever a child is dismissed as not delinquent or as not being a  
2968 member of a family with service needs, all police and court records  
2969 pertaining to such charge shall be ordered erased immediately,  
2970 without the filing of a petition. Nothing in this section shall prohibit  
2971 the court from granting a petition to erase a child's records on a  
2972 showing of good cause, after a hearing, before the time when such  
2973 records could be erased.

2974 Sec. 78. Subsection (c) of section 10-19m of the general statutes, as  
2975 amended by section 78 of public act 07-4 of the June special session, is  
2976 repealed and the following is substituted in lieu thereof (*Effective*  
2977 *January 1, 2010*):

2978 (c) The Commissioner of Education shall adopt regulations, in  
2979 accordance with the provisions of chapter 54, establishing minimum  
2980 standards for such youth service bureaus and the criteria for qualifying  
2981 for state cost-sharing grants, including, but not limited to, allowable  
2982 sources of funds covering the local share of the costs of operating such  
2983 bureaus, acceptable in-kind contributions and application procedures.  
2984 Said commissioner shall, on December 1, 1979, and annually thereafter,

2985 report to the General Assembly on the referral or diversion of children  
2986 under the age of [eighteen] seventeen years from the juvenile justice  
2987 system and on the referral or diversion of children aged seventeen and  
2988 eighteen years from the court system. Such report shall include, but  
2989 not be limited to, the number of times any child is so diverted, the  
2990 number of children diverted, the type of service provided to any such  
2991 child, by whom such child was diverted, the ages of the children  
2992 diverted and such other information and statistics as the General  
2993 Assembly may request from time to time. Any such report shall  
2994 contain no identifying information about any particular child.

2995 Sec. 79. Section 46b-150f of the general statutes is repealed and the  
2996 following is substituted in lieu thereof (*Effective January 1, 2010*):

2997 (a) Any selectman, town manager, police officer or welfare  
2998 department of any town, city or borough, any probation officer, any  
2999 superintendent of schools, any child-caring institution or agency  
3000 approved or licensed by the Commissioner of Children and Families,  
3001 any youth service bureau, a parent, guardian, foster parent or other  
3002 custodian of a youth seventeen years of age, or a representative of a  
3003 youth seventeen years of age, who believes that the acts or omissions  
3004 of [a] such youth are such that such youth is a youth in crisis may file a  
3005 written complaint setting forth those facts with the Superior Court  
3006 which has venue over the matter.

3007 (b) A petition alleging that a youth is a youth in crisis shall be  
3008 verified and filed with the Superior Court which has venue over the  
3009 matter. The petition shall set forth plainly: (1) The facts which bring  
3010 the youth within the jurisdiction of the court; (2) the name, date of  
3011 birth, sex and residence of the youth; (3) the name and residence of the  
3012 parent or parents, guardian, foster parent, other custodian or other  
3013 person having control of the youth; and (4) a prayer for appropriate  
3014 action by the court in conformity with the provisions of this section.

3015 (c) Upon determination that a youth is a youth in crisis in  
3016 accordance with policies established by the Chief Court Administrator,

3017 the court may make and enforce orders, including, but not limited to,  
3018 orders: (1) Directing the Commissioner of Motor Vehicles to suspend  
3019 the motor vehicle operator's license of the youth in crisis for a period of  
3020 time, as directed by the court, but not to exceed one year; (2) requiring  
3021 work or specified community service; (3) mandating that the youth in  
3022 crisis attend an educational program in the local community approved  
3023 by the court; (4) requiring mental health services; (5) referring the  
3024 youth in crisis to a youth service bureau, provided one exists in the  
3025 local community; and (6) reviewing the option of emancipation,  
3026 pursuant to section 46b-150, of the youth in crisis or the parent,  
3027 guardian, foster parent or other custodian of such youth in crisis. Upon  
3028 determination that a youth is a youth in crisis because the youth has  
3029 without just cause run away from the parental home or other properly  
3030 authorized and lawful place of abode, the court may, prior to January  
3031 1, 2010, order the youth in crisis to be subject to the control of the  
3032 youth's parent or parents, guardian, foster parent or other custodian,  
3033 except as required under any other provision of law, for a period of  
3034 time, as directed by the court, but not beyond the date the youth  
3035 attains the age of eighteen. A youth in crisis found to be in violation of  
3036 any order under this section shall not be considered to be delinquent  
3037 and shall not be punished by the court by incarceration in any state-  
3038 operated detention facility or correctional facility.

3039 (d) The Judicial Department may use any funds appropriated for  
3040 purposes of this chapter for costs incurred by the department or the  
3041 court pursuant to this section.

3042 Sec. 80. Section 46b-150g of the general statutes is repealed and the  
3043 following is substituted in lieu thereof (*Effective January 1, 2010*):

3044 (a) Any police officer who receives a report from the parent or  
3045 guardian of a youth in crisis, as defined in subparagraph [(A)] (B)(i) of  
3046 subdivision [(3)] (2) of section 46b-120, as amended by this act, shall  
3047 attempt to locate the youth in crisis. If the officer locates such youth in  
3048 crisis, such officer shall report the location of the youth to the parent or

3049 guardian in accordance with the provisions of federal and state law  
3050 after such officer determines that such report does not place the youth  
3051 in any physical or emotional harm. In addition, the police officer shall  
3052 respond in one of the following ways: (1) Transport the youth in crisis  
3053 to the home of the child's parent or guardian or a suitable and worthy  
3054 adult; (2) refer the youth in crisis to the probate court in the district  
3055 where the youth in crisis is located, provided the probate judge for  
3056 such probate court is willing to accept the referral; (3) hold the youth  
3057 in crisis in protective custody for a maximum period of twelve hours  
3058 until the officer can determine a more suitable disposition of the  
3059 matter, provided (A) the youth in crisis is not held in any cell designed  
3060 or used for adults, and (B) the officer may release the youth in crisis to  
3061 the parent or guardian of the youth if the officer determines that  
3062 returning the youth does not place the youth in any physical or  
3063 emotional harm; (4) transport or refer a youth in crisis to any public or  
3064 private agency serving children, with or without the agreement of the  
3065 youth in crisis; (5) refer the youth in crisis to a youth service bureau,  
3066 provided one exists in the local community; or (6) if the police officer is  
3067 unable to transport, refer or hold the youth in crisis pursuant to  
3068 subdivisions (1) to (5), inclusive, of this subsection, refer the youth in  
3069 crisis to the superior court for juvenile matters in the district where the  
3070 youth in crisis is located. If a youth in crisis is transported or referred  
3071 to an agency pursuant to this section, such agency shall provide  
3072 temporary services to the youth in crisis unless or until the parent or  
3073 guardian of the youth in crisis at any time refuses to agree to those  
3074 services.

3075 (b) Any police officer acting in accordance with the provisions of  
3076 this section shall be deemed to be acting in the course of the police  
3077 officer's official duties.

3078 Sec. 81. (*Effective from passage*) Section 123 of public act 07-4 of the  
3079 June special session shall take effect July 1, 2012.

3080 Sec. 82. Section 46b-120 of the general statutes, as amended by

3081 section 69 of this act, is repealed and the following is substituted in lieu  
3082 thereof (*Effective July 1, 2012*):

3083 The terms used in this chapter shall, in its interpretation and in the  
3084 interpretation of other statutes, be defined as follows:

3085 (1) "Child" means any person under sixteen years of age, except that  
3086 (A) for purposes of delinquency matters and proceedings, "child"  
3087 means any person (i) under [seventeen] eighteen years of age who has  
3088 not been legally emancipated, or [seventeen] (ii) eighteen years of age  
3089 or older who, prior to attaining [seventeen] eighteen years of age, has  
3090 committed a delinquent act and, subsequent to attaining [seventeen]  
3091 eighteen years of age, (I) violates any order of the Superior Court or  
3092 any condition of probation ordered by the Superior Court with respect  
3093 to such delinquency proceeding, or (II) wilfully fails to appear in  
3094 response to a summons under section 46b-133, as amended by this act,  
3095 with respect to such delinquency proceeding, and (B) for purposes of  
3096 family with service needs matters and proceedings, child means a  
3097 person under [seventeen] eighteen years of age;

3098 (2) [(A)] "Youth" means any person sixteen or seventeen years of  
3099 age; [ and (B) "youth in crisis" means any person seventeen years of  
3100 age who has not been legally emancipated and who, within the last  
3101 two years, (i) has without just cause run away from the parental home  
3102 or other properly authorized and lawful place of abode, (ii) is beyond  
3103 the control of the youth's parents, guardian or other custodian, or (iii)  
3104 has four unexcused absences from school in any one month or ten  
3105 unexcused absences in any school year;]

3106 (3) "Abused" means that a child or youth (A) has been inflicted with  
3107 physical injury or injuries other than by accidental means, (B) has  
3108 injuries that are at variance with the history given of them, or (C) is in  
3109 a condition that is the result of maltreatment, including, but not  
3110 limited to, malnutrition, sexual molestation or exploitation,  
3111 deprivation of necessities, emotional maltreatment or cruel  
3112 punishment;

3113 (4) A child may be found "mentally deficient" who, by reason of a  
3114 deficiency of intelligence that has existed from birth or from early age,  
3115 requires, or will require, for such child's protection or for the  
3116 protection of others, special care, supervision and control;

3117 (5) (A) A child may be convicted as "delinquent" who has (i) while  
3118 under sixteen years of age, violated any federal or state law or  
3119 municipal or local ordinance, except an ordinance regulating behavior  
3120 of a child in a family with service needs, (ii) wilfully failed to appear in  
3121 response to a summons under section 46b-133, as amended by this act,  
3122 or at any other court hearing of which the child had notice, (iii)  
3123 violated any order of the Superior Court, except as provided in section  
3124 46b-148, or (iv) violated conditions of probation as ordered by the  
3125 court;

3126 (B) A child may be convicted as "delinquent" who has (i) while  
3127 sixteen or seventeen years of age, violated any federal or state law,  
3128 other than (I) an infraction, (II) a violation, (III) a motor vehicle offense  
3129 or violation as defined in chapter 248, or (IV) a violation of a municipal  
3130 or local ordinance, (ii) wilfully failed to appear in response to a  
3131 summons under section 46b-133, as amended by this act, or at any  
3132 other court hearing of which the child had notice, (iii) violated any  
3133 order of the Superior Court, except as provided in section 46b-148, or  
3134 (iv) violated conditions of probation as ordered by the court;

3135 (6) A child or youth may be found "dependent" whose home is a  
3136 suitable one for the child or youth, except for the financial inability of  
3137 the child's or youth's parents, parent or guardian, or other person  
3138 maintaining such home, to provide the specialized care the condition  
3139 of the child or youth requires;

3140 (7) "Family with service needs" means a family that includes a child  
3141 or a youth [sixteen years of age] who (A) has without just cause run  
3142 away from the parental home or other properly authorized and lawful  
3143 place of abode, (B) is beyond the control of the child's or youth's  
3144 parent, parents, guardian or other custodian, (C) has engaged in

3145 indecent or immoral conduct, (D) is a truant or habitual truant or who,  
3146 while in school, has been continuously and overtly defiant of school  
3147 rules and regulations, or (E) is thirteen years of age or older and has  
3148 engaged in sexual intercourse with another person and such other  
3149 person is thirteen years of age or older and not more than two years  
3150 older or younger than such child or youth;

3151 (8) A child or youth may be found "neglected" who (A) has been  
3152 abandoned, (B) is being denied proper care and attention, physically,  
3153 educationally, emotionally or morally, (C) is being permitted to live  
3154 under conditions, circumstances or associations injurious to the  
3155 well-being of the child or youth, or (D) has been abused;

3156 (9) A child or youth may be found "uncared for" who is homeless or  
3157 whose home cannot provide the specialized care that the physical,  
3158 emotional or mental condition of the child or youth requires. For the  
3159 purposes of this section, the treatment of any child or youth by an  
3160 accredited Christian Science practitioner, in lieu of treatment by a  
3161 licensed practitioner of the healing arts, shall not of itself constitute  
3162 neglect or maltreatment;

3163 (10) "Delinquent act" means (A) the violation by a child under the  
3164 age of sixteen of any federal or state law or municipal or local  
3165 ordinance, except an ordinance regulating behavior of a child in a  
3166 family with service needs, (B) the violation by a child sixteen or  
3167 seventeen years of age of any federal or state law, other than (i) an  
3168 infraction, (ii) a violation, (iii) a motor vehicle offense or violation  
3169 under chapter 248, or (iv) a violation of a municipal or local ordinance,  
3170 (C) wilful failure of a child to appear in response to a summons under  
3171 section 46b-133, as amended by this act, or at any other court hearing  
3172 of which the child has notice, (D) the violation of any order of the  
3173 Superior Court by a child, except as provided in section 46b-148, or (E)  
3174 the violation of conditions of probation by a child as ordered by the  
3175 court;

3176 (11) "Serious juvenile offense" means (A) the violation of, including

3177 attempt or conspiracy to violate, (i) section 21a-277, 21a-278, 29-33,  
3178 29-34, 29-35, 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive,  
3179 53a-54a to 53a-56a, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to  
3180 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95,  
3181 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive,  
3182 subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of  
3183 subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a,  
3184 53a-166 or 53a-167c, subsection (a) of section 53a-174, or section  
3185 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, by a child, or (ii)  
3186 section 53a-56b or 53a-57 by a child under sixteen years of age, or (B)  
3187 running away, without just cause, from any secure placement other  
3188 than home while referred as a delinquent child to the Court Support  
3189 Services Division or committed as a delinquent child to the  
3190 Commissioner of Children and Families for a serious juvenile offense;

3191 (12) "Serious juvenile offender" means any child convicted as  
3192 delinquent for the commission of a serious juvenile offense;

3193 (13) "Serious juvenile repeat offender" means any child charged  
3194 with the commission of any felony if such child has previously been  
3195 convicted as delinquent or otherwise convicted at any age for two  
3196 violations of any provision of title 21a, 29, 53 or 53a that is designated  
3197 as a felony;

3198 (14) "Alcohol-dependent" means a psychoactive substance  
3199 dependence on alcohol as that condition is defined in the most recent  
3200 edition of the American Psychiatric Association's "Diagnostic and  
3201 Statistical Manual of Mental Disorders"; and

3202 (15) "Drug-dependent" means a psychoactive substance dependence  
3203 on drugs as that condition is defined in the most recent edition of the  
3204 American Psychiatric Association's "Diagnostic and Statistical Manual  
3205 of Mental Disorders". No child shall be classified as drug-dependent  
3206 who is dependent (A) upon a morphine-type substance as an incident  
3207 to current medical treatment of a demonstrable physical disorder other  
3208 than drug dependence, or (B) upon amphetamine-type, ataractic,

3209 barbiturate-type, hallucinogenic or other stimulant and depressant  
3210 substances as an incident to current medical treatment of a  
3211 demonstrable physical or psychological disorder, or both, other than  
3212 drug dependence.

3213 Sec. 83. Subsection (a) of section 46b-121 of the general statutes, as  
3214 amended by section 70 of this act, is repealed and the following is  
3215 substituted in lieu thereof (*Effective July 1, 2012*):

3216 (a)(1) Juvenile matters in the civil session include all proceedings  
3217 concerning uncared-for, neglected or dependent children and youths  
3218 within this state, termination of parental rights of children committed  
3219 to a state agency, matters concerning families with service needs,  
3220 contested matters involving termination of parental rights or removal  
3221 of guardian transferred from the Probate Court and the emancipation  
3222 of minors, but does not include matters of guardianship and adoption  
3223 or matters affecting property rights of any child or youth over which  
3224 the Probate Court has jurisdiction, except that appeals from probate  
3225 concerning adoption, termination of parental rights and removal of a  
3226 parent as guardian shall be included.

3227 (2) Juvenile matters in the criminal session include all proceedings  
3228 concerning delinquent children within this state and persons  
3229 [~~seventeen~~] eighteen years of age and older who are under the  
3230 supervision of a juvenile probation officer while on probation or a  
3231 suspended commitment to the Department of Children and Families,  
3232 for purposes of enforcing any court orders entered as part of such  
3233 probation or suspended commitment.

3234 Sec. 84. Subsection (c) of section 46b-127 of the general statutes, as  
3235 amended by section 71 of this act, is repealed and the following is  
3236 substituted in lieu thereof (*Effective July 1, 2012*):

3237 (c) Upon the effectuation of the transfer, such child shall stand trial  
3238 and be sentenced, if convicted, as if such child were [~~seventeen~~]  
3239 eighteen years of age. Such child shall receive credit against any

3240 sentence imposed for time served in a juvenile facility prior to the  
3241 effectuation of the transfer. A child who has been transferred may  
3242 enter a guilty plea to a lesser offense if the court finds that such plea is  
3243 made knowingly and voluntarily. Any child transferred to the regular  
3244 criminal docket who pleads guilty to a lesser offense shall not resume  
3245 such child's status as a juvenile regarding such offense. If the action is  
3246 dismissed or nolleed or if such child is found not guilty of the charge for  
3247 which such child was transferred or of any lesser included offenses,  
3248 the child shall resume such child's status as a juvenile until such child  
3249 attains the age of [seventeen] eighteen years.

3250 Sec. 85. Subsection (f) of section 46b-133c of the general statutes, as  
3251 amended by section 73 of this act, is repealed and the following is  
3252 substituted in lieu thereof (*Effective July 1, 2012*):

3253 (f) Whenever a proceeding has been designated a serious juvenile  
3254 repeat offender prosecution pursuant to subsection (b) of this section  
3255 and the child does not waive such child's right to a trial by jury, the  
3256 court shall transfer the case from the docket for juvenile matters to the  
3257 regular criminal docket of the Superior Court. Upon transfer, such  
3258 child shall stand trial and be sentenced, if convicted, as if such child  
3259 were [seventeen] eighteen years of age, except that no such child shall  
3260 be placed in a correctional facility but shall be maintained in a facility  
3261 for children and youths until such child attains [seventeen] eighteen  
3262 years of age or until such child is sentenced, whichever occurs first.  
3263 Such child shall receive credit against any sentence imposed for time  
3264 served in a juvenile facility prior to the effectuation of the transfer. A  
3265 child who has been transferred may enter a guilty plea to a lesser  
3266 offense if the court finds that such plea is made knowingly and  
3267 voluntarily. Any child transferred to the regular criminal docket who  
3268 pleads guilty to a lesser offense shall not resume such child's status as  
3269 a juvenile regarding such offense. If the action is dismissed or nolleed or  
3270 if such child is found not guilty of the charge for which such child was  
3271 transferred, the child shall resume such child's status as a juvenile until  
3272 such child attains [seventeen] eighteen years of age.

3273 Sec. 86. Subsection (f) of section 46b-133d of the general statutes, as  
3274 amended by section 74 of this act, is repealed and the following is  
3275 substituted in lieu thereof (*Effective July 1, 2012*):

3276 (f) When a proceeding has been designated a serious sexual  
3277 offender prosecution pursuant to subsection (c) of this section and the  
3278 child does not waive the right to a trial by jury, the court shall transfer  
3279 the case from the docket for juvenile matters to the regular criminal  
3280 docket of the Superior Court. Upon transfer, such child shall stand trial  
3281 and be sentenced, if convicted, as if such child were [seventeen]  
3282 eighteen years of age, except that no such child shall be placed in a  
3283 correctional facility but shall be maintained in a facility for children  
3284 and youths until such child attains [seventeen] eighteen years of age or  
3285 until such child is sentenced, whichever occurs first. Such child shall  
3286 receive credit against any sentence imposed for time served in a  
3287 juvenile facility prior to the effectuation of the transfer. A child who  
3288 has been transferred may enter a guilty plea to a lesser offense if the  
3289 court finds that such plea is made knowingly and voluntarily. Any  
3290 child transferred to the regular criminal docket who pleads guilty to a  
3291 lesser offense shall not resume such child's status as a juvenile  
3292 regarding such offense. If the action is dismissed or nolleed or if such  
3293 child is found not guilty of the charge for which such child was  
3294 transferred, the child shall resume such child's status as a juvenile until  
3295 such child attains [seventeen] eighteen years of age.

3296 Sec. 87. Section 46b-137 of the general statutes, as amended by  
3297 section 75 of this act, is repealed and the following is substituted in lieu  
3298 thereof (*Effective July 1, 2012*):

3299 (a) Any admission, confession or statement, written or oral, made by  
3300 a child under the age of sixteen to a police officer or Juvenile Court  
3301 official shall be inadmissible in any proceeding concerning the alleged  
3302 delinquency of the child making such admission, confession or  
3303 statement unless made by such child in the presence of the child's  
3304 parent or parents or guardian and after the parent or parents or

3305 guardian and child have been advised (1) of the child's right to retain  
3306 counsel, or if unable to afford counsel, to have counsel appointed on  
3307 the child's behalf, (2) of the child's right to refuse to make any  
3308 statements, and (3) that any statements the child makes may be  
3309 introduced into evidence against the child.

3310 (b) Any admission, confession or statement, written or oral, made  
3311 by a child sixteen or seventeen years of age to a police officer or  
3312 Juvenile Court official shall be inadmissible in any proceeding  
3313 concerning the alleged delinquency of the child making such  
3314 admission, confession or statement, unless (1) the police or Juvenile  
3315 Court official has made reasonable efforts to contact a parent or  
3316 guardian of the child, and (2) such child has been advised that (A) the  
3317 child has the right to contact a parent or guardian and to have a parent  
3318 or guardian present during any interview, (B) the child has the right to  
3319 retain counsel or, if unable to afford counsel, to have counsel  
3320 appointed on behalf of the child, (C) the child has the right to refuse to  
3321 make any statement, and (D) any statement the child makes may be  
3322 introduced into evidence against the child.

3323 (c) The admissibility of any admission, confession or statement,  
3324 written or oral, made by a child sixteen or seventeen years of age to a  
3325 police officer or Juvenile Court official shall be determined by  
3326 considering the totality of the circumstances at the time of the making  
3327 of such admission, confession or statement. When determining the  
3328 admissibility of such admission, confession or statement, the court  
3329 shall consider (1) the age, experience, education, background and  
3330 intelligence of the child, (2) the capacity of the child to understand the  
3331 advice concerning rights and warnings required under subdivision (2)  
3332 of subsection (b) of this section, the nature of the privilege against self-  
3333 incrimination under the United States and Connecticut Constitutions,  
3334 and the consequences of waiving such rights and privilege, (3) the  
3335 opportunity the child had to speak with a parent, guardian or some  
3336 other suitable individual prior to or while making such admission,  
3337 confession or statement, and (4) the circumstances surrounding the

3338 making of the admission, confession or statement, including, but not  
3339 limited to, (A) when and where the admission, confession or statement  
3340 was made, (B) the reasonableness of proceeding, or the need to  
3341 proceed, without a parent or guardian present, and (C) the  
3342 reasonableness of efforts by the police or Juvenile Court official to  
3343 attempt to contact a parent or guardian.

3344 (d) Any confession, admission or statement, written or oral, made  
3345 by the parent or parents or guardian of the child or youth after the  
3346 filing of a petition alleging such child or youth to be neglected,  
3347 uncared-for or dependent, shall be inadmissible in any proceeding  
3348 held upon such petition against the person making such admission or  
3349 statement unless such person shall have been advised of the person's  
3350 right to retain counsel, and that if the person is unable to afford  
3351 counsel, counsel will be appointed to represent the person, that the  
3352 person has a right to refuse to make any statement and that any  
3353 statements the person makes may be introduced in evidence against  
3354 the person.

3355 Sec. 88. Section 46b-146 of the general statutes, as amended by  
3356 section 77 of this act, is repealed and the following is substituted in lieu  
3357 thereof (*Effective July 1, 2012*):

3358 Whenever any child has been convicted as delinquent, has been  
3359 adjudicated a member of a family with service needs or has signed a  
3360 statement of responsibility admitting to having committed a  
3361 delinquent act, and has subsequently been discharged from the  
3362 supervision of the Superior Court or from the custody of the  
3363 Department of Children and Families or from the care of any other  
3364 institution or agency to whom the child has been committed by the  
3365 court, such child, or the child's parent or guardian, may file a petition  
3366 with the Superior Court. If such court finds (1) that at least two years  
3367 or, in the case of a child convicted as delinquent for the commission of  
3368 a serious juvenile offense, four years have elapsed from the date of  
3369 such discharge, (2) that no subsequent juvenile proceeding or adult

3370 criminal proceeding is pending against such child, (3) that such child  
3371 has not been convicted of a delinquent act that would constitute a  
3372 felony or misdemeanor if committed by an adult during such two-year  
3373 or four-year period, (4) that such child has not been convicted as an  
3374 adult of a felony or misdemeanor during such two-year or four-year  
3375 period, and (5) that such child has reached [~~seventeen~~] eighteen years  
3376 of age, the court shall order all police and court records pertaining to  
3377 such child to be erased. Upon the entry of such an erasure order, all  
3378 references including arrest, complaint, referrals, petitions, reports and  
3379 orders, shall be removed from all agency, official and institutional files,  
3380 and a finding of delinquency or that the child was a member of a  
3381 family with service needs shall be deemed never to have occurred. The  
3382 persons in charge of such records shall not disclose to any person  
3383 information pertaining to the record so erased, except that the fact of  
3384 such erasure may be substantiated where, in the opinion of the court, it  
3385 is in the best interests of such child to do so. No child who has been the  
3386 subject of such an erasure order shall be deemed to have been arrested  
3387 ab initio, within the meaning of the general statutes, with respect to  
3388 proceedings so erased. Copies of the erasure order shall be sent to all  
3389 persons, agencies, officials or institutions known to have information  
3390 pertaining to the delinquency or family with service needs proceedings  
3391 affecting such child. Whenever a child is dismissed as not delinquent  
3392 or as not being a member of a family with service needs, all police and  
3393 court records pertaining to such charge shall be ordered erased  
3394 immediately, without the filing of a petition. Nothing in this section  
3395 shall prohibit the court from granting a petition to erase a child's  
3396 records on a showing of good cause, after a hearing, before the time  
3397 when such records could be erased.

3398 Sec. 89. Subsection (c) of section 10-19m of the general statutes, as  
3399 amended by section 78 of this act, is repealed and the following is  
3400 substituted in lieu thereof (*Effective July 1, 2012*):

3401 (c) The Commissioner of Education shall adopt regulations, in  
3402 accordance with the provisions of chapter 54, establishing minimum

3403 standards for such youth service bureaus and the criteria for qualifying  
3404 for state cost-sharing grants, including, but not limited to, allowable  
3405 sources of funds covering the local share of the costs of operating such  
3406 bureaus, acceptable in-kind contributions and application procedures.  
3407 Said commissioner shall, on December 1, 1979, and annually thereafter,  
3408 report to the General Assembly on the referral or diversion of children  
3409 under the age of [seventeen] eighteen years from the juvenile justice  
3410 system and [on the referral or diversion of children aged seventeen  
3411 and eighteen years from] the court system. Such report shall include,  
3412 but not be limited to, the number of times any child is so diverted, the  
3413 number of children diverted, the type of service provided to any such  
3414 child, by whom such child was diverted, the ages of the children  
3415 diverted and such other information and statistics as the General  
3416 Assembly may request from time to time. Any such report shall  
3417 contain no identifying information about any particular child.

3418 Sec. 90. Section 46b-150d of the general statutes, as amended by  
3419 section 16 of public act 09-13, is repealed and the following is  
3420 substituted in lieu thereof (*Effective January 1, 2010*):

3421 An order that a minor is emancipated shall have the following  
3422 effects: (1) The minor may consent to medical, dental or psychiatric  
3423 care, without parental consent, knowledge or liability; (2) the minor  
3424 may enter into a binding contract; (3) the minor may sue and be sued  
3425 in such minor's own name; (4) the minor shall be entitled to such  
3426 minor's own earnings and shall be free of control by such minor's  
3427 parents or guardian; (5) the minor may establish such minor's own  
3428 residence; (6) the minor may buy and sell real and personal property;  
3429 (7) the minor may not thereafter be the subject of (A) a petition under  
3430 section 46b-129 as an abused, dependent, neglected or uncared for  
3431 child or youth, (B) a petition under section 46b-128, or 46b-133, as  
3432 amended by this act, as a delinquent child for any act committed  
3433 before the date of the order, (C) a petition under section 46b-149  
3434 alleging that the minor is a child from a family with service needs, or  
3435 (D) a petition under section 46b-150f, as amended by this act, alleging

3436 that the minor is a youth in crisis; (8) the minor may enroll in any  
3437 school or college, without parental consent; (9) the minor shall be  
3438 deemed to be over eighteen years of age for purposes of securing an  
3439 operator's license under section 14-36 and a marriage license under  
3440 subsection (b) of section 46b-30; (10) the minor shall be deemed to be  
3441 over eighteen years of age for purposes of registering a motor vehicle  
3442 under section 14-12; (11) the parents of the minor shall no longer be the  
3443 guardians of the minor under section 45a-606; (12) the parents of a  
3444 minor shall be relieved of any obligations respecting such minor's  
3445 school attendance under section 10-184; (13) the parents shall be  
3446 relieved of all obligation to support the minor; (14) the minor shall be  
3447 emancipated for the purposes of parental liability for such minor's acts  
3448 under section 52-572; (15) the minor may execute releases in such  
3449 minor's own name under section 14-118; and (16) the minor may enlist  
3450 in the armed forces of the United States without parental consent.

3451 Sec. 91. Section 46b-150d of the general statutes, as amended by  
3452 section 90 of this act, is repealed and the following is substituted in lieu  
3453 thereof (*Effective July 1, 2012*):

3454 An order that a minor is emancipated shall have the following  
3455 effects: (1) The minor may consent to medical, dental or psychiatric  
3456 care, without parental consent, knowledge or liability; (2) the minor  
3457 may enter into a binding contract; (3) the minor may sue and be sued  
3458 in such minor's own name; (4) the minor shall be entitled to such  
3459 minor's own earnings and shall be free of control by such minor's  
3460 parents or guardian; (5) the minor may establish such minor's own  
3461 residence; (6) the minor may buy and sell real and personal property;  
3462 (7) the minor may not thereafter be the subject of (A) a petition under  
3463 section 46b-129 as an abused, dependent, neglected or uncared for  
3464 child or youth, (B) a petition under section 46b-128, as amended by this  
3465 act, or 46b-133, as amended by this act, as a delinquent child for any  
3466 act committed before the date of the order, or (C) a petition under  
3467 section 46b-149 alleging that the minor is a child from a family with  
3468 service needs; [or (D) a petition under section 46b-150f, as amended by

3469 this act, alleging that the minor is a youth in crisis;] (8) the minor may  
3470 enroll in any school or college, without parental consent; (9) the minor  
3471 shall be deemed to be over eighteen years of age for purposes of  
3472 securing an operator's license under section 14-36 and a marriage  
3473 license under subsection (b) of section 46b-30; (10) the minor shall be  
3474 deemed to be over eighteen years of age for purposes of registering a  
3475 motor vehicle under section 14-12; (11) the parents of the minor shall  
3476 no longer be the guardians of the minor under section 45a-606; (12) the  
3477 parents of a minor shall be relieved of any obligations respecting such  
3478 minor's school attendance under section 10-184; (13) the parents shall  
3479 be relieved of all obligation to support the minor; (14) the minor shall  
3480 be emancipated for the purposes of parental liability for such minor's  
3481 acts under section 52-572; (15) the minor may execute releases in such  
3482 minor's own name under section 14-118; and (16) the minor may enlist  
3483 in the armed forces of the United States without parental consent.

3484 Sec. 92. Section 46b-121k of the general statutes is repealed and the  
3485 following is substituted in lieu thereof (*Effective from passage*):

3486 (a) (1) The [Court Support Services Division] Judicial Branch shall  
3487 develop constructive programs for the prevention and reduction of  
3488 delinquency and crime among juvenile offenders. To develop such  
3489 programs, the executive director of the Court Support Services  
3490 Division within the Judicial Branch shall cooperate with other agencies  
3491 to encourage the establishment of new programs and to provide a  
3492 continuum of services for juvenile offenders who do not require secure  
3493 placement, including, but not limited to, juveniles classified pursuant  
3494 to the risk assessment instrument described in section 46b-121i, as  
3495 those who may be released with structured supervision and those who  
3496 may be released without supervision. When appropriate, the [Court  
3497 Support Services Division] Judicial Branch shall coordinate such  
3498 programs with the Department of Children and Families and the  
3499 Department of Mental Health and Addiction Services.

3500 (2) The programs shall be tailored to the type of juvenile, including

3501 the juvenile's offense history, age, maturity and social development,  
3502 gender, mental health, alcohol dependency or drug dependency, need  
3503 for structured supervision and other characteristics, and shall be  
3504 culturally appropriate, trauma-informed and provided in the least  
3505 restrictive environment possible in a manner consistent with public  
3506 safety. The [Court Support Services Division] Judicial Branch shall  
3507 develop programs that provide: (A) Intensive general education, with  
3508 an individualized remediation plan for each juvenile; (B) appropriate  
3509 job training and employment opportunities; (C) counseling sessions in  
3510 anger management and nonviolent conflict resolution; (D) treatment  
3511 and prevention programs for alcohol dependency and drug  
3512 dependency; (E) mental health screening, assessment and treatment;  
3513 (F) sexual offender treatment; and (G) services for families of juveniles.

3514 (b) The Judicial [Department] Branch may contract to establish  
3515 regional secure residential facilities and regional highly supervised  
3516 residential and nonresidential facilities for juveniles referred by the  
3517 court. Such facilities shall operate within contracted-for capacity limits.  
3518 Such facilities shall be exempt from the licensing requirements of  
3519 section 17a-145.

3520 (c) The [Court Support Services Division] Judicial Branch shall  
3521 collaborate with private residential facilities providing residential  
3522 programs and with community-based nonresidential postrelease  
3523 programs.

3524 (d) The Judicial Branch, as part of a publicly bid contract for an  
3525 alternative incarceration program, may include a requirement that the  
3526 contractor provide for space necessary for juvenile probation offices  
3527 and other staff of the Court Support Services Division to perform their  
3528 duties.

3529 [(d)] (e) Any program developed by the [Court Support Services  
3530 Division] Judicial Branch that is designed to prevent or reduce  
3531 delinquency and crime among juvenile offenders shall be gender  
3532 specific, as necessary, and shall comprehensively address the unique

3533 needs of a targeted gender group.

3534 [(e)] (f) The [Court Support Services Division] Judicial Branch shall  
3535 consult with the Commission on Racial and Ethnic Disparity in the  
3536 Criminal Justice System established pursuant to section 51-10c to  
3537 address the needs of minorities in the juvenile justice system.

3538 Sec. 93. Subsection (d) of section 4b-3 of the general statutes is  
3539 repealed and the following is substituted in lieu thereof (*Effective from*  
3540 *passage*):

3541 (d) Notwithstanding any other statute or special act to the contrary,  
3542 the Commissioner of Public Works shall be the sole person authorized  
3543 to represent the state in its dealings with third parties for the  
3544 acquisition, construction, development or leasing of real estate for  
3545 housing the offices or equipment of all agencies of the state or for the  
3546 state-owned public buildings or realty hereinafter provided for in  
3547 sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, as amended by this  
3548 act, 4b-24, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66  
3549 and sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10a-95, 10a-72, 10a-  
3550 89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-  
3551 45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that the Joint  
3552 Committee on Legislative Management may represent the state in the  
3553 planning and construction of the Legislative Office Building and  
3554 related facilities, in Hartford; the Chief Court Administrator may  
3555 represent the state in providing for space for the Court Support  
3556 Services Division as part of a new or existing contract for an alternative  
3557 incarceration program pursuant to section 54-103b or a program  
3558 developed pursuant to section 46b-121i, 46b-121j, 46b-121k, as  
3559 amended by this act, or 46b-121l; the board of trustees of a constituent  
3560 unit of the state system of higher education may represent the state in  
3561 the leasing of real estate for housing the offices or equipment of such  
3562 constituent unit, provided no lease payments for such realty are made  
3563 with funds generated from the general revenues of the state; the Labor  
3564 Commissioner may represent the state in the leasing of premises

3565 required for employment security operations as provided in subsection  
3566 (c) of section 31-250; the Commissioner of Developmental Services may  
3567 represent the state in the leasing of residential property as part of the  
3568 program developed pursuant to subsection (b) of section 17a-218,  
3569 provided such residential property does not exceed two thousand five  
3570 hundred square feet, for the community placement of persons eligible  
3571 to receive residential services from the department; and the  
3572 Connecticut Marketing Authority may represent the state in the  
3573 leasing of land or markets under the control of the Connecticut  
3574 Marketing Authority, and, except for the housing of offices or  
3575 equipment in connection with the initial acquisition of an existing state  
3576 mass transit system or the leasing of land by the Connecticut  
3577 Marketing Authority for a term of one year or more in which cases the  
3578 actions of the Department of Transportation and the Connecticut  
3579 Marketing Authority shall be subject to the review and approval of the  
3580 State Properties Review Board. The Commissioner of Public Works  
3581 shall have the power to establish and implement any procedures  
3582 necessary for the commissioner to assume the commissioner's  
3583 responsibilities as said sole bargaining agent for state realty  
3584 acquisitions and shall perform the duties necessary to carry out such  
3585 procedures. The Commissioner of Public Works may appoint, within  
3586 the commissioner's budget and subject to the provisions of chapter 67,  
3587 such personnel deemed necessary by the commissioner to carry out the  
3588 provisions hereof, including experts in real estate, construction  
3589 operations, financing, banking, contracting, architecture and  
3590 engineering. The Attorney General's office, at the request of the  
3591 commissioner, shall assist the commissioner in contract negotiations  
3592 regarding the purchase, lease or construction of real estate.

3593 Sec. 94. (NEW) (*Effective from passage*) Notwithstanding any  
3594 provision of the general statutes, any alien convicted of a crime who  
3595 received a definite sentence of five years or less and has been confined  
3596 under such sentence for not less than one-half of the sentence imposed  
3597 may be released by the Commissioner of Correction pursuant to  
3598 subsection (e) of section 18-100 of the general statutes to United States

3599 Immigration and Customs Enforcement.

3600 Sec. 95. Section 49-31l of the general statutes, as amended by section  
3601 34 of public act 09-209, is repealed and the following is substituted in  
3602 lieu thereof (*Effective from passage*):

3603 (a) Prior to July 1, 2010: (1) Any action for the foreclosure of a  
3604 mortgage on residential real property with a return date during the  
3605 period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to  
3606 the provisions of subsection (b) of this section, and (2) any action for  
3607 the foreclosure of a mortgage on residential real property with a return  
3608 date during the period from July 1, 2009, to June 30, 2010, inclusive,  
3609 shall be subject to the provisions of subsection (c) of this section.

3610 (b) (1) Prior to July 1, 2010, when a mortgagee commences an action  
3611 for the foreclosure of a mortgage on residential real property with a  
3612 return date during the period from July 1, 2008, to June 30, 2009,  
3613 inclusive, the mortgagee shall give notice to the mortgagor of the  
3614 foreclosure mediation program established in section 49-31m by  
3615 attaching to the front of the foreclosure complaint that is served on the  
3616 mortgagor: (A) A copy of the notice of the availability of foreclosure  
3617 mediation, in such form as the Chief Court Administrator prescribes,  
3618 and (B) a foreclosure mediation request form, in such form as the Chief  
3619 Court Administrator prescribes.

3620 (2) Except as provided in subdivision (3) of this subsection, a  
3621 mortgagor may request foreclosure mediation by submitting the  
3622 foreclosure mediation request form to the court and filing an  
3623 appearance not more than fifteen days after the return day for the  
3624 foreclosure action. Upon receipt of the foreclosure mediation request  
3625 form, the court shall notify each appearing party that a foreclosure  
3626 mediation request form has been submitted by the mortgagor.

3627 (3) The court may grant a mortgagor permission to submit a  
3628 foreclosure mediation request form and file an appearance after the  
3629 fifteen-day period established in subdivision (2) of this subsection, for

3630 good cause shown, except that no foreclosure mediation request form  
3631 may be submitted and no appearance may be filed more than twenty-  
3632 five days after the return date.

3633 (4) No foreclosure mediation request form may be submitted to the  
3634 court on or after July 1, 2010.

3635 (5) If at any time on or after July 1, 2008, but prior to July 1, 2010, the  
3636 court determines that the notice requirement of subdivision (1) of this  
3637 subsection has not been met, the court may, upon its own motion or  
3638 upon the written motion of the mortgagor, issue an order that no  
3639 judgment may enter for fifteen days during which period the  
3640 mortgagor may submit a foreclosure mediation request form to the  
3641 court.

3642 (6) Notwithstanding any provision of the general statutes or any  
3643 rule of law to the contrary, prior to July 1, 2010, no judgment of strict  
3644 foreclosure nor any judgment ordering a foreclosure sale shall be  
3645 entered in any action subject to the provisions of this subsection and  
3646 instituted by the mortgagee to foreclose a mortgage on residential real  
3647 property unless: (A) Notice to the mortgagor has been given by the  
3648 mortgagee in accordance with subdivision (1) of this subsection and  
3649 the time for submitting a foreclosure mediation request form has  
3650 expired and no foreclosure mediation request form has been  
3651 submitted, or if such notice has not been given, the time for submitting  
3652 a foreclosure mediation request form pursuant to subdivision (2) or (3)  
3653 of this subsection has expired and no foreclosure mediation request  
3654 form has been submitted, or (B) the mediation period set forth in  
3655 subdivision (b) of section 49-31n, as amended by [this act] public act  
3656 09-209, has expired or has otherwise terminated, whichever is earlier.

3657 (7) None of the mortgagor's or mortgagee's rights in the foreclosure  
3658 action shall be waived by the mortgagor's submission of a foreclosure  
3659 mediation request form to the court.

3660 (c) (1) Prior to July 1, 2010, when a mortgagee commences an action

3661 for the foreclosure of a mortgage on residential real property with a  
3662 return date on or after July 1, 2009, the mortgagee shall give notice to  
3663 the mortgagor of the foreclosure mediation program established in  
3664 section 49-31m by attaching to the front of the writ, summons and  
3665 complaint that is served on the mortgagor: (A) A copy of the notice of  
3666 foreclosure mediation, in such form as the Chief Court Administrator  
3667 prescribes, (B) a copy of the foreclosure mediation certificate form  
3668 described in subdivision (3) of this subsection, in such form as the  
3669 Chief Court Administrator prescribes, and (C) a blank appearance  
3670 form, in such form as the Chief Court Administrator prescribes.

3671 (2) The court shall issue a notice of foreclosure mediation described  
3672 in subdivision (3) of this subsection to the mortgagor not later than the  
3673 date three business days after the date the mortgagee returns the writ  
3674 to the court.

3675 (3) The notice of foreclosure mediation shall instruct the mortgagor  
3676 to file the appearance and foreclosure mediation certificate forms with  
3677 the court no later than the date fifteen days from the return date for the  
3678 foreclosure action. The foreclosure mediation certificate form shall  
3679 require the mortgagor to provide sufficient information to permit the  
3680 court to confirm that the defendant in the foreclosure action is a  
3681 mortgagor, and to certify that said mortgagor has sent a copy of the  
3682 mediation certificate form to the plaintiff in the action.

3683 (4) Upon receipt of the mortgagor's appearance and foreclosure  
3684 mediation certificate forms, and provided the court confirms the  
3685 defendant in the foreclosure action is a mortgagor and that said  
3686 mortgagor has sent a copy of the mediation certificate form to the  
3687 plaintiff, the court shall schedule a date for foreclosure mediation in  
3688 accordance with subsection (c) of section 49-31n, as amended by [this  
3689 act] public act 09-209. The court shall issue notice of such mediation  
3690 date to all appearing parties not earlier than the date five business  
3691 days after the return date [~~. If~~] or by the date three business days after  
3692 the date on which the court receives the mortgagor's appearance and

3693 foreclosure mediation certificate forms, whichever is later, except that  
3694 if the court does not receive the appearance and foreclosure mediation  
3695 certificate forms from the mortgagor by the date fifteen days after the  
3696 return date for the foreclosure action, the court shall not schedule such  
3697 mediation.

3698 (5) Notwithstanding the provisions of this subsection, the court may  
3699 refer a foreclosure action brought by a mortgagee to the foreclosure  
3700 mediation program at any time, provided the mortgagor has filed an  
3701 appearance in said action and further provided the court shall, not  
3702 later than the date three business days after the date on which it makes  
3703 such referral, send a notice to each appearing party scheduling the first  
3704 foreclosure mediation session for a date not later than the date fifteen  
3705 business days from the date of such referral.

3706 (6) Notwithstanding any provision of the general statutes or any  
3707 rule of law, prior to July 1, 2010, no judgment of strict foreclosure nor  
3708 any judgment ordering a foreclosure sale shall be entered in any action  
3709 subject to the provisions of this subsection and instituted by the  
3710 mortgagee to foreclose a mortgage on residential real property unless:  
3711 (A) The mediation period set forth in subdivision (c) of section 49-31n,  
3712 as amended by [this act] public act 09-209, has expired or has  
3713 otherwise terminated, whichever is earlier, or (B) the mediation  
3714 program is not otherwise required or available.

3715 (7) None of the mortgagor's or mortgagee's rights in the foreclosure  
3716 action shall be waived by participation in the foreclosure mediation  
3717 program.

3718 Sec. 96. Section 20 of public act 09-209 is repealed and the following  
3719 is substituted in lieu thereof (*Effective from passage*):

3720 No person or individual who is required to be licensed and who is  
3721 subject to sections 36a-485 to 36a-498c, inclusive, of the general  
3722 statutes, as amended by [this act] public act 09-209, sections 36a-534a  
3723 and 36a-534b of the general statutes, as amended by [this act] public

3724 act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act  
3725 09-209, may:

3726 (1) Directly or indirectly employ any scheme, device or artifice to  
3727 defraud or mislead borrowers or lenders or to defraud any person;

3728 (2) Engage in any unfair or deceptive practice toward any person;

3729 (3) Obtain property by fraud or misrepresentation;

3730 (4) Solicit or enter into a contract with a borrower that provides in  
3731 substance that such person or individual may earn a fee or commission  
3732 through "best efforts" to obtain a loan even though no loan is actually  
3733 obtained for the borrower;

3734 (5) Solicit, advertise or enter into a contract for specific interest rates,  
3735 points or other financing terms unless the terms are actually available  
3736 at the time of soliciting, advertising or contracting;

3737 (6) Conduct any business as a mortgage lender, mortgage  
3738 correspondent lender, mortgage broker or mortgage loan originator  
3739 without holding a valid license as required under sections 36a-485 to  
3740 36a-498c, inclusive, of the general statutes, as amended by [this act]  
3741 public act 09-209, sections 36a-534a and 36a-534b of the general  
3742 statutes, as amended by [this act] public act 09-209, and sections 9 and  
3743 19 to 21, inclusive, of [this act] public act 09-209, or assist or aide and  
3744 abet any person in the conduct of business as a mortgage lender,  
3745 mortgage correspondent lender, mortgage broker or mortgage loan  
3746 originator without a valid license as required under said sections;

3747 (7) Fail to make disclosures as required by sections 36a-485 to 36a-  
3748 498c, inclusive, of the general statutes, as amended by [this act] public  
3749 act 09-209, sections 36a-534a and 36a-534b of the general statutes, as  
3750 amended by [this act] public act 09-209, and sections 9 and 19 to 21,  
3751 inclusive, of [this act] public act 09-209 and any other applicable state  
3752 or federal law including regulations thereunder;

3753 (8) Fail to comply with sections 36a-485 to 36a-498c, inclusive, of the  
3754 general statutes, as amended by [this act] public act 09-209, sections  
3755 36a-534a and 36a-534b of the general statutes, as amended by [this act]  
3756 public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act]  
3757 public act 09-209, or rules or regulations adopted under said sections  
3758 or fail to comply with any other state or federal law, including the  
3759 rules and regulations thereunder, applicable to any business  
3760 authorized or conducted under said sections;

3761 (9) Make, in any manner, any false or deceptive statement or  
3762 representation including, with regard to the rates, points or other  
3763 financing terms or conditions for a residential mortgage loan, or  
3764 engage in bait and switch advertising;

3765 (10) Negligently make any false statement or knowingly and  
3766 wilfully make any omission of material fact in connection with any  
3767 information or reports filed with a governmental agency or the system,  
3768 as defined in section 36a-485 of the general statutes, as amended by  
3769 [this act] public act 09-209, or in connection with any investigation  
3770 conducted by the Banking Commissioner or another governmental  
3771 agency;

3772 (11) Make any payment, threat or promise, directly or indirectly, to  
3773 any person for the purposes of influencing the independent judgment  
3774 of the person in connection with a residential mortgage loan as defined  
3775 in section 36a-485 of the general statutes, as amended by [this act]  
3776 public act 09-209, or make any payment threat or promise, directly or  
3777 indirectly, to any appraiser of a property, for the purposes of  
3778 influencing the independent judgment of the appraiser with respect to  
3779 the value of the property;

3780 (12) Collect, charge, attempt to collect or charge or use or propose  
3781 any agreement purporting to collect or charge any fee prohibited by  
3782 sections 36a-485 to 36a-498c, inclusive, of the general statutes, as  
3783 amended by [this act] public act 09-209, sections 36a-534a and 36a-534b  
3784 of the general statutes, as amended by [this act] public act 09-209, and

3785 sections 9 and 19 to 21, inclusive, of [this act] public act 09-209;

3786 (13) Cause or require a borrower to obtain property insurance  
3787 coverage in an amount that exceeds the replacement cost of the  
3788 improvements as established by the property insurer; or

3789 (14) Fail to truthfully account for moneys belonging to a party to a  
3790 residential mortgage loan transaction.

3791 Sec. 97. Section 36a-760e of the general statutes, as amended by  
3792 section 4 of public act 09-207, is repealed and the following is  
3793 substituted in lieu thereof (*Effective from passage*):

3794 (a) A lender shall not offer a nonprime home loan that contains:

3795 (1) A prepayment penalty, except that this prohibition shall not  
3796 apply to FHA loans;

3797 (2) A provision requiring a borrower, whether acting individually or  
3798 on behalf of others similarly situated, to assert any claim or defense in  
3799 a nonjudicial forum that: (A) Utilizes principles which are inconsistent  
3800 with the law as set forth in the general statutes or common law; (B)  
3801 limits any claim or defense the borrower may have; or (C) is less  
3802 convenient, more costly or more dilatory for the resolution of a dispute  
3803 than a judicial forum established in this state where the borrower may  
3804 otherwise properly bring a claim or defense;

3805 (3) For a loan with a term of less than seven years, a payment  
3806 schedule with regular periodic payments that when aggregated do not  
3807 fully amortize the outstanding principal balance, except that this  
3808 limitation does not apply to a loan with maturities of less than one  
3809 year if the purpose of the loan is a bridge loan, as used in 12 CFR  
3810 226.32, as amended from time to time, connected with the acquisition  
3811 or construction of a dwelling intended to become the borrower's  
3812 principal dwelling;

3813 (4) A payment schedule with regular periodic payments that cause

3814 the principal balance to increase;

3815 (5) A payment schedule that consolidates more than two periodic  
3816 payments and pays them in advance from the proceeds, unless such  
3817 payments are required to be escrowed by a governmental agency;

3818 (6) Default charges in excess of five per cent of the amount in  
3819 default; or

3820 (7) A call provision that permits the lender, in its sole discretion, to  
3821 accelerate the indebtedness. This prohibition shall not apply when  
3822 repayment of the loan is accelerated by bona fide default, pursuant to a  
3823 due-on-sale clause provision or pursuant to another provision of the  
3824 loan agreement unrelated to the payment schedule, including, but not  
3825 limited to, bankruptcy or receivership.

3826 (b) If a nonprime home loan contains a provision that violates  
3827 subsection (a) of this section, that provision shall be void and  
3828 unenforceable, provided the lender received the application for such  
3829 nonprime home loan on or after October 1, 2009.

3830 Sec. 98. Section 36a-760d of the general statutes is repealed and the  
3831 following is substituted in lieu thereof (*Effective from passage*):

3832 A lender shall not make a nonprime home loan unless:

3833 (1) With respect to nonprime home loans that are first mortgage  
3834 loans [originated on or after January 1, 2010] for which the lender  
3835 receives an application on or after April 1, 2010, the lender requires  
3836 and collects a monthly escrow for the payment of real property taxes  
3837 and homeowner's insurance. The provisions of this subdivision shall  
3838 not apply to: (A) FHA loans; or (B) a nonprime home loan product  
3839 which, in good faith, is generally designed and marketed to the public  
3840 as a subordinate lien home equity loan product but is secured by a first  
3841 mortgage loan;

3842 (2) To the extent applicable, the lender obtains the written

3843 certification or statement under section 36a-760c; and

3844 (3) The lender mailed or delivered to applicants, no later than the  
3845 date three business days after the date of receipt of a completed  
3846 application for a nonprime home loan, a notice containing a toll-free  
3847 number that can be used to obtain a list of nonprofit housing  
3848 counselors approved by the United States Department of Housing and  
3849 Urban Development. For purposes of this subdivision, a lender may  
3850 use the toll-free number which satisfies the requirements of Section  
3851 106(c)(5) of the Housing and Urban Development Act of 1968 (12 USC  
3852 1701(x) Section (c)(5). No borrower shall have a private right of action  
3853 for the lender's failure to deliver, on a timely basis, a notice required by  
3854 this subdivision.

3855 Sec. 99. (*Effective from passage*) (a) The provisions of subsection (a) of  
3856 section 36a-760 of the general statutes, revision 1958, revised to  
3857 January 1, 2009, shall apply to all mortgage loans for which a lender  
3858 receives an application before October 1, 2009.

3859 (b) The provisions of section 36a-760e of the general statutes,  
3860 revision 1958, revised to January 1, 2009, shall apply to all nonprime  
3861 home loans for which a lender receives an application before October  
3862 1, 2009.

3863 Sec. 100. Subsection (h) of section 36a-498 of the general statutes, as  
3864 amended by section 6 of public act 09-207, is repealed and the  
3865 following is substituted in lieu thereof (*Effective from passage*):

3866 (h) No mortgage lender or mortgage correspondent lender shall  
3867 include in a mortgage loan for which an application is received by  
3868 such lender on or after October 1, 2009, a provision that increases the  
3869 interest rate as a result of a default other than a failure to comply with  
3870 a provision to maintain an automatic electronic payment feature where  
3871 such maintenance provision has been provided in return for an interest  
3872 rate reduction and the increase is no greater than such reduction.

3873       Sec. 101. Subsection (c) of section 36a-801 of the general statutes is  
3874 repealed and the following is substituted in lieu thereof (*Effective from*  
3875 *passage*):

3876       (c) No person licensed to act within this state as a consumer  
3877 collection agency shall do so under any other name or at any other  
3878 place of business than that named in the license. Any change of  
3879 location of a place of business of a licensee shall require prior written  
3880 notice to the commissioner. Not more than one place of business shall  
3881 be maintained under the same license but the commissioner may issue  
3882 more than one license to the same licensee upon compliance with the  
3883 provisions of sections 36a-800 to 36a-810, inclusive, as to each new  
3884 licensee. A license shall not be transferable or assignable. Any licensee  
3885 holding, applying for, or seeking renewal of more than one license  
3886 may, at its option, file the bond required under section 36a-802  
3887 separately for each place of business licensed, or to be licensed, or a  
3888 single bond, naming each place of business, in an amount equal to  
3889 [five] twenty-five thousand dollars for each place of business.

3890       Sec. 102. (*Effective from passage*) The Connecticut Commission on  
3891 Culture and Tourism shall develop recommendations for the  
3892 consolidation of the regional tourism districts from five to three. Such  
3893 recommendations shall include, but not be limited to, the composition  
3894 of the districts, the number of members that should serve on district  
3895 boards of directors, the amount of grant money received that may be  
3896 used by the districts for administrative costs, and the process for the  
3897 creation and approval of budgets for the districts. The commission  
3898 shall report its recommendations, in accordance with the provisions of  
3899 section 11-4a of the general statutes, to the joint standing committees of  
3900 the General Assembly having cognizance of matters relating to  
3901 commerce and appropriations and the budgets of state agencies not  
3902 later than December 1, 2009.

3903       Sec. 103. Section 74 of public act 09-3 of the June special session is  
3904 repealed and the following is substituted in lieu thereof (*Effective from*

3905 *passage*):

3906 (a) Notwithstanding the provisions of section 10a-256 of the general  
3907 statutes, the sum of \$10,000,000 shall be transferred from The  
3908 University of Connecticut Health Center Medical Malpractice Trust  
3909 Fund and credited to the resources of the General Fund for each of the  
3910 fiscal years ending June 30, 2010, and June 30, 2011.

3911 (b) (1) Notwithstanding the provisions of section 9-701 of the  
3912 general statutes, the sum of \$18,000,000 shall be transferred from the  
3913 Citizens' Election Fund and credited to the resources of the General  
3914 Fund for the fiscal year ending June 30, 2010.

3915 (2) Notwithstanding the provisions of section 9-701 of the general  
3916 statutes, the sum of \$7,000,000 shall be transferred from the Citizens'  
3917 Election Fund and credited to the resources of the General Fund for the  
3918 fiscal year ending June 30, 2011.

3919 (c) (1) Notwithstanding the provisions of subparagraph (A) of  
3920 subdivision (2) of subsection (c) of section 4-28e of the general statutes,  
3921 on or after May 1, 2010, the sum of \$10,000,000 shall be transferred  
3922 from the Tobacco and Health Trust Fund and credited to the resources  
3923 of the General Fund for the fiscal year ending June 30, 2010.

3924 (2) Notwithstanding the provisions of subparagraph (A) of  
3925 subdivision (2) of subsection (c) of section 4-28e of the general statutes,  
3926 on or after May 1, 2011, the sum of \$10,000,000 shall be transferred  
3927 from the Tobacco and Health Trust Fund and credited to the resources  
3928 of the General Fund for the fiscal year ending June 30, 2011.

3929 (d) Notwithstanding the provisions of section 19a-32c of the general  
3930 statutes, the sum of \$4,500,000 shall be transferred from the Biomedical  
3931 Research Trust Fund and credited to the resources of the General Fund  
3932 for each of the fiscal years ending June 30, 2010, and June 30, 2011.

3933 (e) Notwithstanding the provisions of section 16-331cc of the general  
3934 statutes, the sum of \$2,000,000 shall be transferred from the public,

3935 educational and governmental programming and education  
3936 technology investment account and credited to the resources of the  
3937 General Fund for each of the fiscal years ending June 30, 2010, and  
3938 June 30, 2011.

3939 (f) (1) Notwithstanding the provisions of section 54-215 of the  
3940 general statutes, the sum of \$2,275,000 shall be transferred from the  
3941 Criminal Injuries Compensation Fund and credited to the resources of  
3942 the General Fund for the fiscal year ending June 30, 2010.

3943 (2) Notwithstanding the provisions of section 54-215 of the general  
3944 statutes, the sum of \$1,275,000 shall be transferred from the Criminal  
3945 Injuries Compensation Fund and credited to the resources of the  
3946 General Fund for the fiscal year ending June 30, 2011.

3947 (g) Notwithstanding the provisions of section 54-56k of the general  
3948 statutes, the sum of \$500,000 shall be transferred from the pretrial  
3949 account and credited to the resources of the General Fund for each of  
3950 the fiscal years ending June 30, 2010, and June 30, 2011.

3951 [(h) Notwithstanding the provisions of section 4-66aa of the general  
3952 statutes, as amended by section 28 of public act 09-229, the sum of  
3953 \$500,000 shall be transferred from the agricultural viability subaccount  
3954 of the community investment account and credited to the resources of  
3955 the General Fund for the fiscal year ending June 30, 2010.]

3956 [(i) (h) Notwithstanding the provisions of section 22-380g of the  
3957 general statutes, the sum of \$500,000 shall be transferred from the  
3958 Animal Population Control account and credited to the resources of  
3959 the General Fund for the fiscal year ending June 30, 2010.

3960 [(j) (i) Notwithstanding the provisions of section 16-50v of the  
3961 general statutes, the sum of \$500,000 shall be transferred from the  
3962 Siting Council Fund and credited to the resources of the General Fund  
3963 for the fiscal year ending June 30, 2011.

3964 [(k) (j) Notwithstanding the provisions of section 42-190 of the

3965 general statutes, the sum of \$500,000 shall be transferred from the new  
3966 automobile warranties account and credited to the resources of the  
3967 General Fund for the fiscal year ending June 30, 2011.

3968 ~~[(l)]~~ (k) (1) The sum of \$3,000,000 shall be transferred from The  
3969 University of Connecticut operating reserve account and credited to  
3970 the resources of the General Fund for the fiscal year ending June 30,  
3971 2010.

3972 (2) The sum of \$5,000,000 shall be transferred from The University  
3973 of Connecticut operating reserve account and credited to the resources  
3974 of the General Fund for the fiscal year ending June 30, 2011.

3975 ~~[(m)]~~ (l) (1) The sum of \$1,000,000 shall be transferred from the  
3976 Connecticut State University System operating reserve account and  
3977 credited to the resources of the General Fund for the fiscal year ending  
3978 June 30, 2010.

3979 (2) The sum of \$3,000,000 shall be transferred from the Connecticut  
3980 State University System operating reserve account and credited to the  
3981 resources of the General Fund for the fiscal year ending June 30, 2011.

3982 ~~[(n)]~~ (m) The sum of \$1,000,000 shall be transferred from the  
3983 Regional Community-Technical Colleges operating reserve account  
3984 and credited to the resources of the General Fund for each of the fiscal  
3985 years ending June 30, 2010, and June 30, 2011.

3986 ~~[(o)]~~ (n) Notwithstanding the provisions of section 4d-9 of the  
3987 general statutes, for the fiscal year ending June 30, 2010, the following  
3988 sums shall be transferred from the Technical Services Revolving Fund:  
3989 (1) \$100,000 to the brain injury prevention and services account  
3990 established under section 14-295b of the general statutes, and (2) on or  
3991 after May 1, 2010, \$3,900,000 to be credited to the resources of the  
3992 General Fund.

3993 Sec. 104. (*Effective from passage*) (a) The sum of \$2,555,012 of the  
3994 amount appropriated to the Judicial Department in section 1 of public

3995 act 09-3 of the June special session, for Youthful Offender Services,  
3996 shall be transferred to the Department of Children and Families, to be  
3997 available for the fiscal year ending June 30, 2010, for Board and Care  
3998 for Children - Residential.

3999 (b) The sum of \$5,229,000 of the amount appropriated to the Judicial  
4000 Department in section 11 of public act 09-3 of the June special session,  
4001 for Youthful Offender Services, shall be transferred to the Department  
4002 of Children and Families, to be available for the fiscal year ending June  
4003 30, 2011, for Board and Care for Children - Residential.

4004 Sec. 105. Subsection (b) of section 14-253a of the general statutes, as  
4005 amended by section 37 of public act 09-187, is repealed and the  
4006 following is substituted in lieu thereof (*Effective from passage*):

4007 (b) The Commissioner of Motor Vehicles shall accept applications  
4008 and renewal applications for special license plates and removable  
4009 windshield placards from (1) any person who is blind, as defined in  
4010 section 1-1f; (2) any person with disabilities; (3) any parent or guardian  
4011 of any person who is blind or any person with disabilities, if such  
4012 person is under eighteen years of age at the time of application; (4) any  
4013 parent or guardian of any person who is blind or any person with  
4014 disabilities, if such person is unable to request or complete an  
4015 application; and (5) any organization which meets criteria established  
4016 by the commissioner and which certifies to the commissioner's  
4017 satisfaction that the vehicle for which a plate or placard is requested is  
4018 primarily used to transport persons who are blind or persons with  
4019 disabilities. On and after January 1, 2010, no person shall be issued a  
4020 placard in accordance with this section unless such person is the  
4021 holder of a valid motor vehicle operator's license, or identification card  
4022 issued in accordance with the provisions of section 1-1h. The  
4023 commissioner is authorized to adopt regulations for the issuance of  
4024 placards to persons who, by reason of hardship, do not hold or cannot  
4025 obtain an operator's license or identification card. The commissioner  
4026 shall maintain a record of each placard issued to any such person. Such

4027 applications and renewal applications shall be on a form prescribed by  
4028 the commissioner and shall include certification of disability from a  
4029 licensed physician, physician's assistant or advanced practice  
4030 registered nurse, licensed in accordance with the provisions of chapter  
4031 378, or certification of legal blindness from the Board of Education and  
4032 Services for the Blind, an ophthalmologist or an optometrist. In the  
4033 case of persons with disabilities, the application shall also include  
4034 certification from a licensed physician, an advanced practice registered  
4035 nurse, licensed in accordance with the provisions of chapter 378, or a  
4036 member of the handicapped driver training unit established pursuant  
4037 to section 14-11b that the applicant meets the definition of persons  
4038 with disabilities which limit or impair the ability to walk, as defined in  
4039 23 CFR Section 1235.2. The commissioner, in said commissioner's  
4040 discretion, may accept the discharge papers of a disabled veteran, as  
4041 defined in section 14-254, in lieu of such certification. The  
4042 commissioner may require additional certification at the time of the  
4043 original application or at any time thereafter. If a person who has been  
4044 requested to submit additional certification fails to do so within thirty  
4045 days of the request, or if such additional certification is deemed by the  
4046 commissioner to be unfavorable to the applicant, the commissioner  
4047 may refuse to issue or, if already issued, suspend or revoke such  
4048 special license plate or placard. The commissioner shall not issue more  
4049 than one placard per applicant. The fee for the issuance of a temporary  
4050 removable windshield placard shall be five dollars. Any person whose  
4051 application has been denied or whose special license plate or placard  
4052 has been suspended or revoked shall be afforded an opportunity for a  
4053 hearing in accordance with the provisions of chapter 54.

4054       Sec. 106. (*Effective from passage*) The Judicial Department shall lapse  
4055 \$316,207 in its Personal Services account for each of the fiscal years  
4056 ending June 30, 2010, and June 30, 2011.

4057       Sec. 107. (*Effective from passage*) (a)(1) Not later than July 1, 2010, the  
4058 Department of Social Services shall amend by regulation the definition  
4059 of "medically necessary" services utilized in the administration of

4060 Medicaid to reflect savings in the current biennial budget by reducing  
4061 inefficiencies in the administration of the program while not reducing  
4062 the quality of care provided to Medicaid beneficiaries.

4063 (2) The Commissioner of Social Services shall implement policies  
4064 and procedures utilizing said amended definition to achieve the  
4065 purposes of subdivision (1) of this subsection while in the process of  
4066 adopting the definition in regulation form, provided notice of intention  
4067 to adopt the regulation is printed in the Connecticut Law Journal  
4068 within forty-five days of implementation, and any such policies or  
4069 procedures shall be valid until the time the final regulation is effective.

4070 (b) There is established a Medical Inefficiency Committee to advise  
4071 the Department of Social Services on the amended definition and the  
4072 implementation of the amended definition required under subsection  
4073 (a) of this section, and to provide feedback to the department and the  
4074 General Assembly on the impact of the amended definition.

4075 (c) The committee shall consist of the following members: Three  
4076 appointed by the Governor, two appointed by the speaker of the  
4077 House of Representatives, two appointed by the president pro tempore  
4078 of the Senate and one each appointed by the majority leaders of the  
4079 House of Representatives and the Senate and the minority leaders of  
4080 the House of Representatives and the Senate.

4081 (d) All appointments to the committee shall be made no later than  
4082 thirty days after the effective date of this section. Any vacancy shall be  
4083 filled by the appointing authority, except that vacancies left unfilled  
4084 for more than sixty days may be filled by joint appointment of the  
4085 speaker of the House of Representatives and the president pro tempore  
4086 of the Senate.

4087 (e) The speaker of the House of Representatives and the president  
4088 pro tempore of the Senate shall select the chairpersons of the  
4089 committee from among the members of the committee. Such  
4090 chairpersons shall schedule the first meeting of the committee, which

4091 shall be held no later than sixty days after the effective date of this  
4092 section.

4093 (f) The administrative staff of the joint standing committee of the  
4094 General Assembly having cognizance of matters relating to human  
4095 services shall serve as administrative staff of the committee.

4096 (g) Not later than January 1, 2010, January 1, 2011, and January 1,  
4097 2012, the committee shall submit a report on its findings and  
4098 recommendations to the Governor and the joint standing committees  
4099 of the General Assembly having cognizance of matters relating to  
4100 public health, human services and appropriations and the budgets of  
4101 state agencies, in accordance with the provisions of section 11-4a of the  
4102 general statutes. The committee shall terminate on the date that it  
4103 submits the third such report or January 1, 2012, whichever is later.

4104 Sec. 108. Subsection (c) of section 31-22r of the general statutes, as  
4105 amended by section 368 of public act 09-3 of the June special session, is  
4106 repealed and the following is substituted in lieu thereof (*Effective*  
4107 *October 1, 2009*):

4108 (c) [Any] Fifty per cent of any amount collected by the Labor  
4109 Department pursuant to this section shall be deposited in the General  
4110 Fund and fifty per cent of such amount shall be credited to a separate  
4111 nonlapsing appropriation to the Labor Department, for the purpose of  
4112 administering the department's apprentice training program and  
4113 sections 31-22m to 31-22p, inclusive.

4114 Sec. 109. Subsection (b) of section 4-124w of the general statutes is  
4115 repealed and the following is substituted in lieu thereof (*Effective from*  
4116 *passage*):

4117 (b) The office shall:

4118 (1) Be the Governor's principal workforce development policy  
4119 advisor;

4120 (2) Be the liaison between the Governor and any local, state or  
4121 federal organizations and entities with respect to workforce  
4122 development matters, including implementation of the Workforce  
4123 Investment Act of 1998, P.L. 105-220, as from time to time amended;

4124 (3) Coordinate the workforce development activities of all state  
4125 agencies;

4126 (4) Coordinate the state's implementation of the federal Workforce  
4127 Investment Act of 1998, P.L. 105-220, as from time to time amended,  
4128 and advise and assist the Governor with matters related to said act;

4129 [(5) Coordinate the development and implementation of strategies  
4130 regarding technology-based talent and innovation among state and  
4131 quasi-public agencies, including the creation of a centralized  
4132 clearinghouse and technical assistance function at the state level to  
4133 assist applicants in developing small business innovation research  
4134 programs in conformity with the federal program established pursuant  
4135 to the Small Business Research and Development Enhancement Act of  
4136 1992, P.L. 102-564, as amended, and other proposals;]

4137 [(6)] (5) Establish methods and procedures to ensure the maximum  
4138 involvement of members of the public, the legislature and local  
4139 officials in workforce development matters, including implementation  
4140 of the Workforce Investment Act of 1998, P.L. 105-220, as from time to  
4141 time amended;

4142 [(7)] (6) Subject to the provisions of chapter 67, appoint such officials  
4143 and other employees as may be necessary for the discharge of the  
4144 duties of the office;

4145 [(8)] (7) Enter into such contractual agreements, in accordance with  
4146 established procedures, as may be necessary to carry out the  
4147 provisions of this section and section 20 of public act 00-192\*;

4148 [(9)] (8) Take any other action necessary to carry out the provisions  
4149 of this section and section 20 of public act 00-192\*;

4150 [(10)] (9) Be the lead state agency for the development of  
4151 employment and training strategies and initiatives required to support  
4152 Connecticut's position in the knowledge economy; and

4153 [(11)] (10) Not later than October 1, 2002, and annually thereafter,  
4154 submit a report, with the assistance of the Labor Department, to the  
4155 Governor and the joint standing committees of the General Assembly  
4156 having cognizance of matters relating to education, economic  
4157 development, labor and higher education and employment  
4158 advancement specifying a forecasted assessment by the Labor  
4159 Department of workforce shortages in occupations in this state for the  
4160 succeeding two and five-year periods. The report shall also include  
4161 recommendations concerning (A) methods to generate a sufficient  
4162 number of workers to meet identified workforce needs, including, but  
4163 not limited to, scholarship, school-to-career and internship programs,  
4164 and (B) methods secondary and higher education and private industry  
4165 can use to address identified workforce needs.

4166 Sec. 110. Subsection (d) of section 4-124hh of the general statutes is  
4167 repealed and the following is substituted in lieu thereof (*Effective from*  
4168 *passage*):

4169 (d) The Office of Workforce Competitiveness shall, within available  
4170 appropriations, establish a grant program to provide funding for the  
4171 promotion of commercialization of research done by institutions of  
4172 higher education. Grants pursuant to this subsection shall be awarded  
4173 to institutions of higher education and business entities and may be  
4174 used:

4175 (1) To provide funding to verify the technical and commercial  
4176 feasibility of early stage discoveries by institutions of higher education  
4177 that are disclosed or patented to accelerate and increase the likelihood  
4178 that the technology will be successfully commercialized;

4179 (2) To provide matching support for smaller institutions of higher  
4180 education to allow for contracts with independent technology transfer

4181 organizations to provide specific service to support specific needs; and

4182 (3) [Through the Connecticut Small Business Innovation Research  
4183 Office, supported by the Office of Workforce Competitiveness, to] To  
4184 provide specialized technical assistance to advance nanotechnology  
4185 awards to Connecticut companies, [and the small business innovation  
4186 research program,] including nanotechnology-related workshops and  
4187 seminars, grant preparation assistance, marketing assistance, services  
4188 related to matching grants and other technical assistance to assist  
4189 companies with nanotechnology-related applications. [for the small  
4190 business innovation research program.]

4191 Sec. 111. Subsection (h) of section 32-35 of the general statutes, as  
4192 amended by section 79 of public act 09-3 of the June special session, is  
4193 repealed and the following is substituted in lieu thereof (*Effective from*  
4194 *passage*):

4195 (h) The corporation shall provide funding for the operation of the  
4196 Connecticut Small Business Innovation Research Office in accordance  
4197 with subdivision (41) of section 32-39 of the general statutes, as  
4198 amended by this act.

4199 Sec. 112. Section 32-39 of the general statutes is amended by adding  
4200 subdivision (41) as follows (*Effective from passage*):

4201 (NEW) (41) To coordinate the development and implementation of  
4202 strategies regarding technology-based talent and innovation among  
4203 state and quasi-public agencies, including the creation and  
4204 administration of the Connecticut Small Business Innovation Research  
4205 Office to act as a centralized clearinghouse and provide technical  
4206 assistance to applicants in developing small business innovation  
4207 research programs in conformity with the federal program established  
4208 pursuant to the Small Business Research and Development  
4209 Enhancement Act of 1992, PL 102-564, as amended, and other  
4210 proposals.

4211 Sec. 113. Section 88 of public act 07-4 of the June special session is  
4212 repealed and the following is substituted in lieu thereof (*Effective from*  
4213 *passage*):

4214 (a) There is established a Juvenile Jurisdiction Policy and Operations  
4215 Coordinating Council. The council shall monitor the implementation  
4216 of [the central components of the implementation plan developed by  
4217 the Juvenile Jurisdiction Planning and Implementation Committee, as  
4218 set forth in subsection (f) of this section, and resolve issues identified  
4219 by the committee, as set forth in subsection (g) of this section,  
4220 concerning] changes required in the juvenile justice system to expand  
4221 jurisdiction to include persons sixteen and seventeen years of age.

4222 (b) The council shall consist of the following members:

4223 (1) Two members of the General Assembly, one of whom shall be  
4224 appointed by the speaker of the House of Representatives, and one of  
4225 whom shall be appointed by the president pro tempore of the Senate;

4226 (2) The chairpersons and ranking members of the joint standing  
4227 committees of the General Assembly having cognizance of matters  
4228 relating to the judiciary, human services and appropriations, or their  
4229 designees;

4230 (3) The Chief Court Administrator, or the Chief Court  
4231 Administrator's designee;

4232 (4) A judge of the superior court for juvenile matters, appointed by  
4233 the Chief Justice;

4234 (5) The executive director of the Court Support Services Division of  
4235 the judicial branch, or the executive director's designee;

4236 (6) The executive director of the Superior Court Operations  
4237 Division, or the executive director's designee;

4238 (7) The Chief Public Defender, or the Chief Public Defender's

4239 designee;

4240 (8) The Chief State's Attorney, or the Chief State's Attorney's  
4241 designee;

4242 (9) The Commissioner of Children and Families, or the  
4243 commissioner's designee;

4244 (10) The Commissioner of Correction, or the commissioner's  
4245 designee;

4246 (11) The Commissioner of Education, or the commissioner's  
4247 designee;

4248 (12) The Commissioner of Mental Health and Addiction Services, or  
4249 the commissioner's designee;

4250 (13) The president of the Connecticut Police Chiefs Association, or  
4251 the president's designee;

4252 (14) Two child or youth advocates, one of whom shall be appointed  
4253 by one chairperson of the Juvenile Jurisdiction Planning and  
4254 Implementation Committee, and one of whom shall be appointed by  
4255 the other chairperson of the Juvenile Jurisdiction Planning and  
4256 Implementation Committee;

4257 (15) Two parents, each of whom is the parent of a child who has  
4258 been involved with the juvenile justice system, one of whom shall be  
4259 appointed by the minority leader of the House of Representatives, and  
4260 one of whom shall be appointed by the minority leader of the Senate;  
4261 and

4262 (16) The Child Advocate, or the Child Advocate's designee.

4263 (c) All appointments to the council shall be made not later than  
4264 thirty days after the effective date of this section. Any vacancy shall be  
4265 filled by the appointing authority.

4266 (d) The Secretary of the Office of Policy and Management, or the  
4267 secretary's designee and a member of the General Assembly selected  
4268 jointly by the speaker of the House of Representatives and the  
4269 president pro tempore of the Senate shall be cochairpersons of the  
4270 council. Such cochairpersons shall schedule the first meeting of the  
4271 council, which shall be held not later than sixty days after the effective  
4272 date of this section.

4273 (e) Members of the council shall serve without compensation, except  
4274 for necessary expenses incurred in the performance of their duties.

4275 [(f) Prior to January 1, 2009, the council shall monitor the  
4276 implementation of the central components of the implementation plan  
4277 contained in the final report of the Juvenile Jurisdiction Planning and  
4278 Implementation Committee dated February 8, 2007, including, but not  
4279 limited to, the development and implementation of a comprehensive  
4280 system of community-based services and residential services for  
4281 juveniles.

4282 (g) Prior to January 1, 2009, the council shall study and develop  
4283 recommendations regarding the issues identified in the final report of  
4284 the Juvenile Jurisdiction Planning and Implementation Committee to  
4285 prepare for the introduction of persons sixteen and seventeen years of  
4286 age into the juvenile justice system and to improve the juvenile justice  
4287 system. Such issues and study shall include, but need not be limited to,  
4288 the following:

4289 (1) The development of diversion programs and the most  
4290 appropriate programs for such persons;

4291 (2) The development of comprehensive projections to determine the  
4292 short-term and long-term placement capacity required to  
4293 accommodate an expanded juvenile population in the juvenile justice  
4294 system, including an identification of available pretrial detention  
4295 facilities, the need for additional pretrial detention facilities and  
4296 feasible alternatives to detention;

4297 (3) An analysis of the impact of the expansion of juvenile  
4298 jurisdiction to persons sixteen and seventeen years of age on state  
4299 agencies and a determination of which state agencies shall be  
4300 responsible for providing relevant services to juveniles, including, but  
4301 not limited to, mental health and substance abuse services, housing,  
4302 education and employment;

4303 (4) An examination of the emancipation of minors with respect to  
4304 the juvenile justice system;

4305 (5) An examination and modification of offenses categorized as  
4306 serious juvenile offenses in subdivision (12) of section 46b-120 of the  
4307 general statutes, as amended by this act;

4308 (6) A comparison and analysis of procedures used in the juvenile  
4309 justice system versus the criminal court system to determine the most  
4310 suitable procedures for juveniles, including, but not limited to, the  
4311 most suitable procedures for the lawful interrogation of juveniles;

4312 (7) An examination of school-related issues related to delinquency,  
4313 including intervention strategies to reduce the number of suspensions,  
4314 expulsions, trancies and arrests of juveniles;

4315 (8) An examination of practices and procedures that result in  
4316 disproportionate minority contact with the juvenile justice system and  
4317 strategies to reduce disproportionate minority contact with the  
4318 juvenile justice system; and

4319 (9) An examination of whether the inclusion of persons sixteen and  
4320 seventeen years of age in the juvenile justice system requires a revision  
4321 of provisions of the general statutes that establish a mandatory age for  
4322 school attendance.

4323 (h) Not later than January 1, 2008, and quarterly thereafter until  
4324 January 1, 2009, the council shall submit a status report to the  
4325 Governor and the joint standing committees of the General Assembly  
4326 having cognizance of matters relating to the judiciary, human services

4327 and appropriations, and the select committee of the General Assembly  
4328 having cognizance of matters relating to children, in accordance with  
4329 section 11-4a of the general statutes, on implementation of the plan  
4330 components set forth in subsection (f) of this section and resolution of  
4331 the issues identified in subsection (g) of this section.

4332 (i) Not later than January 1, 2009, the council shall submit a final  
4333 report on the council's recommendations and such implementation  
4334 and resolution of issues to the Governor and the joint standing  
4335 committees of the General Assembly having cognizance of matters  
4336 relating to the judiciary, human services and appropriations, and the  
4337 select committee of the General Assembly having cognizance of  
4338 matters relating to children, in accordance with section 11-4a of the  
4339 general statutes.]

4340 (f) Not later than January 1, 2011, the council shall submit a report  
4341 on the council's recommendations concerning the implementation of  
4342 changes required in the juvenile justice system to expand jurisdiction  
4343 to include persons sixteen and seventeen years of age to the Governor  
4344 and the joint standing committees of the General Assembly having  
4345 cognizance of matters relating to the judiciary, human services and  
4346 appropriations, and the select committee of the General Assembly  
4347 having cognizance of matters relating to children, in accordance with  
4348 section 11-4a of the general statutes.

4349 Sec. 114. Section 9-169g of the general statutes is repealed and the  
4350 following is substituted in lieu thereof (*Effective from passage*):

4351 (a) The town clerk of any municipality (1) which is divided between  
4352 two or more assembly districts, two or more senatorial districts or two  
4353 or more congressional districts, or (2) which is not divided between  
4354 any such districts but is divided into two or more voting districts for  
4355 General Assembly or congressional elections, shall submit to the  
4356 Secretary of the State a street map of the municipality which indicates  
4357 the boundary lines of the voting districts established by the  
4358 municipality in accordance with sections 9-169, 9-169a and 9-169d. The

4359 town clerk shall submit such map to the secretary [(A) not later than  
4360 July 30, 1997, if any such division is in effect on July 1, 1997, or, if no  
4361 such division is in effect on July 1, 1997,] in a printed or electronic  
4362 format prescribed by the secretary (A) not later than thirty days after  
4363 any such division first takes effect, and (B) not later than thirty days  
4364 after any change in any such division takes effect.

4365 (b) The Secretary of the State shall make such maps available to the  
4366 General Assembly, for use by the General Assembly in carrying out its  
4367 responsibilities under (1) Article XXVI of the Amendments to the  
4368 Constitution of Connecticut, or any subsequent corresponding state  
4369 constitutional provision, with regard to the redistricting of assembly,  
4370 senatorial and congressional districts, and (2) Public Law 94-171,  
4371 concerning the establishment of a plan identifying the geographic  
4372 areas for which specific tabulations of population are desired in the  
4373 decennial census of the United States.

4374 Sec. 115. Section 9-322a of the general statutes is repealed and the  
4375 following is substituted in lieu thereof (*Effective from passage*):

4376 [Within sixty] Not later than twenty-one days following each  
4377 regular state election, the town clerk of each town divided into voting  
4378 districts shall file with the Secretary of the State a consolidated listing,  
4379 in tabular [or summary form] format, as prescribed by the Secretary of  
4380 the State, of the official returns of each such voting district for all  
4381 offices voted on at such election, including the total number of votes  
4382 cast for each candidate, the total number of names on the registry list,  
4383 and the total number of names checked as having voted, in each such  
4384 district. The town clerk of such town shall certify that he or she has  
4385 examined the lists transmitted under this section to determine whether  
4386 there are any discrepancies between the total number of votes cast for  
4387 a candidate at such election in such town, including for any canvass  
4388 conducted pursuant to section 9-311 or 9-311a, and the sum of the  
4389 votes cast for the same candidate in all voting districts in such town. In  
4390 the case of any such discrepancy, the town clerk shall notify the head

4391 moderator and certify that such discrepancy has been rectified. Each  
4392 listing filed under this section shall be retained by the Secretary of the  
4393 State not less than ten years after the date of the election for which it  
4394 was filed.

4395 Sec. 116. Section 9-375b of the general statutes is repealed and the  
4396 following is substituted in lieu thereof (*Effective from passage*):

4397 Notwithstanding the provisions of sections 9-374 and 9-375, during  
4398 the second calendar year following the year in which the decennial  
4399 census of the United States is taken, (1) any amendments of the state  
4400 rules of a particular party necessitated by redistricting may be made  
4401 [in 1992] by a majority vote of the members of the state central  
4402 committee of such party voting thereon at a meeting called for the  
4403 purpose of considering such amendments, and (2) any amendments of  
4404 the local rules of a particular party necessitated by redistricting may be  
4405 made [in 1992] by a majority vote of the members of the town  
4406 committee of such party voting thereon at a meeting called for the  
4407 purpose of considering such amendments. [, and any] Any such  
4408 [amendment] amendments shall be effective upon the filing of a copy  
4409 thereof in the office of the Secretary of the State by the chairman or  
4410 vice-chairman of such political party.

4411 Sec. 117. (*Effective from passage*) (a) The sum of \$900,000 appropriated  
4412 under section 1 of public act 09-3 of the June special session to the  
4413 Commission on Culture and Tourism, for Tourism Districts, shall be  
4414 distributed equally among the five regional tourism districts on or  
4415 before December 31, 2009.

4416 (b) The sum of \$900,000 appropriated under section 1 of public act  
4417 09-3 of the June special session to the Commission on Culture and  
4418 Tourism, for Tourism Districts, shall be distributed equally among the  
4419 three regional tourism districts, created pursuant to section 10-397 of  
4420 the general statutes, as amended by this act, on or before June 30, 2010.

4421 Sec. 118. Subsection (b) of section 17b-800 of the general statutes is

4422 repealed and the following is substituted in lieu thereof (*Effective from*  
4423 *passage*):

4424 (b) Each shelter receiving a grant pursuant to this section (1) shall  
4425 provide decent, safe and sanitary shelter for residents of the shelter; (2)  
4426 shall not suspend or expel a resident without good cause; ~~(3) shall, in~~  
4427 the case of a resident who is listed on the registry of sexual offenders  
4428 maintained pursuant to chapter 969, provide verification of such  
4429 person's residence at the shelter to a law enforcement officer upon the  
4430 request of such officer; and ~~[(3)]~~ (4) shall provide a grievance  
4431 procedure by which residents can obtain review of grievances,  
4432 including grievances concerning suspension or expulsion from the  
4433 shelter. No shelter serving homeless families may admit a person who  
4434 is listed on the registry of sexual offenders maintained pursuant to  
4435 chapter 969. The Commissioner of Social Services shall adopt  
4436 regulations, in accordance with the provisions of chapter 54,  
4437 establishing (A) minimum standards for shelter grievance procedures  
4438 and rules concerning the suspension and expulsion of shelter residents  
4439 and (B) standards for the review and approval of the operating policies  
4440 of shelters receiving a grant under this section. Shelter operating  
4441 policies shall establish a procedure for the release of information  
4442 concerning a resident who is listed on the registry of sexual offenders  
4443 maintained pursuant to chapter 969 to a law enforcement officer in  
4444 accordance with this subsection.

4445 Sec. 119. Section 15-120i of the general statutes is repealed and the  
4446 following is substituted in lieu thereof (*Effective from passage*):

4447 (a) There is created a body politic and corporate to be known as the  
4448 "Tweed-New Haven Airport Authority". Said authority shall be a  
4449 public instrumentality and political subdivision of this state and the  
4450 exercise by the authority of the powers conferred by sections 15-120g  
4451 to 15-120o, inclusive, shall be deemed and held to be the performance  
4452 of an essential public and governmental function. The Tweed-New  
4453 Haven Airport Authority shall not be construed to be a department,

4454 institution or agency of the state.

4455 (b) The authority shall be governed by a board of directors  
4456 consisting of [~~fourteen~~] fifteen members, each member serving not  
4457 more than two consecutive four-year terms. The [~~initial~~] terms of the  
4458 members shall be staggered so that not more than four members' terms  
4459 shall expire at the same time. [~~Nine~~] Eight members of the board shall  
4460 be appointed by the mayor of New Haven and [~~two~~] five members  
4461 shall be appointed by the mayor of East Haven, [. Not less than six  
4462 members of the authority] at least six of whom shall be residents of  
4463 New Haven [~~and~~] or East Haven. [~~Three~~] Two members of the  
4464 [authority] board shall be appointed by the South Central Regional  
4465 Council of Governments, [~~which appointees~~] each of whom shall be  
4466 [residents] a resident of any of the following towns or cities: Bethany,  
4467 Branford, Guilford, Hamden, Madison, Milford, North Branford,  
4468 North Haven, Orange, Wallingford, West Haven or Woodbridge. The  
4469 board of directors shall elect a chairperson from among its members  
4470 and shall annually elect one of its members as vice-chairperson and  
4471 shall elect other members as officers, and establish bylaws as necessary  
4472 for the operation of the authority. Members of the board of directors  
4473 shall receive no compensation for the performance of their duties. No  
4474 member of the board shall have any financial interest in Tweed-New  
4475 Haven Airport or any of its tenants or concessions.

4476 (c) The thirteen members of the board of directors appointed by the  
4477 mayors of New Haven and East Haven shall be Special Directors  
4478 vested with additional powers set forth in the bylaws of the Tweed-  
4479 New Haven Airport Authority.

4480 [(c)] (d) The powers of the authority shall be vested in and exercised  
4481 by the board. Eight members of the board shall constitute a quorum  
4482 and the affirmative vote of a majority of the members present at a  
4483 meeting of the board shall be sufficient for any action taken by the  
4484 board. No vacancy in the membership of the board shall impair the  
4485 right of a quorum to exercise all the rights and perform all the duties of

4486 the board. Any action taken by the board may be authorized by  
4487 resolution at any regular or special meeting and shall take effect  
4488 immediately unless otherwise provided in the resolution. Notice of  
4489 any meeting, whether special or regular, shall be given orally, not less  
4490 than forty-eight hours prior to the meeting. The board may delegate to  
4491 three or more of its members, or its officers, agents and employees,  
4492 such board powers and duties as it may deem proper.

4493 [(d)] (e) The authority shall have perpetual succession and shall  
4494 adopt procedures for the conduct of its affairs in accordance with  
4495 section 15-120k. Such succession shall continue as long as the authority  
4496 shall have obligations outstanding and until the existence of the  
4497 authority is terminated by law at which time the rights and properties  
4498 of the authority shall pass to and be vested in the city of New Haven.

4499 Sec. 120. Section 15-120j of the general statutes is repealed and the  
4500 following is substituted in lieu thereof (*Effective from passage*):

4501 (a) The authority shall maintain and improve Tweed-New Haven  
4502 Airport as an important economic development asset for the south  
4503 central Connecticut region which is comprised of the towns and cities  
4504 of Bethany, Branford, East Haven, Guilford, Hamden, Madison,  
4505 Milford, New Haven, North Branford, North Haven, Orange,  
4506 Wallingford, West Haven and Woodbridge. The authority shall have  
4507 the following powers and duties and may exercise such powers in its  
4508 own name: (1) To manage, maintain, supervise and operate Tweed-  
4509 New Haven Airport; (2) do all things necessary to maintain working  
4510 relationships with the state, municipalities and persons, and conduct  
4511 the business of a regional airport, in accordance with applicable  
4512 statutes and regulations; (3) to charge reasonable fees for the services it  
4513 performs and modify, reduce or increase such fees, provided fees shall  
4514 apply uniformly to all airport users; (4) to enter into contracts, leases  
4515 and agreements for goods and equipment and for services with  
4516 airlines, concessions, counsel, engineers, architects, private consultants  
4517 and advisors; (5) to contract for the construction, reconstruction,

4518 enlargement or alteration of airport projects with private persons and  
4519 firms in accordance with such terms and conditions as the authority  
4520 shall determine; (6) to make plans and studies in conjunction with the  
4521 Federal Aviation Administration or other state or federal agencies; (7)  
4522 to apply for and receive grant funds for airport purposes; (8) to plan  
4523 and enter into contracts with municipalities, the state, businesses and  
4524 other entities to finance the operations and debt of the airport,  
4525 including compensation to the host municipalities of New Haven and  
4526 East Haven for the use of the land occupied by the airport; (9) to  
4527 borrow funds for airport purposes for such consideration and upon  
4528 such terms as the authority may determine to be reasonable; (10) to  
4529 employ a staff necessary to carry out its functions and purposes and fix  
4530 the duties, compensation and benefits of such staff; (11) to issue and  
4531 sell bonds and to use the proceeds of such bonds for capital  
4532 improvements to the airport; (12) to acquire property by purchase or  
4533 lease for airport purposes, subject to applicable requirements of federal  
4534 law and regulation; (13) to prepare and issue budgets, reports,  
4535 procedures, audits and such other materials as may be necessary and  
4536 desirable to its purposes; and (14) to exercise all other powers granted  
4537 to such an authority by law.

4538 (b) The authority shall have full control of the operation and  
4539 management of the airport, including land, buildings and easements  
4540 by means of a lease to the authority by the city of New Haven and the  
4541 town of East Haven.

4542 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
4543 section, Runway 2-20 of the airport shall not exceed the existing paved  
4544 runway length of five thousand six hundred linear feet.

4545 Sec. 121. (NEW) (*Effective from passage*) (a) Within available  
4546 appropriations, juvenile prosecutors employed by the Division of  
4547 Criminal Justice on the effective date of this section shall be deemed to  
4548 have been appointed by the Criminal Justice Commission in  
4549 accordance with section 51-278 of the general statutes and shall have

4550 and exercise all the powers and perform all the duties of an assistant  
4551 state's attorney and have the same jurisdiction as an assistant state's  
4552 attorney as provided in section 51-281 of the general statutes.

4553 (b) Within available appropriations, on and after the effective date  
4554 of this section, any prosecutorial official assigned to handle juvenile  
4555 matters in the criminal session of the Superior Court shall have been  
4556 appointed by the Criminal Justice Commission in accordance with  
4557 section 51-278 of the general statutes.

4558 Sec. 122. Subsection (b) of section 46b-127 of the general statutes is  
4559 repealed and the following is substituted in lieu thereof (*Effective from*  
4560 *passage*):

4561 (b) Upon motion of a [juvenile prosecutor] prosecutorial official and  
4562 order of the court, the case of any child charged with the commission  
4563 of a class C or D felony or an unclassified felony shall be transferred  
4564 from the docket for juvenile matters to the regular criminal docket of  
4565 the Superior Court, provided such offense was committed after such  
4566 child attained the age of fourteen years and the court finds ex parte  
4567 that there is probable cause to believe the child has committed the act  
4568 for which he is charged. The file of any case so transferred shall remain  
4569 sealed until such time as the court sitting for the regular criminal  
4570 docket accepts such transfer. The court sitting for the regular criminal  
4571 docket may return any such case to the docket for juvenile matters not  
4572 later than ten working days after the date of the transfer for  
4573 proceedings in accordance with the provisions of this chapter. The  
4574 child shall be arraigned in the regular criminal docket of the Superior  
4575 Court by the next court date following such transfer, provided any  
4576 proceedings held prior to the finalization of such transfer shall be  
4577 private and shall be conducted in such parts of the courthouse or the  
4578 building wherein court is located as shall be separate and apart from  
4579 the other parts of the court which are then being held for proceedings  
4580 pertaining to adults charged with crimes.

4581 Sec. 123. Section 46b-133a of the general statutes is repealed and the

4582 following is substituted in lieu thereof (*Effective from passage*):

4583 (a) A nolle prosequi may not be entered as to any count of  
4584 delinquency if the juvenile objects to the nolle prosequi and demands  
4585 either a trial or dismissal, except with respect to prosecutions in which  
4586 a nolle prosequi is entered upon a representation to the court by the  
4587 [juvenile prosecutor] prosecutorial official that a material witness has  
4588 died, disappeared or become disabled or that material evidence has  
4589 disappeared or has been destroyed and that a further investigation is  
4590 therefore necessary.

4591 (b) Whenever a nolle prosequi has been entered as to any count of  
4592 delinquency, or whenever any count of delinquency has been  
4593 dismissed without prejudice, if at least thirteen months have elapsed  
4594 since such nolle or dismissal without prejudice, all police and court  
4595 records pertaining to such count shall be erased. Whenever any such  
4596 count has been continued at the request of the [juvenile prosecutor]  
4597 prosecutorial official and a period of thirteen months has elapsed since  
4598 the granting of such continuance during which period there has been  
4599 no prosecution or other disposition of the matter, the count shall be  
4600 construed to have been nolle as of the date of termination of such  
4601 thirteen-month period and such erasure may thereafter be effected as  
4602 provided in this subsection for nolle cases.

4603 Sec. 124. Section 46b-133b of the general statutes is repealed and the  
4604 following is substituted in lieu thereof (*Effective from passage*):

4605 (a) The court, on motion of a child charged with a delinquency  
4606 offense, but not yet convicted, may order that such child be examined  
4607 to determine whether the child is alcohol-dependent or drug-  
4608 dependent as defined in section 46b-120, as amended by this act. Such  
4609 motion shall be filed with the court within ten days after a plea is  
4610 entered, except if waived by the court or pursuant to an agreement by  
4611 the parties. The results of any examination ordered pursuant to this  
4612 subsection shall be utilized only for the purposes of determining  
4613 whether the delinquency proceeding should be suspended under this

4614 section.

4615 (b) The court, upon motion of the child charged with a delinquency  
4616 offense but not yet convicted, may order the suspension of the  
4617 delinquency proceedings for a period of up to one year, order periodic  
4618 alcohol and drug testing of such child during the period of suspension  
4619 and order treatment for alcohol or drug dependency if the court, after  
4620 consideration of information before it concerning the alcohol or drug  
4621 dependency of the child, finds that (1) the child is alcohol-dependent  
4622 or drug-dependent as defined in section 46b-120, as amended by this  
4623 act, (2) the child presently needs and is likely to benefit from treatment  
4624 for the dependency and (3) the suspension of the delinquency  
4625 proceedings will advance the interests of justice. During the period of  
4626 suspension, a child shall be placed under the supervision of a juvenile  
4627 probation officer for treatment for alcohol or drug dependency and  
4628 such officer shall monitor the compliance of the child with the orders  
4629 of the court.

4630 (c) If the court denies the motion for suspension of the delinquency  
4631 proceedings, the [juvenile prosecutor] prosecutorial official may  
4632 proceed with the delinquency proceedings. Any order of the court  
4633 granting or denying a motion for suspension of the delinquency  
4634 proceedings shall not be deemed a final order for purposes of appeal.

4635 (d) At any time before the end of the period of the suspension of the  
4636 delinquency proceedings, but not later than one month before the end  
4637 of the period of suspension, a juvenile probation officer shall notify the  
4638 court of the impending conclusion of the suspension and submit a  
4639 report on whether the child has completed the treatment program and  
4640 has complied with all other conditions of the suspension order  
4641 imposed by the court.

4642 (e) If the court, on motion of the child or on its own motion, finds  
4643 that the child has completed the treatment program and has complied  
4644 with all other conditions of suspension, it may dismiss the charge for  
4645 which the delinquency proceedings had been suspended. If the court

4646 denies the motion and terminates the suspension of the delinquency  
4647 proceedings, the [juvenile prosecutor] prosecutorial official may  
4648 proceed with such proceedings.

4649 (f) The provisions of this section shall not apply to any child  
4650 charged with a serious juvenile offense as defined in section 46b-120,  
4651 as amended by this act, or any child who was previously ordered  
4652 treated under this section.

4653 Sec. 125. Subsections (a) and (b) of section 46b-133c of the general  
4654 statutes are repealed and the following is substituted in lieu thereof  
4655 (*Effective from passage*):

4656 (a) Whenever a child is referred for the commission of a felony  
4657 committed after such child attained the age of fourteen years and such  
4658 child is a serious juvenile repeat offender, as defined in section 46b-  
4659 120, as amended by this act, the [juvenile prosecutor] prosecutorial  
4660 official may request the court to designate the proceeding as a serious  
4661 juvenile repeat offender prosecution.

4662 (b) If a [juvenile prosecutor] prosecutorial official requests that a  
4663 proceeding be designated a serious juvenile repeat offender  
4664 prosecution, the court shall hold a hearing not later than thirty days  
4665 after the filing of such request unless good cause is shown by the  
4666 [juvenile prosecutor] prosecutorial official or by the child as to why the  
4667 hearing should not be held within such period. If good cause is shown,  
4668 the hearing shall be held not later than ninety days after the filing of  
4669 such request. The court shall decide whether to designate the  
4670 proceeding as a serious juvenile repeat offender prosecution not later  
4671 than thirty days after the completion of such hearing. The court shall  
4672 grant the request to designate the proceeding as a serious juvenile  
4673 repeat offender prosecution if the [juvenile prosecutor] prosecutorial  
4674 official shows by clear and convincing evidence that such designation  
4675 will serve the public safety. The decision to designate the proceeding  
4676 as a serious juvenile repeat offender prosecution shall not be a final  
4677 judgment for purposes of appeal.

4678 Sec. 126. Subsections (b) and (c) of section 46b-133d of the general  
4679 statutes are repealed and the following is substituted in lieu thereof  
4680 (*Effective from passage*):

4681 (b) Whenever a child is referred for the commission of any crime of  
4682 a sexual nature, and such case is not transferred to the regular criminal  
4683 docket pursuant to section 46b-127, as amended by this act, the  
4684 [juvenile prosecutor] prosecutorial official may request the court to  
4685 designate the proceeding as a serious sexual offender prosecution.

4686 (c) If a [juvenile prosecutor] prosecutorial official requests that a  
4687 proceeding be designated a serious sexual offender prosecution, the  
4688 court shall hold a hearing not later than thirty days after the filing of  
4689 such request unless good cause is shown by the [juvenile prosecutor]  
4690 prosecutorial official or by the child as to why the hearing should not  
4691 be held within such period. If good cause is shown, the hearing shall  
4692 be held not later than ninety days after the filing of such request. The  
4693 court shall decide whether to designate the proceeding as a serious  
4694 sexual offender prosecution not later than thirty days after the  
4695 completion of such hearing. The court shall grant the request to  
4696 designate the proceeding as a serious sexual offender prosecution if  
4697 the [juvenile prosecutor] prosecutorial official shows by a  
4698 preponderance of the evidence that such designation will serve the  
4699 public safety. The decision to designate the proceeding as a serious  
4700 sexual offender prosecution shall not be a final judgment for purposes  
4701 of appeal.

4702 Sec. 127. Subsection (e) of section 46b-133e of the general statutes is  
4703 repealed and the following is substituted in lieu thereof (*Effective from*  
4704 *passage*):

4705 (e) If the court denies the motion for suspension of the delinquency  
4706 proceedings, the [juvenile prosecutor] prosecutorial official may  
4707 proceed with the delinquency proceedings. Any order of the court  
4708 granting or denying a motion for suspension of the delinquency  
4709 proceedings shall not be deemed a final order for purposes of appeal.

4710 Sec. 128. Subsection (g) of section 46b-133e of the general statutes is  
4711 repealed and the following is substituted in lieu thereof (*Effective from*  
4712 *passage*):

4713 (g) If the court, on motion of the child or on its own motion, finds  
4714 that the child has satisfactorily completed the school violence  
4715 prevention program and has complied with all other conditions of  
4716 suspension, and one year has elapsed since the child was placed in  
4717 such program, it may dismiss the charge for which the delinquency  
4718 proceedings had been suspended. If the court denies the motion and  
4719 terminates the suspension of the delinquency proceedings, the  
4720 [juvenile prosecutor] prosecutorial official may proceed with such  
4721 proceedings.

4722 Sec. 129. Subsection (a) of section 51-285 of the general statutes is  
4723 repealed and the following is substituted in lieu thereof (*Effective from*  
4724 *passage*):

4725 (a) The Chief State's Attorney may appoint special assistant state's  
4726 attorneys, special deputy assistant state's attorneys [, special juvenile  
4727 prosecutors] and special inspectors on a contractual basis for a  
4728 temporary period of time.

4729 Sec. 130. Subsection (f) of section 34 of house bill 7004 of the current  
4730 session is amended to read as follows (*Effective from passage*):

4731 (f) For the Department of Transportation: Grants-in-aid to  
4732 municipalities, [for use in the manner set forth in sections 13b-74 to  
4733 13b-77, inclusive, of the general statutes, and in accordance with the  
4734 provisions of sections 13b-74b to 13b-77, inclusive, of the general  
4735 statutes] distributed in accordance with the provisions of sections 13a-  
4736 175a to 13a-175e, inclusive, 13a-175i and 13a-175j of the general  
4737 statutes, and used for the purposes set forth in section 13a-175a, 13a-  
4738 175d or 13a-175j of the general statutes, not exceeding \$8,000,000.

4739 Sec. 131. Subsection (b) of section 49 of house bill 7004 of the current

4740 session is amended to read as follows (*Effective from passage*):

4741 (b) For the Department of Transportation: Grants-in-aid to  
4742 municipalities, [for use in the manner set forth in sections 13b-74 to  
4743 13b-77, inclusive, of the general statutes, and in accordance with the  
4744 provisions of sections 13b-74 to 13b-77, inclusive, of the general  
4745 statutes] distributed in accordance with the provisions of sections 13a-  
4746 175a to 13a-175e, inclusive, 13a-175i and 13a-175j of the general  
4747 statutes, and used for the purposes set forth in section 13a-175a, 13a-  
4748 175d or 13a-175j of the general statutes, not exceeding \$8,000,000.

4749 Sec. 132. Section 51-9 of the general statutes is repealed and the  
4750 following is substituted in lieu thereof (*Effective from passage*):

4751 Under the supervision and direction of the Chief Court  
4752 Administrator, the executive secretary and other members of the staff  
4753 of the Office of Chief Court Administrator shall:

4754 (1) Audit all bills to be paid from state appropriations, except bills of  
4755 the Division of Criminal Justice, for the expenses of the Judicial  
4756 Department and its constituent courts prior to taxation or final  
4757 approval thereof by any judge;

4758 (2) Maintain adequate accounting and budgetary records for all  
4759 appropriations by the state for the maintenance of the Judicial  
4760 Department, except the Division of Criminal Justice, and all other  
4761 appropriations assigned by the legislature or state budgetary control  
4762 offices for administration by the Judicial Department, except the  
4763 Division of Criminal Justice;

4764 (3) Prepare and submit to the appropriate budget agency of the state  
4765 government estimates of appropriations necessary for the maintenance  
4766 and operation of the Judicial Department, including therein estimates  
4767 submitted for the Division of Criminal Justice as provided in section  
4768 51-279, and make recommendations in respect to those appropriations;

4769 (4) Act as secretary of any meetings, conferences or assemblies of

4770 judges, or committees thereof, of the Judicial Department and of its  
4771 constituent courts;

4772 (5) Supervise all purchases of commodities and services for the  
4773 Judicial Department, except for the Division of Criminal Justice, to be  
4774 charged to state appropriations, and issue all orders therefor for the  
4775 department, excluding orders for the Division of Criminal Justice;

4776 (6) Examine the administrative methods and systems employed in  
4777 the Judicial Department and its constituent courts and agencies, except  
4778 the Division of Criminal Justice, and develop and implement programs  
4779 for the improvement thereof and for securing uniform administration  
4780 and procedures;

4781 (7) Examine the state of the dockets of the courts of the Judicial  
4782 Department to ascertain the need for assistance by any court and to  
4783 implement programs for the fair and prompt disposition of cases  
4784 therein;

4785 (8) Collect and compile statistical and other data concerning the  
4786 business transacted by the Judicial Department and its constituent  
4787 courts and the expenditure of public moneys for the maintenance and  
4788 operation of the judicial system;

4789 (9) Assist in the preparation of the assignments of the judges of the  
4790 Superior Court and attend to the printing and distribution for the  
4791 Superior Court of an annual directory containing relevant information  
4792 pertaining to the operation of the court;

4793 (10) Serve as payroll officer for the Judicial Department, excluding  
4794 the Division of Criminal Justice, and for the Supreme Court, Appellate  
4795 Court and Superior Court;

4796 (11) Supervise the assignment of court reporters of the Superior  
4797 Court;

4798 (12) Conduct research and planning activities for the Judicial

4799 Department and its constituent courts and offices as deemed feasible  
4800 by, or in the discretion of, the Chief Justice or the Chief Court  
4801 Administrator;

4802 (13) Develop education programs for the judges and other  
4803 personnel of the Judicial Department;

4804 (14) Develop personnel standards, policies and procedures, and  
4805 make recommendations concerning all personnel matters, including  
4806 requests for salary increases or for additional positions, for  
4807 consideration by the Supreme Court or the appropriate appointing  
4808 authorities;

4809 (15) Report periodically to the Chief Court Administrator  
4810 concerning all matters which have been entrusted to him;

4811 (16) Attend to matters assigned to him by the Chief Justice, or the  
4812 Chief Court Administrator or by statute;

4813 (17) Design, implement and maintain, as deemed feasible by the  
4814 Chief Court Administrator, computerized automatic data processing  
4815 systems for use in the Supreme Court, Appellate Court and Superior  
4816 Court or divisions of the Superior Court;

4817 (18) Supervise administrative methods employed in clerks' offices  
4818 and in the various offices of the Supreme Court, Appellate Court and  
4819 Superior Court; and

4820 (19) Supervise the care and control of all property where the Judicial  
4821 Department is the primary occupant, which supervision shall include  
4822 planning, execution of contracts, except for contracts for consultant  
4823 services which shall be subject to section 4b-58, as amended by this act,  
4824 oversight and supervision of work involving the construction, repair  
4825 or alteration of a building or premises under the supervision of the  
4826 Office of the Chief Court Administrator, when construction contracts  
4827 do not exceed one million two hundred fifty thousand dollars. For the  
4828 purposes of this [subsection, the term] subdivision, "Judicial

4829 Department" does not include the courts of probate, the Division of  
4830 Criminal Justice and the Public Defender Services Commission, except  
4831 where they share facilities in state-maintained courts.

4832 Sec. 133. Section 4b-58 of the general statutes is repealed and the  
4833 following is substituted in lieu thereof (*Effective from passage*):

4834 (a)(1) Except in the case of a project, a priority higher education  
4835 facility project, a project, as defined in subdivision (16) of section 10a-  
4836 109c, undertaken by The University of Connecticut, a community court  
4837 project, a correctional facility project, a juvenile detention center  
4838 project, and the downtown Hartford higher education center project,  
4839 the commissioner shall negotiate a contract for consultant services with  
4840 the firm most qualified, in the commissioner's judgment, at  
4841 compensation which the commissioner determines is both fair and  
4842 reasonable to the state. (2) In the case of a project, the commissioner  
4843 shall negotiate a contract for such services with the most qualified firm  
4844 from among the list of firms submitted by the panel at compensation  
4845 which the commissioner determines in writing to be fair and  
4846 reasonable to the state. If the commissioner is unable to conclude a  
4847 contract with any of the firms recommended by the panel, the  
4848 commissioner shall, after issuing written findings of fact documenting  
4849 the reasons for such inability, negotiate with those firms which the  
4850 commissioner determines to be most qualified, at fair and reasonable  
4851 compensation, to render the particular consultant services under  
4852 consideration. (3) Whenever consultant services are required for a  
4853 priority higher education facility project, a project involving the  
4854 construction, repair or alteration of a building or premises under the  
4855 supervision of the Office of the Chief Court Administrator or property  
4856 where the Judicial Department is the primary occupant, a community  
4857 court project, a correctional facility project, a juvenile detention center  
4858 project, or the downtown Hartford higher education center project, the  
4859 commissioner shall select and interview at least three consultants or  
4860 firms and shall negotiate a contract for consultant services with the  
4861 firm most qualified, in the commissioner's judgment, at compensation

4862 which the commissioner determines is both fair and reasonable to the  
4863 state, except that if, in the opinion of the commissioner, the  
4864 Connecticut Juvenile Training School project needs to be expedited in  
4865 order to meet the needs of the Department of Children and Families,  
4866 the commissioner may waive such selection requirement. Except for  
4867 the downtown Hartford higher education center project, the  
4868 commissioner shall notify the State Properties Review Board of the  
4869 commissioner's action not later than five business days after such  
4870 action for its approval or disapproval in accordance with subsection (i)  
4871 of section 4b-23, as amended by this act, except that if, not later than  
4872 fifteen days after such notice, a decision has not been made, the board  
4873 shall be deemed to have approved such contract.

4874 (b) In determining fair and reasonable compensation to be paid in  
4875 accordance with subsection (a) of this section, the commissioner shall  
4876 consider, in the following order of importance, the professional  
4877 competence of the consultant, the technical merits of the proposal, the  
4878 ability of the firm to perform the required services within the time and  
4879 budgetary limits of the contract and the price for which the services are  
4880 to be rendered.

4881 Sec. 134. Subsection (i) of section 4b-23 of the general statutes is  
4882 repealed and the following is substituted in lieu thereof (*Effective from*  
4883 *passage*):

4884 (i) As used in this subsection, (1) "project" means any state program,  
4885 except the downtown Hartford higher education center project, as  
4886 defined in subsection (l) of section 4b-55, requiring consultant services  
4887 if the cost of such services is estimated to exceed one hundred  
4888 thousand dollars or, in the case of a constituent unit of the state system  
4889 of higher education, the cost of such services is estimated to exceed  
4890 three hundred thousand dollars, or in the case of a building or  
4891 premises under the supervision of the Office of the Chief Court  
4892 Administrator or property where the Judicial Department is the  
4893 primary occupant, the cost of such services is estimated to exceed three

4894 hundred thousand dollars; (2) "consultant" means "consultant" as  
4895 defined in section 4b-55; and (3) "consultant services" means  
4896 "consultant services" as defined in section 4b-55. Any contracts entered  
4897 into by the commissioner with any consultants for employment (A) for  
4898 any project under the provisions of this section, (B) in connection with  
4899 a list established under subsection (d) of section 4b-51, or (C) by task  
4900 letter issued by the commissioner to any consultant on such list  
4901 pursuant to which the consultant will provide services valued in  
4902 excess of one hundred thousand dollars, shall be subject to the  
4903 approval of the Properties Review Board prior to the employment of  
4904 said consultant or consultants by the commissioner. The Properties  
4905 Review Board shall, within thirty days, approve or disapprove the  
4906 selection of or contract with any consultant made by the Commissioner  
4907 of Public Works pursuant to sections 4b-1 and 4b-55 to 4b-59, inclusive.  
4908 If upon the expiration of the thirty-day period a decision has not been  
4909 made, the Properties Review Board shall be deemed to have approved  
4910 such selection or contract.

4911 Sec. 135. Section 51-286f of the general statutes is repealed and the  
4912 following is substituted in lieu thereof (*Effective from passage*):

4913 The prosecuting official in a criminal proceeding shall request on  
4914 the record that a transcript be prepared of any sentencing hearing at  
4915 which a defendant is sentenced to a definite, nonsuspended sentence  
4916 of more than two years imprisonment. [and shall cause a copy of such  
4917 transcript to be delivered] The Chief Court Administrator shall  
4918 provide, in a format prescribed by the Chief Court Administrator, any  
4919 such transcript to the Board of Pardons and Paroles.

4920 Sec. 136. (*Effective from passage*) During each of the fiscal years  
4921 ending June 30, 2010, and June 30, 2011, \$50,000 of the amounts  
4922 appropriated to the Division of Criminal Justice in sections 1 and 11 of  
4923 public act 09-3 of the June special session, for Other Expenses, shall be  
4924 transferred to the Judicial Department, for Other Expenses, in order to  
4925 carry out the provisions of section 135 of this act.

4926 Sec. 137. Section 17a-219c of the general statutes is repealed and the  
4927 following is substituted in lieu thereof (*Effective from passage*):

4928 (a) There is established a Family Support Council to assist the  
4929 Department of Developmental Services and other state agencies that  
4930 administer or fund family support services to act in concert and,  
4931 within available appropriations, to (1) establish a comprehensive,  
4932 coordinated system of family support services, (2) use existing state  
4933 and other resources efficiently and effectively as appropriate for such  
4934 services, (3) identify and address services that are needed for families  
4935 of children with disabilities, and (4) promote state-wide availability of  
4936 such services. The council shall consist of twenty-seven voting  
4937 members including the Commissioners of Public Health,  
4938 Developmental Services, Children and Families, Education and Social  
4939 Services, or their designees, the Child Advocate, the executive director  
4940 of the Office of Protection and Advocacy for Persons with Disabilities,  
4941 the chairperson of the State Interagency Birth-to-Three Coordinating  
4942 Council, as established pursuant to section 17a-248b, the executive  
4943 director of the Commission on Children, and family members of, or  
4944 individuals who advocate for, children with disabilities. The family  
4945 members or individuals who advocate for children with disabilities  
4946 shall comprise two-thirds of the council and shall be appointed as  
4947 follows: Six by the Governor, three by the president pro tempore of the  
4948 Senate, two by the majority leader of the Senate, one by the minority  
4949 leader of the Senate, three by the speaker of the House of  
4950 Representatives, two by the majority leader of the House of  
4951 Representatives and one by the minority leader of the House of  
4952 Representatives. [Members shall be appointed for a term of four years.  
4953 Members shall be limited to two consecutive terms.] All appointed  
4954 members serving on or after the effective date of this section, including  
4955 members appointed prior to the effective date of this section, shall  
4956 serve in accordance with the provisions of section 4-1a. Members  
4957 serving on or after the effective date of this section, including members  
4958 appointed prior to the effective date of this section, shall serve no more  
4959 than eight consecutive years on the council. The council shall meet at

4960 least quarterly and shall select its own chairperson. Council members  
4961 shall serve without compensation but shall be reimbursed for  
4962 necessary expenses incurred. The costs of administering the council  
4963 shall be within available appropriations in accordance with this section  
4964 and sections 17a-219a to [17a-219c] 17a-219b, inclusive.

4965 (b) The council shall: (1) Gather input and develop a vision and  
4966 guidelines for family support services in Connecticut; (2) review  
4967 existing program policies, procedures and funding mechanisms for  
4968 conformity to the guidelines and make appropriate recommendations;  
4969 (3) monitor the implementation of the guidelines and  
4970 recommendations; (4) report to the Governor and the General  
4971 Assembly on an annual basis regarding the status of family support  
4972 services, including the implementation of the guidelines and  
4973 recommendations; (5) advocate for family support services in  
4974 accordance with the guidelines; (6) compile and distribute information  
4975 on family support services within public and private agencies; and (7)  
4976 perform such other duties as are related to the advancement of family  
4977 centered supports, policies and services.

4978 Sec. 138. (*Effective from passage*) During each of the fiscal years  
4979 ending June 30, 2010, and June 30, 2011, \$50,000 of the amounts  
4980 appropriated to the Department of Administrative Services in sections  
4981 1 and 3 of this act, for Other Expenses, shall be allocated for state  
4982 marshal functions.

4983 Sec. 139. Section 4b-3 of the general statutes is repealed and the  
4984 following is substituted in lieu thereof (*Effective from passage*):

4985 (a) There is established a State Properties Review Board which shall  
4986 consist of six members appointed as follows: The speaker of the House  
4987 and president pro tempore of the Senate shall jointly appoint three  
4988 members, one of whom shall be experienced in matters relating to  
4989 architecture, one experienced in building construction matters and one  
4990 in matters relating to engineering; and the minority leader of the  
4991 House and the minority leader of the Senate shall jointly appoint three

4992 members, one of whom shall be experienced in matters relating to the  
4993 purchase, sale and lease of real estate and buildings, one experienced  
4994 in business matters generally and one experienced in the management  
4995 and operation of state institutions. No more than three of said six  
4996 members shall be of the same political party. One of the members first  
4997 appointed by the speaker and the president pro tempore shall serve a  
4998 two-year term, one shall serve a three-year term and one shall serve a  
4999 four-year term. One of the members first appointed by the minority  
5000 leaders of the House and Senate shall serve a two-year term, one shall  
5001 serve a three-year term and one shall serve a four-year term. All  
5002 appointments of members to replace those whose terms expire shall be  
5003 for a term of four years and until their successors have been appointed  
5004 and qualified. If any vacancy occurs on the board, the appointing  
5005 authorities having the power to make the initial appointment under  
5006 the provisions of this section shall appoint a person for the unexpired  
5007 term in accordance with the provisions hereof.

5008 (b) The chairman of the board shall be compensated two hundred  
5009 dollars per diem up to a maximum of thirty thousand dollars annually.  
5010 Other members of the board shall be compensated two hundred  
5011 dollars per diem up to a maximum of twenty-five thousand dollars  
5012 annually. The members of the board shall choose their own chairman.  
5013 No person shall serve on this board who holds another state or  
5014 municipal governmental position and no person on the board shall be  
5015 directly involved in any enterprise which does business with the state  
5016 or directly or indirectly involved in any enterprise concerned with real  
5017 estate acquisition or development.

5018 (c) The board may adopt such rules as it deems necessary for the  
5019 conduct of its internal affairs, in accordance with section 4-167, [ , and  
5020 may employ a secretary, a clerk, and within its budget, such  
5021 employees as it shall deem necessary.]

5022 (d) Notwithstanding any other statute or special act to the contrary,  
5023 the Commissioner of Public Works shall be the sole person authorized

5024 to represent the state in its dealings with third parties for the  
5025 acquisition, construction, development or leasing of real estate for  
5026 housing the offices or equipment of all agencies of the state or for the  
5027 state-owned public buildings or realty hereinafter provided for in  
5028 sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, 4b-26, 4b-27,  
5029 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to  
5030 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114,  
5031 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9,  
5032 51-27d and 51-27f, except that the Joint Committee on Legislative  
5033 Management may represent the state in the planning and construction  
5034 of the Legislative Office Building and related facilities, in Hartford; the  
5035 Chief Court Administrator may represent the state in providing for  
5036 space for the Court Support Services Division as part of a contract for  
5037 an alternative incarceration program pursuant to section 54-103b; the  
5038 board of trustees of a constituent unit of the state system of higher  
5039 education may represent the state in the leasing of real estate for  
5040 housing the offices or equipment of such constituent unit, provided no  
5041 lease payments for such realty are made with funds generated from  
5042 the general revenues of the state; the Labor Commissioner may  
5043 represent the state in the leasing of premises required for employment  
5044 security operations as provided in subsection (c) of section 31-250; the  
5045 Commissioner of Developmental Services may represent the state in  
5046 the leasing of residential property as part of the program developed  
5047 pursuant to subsection (b) of section 17a-218, provided such residential  
5048 property does not exceed two thousand five hundred square feet, for  
5049 the community placement of persons eligible to receive residential  
5050 services from the department; and the Connecticut Marketing  
5051 Authority may represent the state in the leasing of land or markets  
5052 under the control of the Connecticut Marketing Authority, and, except  
5053 for the housing of offices or equipment in connection with the initial  
5054 acquisition of an existing state mass transit system or the leasing of  
5055 land by the Connecticut Marketing Authority for a term of one year or  
5056 more in which cases the actions of the Department of Transportation  
5057 and the Connecticut Marketing Authority shall be subject to the review

5058 and approval of the State Properties Review Board. The Commissioner  
5059 of Public Works shall have the power to establish and implement any  
5060 procedures necessary for the commissioner to assume the  
5061 commissioner's responsibilities as said sole bargaining agent for state  
5062 realty acquisitions and shall perform the duties necessary to carry out  
5063 such procedures. The Commissioner of Public Works may appoint,  
5064 within the commissioner's budget and subject to the provisions of  
5065 chapter 67, such personnel deemed necessary by the commissioner to  
5066 carry out the provisions hereof, including experts in real estate,  
5067 construction operations, financing, banking, contracting, architecture  
5068 and engineering. The Attorney General's office, at the request of the  
5069 commissioner, shall assist the commissioner in contract negotiations  
5070 regarding the purchase, lease or construction of real estate.

5071 (e) The State Properties Review Board shall be [an independent  
5072 body within the Executive Department] within the Department of  
5073 Administrative Services and shall have independent decision-making  
5074 authority.

5075 (f) The State Properties Review Board shall review real estate  
5076 acquisitions, sales, leases and subleases proposed by the  
5077 Commissioner of Public Works, the acquisition, other than by  
5078 condemnation, or the sale or lease of any property by the  
5079 Commissioner of Transportation under subdivision (12) of section 13b-  
5080 4, subject to section 4b-23 and subsection (h) of section 13a-73 and  
5081 review, for approval or disapproval, any contract for a project  
5082 described in subsection (h) of section 4b-91, as amended by this act.  
5083 Such review shall consider all aspects of the proposed actions,  
5084 including feasibility and method of acquisition and the prudence of the  
5085 business method proposed. The board shall also cooperate with and  
5086 advise and assist the Commissioner of Public Works and the  
5087 Commissioner of Transportation in carrying out their duties. The  
5088 board shall have access to all information, files and records, including  
5089 financial records, of the Commissioner of Public Works and the  
5090 Commissioner of Transportation, and shall, when necessary, be

5091 entitled to the use of personnel employed by said commissioners. The  
5092 board shall approve or disapprove any acquisition of development  
5093 rights of agricultural land by the Commissioner of Agriculture under  
5094 section 22-26cc. The board shall hear any appeal under section 8-273a  
5095 and shall render a final decision on the appeal within thirty days  
5096 thereafter. The written decision of the board shall be a final decision  
5097 for the purposes of sections 4-180 and 4-183.

5098 Sec. 140. Section 4b-4 of the general statutes is repealed and the  
5099 following is substituted in lieu thereof (*Effective from passage*):

5100 (a) No [employee of the Properties Review Board shall hold another  
5101 state or municipal position, nor shall any such employee or any]  
5102 nonclerical employee in the unit in the Department of Public Works  
5103 [which] that is responsible for acquiring, leasing and selling real  
5104 property on behalf of the state [,] shall be directly involved in any  
5105 enterprise [which] that does business with the state or be directly or  
5106 indirectly involved in any enterprise concerned with real estate  
5107 acquisition or development. Each member [and employee] of the State  
5108 Properties Review Board shall file, with the [board] State Properties  
5109 Review Board and with the Office of State Ethics, and each such  
5110 employee of the [department] Department of Public Works shall file,  
5111 with the [department] Department of Public Works and with the Office  
5112 of State Ethics, a [financial statement indicating all sources of business  
5113 income of such person in excess of one thousand dollars, and the name  
5114 of any business with which he is associated, which shall have the same  
5115 meaning as defined in section 1-79. Such statement shall be a public  
5116 record. Financial statements for the preceding calendar year shall be  
5117 filed with the commission on or before April fifteenth of each year if  
5118 the employee or member held such a position during the preceding  
5119 calendar year] statement of financial interests pursuant to the  
5120 provisions of section 1-83.

5121 (b) The provisions of sections 1-82, 1-82a and 1-88 shall apply to any  
5122 alleged violation of this section.

5123 Sec. 141. Section 4b-5 of the general statutes is repealed and the  
5124 following is substituted in lieu thereof (*Effective from passage*):

5125 Reasonable expenses of the Properties Review Board [and its  
5126 employees] shall be paid from the budget of the [board upon the  
5127 approval of said board] Department of Administrative Services.

5128 Sec. 142. Section 4-9a of the general statutes is repealed and the  
5129 following is substituted in lieu thereof (*Effective from passage*):

5130 (a) The Governor shall appoint the chairperson and executive  
5131 director, if any, of all boards and commissions within the Executive  
5132 Department, except the Board of Governors of Higher Education,  
5133 provided the Governor shall appoint the initial chairman of said board  
5134 as provided in section 10a-2, the State Properties Review Board, the  
5135 State Elections Enforcement Commission, the Commission on Human  
5136 Rights and Opportunities, the Citizen's Ethics Advisory Board, [the  
5137 Commission on Aging] and the Commission on Fire Prevention and  
5138 Control.

5139 (b) Public members shall constitute not less than one-third of the  
5140 members of each board and commission within the Executive  
5141 Department, except the Gaming Policy Board and the Commission on  
5142 Human Rights and Opportunities. Public member means an elector of  
5143 the state who has no substantial financial interest in, is not employed  
5144 in or by, and is not professionally affiliated with, any industry,  
5145 profession, occupation, trade or institution regulated or licensed by the  
5146 relevant board or commission, and who has had no professional  
5147 affiliation with any such industry, profession, occupation, trade or  
5148 institution for three years preceding his appointment to the board or  
5149 commission. Except as otherwise specifically provided by the general  
5150 statutes, this section shall not apply to the Commission on Fire  
5151 Prevention and Control, boards and commissions the membership of  
5152 which is entirely composed of state department heads, elected officials  
5153 or deputies appointed by such department heads or where the  
5154 membership of such board or commission is determined in accordance

5155 with the provisions of any federal law.

5156 (c) Notwithstanding any provision of law to the contrary, the term  
5157 of each member of each board and commission within the executive  
5158 branch, except the State Board of Education, the Board of Governors of  
5159 Higher Education, the Gaming Policy Board, the Commission on  
5160 Human Rights and Opportunities, the State Elections Enforcement  
5161 Commission, the State Properties Review Board, the Citizen's Ethics  
5162 Advisory Board, the Commission on Medicolegal Investigations, the  
5163 Psychiatric Security Review Board, the Commission on Fire Prevention  
5164 and Control, the E 9-1-1 Commission, the Connecticut Commission on  
5165 Culture and Tourism, [the Commission on Aging] and the board of  
5166 trustees of each constituent unit of the state system of higher  
5167 education, commencing on or after July 1, 1979, shall be coterminous  
5168 with the term of the Governor or until a successor is chosen, whichever  
5169 is later.

5170 (d) Each member of each board and commission within the  
5171 executive branch shall serve at the pleasure of the appointing authority  
5172 except where otherwise specifically provided by any provision of the  
5173 general statutes.

5174 Sec. 143. Section 2-120 of the general statutes is repealed and the  
5175 following is substituted in lieu thereof (*Effective from passage*):

5176 (a) There is established a Latino and Puerto Rican Affairs  
5177 Commission. [The initial appointees shall include all members of the  
5178 Governor's Council for Latino and Puerto Rican Affairs established by  
5179 Executive Order No. Ten of Governor Lowell P. Weicker, Jr. The terms  
5180 of such initial appointees shall expire on January 31, 1995.]

5181 (b) On and after [February 1, 1995] the effective date of this section,  
5182 the commission shall consist of [thirteen] twenty-one members. [,  
5183 appointed as follows: (1) Three by the Governor, one of whom shall  
5184 serve for a term of one year from said February first and have expertise  
5185 in the field of education, one of whom shall serve for a term of two

5186 years from said February first and have expertise in the field of human  
5187 services, and one of whom shall serve for a term of three years from  
5188 said February first and have expertise in the fields of small business  
5189 and economic development, and each of whom thereafter shall serve  
5190 for terms of three years from February first in the year of their  
5191 appointment and have expertise in the field of the member's  
5192 predecessor; (2) two by the president pro tempore of the Senate, one of  
5193 whom shall have expertise in the field of children and youth  
5194 development and one of whom shall have expertise in the field of  
5195 health; (3) one by the majority leader of the Senate, who shall be a  
5196 member of the public; (4) two by the minority leader of the Senate, one  
5197 of whom shall have expertise in the field of environment and one of  
5198 whom shall have expertise in the field of arts and culture; (5) two by  
5199 the speaker of the House of Representatives, one of whom shall have  
5200 expertise in the field of housing and one of whom shall have expertise  
5201 in the field of public safety; (6) one by the majority leader of the House  
5202 of Representatives, who shall be a member of the public; and (7) two  
5203 by the minority leader of the House of Representatives, one of whom  
5204 shall have expertise in the field of transportation and one of whom  
5205 shall be a member of the public. All members appointed under this  
5206 subsection shall have experience in the field of Latino and Puerto  
5207 Rican affairs. All members appointed under subdivision (2), (3), (4),  
5208 (5), (6) or (7) of this subsection shall serve for terms of two years from  
5209 February first in the year of their appointment. The commission shall  
5210 elect a chairperson and a vice-chairperson from among its members.  
5211 Any person absent from (A) three consecutive meetings of the  
5212 commission, or (B) fifty per cent of such meetings during any calendar  
5213 year shall be deemed to have resigned from the commission, effective  
5214 immediately. Vacancies on the commission shall be filled by the  
5215 appointing authority. Members of the commission shall serve without  
5216 compensation but shall, within the limits of available funds, be  
5217 reimbursed for expenses necessarily incurred in the performance of  
5218 their duties. The commission shall meet as often as deemed necessary  
5219 by the chairperson or a majority of the commission.]

5220       (1) With respect to members appointed prior to the effective date of  
5221 this section, upon the occurrence of a vacancy or the expiration of the  
5222 term of a member, whichever occurs first, such vacancy shall be filled  
5223 as follows: (A) If the Governor appointed the member, such vacancy  
5224 shall be filled by a joint appointment of the president pro tempore of  
5225 the Senate and the speaker of the House of Representatives; (B) if the  
5226 president pro tempore of the Senate appointed the member, such  
5227 vacancy shall be filled by an appointment of the president pro tempore  
5228 of the Senate; (C) if the majority leader of the Senate appointed the  
5229 member, such vacancy shall be filled by an appointment of the  
5230 majority leader of the Senate; (D) if the minority leader of the Senate  
5231 appointed the member, such vacancy shall be filled by an appointment  
5232 of the minority leader of the Senate; (E) if the speaker of the House of  
5233 Representatives appointed the member, such vacancy shall be filled by  
5234 an appointment of the speaker of the House of Representatives; (F) if  
5235 the majority leader of the House of Representatives appointed the  
5236 member, such vacancy shall be filled by an appointment of the  
5237 majority leader of the House of Representatives; and (G) if the  
5238 minority leader of the House of Representatives appointed the  
5239 member, such vacancy shall be filled by an appointment of the  
5240 minority leader of the House of Representatives.

5241       (2) On or after the effective date of this section, eight additional  
5242 members shall be appointed as follows: (A) The president pro tempore  
5243 of the Senate shall appoint one member from Windham County; (B)  
5244 the majority leader of the Senate shall appoint two members, one from  
5245 New Haven County and one from Litchfield County; (C) the minority  
5246 leader of the Senate shall appoint one member from Fairfield County;  
5247 (D) the speaker of the House of Representatives shall appoint one  
5248 member from Middlesex County; (E) the majority leader of the House  
5249 of Representatives shall appoint two members, one from Tolland  
5250 County and one from Hartford County; and (F) the minority leader of  
5251 the House of Representatives shall appoint one member from New  
5252 London County. In the event of a vacancy for any member appointed  
5253 pursuant to this subdivision, such vacancy shall be filled by the

5254 appointing authority and such appointment shall be from the  
5255 respective county.

5256 (3) Any member appointed on or after the effective date of this  
5257 section shall have experience in the field of Latino and Puerto Rican  
5258 affairs by virtue of such person's status as an advocate or an academic,  
5259 civic or cultural leader.

5260 (4) Any member appointed pursuant to this subsection shall serve  
5261 for a term of two years from February first in the year of their  
5262 appointment. The commission shall elect a chairperson and a vice-  
5263 chairperson from among its members who shall each serve in such  
5264 capacity for a period of two years. Any person absent from (A) three  
5265 consecutive meetings of the commission, or (B) fifty per cent of such  
5266 meetings during any calendar year shall be deemed to have resigned  
5267 from the commission, effective immediately.

5268 (5) Vacancies on the commission shall be filled by the appointing  
5269 authority. Members of the commission shall serve without  
5270 compensation but shall, within the limits of available funds, be  
5271 reimbursed for expenses necessarily incurred in the performance of  
5272 their duties. The commission shall meet as often as deemed necessary  
5273 by the chairperson or a majority of the commission.

5274 (c) The commission shall:

5275 [(1) Review and comment on any proposed state legislation and  
5276 regulations that would affect the Latino and Puerto Rican populations  
5277 in the state and provide to the members of the General Assembly  
5278 copies of any such comments;

5279 (2) Advise and provide information to the Governor and the  
5280 General Assembly on the state's policies concerning the Latino and  
5281 Puerto Rican communities;

5282 (3) Advise the Governor and the General Assembly concerning the  
5283 coordination and administration of state programs serving the Latino

5284 and Puerto Rican populations;

5285 (4) Maintain a liaison between the Latino and Puerto Rican  
5286 communities and governmental entities, including, but not limited to,  
5287 the General Assembly;

5288 (5) Encourage Latino and Puerto Rican representation at all levels of  
5289 state government, including state boards and commissions, and  
5290 maintain an accessible list of prospective appointees who are members  
5291 of the Latino or Puerto Rican community;

5292 (6) Secure appropriate recognition of the accomplishments and  
5293 contributions of Latino and Puerto Rican populations of the state;

5294 (7) Work in consultation with the joint committee of the General  
5295 Assembly having cognizance of matters relating to legislative  
5296 management for the purpose of establishing a plan of short-term and  
5297 long-term initiatives based on the needs of the Latino and Puerto Rican  
5298 community; and

5299 (8) Prepare and submit to the Governor an annual report concerning  
5300 its activities with any appropriate recommendations concerning the  
5301 Latino and Puerto Rican populations of the state and submit a copy of  
5302 the report to the joint committee of the General Assembly having  
5303 cognizance of matters relating to legislative management, which  
5304 committee shall distribute a copy of the report to each member of the  
5305 General Assembly.]

5306 (1) Focus its efforts on the following quality of life desired results  
5307 for the Latino and Puerto Rican population of the state: (A) That all  
5308 members of the Latino and Puerto Rican population of the state are  
5309 healthy; (B) that all members of the Latino and Puerto Rican  
5310 population are safe; (C) that all members of the Latino and Puerto  
5311 Rican population of the state achieve educational success; (D) that all  
5312 members of the Latino and Puerto Rican population of the state are  
5313 economically self-sufficient; and (E) that all members of the Latino and

5314 Puerto Rican population of the state are free from discrimination. The  
5315 commission shall meet regularly to review matters pertaining to the  
5316 achievement of the desired results described in subparagraphs (A) to  
5317 (E), inclusive, of this subdivision and, not later than January first,  
5318 annually, shall submit a status report concerning such desired results  
5319 to the joint standing committee of the General Assembly having  
5320 cognizance of appropriations. The commission shall develop (i)  
5321 appropriate population-level indicators of the state's progress in  
5322 achieving such desired results, and (ii) strategies that are intended to  
5323 improve progress on such indicators through a process that is inclusive  
5324 of all relevant partners, including, but not limited to, state and local  
5325 government agencies, the faith community, the business sector,  
5326 nonprofit organizations, advocacy groups and philanthropic  
5327 organizations;

5328 (2) Make recommendations to the General Assembly and the  
5329 Governor for new or enhanced policies, programs and services that  
5330 will foster progress in achieving the desired results described in  
5331 subdivision (1) of this subsection;

5332 (3) Review and comment on any proposed state legislation or  
5333 recommendations that may affect the Latino and Puerto Rican  
5334 population of the state and provide copies of any such comments to  
5335 members of the General Assembly;

5336 (4) Advise the General Assembly and Governor concerning the  
5337 coordination and administration of state programs that affect the  
5338 Latino and Puerto Rican population of the state;

5339 (5) Gather and maintain current information regarding the Latino  
5340 and Puerto Rican population of the state that can be used to better  
5341 understand the status, condition and contributions of such Latino and  
5342 Puerto Rican population. Such information shall be included in the  
5343 annual report described in subsection (d) of this section and shall be  
5344 made available to legislators and other interested parties upon request;

5345 (6) Maintain a liaison between the Latino and Puerto Rican  
5346 population of the state and government agencies, including the  
5347 General Assembly; and

5348 (7) Conduct educational and outreach activities intended to raise  
5349 awareness of critical issues for the Latino and Puerto Rican population  
5350 of the state.

5351 (d) [Any report required to be submitted to the General Assembly  
5352 under subsection (c) of this section shall be submitted not] Not later  
5353 than January first, annually, in accordance with section 11-4a, the  
5354 commission shall submit a report to the General Assembly that: (1)  
5355 Identifies the quality of life desired results described in subdivision (1)  
5356 of subsection (c) of this section, (2) displays current trend data for the  
5357 indicators related to each such desired result area, (3) identifies  
5358 barriers to progress on such indicators, (4) identifies strategies  
5359 developed pursuant to subdivision (1) of subsection (c) of this section,  
5360 and (5) describes performance measures for the commission, including  
5361 measures of research, education and outreach, and partnership  
5362 development.

5363 (e) In carrying out its responsibility to make recommendations to  
5364 the General Assembly and the Governor on the need for legislation,  
5365 policies, programs or services to improve the quality of life for  
5366 members of the Latino and Puerto Rican population of the state, the  
5367 commission shall have the assistance of staff, as described in  
5368 subsection (g) of this section. Any such recommendations shall be  
5369 provided solely with the approval of a majority of the members of the  
5370 commission. A majority of the members of the commission shall be  
5371 required to approve any specific advocacy before the General  
5372 Assembly or any state agency.

5373 [(e)] (f) The commission may: (1) Request, and shall receive, from  
5374 any state agency such information and assistance as the commission  
5375 may require; (2) use such funds as may be available from federal, state  
5376 or other sources and may enter into contracts to carry out the purposes

5377 of this section; (3) utilize voluntary and uncompensated services of  
5378 individuals, state or federal agencies and organizations as may, from  
5379 time to time, be offered and needed; (4) recommend policies to federal  
5380 agencies and political subdivisions of the state relative to the Latino  
5381 and Puerto Rican population of the state; (5) accept any gift, donation  
5382 or bequest for the purpose of performing the duties described in  
5383 subsection (c) of this section; (6) hold public hearings; (7) establish task  
5384 forces, as necessary, to perform the duties described in subsection (c)  
5385 of this section; (8) adopt regulations, in accordance with chapter 54, as  
5386 it may deem necessary to carry out the duties described in subsection  
5387 (c) of this section; and (9) inform leaders of business, education, state  
5388 and local governments and the communications media of the nature  
5389 and scope of the problems faced by the Latino and Puerto Rican  
5390 population of the state, with a view to enlisting such persons' support  
5391 in working toward solving such problems.

5392 [(f) The commission may, subject to the provisions of chapter 67,  
5393 employ any necessary staff within available appropriations.]

5394 (g) There shall be an executive director of the Latino and Puerto  
5395 Rican Affairs Commission. The executive director and any necessary  
5396 staff shall be employed by the Joint Standing Committee on Legislative  
5397 Management. The commission shall have no authority over staffing or  
5398 personnel matters.

5399 [(g) On and after February 1, 1995, the] (h) The commission shall be  
5400 part of the Legislative Department.

5401 (i) The commission may enter into any agreement with a state  
5402 agency for the purpose of maximizing the receipt of federal funds by  
5403 such state agency, provided such state agency shall utilize any federal  
5404 funds received as a result of such agreement to perform those statutory  
5405 duties of such agency that relate to such commission's duties. The  
5406 commission may accept that portion of federal funds received by any  
5407 such state agency as a result of any such agreement which federal law  
5408 otherwise permits to be received by such commission.

5409 Sec. 144. Section 2-121 of the general statutes is repealed and the  
5410 following is substituted in lieu thereof (*Effective from passage*):

5411 (a) There is established an African-American Affairs Commission.  
5412 [The] On and after the effective date of this section, the commission  
5413 shall consist of [thirteen] ~~thirteen~~ twenty-one members. [, appointed as follows:  
5414 (1) Three by the Governor, one of whom shall serve for a term of one  
5415 year from July 1, 1997, and have expertise in the field of education, one  
5416 of whom shall serve for a term of two years from July 1, 1997, and have  
5417 expertise in the field of human services, and one of whom shall serve  
5418 for a term of three years from July 1, 1997, and have expertise in the  
5419 fields of small business and economic development, and each of whom  
5420 thereafter shall serve for terms of three years from October first in the  
5421 year of their appointment and have expertise in the field of the  
5422 member's predecessor; (2) two by the president pro tempore of the  
5423 Senate, one of whom shall have expertise in the field of children and  
5424 youth development and one of whom shall have expertise in the field  
5425 of health; (3) one by the majority leader of the Senate, who shall be a  
5426 member of the public; (4) two by the minority leader of the Senate, one  
5427 of whom shall have expertise in the field of environment and one of  
5428 whom shall have expertise in the field of arts and culture; (5) two by  
5429 the speaker of the House of Representatives, one of whom shall have  
5430 expertise in the field of housing and one of whom shall have expertise  
5431 in the field of public safety; (6) one by the majority leader of the House  
5432 of Representatives, who shall be a member of the public; and (7) two  
5433 by the minority leader of the House of Representatives, one of whom  
5434 shall have expertise in the field of transportation and one of whom  
5435 shall be a member of the public. All members appointed under this  
5436 subsection shall have experience in the field of African-American  
5437 affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or  
5438 (7) of this subsection shall serve for terms of two years from October  
5439 first in the year of their appointment. The commission shall elect a  
5440 chairperson and a vice-chairperson from among its members. Any  
5441 person absent from (A) three consecutive meetings of the commission  
5442 or (B) fifty per cent of such meetings during any calendar year shall be

5443 deemed to have resigned from the commission, effective immediately.  
5444 Vacancies on the commission shall be filled by the appointing  
5445 authority. Members of the commission shall serve without  
5446 compensation but shall, within the limits of available funds, be  
5447 reimbursed for expenses necessarily incurred in the performance of  
5448 their duties. The commission shall meet as often as deemed necessary  
5449 by the chairperson or a majority of the commission.]

5450 (1) With respect to members appointed prior to the effective date of  
5451 this section, upon the occurrence of a vacancy or the expiration of the  
5452 term of a member, whichever occurs first, such vacancy shall be filled  
5453 as follows: (A) If the Governor appointed the member, such vacancy  
5454 shall be filled by a joint appointment of the president pro tempore of  
5455 the Senate and the speaker of the House of Representatives; (B) if the  
5456 president pro tempore of the Senate appointed the member, such  
5457 vacancy shall be filled by an appointment of the president pro tempore  
5458 of the Senate; (C) if the majority leader of the Senate appointed the  
5459 member, such vacancy shall be filled by an appointment of the  
5460 majority leader of the Senate; (D) if the minority leader of the Senate  
5461 appointed the member, such vacancy shall be filled by an appointment  
5462 of the minority leader of the Senate; (E) if the speaker of the House of  
5463 Representatives appointed the member, such vacancy shall be filled by  
5464 an appointment of the speaker of the House of Representatives; (F) if  
5465 the majority leader of the House of Representatives appointed the  
5466 member, such vacancy shall be filled by an appointment of the  
5467 majority leader of the House of Representatives; and (G) if the  
5468 minority leader of the House of Representatives appointed the  
5469 member, such vacancy shall be filled by an appointment of the  
5470 minority leader of the House of Representatives.

5471 (2) On or after the effective date of this section, eight additional  
5472 members shall be appointed as follows: (A) The president pro tempore  
5473 of the Senate shall appoint one member from Windham County; (B)  
5474 the majority leader of the Senate shall appoint two members, one from  
5475 New Haven County and one from Litchfield County; (C) the minority

5476 leader of the Senate shall appoint one member from Fairfield County;  
5477 (D) the speaker of the House of Representatives shall appoint one  
5478 member from Middlesex County; (E) the majority leader of the House  
5479 of Representatives shall appoint two members, one from Tolland  
5480 County and one from Hartford County; and (F) the minority leader of  
5481 the House of Representatives shall appoint one member from New  
5482 London County. In the event of a vacancy for any member appointed  
5483 pursuant to this subdivision, such vacancy shall be filled by the  
5484 appointing authority and such appointment shall be from the  
5485 respective county.

5486 (3) Any member appointed on or after the effective date of this  
5487 section shall have experience in the field of African-American affairs  
5488 by virtue of such person's status as an advocate or an academic, civic  
5489 or cultural leader.

5490 (4) Any member appointed pursuant to this subsection shall serve  
5491 for a term of two years from July first in the year of his or her  
5492 appointment. The commission shall elect a chairperson and a vice-  
5493 chairperson from among its members who shall each serve in such  
5494 capacity for a period of two years. Any person absent from (A) three  
5495 consecutive meetings of the commission, or (B) fifty per cent of such  
5496 meetings during any calendar year shall be deemed to have resigned  
5497 from the commission, effective immediately.

5498 (5) Vacancies on the commission shall be filled by the appointing  
5499 authority. Members of the commission shall serve without  
5500 compensation but shall, within the limits of available funds, be  
5501 reimbursed for expenses necessarily incurred in the performance of  
5502 their duties. The commission shall meet as often as deemed necessary  
5503 by the chairperson or a majority of the commission.

5504 (b) The commission shall:

5505 [(1) Review and comment on any proposed state legislation and  
5506 regulations that would affect the African-American population in the

5507 state;

5508 (2) Advise and provide information to the Governor on the state's  
5509 policies concerning the African-American communities;

5510 (3) Advise the Governor concerning the coordination and  
5511 administration of state programs serving the African-American  
5512 population;

5513 (4) Maintain a liaison between the African-American communities  
5514 and governmental entities;

5515 (5) Encourage African-American representation at all levels of state  
5516 government, including state boards and commissions;

5517 (6) Secure appropriate recognition of the accomplishments and  
5518 contributions of the African-American population of the state; and

5519 (7) Prepare and submit to the Governor an annual report concerning  
5520 its activities with any appropriate recommendations concerning the  
5521 African-American population of the state.]

5522 (1) Focus its efforts on the following quality of life desired results  
5523 for the African-American population of the state: (A) That all members  
5524 of the African-American population of the state are healthy; (B) that all  
5525 members of the African-American population are safe; (C) that all  
5526 members of the African-American population of the state achieve  
5527 educational success; (D) that all members of the African-American  
5528 population of the state are economically self-sufficient; and (E) that all  
5529 members of the African-American population of the state are free from  
5530 discrimination. The commission shall meet regularly to review matters  
5531 pertaining to the achievement of the desired results described in  
5532 subparagraphs (A) to (E), inclusive, of this subdivision and, not later  
5533 than January first, annually, shall submit a status report concerning  
5534 such desired results to the joint standing committee of the General  
5535 Assembly having cognizance of appropriations. The commission shall  
5536 develop (i) appropriate population-level indicators of the state's

5537 progress in achieving such desired results, and (ii) strategies that are  
5538 intended to improve progress on such indicators through a process  
5539 that is inclusive of all relevant partners, including, but not limited to,  
5540 state and local government agencies, the faith community, the business  
5541 sector, nonprofit organizations, advocacy groups and philanthropic  
5542 organizations;

5543 (2) Make recommendations to the General Assembly and the  
5544 Governor for new or enhanced policies, programs and services that  
5545 will foster progress in achieving the desired results described in  
5546 subdivision (1) of this subsection;

5547 (3) Review and comment on any proposed state legislation or  
5548 recommendations that may affect the African-American population of  
5549 the state and provide copies of any such comments to members of the  
5550 General Assembly;

5551 (4) Advise the General Assembly and Governor concerning the  
5552 coordination and administration of state programs that affect the  
5553 African-American population of the state;

5554 (5) Gather and maintain current information regarding the African-  
5555 American population of the state that can be used to better understand  
5556 the status, condition and contributions of such African-American  
5557 population. Such information shall be included in the annual report  
5558 described in subsection (c) of this section and shall be made available  
5559 to legislators and other interested parties upon request;

5560 (6) Maintain a liaison between the African-American population of  
5561 the state and government agencies, including the General Assembly;  
5562 and

5563 (7) Conduct educational and outreach activities intended to raise  
5564 awareness of critical issues for the African-American population of the  
5565 state.

5566 (c) Not later than January first, annually, in accordance with section

5567 11-4a, the commission shall submit a report to the General Assembly  
5568 that: (1) Identifies the quality of life desired results described in  
5569 subdivision (1) of subsection (b) of this section, (2) displays current  
5570 trend data for the indicators related to each such desired result area,  
5571 (3) identifies barriers to progress on such indicators, (4) identifies  
5572 strategies developed pursuant to subdivision (1) of subsection (b) of  
5573 this section, and (5) describes performance measures for the  
5574 commission, including measures of research, education and outreach,  
5575 and partnership development.

5576 (d) In carrying out its responsibility to make recommendations to  
5577 the General Assembly and the Governor on the need for legislation,  
5578 policies, programs or services to improve the quality of life for  
5579 members of the African-American population of the state, the  
5580 commission shall have the assistance of staff, as described in  
5581 subsection (f) of this section. Any such recommendations shall be  
5582 provided solely with the approval of a majority of the members of the  
5583 commission. A majority of the members of the commission shall be  
5584 required to approve any specific advocacy before the General  
5585 Assembly or any state agency.

5586 [(c)] (e) The commission may: (1) Request, and shall receive, from  
5587 any state agency such information and assistance as the commission  
5588 may require; (2) use such funds as may be available from federal, state  
5589 or other sources and may enter into contracts to carry out the purposes  
5590 of this section; (3) utilize voluntary and uncompensated services of  
5591 private individuals, state or federal agencies and organizations as may,  
5592 from time to time, be offered and needed; (4) recommend policies to  
5593 federal agencies and political subdivisions of the state relative to the  
5594 African-American population of the state; (5) accept any gift, donation  
5595 or bequest for the purpose of performing the duties described in  
5596 subsection (b) of this section; (6) hold public hearings; (7) establish task  
5597 forces, as necessary, to perform the duties described in subsection (b)  
5598 of this section; (8) adopt regulations, in accordance with chapter 54, as  
5599 it may deem necessary to carry out the duties described in subsection

5600 (b) of this section; and (9) inform leaders of business, education, state  
5601 and local governments and the communications media of the nature  
5602 and scope of the problems faced by the African-American population  
5603 of the state, with a view to enlisting such persons' support in working  
5604 toward solving such problems.

5605 [(d) The commission may, subject to the provisions of chapter 67,  
5606 employ any necessary staff within available appropriations.]

5607 (f) There shall be an executive director of the African-American  
5608 Affairs Commission. The executive director and any necessary staff  
5609 shall be employed by the Joint Standing Committee on Legislative  
5610 Management. The commission shall have no authority over staffing or  
5611 personnel matters.

5612 [(e)] (g) The commission shall be part of the Legislative Department.

5613 (h) The commission may enter into any agreement with a state  
5614 agency for the purpose of maximizing the receipt of federal funds by  
5615 such state agency, provided such state agency shall utilize any federal  
5616 funds received as a result of such agreement to perform those statutory  
5617 duties of such agency that relate to such commission's duties. The  
5618 commission may accept that portion of federal funds received by any  
5619 such state agency as a result of any such agreement which federal law  
5620 otherwise permits to be received by such commission.

5621 Sec. 145. Section 2-122 of the general statutes is repealed and the  
5622 following is substituted in lieu thereof (*Effective from passage*):

5623 (a) There is established an Asian Pacific American Affairs  
5624 Commission. The commission shall consist of [thirteen] twenty-one  
5625 members. [, appointed as follows: (1) Three by the Governor, one of  
5626 whom shall serve for a term of one year from July 1, 2009, and have  
5627 expertise in the field of education, one of whom shall serve for a term  
5628 of two years from July 1, 2009, and have expertise in the field of human  
5629 services, and one of whom shall serve for a term of three years from

5630 July 1, 2009, and have expertise in the fields of small business and  
5631 economic development, and each of whom thereafter shall serve for  
5632 terms of three years from July first in the year of their appointment  
5633 and have expertise in the field of the member's predecessor; (2) two by  
5634 the president pro tempore of the Senate, one of whom shall have  
5635 expertise in the field of children and youth development and one of  
5636 whom shall have expertise in the field of health; (3) one by the majority  
5637 leader of the Senate, who shall be a member of the public; (4) two by  
5638 the minority leader of the Senate, one of whom shall have expertise in  
5639 the field of environment and one of whom shall have expertise in the  
5640 field of arts and culture; (5) two by the speaker of the House of  
5641 Representatives, one of whom shall have expertise in the field of  
5642 housing and one of whom shall have expertise in the field of public  
5643 safety; (6) one by the majority leader of the House of Representatives,  
5644 who shall be a member of the public; and (7) two by the minority  
5645 leader of the House of Representatives, one of whom shall have  
5646 expertise in the field of transportation and one of whom shall be a  
5647 member of the public. All members appointed under this subsection  
5648 shall have experience in the field of Asian Pacific American affairs. All  
5649 members appointed under subdivision (2), (3), (4), (5), (6) or (7) of this  
5650 subsection shall serve for terms of two years from July first in the year  
5651 of their appointment. The commission shall elect a chairperson and a  
5652 vice-chairperson from among its members. Any person absent from  
5653 (A) three consecutive meetings of the commission, or (B) fifty per cent  
5654 of such meetings during any calendar year shall be deemed to have  
5655 resigned from the commission, effective immediately. Vacancies on the  
5656 commission shall be filled by the appointing authority. Members of the  
5657 commission shall serve without compensation but shall, within the  
5658 limits of available funds, be reimbursed for expenses necessarily  
5659 incurred in the performance of their duties. The commission shall meet  
5660 as often as deemed necessary by the chairperson or a majority of the  
5661 commission.]

5662 (1) With respect to members appointed prior to the effective date of  
5663 this section, upon the occurrence of a vacancy or the expiration of the

5664 term of a member, whichever occurs first, such vacancy shall be filled  
5665 as follows: (A) If the Governor appointed the member, such vacancy  
5666 shall be filled by a joint appointment of the president pro tempore of  
5667 the Senate and the speaker of the House of Representatives; (B) if the  
5668 president pro tempore of the Senate appointed the member, such  
5669 vacancy shall be filled by an appointment of the president pro tempore  
5670 of the Senate; (C) if the majority leader of the Senate appointed the  
5671 member, such vacancy shall be filled by an appointment of the  
5672 majority leader of the Senate; (D) if the minority leader of the Senate  
5673 appointed the member, such vacancy shall be filled by an appointment  
5674 of the minority leader of the Senate; (E) if the speaker of the House of  
5675 Representatives appointed the member, such vacancy shall be filled by  
5676 an appointment of the speaker of the House of Representatives; (F) if  
5677 the majority leader of the House of Representatives appointed the  
5678 member, such vacancy shall be filled by an appointment of the  
5679 majority leader of the House of Representatives; and (G) if the  
5680 minority leader of the House of Representatives appointed the  
5681 member, such vacancy shall be filled by an appointment of the  
5682 minority leader of the House of Representatives.

5683 (2) On or after the effective date of this section, eight additional  
5684 members shall be appointed as follows: (A) The president pro tempore  
5685 of the Senate shall appoint one member from Windham County; (B)  
5686 the majority leader of the Senate shall appoint two members, one from  
5687 New Haven County and one from Litchfield County; (C) the minority  
5688 leader of the Senate shall appoint one member from Fairfield County;  
5689 (D) the speaker of the House of Representatives shall appoint one  
5690 member from Middlesex County; (E) the majority leader of the House  
5691 of Representatives shall appoint two members, one from Tolland  
5692 County and one from Hartford County; and (F) the minority leader of  
5693 the House of Representatives shall appoint one member from New  
5694 London County. In the event of a vacancy for any member appointed  
5695 pursuant to this subdivision, such vacancy shall be filled by the  
5696 appointing authority and such appointment shall be from the  
5697 respective county.

5698 (3) Any member appointed on or after the effective date of this  
5699 section shall have experience in the field of Asian Pacific American  
5700 affairs by virtue of such person's status as an advocate or an academic,  
5701 civic or cultural leader.

5702 (4) Any member appointed pursuant to this subsection shall serve  
5703 for a term of two years from July first in the year of his or her  
5704 appointment. The commission shall elect a chairperson and a vice-  
5705 chairperson from among its members who shall each serve in such  
5706 capacity for a period of two years. Any person absent from (A) three  
5707 consecutive meetings of the commission, or (B) fifty per cent of such  
5708 meetings during any calendar year shall be deemed to have resigned  
5709 from the commission, effective immediately.

5710 (5) Vacancies on the commission shall be filled by the appointing  
5711 authority. Members of the commission shall serve without  
5712 compensation but shall, within the limits of available funds, be  
5713 reimbursed for expenses necessarily incurred in the performance of  
5714 their duties. The commission shall meet as often as deemed necessary  
5715 by the chairperson or a majority of the commission.

5716 (b) The commission [, within available appropriations,] shall:

5717 [(1) Develop a plan prior to the beginning of each legislative session  
5718 that outlines the commission's priorities for the session and strategies  
5719 to accomplish each priority;

5720 (2) Work in consultation with the respective state agency to develop  
5721 plans and programs that address each of the following areas as they  
5722 affect the Asian Pacific American community including, but not  
5723 limited to: (A) Access to health care, (B) housing, (C) job training, (D)  
5724 access to the legal system, (E) mental health and addiction services, (F)  
5725 economic development, (G) workplace justice and equality, (H)  
5726 immigration, (I) education, (J) English language instruction, (K)  
5727 international trade, and (L) economic cooperation with Asian  
5728 countries;

5729 (3) In consultation with the joint committee of the General Assembly  
5730 having cognizance of matters relating to legislative management,  
5731 establish a plan of short-term and long-term initiatives based on the  
5732 needs of the community of Asian Pacific descent;

5733 (4) Review, comment and testify on any proposed state legislation  
5734 and regulations that would affect the Asian Pacific American  
5735 population in the state;

5736 (5) Advise and provide information to the Governor and the  
5737 General Assembly on the state's policies concerning the Asian Pacific  
5738 American communities;

5739 (6) Advise the Governor and the General Assembly concerning the  
5740 coordination and administration of state programs serving the Asian  
5741 Pacific American population;

5742 (7) Maintain a liaison between the Asian Pacific American  
5743 communities and governmental entities, including, but not limited to,  
5744 the General Assembly;

5745 (8) Promote the political empowerment of the Asian Pacific  
5746 American community through voter registration, voting rights and  
5747 citizenship training;

5748 (9) Support the state's efforts to develop international trade and  
5749 cross-border economic cooperation with the countries of Asia and the  
5750 Pacific Rim;

5751 (10) Support state efforts to develop effective foreign language and  
5752 cultural programs for educational and economic development  
5753 purposes;

5754 (11) Encourage Asian Pacific American representation at all levels of  
5755 state government, including state boards and commissions, and  
5756 support the development of such representatives in addition to  
5757 maintaining an accessible list of prospective appointees who are

5758 members of the Asian Pacific American community;

5759 (12) Secure appropriate recognition of the accomplishments and  
5760 contributions of the Asian Pacific American population of the state;  
5761 and

5762 (13) Prepare and submit to the Governor and General Assembly an  
5763 annual report concerning its activities with any appropriate  
5764 recommendations concerning the Asian Pacific American population  
5765 of the state.]

5766 (1) Focus its efforts on the following quality of life desired results  
5767 for the Asian Pacific American population of the state: (A) That all  
5768 members of the Asian Pacific American population of the state are  
5769 healthy; (B) that all members of the Asian Pacific American population  
5770 are safe; (C) that all members of the Asian Pacific American population  
5771 of the state achieve educational success; (D) that all members of the  
5772 Asian Pacific American population of the state are economically self-  
5773 sufficient; and (E) that all members of the Asian Pacific American  
5774 population of the state are free from discrimination. The commission  
5775 shall meet regularly to review matters pertaining to the achievement of  
5776 the desired results described in subparagraphs (A) to (E), inclusive, of  
5777 this subdivision and, not later than January first, annually, shall submit  
5778 a status report concerning such desired results to the joint standing  
5779 committee of the General Assembly having cognizance of  
5780 appropriations. The commission shall develop (i) appropriate  
5781 population-level indicators of the state's progress in achieving such  
5782 desired results, and (ii) strategies that are intended to improve  
5783 progress on such indicators through a process that is inclusive of all  
5784 relevant partners, including, but not limited to, state and local  
5785 government agencies, the faith community, the business sector,  
5786 nonprofit organizations, advocacy groups and philanthropic  
5787 organizations;

5788 (2) Make recommendations to the General Assembly and the  
5789 Governor for new or enhanced policies, programs and services that

5790 will foster progress in achieving the desired results described in  
5791 subdivision (1) of this subsection;

5792 (3) Review and comment on any proposed state legislation or  
5793 recommendations that may affect the Asian Pacific American  
5794 population of the state and provide copies of any such comments to  
5795 members of the General Assembly;

5796 (4) Advise the General Assembly and Governor concerning the  
5797 coordination and administration of state programs that affect the Asian  
5798 Pacific American population of the state;

5799 (5) Gather and maintain current information regarding the Asian  
5800 Pacific American population of the state that can be used to better  
5801 understand the status, condition and contributions of such Asian  
5802 Pacific American population. Such information shall be included in the  
5803 annual report described in subsection (c) of this section and shall be  
5804 made available to legislators and other interested parties upon request;

5805 (6) Maintain a liaison between the Asian Pacific American  
5806 population of the state and government agencies, including the  
5807 General Assembly; and

5808 (7) Conduct educational and outreach activities intended to raise  
5809 awareness of critical issues for the Asian Pacific American population  
5810 of the state.

5811 (c) Not later than January first, annually, in accordance with section  
5812 11-4a, the commission shall submit a report to the General Assembly  
5813 that: (1) Identifies the quality of life desired results described in  
5814 subdivision (1) of subsection (b) of this section, (2) displays current  
5815 trend data for the indicators related to each such desired result area,  
5816 (3) identifies barriers to progress on such indicators, (4) identifies  
5817 strategies developed pursuant to subdivision (1) of subsection (b) of  
5818 this section, and (5) describes performance measures for the  
5819 commission, including measures of research, education and outreach,

5820 and partnership development.

5821 (d) In carrying out its responsibility to make recommendations to  
5822 the General Assembly and the Governor on the need for legislation,  
5823 policies, programs or services to improve the quality of life for  
5824 members of the Asian Pacific American population of the state, the  
5825 commission shall have the assistance of staff, as described in  
5826 subsection (f) of this section. Any such recommendations shall be  
5827 provided solely with the approval of a majority of the members of the  
5828 commission. A majority of the members of the commission shall be  
5829 required to approve any specific advocacy before the General  
5830 Assembly or any state agency.

5831 [(c)] (e) The commission may: (1) Request, and shall receive, from  
5832 any state agency such information and assistance as the commission  
5833 may require; (2) use such funds as may be available from federal, state  
5834 or other sources and may enter into contracts to carry out the purposes  
5835 of this section; (3) utilize voluntary and uncompensated services of  
5836 private individuals, state or federal agencies and organizations as may,  
5837 from time to time, be offered and needed; (4) recommend policies to  
5838 federal agencies and political subdivisions of the state relative to the  
5839 Asian Pacific American population of the state; (5) accept any gift,  
5840 donation or bequest for the purpose of performing the duties  
5841 described in subsection (b) of this section; (6) hold public hearings; (7)  
5842 establish task forces, as necessary, to perform the duties described in  
5843 subsection (b) of this section; (8) adopt regulations, in accordance with  
5844 chapter 54, as it may deem necessary to carry out the duties described  
5845 in subsection (b) of this section; and (9) inform leaders of business,  
5846 education, state and local governments and the communications media  
5847 of the nature and scope of the problems faced by the Asian Pacific  
5848 American population of the state, with a view to enlisting such  
5849 persons' support in working toward solving such problems.

5850 [(d) The commission may, subject to the provisions of chapter 67,  
5851 employ any necessary staff within available appropriations.]

5852 (f) There shall be an executive director of the Asian Pacific American  
5853 Affairs Commission. The executive director and any necessary staff  
5854 shall be employed by the Joint Standing Committee on Legislative  
5855 Management. The commission shall have no authority over staffing or  
5856 personnel matters.

5857 ~~[(e)]~~ (g) The commission shall be part of the Legislative Department.

5858 (h) The commission may enter into any agreement with a state  
5859 agency for the purpose of maximizing the receipt of federal funds by  
5860 such state agency, provided such state agency shall utilize any federal  
5861 funds received as a result of such agreement to perform those statutory  
5862 duties of such agency that relate to such commission's duties. The  
5863 commission may accept that portion of federal funds received by any  
5864 such state agency as a result of any such agreement which federal law  
5865 otherwise permits to be received by such commission.

5866 Sec. 146. Section 17b-420 of the general statutes is repealed and the  
5867 following is substituted in lieu thereof (*Effective from passage*):

5868 (a) There is established a Commission on Aging [to advocate on  
5869 behalf of elderly persons on issues and programs of concern to the  
5870 elderly including, but not limited to, health care, nutrition, housing,  
5871 employment, transportation, legal assistance and economic security.  
5872 The commission shall be] composed of [seventeen] twenty-one voting  
5873 members. [who are knowledgeable about areas of interest to the  
5874 elderly to be appointed as follows: Five by the Governor, two by the  
5875 president pro tempore of the Senate, two by the speaker of the House  
5876 of Representatives, two by the majority leader of the Senate, two by the  
5877 majority leader of the House of Representatives, two by the minority  
5878 leader of the Senate and two by the minority leader of the House of  
5879 Representatives. The initial appointments to the commission shall be  
5880 made by August 15, 1993. The initial term for three of the members  
5881 appointed by the Governor and the members appointed by the  
5882 president pro tempore of the Senate, majority leader of the House of  
5883 Representatives and minority leader of the Senate shall expire August

5884 15, 1997, and the initial term for two of the members appointed by the  
5885 Governor and the members appointed by the speaker of the House of  
5886 Representatives, majority leader of the Senate and minority leader of  
5887 the House of Representatives shall expire August 15, 1995. Thereafter,  
5888 all members shall be appointed for a term of four years from August  
5889 fifteenth in the year of their appointment. Members shall be limited to  
5890 two consecutive terms. The commission shall include the following ex-  
5891 officio nonvoting members: The chairpersons and ranking members of  
5892 the joint standing committee of the General Assembly having  
5893 cognizance of matters relating to human services, the chairpersons and  
5894 ranking members of the select committee of the General Assembly  
5895 having cognizance of matters relating to aging, the Commissioners of  
5896 Social Services, Public Health, Mental Health and Addiction Services,  
5897 Developmental Services, Economic and Community Development and  
5898 Transportation, the Insurance Commissioner and the Labor  
5899 Commissioner. The chairperson of the commission shall be elected  
5900 from among its members. Members of the commission shall receive no  
5901 compensation for their services, but shall be reimbursed for any  
5902 necessary expenses incurred in the performance of their duties.]

5903 (1) With respect to members appointed prior to the effective date of  
5904 this section, upon the occurrence of a vacancy or the expiration of the  
5905 term of a member, whichever occurs first, such vacancy shall be filled  
5906 as follows: (A) If the Governor appointed the member, such vacancy  
5907 shall be filled by a joint appointment of the president pro tempore of  
5908 the Senate and the speaker of the House of Representatives; (B) if the  
5909 president pro tempore of the Senate appointed the member, such  
5910 vacancy shall be filled by an appointment of the president pro tempore  
5911 of the Senate; (C) if the majority leader of the Senate appointed the  
5912 member, such vacancy shall be filled by an appointment of the  
5913 majority leader of the Senate; (D) if the minority leader of the Senate  
5914 appointed the member, such vacancy shall be filled by an appointment  
5915 of the minority leader of the Senate; (E) if the speaker of the House of  
5916 Representatives appointed the member, such vacancy shall be filled by  
5917 an appointment of the speaker of the House of Representatives; (F) if

5918 the majority leader of the House of Representatives appointed the  
5919 member, such vacancy shall be filled by an appointment of the  
5920 majority leader of the House of Representatives; and (G) if the  
5921 minority leader of the House of Representatives appointed the  
5922 member, such vacancy shall be filled by an appointment of the  
5923 minority leader of the House of Representatives.

5924 (2) On or after the effective date of this section, four additional  
5925 members shall be appointed as follows: (A) The president pro tempore  
5926 of the Senate shall appoint one member from the southeastern region  
5927 of the state; (B) the minority leader of the Senate shall appoint one  
5928 member from the southwestern region of the state; (C) the speaker of  
5929 the House of Representatives shall appoint one member from the  
5930 northeastern region of the state; and (D) the minority leader of the  
5931 House of Representatives shall appoint one member from the  
5932 northwestern region of the state. In the event of a vacancy for any  
5933 member appointed pursuant to this subdivision, such vacancy shall be  
5934 filled by the appointing authority and such appointment shall be from  
5935 the respective region of the state.

5936 (3) Any member appointed on or after the effective date of this  
5937 section shall have experience in the field of issues affecting elderly  
5938 persons by virtue of such person's status as an advocate or an  
5939 academic, civic or cultural leader.

5940 (4) Any member appointed pursuant to this subsection shall serve  
5941 for a term of two years from August fifteenth in the year of his or her  
5942 appointment. The commission shall elect a chairperson and a vice-  
5943 chairperson from among its members who shall each serve in such  
5944 capacity for a period of two years. Any person absent from (A) three  
5945 consecutive meetings of the commission, or (B) fifty per cent of such  
5946 meetings during any calendar year shall be deemed to have resigned  
5947 from the commission, effective immediately.

5948 (5) Vacancies on the commission shall be filled by the appointing  
5949 authority. Members of the commission shall serve without

5950 compensation but shall, within the limits of available funds, be  
5951 reimbursed for expenses necessarily incurred in the performance of  
5952 their duties. The commission shall meet as often as deemed necessary  
5953 by the chairperson or a majority of the commission.

5954 (b) The Commission on Aging shall: [(1) Prepare and issue an  
5955 annual report to the Governor, General Assembly and the legislative  
5956 body of each municipality in the state on its findings and  
5957 recommendations concerning services for the elderly in the state; (2)  
5958 conduct annual public hearings on issues affecting the well-being of  
5959 the elderly in the state; (3) meet regularly with representatives of state  
5960 agencies to review and comment on the policies and procedures of the  
5961 department concerning the elderly; (4) review and comment on the  
5962 budget of the State Unit on Aging within the Department of Social  
5963 Services; (5) meet as needed with state officials to discuss issues  
5964 affecting the elderly; (6) conduct studies and report on issues affecting  
5965 the elderly; and (7) disseminate information to the business  
5966 community, education community, state and local governments and  
5967 the media on the nature and scope of the problems faced by the  
5968 elderly. The commission may accept any gifts, donations or bequests  
5969 and may enter into contracts for any of the purposes of this section.]

5970 (1) Focus its efforts on the following quality of life desired results  
5971 for the elderly population of the state: (A) That all members of the  
5972 elderly population of the state are healthy; (B) that all members of the  
5973 elderly population are safe; (C) that all members of the elderly  
5974 population of the state achieve educational fulfillment; (D) that all  
5975 members of the elderly population of the state are economically self-  
5976 sufficient; and (E) that all members of the elderly population of the  
5977 state are free from discrimination. The commission shall meet  
5978 regularly to review matters pertaining to the achievement of the  
5979 desired results described in subparagraphs (A) to (E), inclusive, of this  
5980 subdivision and, not later than January first, annually, shall submit a  
5981 status report concerning such desired results to the joint standing  
5982 committee of the General Assembly having cognizance of

5983 appropriations. The commission shall develop (i) appropriate  
5984 population-level indicators of the state's progress in achieving such  
5985 desired results and (ii) strategies that are intended to improve progress  
5986 on such indicators through a process that is inclusive of all relevant  
5987 partners, including, but not limited to, state and local government  
5988 agencies, the faith community, the business sector, nonprofit  
5989 organizations, advocacy groups and philanthropic organizations;

5990 (2) Make recommendations to the General Assembly and the  
5991 Governor for new or enhanced policies, programs and services that  
5992 will foster progress in achieving the desired results described in  
5993 subdivision (1) of this subsection;

5994 (3) Review and comment on any proposed state legislation or  
5995 recommendations that may affect the elderly population of the state  
5996 and provide copies of any such comments to members of the General  
5997 Assembly;

5998 (4) Advise the General Assembly and Governor concerning the  
5999 coordination and administration of state programs that affect the  
6000 elderly population of the state;

6001 (5) Gather and maintain current information regarding the elderly  
6002 population of the state that can be used to better understand the status,  
6003 condition and contributions of such elderly population. Such  
6004 information shall be included in the annual report described in  
6005 subsection (c) of this section and shall be made available to legislators  
6006 and other interested parties upon request;

6007 (6) Maintain a liaison between the elderly population of the state  
6008 and government agencies, including the General Assembly; and

6009 (7) Conduct educational and outreach activities intended to raise  
6010 awareness of critical issues for the elderly population of the state.

6011 (c) Not later than January first, annually, in accordance with section  
6012 11-4a, the commission shall submit a report to the General Assembly

6013 that: (1) Identifies the quality of life desired results described in  
6014 subdivision (1) of subsection (b) of this section, (2) displays current  
6015 trend data for the indicators related to each such desired result area,  
6016 (3) identifies barriers to progress on such indicators, (4) identifies  
6017 strategies developed pursuant to subdivision (1) of subsection (b) of  
6018 this section, and (5) describes performance measures for the  
6019 commission, including measures of research, education and outreach,  
6020 and partnership development.

6021 (d) In carrying out its responsibility to make recommendations to  
6022 the General Assembly and the Governor on the need for legislation,  
6023 policies, programs or services to improve the quality of life for  
6024 members of the elderly population of the state, the commission shall  
6025 have the assistance of staff, as described in subsection (f) of this  
6026 section. Any such recommendations shall be provided solely with the  
6027 approval of a majority of the members of the commission. A majority  
6028 of the members of the commission shall be required to approve any  
6029 specific advocacy before the General Assembly or any state agency.

6030 (e) The commission may: (1) Request, and shall receive, from any  
6031 state agency such information and assistance as the commission may  
6032 require; (2) use such funds as may be available from federal, state or  
6033 other sources and may enter into contracts to carry out the purposes of  
6034 this section; (3) utilize voluntary and uncompensated services of  
6035 individuals, state or federal agencies and organizations as may, from  
6036 time to time, be offered and needed; (4) recommend policies to federal  
6037 agencies and political subdivisions of the state relative to the elderly  
6038 population of the state; (5) accept any gift, donation or bequest for the  
6039 purpose of performing the duties described in subsection (b) of this  
6040 section; (6) hold public hearings; (7) establish task forces, as necessary,  
6041 to perform the duties described in subsection (b) of this section; (8)  
6042 adopt regulations, in accordance with chapter 54, as it may deem  
6043 necessary to carry out the duties described in subsection (b) of this  
6044 section; and (9) inform leaders of business, education, state and local  
6045 governments and the communications media of the nature and scope

6046 of the problems faced by the elderly population of the state, with a  
6047 view to enlisting such persons' support in working toward solving  
6048 such problems.

6049 [(c)] (f) There shall be an executive director of the Commission on  
6050 Aging. [who shall be appointed by the commission.] There may be  
6051 additional staff within available appropriations. The commission shall  
6052 be within the Legislative Department. [for administrative purposes  
6053 only] The executive director and any necessary staff shall be employed  
6054 by the Joint Standing Committee on Legislative Management. The  
6055 commission shall have no authority over staffing or personnel matters.

6056 (g) The commission shall be part of the Legislative Department.

6057 (h) The commission may enter into any agreement with a state  
6058 agency for the purpose of maximizing the receipt of federal funds by  
6059 such state agency, provided such state agency shall utilize any federal  
6060 funds received as a result of such agreement to perform those statutory  
6061 duties of such agency that relate to such commission's duties. The  
6062 commission may accept that portion of federal funds received by any  
6063 such state agency as a result of any such agreement which federal law  
6064 otherwise permits to be received by such commission.

6065 Sec. 147. Section 46a-1 of the general statutes is repealed and the  
6066 following is substituted in lieu thereof (*Effective from passage*):

6067 (a) There is established a Permanent Commission on the Status of  
6068 Women consisting of [seventeen persons as follows: The  
6069 cochairpersons of the joint standing committee of the General  
6070 Assembly having cognizance of matters relating to civil and human  
6071 rights and the ranking minority representative and senator on said  
6072 committee; five persons appointed by the Governor, including a  
6073 professor of law from each of two law schools in the state and three  
6074 women, who have demonstrated a competency in women's issues;  
6075 four members appointed by the speaker of the House of  
6076 Representatives and four members appointed by the president pro

6077 tempore of the Senate] twenty-one members.

6078 (1) With respect to members appointed prior to the effective date of  
6079 this section, upon the occurrence of a vacancy or the expiration of the  
6080 term of a member, whichever occurs first, such vacancy shall be filled  
6081 as follows: (A) If the Governor appointed the member, such vacancy  
6082 shall be filled by a joint appointment of the president pro tempore of  
6083 the Senate and the speaker of the House of Representatives; (B) if the  
6084 president pro tempore of the Senate appointed the member, such  
6085 vacancy shall be filled by an appointment of the president pro tempore  
6086 of the Senate; (C) if the speaker of the House of Representatives  
6087 appointed the member, such vacancy shall be filled by an appointment  
6088 of the speaker of the House of Representatives; (D) if the member  
6089 served by virtue of such member's status as a member of the General  
6090 Assembly, such vacancy shall be filled as follows: (i) The majority  
6091 leader of the Senate shall appoint one member from the southeastern  
6092 region of the state; (ii) the minority leader of the Senate shall appoint  
6093 one member from the southwestern region of the state; (iii) the  
6094 majority leader of the House of Representatives shall appoint one  
6095 member from the northeastern region of the state; (iv) the minority  
6096 leader of the House of Representatives shall appoint one member from  
6097 the northwestern region of the state. In the event of a vacancy for any  
6098 member appointed pursuant to subparagraph (D) of this subdivision,  
6099 such vacancy shall be filled by the appointing authority and such  
6100 appointment shall be from the respective region of the state.

6101 (2) On or after the effective date of this section, the majority leader  
6102 of the Senate, the minority leader of the Senate, the majority leader of  
6103 the House of Representatives and the minority leader of the House of  
6104 Representatives shall each appoint one additional member to the  
6105 commission.

6106 (3) Any member appointed on or after the effective date of this  
6107 section shall have experience in the field of issues affecting women by  
6108 virtue of such person's status as an advocate or an academic, civic or

6109 cultural leader.

6110 (4) Any member appointed pursuant to this subsection shall serve  
6111 for a term of two years from July first in the year of his or her  
6112 appointment. The commission shall elect a chairperson and a vice-  
6113 chairperson from among its members who shall each serve in such  
6114 capacity for a period of two years. Any person absent from (A) three  
6115 consecutive meetings of the commission, or (B) fifty per cent of such  
6116 meetings during any calendar year shall be deemed to have resigned  
6117 from the commission, effective immediately.

6118 (5) Vacancies on the commission shall be filled by the appointing  
6119 authority. Members of the commission shall serve without  
6120 compensation but shall, within the limits of available funds, be  
6121 reimbursed for expenses necessarily incurred in the performance of  
6122 their duties. The commission shall meet as often as deemed necessary  
6123 by the chairperson or a majority of the commission.

6124 (b) There shall be an executive director of the Permanent  
6125 Commission on the Status of Women. The executive director and any  
6126 necessary staff shall be employed by the Joint Standing Committee on  
6127 Legislative Management. The commission shall have no authority over  
6128 staffing or personnel matters.

6129 (c) The commission shall be part of the Legislative Department.

6130 Sec. 148. Section 46a-4 of the general statutes is repealed and the  
6131 following is substituted in lieu thereof (*Effective from passage*):

6132 (a) The commission shall: [conduct an ongoing study of all matters  
6133 concerning women and in furtherance of that responsibility shall: (a)  
6134 Inform leaders of business, education, state and local governments and  
6135 the communications media of the nature and scope of the problem of  
6136 sex discrimination, with a view to enlisting their support in working  
6137 toward improvement; (b) serve as a liaison between government and  
6138 private interest groups concerned with services for women; (c)

6139 promote consideration of qualified women for all levels of government  
6140 positions; (d) oversee coordination and assess programs and practices  
6141 in all state agencies as they affect women. The commission shall  
6142 annually by February fifteenth, report to the Governor and the General  
6143 Assembly the results of its findings of the preceding year with its  
6144 recommendations for the removal of such injustices as it may find to  
6145 exist.]

6146 (1) Focus its efforts on the following quality of life desired results  
6147 for women of the state: (A) That all women of the state are healthy; (B)  
6148 that all women of the state are safe; (C) that all women of the state  
6149 achieve educational success; (D) that all women of the state are  
6150 economically self-sufficient; and (E) that all women of the state are free  
6151 from discrimination. The commission shall meet regularly to review  
6152 matters pertaining to the achievement of the desired results described  
6153 in subparagraphs (A) to (E), inclusive, of this subdivision and, not later  
6154 than January first, annually, shall submit a status report concerning  
6155 such desired results to the joint standing committee of the General  
6156 Assembly having cognizance of appropriations. The commission shall  
6157 develop (i) appropriate population-level indicators of the state's  
6158 progress in achieving such desired results and (ii) strategies that are  
6159 intended to improve progress on such indicators through a process  
6160 that is inclusive of all relevant partners, including, but not limited to,  
6161 state and local government agencies, the faith community, the business  
6162 sector, nonprofit organizations, advocacy groups and philanthropic  
6163 organizations;

6164 (2) Make recommendations to the General Assembly and the  
6165 Governor for new or enhanced policies, programs and services that  
6166 will foster progress in achieving the desired results described in  
6167 subdivision (1) of this subsection;

6168 (3) Review and comment on any proposed state legislation or  
6169 recommendations that may affect women of the state and provide  
6170 copies of any such comments to members of the General Assembly;

6171 (4) Advise the General Assembly and Governor concerning the  
6172 coordination and administration of state programs that affect women  
6173 of the state;

6174 (5) Gather and maintain current information regarding women of  
6175 the state that can be used to better understand the status, condition  
6176 and contributions of such women. Such information shall be included  
6177 in the annual report described in subsection (b) of this section and shall  
6178 be made available to legislators and other interested parties upon  
6179 request;

6180 (6) Maintain a liaison between the women of the state and  
6181 government agencies, including the General Assembly; and

6182 (7) Conduct educational and outreach activities intended to raise  
6183 awareness of critical issues for women of the state;

6184 (8) Promote consideration of qualified women for all levels of  
6185 leadership positions.

6186 (b) Not later than January first, annually, in accordance with section  
6187 11-4a, the commission shall submit a report to the General Assembly  
6188 that: (1) Identifies the quality of life desired results described in  
6189 subdivision (1) of subsection (a) of this section, (2) displays current  
6190 trend data for the indicators related to each such desired result area,  
6191 (3) identifies barriers to progress on such indicators, (4) identifies  
6192 strategies developed pursuant to subdivision (1) of subsection (a) of  
6193 this section, and (5) describes performance measures for the  
6194 commission, including measures of research, education and outreach,  
6195 and partnership development.

6196 (c) In carrying out its responsibility to make recommendations to  
6197 the General Assembly and the Governor on the need for legislation,  
6198 policies, programs or services to improve the quality of life for the  
6199 women of the state, the commission shall have the assistance of staff,  
6200 as described in subsection (b) of section 46a-1, as amended by this act.

6201 Any such recommendations shall be provided solely with the approval  
6202 of a majority of the members of the commission. A majority of the  
6203 members of the commission shall be required to approve any specific  
6204 advocacy before the General Assembly or any state agency.

6205 Sec. 149. Section 46a-5 of the general statutes is repealed and the  
6206 following is substituted in lieu thereof (*Effective from passage*):

6207 (a) The [powers of the] commission [shall include but not be limited  
6208 to the following] may: [(a) To utilize such voluntary and  
6209 uncompensated services of private individuals, agencies and  
6210 organizations as may from time to time be offered and needed; (b) to  
6211 recommend policies and make recommendations to agencies and  
6212 officers of the state and local subdivisions of government to effectuate  
6213 the policies of sections 46a-1 to 46a-6, inclusive; (c) to acquire on a  
6214 contractual or other basis such necessary, legal, technical, secretarial  
6215 and administrative services as it may require for the discharge of its  
6216 duties; (d) to establish and maintain such offices as it may deem  
6217 necessary; (e) to hold fact finding hearings, and pursuant to that  
6218 subpoena witnesses and records, administer oaths and take the  
6219 testimony of any persons under oath and require the production for  
6220 examination of any books and papers relating to any matter under  
6221 investigation or in question. The commission may, by regulation,  
6222 establish a procedure for the issuance of subpoenas by individual  
6223 commissioners. Refusal to obey a subpoena issued pursuant to this  
6224 section shall constitute contempt punishable, upon the application of  
6225 the authority issuing such subpoena, by the superior court for the  
6226 judicial district of Hartford; (f) to receive and refer immediately to the  
6227 State Commission on Human Rights and Opportunities, complaints of  
6228 sex discrimination; and (g) to promulgate such regulations as it may  
6229 deem necessary to carry out the purposes of sections 46a-1 to 46a-6,  
6230 inclusive.] (1) Request, and shall receive, from any state agency such  
6231 information and assistance as the commission may require; (2) use  
6232 such funds as may be available from federal, state or other sources and  
6233 may enter into contracts to carry out the purposes of section 46a-4, as

6234 amended by this act; (3) utilize voluntary and uncompensated services  
6235 of private individuals, state or federal agencies and organizations as  
6236 may, from time to time, be offered and needed; (4) recommend policies  
6237 to federal agencies and political subdivisions of the state relative to the  
6238 women of the state; (5) accept any gift, donation or bequest for the  
6239 purpose of performing the duties described in section 46a-4, as  
6240 amended by this act; (6) hold public hearings; (7) establish task forces,  
6241 as necessary, to perform the duties described in section 46a-4, as  
6242 amended by this act; (8) adopt regulations, in accordance with chapter  
6243 54, as it may deem necessary to carry out the duties described in  
6244 section 46a-4, as amended by this act; (9) inform leaders of business,  
6245 education, state and local governments and the communications media  
6246 of the nature and scope of the problems faced by women of the state,  
6247 with a view to enlisting such persons' support in working toward  
6248 solving such problems; (10) receive and refer to the Commission on  
6249 Human Rights and Opportunities complaints of sex discrimination;  
6250 and (11) hold fact finding hearings, and pursuant to that, subpoena  
6251 witnesses and records, administer oaths and take the testimony of any  
6252 persons under oath and require the production for examination of any  
6253 books and papers relating to any matter under investigation or in  
6254 question. The commission may, by regulation, establish a procedure  
6255 for the issuance of subpoenas by individual commissioners. Refusal to  
6256 obey a subpoena issued pursuant to this section shall constitute  
6257 contempt punishable, upon the application of the authority issuing  
6258 such subpoena, by the superior court for the judicial district of  
6259 Hartford.

6260 (b) The commission may enter into any agreement with a state  
6261 agency for the purpose of maximizing the receipt of federal funds by  
6262 such state agency, provided such state agency shall utilize any federal  
6263 funds received as a result of such agreement to perform those statutory  
6264 duties of such agency that relate to such commission's duties. The  
6265 commission may accept that portion of federal funds received by any  
6266 such state agency as a result of any such agreement which federal law  
6267 otherwise permits to be received by such commission.

6268 Sec. 150. Section 46a-126 of the general statutes is repealed and the  
6269 following is substituted in lieu thereof (*Effective from passage*):

6270 (a) There is established a Commission on Children consisting of  
6271 [sixteen] twenty-one voting members, [as follows: One cochairperson  
6272 of each of the joint standing committees of the General Assembly  
6273 having cognizance of matters relating to human services, public health,  
6274 education and judiciary appointed jointly by the majority leaders of  
6275 the House of Representatives and the Senate; four members appointed  
6276 by the Governor, including a lawyer and a pediatrician who are  
6277 knowledgeable in issues concerning children, one person representing  
6278 organized labor and one person representing all state agencies  
6279 providing services to children; two members appointed by the  
6280 president pro tempore of the Senate, including one person  
6281 representing the interests of the municipalities and small towns and  
6282 one person representing the business and corporate community; two  
6283 members appointed by the speaker of the House of Representatives,  
6284 including a person representing the education community and a  
6285 mental health professional who is either a child psychologist, child  
6286 psychiatrist or a social worker; two members appointed by the  
6287 minority leader of the Senate, including a person representing a state-  
6288 wide advocacy agency for children and a private citizen who has  
6289 demonstrated an interest in children's issues; two members appointed  
6290 by the minority leader of the House of Representatives, including a  
6291 person representing a state-wide advocacy agency for children and a  
6292 private citizen who has demonstrated an interest in children's issues;  
6293 and] There shall be nine nonvoting ex-officio members of the  
6294 commission as follows: The Commissioners of Children and Families,  
6295 Developmental Services, Public Health, Education, Social Services and  
6296 [Corrections] Correction, the Secretary of the Office of Policy and  
6297 Management, the Attorney General and the Chief Court  
6298 Administrator. [The commission shall be a legislative agency for  
6299 administrative purposes only.]

6300 (1) With respect to members appointed prior to the effective date of

6301 this section, upon the occurrence of a vacancy or the expiration of the  
6302 term of a member, whichever occurs first, such vacancy shall be filled  
6303 as follows: (A) For any member appointed jointly by the majority  
6304 leaders of the House of Representatives and the Senate, such vacancy  
6305 shall be filled by a joint appointment of the majority leaders of the  
6306 House of Representatives and the Senate; (B) for any member  
6307 appointed by the Governor, such vacancy shall be filled by a joint  
6308 appointment of the president pro tempore of the Senate and the  
6309 speaker of the House of Representatives; (C) for any member  
6310 appointed by the president pro tempore of the Senate, such vacancy  
6311 shall be filled by an appointment of the president pro tempore of the  
6312 Senate; (D) for any member appointed by the speaker of the House of  
6313 Representatives, such vacancy shall be filled by an appointment of the  
6314 speaker of the House of Representatives; (E) for any member  
6315 appointed by the minority leader of the Senate, such vacancy shall be  
6316 filled by an appointment of the minority leader of the Senate; and (G)  
6317 for any member appointed by the minority leader of the House of  
6318 Representatives, such vacancy shall be filled by the minority leader of  
6319 the House of Representatives.

6320 (2) On or after the effective date of this section, (A) The majority  
6321 leaders of the House of Representatives and the Senate shall jointly  
6322 appoint one additional member to the commission who shall be from  
6323 the central region of the state; (B) the president pro tempore of the  
6324 Senate shall appoint one additional member to the commission from  
6325 the northeastern region of the state; (C) the speaker of the House of  
6326 Representatives shall appoint one additional member to the  
6327 commission from the southeastern region of the state; (D) the minority  
6328 leader of the Senate shall appoint one additional member to the  
6329 commission from the northwestern region of the state; and (E) the  
6330 minority leader of the House of Representatives shall appoint one  
6331 additional member to the commission from the southwestern region of  
6332 the state. In the event of a vacancy for any member appointed  
6333 pursuant to this subdivision, such vacancy shall be filled by the  
6334 appointing authority and such appointment shall be from the

6335 respective region of the state.

6336 (3) Any member appointed on or after the effective date of this  
6337 section shall have experience in the field of issues affecting children by  
6338 virtue of such person's status as an advocate or an academic, civic or  
6339 cultural leader.

6340 (4) Any member appointed pursuant to this subsection shall serve  
6341 for a term of two years from July first in the year of his or her  
6342 appointment. The commission shall elect a chairperson and a vice-  
6343 chairperson from among its members who shall each serve in such  
6344 capacity for a period of two years. Any person absent from (A) three  
6345 consecutive meetings of the commission, or (B) fifty per cent of such  
6346 meetings during any calendar year shall be deemed to have resigned  
6347 from the commission, effective immediately.

6348 (5) Vacancies on the commission shall be filled by the appointing  
6349 authority. Members of the commission shall serve without  
6350 compensation but shall, within the limits of available funds, be  
6351 reimbursed for expenses necessarily incurred in the performance of  
6352 their duties. The commission shall meet as often as deemed necessary  
6353 by the chairperson or a majority of the commission.

6354 (b) There shall be an executive director of the Commission on  
6355 Children. The executive director and any necessary staff shall be  
6356 employed by the Joint Standing Committee on Legislative  
6357 Management. The commission shall have no authority over staffing or  
6358 personnel matters.

6359 (c) The commission shall be part of the Legislative Department.

6360 Sec. 151. Section 46a-129 of the general statutes is repealed and the  
6361 following is substituted in lieu thereof (*Effective from passage*):

6362 (a) The commission shall: [meet regularly to review all matters  
6363 concerning children and in furtherance of that responsibility shall: (a)  
6364 Meet at least twice a year with the commissioners, state agency

6365 executive directors, any other state officials and members of advisory  
6366 committees to state agencies who have oversight of the expenditure of  
6367 state or federal funds on behalf of children; (b) receive from the  
6368 executive branch and its advisory committees requests for review and  
6369 recommendation by the commission on any matter related to children;  
6370 (c) meet at least twice a year with representatives of the Judicial Branch  
6371 including judges, public defenders, probation officers, and  
6372 representatives of the Probate Court concerning judicial branch  
6373 involvement with children; (d) receive from the Judicial Branch  
6374 requests for review and recommendation by the commission on any  
6375 matter related to children; (e) meet with and be available to  
6376 representatives of private providers of services to children, foster  
6377 parents, and support groups to children, for the purpose of  
6378 understanding their concerns with regard to the provision of services  
6379 to children; (f) receive from individuals and agencies identified in  
6380 subsection (e) of this section requests for review and recommendation  
6381 by the commission on any matter related to children and the delivery  
6382 of services to children; (g) receive from the legislative branch any  
6383 requests for review and recommendation on any matter related to  
6384 children; (h) inform leaders of the business community, education  
6385 community, state and local governments and the communications  
6386 media of the nature and scope of problems faced by children, in order  
6387 to enlist their support in improving the mandated service delivery  
6388 system, state budgeting processes, and state policies concerning  
6389 children; (i) serve as a liaison between government and private groups  
6390 concerned with children; (j) coordinate its activities with the  
6391 Permanent Commission on the Status of Women in areas of mutual  
6392 concern; and (k) review coordination and assess programs and  
6393 practices in all state agencies as they affect children.]

6394 (1) Focus its efforts on the following quality of life desired results  
6395 for children of the state: (A) That all children of the state are healthy;  
6396 (B) that all children of the state are safe; (C) that all children of the state  
6397 achieve educational success; (D) that all children of the state are free  
6398 from poverty; and (E) that all children of the state are free from

6399 discrimination. The commission shall meet regularly to review matters  
6400 pertaining to the achievement of the desired results described in  
6401 subparagraphs (A) to (E), inclusive, of this subdivision and, not later  
6402 than January first, annually, shall submit a status report concerning  
6403 such desired results to the joint standing committee of the General  
6404 Assembly having cognizance of appropriations. The commission shall  
6405 develop (i) appropriate population-level indicators of the state's  
6406 progress in achieving such desired results, and (ii) strategies that are  
6407 intended to improve progress on such indicators through a process  
6408 that is inclusive of all relevant partners, including, but not limited to,  
6409 state and local government agencies, the faith community, the business  
6410 sector, nonprofit organizations, advocacy groups and philanthropic  
6411 organizations;

6412 (2) Make recommendations to the General Assembly and the  
6413 Governor for new or enhanced policies, programs and services that  
6414 will foster progress in achieving the desired results described in  
6415 subdivision (1) of this subsection;

6416 (3) Review and comment on any proposed state legislation or  
6417 recommendations that may affect the children of the state and provide  
6418 copies of any such comments to members of the General Assembly;

6419 (4) Advise the General Assembly and Governor concerning the  
6420 coordination and administration of state programs that affect the  
6421 children of the state;

6422 (5) Gather and maintain current information regarding the children  
6423 of the state that can be used to better understand the status, condition,  
6424 and contributions of such children. Such information shall be included  
6425 in the annual report described in subsection (b) of this section and shall  
6426 be made available to legislators and other interested parties upon  
6427 request;

6428 (6) Maintain a liaison between the children of the state and  
6429 government agencies, including the General Assembly; and

6430 (7) Conduct educational and outreach activities intended to raise  
6431 awareness of critical issues for the children of the state.

6432 (b) Not later than January first, annually, in accordance with section  
6433 11-4a, the commission shall submit a report to the General Assembly  
6434 that: (1) Identifies the quality of life desired results described in  
6435 subdivision (1) of subsection (a) of this section, (2) displays current  
6436 trend data for the indicators related to each such desired result area,  
6437 (3) identifies barriers to progress on such indicators, (4) identifies  
6438 strategies developed pursuant to subdivision (1) of subsection (a) of  
6439 this section, and (5) describes performance measures for the  
6440 commission, including measures of research, education and outreach,  
6441 and partnership development.

6442 (c) In carrying out its responsibility to make recommendations to  
6443 the General Assembly and the Governor on the need for legislation,  
6444 policies, programs or services to improve the quality of life for the  
6445 children of the state, the commission shall have the assistance of staff,  
6446 as described in subsection (b) of section 46a-126, as amended by this  
6447 act. Any such recommendations shall be provided solely with the  
6448 approval of a majority of the members of the commission. A majority  
6449 of the members of the commission shall be required to approve any  
6450 specific advocacy before the General Assembly or any state agency.

6451 Sec. 152. Section 46a-130 of the general statutes is repealed and the  
6452 following is substituted in lieu thereof (*Effective from passage*):

6453 (a) The [powers of the] commission may: [shall include, but not be  
6454 limited to, the following: (a) To utilize such voluntary and  
6455 uncompensated services of private individuals, agencies and  
6456 organizations as may from time to time be offered and needed; (b) to  
6457 recommend policies and make recommendations to agencies and  
6458 officers of the state and local subdivisions of government relative to  
6459 children; (c) to acquire on a contractual or other basis such necessary  
6460 legal, technical, secretarial and administrative services as it may  
6461 require for the discharge of its duties; (d) to establish and maintain

6462 such offices as it may deem necessary; (e) to hold public hearings; (f) to  
6463 establish task forces as necessary to accomplish the purposes of  
6464 sections 46a-126 to 46a-131, inclusive; and (g) to adopt such regulations  
6465 as it may deem necessary to carry out the purposes of sections 46a-126  
6466 to 46a-131, inclusive] (1) Request, and shall receive, from any state  
6467 agency such information and assistance as the commission may  
6468 require; (2) use such funds as may be available from federal, state or  
6469 other sources and may enter into contracts to carry out the purposes of  
6470 section 46a-129, as amended by this act; (3) utilize voluntary and  
6471 uncompensated services of private individuals, state or federal  
6472 agencies and organizations as may, from time to time, be offered and  
6473 needed; (4) recommend policies to federal agencies and political  
6474 subdivisions of the state relative to the children of the state; (5) accept  
6475 any gift, donation or bequest for the purpose of performing the duties  
6476 described in section 46a-129, as amended by this act; (6) hold public  
6477 hearings; (7) establish task forces, as necessary, to perform the duties  
6478 described in section 46a-129, as amended by this act; (8) adopt  
6479 regulations, in accordance with chapter 54, as it may deem necessary  
6480 to carry out the duties described in section 46a-129, as amended by this  
6481 act; and (9) inform leaders of business, education, state and local  
6482 governments and the communications media of the nature and scope  
6483 of the problems faced by children of the state, with a view to enlisting  
6484 such persons' support in working toward solving such problems.

6485 (b) The commission may enter into any agreement with a state  
6486 agency for the purpose of maximizing the receipt of federal funds by  
6487 such state agency, provided such state agency shall utilize any federal  
6488 funds received as a result of such agreement to perform those statutory  
6489 duties of such agency that relate to such commission's duties. The  
6490 commission may accept that portion of federal funds received by any  
6491 such state agency as a result of any such agreement which federal law  
6492 otherwise permits to be received by such commission.

6493 Sec. 153. Section 46a-52 of the general statutes is repealed and the  
6494 following is substituted in lieu thereof (*Effective from passage*):

6495 (a) The commission shall consist of nine persons. On and after  
6496 October 1, 2000, such persons shall be appointed with the advice and  
6497 consent of both houses of the General Assembly. (1) On or before July  
6498 15, 1990, the Governor shall appoint five members of the commission,  
6499 three of whom shall serve for terms of five years and two of whom  
6500 shall serve for terms of three years. Upon the expiration of such terms,  
6501 and thereafter, the Governor shall appoint either two or three  
6502 members, as appropriate, to serve for terms of five years. On or before  
6503 July 14, 1990, the president pro tempore of the Senate, the minority  
6504 leader of the Senate, the speaker of the House of Representatives and  
6505 the minority leader of the House of Representatives shall each appoint  
6506 one member to serve for a term of three years. Upon the expiration of  
6507 such terms, and thereafter, members so appointed shall serve for terms  
6508 of three years. (2) If any vacancy occurs, the appointing authority  
6509 making the initial appointment shall appoint a person to serve for the  
6510 remainder of the unexpired term. The Governor shall select one of the  
6511 members of the commission to serve as chairperson for a term of one  
6512 year. The commission shall meet at least once during each two-month  
6513 period and at such other times as the chairperson deems necessary.  
6514 Special meetings shall be held on the request of a majority of the  
6515 members of the commission after notice in accordance with the  
6516 provisions of section 1-225.

6517 (b) Except as provided in section 46a-57, the members of the  
6518 commission shall serve without pay, but their reasonable expenses,  
6519 including educational training expenses and expenses for necessary  
6520 stenographic and clerical help, shall be paid by the state upon  
6521 approval of the Commissioner of Administrative Services. Not later  
6522 than two months after appointment to the commission, each member  
6523 of the commission shall receive a minimum of ten hours of  
6524 introductory training prior to voting on any commission matter. Each  
6525 year following such introductory training, each member shall receive  
6526 five hours of follow-up training. Such introductory and follow-up  
6527 training shall consist of instruction on the laws governing  
6528 discrimination in employment, housing, public accommodation and

6529 credit, affirmative action and the procedures of the commission. Such  
6530 training shall be organized by the managing director of the legal  
6531 division of the commission. Any member who fails to complete such  
6532 training shall not vote on any commission matter. Any member who  
6533 fails to comply with such introductory training requirement within six  
6534 months of appointment shall be deemed to have resigned from office.  
6535 Any member who fails to attend three consecutive meetings or who  
6536 fails to attend fifty per cent of all meetings held during any calendar  
6537 year shall be deemed to have resigned from office.

6538 (c) On or before July 15, 1989, the commission shall appoint an  
6539 executive director who shall be the chief executive officer of the  
6540 Commission on Human Rights and Opportunities to serve for a term  
6541 expiring on July 14, 1990. Upon the expiration of such term and  
6542 thereafter, the executive director shall be appointed for a term of four  
6543 years. The executive director shall be supervised and annually  
6544 evaluated by the commission. The executive director shall serve at the  
6545 pleasure of the commission but no longer than four years from July  
6546 fifteenth in the year of his or her appointment unless reappointed  
6547 pursuant to the provisions of this subsection. The executive director  
6548 shall receive an annual salary within the salary range of a salary group  
6549 established by the Commissioner of Administrative Services for the  
6550 position. The executive director (1) shall conduct comprehensive  
6551 planning with respect to the functions of the commission; (2) shall  
6552 coordinate the activities of the commission; and (3) shall cause the  
6553 administrative organization of the commission to be examined with a  
6554 view to promoting economy and efficiency. In accordance with  
6555 established procedures, the executive director may enter into such  
6556 contractual agreements as may be necessary for the discharge of the  
6557 director's duties.

6558 (d) The executive director may appoint no more than two deputy  
6559 directors with the approval of a majority of the members of the  
6560 commission. The deputy directors shall be supervised by the executive  
6561 director and shall assist the executive director in the administration of

6562 the commission, the effectuation of its statutory responsibilities and  
6563 such other duties as may be assigned by the executive director. Deputy  
6564 directors shall serve at the pleasure of the executive director and  
6565 without tenure. The executive director may remove a deputy director  
6566 with the approval of a majority of the members of the commission.

6567 [(e) The executive director may appoint no more than two hearing  
6568 adjudicators. Such hearing adjudicators shall have the same powers as  
6569 presiding officers to conduct hearing conferences, decide preliminary  
6570 matters and supervise settlement negotiations, but shall not have the  
6571 authority to conduct full hearings.]

6572 [(f)] (e) The commission shall be within the Department of  
6573 Administrative Services for administrative purposes only.

6574 Sec. 154. Subsection (a) of section 46a-57 of the general statutes is  
6575 repealed and the following is substituted in lieu thereof (*Effective from*  
6576 *passage*):

6577 (a)(1) The Governor shall appoint three human rights referees for  
6578 terms commencing October 1, 1998, and four human rights referees for  
6579 terms commencing January 1, 1999. The human rights referees so  
6580 appointed shall serve for a term of one year.

6581 (2) (A) On and after October 1, 1999, the Governor shall appoint  
6582 seven human rights referees with the advice and consent of both  
6583 houses of the General Assembly. The Governor shall appoint three  
6584 human rights referees to serve for a term of two years commencing  
6585 October 1, 1999. The Governor shall appoint four human rights  
6586 referees to serve for a term of three years commencing January 1, 2000.  
6587 Thereafter, human rights referees shall serve for a term of three years.

6588 (B) On and after July 1, 2001, there shall be five human rights  
6589 referees. Each of the human rights referees serving on July 1, 2001,  
6590 shall complete the term to which such referee was appointed.  
6591 Thereafter, human rights referees shall be appointed by the Governor,

6592 with the advice and consent of both houses of the General Assembly,  
6593 to serve for a term of three years.

6594 (C) On and after July 1, 2004, there shall be seven human rights  
6595 referees. Each of the human rights referees serving on July 1, 2004,  
6596 shall complete the term to which such referee was appointed and shall  
6597 serve until his successor is appointed and qualified. Thereafter, human  
6598 rights referees shall be appointed by the Governor, with the advice and  
6599 consent of both houses of the General Assembly, to serve for a term of  
6600 three years.

6601 (D) On and after the effective date of this section and until July 1,  
6602 2011, there shall be five human rights referees. Each of the human  
6603 rights referees serving on the effective date of this section shall serve  
6604 until the term to which such referee was appointed is completed, or  
6605 until July 1, 2011, whichever is earlier, and shall serve until a successor  
6606 is appointed and qualified. In the case of a vacancy, a successor shall  
6607 be appointed by the Governor, with the advice and consent of both  
6608 houses of the General Assembly, to serve until July 1, 2011.

6609 (E) On and after July 1, 2011, there shall be three human rights  
6610 referees who shall (i) be appointed by the Governor with the advice  
6611 and consent of both houses of the General Assembly, and (ii) serve for  
6612 a term of three years.

6613 (3) When the General Assembly is not in session, any vacancy shall  
6614 be filled pursuant to the provisions of section 4-19. The Governor may  
6615 remove any human rights referee for cause.

6616 Sec. 155. *(Effective from passage)* There is established a task force to  
6617 develop recommendations for the establishment of a Division of  
6618 Administrative Hearings within the Commission on Human Rights  
6619 and Opportunities to conduct impartial hearings of contested cases  
6620 brought by or before the Departments of Children and Families,  
6621 Transportation and Motor Vehicles, the Commission on Human Rights  
6622 and Opportunities and the Board of Firearms Permit Examiners. Such

6623 task force shall consist of the chairpersons and ranking members, or  
6624 their designees, of the joint standing committees of the General  
6625 Assembly having cognizance of matters relating to government  
6626 administration, judiciary, transportation and human services, the  
6627 Commissioners of the Departments of Motor Vehicles, Transportation,  
6628 and Children and Families, or their designees, the executive director of  
6629 the Commission on Human Rights and Opportunities, or the executive  
6630 director's designee, a member of the Board of Firearms Permit  
6631 Examiners, a member of the Connecticut Bar Association, designated  
6632 by the president of the Connecticut Bar Association, one member  
6633 appointed by the speaker of the House of Representatives who shall be  
6634 a member of the General Assembly and a recognized leader on issues  
6635 of particular concern to racial minorities in the state, or such member's  
6636 designee, and a member appointed by the president pro tempore of  
6637 the Senate who shall be from the Permanent Commission on the Status  
6638 of Women. The speaker of the House of Representatives and the  
6639 president pro tempore of the Senate shall jointly select two members of  
6640 the task force who shall serve as cochairpersons of the task force.  
6641 Additionally, the Secretary of the Office of Policy and Management, or  
6642 the secretary's designee, shall serve as a cochairperson of the task  
6643 force. The task force's recommendations shall include, but not be  
6644 limited to, the following relevant topics for the establishment of such  
6645 division: (1) The viability of placing such division within the  
6646 Commission on Human Rights and Opportunities, (2) the scope of  
6647 matters to be heard by the division, (3) any considerations or  
6648 restrictions established by federal law, including federal funding, for  
6649 the hearing of matters by the division from the Departments of Motor  
6650 Vehicles, Transportation and Children and Families, (4) the need to  
6651 train administrative law adjudicators in all matters and areas of the  
6652 law to be heard by the division, (5) the requisite number of  
6653 administrative law adjudicators to hear matters assigned to the  
6654 division and the concomitant level of support staff, (6) procedures for  
6655 the appointment of the Chief Administrative Law Adjudicator, (7) the  
6656 transfer of state agency affirmative action plan responsibilities from

6657 the Commission on Human Rights and Opportunities to the  
6658 Department of Administrative Services, and (8) the transfer of  
6659 contractor affirmative action plan compliance responsibilities from the  
6660 Commission on Human Rights and Opportunities to the Office of the  
6661 Attorney General. The task force shall report its recommendations to  
6662 the General Assembly, in accordance with section 11-4a of the general  
6663 statutes, not later than February 1, 2010.

6664 Sec. 156. Section 4-5 of the general statutes is repealed and the  
6665 following is substituted in lieu thereof (*Effective from passage*):

6666 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
6667 means Secretary of the Office of Policy and Management,  
6668 Commissioner of Administrative Services, Commissioner of Revenue  
6669 Services, Banking Commissioner, Commissioner of Children and  
6670 Families, Commissioner of Consumer Protection, Commissioner of  
6671 Correction, Commissioner of Economic and Community Development,  
6672 State Board of Education, Commissioner of Emergency Management  
6673 and Homeland Security, Commissioner of Environmental Protection,  
6674 Commissioner of Agriculture, Commissioner of Public Health,  
6675 Insurance Commissioner, Labor Commissioner, Liquor Control  
6676 Commission, Commissioner of Mental Health and Addiction Services,  
6677 Commissioner of Public Safety, Commissioner of Social Services,  
6678 Commissioner of Developmental Services, Commissioner of Motor  
6679 Vehicles, Commissioner of Transportation, Commissioner of Public  
6680 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
6681 Care Access, Chief Information Officer, the chairperson of the Public  
6682 Utilities Control Authority, the executive director of the Board of  
6683 Education and Services for the Blind, the executive director of the  
6684 Connecticut Commission on Culture and Tourism, [the Ombudsman  
6685 for Property Rights] and the executive director of the Office of Military  
6686 Affairs. As used in sections 4-6 and 4-7, "department head" also means  
6687 the Commissioner of Education.

6688 Sec. 157. Section 4a-16 of the general statutes, as amended by section

6689 15 of public act 09-232, is repealed and the following is substituted in  
6690 lieu thereof (*Effective from passage*):

6691 When any person supported or cared for by the state under a  
6692 program of public assistance or in an institution maintained by the  
6693 Department of Developmental Services or Department of Mental  
6694 Health and Addiction Services, or when an inmate of the Department  
6695 of Correction, or when any child committed to the Commissioner of  
6696 Social Services or Commissioner of Children and Families dies leaving  
6697 only personal estate, including personal assets owing and due the  
6698 estate after death, not exceeding [twenty thousand dollars in value] the  
6699 aggregate value, as described in section 45a-273, the Commissioner of  
6700 Administrative Services or the commissioner's authorized  
6701 representative shall, upon filing with the probate court having  
6702 jurisdiction of such estate a certificate that the total estate is under  
6703 [twenty thousand dollars] the aggregate value, as described in section  
6704 45a-273, and the claim of the state, together with the expense of last  
6705 illness not exceeding three hundred seventy-five dollars and funeral  
6706 and burial expenses in accordance with section 17b-84, equals or  
6707 exceeds the amount of such estate, be issued a certificate by said court  
6708 that the commissioner is the legal representative of such estate only for  
6709 the following purpose. The commissioner shall have authority to claim  
6710 such estate, the commissioner's receipt for the same to be a valid  
6711 discharge of the liability of any person turning over the same, and to  
6712 settle the same by payment of the expense of last illness not exceeding  
6713 three hundred seventy-five dollars, expense of funeral and burial in  
6714 accordance with section 17b-84 and the remainder as partial or full  
6715 reimbursement of the claim of the state for care or assistance rendered  
6716 to the decedent. The commissioner shall file with said probate court a  
6717 statement of the settlement of such estate as herein provided.

6718 Sec. 158. Subsection (a) of section 4a-57 of the general statutes is  
6719 repealed and the following is substituted in lieu thereof (*Effective from*  
6720 *passage*):

6721 (a) All purchases of, and contracts for, supplies, materials,  
6722 equipment and contractual services, except purchases and contracts  
6723 made pursuant to the provisions of subsection (b) of this section and  
6724 public utility services as provided in subsection (e) of this section shall  
6725 be based, when possible, on competitive bids or competitive  
6726 negotiation. The commissioner shall solicit competitive bids or  
6727 proposals by providing notice of the planned purchase in a form and  
6728 manner that the commissioner determines will maximize public  
6729 participation in the competitive bidding or competitive negotiation  
6730 process, including participation by small contractors, as defined in  
6731 section 4a-60g, and promote competition. In the case of an expenditure  
6732 [which] that is estimated to exceed fifty thousand dollars, such notice  
6733 shall be [inserted, at least] posted, not less than five calendar days  
6734 before the final date of submitting bids or proposals, [in two or more  
6735 publications, at least one of which shall be a major daily newspaper  
6736 published in the state and shall be posted on the Internet] on the State  
6737 Contracting Portal. Each notice of a planned purchase under this  
6738 subsection shall indicate the type of goods and services to be  
6739 purchased and the estimated value of the contract award. The notice  
6740 shall also contain a notice of state contract requirements concerning  
6741 nondiscrimination and affirmative action pursuant to section 4a-60  
6742 and, when applicable, requirements concerning the awarding of  
6743 contracts to small contractors, minority business enterprises,  
6744 individuals with a disability and nonprofit corporations pursuant to  
6745 section 4a-60g. Each bid and proposal shall be kept sealed or secured  
6746 until opened publicly at the time stated in the notice soliciting such bid  
6747 or proposal.

6748 Sec. 159. Subsections (j) to (o), inclusive, of section 4a-100 of the  
6749 general statutes are repealed and the following is substituted in lieu  
6750 thereof (*Effective from passage*):

6751 (j) The commissioner may revoke a contractor's or substantial  
6752 subcontractor's prequalification or reduce the contractor's or  
6753 substantial subcontractor's prequalification classification or aggregate

6754 work capacity ratings, after an opportunity for a hearing, if the  
6755 commissioner receives additional information that supports such  
6756 revocation or reduction. During the course of such hearing process, the  
6757 commissioner may suspend a contractor's or substantial  
6758 subcontractor's prequalification certificate if the commissioner  
6759 determines that there is probable cause to believe that such contractor  
6760 or substantial subcontractor engaged in conduct that significantly  
6761 undermines the skill, ability or integrity of such contractor or  
6762 substantial subcontractor. Any such suspension shall not exceed a  
6763 period of three months and shall be accompanied by a written decision  
6764 of the commissioner that sets forth the reasons for and duration of  
6765 such suspension. The commissioner shall send notification of any such  
6766 suspension to such contractor or substantial subcontractor by certified  
6767 mail, return receipt requested. Such contractor or substantial  
6768 subcontractor may file a response, in writing, not later than thirty days  
6769 after receipt of such notice. The commissioner shall review any such  
6770 response submitted by a contractor or substantial subcontractor within  
6771 such thirty-day period.

6772 (k) (1) Any substantial evidence of fraud in obtaining or  
6773 maintaining prequalification or any materially false statement in the  
6774 application, update statement or update bid statement may, in the  
6775 discretion of the awarding authority, result in termination of any  
6776 contract awarded the [applicant] contractor by the awarding authority.  
6777 The awarding authority shall provide written notice to the  
6778 commissioner of such false statement not later than thirty days after  
6779 discovering such false statement. The commissioner shall provide  
6780 written notice of such false statement to the Commissioner of Public  
6781 Works, the Commissioner of Consumer Protection and the President of  
6782 The University of Connecticut not later than thirty days after  
6783 discovering such false statement or receiving such notice.

6784 (2) The commissioner shall deny or revoke the prequalification of  
6785 any [person] contractor or substantial subcontractor if the  
6786 commissioner finds that the [person] contractor or substantial

6787 subcontractor, or a principal or key personnel of such contractor or  
6788 substantial contractor, within the past five years (A) has included any  
6789 materially false statement in [such] a prequalification application,  
6790 update statement or update bid statement, (B) has been convicted of,  
6791 entered a plea of guilty or nolo contendere for, or admitted to, a crime  
6792 related to the procurement or performance of any public or private  
6793 construction contract, or [within the past five years,] (C) has otherwise  
6794 engaged in fraud in obtaining or maintaining prequalification. Any  
6795 revocation made pursuant to this subsection shall be made only after  
6796 an opportunity for a hearing. Any [person] contractor or substantial  
6797 subcontractor whose prequalification has been revoked pursuant to  
6798 this subsection shall be disqualified for a period of two years after  
6799 which the [person] contractor or substantial subcontractor may  
6800 reapply for prequalification, except that a [person] contractor or  
6801 substantial subcontractor whose prequalification has been revoked on  
6802 the basis of conviction of a crime or engaging in fraud shall be  
6803 disqualified for a period of five years after which the [person]  
6804 contractor or substantial subcontractor may reapply for  
6805 prequalification. The commissioner shall not prequalify a [person]  
6806 contractor or substantial subcontractor whose prequalification has  
6807 been revoked pursuant to this subdivision until the expiration of said  
6808 two-year, five-year, or other applicable disqualification period and the  
6809 commissioner is satisfied that the matters that gave rise to the  
6810 revocation have been eliminated or remedied.

6811 (l) The commissioner shall provide written notice of any revocation,  
6812 disqualification, reduction in classification or capacity rating or  
6813 reinstated prequalification to the Commissioner of Public Works, the  
6814 Commissioner of Consumer Protection and the President of The  
6815 University of Connecticut not later than thirty days after any final  
6816 determination.

6817 (m) The provisions of this section and section 4a-101, as amended by  
6818 this act, shall not apply to subcontractors who are not substantial  
6819 subcontractors.

6820 (n) The commissioner shall establish an update statement for use by  
6821 [bidders] contractors and substantial subcontractors for purposes of  
6822 renewing or upgrading a prequalification certificate and an update bid  
6823 statement for purposes of submitting a bid pursuant to section 4b-91,  
6824 as amended by this act.

6825 (o) Any [applicant] contractor or substantial subcontractor  
6826 aggrieved by the commissioner's final determination concerning a  
6827 preliminary determination, a denial of certification, a reduction in  
6828 prequalification classification or aggregate work capacity rating or a  
6829 revocation or nonrenewal of certification may appeal to the Superior  
6830 Court in accordance with section 4-183.

6831 Sec. 160. Subsection (g) of section 4a-101 of the general statutes is  
6832 repealed and the following is substituted in lieu thereof (*Effective from*  
6833 *passage*):

6834 (g) Notwithstanding the provisions of [subsection (a) of] this  
6835 section, any [political subdivision] public agency of the state, when  
6836 evaluating the performance of a contractor's subcontractors or  
6837 substantial subcontractors, to the extent known, may rely on an  
6838 evaluation of such subcontractors or substantial subcontractors that is  
6839 conducted by the contractor. No contractor shall be held liable to any  
6840 subcontractor or substantial subcontractor for any loss or injury  
6841 sustained by such subcontractor or substantial subcontractor as the  
6842 result of such evaluation provided to a public agency, unless such  
6843 contractor is found by a court of competent jurisdiction to have acted  
6844 in a wilful, wanton or reckless manner.

6845 Sec. 161. Section 4b-91 of the general statutes is repealed and the  
6846 following is substituted in lieu thereof (*Effective from passage*):

6847 (a) Every contract for the construction, reconstruction, alteration,  
6848 remodeling, repair or demolition of any public building or any other  
6849 public work by the state except a public highway or bridge project or  
6850 any other construction project administered by the Department of

6851 Transportation, which is estimated to cost more than five hundred  
6852 thousand dollars, except a contract awarded by the Commissioner of  
6853 Public Works for (1) a community court project, as defined in  
6854 subsection (j) of section 4b-55, (2) the downtown Hartford higher  
6855 education center project, as defined in subsection (l) of section 4b-55,  
6856 (3) a correctional facility project, as defined in subsection (m) of section  
6857 4b-55, (4) a juvenile detention center project, as defined in subsection  
6858 (n) of section 4b-55, or (5) a student residential facility for the  
6859 Connecticut State University System that is a priority higher education  
6860 facility project, as defined in subsection (f) of section 4b-55, shall be  
6861 awarded to the lowest responsible and qualified general bidder who is  
6862 prequalified pursuant to section 4a-100, as amended by this act, on the  
6863 basis of competitive bids in accordance with the procedures set forth in  
6864 this chapter, after the Commissioner of Public Works or, in the case of  
6865 a contract for the construction of or work on a building or other public  
6866 work under the supervision and control of the Joint Committee on  
6867 Legislative Management of the General Assembly, the joint committee  
6868 or, in the case of a contract for the construction of or work on a  
6869 building or other public work under the supervision and control of one  
6870 of the constituent units of the state system of higher education, the  
6871 constituent unit, has invited such bids by [advertisements inserted at  
6872 least once in one or more newspapers having a circulation in each  
6873 county in the state] notice posted on the State Contracting Portal.  
6874 Every contract for the construction, reconstruction, alteration,  
6875 remodeling, repair or demolition of any public building or any other  
6876 public work by a public agency that is paid for, in whole or in part,  
6877 with state funds and that is estimated to cost more than five hundred  
6878 thousand dollars, except a public highway or bridge project or any  
6879 other construction project administered by the Department of  
6880 Transportation, shall be awarded to a bidder that is prequalified  
6881 pursuant to section 4a-100, as amended by this act, after the public  
6882 agency has invited such bids by notice posted on the State Contracting  
6883 Portal. The Commissioner of Public Works, the joint committee, [or]  
6884 the constituent unit or the public agency, as the case may be, shall

6885 indicate the prequalification classification required for the contract in  
6886 such [advertisement] notice. As used in this section, "prequalification  
6887 classification" means the prequalification classifications established by  
6888 the Commissioner of Administrative Services pursuant to section 4a-  
6889 100, as amended by this act. As used in this section, "public agency"  
6890 means public agency, as defined in section 1-200.

6891 (b) The Commissioner of Public Works, the joint committee or the  
6892 constituent unit, as the case may be, shall determine the manner of  
6893 submission and the conditions and requirements of such bids, and the  
6894 time within which the bids shall be submitted, consistent with the  
6895 provisions of sections 4b-91 to 4b-96, inclusive, as amended by this act.  
6896 Such award shall be made not later than ninety days after the opening  
6897 of such bids. If the general bidder selected as the general contractor  
6898 fails to perform the general contractor's agreement to execute a  
6899 contract in accordance with the terms of the general contractor's  
6900 general bid and furnish a performance bond and also a labor and  
6901 materials or payment bond to the amount specified in the general bid  
6902 form, an award shall be made to the next lowest responsible and  
6903 qualified general bidder. No employee of the Department of Public  
6904 Works, the joint committee or a constituent unit with decision-making  
6905 authority concerning the award of a contract and no public official, as  
6906 defined in section 1-79, may communicate with any bidder prior to the  
6907 award of the contract if the communication results in the bidder  
6908 receiving information about the contract that is not available to other  
6909 bidders, except that if the lowest responsible and qualified bidder's  
6910 price submitted is in excess of funds available to make an award, the  
6911 Commissioner of Public Works, the Joint Committee on Legislative  
6912 Management or the constituent unit, as the case may be, may negotiate  
6913 with such bidder and award the contract on the basis of the funds  
6914 available, without change in the contract specifications, plans and  
6915 other requirements. If the award of a contract on said basis is refused  
6916 by such bidder, the Commissioner of Public Works, the Joint  
6917 Committee on Legislative Management or the constituent unit, as the  
6918 case may be, may negotiate with other contractors who submitted bids

6919 in ascending order of bid prices without change in the contract,  
6920 specifications, plans and other requirements. In the event of  
6921 negotiation with general bidders as provided in this section, the  
6922 general bidder involved may negotiate with subcontractors on the  
6923 same basis, provided such general bidder shall negotiate only with  
6924 subcontractors named on such general bidder's general bid form.

6925 (c) No person may bid on a contract or perform work pursuant to a  
6926 contract [for the construction, reconstruction, alteration, remodeling,  
6927 repair or demolition of any public building for work by the state or a  
6928 municipality, which is estimated to cost more than five hundred  
6929 thousand dollars and is paid for, in whole or in part, with state funds,]  
6930 that is subject to the provisions of subsection (a) of this section unless  
6931 the person is prequalified in accordance with section 4a-100, as  
6932 amended by this act.

6933 (d) Each bid submitted for a contract described in subsection (c) of  
6934 this section shall include [a copy of a prequalification certificate issued  
6935 by the Commissioner of Administrative Services. The bid shall also be  
6936 accompanied by] an update bid statement in such form as the  
6937 Commissioner of Administrative Services prescribes and, if required  
6938 by the public agency soliciting such bid, a copy of the prequalification  
6939 certificate issued by the Commissioner of Administrative Services. The  
6940 form for such update bid statement shall provide space for information  
6941 regarding all projects completed by the bidder since the date the  
6942 bidder's prequalification certificate was issued or renewed, all projects  
6943 the bidder currently has under contract, including the percentage of  
6944 work on such projects not completed, the names and qualifications of  
6945 the personnel who will have supervisory responsibility for the  
6946 performance of the contract, any significant changes in the bidder's  
6947 financial position or corporate structure since the date the certificate  
6948 was issued or renewed, any change in the contractor's qualification  
6949 status as determined by the provisions of subdivision (6) of subsection  
6950 (c) of section 4a-100, as amended by this act, and such other relevant  
6951 information as the Commissioner of Administrative Services

6952 prescribes. Any bid submitted without a copy of the prequalification  
6953 certificate, if required by the public agency soliciting such bid, and an  
6954 update bid statement shall be deemed invalid. Any public agency that  
6955 accepts a bid submitted without a copy of such prequalification  
6956 certificate, if required by such public agency soliciting such bid, and an  
6957 update bid statement [, as required by this section,] may become  
6958 ineligible for the receipt of funds related to such bid.

6959 (e) Any person who bids on a contract described in subsection (c) of  
6960 this section shall certify under penalty of false statement at the  
6961 conclusion of the bidding process that the information in the bid is  
6962 true, that there has been no substantial change in the bidder's financial  
6963 position or corporate structure since the bidder's most recent  
6964 prequalification certificate was issued or renewed, other than those  
6965 changes noted in the update bid statement, and that the bid was made  
6966 without fraud or collusion with any person.

6967 (f) Any person who receives information from a state employee or  
6968 public official that is not available to the general public concerning any  
6969 construction, reconstruction, alteration, remodeling, repair or  
6970 demolition project on a public building or any other public work prior  
6971 to the date that [an advertisement] a notice for bids on the project is  
6972 [published] posted shall be disqualified from bidding on the project.

6973 (g) Notwithstanding the provisions of this chapter regarding  
6974 competitive bidding procedures, the commissioner may select and  
6975 interview at least three responsible and qualified general contractors  
6976 who are prequalified pursuant to section 4a-100, as amended by this  
6977 act, and submit the three selected contractors to the construction  
6978 services award panels process described in section 4b-100a and any  
6979 regulation adopted by the commissioner. The commissioner may  
6980 negotiate with the successful bidder a contract which is both fair and  
6981 reasonable to the state for a community court project, as defined in  
6982 subsection (j) of section 4b-55, the downtown Hartford higher  
6983 education center project, as defined in subsection (l) of section 4b-55, a

6984 correctional facility project, as defined in subsection (m) of section 4b-  
6985 55, a juvenile detention center project, as defined in subsection (n) of  
6986 section 4b-55, or a student residential facility for the Connecticut State  
6987 University System that is a priority higher education facility project, as  
6988 defined in subsection (f) of section 4b-55. The Commissioner of Public  
6989 Works, prior to entering any such contract or performing any work on  
6990 such project, shall submit such contract to the State Properties Review  
6991 Board for review and approval or disapproval by the board, pursuant  
6992 to subsection (i) of this section. Any general contractor awarded a  
6993 contract pursuant to this subsection shall be subject to the same  
6994 requirements concerning the furnishing of bonds as a contractor  
6995 awarded a contract pursuant to subsection (b) of this section.

6996 (h) Any agency that seeks to have a project awarded without being  
6997 subject to competitive bidding procedures shall certify to the joint  
6998 committee of the General Assembly having cognizance of matters  
6999 relating to government administration and elections that the project is  
7000 of such an emergency nature that an exception to the competitive  
7001 bidding procedures of this section is required. Such certification shall  
7002 include input from all affected agencies, detail the need for the  
7003 exception and include any relevant documentation.

7004 (i) In the event that the General Assembly approves legislation  
7005 authorizing an exception to the competitive bidding process for a  
7006 project, the State Properties Review Board shall complete a review of  
7007 the contract for such project and approve or disapprove such contract  
7008 no later than thirty days after the Commissioner of Public Works  
7009 submits such contract to the board. Such review shall be conducted in  
7010 accordance with the provisions of section 4b-3. In the event that such  
7011 review does not occur within the thirty-day period prescribed by this  
7012 subsection, such contract shall be deemed to be approved.

7013 (j) On and after [October 1, 2007] the effective date of this section, no  
7014 person whose subcontract exceeds five hundred thousand dollars in  
7015 value may perform work as a subcontractor on a project for the

7016 construction, reconstruction, alteration, remodeling, repair or  
7017 demolition of any public building [for work] or any other public work  
7018 by the state or a municipality, except a public highway or bridge  
7019 project or any other construction project administered by the  
7020 Department of Transportation, which project is estimated to cost more  
7021 than five hundred thousand dollars and is paid for, in whole or in part,  
7022 with state funds, unless the person is prequalified in accordance with  
7023 section 4a-100, as amended by this act. The provisions of this  
7024 subsection shall not apply to a project described in subdivision (2) of  
7025 subsection (a) of this section.

7026 Sec. 162. Section 5-218 of the general statutes is repealed and the  
7027 following is substituted in lieu thereof (*Effective from passage*):

7028 (a) The Commissioner of Administrative Services shall prepare lists  
7029 of preliminary requirements and subjects of examination for positions  
7030 in the classified service and publicize each such examination in such  
7031 manner as the nature of the examination requires, including posting  
7032 examination notices in state agencies in locations accessible to state  
7033 employees at least two weeks prior to the application closing date. All  
7034 competitive examinations shall be held at such times and places as in  
7035 the judgment of the Commissioner of Administrative Services most  
7036 nearly meet the convenience of applicants and needs of the service.

7037 (b) The Commissioner of Administrative Services shall give public  
7038 notice of such examinations for positions in the classified service at  
7039 least two weeks in advance by posting, or causing to be posted, an  
7040 appropriate notice on the bulletin board maintained in or near the  
7041 quarters of the Department of Administrative Services [, by advertising  
7042 such examination once in at least one newspaper published in each  
7043 congressional district in the state] and on the Internet web site of the  
7044 department and by submitting the notice to the director of the state  
7045 employment service. Such notice shall set forth the time, place and  
7046 general scope of the examination and shall contain appropriate  
7047 information concerning the duties, work location, conditions, salary

7048 and requirements of the positions, and the examination procedures,  
7049 including one arrangement of the weights to be given for the weighted  
7050 parts of the examination if applicable, provided once such notice has  
7051 been given, the weights established in the notice for the weighted parts  
7052 of the examination shall not be altered in any manner.

7053 Sec. 163. Section 8-132 of the general statutes is repealed and the  
7054 following is substituted in lieu thereof (*Effective from passage*):

7055 (a) Any person claiming to be aggrieved by the statement of  
7056 compensation filed by the redevelopment agency may, at any time  
7057 within six months after the statement of compensation has been filed,  
7058 apply to the superior court for the judicial district in which such  
7059 property is situated for a review of such statement of compensation so  
7060 far as it affects such applicant. The court, after causing notice of the  
7061 pendency of such application to be given to the redevelopment agency,  
7062 may, with the consent of the parties or their attorneys, appoint a judge  
7063 trial referee to make a review of the statement of compensation, except  
7064 that the court shall, upon the motion of either party or their attorneys,  
7065 refer the application to a judge appointed by the Chief Court  
7066 Administrator to hear tax appeals pursuant to section 12-39l, who shall  
7067 consider such application in the manner set forth in subsection (c) of  
7068 this section. For the purposes of such application, review and appeal  
7069 therefrom, and for the purposes of sections 52-192a to 52-195, inclusive,  
7070 such applicant shall be deemed a counterclaim plaintiff.  
7071 [Notwithstanding the provisions of this subsection, upon motion of  
7072 both parties or their attorneys, the court shall refer the application to  
7073 the Ombudsman for Property Rights for a hearing pursuant to  
7074 subdivision (2) of subsection (b) of this section.]

7075 (b) [(1)] If the court appoints a judge trial referee, the judge trial  
7076 referee, after giving at least ten days' notice to the parties interested of  
7077 the time and place of hearing, shall hear the applicant and the  
7078 redevelopment agency, shall view the property and take such  
7079 testimony as the judge trial referee deems material and shall thereupon

7080 revise such statement of compensation in such manner as the judge  
7081 trial referee deems proper and promptly report to the court. Such  
7082 report shall contain a detailed statement of findings by the judge trial  
7083 referee sufficient to enable the court to determine the considerations  
7084 upon which the judge trial referee's conclusions are based. The report  
7085 of the judge trial referee shall take into account any evidence relevant  
7086 to the fair market value of the property, including evidence of  
7087 environmental condition and required environmental remediation.  
7088 The judge trial referee shall make a separate finding for remediation  
7089 costs and the property owner shall be entitled to a set-off of such costs  
7090 in any pending or subsequent action to recover remediation costs for  
7091 the property. The court shall review the report, and may reject the  
7092 report for any irregular or improper conduct in the performance of the  
7093 duties of the judge trial referee. If the court rejects the report, the court  
7094 may appoint another judge trial referee to make such review and  
7095 report. [or may refer the application to the Ombudsman for Property  
7096 Rights upon motion as provided in subsection (a) of this section.] If the  
7097 court accepts the report, the statement of compensation in the report  
7098 shall be conclusive upon such owner and the redevelopment agency.

7099 [(2) If the court refers the application to the Ombudsman for  
7100 Property Rights pursuant to subsection (a) of this section, the  
7101 ombudsman, after giving at least ten days' notice to the parties  
7102 interested of the time and place of hearing, shall hear the applicant and  
7103 the redevelopment agency, shall view the property and take such  
7104 testimony as the ombudsman deems material and shall thereupon  
7105 revise such statement of compensation in such manner as the  
7106 ombudsman deems proper and promptly report to the court. Such  
7107 report shall contain a detailed statement of findings by the  
7108 ombudsman sufficient to enable the court to determine the  
7109 considerations upon which the ombudsman's conclusions are based.  
7110 The report of the ombudsman shall take into account any evidence  
7111 relevant to the fair market value of the property, including evidence of  
7112 environmental condition and required environmental remediation.  
7113 The ombudsman shall make a separate finding for remediation costs

7114 and the property owner shall be entitled to a set-off of such costs in  
7115 any pending or subsequent action to recover remediation costs for the  
7116 property. The report submitted by the ombudsman shall constitute a  
7117 part of the proceeding, and the statement of compensation in the  
7118 report shall be conclusive upon such owner and the redevelopment  
7119 agency.]

7120 (c) If the court does not appoint a judge trial referee, [or refer the  
7121 application to the Ombudsman for Property Rights,] the court, after  
7122 giving at least ten days' notice to the parties interested of the time and  
7123 place of hearing, shall hear the applicant and the redevelopment  
7124 agency and take such testimony as the court deems material, may view  
7125 the subject property, and shall make a finding regarding the statement  
7126 of compensation. The findings of the court shall take into account any  
7127 evidence relevant to the fair market value of the property, including  
7128 evidence of environmental condition and required environmental  
7129 remediation. The court shall make a separate finding for remediation  
7130 costs and the property owner shall be entitled to a set-off of such costs  
7131 in any pending or subsequent action to recover remediation costs for  
7132 the property. The findings of the court shall be conclusive upon such  
7133 owner and the redevelopment agency.

7134 (d) If no appeal to the Appellate Court is filed within the time  
7135 allowed by law, or if an appeal is filed and the proceedings have  
7136 terminated in a final judgment finding the amount due the property  
7137 owner, the clerk shall send a certified copy of the statement of  
7138 compensation and of the judgment to the redevelopment agency,  
7139 which shall, upon receipt thereof, pay such property owner the  
7140 amount due as compensation. The pendency of any such application  
7141 for review shall not prevent or delay any action that is proposed with  
7142 regard to such property by the project area redevelopment plan.

7143 Sec. 164. Section 12-557d of the general statutes is repealed and the  
7144 following is substituted in lieu thereof (*Effective from passage*):

7145 (a) There shall be a Gaming Policy Board within the [Department of

7146 Revenue Services for administrative purposes only] Division of Special  
7147 Revenue. Said board shall consist of five members appointed by the  
7148 Governor with the advice and consent of both houses of the General  
7149 Assembly. Not more than three members of said board in office at any  
7150 one time shall be members of the same political party. On or before  
7151 July 1, 1979, the Governor shall nominate three members who shall  
7152 serve until July 1, 1981, and two members who shall serve until July 1,  
7153 1983. The General Assembly shall confirm or reject such nominations  
7154 in the manner prescribed by section 4-7 before adjournment sine die of  
7155 the 1979 regular session, except that if the nominations cannot be acted  
7156 on by both houses of the General Assembly during said regular  
7157 session, the General Assembly shall confirm or reject the nominations  
7158 at a special session which shall be called, notwithstanding sections 2-6  
7159 and 2-7, immediately following adjournment sine die of the 1979  
7160 session reconvened in accordance with article third of the amendments  
7161 to the Constitution of Connecticut, except that if no session is held  
7162 pursuant to said article, the General Assembly shall meet in special  
7163 session, notwithstanding sections 2-6 and 2-7, not later than August 1,  
7164 1979, to confirm or reject such nominations. Any special session called  
7165 pursuant to this section shall be held for the sole purpose of  
7166 confirming or rejecting the initial nominations made by the Governor  
7167 to the board. Thereafter members shall serve for a term of four years  
7168 and the procedure prescribed by section 4-7 shall apply to such  
7169 appointments, except that the Governor shall submit such nominations  
7170 on or before May first, and both houses shall confirm or reject the  
7171 nominations before adjournment sine die. Members shall receive fifty  
7172 dollars per day for each day they are engaged in the business of the  
7173 board and shall be reimbursed for necessary expenses incurred in the  
7174 performance of their duties. The executive director shall serve on the  
7175 board ex-officio without voting rights.

7176 (b) To insure the highest standard of legalized gambling regulation  
7177 at least four of the board members shall have training or experience in  
7178 at least one of the following fields: Corporate finance, economics, law,  
7179 accounting, law enforcement, computer science or the pari-mutuel

7180 industry. At least two of these fields shall be represented on the board  
7181 at any one time.

7182 (c) No board member shall accept any form of employment by a  
7183 business organization regulated under this chapter for a period of two  
7184 years following the termination of his service as a board member.

7185 (d) No board member shall engage in any oral ex parte  
7186 communications with any representative, agent, officer or employee of  
7187 any business organization regulated under this chapter concerning any  
7188 matter pending or impending before the board.

7189 (e) The members of the board shall not participate actively in  
7190 political management and campaigns. Such activity includes holding  
7191 office in a political party, political organization or political club,  
7192 campaigning for a candidate in a partisan election by making speeches,  
7193 writing on behalf of a candidate, soliciting votes in support of or in  
7194 opposition to a candidate and making contributions of time and  
7195 money to political parties.

7196 (f) The Division of Special Revenue shall provide staff support for  
7197 the board.

7198 Sec. 165. Subsection (c) of section 32-601 of the general statutes is  
7199 repealed and the following is substituted in lieu thereof (*Effective July*  
7200 *1, 2010*):

7201 (c) (1) The board of directors shall annually elect one of its members  
7202 as vice-chairperson and shall elect other of its members as officers,  
7203 adopt a budget and bylaws, designate an executive committee, report  
7204 semiannually to the appointing authorities with respect to operations,  
7205 finances and achievement of its economic development objectives, be  
7206 accountable to and cooperate with the state whenever, pursuant to the  
7207 provisions of sections 32-600 to 32-611, inclusive, the state may audit  
7208 the authority or any project of the authority, as defined in section 32-  
7209 600, or at any other time as the state may inquire as to either, including

7210 allowing the state reasonable access to any such project and to the  
7211 records of the authority and exercise the powers set forth in section 32-  
7212 602.

7213 (2) [The board of directors shall appoint an executive director, who  
7214 shall not be a member of the board and who shall be exempt from  
7215 classified service] The authority shall have an executive director, who  
7216 shall be a member of the staff of the Office of Policy and Management  
7217 and shall act as project comptroller pursuant to subparagraph (A) of  
7218 subdivision (1) of section 32-655a. The executive director shall be the  
7219 chief administrative officer of the authority. The executive director  
7220 shall not be a member of the board of directors.

7221 (3) Members of the board of directors shall receive no compensation  
7222 for the performance of their duties hereunder but shall be reimbursed  
7223 for all expenses reasonably incurred in the performance thereof.

7224 Sec. 166. Section 32-602 of the general statutes is amended by adding  
7225 subsection (e) as follows (*Effective July 1, 2010*):

7226 (NEW) (e) The authority and the Secretary of the Office of Policy  
7227 and Management may enter into a memorandum of understanding  
7228 pursuant to which: (1) All administrative support and services,  
7229 including all staff support, necessary for the operations of the  
7230 authority are provided by the Office of Policy and Management on and  
7231 after July 1, 2010, and provision is made for continuity of credited  
7232 service in the state employee retirement system for any employees of  
7233 the authority hired by the Office of Policy and Management, (2) the  
7234 Office of Policy and Management is authorized to administer contracts  
7235 and accounts of the authority, and (3) provision is made for the  
7236 coordination of management and operational activities at the  
7237 convention center facilities and the stadium facility, that may include:  
7238 (A) Provision for joint procurement and contracting, (B) the sharing of  
7239 services and resources, (C) the coordination of promotional and  
7240 booking activities, and (D) other arrangements designed to enhance  
7241 facility utilization and revenues, reduce operating costs or achieve

7242 operating efficiencies. The terms and conditions of such memorandum  
7243 of understanding, including provisions with respect to the  
7244 reimbursement by the authority to the Office of Policy and  
7245 Management of the costs of such administrative support and services,  
7246 shall be as the authority and the Secretary of the Office of Policy and  
7247 Management determine to be appropriate.

7248 Sec. 167. Section 32-666 of the general statutes is amended by adding  
7249 subsection (c) as follows (*Effective July 1, 2010*):

7250 (NEW) (c) For purposes of state insurance or self-insurance, the  
7251 convention center facilities shall be deemed to be state-owned property  
7252 and the state insurance and risk management board shall be  
7253 authorized to determine, purchase or otherwise arrange for such  
7254 insurance or self-insurance with respect to the convention center  
7255 facilities, as otherwise provided in section 4a-20 with respect to other  
7256 state-owned property.

7257 Sec. 168. Section 51-275a of the general statutes is repealed and the  
7258 following is substituted in lieu thereof (*Effective from passage*):

7259 (a) There is established a Criminal Justice Commission which shall  
7260 be composed of the Chief State's Attorney and six members nominated  
7261 by the Governor and appointed by the General Assembly in  
7262 accordance with section 4-2, two of whom shall be judges of the  
7263 Superior Court.

7264 (b) The chairman shall be appointed by the Governor.

7265 (c) Members shall serve without compensation but shall be  
7266 reimbursed for actual expenses incurred while engaged in the duties of  
7267 the commission.

7268 (d) The commission may adopt such rules as it deems necessary for  
7269 the conduct of its internal affairs.

7270 (e) The commission may adopt regulations in accordance with

7271 chapter 54 to carry out its responsibilities under this chapter.

7272 (f) The commission shall be [an autonomous body within the  
7273 executive department for fiscal and budgetary purposes only] within  
7274 the Division of Criminal Justice. Said division shall provide staff  
7275 support for the commission.

7276 Sec. 169. Subsection (d) of section 1-84 of the general statutes is  
7277 repealed and the following is substituted in lieu thereof (*Effective from*  
7278 *passage*):

7279 (d) No public official or state employee or employee of such public  
7280 official or state employee shall agree to accept, or be a member or  
7281 employee of a partnership, association, professional corporation or  
7282 sole proprietorship which partnership, association, professional  
7283 corporation or sole proprietorship agrees to accept any employment,  
7284 fee or other thing of value, or portion thereof, for appearing, agreeing  
7285 to appear, or taking any other action on behalf of another person  
7286 before the Department of Banking, the Claims Commissioner, the  
7287 Office of Health Care Access, the Insurance Department, the office  
7288 within the Department of Consumer Protection that carries out the  
7289 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the  
7290 Department of Motor Vehicles, the State Insurance and Risk  
7291 Management Board, the Department of Environmental Protection, the  
7292 Department of Public Utility Control, the Connecticut Siting Council,  
7293 the Division of Special Revenue within the Department of Revenue  
7294 Services, the Gaming Policy Board within the [Department of Revenue  
7295 Services] Division of Special Revenue or the Connecticut Real Estate  
7296 Commission; provided this shall not prohibit any such person from  
7297 making inquiry for information on behalf of another before any of said  
7298 commissions or commissioners if no fee or reward is given or  
7299 promised in consequence thereof. For the purpose of this subsection,  
7300 partnerships, associations, professional corporations or sole  
7301 proprietorships refer only to such partnerships, associations,  
7302 professional corporations or sole proprietorships which have been

7303 formed to carry on the business or profession directly relating to the  
7304 employment, appearing, agreeing to appear or taking of action  
7305 provided for in this subsection. Nothing in this subsection shall  
7306 prohibit any employment, appearing, agreeing to appear or taking  
7307 action before any municipal board, commission or council. Nothing in  
7308 this subsection shall be construed as applying (1) to the actions of any  
7309 teaching or research professional employee of a public institution of  
7310 higher education if such actions are not in violation of any other  
7311 provision of this chapter, (2) to the actions of any other professional  
7312 employee of a public institution of higher education if such actions are  
7313 not compensated and are not in violation of any other provision of this  
7314 chapter, (3) to any member of a board or commission who receives no  
7315 compensation other than per diem payments or reimbursement for  
7316 actual or necessary expenses, or both, incurred in the performance of  
7317 the member's duties, or (4) to any member or director of a quasi-public  
7318 agency. Notwithstanding the provisions of this subsection to the  
7319 contrary, a legislator, an officer of the General Assembly or part-time  
7320 legislative employee may be or become a member or employee of a  
7321 firm, partnership, association or professional corporation which  
7322 represents clients for compensation before agencies listed in this  
7323 subsection, provided the legislator, officer of the General Assembly or  
7324 part-time legislative employee shall take no part in any matter  
7325 involving the agency listed in this subsection and shall not receive  
7326 compensation from any such matter. Receipt of a previously  
7327 established salary, not based on the current or anticipated business of  
7328 the firm, partnership, association or professional corporation involving  
7329 the agencies listed in this subsection, shall be permitted.

7330       Sec. 170. (*Effective from passage*) Notwithstanding the provisions of  
7331 section 22a-60 of the general statutes, the permit issued by the  
7332 Department of Environmental Protection to Whitewater Mountain  
7333 Resorts of Connecticut, Inc. (DIV-200102314, Revised) on September  
7334 23, 2004 authorizing the diversion of water from Lake Beseck to the ski  
7335 area known as Powder Ridge in Middlefield, Connecticut is hereby  
7336 transferred to the town of Middlefield, and said town shall be the

7337 licensee of record and be authorized to maintain the diversion in  
7338 accordance with the terms of said permit and be responsible for  
7339 compliance with all terms and conditions of said permit.

7340 Sec. 171. Section 38a-469 of the general statutes is repealed and the  
7341 following is substituted in lieu thereof (*Effective October 1, 2009*):

7342 As used in this title, unless the context otherwise requires or a  
7343 different meaning is specifically prescribed, "health insurance" policy  
7344 means insurance providing benefits due to illness or injury, resulting  
7345 in loss of life, loss of earnings, or expenses incurred, and includes the  
7346 following types of coverage: (1) Basic hospital expense coverage; (2)  
7347 basic medical-surgical expense coverage; (3) hospital confinement  
7348 indemnity coverage; (4) major medical expense coverage; (5) disability  
7349 income protection coverage; (6) accident only coverage; (7) long term  
7350 care coverage; (8) specified accident coverage; (9) Medicare  
7351 supplement coverage; (10) limited benefit health coverage; (11)  
7352 hospital or medical service plan contract; (12) hospital and medical  
7353 coverage provided to subscribers of a health care center; (13) specified  
7354 disease coverage; (14) TriCare supplement coverage; (15) travel health  
7355 coverage; and (16) single service ancillary health coverage, including,  
7356 but not limited to, dental, vision or prescription drug coverage.

7357 Sec. 172. (*Effective from passage*) The Commissioner of Environmental  
7358 Protection shall execute an agreement, jointly or individually, with the  
7359 towns of Canton, Avon and Burlington, under terms and conditions  
7360 acceptable to the commissioner, that allows said towns to: (1) Enter  
7361 upon and conduct physical examinations and studies of the upper and  
7362 lower Collinsville dams and associated structures, including, but not  
7363 limited to, power houses or gate houses on the Farmington River for  
7364 the purpose of determining the feasibility of using such dams and  
7365 associated structures for hydroelectric generations, and (2) install,  
7366 operate and maintain hydroelectric generating facilities and associated  
7367 appurtenances, including fish ladders at such dams, without adjusting  
7368 river flows.

7369 Sec. 173. Section 4-156 of the general statutes is repealed and the  
7370 following is substituted in lieu thereof (*Effective from passage*):

7371 Upon the discovery of new evidence, any claimant aggrieved by an  
7372 order of the Claims Commissioner rejecting or recommending the  
7373 rejection of his claim, in whole or in part, may apply for rehearing. The  
7374 claimant shall file with the Claims Commissioner an application for  
7375 such rehearing in duplicate, stating concisely [therein] in the  
7376 application the matters which he desires to submit to the Claims  
7377 Commissioner. The [clerk of the] Office of the Claims Commissioner  
7378 shall promptly deliver a copy of [such] the application to the Attorney  
7379 General. The Attorney General shall review the application in the  
7380 manner specified in subsection (a) of section 4-149, as amended by this  
7381 act. If such review discloses to the satisfaction of the Attorney General  
7382 that protection of the state's interest does not reasonably require  
7383 representation before the Claims Commissioner by the Attorney  
7384 General, the Attorney General shall refer [such] the application to the  
7385 state agency or department involved in the claim for representation of  
7386 the state before the Claims Commissioner within ninety days of receipt  
7387 of the application by the Attorney General. Each such rehearing shall  
7388 be subject to the provisions of this chapter and the rules made  
7389 thereunder respecting the hearing and disposition of claims and  
7390 reports to the General Assembly.

7391 Sec. 174. Subsection (d) of section 4-158 of the general statutes, as  
7392 amended by section 1 of public act 09-44, is repealed and the following  
7393 is substituted in lieu thereof (*Effective from passage*):

7394 (d) If the Claims Commissioner orders immediate payment of a just  
7395 claim in an amount not exceeding seven thousand five hundred dollars  
7396 pursuant to subdivision (2) of subsection (a) of this section and a  
7397 request for review is not timely filed pursuant to subsection (b) of this  
7398 section, the [clerk of the] Office of the Claims Commissioner shall  
7399 deliver to the Comptroller a certified copy of the Claims  
7400 Commissioner's order and the Comptroller shall make payment from

7401 such appropriation as the General Assembly may have made for the  
7402 payment of claims or, in the case of contractual claims for goods or  
7403 services furnished or for property leased, from the appropriation of the  
7404 agency which received such goods or services or occupied such  
7405 property.

7406 Sec. 175. Subsection (d) of section 4-159 of the general statutes is  
7407 repealed and the following is substituted in lieu thereof (*Effective from*  
7408 *passage*):

7409 (d) If the General Assembly orders the payment of a claim, the [clerk  
7410 of the] Office of the Claims Commissioner shall deliver to the  
7411 Comptroller a notice of the order and the Comptroller shall make  
7412 payment in the manner prescribed for payment of an order of the  
7413 Claims Commissioner pursuant to section 4-158, as amended by this  
7414 act.

7415 Sec. 176. Section 61 of senate bill 2051 of the current session is  
7416 repealed and the following is substituted in lieu thereof (*Effective from*  
7417 *passage*):

7418 Sections 19a-256, 19a-610, 19a-612a, 19a-612b, [19a-617c,] 19a-695  
7419 and 19a-696 of the general statutes are repealed.

7420 Sec. 177. Subdivision (4) of subsection (a) of section 19a-36 of the  
7421 general statutes is repealed and the following is substituted in lieu  
7422 thereof (*Effective from passage*):

7423 (4) The provisions of such regulations (A) with respect to the  
7424 requirement of employing a qualified food operator and any reporting  
7425 requirements relative to such operator, shall not apply to an owner or  
7426 operator of a soup kitchen who relies exclusively on services provided  
7427 by volunteers, and (B) shall not prohibit the sale or distribution of food  
7428 at a noncommercial function such as an educational, religious, political  
7429 or charitable organization's bake sale or potluck supper provided the  
7430 seller or person distributing such food maintains such food under the

7431 temperature, pH level and water activity level conditions that will  
7432 inhibit the rapid and progressive growth of infectious or toxigenic  
7433 microorganisms. For the purposes of this section, a "noncommercial  
7434 function" means a function where food is sold or distributed by a  
7435 person not regularly engaged in the for profit business of selling such  
7436 food.

7437 Sec. 178. (*Effective from passage*) The funds appropriated to the  
7438 Judicial Department in sections 1 and 3 of this act, for Forensic Sex  
7439 Evidence Exams, shall be administered by the Office of Victim Services  
7440 for the fiscal years ending June 30, 2010, and June 30, 2011.

7441 Sec. 179. Section 88 of public act 09-3 of the June special session is  
7442 repealed and the following is substituted in lieu thereof (*Effective from*  
7443 *passage*):

7444 The State Treasurer and the Secretary of the Office of Policy and  
7445 Management shall jointly develop a financing plan that will result in  
7446 net proceeds of up to one billion [three hundred million] two hundred  
7447 ninety million seven hundred thousand dollars to be used as general  
7448 revenues for the state during the fiscal year commencing July 1, 2010.  
7449 Such plan may include, but need not be limited to, consideration of  
7450 securitization of proceeds from the sale of lottery tickets, as provided  
7451 in chapter 229a of the general statutes, the issuance of notes, bonds or  
7452 other instruments of debt in the public markets, through private  
7453 placement of such debt instruments, or the purchase of such notes,  
7454 bonds or other instruments of debt by the Connecticut Retirement  
7455 Plans and Trust Funds. Such plan shall be completed on or before  
7456 February 3, 2010, and provided to the chairpersons of the joint  
7457 standing committees of the General Assembly having cognizance of  
7458 matters relating to appropriations and finance, revenue and bonding.

7459 Sec. 180. (*Effective from passage*) The Commissioner of Children and  
7460 Families and the Commissioner of Correction shall enter into a  
7461 memorandum of understanding for the purpose of developing a  
7462 program to reunify incarcerated women with their children in the

7463 community where appropriate. On or before January 1, 2010, said  
7464 commissioners shall submit, in accordance with section 11-4a of the  
7465 general statutes, to the joint standing committees of the General  
7466 Assembly having cognizance of matters relating to human services and  
7467 appropriations and the budgets of state agencies a report that describes  
7468 the program developed in accordance with the memorandum of  
7469 understanding and estimates the number of individuals eligible for  
7470 and the savings to be achieved by the program. Funds may be  
7471 transferred between the Department of Children and Families and the  
7472 Department of Correction without the consent of the Finance Advisory  
7473 Committee to achieve savings related to the program.

7474 Sec. 181. Section 2 of house bill 7005 of the current session is  
7475 repealed and the following is substituted in lieu thereof (*Effective from*  
7476 *passage*):

7477 (a) No person shall:

7478 (1) Knowingly present, or cause to be presented, to an officer or  
7479 employee of the state a false or fraudulent claim for payment or  
7480 approval under a medical assistance [programs] program  
7481 administered by the Department of Social Services;

7482 (2) Knowingly make, use or cause to be made or used, a false record  
7483 or statement to secure the payment or approval by the state of a false  
7484 or fraudulent claim under a medical assistance [programs] program  
7485 administered by the Department of Social Services;

7486 (3) Conspire to defraud the state by securing the allowance or  
7487 payment of a false or fraudulent claim under a medical assistance  
7488 [programs] program administered by the Department of Social  
7489 Services;

7490 (4) Having possession, custody or control of property or money  
7491 used, or to be used, by the state relative to a medical assistance  
7492 [programs] program administered by the Department of Social

7493 Services, and intending to defraud the state or wilfully to conceal the  
7494 property, deliver or cause to be delivered less property than the  
7495 amount for which the person receives a certificate or receipt;

7496 (5) Being authorized to make or deliver a document certifying  
7497 receipt of property used, or to be used, by the state relative to [state] a  
7498 medical assistance [programs] program administered by the  
7499 Department of Social Services and intending to defraud the state, make  
7500 or deliver such document without completely knowing that the  
7501 information on the document is true;

7502 (6) Knowingly buy, or receive as a pledge of an obligation or debt,  
7503 public property from an officer or employee of the state relative to a  
7504 medical assistance [programs] program administered by the  
7505 Department of Social Services, who lawfully may not sell or pledge the  
7506 property; or

7507 (7) Knowingly make, use or cause to be made or used, a false record  
7508 or statement to conceal, avoid or decrease an obligation to pay or  
7509 transmit money or property to the state under [administered by the  
7510 Department of Social Services] a medical assistance [programs]  
7511 program administered by the Department of Social Services.

7512 (b) Any person who violates the provisions of subsection (a) of this  
7513 section shall be liable to the state for: (1) A civil penalty of not less than  
7514 five thousand dollars or more than ten thousand dollars, (2) three  
7515 times the amount of damages that the state sustains because of the act  
7516 of that person, and (3) the costs of investigation and prosecution of  
7517 such violation. Liability under this section shall be joint and several for  
7518 any violation of this section committed by two or more persons.

7519 (c) Notwithstanding the provisions of subsection (b) of this section  
7520 concerning treble damages, if the court finds that: (1) A person  
7521 committing a violation of subsection (a) of this section furnished  
7522 officials of the state responsible for investigating false claims violations  
7523 with all information known to such person about the violation not later

7524 than thirty days after the date on which the person first obtained the  
7525 information; (2) such person fully cooperated with an investigation by  
7526 the state of such violation; and (3) at the time such person furnished  
7527 the state with the information about the violation, no criminal  
7528 prosecution, civil action or administrative action had commenced  
7529 under sections 3 to 7, inclusive, of [this act] house bill 7005 of the  
7530 current session, with respect to such violation, and such person did not  
7531 have actual knowledge of the existence of an investigation into such  
7532 violation, the court may assess not less than two times the amount of  
7533 damages which the state sustains because of the act of such person.  
7534 Any information furnished pursuant to this subsection shall be exempt  
7535 from disclosure under section 1-210 of the general statutes, as  
7536 amended by [this act] house bill 7005 of the current session.

7537 Sec. 182. Section 70 of house bill 7005 of the current session is  
7538 repealed and the following is substituted in lieu thereof (*Effective from*  
7539 *passage*):

7540 Beginning [with the fiscal year ending] October 1, 2009, and [for  
7541 each fiscal year] annually thereafter, the Commissioner of Social  
7542 Services shall increase income disregards used to determine eligibility  
7543 by the Department of Social Services for the federal Specified Low-  
7544 Income Medicare Beneficiary, the Qualified Medicare Beneficiary and  
7545 the Qualifying Individual Programs, administered in accordance with  
7546 the provisions of 42 USC 1396d(p), by an amount that equalizes the  
7547 income levels used to determine eligibility for said programs with  
7548 income levels used to determine eligibility for the ConnPACE program  
7549 under subsection (a) of section 17b-492 of the general statutes, as  
7550 amended by [this act] house bill 7005 of the current session. The  
7551 commissioner shall not apply an asset test for eligibility under the  
7552 Medicare Savings Program. The Commissioner of Social Services,  
7553 pursuant to section 17b-10 of the general statutes, may implement  
7554 policies and procedures to administer the provisions of this section  
7555 while in the process of adopting such policies and procedures in  
7556 regulation form, provided the commissioner prints notice of the intent

7557 to adopt the regulations in the Connecticut Law Journal not later than  
7558 twenty days after the date of implementation. Such policies and  
7559 procedures shall be valid until the time final regulations are adopted.

7560 Sec. 183. Section 16-331cc of the general statutes is amended by  
7561 adding subsection (g) as follows (*Effective from passage*):

7562 (NEW) (g) When the balance of said account reaches more than one  
7563 hundred fifty thousand dollars, the department shall make a one-time  
7564 transfer of one hundred fifty thousand dollars to the Office of  
7565 Legislative Management for expenses related to the allowance of  
7566 interconnection of the Connecticut Television Network with a certified  
7567 competitive video service provider, as defined in section 16-1, for the  
7568 purpose of making the Connecticut Television Network available to  
7569 such provider's customers.

7570 Sec. 184. Section 16-331h of the general statutes is repealed and the  
7571 following is substituted in lieu thereof (*Effective from passage*):

7572 (a) Not later than one hundred twenty days after the certified  
7573 competitive video service provider begins offering service in a  
7574 designated area pursuant to its certificate of video franchise authority,  
7575 such provider shall provide capacity over its video service to allow  
7576 community access programming, in its basic service package, in  
7577 accordance with the following: (1) The certified competitive video  
7578 service provider shall provide capacity equal to the number of  
7579 community access channels currently offered by the incumbent  
7580 community antenna television company in the given area; (2) the  
7581 certified competitive video service provider shall provide funds for  
7582 community access operations, as provided in subsection (k) of section  
7583 16-331a; (3) the certified competitive video service provider shall  
7584 provide the transmission of community access programming with  
7585 connectivity up to the first two hundred feet from the competitive  
7586 video service provider's activated wireline video programming  
7587 distribution facility located in the provider's designated service area  
7588 and shall not provide additional requirements for the creation of any

7589 content; and (4) the community access programming shall be  
7590 submitted to the certified competitive video service provider in a  
7591 manner or form that is compatible with the technology or protocol  
7592 utilized by said competitive video service provider to deliver video  
7593 services over its particular network, and is capable of being accepted  
7594 and transmitted by the provider, without requirement for additional  
7595 alteration or change in the content by the provider.

7596 (b) A certified competitive video service provider and a community  
7597 antenna television company or nonprofit organization providing  
7598 community access operations shall engage in good faith negotiation  
7599 regarding interconnection of community access operations where such  
7600 interconnection is technically feasible or necessary. Interconnection  
7601 may be accomplished by direct cable, microwave link, satellite or other  
7602 reasonable method of connection. At the request of a competitive video  
7603 service provider, community antenna television company or provider  
7604 of community access operations, the Department of Public Utility  
7605 Control may facilitate the negotiation for such interconnection.

7606 [(c) Not later than one hundred twenty days after the certified  
7607 competitive video service provider begins offering service in a  
7608 designated area pursuant to its certificate of video franchise authority,  
7609 such provider shall provide transmission of the Connecticut Television  
7610 Network to all its subscribers, including real-time transmission as  
7611 technically feasible, under the same conditions as set forth in  
7612 subdivisions (3) and (4) of subsection (a) of this section.]

7613 Sec. 185. Section 16-331s of the general statutes is repealed and the  
7614 following is substituted in lieu thereof (*Effective from passage*):

7615 [(a)] A company issued a certificate of cable franchise authority shall  
7616 be subject to the community access programming and operations  
7617 provisions set forth in subsections (b) to (i), inclusive, and subsections  
7618 (k), (l) and (n) of section 16-331a and any regulations pursuant thereto,  
7619 and subsection (c) of section 16-333 and any regulations pursuant  
7620 thereto.

7621 [(b) A company issued a cable franchise authority certificate shall  
 7622 provide transmission of the Connecticut Television Network to all its  
 7623 subscribers, including real-time transmission as technically feasible.]

7624 Sec. 186. Subsection (a) of section 16-1 of the general statutes is  
 7625 amended by adding subdivision (51) as follows (*Effective from passage*):

7626 (NEW) (51) "The Connecticut Television Network" means the  
 7627 General Assembly's state-wide twenty-four-hour state public affairs  
 7628 programming service, separate and distinct from community access  
 7629 channels.

7630 Sec. 187. Sections 46a-2, 46a-3, 46a-6, 46a-127 and 48-50 to 48-57,  
 7631 inclusive, of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	4d-2(c)
Sec. 6	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 60
Sec. 7	<i>from passage</i>	1-123
Sec. 8	<i>from passage</i>	3-21b
Sec. 9	<i>from passage</i>	2-36b
Sec. 10	<i>from passage</i>	4-77
Sec. 11	<i>from passage</i>	3-13a(a)
Sec. 12	<i>January 1, 2010</i>	10-397
Sec. 13	<i>January 1, 2010</i>	10-393(a)
Sec. 14	<i>January 1, 2010</i>	10-397a(b)
Sec. 15	<i>from passage</i>	12-94b
Sec. 16	<i>from passage</i>	12-94f
Sec. 17	<i>from passage</i>	12-94g
Sec. 18	<i>from passage</i>	5-259
Sec. 19	<i>from passage</i>	4d-9
Sec. 20	<i>from passage</i>	New section

Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	51-193c
Sec. 23	<i>from passage</i>	51-36(a)
Sec. 24	<i>from passage</i>	4a-19
Sec. 25	<i>from passage</i>	4-142a
Sec. 26	<i>from passage</i>	4-142b
Sec. 27	<i>from passage</i>	4-154
Sec. 28	<i>from passage</i>	4-149(c)
Sec. 29	<i>from passage</i>	4-147
Sec. 30	<i>from passage</i>	52-592(e)
Sec. 31	<i>from passage</i>	6-38b
Sec. 32	<i>from passage</i>	7-294d
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	12-263m(h)
Sec. 35	<i>from passage</i>	18-101a
Sec. 36	<i>from passage</i>	54-124a(e)
Sec. 37	<i>from passage</i>	New section
Sec. 38	<i>from passage</i>	45a-8b
Sec. 39	<i>from passage</i>	SA 09-6, Sec. 3(d)
Sec. 40	<i>from passage</i>	New section
Sec. 41	<i>from passage</i>	New section
Sec. 42	<i>from passage</i>	New section
Sec. 43	<i>from passage</i>	New section
Sec. 44	<i>from passage</i>	4-230
Sec. 45	<i>from passage</i>	4-231
Sec. 46	<i>from passage</i>	4-232
Sec. 47	<i>from passage</i>	4-233
Sec. 48	<i>from passage</i>	4-235
Sec. 49	<i>from passage</i>	PA 09-2, Sec. 9
Sec. 50	<i>from passage</i>	SA 09-14
Sec. 51	<i>January 1, 2010</i>	10-394
Sec. 52	<i>from passage</i>	16-331bb
Sec. 53	<i>from passage and applicable to payments issued in the fiscal year ending June 30, 2009, and in each fiscal year thereafter</i>	8-13s
Sec. 54	<i>from passage</i>	New section
Sec. 55	<i>from passage</i>	1-1j

Sec. 56	<i>from passage</i>	New section
Sec. 57	<i>from passage</i>	New section
Sec. 58	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 40
Sec. 59	<i>September 1, 2010</i>	14-270c(a)
Sec. 60	<i>from passage</i>	10-393(a)
Sec. 61	<i>from passage</i>	32-1c(a)
Sec. 62	<i>from passage</i>	8-31a
Sec. 63	<i>from passage</i>	New section
Sec. 64	<i>July 1, 2010</i>	46b-38b
Sec. 65	<i>July 1, 2010</i>	46b-38c
Sec. 66	<i>July 1, 2010</i>	New section
Sec. 67	<i>from passage</i>	4b-51(a) and (b)
Sec. 68	<i>from passage</i>	4b-52(a) and (b)
Sec. 69	<i>January 1, 2010</i>	46b-120
Sec. 70	<i>January 1, 2010</i>	46b-121
Sec. 71	<i>January 1, 2010</i>	46b-127(c)
Sec. 72	<i>January 1, 2010</i>	46b-133
Sec. 73	<i>January 1, 2010</i>	46b-133c(f)
Sec. 74	<i>January 1, 2010</i>	46b-133d(f)
Sec. 75	<i>January 1, 2010</i>	46b-137
Sec. 76	<i>January 1, 2010</i>	46b-140(g)
Sec. 77	<i>January 1, 2010</i>	46b-146
Sec. 78	<i>January 1, 2010</i>	10-19m(c)
Sec. 79	<i>January 1, 2010</i>	46b-150f
Sec. 80	<i>January 1, 2010</i>	46b-150g
Sec. 81	<i>from passage</i>	New section
Sec. 82	<i>July 1, 2012</i>	46b-120
Sec. 83	<i>July 1, 2012</i>	46b-121(a)
Sec. 84	<i>July 1, 2012</i>	46b-127(c)
Sec. 85	<i>July 1, 2012</i>	46b-133c(f)
Sec. 86	<i>July 1, 2012</i>	46b-133d(f)
Sec. 87	<i>July 1, 2012</i>	46b-137
Sec. 88	<i>July 1, 2012</i>	46b-146
Sec. 89	<i>July 1, 2012</i>	10-19m(c)
Sec. 90	<i>January 1, 2010</i>	46b-150d
Sec. 91	<i>July 1, 2012</i>	46b-150d
Sec. 92	<i>from passage</i>	46b-121k
Sec. 93	<i>from passage</i>	4b-3(d)
Sec. 94	<i>from passage</i>	New section

Sec. 95	<i>from passage</i>	49-31l
Sec. 96	<i>from passage</i>	PA 09-209, Sec. 20
Sec. 97	<i>from passage</i>	36a-760e
Sec. 98	<i>from passage</i>	36a-760d
Sec. 99	<i>from passage</i>	New section
Sec. 100	<i>from passage</i>	36a-498(h)
Sec. 101	<i>from passage</i>	36a-801(c)
Sec. 102	<i>from passage</i>	New section
Sec. 103	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 74
Sec. 104	<i>from passage</i>	New section
Sec. 105	<i>from passage</i>	14-253a(b)
Sec. 106	<i>from passage</i>	New section
Sec. 107	<i>from passage</i>	New section
Sec. 108	<i>October 1, 2009</i>	31-22r(c)
Sec. 109	<i>from passage</i>	4-124w(b)
Sec. 110	<i>from passage</i>	4-124hh(d)
Sec. 111	<i>from passage</i>	32-35(h)
Sec. 112	<i>from passage</i>	32-39
Sec. 113	<i>from passage</i>	PA 07-4 of the June Sp. Sess., Sec. 88
Sec. 114	<i>from passage</i>	9-169g
Sec. 115	<i>from passage</i>	9-322a
Sec. 116	<i>from passage</i>	9-375b
Sec. 117	<i>from passage</i>	New section
Sec. 118	<i>from passage</i>	17b-800(b)
Sec. 119	<i>from passage</i>	15-120i
Sec. 120	<i>from passage</i>	15-120j
Sec. 121	<i>from passage</i>	New section
Sec. 122	<i>from passage</i>	46b-127(b)
Sec. 123	<i>from passage</i>	46b-133a
Sec. 124	<i>from passage</i>	46b-133b
Sec. 125	<i>from passage</i>	46b-133c(a) and (b)
Sec. 126	<i>from passage</i>	46b-133d(b) and (c)
Sec. 127	<i>from passage</i>	46b-133e(e)
Sec. 128	<i>from passage</i>	46b-133e(g)
Sec. 129	<i>from passage</i>	51-285(a)
Sec. 130	<i>from passage</i>	HB 7004 (current session), Sec. 34(f)

Sec. 131	<i>from passage</i>	HB 7004 (current session), Sec. 49(b)
Sec. 132	<i>from passage</i>	51-9
Sec. 133	<i>from passage</i>	4b-58
Sec. 134	<i>from passage</i>	4b-23(i)
Sec. 135	<i>from passage</i>	51-286f
Sec. 136	<i>from passage</i>	New section
Sec. 137	<i>from passage</i>	17a-219c
Sec. 138	<i>from passage</i>	New section
Sec. 139	<i>from passage</i>	4b-3
Sec. 140	<i>from passage</i>	4b-4
Sec. 141	<i>from passage</i>	4b-5
Sec. 142	<i>from passage</i>	4-9a
Sec. 143	<i>from passage</i>	2-120
Sec. 144	<i>from passage</i>	2-121
Sec. 145	<i>from passage</i>	2-122
Sec. 146	<i>from passage</i>	17b-420
Sec. 147	<i>from passage</i>	46a-1
Sec. 148	<i>from passage</i>	46a-4
Sec. 149	<i>from passage</i>	46a-5
Sec. 150	<i>from passage</i>	46a-126
Sec. 151	<i>from passage</i>	46a-129
Sec. 152	<i>from passage</i>	46a-130
Sec. 153	<i>from passage</i>	46a-52
Sec. 154	<i>from passage</i>	46a-57(a)
Sec. 155	<i>from passage</i>	New section
Sec. 156	<i>from passage</i>	4-5
Sec. 157	<i>from passage</i>	4a-16
Sec. 158	<i>from passage</i>	4a-57(a)
Sec. 159	<i>from passage</i>	4a-100(j) to (o)
Sec. 160	<i>from passage</i>	4a-101(g)
Sec. 161	<i>from passage</i>	4b-91
Sec. 162	<i>from passage</i>	5-218
Sec. 163	<i>from passage</i>	8-132
Sec. 164	<i>from passage</i>	12-557d
Sec. 165	<i>July 1, 2010</i>	32-601(c)
Sec. 166	<i>July 1, 2010</i>	32-602
Sec. 167	<i>July 1, 2010</i>	32-666
Sec. 168	<i>from passage</i>	51-275a
Sec. 169	<i>from passage</i>	1-84(d)

Sec. 170	<i>from passage</i>	New section
Sec. 171	<i>October 1, 2009</i>	38a-469
Sec. 172	<i>from passage</i>	New section
Sec. 173	<i>from passage</i>	4-156
Sec. 174	<i>from passage</i>	4-158(d)
Sec. 175	<i>from passage</i>	4-159(d)
Sec. 176	<i>from passage</i>	SB 2051 (current session), Sec. 61
Sec. 177	<i>from passage</i>	19a-36(a)(4)
Sec. 178	<i>from passage</i>	New section
Sec. 179	<i>from passage</i>	PA 09-3 of the June Sp. Sess., Sec. 88
Sec. 180	<i>from passage</i>	New section
Sec. 181	<i>from passage</i>	HB 7005 (current session), Sec. 2
Sec. 182	<i>from passage</i>	HB 7005 (current session), Sec. 70
Sec. 183	<i>from passage</i>	16-331cc
Sec. 184	<i>from passage</i>	16-331h
Sec. 185	<i>from passage</i>	16-331s
Sec. 186	<i>from passage</i>	16-1(a)
Sec. 187	<i>from passage</i>	Repealer section