



House of Representatives

General Assembly

File No. 533

February Session, 2010

Substitute House Bill No. 5376

House of Representatives, April 14, 2010

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

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

1 Section 1. Section 1-102 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 No person, committee, association, organization or corporation shall
4 employ any salaried commissioner or deputy commissioner of this
5 state, or any person receiving a salary or pay from the state for services
6 rendered and performed at Hartford, or shall give to any such person
7 any advantage, aid, emolument, entertainment, money or other
8 valuable thing for appearing for, [in] on behalf of or in opposition to,
9 any measure, bill, resolution or petition pending before the General
10 Assembly or any committee thereof, or for advancing, supporting,
11 advocating, or seeking to secure the passage, defeat or amendment of
12 any such measure, bill, resolution or petition pending in or before the
13 General Assembly or any committee thereof; nor shall any such
14 salaried commissioner, deputy commissioner or other person

15 described in this section accept any such employment or perform any
16 such service for another, or accept aid, emolument, entertainment,
17 money, advantage or other valuable thing for or in consideration of
18 any such service. Any person, committee, association, organization or
19 corporation, or any such salaried commissioner, deputy commissioner
20 or person receiving a salary or pay from the state for services rendered
21 and performed at Hartford, who violates any of the provisions of this
22 section, shall be fined not less than one hundred or more than one
23 thousand dollars. All complaints for the violation of this section shall
24 be made to the state's attorney for the judicial district of New Britain,
25 and said state's attorney shall, upon proof of probable guilt being
26 shown, cause the arrest of any such offender and present such offender
27 or cause such offender to be presented for trial before the superior
28 court for the judicial district of New Britain.

29 Sec. 2. Section 2-38 of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective from passage*):

31 When any bill is introduced in the General Assembly [in] on behalf
32 of any person by reason of such person's service as a teacher or as an
33 employee of the state or any political subdivision thereof, the Teachers'
34 Retirement Board, if such service was as a teacher, or the State
35 Employees Retirement Commission, if such service was as an
36 employee of the state or such subdivision, shall prepare a record of
37 pertinent facts regarding such person and [his] such person's service,
38 including any action previously taken by the General Assembly, and
39 shall transmit such record to the chairman of the committee to which
40 such bill has been referred.

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

44 (a) Provisions of this section shall apply to general obligation bonds
45 or notes issued pursuant to section 3-20, special tax obligation bonds or
46 notes issued pursuant to sections 13b-74 to 13b-77, inclusive,
47 abandoned property fund bonds issued pursuant to section 3-62h,

48 Clean Water Fund bonds or notes issued pursuant to section 22a-483,
49 Bradley International Airport bonds or notes issued pursuant to
50 sections 15-101k to 15-101p, inclusive, unemployment compensation
51 bonds or notes issued pursuant to sections 31-264a and 31-264b,
52 UConn 2000 bonds or notes issued pursuant to sections 10a-109a to
53 10a-109y, inclusive, Second Injury Fund bonds or notes issued
54 pursuant to section 31-354b and sections 8 and 9 of public act 96-242,
55 [and] revenue anticipation bonds issued pursuant to section 13b-79r []
56 and municipal pension solvency account bonds issued pursuant to
57 section 7-406o.

58 Sec. 4. Subsection (a) of section 3-76q of the general statutes is
59 repealed and the following is substituted in lieu thereof (*Effective from*
60 *passage*):

61 (a) If the state defaults in the payment of principal or interest on any
62 issue of special obligation bonds after they become due, whether at
63 maturity or upon call for redemption, and the default continues for
64 thirty days, or if the state fails or refuses to comply with this part or
65 defaults in any agreement made with a municipality or with the
66 holders of any issue of bonds, and such failure or refusal continues
67 thirty days after written notice thereof, the holders of twenty-five per
68 centum in aggregate principal amount of the outstanding bonds of that
69 issue, by instrument filed in the office of the Secretary of the State and
70 executed in the same manner as a deed to be recorded, subject to the
71 provisions of subsection (r) of section 3-76g, may appoint a trustee to
72 represent the holders of those bonds for the purposes herein provided
73 and the municipality may proceed by mandamus or other appropriate
74 suit, action or proceeding at law or in equity to enforce its rights.

75 Sec. 5. Section 3-128 of the general statutes is repealed and the
76 following is substituted in lieu thereof (*Effective from passage*):

77 The Attorney General may authorize the use of a signature machine
78 by any officer or department of the state for the purpose of attaching
79 signatures to any warrant, order or check in connection with the
80 disbursement of money [in] on behalf of the state.

81 Sec. 6. Section 4-12 of the general statutes is repealed and the
82 following is substituted in lieu thereof (*Effective from passage*):

83 Whenever the Governor is of the opinion that any such officer,
84 commissioner or deputy has been or is guilty of misconduct, material
85 neglect of duty or incompetence in the conduct of his office, he shall
86 transmit all facts and information in his possession relating thereto to
87 the Attorney General, who shall thereupon make such investigation as
88 he deems proper, and shall prepare a statement in writing of the
89 charges against such officer, commissioner or deputy, together with a
90 citation, in the name of the state, commanding him to appear before
91 the Governor at a date named therein and show cause, if any there be,
92 why he should not be removed from office as [hereinafter] provided in
93 this section. The Attorney General shall cause a copy of such statement
94 and citation to be served, by some proper officer or indifferent person,
95 upon such officer, commissioner or deputy and shall cause a copy
96 thereof, together with a return of the service by the officer or
97 indifferent person making the same endorsed thereon, to be filed in the
98 office of the Secretary. Such officer, commissioner or deputy shall have
99 the right to appear with counsel and witnesses and be fully heard. To
100 carry into effect the [proceeding] proceedings authorized by this
101 section, the Attorney General shall have power to summon witnesses,
102 require the production of any necessary books, papers or other
103 documents and administer oaths to witnesses, and, upon the [day]
104 date named in such citation for the appearance of such officer,
105 commissioner or deputy or at any adjourned date fixed by the
106 Governor, shall appear and conduct the hearing [in] on behalf of the
107 state. He shall cause all oral evidence submitted at such hearing to be
108 reported by a competent stenographer and for such purpose may
109 employ such stenographer at the expense of the state, and, within
110 fifteen days after the close of any such hearing, he shall cause a
111 certified copy of such evidence to be filed with the Secretary. After a
112 full hearing of all the evidence offered by the Attorney General and by
113 or [in] on behalf of any such officer, commissioner or deputy, the
114 Governor shall make a written statement of the facts which he finds to
115 have been proven, and shall, within a reasonable time, file a copy of

116 such finding, duly attested by him, with the Secretary. If the Governor
117 finds that the evidence warrants the removal of such officer,
118 commissioner or deputy from office, he shall make a written order to
119 that effect, and shall cause a copy thereof to be left with or at the usual
120 place of abode of such officer, commissioner or deputy and shall also
121 file a copy thereof with the Secretary. Upon the filing of such copy
122 with the Secretary, the office held by such officer, commissioner or
123 deputy shall become vacant, and the Governor shall thereupon
124 proceed to fill or cause to be filled such vacancy in the manner
125 provided by law. Any witness summoned and any officer or
126 indifferent person making service under the provisions of this section
127 shall be allowed and paid by the state the same fees as are allowed by
128 law in criminal prosecutions.

129 Sec. 7. Subdivision (1) of subsection (a) of section 4-28m of the
130 general statutes is repealed and the following is substituted in lieu
131 thereof (*Effective from passage*):

132 (a) (1) Not later than July 1, 2005, the commissioner shall develop
133 and make available for public inspection, on the Department of
134 Revenue Services' [website] web site and in such other forms as the
135 commissioner deems appropriate, a directory listing of all tobacco
136 product manufacturers that have provided current and accurate
137 certifications conforming to the requirements of section 4-28l and all
138 brand families that are listed in such certifications. The commissioner
139 shall update the directory as necessary in order to correct mistakes and
140 to add or remove a tobacco product manufacturer or brand family to
141 keep the directory current and in conformity with the requirements of
142 sections 4-28k to 4-28r, inclusive.

143 Sec. 8. Subsection (f) of section 4-68o of the general statutes is
144 repealed and the following is substituted in lieu thereof (*Effective from*
145 *passage*):

146 (f) The division shall publish the first annual outcome report not
147 later than January 1, 2007, and shall publish an annual outcome report
148 not later than February fifteenth of each year thereafter. Such report

149 may be included as part of the report submitted under section 4-68p.

150 Sec. 9. Subsection (a) of section 4-124hh of the 2010 supplement to
151 the general statutes is repealed and the following is substituted in lieu
152 thereof (*Effective from passage*):

153 (a) The Office of Workforce Competitiveness shall, within available
154 appropriations, establish a grant program to provide a flexible source
155 of funding for the creation and generation of talent in institutions of
156 higher education and, with appropriate connections to vocational-
157 technical schools and other secondary schools, for student outreach
158 and development. Grants pursuant to this subsection shall be awarded
159 to institutions of higher education and may be used to:

160 (1) Upgrade instructional laboratories to meet specific industry-
161 standard laboratory and instrumentation skill requirements;

162 (2) Develop new curriculum and certificate and degree programs at
163 the associate, bachelor's, master's and doctorate levels, tied to industry
164 identified needs;

165 (3) Develop seamlessly articulated career development programs in
166 workforce shortage areas forecasted pursuant to subdivision [(9)] (10)
167 of subsection (b) of section 4-124w in collaboration with vocational-
168 technical schools and other secondary schools and institutions of
169 higher education;

170 (4) Support undergraduate and graduate student research projects
171 and experimental learning activities; and

172 (5) Establish a nanotechnology post-secondary education program
173 and clearinghouse for curriculum development, scholarships and
174 student outreach.

175 Sec. 10. Section 4a-13 of the general statutes is repealed and the
176 following is substituted in lieu thereof (*Effective from passage*):

177 The Commissioner of Administrative Services may accept mortgage

178 notes and mortgage deeds in payment of claims due for welfare
179 assistance or institutional care, on such terms and conditions as [he]
180 the commissioner deems proper and reasonable, and such
181 encumbrances may be foreclosed in an action brought in a court of
182 competent jurisdiction by [said] the commissioner [in] on behalf of the
183 state. Any such encumbrance shall be released by the commissioner
184 upon payment of the amount by it secured.

185 Sec. 11. Subsection (d) of section 5-259d of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective from*
187 *passage*):

188 (d) No state employee shall be deemed ineligible for any benefit
189 under this section or under any other provision of this chapter solely
190 because such employee's leave time is classified as recess or other
191 equivalent leave time rather than vacation time pursuant to the
192 provisions of a collective bargaining agreement, including a collective
193 bargaining agreement covering a state employee in a teaching,
194 instructional or professional position in [the] Unified School [Districts
195 1, 2 or 3] District #1, #2 or #3.

196 Sec. 12. Section 7-22 of the general statutes is repealed and the
197 following is substituted in lieu thereof (*Effective from passage*):

198 Whenever complaint in writing is made to the state's attorney for
199 any judicial district that the town clerk of any town in such judicial
200 district is guilty of misconduct, wilful and material neglect of duty or
201 incompetence in the conduct of [his] such town clerk's office, such
202 state's attorney shall make such investigation of the charges as [he]
203 such state's attorney deems proper and shall, if [he] such state's
204 attorney is of the opinion that the evidence obtained warrants such
205 action, prepare a statement in writing of the charges against such town
206 clerk, together with a citation in the name of the state, commanding
207 such town clerk to appear before a judge of the Superior Court at a
208 date named [therein] in the citation and show cause, if any, why [he]
209 such town clerk should not be removed from office as [hereinafter]
210 provided in this section. Such state's attorney shall cause a copy of

211 such statement and citation to be served by some proper officer upon
212 the defendant town clerk at least ten days before the date of
213 appearance named in such citation, and the original statement and
214 citation, with the return of the officer thereon, shall be returned to the
215 clerk of the superior court for the judicial district within which such
216 town is situated. To carry into effect the proceedings authorized by
217 this section, the state's attorney of any judicial district shall have power
218 to summon witnesses, require the production of necessary books,
219 papers and other documents and administer oaths to witnesses; and
220 upon the [day] date named in such citation for the appearance of such
221 town clerk, or upon any adjourned [day] date fixed by the judge before
222 whom such proceedings are pending, [he] the state's attorney shall
223 appear and conduct the hearing on behalf of the state. If, after a full
224 hearing of all the evidence offered by the state's attorney and by and
225 [in] on behalf of the defendant, such judge is of the opinion that the
226 evidence presented warrants the removal of such town clerk [, he]
227 from office, the judge shall cause to be prepared a written order to that
228 effect, which order shall be signed by [him] the judge and lodged with
229 the clerk of the superior court for the judicial district in which such
230 defendant resides. Such clerk of the superior court shall cause a
231 certified copy of such order to be served forthwith upon such town
232 clerk, and upon such service the office held by such town clerk shall
233 become vacant and the vacancy thereby created shall be filled at once
234 in the manner provided in section 9-220. Any witnesses summoned
235 and any officer making service under the provisions of this section
236 shall be allowed and paid by the state the same fees as are allowed by
237 law in criminal prosecutions.

238 Sec. 13. Section 7-81 of the general statutes is repealed and the
239 following is substituted in lieu thereof (*Effective from passage*):

240 Whenever complaint in writing is made to the state's attorney for
241 any judicial district that the town treasurer of any town in such judicial
242 district is guilty of misconduct, wilful and material neglect of duty or
243 incompetence in the conduct of [his] such town treasurer's office, such
244 state's attorney shall make such investigation of the charges as [he]

245 such state's attorney deems proper, and shall, if [he] such state's
246 attorney is of the opinion that the evidence obtained warrants such
247 action, prepare a statement in writing of the charges against such town
248 treasurer, together with a citation in the name of the state,
249 commanding such town treasurer to appear before a judge of the
250 Superior Court at a date named [therein] in the citation and show
251 cause, if any, why [he] such town treasurer should not be removed
252 from office as [hereinafter] provided in this section. Such state's
253 attorney shall cause a copy of such statement and citation to be served,
254 by some proper officer, upon the defendant town treasurer at least ten
255 days before the date of appearance named in such citation, and the
256 original statement and citation, with the return of the officer thereon,
257 shall be returned to the clerk of the superior court for the judicial
258 district within which such town is situated. To carry into effect the
259 proceedings authorized by this section, the state's attorney of any
260 judicial district shall have power to summon witnesses, require the
261 production of necessary books, papers and other documents and
262 administer oaths to witnesses; and, upon the [day] date named in such
263 citation for the appearance of such town treasurer, or upon any
264 adjourned [day] date fixed by the judge before whom such
265 proceedings are pending, [he] such state's attorney shall appear and
266 conduct the hearing on behalf of the state. If, after a full hearing of all
267 the evidence offered by the state's attorney and by and [in] on behalf of
268 [the] such defendant, such judge is of the opinion that the evidence
269 presented warrants the removal of such town treasurer [, he] from
270 office, the judge shall cause to be prepared a written order to that
271 effect, which order shall be signed by [him] the judge and lodged with
272 the clerk of the superior court for the judicial district in which such
273 defendant resides. Such clerk of the superior court shall cause a
274 certified copy of such order to be served forthwith upon such town
275 treasurer, and upon such service the office held by such town treasurer
276 shall become vacant and the vacancy thereby created shall be filled at
277 once in the manner provided in section 9-220. Any witnesses
278 summoned and any officer making service under the provisions of this
279 section shall be allowed and paid by the state the same fees as are

280 allowed by law in criminal prosecutions.

281 Sec. 14. Subsection (d) of section 7-131 of the general statutes is
282 repealed and the following is substituted in lieu thereof (*Effective from*
283 *passage*):

284 (d) The legislative body of any town, city or borough may vote to
285 assign to its forest commission or, in the absence of a forest
286 commission, to a shade tree commission, to be constituted and
287 appointed in the manner provided for in subsection (b) of this section
288 for a forest commission, the supervision of public shade trees within
289 such town, city or borough not under the supervision of the
290 Commissioner of Transportation including the appointment of the
291 town tree warden and the supervision of [his] the town tree warden's
292 work.

293 Sec. 15. Subsection (c) of section 7-151a of the general statutes is
294 repealed and the following is substituted in lieu thereof (*Effective from*
295 *passage*):

296 (c) In addition to the power granted in subsection (a) of this section,
297 a lake authority may be granted by the legislative bodies of its
298 respective towns powers to: (1) Control and abate algae and aquatic
299 weeds in cooperation with the Commissioner of Environmental
300 Protection; (2) study water management including, but not limited to,
301 water depth and circulation and make recommendations for action to
302 its member towns; (3) act as agent for member towns with respect to
303 filing applications for grants and reimbursements with the Department
304 of Environmental Protection and other state agencies in connection
305 with state and federal programs; and (4) [to] act as agent for member
306 towns with respect to receiving gifts for any of its purposes.

307 Sec. 16. Section 7-163e of the general statutes is repealed and the
308 following is substituted in lieu thereof (*Effective from passage*):

309 (a) The legislative body of a municipality, or in any municipality
310 where the legislative body is a town meeting or representative town

311 meeting, the board of selectmen, shall conduct a public hearing on the
312 sale, lease or transfer of real property owned by the municipality prior
313 to final approval of such sale, lease or transfer. Notice of the hearing
314 shall be published in a newspaper having a general circulation in such
315 municipality where the real property that is the subject of the hearing
316 is located at least twice, at intervals of not less than two days, the first
317 not more than fifteen days or less than ten days and the last not less
318 than two days before the date set for the hearing. The municipality
319 shall also post a sign conspicuously on the real property [land] that is
320 the subject of the public hearing.

321 (b) The provisions of subsection (a) of this section shall not apply to
322 (1) sales of real property, except parkland, open space or playgrounds,
323 if the fair market value of such property does not exceed ten thousand
324 dollars, (2) renewals of leases where there is no change in use of the
325 real property, and (3) the [sales] sale, lease or transfer of real property
326 acquired by the municipality by foreclosure.

327 Sec. 17. Subdivision (3) of section 7-425 of the general statutes is
328 repealed and the following is substituted in lieu thereof (*Effective from*
329 *passage*):

330 (3) "Legislative body" means, for towns having a town council, the
331 council; for other towns, the selectmen; for cities, the common council
332 or other similar body of officials; for boroughs, the warden and
333 burgesses; for regional school districts, the regional board of
334 education; for district departments of health, the board of the district;
335 for probate districts, the judge of probate; for regional planning
336 agencies, the regional planning board; for regional emergency
337 telecommunications [center] centers, a representative board; for
338 tourism districts, the board of directors of such tourism district; and in
339 all other cases the body authorized by the general statutes or by special
340 act to make ordinances for the municipality;

341 Sec. 18. Subsections (f) to (i), inclusive, of section 8-30g of the
342 general statutes are repealed and the following is substituted in lieu
343 thereof (*Effective from passage*):

344 (f) Any person whose affordable housing application is denied or is
345 approved with restrictions which have a substantial adverse impact on
346 the viability of the affordable housing development or the degree of
347 affordability of the affordable dwelling units in a set-aside
348 development, may appeal such decision pursuant to the procedures of
349 this section. Such appeal shall be filed within the time period for filing
350 appeals as set forth in section 8-8, 8-9, 8-28 [, 8-30] or 8-30a, as
351 applicable, and shall be made returnable to the superior court for the
352 judicial district where the real property which is the subject of the
353 application is located. Affordable housing appeals, including pretrial
354 motions, shall be heard by a judge assigned by the Chief Court
355 Administrator to hear such appeals. To the extent practicable, efforts
356 shall be made to assign such cases to a small number of judges, sitting
357 in geographically diverse parts of the state, so that a consistent body of
358 expertise can be developed. Unless otherwise ordered by the Chief
359 Court Administrator, such appeals, including pretrial motions, shall be
360 heard by such assigned judges in the judicial district in which such
361 judge is sitting. Appeals taken pursuant to this subsection shall be
362 privileged cases to be heard by the court as soon after the return day as
363 is practicable. Except as otherwise provided in this section, appeals
364 involving an affordable housing application shall proceed in
365 conformance with the provisions of said section 8-8, 8-9, 8-28 [, 8-30] or
366 8-30a, as applicable.

367 (g) Upon an appeal taken under subsection (f) of this section, the
368 burden shall be on the commission to prove, based upon the evidence
369 in the record compiled before such commission that the decision from
370 which such appeal is taken and the reasons cited for such decision are
371 supported by sufficient evidence in the record. The commission shall
372 also have the burden to prove, based upon the evidence in the record
373 compiled before such commission, that (1) (A) the decision is necessary
374 to protect substantial public interests in health, safety, or other matters
375 which the commission may legally consider; (B) such public interests
376 clearly outweigh the need for affordable housing; and (C) such public
377 interests cannot be protected by reasonable changes to the affordable
378 housing development, or (2) (A) the application which was the subject

379 of the decision from which such appeal was taken would locate
380 affordable housing in an area which is zoned for industrial use and
381 which does not permit residential uses, and (B) the development is not
382 assisted housing, as defined in subsection (a) of this section. If the
383 commission does not satisfy its burden of proof under this subsection,
384 the court shall wholly or partly revise, modify, remand or reverse the
385 decision from which the appeal was taken in a manner consistent with
386 the evidence in the record before it.

387 (h) Following a decision by a commission to reject an affordable
388 housing application or to approve an application with restrictions
389 which have a substantial adverse impact on the viability of the
390 affordable housing development or the degree of affordability of the
391 affordable dwelling units, the applicant may, within the period for
392 filing an appeal of such decision, submit to the commission a proposed
393 modification of its proposal responding to some or all of the objections
394 or restrictions articulated by the commission, which shall be treated as
395 an amendment to the original proposal. The day of receipt of such a
396 modification shall be determined in the same manner as the day of
397 receipt is determined for an original application. The filing of such a
398 proposed modification shall stay the period for filing an appeal from
399 the decision of the commission on the original application. The
400 commission shall hold a public hearing on the proposed modification
401 if it held a public hearing on the original application and may hold a
402 public hearing on the proposed modification if it did not hold a public
403 hearing on the original application. The commission shall render a
404 decision on the proposed modification not later than sixty-five days
405 after the receipt of such proposed modification, provided, if, in
406 connection with a modification submitted under this subsection, the
407 applicant applies for a permit for an activity regulated pursuant to
408 sections 22a-36 to 22a-45, inclusive, and the time for a decision by the
409 commission on such modification under this subsection would lapse
410 prior to the thirty-fifth day after a decision by an inland wetlands and
411 watercourses agency, the time period for decision by the commission
412 on the modification under this subsection shall be extended to thirty-
413 five days after the decision of such agency. The commission shall issue

414 notice of its decision as provided by law. Failure of the commission to
415 render a decision within said sixty-five days or subsequent extension
416 period permitted by this subsection shall constitute a rejection of the
417 proposed modification. Within the time period for filing an appeal on
418 the proposed modification as set forth in section 8-8, 8-9, 8-28 [8-30] or
419 8-30a, as applicable, the applicant may appeal the commission's
420 decision on the original application and the proposed modification in
421 the manner set forth in this section. Nothing in this subsection shall be
422 construed to limit the right of an applicant to appeal the original
423 decision of the commission in the manner set forth in this section
424 without submitting a proposed modification or to limit the issues
425 which may be raised in any appeal under this section.

426 (i) Nothing in this section shall be deemed to preclude any right of
427 appeal under the provisions of section 8-8, 8-9, 8-28 [8-30] or 8-30a.

428 Sec. 19. Subdivision (22) of section 8-250 of the general statutes is
429 repealed and the following is substituted in lieu thereof (*Effective from*
430 *passage*):

431 (22) Where by reason of the financing plan a review of the
432 application for financing the proposed housing is required by or [in]
433 on behalf of any department, agency or instrumentality of the United
434 States or this state, to provide, contract or arrange for consolidated
435 processing of any such application to avoid duplication thereof by
436 either undertaking the processing in whole or in part for any such
437 department, agency or instrumentality or, in the alternative, delegating
438 the processing in whole or in part to any such department, agency or
439 instrumentality;

440 Sec. 20. Subsection (b) of section 8-265i of the general statutes is
441 repealed and the following is substituted in lieu thereof (*Effective from*
442 *passage*):

443 (b) Any mortgage shall be for a term of not more than six years. The
444 Connecticut Housing Finance Authority shall establish written
445 procedures, in accordance with section [1-120] 1-121, setting forth

446 eligibility criteria for homeowners and specifying medical and other
447 costs that may be covered by loan payments.

448 Sec. 21. Subsection (b) of section 8-265dd of the 2010 supplement to
449 the general statutes is repealed and the following is substituted in lieu
450 thereof (*Effective from passage*):

451 (b) Notwithstanding any provision of the general statutes, or any
452 rule of law to the contrary, on and after July 1, 2008, no judgment of
453 strict foreclosure nor any judgment ordering a foreclosure sale shall be
454 entered in any action instituted by the mortgagee to foreclose a
455 mortgage commenced on or after [such] said date, for the foreclosure
456 of an eligible mortgage unless (1) notice to the mortgagor has been
457 given by the mortgagee in accordance with section 8-265ee and the
458 time for response has expired, and (2) a determination has been made
459 on the mortgagor's application for emergency mortgage assistance
460 payments in accordance with section 8-265ff or the applicable time
461 periods set forth in sections 8-265cc to 8-265kk, inclusive, have expired,
462 whichever is earlier. For purposes of this section and sections 8-265ee
463 to 8-265kk, inclusive, an "eligible mortgage" is a mortgage which
464 satisfies the standards contained in subdivisions (1), (3), (8) and (10) to
465 (13), inclusive, of subsection (e) of section 8-265ff.

466 Sec. 22. Subsection (l) of section 8-303 of the general statutes is
467 repealed and the following is substituted in lieu thereof (*Effective from*
468 *passage*):

469 (l) Where by reason of the financing plan a review of the application
470 for financing the proposed housing is required by or [in] on behalf of
471 any department, agency or instrumentality of the United States of
472 America or this state, to provide, contract or arrange for consolidated
473 processing of any such application to avoid duplication thereof by
474 either undertaking the processing in whole or in part for any such
475 department, agency or instrumentality or, in the alternative, delegating
476 the processing in whole or in part to any such department, agency or
477 instrumentality;

478 Sec. 23. Section 9-236 of the general statutes is repealed and the
479 following is substituted in lieu thereof (*Effective from passage*):

480 (a) On the day of any primary, referendum or election, no person
481 shall solicit [in] on behalf of or in opposition to the candidacy of
482 another or himself or [in] on behalf of or in opposition to any question
483 being submitted at the election or referendum, or loiter or peddle or
484 offer any advertising matter, ballot or circular to another person within
485 a radius of seventy-five feet of any outside entrance in use as an entry
486 to any polling place or in any corridor, passageway or other approach
487 leading from any such outside entrance to such polling place or in any
488 room opening upon any such corridor, passageway or approach,
489 except as provided in section 9-294. Nothing contained in this section
490 shall be construed to prohibit (1) parent-teacher associations or parent-
491 teacher organizations from holding bake sales or other fund-raising
492 activities on the day of any primary, referendum or election in any
493 school used as a polling place, provided such sales or activities shall
494 not be held in the room in which the election booths are located, (2) the
495 registrars of voters from directing the officials at a primary,
496 referendum or election to distribute, within the restricted area,
497 adhesive labels on which are imprinted the words "I Voted Today", or
498 (3) the registrars of voters in a primary, election or referendum from
499 jointly permitting nonpartisan activities to be conducted in a room
500 other than the room in which the election booths are located. The
501 registrars may jointly impose such conditions and limitations on such
502 nonpartisan activity as deemed necessary to ensure the orderly process
503 of voting. The moderator shall evict any person who in any way
504 interferes with the orderly process of voting.

505 (b) (1) The selectmen shall provide suitable markers to indicate the
506 seventy-five-foot distance from such entrance. Such markers shall
507 consist of a board resting on an iron rod, which board shall be not less
508 than twelve inches square and painted a bright color and shall bear the
509 figures and letters "75 feet" and the following words: "On the day of
510 any primary, referendum or election no person shall solicit in behalf of
511 or in opposition to another or himself or peddle or offer any ballot,

512 advertising matter or circular to another person or loiter within a
513 radius of seventy-five feet of any outside entrance in use as an entry to
514 any polling place or in any corridor, passageway or other approach
515 leading from any such outside entrance to such polling place or in any
516 room opening upon any such corridor, passageway or approach."

517 (2) Notwithstanding the provisions of subdivision (1) of this
518 subsection, the selectmen may provide the markers required by the
519 provisions of this subsection in effect prior to October 1, 1983, except
520 that in the case of a referendum which is not held in conjunction with
521 an election or a primary, the selectmen shall provide the markers
522 required by subdivision (1) of this subsection.

523 (3) The moderator and [his] the moderator's assistants shall meet at
524 least twenty minutes before the opening of a primary, referendum or
525 an election in the voting district, and shall cause to be placed by a
526 police officer or constable, or such other primary or election official as
527 they select, a suitable number of distance markers. Such moderator or
528 any police officer or constable shall prohibit loitering and peddling of
529 tickets within that distance.

530 (c) No person except those permitted or exempt under this section
531 or section 9-236a and primary or election officials and party checkers
532 appointed under section 9-235 shall be allowed within any polling
533 place except for the purpose of casting his vote. Representatives of the
534 news media shall be allowed to enter, remain within and leave any
535 polling place or restricted area surrounding any polling place to
536 observe the election, provided any such representative who in any way
537 interferes with the orderly process of voting shall be evicted by the
538 moderator. A number of students in grades four to twelve, inclusive,
539 not to exceed four at any one time in any one polling place, may enter
540 any polling place between twelve o'clock noon and three o'clock p.m.
541 for the purpose of observing the activities taking place [therein] in the
542 polling place, provided there is proper parental or teacher supervision
543 present, and provided further, any such student who in any way
544 interferes with the orderly process of voting shall be evicted by the

545 moderator. An elector may be accompanied into any polling place by
546 one or more children who are fifteen years of age or younger and
547 supervised by the elector [] if the elector is the parent or legal
548 guardian of such children. Any person who violates any provision of
549 this section or, while the polls are open for voting, removes or injures
550 any such distance marker, shall be fined not more than fifty dollars or
551 imprisoned not more than three months, or both.

552 Sec. 24. Section 9-249a of the general statutes is repealed and the
553 following is substituted in lieu thereof (*Effective from passage*):

554 (a) The names of the parties shall be arranged on the machines in
555 the following order:

556 (1) The party whose candidate for Governor polled the highest
557 number of votes in the last-preceding election;

558 (2) Other parties who had candidates for Governor in the last-
559 preceding election, in descending order, according to the number of
560 votes polled for each such candidate;

561 (3) Minor parties who had no candidate for Governor in the last-
562 preceding election;

563 (4) Petitioning candidates with party designation whose names are
564 contained in petitions approved pursuant to section 9-453o; [] and

565 (5) Petitioning candidates with no party designation whose names
566 are contained in petitions approved pursuant to section 9-453o.

567 (b) Within each of subdivisions (3) and (4) of subsection (a) of this
568 section, the following rules shall apply in the following order:

569 (1) Precedence shall be given to the party any of whose candidates
570 seeks an office representing more people than are represented by any
571 office sought by any candidate of any other party;

572 (2) A party having prior sequence of office as set forth in section 9-
573 251 shall be given precedence; [] and

574 (3) Parties shall be listed in alphabetical order.

575 (c) Within subdivision (5) of subsection (a) of this section,
576 candidates shall be listed according to the provisions of section 9-453r.

577 Sec. 25. Section 9-445 of the general statutes is repealed and the
578 following is substituted in lieu thereof (*Effective from passage*):

579 Forthwith after a primary for nomination to a municipal office or for
580 election of members of a town committee, or forthwith upon tabulation
581 of the vote for a state or district office by the Secretary of the State
582 when the plurality of an elected or nominated candidate over the vote
583 for a defeated candidate receiving the next highest number of votes
584 was either (1) less than a vote equivalent to one-half of one per cent of
585 the total number of votes cast at the primary for the office or position
586 but not more than one thousand votes, or (2) less than twenty votes,
587 there shall be a recanvass of the returns of the voting machine or
588 voting machines used in such primary for said office or position unless
589 within one day after the primary, in the case of nomination to a
590 municipal office or for election of members of a town committee, or
591 prior to the time the Secretary of the State notifies the town clerk of
592 state and district offices which qualify for an automatic recanvass, the
593 defeated candidate or defeated candidates, as the case may be, for such
594 office or position file a written statement waiving [this] the right to
595 such recanvass with the municipal clerk in the case of a municipal
596 office or town committee, or with the Secretary of the State in the case
597 of a state or district office. In the case of a state or district office, the
598 Secretary of the State, upon tabulation of the votes for such an office,
599 shall notify the town clerks in the state or district, as the case may be,
600 of the state and district offices which qualify for an automatic
601 recanvass and shall also notify each candidate for any such office.
602 When a recanvass is to be held, the municipal clerk shall promptly
603 notify the moderator, as defined in section 9-311, who shall proceed
604 forthwith to recanvass such returns of the office in question in the
605 same manner as is provided for a recanvass in regular elections, except
606 that the recanvass officials shall be divided equally, as nearly as may

607 be, among the candidates for such office. In addition to the notice
608 required under section 9-311, the moderator shall, before such
609 recanvass is made, give notice in writing of the time and place of such
610 recanvass to each candidate for a municipal office which qualifies for
611 an automatic recanvass under this section. For purposes of this section,
612 "the total number of votes cast at the primary for the office or position"
613 means, in the case of multiple openings for the same office or position,
614 the total number of electors checked as having voted in the primary []
615 in the state, district, municipality or political subdivision, as the case
616 may be. When a recanvass of the returns for an office for which there
617 are multiple openings is required by the provisions of this section, the
618 returns for all candidates for all openings for the office shall be
619 recanvassed. Nothing in this section shall preclude the right to judicial
620 proceedings [in] on behalf of such defeated candidate under any
621 provision of this chapter.

622 Sec. 26. Section 9-453b of the general statutes is repealed and the
623 following is substituted in lieu thereof (*Effective from passage*):

624 The Secretary of the State shall not issue any nominating petition
625 forms for a candidate for an office to be filled at a regular election to be
626 held in any year prior to the first business day of such year. The
627 secretary shall not issue any nominating petition forms unless the
628 person requesting the [same] nominating petition forms makes a
629 written application [therefor] for such forms, which application shall
630 contain the following: (1) The name or names of the candidates to
631 appear on such nominating petition, compared by the town clerk of
632 the town of residence of each candidate with [his] the candidate's
633 name as it appears on the last-completed registry list of such town, and
634 verified and corrected by such town clerk or in the case of a newly
635 admitted elector whose name does not appear on the last-completed
636 registry list, the town clerk shall compare [his] the candidate's name as
637 it appears on [his] the candidate's application for admission and verify
638 and correct it accordingly; (2) a signed statement by each such
639 candidate that he consents to the placing of his name on such petition,
640 and (3) the party designation, if any. An applicant for petition forms

641 who does not wish to specify a party designation shall so indicate on
642 his application for such forms and his application, if so marked, shall
643 not be amended in this respect. No application made after November
644 3, 1981, shall contain any party designation unless a reservation of
645 such party designation with the secretary is in effect for all of the
646 offices included in the application or unless the party designation is
647 the same as the name of a minor party which is qualified for a different
648 office or offices on the same ballot as the office or offices included in
649 the application. The secretary shall not issue such forms [(1)] (A)
650 unless the application for forms [in] on behalf of a candidate for the
651 office of presidential elector is accompanied by the names of the
652 candidates for President and Vice-President whom he represents and
653 includes the consent of such candidates for President and Vice-
654 President; [(2)] (B) unless the application for forms [in] on behalf of
655 Governor or Lieutenant Governor is accompanied by the name of the
656 candidate for the other office and includes the consent of both such
657 candidates; [(3)] (C) if petition forms have previously been issued on
658 behalf of the same candidate for the same office unless the candidate
659 files a written statement of withdrawal of his previous candidacy with
660 the secretary; and [(4)] (D) unless the application meets the
661 requirements of this section.

662 Sec. 27. Section 10-99 of the general statutes is repealed and the
663 following is substituted in lieu thereof (*Effective from passage*):

664 The State Board of Education shall use the industrial account within
665 the Vocational Education Extension Fund, established in connection
666 with its administration of vocational, technical and technological
667 education and training, as a revolving account in securing personal
668 services, contractual services and materials and supplies, with such
669 equipment as may be chargeable to the cost of a specific production
670 contract or equipment of a nature which may be properly chargeable
671 to the account in general, provided the account shall not incur a deficit
672 in securing equipment which may be properly chargeable to the
673 account in general, in the establishment and continuance of such
674 productive work as such schools perform in connection with the

675 board's educational program for such schools. Claims against the state
676 [in] on behalf of said board shall be paid by order of the Comptroller
677 drawn against said account. The proceeds of all sales resulting from
678 the productive work of the schools shall be paid into the State Treasury
679 and credited to said account. Within ten months after the close of each
680 fiscal period any balance, as of the close of such fiscal period, in excess
681 of five hundred thousand dollars, as shown by the inventory of
682 manufactured articles, material on hand or in process of being
683 manufactured, bills receivable and cash balance, after deduction of
684 obligations, in the industrial account shall revert to the General Fund.

685 Sec. 28. Subsection (d) of section 10-221 of the general statutes is
686 repealed and the following is substituted in lieu thereof (*Effective from*
687 *passage*):

688 (d) Not later than July 1, 1991, each local and regional board of
689 education shall develop, adopt and implement policies and procedures
690 in conformity with section 10-154a for (1) dealing with the use, sale or
691 possession of alcohol or controlled drugs, as defined in [subsection]
692 subdivision (8) of section 21a-240, by public school students on school
693 property, including a process for coordination with, and referral of
694 such students to, appropriate agencies, and (2) cooperating with law
695 enforcement officials.

696 Sec. 29. Section 10-256 of the general statutes is repealed and the
697 following is substituted in lieu thereof (*Effective from passage*):

698 If any money appropriated to the use of schools is applied by a
699 town or school district to any other purpose, such town or school
700 district shall forfeit the amount thereof to the state and the comptroller
701 shall sue for the same [in] on behalf of the state, to be applied, when
702 recovered, to the use of schools.

703 Sec. 30. Subsection (a) of section 10-397 of the 2010 supplement to
704 the general statutes is repealed and the following is substituted in lieu
705 thereof (*Effective from passage*):

706 (a) There are established three regional tourism districts, each of
707 which shall promote and market districts as regional leisure and
708 business traveler destinations to stimulate economic growth. The
709 districts shall be as follows:

710 (1) The eastern regional district, which shall consist of Ashford,
711 Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia,
712 Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton,
713 Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New
714 London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret,
715 Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington,
716 Thompson, Union, Voluntown, Waterford, Willington, Windham and
717 Woodstock;

718 (2) The central regional district, which shall consist of Andover,
719 Avon, Berlin, Bethany, Bloomfield, Bolton, Branford, Canton, Cheshire,
720 Chester, Clinton, Cromwell, Deep River, Durham, East Granby, East
721 Haddam, East Hampton, East Hartford, East Haven, East Windsor,
722 Ellington, Enfield, Essex, Farmington, Glastonbury, Granby, Guilford,
723 Haddam, Hamden, Hartford, Hebron, Killingworth, Madison,
724 Manchester, Marlborough, Meriden, Middlefield, Middletown,
725 Milford, New Britain, New Haven, Newington, North Branford, North
726 Haven, Old Saybrook, Orange, Plainville, Portland, Rocky Hill,
727 Simsbury, Somers, South Windsor, Southington, [Simsbury,] Stafford,
728 Suffield, Tolland, Vernon, Wallingford, West Hartford, West Haven,
729 Westbrook, Wethersfield, Windsor, Windsor Locks and Woodbridge;
730 and

731 (3) The western regional district, which shall consist of Ansonia,
732 Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgeport,
733 Bridgewater, Bristol, Brookfield, Burlington, Canaan, Colebrook,
734 Cornwall, Danbury, Darien, Derby, Easton, Fairfield, Goshen,
735 Greenwich, Hartland, Harwinton, Kent, Litchfield, Middlebury,
736 Monroe, Morris, Naugatuck, New Fairfield, New Hartford, New
737 Milford, [Monroe,] New Canaan, Newtown, Norfolk, North Canaan,
738 Norwalk, Oxford, Plymouth, Prospect, Redding, Ridgefield, Roxbury,

739 Salisbury, Seymour, Sharon, Shelton, Sherman, Southbury, Stamford,
740 Stratford, Thomaston, Torrington, Trumbull, Warren, Washington,
741 Waterbury, Watertown, Weston, Westport, Wilton, Winchester,
742 Wolcott and Woodbury.

743 Sec. 31. Subsection (a) of section 10a-8 of the general statutes is
744 repealed and the following is substituted in lieu thereof (*Effective from*
745 *passage*):

746 (a) The provisions of sections 4-77 and 4-78 shall not apply to the
747 constituent units of the state system of higher education, and for the
748 purposes of said sections only, the Board of Governors of Higher
749 Education shall be deemed the budgeted agency for such constituent
750 units. The Board of Governors of Higher Education shall develop a
751 formula or program-based budgeting system to be used by each
752 institution and constituent board in preparing operating budgets. The
753 Board of Governors of Higher Education shall prepare a single public
754 higher education budget request itemized by the individual institution
755 and branch using the formula or program-based budgeting system and
756 shall submit such budget request displaying all operating funds to the
757 Secretary of the Office of Policy and Management in accordance with
758 sections 4-77 and 4-78, subject to procedures developed by the Board of
759 Governors of Higher Education and approved by said secretary. The
760 budget request of the Boards of Trustees of The University of
761 Connecticut, the Community-Technical Colleges and the Connecticut
762 State University System shall set forth, in the form prescribed by the
763 Board of Governors of Higher Education, a proposed expenditure plan
764 which shall include: (1) The total amount requested for such
765 appropriation account; (2) the amount to be appropriated from the
766 General Fund; and (3) the amount to be paid from the tuition revenues
767 of The University of Connecticut, the regional community-technical
768 colleges [,] and the Connecticut State University System. After review
769 and comment by the Board of Governors of Higher Education, the
770 proposed expenditure plans shall be incorporated into the single
771 public higher education budget request including recommendations, if
772 any, by said board. Any tuition increase proposed by the Boards of

773 Trustees of The University of Connecticut, the Community-Technical
774 Colleges and the Connecticut State University System for the fiscal
775 year to which the budget request relates shall be included in the single
776 public higher education budget request submitted by the Board of
777 Governors of Higher Education for such fiscal year, provided if the
778 General Assembly does not appropriate the amount requested by any
779 such board of trustees, such board of trustees may increase tuition and
780 fees by an amount greater than that included in the budget request in
781 response to which the appropriation was made. The General Assembly
782 shall make appropriations directly to the constituent unit boards. Said
783 constituent unit boards shall allocate appropriations to the individual
784 institutions and branches with due consideration to the program or
785 formula-based budget used to develop the appropriation as approved
786 by the General Assembly or as otherwise specified in the approved
787 appropriation. Allotment reductions made pursuant to the provisions
788 of subsections (b) [,] and (c) [, and (f)] of section 4-85 shall be applied
789 by the Board of Governors of Higher Education among the
790 appropriations to the constituent unit boards without regard to the
791 limitations on reductions provided in said section, except that said
792 limitations shall apply to the total of the amounts appropriated to the
793 higher education budgeted agencies. The Board of Governors of
794 Higher Education shall apply such reductions after consultation with
795 the Secretary of the Office of Policy and Management and the
796 constituent unit boards. Any reductions of more than five per cent of
797 the appropriations of any constituent units shall be submitted to the
798 appropriations committee which shall, within ten days, approve or
799 reject such reduction.

800 Sec. 32. Subsection (b) of section 12-2 of the general statutes is
801 repealed and the following is substituted in lieu thereof (*Effective from*
802 *passage*):

803 (b) Notwithstanding any provision of the general statutes to the
804 contrary, the commissioner may issue administrative pronouncements
805 providing his interpretation of the tax laws. Within one hundred
806 eighty days from the issuance of any administrative pronouncement

807 the commissioner shall publish notice of intent to adopt regulations in
808 accordance with the provisions of chapter 54 to implement the
809 provisions of any administrative pronouncement issued on or after
810 August 22, 1991, and such regulations shall be presented to the
811 legislative regulation review committee within six months from the
812 date of the issuance of any such pronouncement. Such
813 pronouncements shall not have the force and effect of regulations and
814 shall carry a notice stating that the administrative pronouncements do
815 not have the force and effect of law, provided taxpayers shall be
816 entitled to rely on such pronouncements. For the purpose of this
817 subsection "administrative pronouncement" [shall mean] means a
818 statement by the Commissioner of Revenue Services which provides
819 his interpretation of the tax laws and which is published and made
820 available to the public. The commissioner shall, with respect to any
821 provision of the general statutes which authorizes the issuance of
822 rules, file with the legislative regulation review committee, within six
823 months after the issuance of such rules, regulations which implement
824 the provisions of such rules.

825 Sec. 33. Section 12-81dd of the general statutes is repealed and the
826 following is substituted in lieu thereof (*Effective from passage*):

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

833 Sec. 34. Subsection (a) of section 12-129c of the general statutes is
834 repealed and the following is substituted in lieu thereof (*Effective from*
835 *passage*):

836 (a) No claim shall be accepted under section 12-129b unless the
837 taxpayer or authorized agent of such taxpayer files an application with
838 the assessor of the municipality in which the property is located, in
839 affidavit form as provided by the Secretary of the Office of Policy and

840 Management, during the period from February first to and including
841 May fifteenth of any year in which benefits are first claimed, including
842 such information as is necessary to substantiate said claim in
843 accordance with requirements in such application. A taxpayer may
844 make application to the secretary prior to August fifteenth of the claim
845 year for an extension of the application period. The secretary may
846 grant such extension in the case of extenuating circumstance due to
847 illness or incapacitation as evidenced by a physician's certificate to that
848 extent, or if the secretary determines there is good cause for doing so.
849 The taxpayer shall present to the assessor a copy of such taxpayer's
850 federal income tax return and the federal income tax return of such
851 taxpayer's spouse, if filed separately, for such taxpayer's taxable year
852 ending immediately prior to the submission of the taxpayer's
853 application, or if not required to file a federal income tax return, such
854 other evidence of qualifying income in respect to such taxable year as
855 the assessor may require. Each such application, together with the
856 federal income tax return and any other information submitted in
857 relation thereto, shall be examined by the assessor and if the
858 application is approved by the assessor, it shall be forwarded to the
859 secretary on or before July first of the year in which such application is
860 approved, [provided] except that in the case of a taxpayer who
861 received a filing date extension from the secretary, such application
862 shall be forwarded to the secretary not later than ten business days
863 after the date it is filed with the assessor. After a taxpayer's claim for
864 the first year has been filed and approved such taxpayer shall be
865 required to file such an application biennially. In respect to such
866 application required after the filing and approval for the first year the
867 tax assessor in each municipality shall notify each such taxpayer
868 concerning application requirements by regular mail not later than
869 February first of the assessment year in which such taxpayer is
870 required to reapply, enclosing a copy of the required application form.
871 Such taxpayer may submit such application to the assessor by mail,
872 provided it is received by the assessor not later than March fifteenth in
873 the assessment year with respect to which such tax relief is claimed.
874 Not later than April first of such year the assessor shall notify, by

875 certified mail, any such taxpayer for whom such application was not
876 received by said March fifteenth concerning application requirements
877 and such taxpayer shall be required not later than May fifteenth to
878 submit such application personally or for reasonable cause, by a
879 person acting [in] on behalf of such taxpayer as approved by the
880 assessor.

881 Sec. 35. Subsection (a) of section 12-170w of the general statutes is
882 repealed and the following is substituted in lieu thereof (*Effective from*
883 *passage*):

884 (a) No claim shall be accepted under section 12-170v unless the
885 taxpayer or authorized agent of such taxpayer files an application with
886 the assessor of the municipality in which the property is located, in
887 such form and manner as the assessor may prescribe, during the
888 period from February first to and including May fifteenth of any year
889 in which benefits are first claimed, including such information as is
890 necessary to substantiate such claim in accordance with requirements
891 in such application. A taxpayer may make application to the assessor
892 prior to August fifteenth of the claim year for an extension of the
893 application period. The assessor may grant such extension in the case
894 of extenuating circumstance due to illness or incapacitation as
895 evidenced by a physician's certificate to that extent, or if the assessor
896 determines there is good cause for doing so. The taxpayer shall present
897 to the assessor a copy of such taxpayer's federal income tax return and
898 the federal income tax return of such taxpayer's spouse, if filed
899 separately, for such taxpayer's taxable year ending immediately prior
900 to the submission of the taxpayer's application, or if not required to file
901 a federal income tax return, such other evidence of qualifying income
902 in respect to such taxable year as the assessor may require. Each such
903 application, together with the federal income tax return and any other
904 information submitted in relation thereto, shall be examined by the
905 assessor and a determination shall be made as to whether the
906 application is approved. Upon determination by the assessor that the
907 applying homeowner is entitled to tax relief in accordance with the
908 provisions of section 12-170v and this section, the assessor shall notify

909 the homeowner and the municipal tax collector of the approval of such
910 application. The municipal tax collector shall determine the maximum
911 amount of the tax due with respect to such homeowner's residence and
912 thereafter the property tax with respect to such homeowner's residence
913 shall not exceed such amount. After a taxpayer's claim for the first year
914 has been filed and approved such taxpayer shall file such an
915 application biennially. In respect to such application required after the
916 filing and approval for the first year the assessor in each municipality
917 shall notify each such taxpayer concerning application requirements
918 by regular mail not later than February first of the assessment year in
919 which such taxpayer is required to reapply, enclosing a copy of the
920 required application form. Such taxpayer may submit such application
921 to the assessor by mail provided it is received by the assessor not later
922 than March fifteenth in the assessment year with respect to which such
923 tax relief is claimed. Not later than April first of such year the assessor
924 shall notify, by certified mail, any such taxpayer for whom such
925 application was not received by said March fifteenth concerning
926 application requirements and such taxpayer shall submit not later than
927 May fifteenth such application personally or for reasonable cause, by a
928 person acting [in] on behalf of such taxpayer as approved by the
929 assessor.

930 Sec. 36. Subsection (e) of section 12-170aa of the general statutes is
931 repealed and the following is substituted in lieu thereof (*Effective from*
932 *passage*):

933 (e) Any claim for tax reduction under this section shall be submitted
934 for approval, on the application form prepared for such purpose by the
935 Secretary of the Office of Policy and Management, in the first year
936 claim for such tax relief is filed and biennially thereafter. The amount
937 of tax reduction approved shall be applied to the real property tax
938 payable by the homeowner for the assessment year in which such
939 application is submitted and approved. If any such homeowner has
940 qualified for tax reduction under this section, the tax reduction
941 determined shall, when possible, be applied and prorated uniformly
942 over the number of installments in which the real property tax is due

943 and payable to the municipality in which he resides. In the case of any
944 homeowner who is eligible for tax reduction under this section as a
945 result of increases in qualifying income, effective with respect to the
946 assessment year commencing October 1, 1987, under the schedule of
947 qualifying income and tax reduction in subsection (c) of this section,
948 exclusive of any such increases related to social security adjustments in
949 accordance with subsection (b) of this section, the total amount of tax
950 reduction to which such homeowner is entitled shall be credited and
951 uniformly prorated against property tax installment payments
952 applicable to such homeowner's residence which become due after
953 such homeowner's application for tax reduction under this section is
954 accepted. In the event that a homeowner has paid in full the amount of
955 property tax applicable to such homeowner's residence, regardless of
956 whether the municipality requires the payment of property taxes in
957 one or more installments, such municipality shall make payment to
958 such homeowner in the amount of the tax reduction allowed. The
959 municipality shall be reimbursed for the amount of such payment in
960 accordance with subsection (g) of this section. In respect to such
961 application required biennially after the filing and approval for the
962 first year, the tax assessor in each municipality shall notify each such
963 homeowner concerning application requirements by regular mail not
964 later than February first, annually enclosing a copy of the required
965 application form. Such homeowner may submit such application to the
966 assessor by mail provided it is received by the assessor not later than
967 March fifteenth in the assessment year with respect to which such tax
968 reduction is claimed. Not later than April first of such year the assessor
969 shall notify, by certified mail, any such homeowner for whom such
970 application was not received by said March fifteenth concerning
971 application requirements and such homeowner shall be required not
972 later than May fifteenth to submit such application personally or, for
973 reasonable cause, by a person acting [in] on behalf of such taxpayer as
974 approved by the assessor. In the year immediately following any year
975 in which such homeowner has submitted application and qualified for
976 tax reduction in accordance with this section, such homeowner shall be
977 presumed, without filing application therefor, to be qualified for tax

978 reduction in accordance with the schedule in subsection (c) of this
979 section in the same percentage of property tax as allowed in the year
980 immediately preceding. If any homeowner has qualified and received
981 tax reduction under this section and subsequently in any calendar year
982 has qualifying income in excess of the maximum described in this
983 section, [he] such homeowner shall notify the tax assessor on or before
984 the next filing date and shall be denied tax reduction under this section
985 for the assessment year and any subsequent year or until [he] such
986 homeowner has reapplied and again qualified for benefits under this
987 section. Any such person who fails to so notify the tax assessor of his
988 disqualification shall refund all amounts of tax reduction improperly
989 taken and be fined not more than five hundred dollars.

990 Sec. 37. Subsection (a) of section 12-285c of the general statutes is
991 repealed and the following is substituted in lieu thereof (*Effective from*
992 *passage*):

993 (a) No person engaged in the business of selling cigarettes shall ship
994 or transport or cause to be shipped or transported any cigarettes to any
995 person in this state except to: (1) A cigarette distributor or dealer; (2) an
996 export warehouse proprietor pursuant to Chapter 52 of the Internal
997 Revenue Code of 1986, or any subsequent corresponding internal
998 revenue code of the United States, as from time to time amended, or an
999 operator of a customs bonded warehouse pursuant to 19 USC 1311 or
1000 1555; or (3) a person who is an officer, employee or agent of the United
1001 States Government, this state or a department, agency, instrumentality
1002 or political subdivision of the United States or of this state, when such
1003 person is acting in accordance with such person's official duties.
1004 Notwithstanding the provisions of section 12-15, the Commissioner of
1005 Revenue Services shall publish on the Internet [website] web site of the
1006 Department of Revenue Services a list of every cigarette distributor or
1007 dealer. As used in this subsection, "cigarette distributor or dealer"
1008 means a person licensed as a cigarette distributor under section 12-288
1009 or licensed as a dealer under section 12-287 or a person whose name
1010 appears on a list of licensed distributors and dealers published by the
1011 Commissioner of Revenue Services.

1012 Sec. 38. Subdivision (82) of section 12-412 of the 2010 supplement to
1013 the general statutes is repealed and the following is substituted in lieu
1014 thereof (*Effective from passage*):

1015 (82) (A) The sale of and the storage, use or other consumption of any
1016 commercial motor vehicle, as defined in subparagraphs (A) and (B) of
1017 subdivision (15) of [subsection (a) of] section 14-1, that is operating
1018 pursuant to the provisions of section 13b-88 or 13b-89, during the
1019 period commencing upon its purchase and ending one year after the
1020 date of purchase, provided seventy-five per cent of its revenue from its
1021 days in service is derived from out-of-state trips or trips crossing state
1022 lines.

1023 (B) Each purchaser of a commercial motor vehicle exempt from tax
1024 pursuant to the provisions of this subsection shall, in order to qualify
1025 for said exemption, present to the retailer a certificate, in such form as
1026 the commissioner may prescribe, certifying that seventy-five per cent
1027 of such vehicle's revenue from its days in service will be derived from
1028 out-of-state trips or trips crossing state lines. The purchaser of the
1029 motor vehicle shall be liable for the tax otherwise imposed if, during
1030 the period commencing upon its purchase and ending one year after
1031 the date of purchase, seventy-five per cent of the vehicle's revenue
1032 from its days in service is not derived from out-of-state trips or trips
1033 crossing state lines.

1034 Sec. 39. Subsection (b) of section 12-724 of the general statutes is
1035 repealed and the following is substituted in lieu thereof (*Effective from*
1036 *passage*):

1037 (b) (1) In the case of any person who dies while in active service as a
1038 member of the armed forces of the United States, if such death
1039 occurred while serving in a combat zone during a period of combatant
1040 activities in such zone, as described in subsection (a) of this section, or
1041 as a result of wounds, disease or injury incurred while so serving, the
1042 tax imposed by this chapter shall not apply with respect to the taxable
1043 year in which falls the date of his or her death, or with respect to any
1044 prior taxable year ending on or after the first day so served in a combat

1045 zone, and no returns shall be required [in] on behalf of such person or
1046 his or her estate for such year; and the tax for any such taxable year
1047 which is unpaid at the date of death, including interest, additions to
1048 tax and penalties, if any, shall not be assessed and, if assessed, the
1049 assessment shall be abated and, if collected, shall be refunded to the
1050 legal representative of such estate if one has been appointed and has
1051 qualified, or, if no legal representative has been appointed or has
1052 qualified, to the surviving spouse.

1053 (2) The provisions of this subsection shall also apply in the case of
1054 an individual who dies while in active service as a member of the
1055 armed forces of the United States, if such death occurred while serving
1056 in an area designated by Congress in a public law, and during a period
1057 beginning on a date designated by Congress in such public law and
1058 ending on a date designated either by the President by executive order
1059 or by Congress in a public law, or, as a result of wounds, disease or
1060 injury incurred while so serving, if such public law provides that, in
1061 such area and during such period, the death of such individual while
1062 in active service in such area and during such period, or as a result of
1063 wounds, disease, or injury incurred while so serving, are to be treated
1064 in the same manner as the death of any individual while in active
1065 service as a member of the armed forces of the United States in an area
1066 designated by the President of the United States by executive order as
1067 a "combat zone" during the period designated by the President by
1068 executive order as the period of combatant activities in such zone.

1069 Sec. 40. Section 12-809 of the general statutes is repealed and the
1070 following is substituted in lieu thereof (*Effective from passage*):

1071 Each director and the president shall execute a surety bond in the
1072 penal sum of fifty thousand dollars. The chairman of the board may
1073 execute a blanket position surety bond, or arrange for separate surety
1074 bonds, covering each director, the president and the employees of the
1075 corporation at amounts determined by the board, but in no event less
1076 than the sum of fifty thousand dollars per person. Each surety bond
1077 shall be conditioned upon the faithful performance of the duties of the

1078 office or offices covered, be executed by a surety company authorized
1079 to transact business in this state as surety, be approved by the Attorney
1080 General and be filed in the office of the Secretary of the State. The cost
1081 of each such bond shall be paid by the corporation.

1082 Sec. 41. Subsection (a) of section 13b-50 of the general statutes is
1083 repealed and the following is substituted in lieu thereof (*Effective from*
1084 *passage*):

1085 (a) The commissioner is authorized to cooperate with the
1086 government of the United States or any agency or department thereof
1087 in the acquisition, construction, improvement, maintenance and
1088 operation of airports, heliports, landing fields and other aeronautical
1089 facilities in this state where federal financial aid is received and to
1090 comply with the provisions of the laws of the United States and any
1091 regulations made thereunder for the expenditure of federal moneys
1092 upon such airports, heliports and facilities. The commissioner is
1093 authorized to accept, receive and receipt for federal or other moneys
1094 for and [in] on behalf of this state or any political subdivision thereof
1095 for the acquisition, construction, improvement, maintenance and
1096 operation of facilities within this state. All moneys accepted for
1097 disbursement by the commissioner pursuant to this subsection shall be
1098 deposited in the state treasury and disbursed in accordance with the
1099 provisions of the respective grants.

1100 Sec. 42. Section 13b-50a of the general statutes is repealed and the
1101 following is substituted in lieu thereof (*Effective from passage*):

1102 The following initiatives shall be established to preserve
1103 Connecticut's licensed [private] privately owned, [public] publicly
1104 used airports which have a paved runway and a minimum of five
1105 thousand operations per year: (1) The state shall have the right of first
1106 refusal to purchase, via fair market value and state property
1107 acquisition procedures, an airport, if that airport is threatened with
1108 sale or closure, for the express purpose [in] of preserving the airport;
1109 (2) the Commissioner of Transportation may acquire the development
1110 rights, based on fair market value for such rights₂ of such airports,

1111 provided the airport remains a public airport; (3) the state shall fund
1112 capital improvements to private airports, in which case the state shall
1113 participate in ninety per cent of the eligible costs and the balance by
1114 the sponsor, with budget and priorities to be determined by the
1115 Department of Transportation, and engineering in accordance with
1116 Federal Aviation Administration Advisory Circulars; and (4) the
1117 establishment of a new airport zoning category for the airport's
1118 imaginary surfaces as defined by Federal Aviation Regulations.
1119 Development within these surfaces shall require notices for proposed
1120 construction and a federal determination of obstructions. Construction
1121 of obstructions deemed hazardous to navigation shall not be allowed.

1122 Sec. 43. Section 13b-55 of the general statutes is repealed and the
1123 following is substituted in lieu thereof (*Effective from passage*):

1124 The commissioner may sell and convey any land, right in land,
1125 riparian right or other property or right in property, of whatever kind,
1126 that the commissioner may acquire pursuant to section 13b-53, which
1127 is in excess of the quantity required for the purpose for which it was
1128 acquired, and may execute and deliver appropriate conveyances of
1129 such property [in] on behalf of the state. No such sale or conveyance
1130 shall be made without the prior consent of the Secretary of the Office
1131 of Policy and Management and the Commissioner of Public Works and
1132 the State Properties Review Board.

1133 Sec. 44. Subsection (j) of section 13b-57g of the general statutes is
1134 repealed and the following is substituted in lieu thereof (*Effective from*
1135 *passage*):

1136 (j) Not later than January 1, 2007, and quadrennially thereafter, the
1137 board shall review and, if necessary, revise the strategy adopted
1138 pursuant to subsection (a) of this section. A report describing any
1139 revisions and the reasons for [them] such revisions shall be submitted
1140 to the Governor and, pursuant to section 11-4a, the General Assembly.
1141 Such report shall include a prioritized list of projects which the board,
1142 in consultation with the commissioner, determines are necessary to
1143 implement the recommended strategy, including the estimated capital

1144 and operating costs and time frame of such projects, and completion
1145 schedule for all projects. Not later than January 31, 2007, and
1146 quadrennially thereafter, the joint standing committees of the General
1147 Assembly having cognizance of matters relating to transportation,
1148 finance, revenue and bonding and planning and development and the
1149 chairpersons and ranking members of the joint standing committee
1150 having cognizance of matters relating to commerce [,] shall meet with
1151 the Commissioners of Transportation and Economic and Community
1152 Development, the Secretary of the Office of Policy and Management,
1153 the chairperson of the Transportation Strategy Board and such other
1154 persons as they deem appropriate to consider the report required by
1155 this subsection.

1156 Sec. 45. Section 13b-270 of the general statutes is repealed and the
1157 following is substituted in lieu thereof (*Effective from passage*):

1158 The selectmen of any town, the mayor and common council of any
1159 city or the warden and burgesses of any borough, within which a
1160 highway crosses or is crossed by a railroad, or the directors of any
1161 railroad company whose road crosses or is crossed by a highway, may
1162 bring their petition in writing to the Commissioner of Transportation,
1163 alleging that public safety requires an alteration in such crossing, its
1164 approaches, the method of crossing, the location of the highway or
1165 crossing, the closing of a highway crossing and the substitution of
1166 another therefor, not at grade, or the removal of obstructions to the
1167 sight at such crossing, and praying that the same may be ordered.
1168 Thereupon said commissioner shall appoint a time and place for
1169 hearing the petition, and shall give such notice thereof to such
1170 petitioners, the company, the municipality or municipalities in which
1171 such crossing is situated and the owners of the land adjoining such
1172 crossing and adjoining that part of the highway to be changed in
1173 grade, as said commissioner judges reasonable; and, after such notice
1174 and hearing, said commissioner shall determine what alterations or
1175 removals, if any, shall be made and by whom made. If such petition is
1176 brought by the directors of a railroad company or [in] on behalf of any
1177 such company, said commissioner shall order the expense of such

1178 alterations or removals, including the damages to any person whose
1179 land is taken and the special damages which the owner of any land
1180 adjoining the public highway sustains by reason of any such change in
1181 the grade of such highway, to be paid by the company owning or
1182 operating the railroad in whose behalf the petition is brought; and, if
1183 such petition is brought by the selectmen of any town, the mayor and
1184 common council of any city or the warden and burgesses of any
1185 borough, said commissioner may, if the highway affected by such
1186 determination was in existence when the railroad was constructed
1187 over it at grade or if the layout of the highway was changed for the
1188 benefit of the railroad after the layout of the railroad, order an amount
1189 not exceeding one-quarter of the whole expense of such alteration or
1190 removal, including the damages, to be paid by the town, city or
1191 borough in whose behalf the petition is brought, and the remainder of
1192 the expense shall be paid by the company owning or operating the
1193 road which crosses such public highway. If the highway affected by
1194 such last-mentioned order has been constructed since the railroad
1195 which it crosses at grade, said commissioner may order an amount not
1196 exceeding one-half of the whole expense of such alteration or removal,
1197 including the damages, to be paid by the town, city or borough in
1198 whose behalf the application is brought, and the remainder of the
1199 expense shall be paid by the company owning or operating the road
1200 which crosses such public highway. Railroad companies may take land
1201 for the purpose of this section.

1202 Sec. 46. Subdivision (53) of section 14-1 of the 2010 supplement to
1203 the general statutes is repealed and the following is substituted in lieu
1204 thereof (*Effective from passage*):

1205 (53) "Motor vehicle" means any vehicle propelled or drawn by any
1206 nonmuscular power, except aircraft, motor boats, road rollers, baggage
1207 trucks used about railroad stations or other mass transit facilities,
1208 electric battery-operated wheel chairs when operated by physically
1209 handicapped persons at speeds not exceeding fifteen miles per hour,
1210 golf carts operated on highways solely for the purpose of crossing
1211 from one part of the golf course to another, golf-cart-type vehicles

1212 operated on roads or highways on the grounds of state institutions by
1213 state employees, agricultural tractors, farm implements, such vehicles
1214 as run only on rails or tracks, self-propelled snow plows, snow blowers
1215 and lawn mowers, when used for the purposes for which they were
1216 designed and operated at speeds not exceeding four miles per hour,
1217 whether or not the operator rides on or walks behind such equipment,
1218 motor-driven cycles as defined in section 14-286, special mobile
1219 equipment as defined in [subsection (i) of] section 14-165, mini-
1220 motorcycles, as defined in section 14-289j, and any other vehicle not
1221 suitable for operation on a highway;

1222 Sec. 47. Subsection (b) of section 14-12a of the general statutes is
1223 repealed and the following is substituted in lieu thereof (*Effective from*
1224 *passage*):

1225 (b) (1) For the purposes of this section, a declaration of the person
1226 registering a motor vehicle, made in such form as the Department of
1227 Motor Vehicles may prescribe, shall be prima facie evidence of the
1228 facts relevant to the application of subsection (a) of this section. (2)
1229 Consistent with the provisions of this section, the Department of Motor
1230 Vehicles shall have power to enter into agreements with the
1231 appropriate authorities of other states pursuant to which uncertainties
1232 as to the proper state of registration for motor vehicles may be
1233 determined and allocations of vehicles for purposes of registration
1234 made.

1235 Sec. 48. Subsection (a) of section 14-25b of the general statutes is
1236 repealed and the following is substituted in lieu thereof (*Effective from*
1237 *passage*):

1238 (a) The commissioner may register any vehicle operated upon any
1239 public highway as special mobile equipment as defined in [subsection
1240 (i) of] section 14-165 and may issue a special number plate which shall
1241 be displayed in a conspicuous place at the rear of such vehicle. The
1242 commissioner may issue a registration containing any limitation on the
1243 operation of any such vehicle which [he] the commissioner deems
1244 necessary for its safe operation, provided such vehicle's movement on

1245 a highway shall be restricted from its place of storage to the
1246 construction site or from one construction site to another. No such
1247 vehicle shall be operated upon or across any highway during the times
1248 when lights are required as specified in section 14-96a unless it
1249 displays the lighted lamps required by sections 14-96b and 14-96c.
1250 Such vehicle shall not be used for the transportation of passengers or a
1251 payload when operating upon a highway, except that while operating
1252 on a highway construction project or on a construction project of any
1253 kind which requires the crossing of a highway, [it] such vehicle may
1254 carry passengers or a payload to the extent required by the project. A
1255 vehicle registered as special mobile equipment shall be exempt from
1256 the equipment requirements specified in sections 14-80 to 14-106,
1257 inclusive. The commissioner may require that a vehicle for which an
1258 application for special mobile equipment registration is submitted pass
1259 an inspection prior to the issuance of such registration and at such
1260 times as [he] the commissioner deems necessary for the safe operation
1261 of such equipment. The commissioner shall charge an annual fee for
1262 such registration equal to one-half of the commercial registration fee
1263 for a vehicle having the same gross weight.

1264 Sec. 49. Subsection (b) of section 14-44 of the 2010 supplement to the
1265 general statutes is repealed and the following is substituted in lieu
1266 thereof (*Effective from passage*):

1267 (b) No operator's license bearing an endorsement shall be issued or
1268 renewed in accordance with the provisions of this section or section 14-
1269 36a, until the commissioner, or the commissioner's authorized
1270 representative, is satisfied that the applicant is a proper person to
1271 receive such an operator's license bearing an endorsement, holds a
1272 valid motor vehicle operator's license, or, if necessary for the class of
1273 vehicle operated, a commercial driver's license and is at least eighteen
1274 years of age. Each applicant for an operator's license bearing an
1275 endorsement or the renewal of such a license shall furnish the
1276 commissioner, or the commissioner's authorized representative, with
1277 satisfactory evidence, under oath, to prove that such person [: Has] has
1278 no criminal record [,] and has not been convicted of a violation of

1279 subsection (a) of section 14-227a within five years of the date of
1280 application and that no reason exists for a refusal to grant or renew
1281 such an operator's license bearing an endorsement. Each applicant for
1282 such an operator's license bearing an endorsement shall submit with
1283 the application proof satisfactory to the commissioner that such
1284 applicant has passed a physical examination administered not more
1285 than ninety days prior to the date of application, and which is in
1286 compliance with safety regulations established from time to time by
1287 the United States Department of Transportation. Each applicant for
1288 renewal of such license shall present evidence that such applicant is in
1289 compliance with the medical qualifications established in 49 CFR 391,
1290 as amended. Each applicant for such an operator's license bearing an
1291 endorsement shall be fingerprinted before the license bearing an
1292 endorsement is issued.

1293 Sec. 50. Subsection (b) of section 14-275 of the general statutes is
1294 repealed and the following is substituted in lieu thereof (*Effective from*
1295 *passage*):

1296 (b) Each school bus shall be painted a uniform yellow color known
1297 as "National School Bus Glossy Yellow", except for the fenders and
1298 trim which may be painted black and the roof which may be painted
1299 white, and shall have conspicuously painted on the rear and on the
1300 front [thereof] of such vehicle, in black lettering of a size to be
1301 determined by the Commissioner of Motor Vehicles, the words "School
1302 Bus-Stop on Signal", except that each school bus equipped with an
1303 eight-light warning system shall have the words "School Bus" painted
1304 on the rear and on the front [thereof] of such vehicle in such lettering.
1305 The sides of such vehicles may be inscribed with the words "School
1306 Bus", the school name or such other legend or device as may be
1307 necessary for purposes of identification or safety. Each school bus shall
1308 have conspicuously painted on the rear and sides of such [vehicles]
1309 vehicle, in black lettering of a size to be determined by the
1310 commissioner, the name of the school bus company, the school bus
1311 company's telephone number and the school bus number.

1312 Sec. 51. Subsection (b) of section 14-296aa of the 2010 supplement to
1313 the general statutes is repealed and the following is substituted in lieu
1314 thereof (*Effective from passage*):

1315 (b) (1) Except as otherwise provided in this subsection and
1316 subsections (c) and (d) of this section, no person shall operate a motor
1317 vehicle upon a highway, as defined in [subsection (a) of] section 14-1,
1318 while using a hand-held mobile telephone to engage in a call or while
1319 using a mobile electronic device while such vehicle is in motion. (2) An
1320 operator of a motor vehicle who holds a hand-held mobile telephone
1321 to, or in the immediate proximity of, his or her ear while such vehicle
1322 is in motion is presumed to be engaging in a call within the meaning of
1323 this section. The presumption established by this subdivision is
1324 rebuttable by evidence tending to show that the operator was not
1325 engaged in a call. (3) The provisions of this subsection shall not be
1326 construed as authorizing the seizure or forfeiture of a hand-held
1327 mobile telephone or a mobile electronic device, unless otherwise
1328 provided by law. (4) Subdivision (1) of this subsection does not apply
1329 to: (A) The use of a hand-held mobile telephone for the sole purpose of
1330 communicating with any of the following regarding an emergency
1331 situation: An emergency response operator; a hospital, physician's
1332 office or health clinic; an ambulance company; a fire department; or a
1333 police department, or (B) any of the following persons while in the
1334 performance of their official duties and within the scope of their
1335 employment: A peace officer, as defined in subdivision (9) of section
1336 53a-3, a firefighter or an operator of an ambulance or authorized
1337 emergency vehicle, as defined in [subsection (a) of] section 14-1, or a
1338 member of the armed forces of the United States, as defined in section
1339 27-103, while operating a military vehicle, or (C) the use of a hands-
1340 free mobile telephone.

1341 Sec. 52. Subsection (e) of section 14-296aa of the 2010 supplement to
1342 the general statutes is repealed and the following is substituted in lieu
1343 thereof (*Effective from passage*):

1344 (e) Except as provided in subsections (b) to (d), inclusive, of this

1345 section, no person shall engage in any activity not related to the actual
1346 operation of a motor vehicle in a manner that interferes with the safe
1347 operation of such vehicle on any highway, as defined in [subsection (a)
1348 of] section 14-1.

1349 Sec. 53. Section 14-379 of the general statutes is repealed and the
1350 following is substituted in lieu thereof (*Effective from passage*):

1351 As used in sections 14-379 to 14-390, inclusive, [subsections]
1352 subdivisions (3) and (4) of section 12-430 and sections 12-431, 14-33, 14-
1353 163 and 53-205, unless the context otherwise requires:

1354 (1) "Commissioner" means the Commissioner of Motor Vehicles;
1355 ["snowmobile"]

1356 (2) "Snowmobile" means any self-propelled vehicle designed for
1357 travel on snow or ice, except vehicles propelled by sail; ["snowmobile
1358 dealer"]

1359 (3) "Snowmobile dealer" means a person engaged in the business of
1360 manufacturing and selling new snowmobiles or selling new or used
1361 snowmobiles, or both, having an established place of business for the
1362 sale, trade and display of such snowmobiles; [.]

1363 (4) "All-terrain vehicle" means a self-propelled vehicle designed to
1364 travel over unimproved terrain [and which] that has been determined
1365 by the Commissioner of Motor Vehicles to be unsuitable for operation
1366 on the public highways [which] and is not eligible for registration
1367 under chapter 246; ["all-terrain vehicle dealer"]

1368 (5) "All-terrain vehicle dealer" means any person engaged in the
1369 business of manufacturing and selling new all-terrain vehicles, or both,
1370 having an established place of business for the manufacture, sale, trade
1371 and display of such all-terrain vehicles; ["operate"] and

1372 (6) "Operate" means to control the course of or otherwise use a
1373 snowmobile or all-terrain vehicle.

1374 Sec. 54. Subsection (f) of section 15-154 of the 2010 supplement to
1375 the general statutes is repealed and the following is substituted in lieu
1376 thereof (*Effective from passage*):

1377 (f) A person who violates subsection (e) of this section shall be fined
1378 not less than fifty dollars [nor] or more than two hundred dollars.

1379 Sec. 55. Subsection (f) of section 16-244d of the general statutes is
1380 repealed and the following is substituted in lieu thereof (*Effective from*
1381 *passage*):

1382 (f) The Department of Public Utility Control, in consultation with
1383 the Office of Consumer Counsel, shall establish a program for the
1384 dissemination of information regarding electric suppliers. Such
1385 program shall require electric distribution companies to distribute an
1386 informational summary on electric suppliers to any new customer and
1387 to existing customers beginning on January 1, 2004, and semiannually
1388 thereafter. Such informational summary shall be developed by the
1389 department and shall include, but not be limited to, the name of each
1390 licensed electric supplier, the state where the supplier is based,
1391 information on whether the supplier has active offerings for either
1392 residential or commercial and industrial consumers, the telephone
1393 number and Internet address of the supplier, and information as to
1394 whether the supplier offers electric generation services from renewable
1395 energy sources in excess of the portfolio standards established
1396 pursuant to section 16-245a. The department shall include pricing
1397 information in the informational summary to the extent the
1398 department determines feasible. The department shall post the
1399 informational summary in a conspicuous place on its [website] web
1400 site and provide electronic links to the [website] web site of each
1401 supplier. The department shall update the informational summary on
1402 its [website] web site on at least a quarterly basis.

1403 Sec. 56. Subsection (b) of section 16a-4c of the general statutes is
1404 repealed and the following is substituted in lieu thereof (*Effective from*
1405 *passage*):

1406 (b) (1) The secretary shall, not later than January 1, 2012, notify the
1407 chief executive officer of each municipality located in a planning
1408 region in which the boundaries are proposed for redesignation. If the
1409 legislative body of the municipality objects to such proposed
1410 redesignation, the chief executive officer of the municipality may, not
1411 later than thirty days after the date of receipt of the notice of
1412 redesignation, petition the secretary to attend a meeting of such
1413 legislative body. The petition shall specify the location, date and time
1414 of the meeting. The meeting shall be held not later than forty-five days
1415 after the date of the petition. The secretary shall make a reasonable
1416 attempt to appear at the meeting, or at a meeting on another date
1417 within the forty-five-day period. If the secretary is unable to attend a
1418 meeting within the forty-five-day period, the secretary and the chief
1419 executive officer of the municipality shall jointly schedule a date and
1420 time for the meeting, provided such meeting shall be held not later
1421 than one hundred twenty days after the date of the notice to the chief
1422 executive officer. At such meeting, the legislative body of the
1423 municipality shall inform the secretary of the objections to the
1424 proposed redesignation of the planning area boundaries. The secretary
1425 shall consider fully the oral and written objections of the legislative
1426 body and may redesignate the boundaries. Not later than forty-five
1427 days after the date of the meeting, the secretary shall notify the chief
1428 executive officer of the determination concerning the proposed
1429 redesignation. The notice of determination shall include the reasons for
1430 such determination. As used in this subsection, "municipality" means a
1431 town, city or consolidated town and borough; "legislative body" means
1432 the board of selectmen, town council, city council, board of alderman,
1433 board of directors, board of representatives or board of the major and
1434 burgesses of a municipality; and "secretary" means the secretary or the
1435 designee of the secretary.

1436 (2) Any revision to the boundaries of a planning area, based on the
1437 analysis completed pursuant to subsection (a) of this section or due to
1438 a modification by the secretary in accordance with this subsection,
1439 shall be effective on the first day of July following the date of
1440 completion such analysis or modification.

1441 Sec. 57. Subsection (b) of section 16a-47a of the general statutes is
1442 repealed and the following is substituted in lieu thereof (*Effective from*
1443 *passage*):

1444 (b) The goals of the campaign established pursuant to subsection (a)
1445 of this section shall include, but not be limited to, educating electric
1446 consumers regarding (1) the benefits of pursuing strategies that
1447 increase energy efficiency, including information on the Connecticut
1448 electric efficiency partner program established pursuant to section 16a-
1449 46e and combined heat and power technologies, (2) the real-time
1450 energy reports [prepared] developed pursuant to section [16a-47d]
1451 16a-47b and the real-time energy electronic mail and cellular phone
1452 alert system [prepared] developed pursuant to section [61 of public act
1453 07-242] 16a-47d, and (3) the option of choosing a participating electric
1454 [suppliers] supplier, as defined in subsection (k) of section 16-244c.

1455 Sec. 58. Subdivision (10) of subsection (a) of section 16a-48 of the
1456 general statutes is repealed and the following is substituted in lieu
1457 thereof (*Effective from passage*):

1458 (10) "Unit heater" means a self-contained, vented fan-type
1459 commercial space heater that uses natural gas or propane and that is
1460 designed to be installed without ducts within the heated space. "Unit
1461 heater" does not include a product regulated by federal standards
1462 pursuant to 42 USC 6291, as amended from time to time, a product that
1463 is a direct vent, forced flue heater with a sealed combustion burner, or
1464 any oil fired heating system;

1465 Sec. 59. Section 17a-453d of the 2010 supplement to the general
1466 statutes is repealed and the following is substituted in lieu thereof
1467 (*Effective from passage*):

1468 The Department of Mental Health and Addiction Services, in
1469 collaboration with the Department of Children and Families and the
1470 Department of Veterans' Affairs, shall provide behavioral health
1471 services, on a transitional basis, for the dependents and any member of
1472 any reserve component of the armed forces of the United States who

1473 has been called to active service in the armed forces of [this] the state
1474 or the United States for Operation Enduring Freedom or Operation
1475 Iraqi Freedom. Such transitional services shall be provided when no
1476 Department of Defense coverage for such services is available or such
1477 member is not eligible for such services through the Department of
1478 Defense, until an approved application is received from the federal
1479 Department of Veterans' Affairs and coverage is available to such
1480 member and such member's dependents.

1481 Sec. 60. Section 17a-564 of the general statutes is repealed and the
1482 following is substituted in lieu thereof (*Effective from passage*):

1483 The director of the Whiting Forensic Division shall quarterly make a
1484 report to the Board of Mental Health and Addiction Services on the
1485 affairs of the [institute] division, including reports of reexaminations
1486 and recommendations.

1487 Sec. 61. Subsection (a) of section 17b-93 of the general statutes is
1488 repealed and the following is substituted in lieu thereof (*Effective from*
1489 *passage*):

1490 (a) If a beneficiary of aid under the state supplement program,
1491 medical assistance program, aid to families with dependent children
1492 program, temporary family assistance program or state-administered
1493 general assistance program has or acquires property of any kind or
1494 interest in any property, estate or claim of any kind, except moneys
1495 received for the replacement of real or personal property, the state of
1496 Connecticut shall have a claim subject to subsections (b) and (c) of this
1497 section, which shall have priority over all other unsecured claims and
1498 unrecorded encumbrances, against such beneficiary for the full
1499 amount paid, subject to the provisions of section 17b-94, to him or [in]
1500 on his behalf under said programs; and, in addition thereto, the
1501 parents of an aid to dependent children beneficiary, a state-
1502 administered general assistance beneficiary or a temporary family
1503 assistance beneficiary shall be liable to repay, subject to the provisions
1504 of said section 17b-94, to the state the full amount of any such aid paid
1505 to or [in] on behalf of either parent, his spouse, and his child or

1506 children. The state of Connecticut shall have a lien against property of
1507 any kind or interest in any property, estate or claim of any kind of the
1508 parents of an aid to dependent children beneficiary, in addition and
1509 not in substitution of its claim, for amounts owing under any order for
1510 support of any court or any family support magistrate, including any
1511 arrearage under such order, provided household goods and other
1512 personal property identified in section 52-352b, real property pursuant
1513 to section 17b-79, as long as such property is used as a home for the
1514 beneficiary and money received for the replacement of real or personal
1515 property, shall be exempt from such lien.

1516 Sec. 62. Subsection (c) of section 17b-93 of the general statutes is
1517 repealed and the following is substituted in lieu thereof (*Effective from*
1518 *passage*):

1519 (c) No claim shall be made, or lien applied, against any payment
1520 made pursuant to chapter 135, any payment made pursuant to section
1521 47-88d or 47-287, any moneys received as a settlement or award in a
1522 housing or employment or public accommodation discrimination case,
1523 any court-ordered retroactive rent abatement, including any made
1524 pursuant to subsection (e) of section 47a-14h [] or section 47a-4a, 47a-5
1525 [] or 47a-57, or any security deposit refund pursuant to subsection (d)
1526 of section 47a-21 paid to a beneficiary of assistance under the state
1527 supplement program, medical assistance program, aid to families with
1528 dependent children program, temporary family assistance program or
1529 state-administered general assistance program or paid to any person
1530 who has been supported wholly, or in part, by the state, in accordance
1531 with section 17b-223, in a humane institution.

1532 Sec. 63. Subsection (a) of section 17b-105h of the 2010 supplement to
1533 the general statutes is repealed and the following is substituted in lieu
1534 thereof (*Effective from passage*):

1535 (a) For the fiscal year ending June 30, 2009, the Department of Social
1536 Services may use such funds from the federal matching funds received
1537 by the state pursuant to section 17b-105f as are needed for operating
1538 expenses and to employ one staff position for purposes directly related

1539 to the administration of the matching funds provision for the
1540 supplemental nutrition assistance employment and training program,
1541 and for any fiscal year thereafter may use such funds as [is] are
1542 necessary to operate and administer said program.

1543 Sec. 64. Subsection (a) of section 17b-125 of the 2010 supplement to
1544 the general statutes is repealed and the following is substituted in lieu
1545 thereof (*Effective from passage*):

1546 (a) No resident of a town shall be deemed to be ineligible to receive
1547 relief from such town by reason of having an interest in real property,
1548 provided such real property (1) is maintained as such resident's
1549 primary home, or (2) would not be counted in determining eligibility
1550 for assistance under the state supplement program, medical assistance
1551 program, temporary family assistance program or supplemental
1552 nutrition assistance program, and provided such resident shall deliver
1553 to such town, through its board of selectmen, an agreement executed
1554 and acknowledged in the form and manner required for the transfer of
1555 an interest in real property to reimburse such town for all amounts so
1556 paid to such resident or expended by such town on his behalf for
1557 maintenance, care or support, with interest at the rate of four per cent
1558 per annum. Such agreement shall describe by metes and bounds, and
1559 by street number and lot number, if any, the real property in which
1560 such beneficiary has an interest and shall be recorded in the land
1561 records of the town or towns in which such real property is located,
1562 and shall constitute a lien on such real property which may, at any
1563 time during which such amounts remain unpaid, be foreclosed in an
1564 action brought by such town in a court of competent jurisdiction, and
1565 such lien shall have precedence over all subsequently recorded
1566 encumbrances, except tax liens or other municipal liens of such towns.
1567 Such lien shall be released by such town by its board of selectmen
1568 upon payment of the amount, plus interest, by it secured. The board of
1569 selectmen of such town is authorized to adjust, remit or cancel, in
1570 whole or in part, any interest accruing under such lien, provided such
1571 procedure shall be deemed necessary and beneficial to such town by
1572 such selectmen and shall be so voted at a meeting of such selectmen

1573 and a record of such vote entered in the minutes of the meetings of
1574 such board. Such board of selectmen is also authorized to release such
1575 lien without payment of the amount secured thereby, in whole or in
1576 part, provided such procedure shall be deemed necessary and
1577 beneficial to the town by such selectmen and shall be so voted at a
1578 meeting of such selectmen and a record of such vote entered in the
1579 minutes of the meetings of such board. Upon the sale, after foreclosure,
1580 of such real estate, or any part thereof, and after complete satisfaction
1581 to such town of the amount secured by such lien, plus interest,
1582 together with all costs and expenses, any balance remaining shall be
1583 paid over by such selectmen to such resident or, if he is deceased, to
1584 his estate. The board of selectmen of such town is authorized to
1585 execute, [in] on behalf of the town, all releases, deeds and other
1586 instruments necessary to carry out the provisions of this section. Upon
1587 written request therefor, the selectmen shall forthwith issue to the
1588 applicant a statement of the amount due to be paid to cancel such lien.
1589 No such lien shall be valid and enforceable after the expiration of forty
1590 years from the date it was recorded.

1591 Sec. 65. Section 17b-232 of the general statutes is repealed and the
1592 following is substituted in lieu thereof (*Effective from passage*):

1593 The state, through the agency of the state-operated facility, as
1594 defined in [subsection (b) of] section 17a-458, authorizing the transfer
1595 of a resident to a private boarding home for mental patients, group
1596 home, chronic and convalescent hospital or other residential facility as
1597 provided by section 17a-509, shall pay the cost of the board and care of
1598 such mentally ill person, provided such cost shall not be in excess of
1599 the rates established under section 17b-340 for such facilities.

1600 Sec. 66. Subsection (a) of section 17b-256 of the general statutes is
1601 repealed and the following is substituted in lieu thereof (*Effective from*
1602 *passage*):

1603 (a) The Commissioner of Social Services may administer, within
1604 available appropriations, a program providing payment for the cost of
1605 drugs prescribed by a physician for the treatment of acquired

1606 immunodeficiency syndrome or human immunodeficiency virus. The
1607 commissioner, in consultation with the Commissioner of Public
1608 Health, shall determine specific drugs to be covered and may
1609 implement a pharmacy lock-in procedure for the program. The
1610 Commissioner of Social Services shall adopt regulations, in accordance
1611 with the provisions of chapter 54, to carry out the purposes of this
1612 section. The commissioner may implement the program while in the
1613 process of adopting regulations, provided notice of intent to adopt the
1614 regulations is published in the Connecticut Law Journal within twenty
1615 days of implementation. The regulations may include eligibility for all
1616 persons with acquired immunodeficiency syndrome or human
1617 immunodeficiency virus whose income is below four hundred per cent
1618 of the federal poverty level. Subject to federal approval, the
1619 commissioner may, within available federal resources, maintain
1620 existing insurance policies for eligible clients, including, but not
1621 limited to, coverage of costs associated with such policies, that provide
1622 a full range of human immunodeficiency virus treatments and access
1623 to comprehensive primary care services as determined by the
1624 commissioner and as provided by federal law, and may provide
1625 payment, determined by the commissioner, for (1) drugs and
1626 nutritional supplements prescribed by a physician that prevent or treat
1627 opportunistic diseases and conditions associated with acquired
1628 immunodeficiency syndrome or human immunodeficiency virus; (2)
1629 ancillary supplies related to the administration of such drugs; and (3)
1630 laboratory tests ordered by a physician. On and after May 26, 2006,
1631 [persons] any person who previously received insurance assistance
1632 under the program established pursuant to section 17b-255 of the
1633 general statutes, revision of 1958, revised to 2005, shall continue to
1634 receive such assistance until the expiration of the insurance coverage,
1635 provided such person continues to meet program eligibility
1636 requirements established in accordance with this subsection. On or
1637 before March 1, 2007, and annually thereafter, the Commissioner of
1638 Social Services shall report, in accordance with section 11-4a, to the
1639 joint standing committees of the General Assembly having cognizance
1640 of matters relating to human services, public health and appropriations

1641 and the budgets of state agencies on the projected availability of funds
1642 for the program established pursuant to this section.

1643 Sec. 67. Subsection (a) of section 17b-341 of the general statutes is
1644 repealed and the following is substituted in lieu thereof (*Effective from*
1645 *passage*):

1646 (a) (1) As used in this section, "self-pay patient" means a patient who
1647 is not receiving state or municipal assistance to pay for the cost of care.

1648 (2) The Commissioner of Social Services shall determine annually,
1649 after a public hearing, the rates to be charged to self-pay patients in
1650 any of the following licensed facilities if the facility does not have a
1651 provider agreement with the state to provide services to recipients of
1652 benefits obtained through Title XIX of the Social Security Amendments
1653 of 1965, except a facility that did not have a provider agreement in
1654 effect as of January 1, 1991, or had entered into a limited provider
1655 agreement before January 1, 1991: Chronic and convalescent nursing
1656 homes, chronic disease hospitals associated with chronic and
1657 convalescent nursing homes and rest homes with nursing supervision.
1658 Each such facility that does have such a provider agreement, each such
1659 facility that did not have a provider agreement in effect as of January 1,
1660 1991, or had entered into a limited provider agreement before January
1661 1, 1991, and each residential care home shall determine its own self-
1662 pay rates. Rates determined pursuant to this section shall be effective
1663 July 1, 1991, and on July first of each year thereafter through June 30,
1664 1993, and shall be determined for each facility individually, on the
1665 basis of payment for the reasonable costs of providing all services. All
1666 self-pay patients shall be given notice of a rate increase at least thirty
1667 days prior to the effective date of such rate increase. In determining
1668 rates to be charged to self-pay patients the commissioner shall: [(1)] (A)
1669 Consider the quality of care provided by each facility, based on
1670 information which the Department of Public Health shall provide to
1671 the commissioner, and any testimony or information received from
1672 other interested parties; and [(2)] (B) take into account the relevant cost
1673 considerations set forth in section 17b-340 and in the regulations

1674 adopted in accordance with subsection (a) of section 17b-238. Such
1675 regulations shall include, but not be limited to, the establishment of a
1676 formula for allowing profit or an operating surplus, and a fair rate of
1677 return on invested capital or equity. Nothing in this section shall
1678 authorize the commissioner to set a rate lower than the rate set under
1679 section 17b-340 for comparable services. Each facility determining its
1680 own self-pay rates shall report such rates to the commissioner upon
1681 determination and upon any modification. The commissioner shall
1682 document each rate so reported and each rate determined for a facility
1683 by the commissioner pursuant to this section. Each facility shall charge
1684 any self-pay patient who is insured under a long-term care insurance
1685 policy which is precertified pursuant to section 38a-475 a rate which is
1686 at least five per cent less than the rate charged other self-pay patients.
1687 On and after April 1, 2008, each facility shall charge self-pay patients a
1688 per diem rate and not a monthly rate.

1689 Sec. 68. Section 17b-367 of the general statutes is repealed and the
1690 following is substituted in lieu thereof (*Effective from passage*):

1691 The Office of Policy and Management, within existing budgetary
1692 resources and in consultation with the Select Committee on Aging, the
1693 Commission on Aging, personnel designated by the Commissioner of
1694 Social Services who administer the CHOICES health insurance
1695 assistance program and the Long-Term Care Advisory Council, shall
1696 develop a single consumer-oriented Internet [website] web site that
1697 provides comprehensive information on long-term care options that
1698 are available in Connecticut. The [website] web site shall also include
1699 direct links and referral information regarding long-term care
1700 resources, including private and nonprofit organizations offering
1701 advice, counseling and legal services.

1702 Sec. 69. Subsection (b) of section 17b-427 of the general statutes is
1703 repealed and the following is substituted in lieu thereof (*Effective from*
1704 *passage*):

1705 (b) The Department of Social Services shall administer the
1706 CHOICES health insurance assistance program, which shall be a

1707 comprehensive Medicare advocacy program that provides assistance
1708 to Connecticut residents who are Medicare beneficiaries. The program
1709 shall: (1) Maintain a toll-free telephone number to provide advice and
1710 information on Medicare benefits, including prescription drug benefits
1711 available through the Medicare Part D program, the Medicare appeals
1712 process, health insurance matters applicable to Medicare beneficiaries
1713 and long-term care options available in the state at least five days per
1714 week during normal business hours; (2) provide information, advice
1715 and representation, where appropriate, concerning the Medicare
1716 appeals process, by a qualified attorney or paralegal at least five days
1717 per week during normal business hours; (3) prepare and distribute
1718 written materials to Medicare beneficiaries, their families, senior
1719 citizens and organizations regarding Medicare benefits, including
1720 prescription drug benefits available through the Medicare Part D
1721 program and long-term care options available in the state; (4) develop
1722 and distribute a Connecticut Medicare consumers guide, after
1723 consultation with the Insurance Commissioner and other organizations
1724 involved in servicing, representing or advocating for Medicare
1725 beneficiaries, which shall be available to any individual, upon request,
1726 and shall include: (A) Information permitting beneficiaries to compare
1727 their options for delivery of Medicare services; (B) information
1728 concerning the Medicare plans available to beneficiaries, including the
1729 traditional Medicare fee-for-service plan, Medicare Part D plans and
1730 the benefits and services available through each plan; (C) information
1731 concerning the procedure to appeal a denial of care and the procedure
1732 to request an expedited appeal of a denial of care; (D) information
1733 concerning private insurance policies and federal and state-funded
1734 programs that are available to supplement Medicare coverage for
1735 beneficiaries; (E) a worksheet for beneficiaries to use to evaluate the
1736 various plans, including Medicare Part D programs; and (F) any other
1737 information the program deems relevant to beneficiaries; (5)
1738 collaborate with other state agencies and entities in the development of
1739 consumer-oriented [websites] web sites that provide information on
1740 Medicare plans, including Medicare Part D plans, and long-term care
1741 options that are available in the state; and (6) include any functions the

1742 department deems necessary to conform to federal grant requirements.

1743 Sec. 70. Subsection (b) of section 17b-522 of the general statutes is
1744 repealed and the following is substituted in lieu thereof (*Effective from*
1745 *passage*):

1746 (b) Before the execution of a contract to provide continuing care, or
1747 before the transfer of any money or other property to a provider by or
1748 on behalf of a prospective resident, whichever shall occur first, the
1749 provider shall deliver to the person with whom the contract is to be
1750 entered into, or to that person's legal representative, a disclosure
1751 statement. The text of the disclosure statement shall contain, to the
1752 extent not clearly and completely set forth in the contract for
1753 continuing care attached as an exhibit thereto, at least the following
1754 information:

1755 (1) The name and business address of the provider and a statement
1756 of whether the provider is a partnership, corporation or other legal
1757 entity;

1758 (2) The names of the officers, directors, trustees, or managing and
1759 general partners of the provider, the names of persons having a five
1760 per cent or greater ownership interest in the provider, and a
1761 description of each such person's occupation with the provider;

1762 (3) A description of the business experience of the provider and of
1763 the manager of the facility if the facility will be managed on a day-to-
1764 day basis by an organization other than the provider, in the
1765 administration of continuing-care contracts [as defined in section 17b-
1766 520] or in the administration of similar contractual arrangements;

1767 (4) A description of any matter in which the provider, any of the
1768 persons described in subdivision (2) of this subsection, or the manager
1769 has been convicted of a felony or pleaded nolo contendere to a felony
1770 charge, or held liable or enjoined in a civil action by final judgment, if
1771 the felony or civil action involved fraud, embezzlement, fraudulent
1772 conversion or misappropriation of property; or is subject to a currently

1773 effective injunction or restrictive or remedial order of a court of record,
1774 within the past five years has had any state or federal license or permit
1775 suspended or revoked as a result of an action brought by a
1776 governmental agency or department, rising out of or relating to
1777 business activity or health care, including, but not limited to, actions
1778 affecting the operation of a foster care facility, nursing home,
1779 retirement home, residential care home, or any facility subject to
1780 sections 17b-520 to 17b-535, inclusive, or a similar statute in another
1781 state or country;

1782 (5) A statement as to whether or not the provider is, or is affiliated
1783 with, a religious, charitable, nonprofit, or for-profit organization; the
1784 extent of the affiliation, if any; the extent to which the affiliate
1785 organization will be responsible for the financial and contractual
1786 obligations of the provider; and the provision of the federal Internal
1787 Revenue Code, if any, under which the provider or affiliate is exempt
1788 from the payment of income tax;

1789 (6) The location and a description of the physical property or
1790 properties of the provider, existing or proposed; and, if proposed, the
1791 estimated completion date or dates, whether or not construction has
1792 begun, and the contingencies subject to which construction may be
1793 deferred;

1794 (7) The goods and services provided or proposed to be provided
1795 without additional charge under the contract for continuing care
1796 including the extent to which medical or nursing care or other health-
1797 related benefits are furnished;

1798 (8) The disposition of interest earned on entrance fees or other
1799 deposits held in escrow;

1800 (9) A description of the conditions under which the continuing-care
1801 contract may be terminated, whether before or after occupancy, by the
1802 provider or by the resident. In the case of termination by the provider,
1803 a description of the manner and procedures by which a decision to
1804 terminate is reached by the provider, including grounds for

1805 termination, the participation of a resident's council or other group, if
1806 any, in reaching such a decision, and any grievance, appeal or other
1807 similar procedures available to a resident whose contract has been
1808 terminated by the provider;

1809 (10) A statement setting forth the rights of a surviving spouse who
1810 is a resident of the facility and the effect of the continuing-care contract
1811 on the rights of a surviving spouse who is not a resident of the facility,
1812 in the event of the death of a resident, subject to any limitations
1813 imposed upon such rights by statute or common law principles;

1814 (11) A statement of the effect of a resident's marriage or remarriage
1815 while in the facility on the terms of [his] such resident's continuing-
1816 care contract;

1817 (12) Subject to the provisions of subsection (g) of this section, a
1818 statement of the provider's policy regarding disposition of a resident's
1819 personal property in the event of death, temporary or permanent
1820 transfer to a nursing facility, or termination of the contract by the
1821 provider;

1822 (13) A statement that payment of an entrance fee or other transfer of
1823 assets pursuant to a continuing-care contract may have significant tax
1824 consequences and that any person considering such a payment or
1825 transfer may wish to consult a qualified advisor;

1826 (14) The provisions that have been made or will be made by the
1827 provider for reserve funding and any other security to enable the
1828 provider to perform fully its obligations under continuing-care
1829 contracts, including, but not limited to, escrow accounts established in
1830 compliance with sections 17b-524 and 17b-525, trusts [,] or reserve
1831 funds, together with the manner in which such funds will be invested
1832 and the names and experience of the persons making or who will make
1833 investment decisions. Disclosure shall include a summary of the
1834 information contained in the five-year financial information filed with
1835 the commissioner pursuant to section 17b-527; [said] such summary
1836 shall set forth by year any anticipated excess of future liabilities over

1837 future revenues and shall describe the manner in which the provider
1838 plans to meet such liabilities;

1839 (15) Audited and certified financial statements of the provider,
1840 including (A) a balance sheet as of the end of the most recent fiscal
1841 year, and (B) income statements for the three most recent fiscal years of
1842 the provider or such shorter period of time as the provider shall have
1843 been in existence;

1844 (16) Subject to the provisions of subsection (g) of this section, if the
1845 operation of the facility has not yet commenced, or if the construction
1846 of the facility is to be completed in stages, a statement of the
1847 anticipated source and application of the funds used or to be used in
1848 the purchase or construction of the facility or each stage of the facility,
1849 including:

1850 (A) An estimate of such costs as financing expense, legal expense,
1851 land costs, marketing costs, and other similar costs which the provider
1852 expects to incur or become obligated for prior to the commencement of
1853 operations of each stage of the facility;

1854 (B) A description of any mortgage loan or any other financing
1855 intended to be used for the financing of the facility or each stage of the
1856 facility, including the anticipated terms and costs of such financing;

1857 (C) An estimate of the total entrance fees to be received from or on
1858 behalf of residents at or prior to commencement of operation of each
1859 stage of the facility; and

1860 (D) An estimate of the funds, if any, which are anticipated to be
1861 necessary to fund start-up losses and provide reserve funds to assure
1862 full performance of the obligations of the provider under continuing-
1863 care contracts;

1864 (17) Pro forma annual income statements for the facility for the next
1865 five fiscal years;

1866 (18) A description of all entrance fees and periodic charges, if any,

1867 required of residents and a record of past increases in such fees and
1868 charges during the previous seven years;

1869 (19) For each facility operated by the provider, the total actuarial
1870 present value of prepaid healthcare obligations assumed by the
1871 provider under continuing-care contracts as calculated on an
1872 actuarially sound basis using reasonable assumptions for mortality
1873 and morbidity;

1874 (20) A statement that all materials required to be filed with the
1875 department are on file, a brief description of such materials, and the
1876 address of the department at which such materials may be reviewed;

1877 (21) The cover page of the disclosure statement shall state, in a
1878 prominent location and type face, the date of the disclosure statement
1879 and that registration does not constitute approval, recommendation, or
1880 endorsement by the department or state, nor does such registration
1881 evidence the accuracy or completeness of the information set out in the
1882 disclosure statement;

1883 (22) If the construction of the facility is to be completed in stages, a
1884 statement as to whether all services will be provided at the completion
1885 of each stage and, if not, the services that will not be provided listed in
1886 bold print.

1887 Sec. 71. Subsection (c) of section 18-101b of the general statutes is
1888 repealed and the following is substituted in lieu thereof (*Effective from*
1889 *passage*):

1890 (c) Any inmate requesting permission to remain in a correctional
1891 facility, as provided in subsection (a) of this section, or any person
1892 requesting permission to remain in a program, as provided in
1893 subsection (b) of this section, shall submit such request, in writing, to
1894 the Commissioner of Correction not later than one week prior to the
1895 scheduled date for the inmate's parole or discharge.

1896 Sec. 72. Section 19a-88a of the general statutes is repealed and the
1897 following is substituted in lieu thereof (*Effective from passage*):

1898 For purposes of subsection (c) of section 19a-88, the commissioner
1899 shall adopt regulations, in accordance with the provisions of chapter
1900 54, no later than January 1, 2000. Such regulations shall include, but
1901 not be limited to, (1) a definition of "retired from the profession" as that
1902 term applies to registered nurses, advanced practice registered nurses
1903 and licensed practical nurses, (2) procedures for the return to active
1904 employment of such nurses who have retired from the profession, (3)
1905 appropriate restrictions upon the scope of practice for such nurses who
1906 are retired from the profession, including restricting the license of such
1907 nurses to the provision of volunteer services without monetary
1908 compensation, and (4) the requirement that any registered nurse,
1909 advanced practice registered nurse, or licensed practical nurse seeking
1910 to renew a license under the provisions of subsection (c) of section 19a-
1911 14, subsection (c) of section 19a-88, this section, subdivision (3) of
1912 section 20-66, subsections (l) to (n), inclusive, of section 20-74s, section
1913 20-206bb and sections 7 to 9, inclusive, of public act 99-249 shall be a
1914 holder in good standing of a current license issued pursuant to chapter
1915 378 as of the date of application for renewal.

1916 Sec. 73. Section 19a-300 of the general statutes is repealed and the
1917 following is substituted in lieu thereof (*Effective from passage*):

1918 Money declared by an instrument in writing to be intended for the
1919 perpetual care, maintenance, improvement or embellishment of any
1920 cemetery in this state, or of any lot or plot therein, to an amount not
1921 less than one hundred dollars, may be deposited with the State
1922 Treasurer who shall, in the name of the state, receive and receipt
1923 therefor. Each depositor shall, at the time of making such deposit, file
1924 with the State Treasurer and with the Secretary of the State a copy of
1925 such instrument. The State Treasurer shall invest the money deposited
1926 with [him] the State Treasurer under the provisions of this section, in
1927 the name of the state, in bonds or other obligations of the state or other
1928 securities in which [he] the State Treasurer is authorized to invest
1929 money [in] on behalf of the state; and, on the first days of February and
1930 August annually, [he] the State Treasurer shall pay over the accrued
1931 interest thereof to the treasurer of the town in which the cemetery is

1932 located, and the same shall be expended in the same manner as the
1933 income of funds donated to towns under the provisions of section 19a-
1934 304. At the time of paying such interest the State Treasurer shall inform
1935 the person to whom it is paid of the purpose to which it is to be
1936 applied, as stated in the copy of such instrument, and such person
1937 shall thereupon apply it to such purpose.

1938 Sec. 74. Section 19a-352 of the general statutes is repealed and the
1939 following is substituted in lieu thereof (*Effective from passage*):

1940 When such nuisance has been found to exist, and the owner or
1941 agent of the building wherein or ground whereon the [same] nuisance
1942 has been found to exist was not a party to such proceeding and did not
1943 appear [therein, said] in such proceeding, a penalty of not more than
1944 three hundred dollars shall be imposed upon any person found to be
1945 responsible for the conduct of such nuisance or upon the property.
1946 Before such penalty is enforced against such property, the owner or
1947 agent thereof shall have appeared therein or shall have been served
1948 with a summons and the provisions of the laws relating to the service
1949 of civil process shall apply to the service of process. Any person in
1950 whose name any real estate affected by any such action stands on the
1951 books of the assessors for purposes of taxation shall be presumed to be
1952 an owner thereof and, in case of any unknown persons having or
1953 claiming any ownership, right, title or interest in property affected by
1954 any such action, such unknown persons may be made parties to the
1955 action by designating them in the summons and complaint as "all other
1956 persons unknown claiming any ownership, right, title or interest in the
1957 property affected by this action", and service may be made by
1958 publishing such summons in the manner prescribed in section 52-68.
1959 Any person having or claiming such ownership, right, title or interest,
1960 and any owner or agent [in] on behalf of himself and such owner, may
1961 make, serve and file [his] an answer therein within twenty days after
1962 such service and have a trial of his rights in the premises by the court,
1963 and, if such cause has already proceeded to trial or to judgment, the
1964 court shall fix a time and place for such further trial and shall modify,
1965 add to or confirm any finding or judgment as the case requires.

1966 Sec. 75. Section 19a-509f of the general statutes is repealed and the
1967 following is substituted in lieu thereof (*Effective from passage*):

1968 (a) No telephone company, telecommunications company, certified
1969 telecommunications provider, community antenna television
1970 company, certified competitive video service provider or holder of a
1971 certificate of cable franchise authority, all as defined in section 16-1,
1972 shall charge an installation fee to a resident of a residential care home,
1973 nursing home or rest home, as defined in section 19a-490, when such
1974 resident moves from one room in [said] such home to another room in
1975 such home. Any violation of this subsection shall not constitute an
1976 unfair or deceptive trade practice under section 42-110b.

1977 (b) No owner or operator of a residential care home, nursing home
1978 or rest home, as defined in section 19a-490, shall charge any resident of
1979 such home a fee for the installation of telecommunication or
1980 community antenna television service, as defined in section 12-407,
1981 when such resident moves from one room in [said] such home to
1982 another room in such home.

1983 Sec. 76. Section 19a-659 of the 2010 supplement to the general
1984 statutes is repealed and the following is substituted in lieu thereof
1985 (*Effective from passage*):

1986 As used in this section [,] and sections 19a-662, 19a-669 to 19a-670a,
1987 inclusive, 19a-671, 19a-671a, 19a-672 and 19a-676, unless the context
1988 otherwise requires:

1989 (1) "Office" means the Office of Health Care Access division of the
1990 Department of Public Health;

1991 (2) "Hospital" means any hospital licensed as a short-term acute care
1992 general or children's hospital by the Department of Public Health,
1993 including John Dempsey Hospital of The University of Connecticut
1994 Health Center;

1995 (3) "Fiscal year" means the hospital fiscal year consisting of a twelve-
1996 month period commencing on October first and ending the following

1997 September thirtieth;

1998 (4) "Base year" means the fiscal year consisting of a twelve-month
1999 period immediately prior to the start of the fiscal year for which a
2000 budget is being determined or prepared;

2001 (5) "Affiliate" means a person, entity or organization controlling,
2002 controlled by, or under common control with another person, entity or
2003 organization;

2004 (6) "Uncompensated care" means the total amount of charity care
2005 and bad debts determined by using the hospital's published charges
2006 and consistent with the hospital's policies regarding charity care and
2007 bad debts which have been approved by, and are on file at, the office;

2008 (7) "Medical assistance" means (A) the programs for medical
2009 assistance provided under the state-administered general assistance
2010 program or the Medicaid program, including the HUSKY Plan, Part A,
2011 or (B) any other state-funded medical assistance program, including
2012 the HUSKY Plan, Part B;

2013 (8) "CHAMPUS" or "TriCare" means the federal Civilian Health and
2014 Medical Program of the Uniformed Services, as defined in 10 USC
2015 Section 1072(4), as from time to time amended;

2016 (9) "Primary payer" means the payer responsible for the highest
2017 percentage of the charges for a patient's inpatient or outpatient
2018 hospital services;

2019 (10) "Case mix index" means the arithmetic mean of the Medicare
2020 diagnosis related group case weights assigned to each inpatient
2021 discharge for a specific hospital during a given fiscal year. The case
2022 mix index shall be calculated by dividing the hospital's total case mix
2023 adjusted discharges by the hospital's actual number of discharges for
2024 the fiscal year. The total case mix adjusted discharges shall be
2025 calculated by (A) multiplying the number of discharges in each
2026 diagnosis-related group by the Medicare weights in effect for that
2027 same diagnosis-related group and fiscal year, and (B) then totaling the

2028 resulting products for all diagnosis-related groups;

2029 (11) "Contractual allowances" means the difference between hospital
2030 published charges and payments generated by negotiated agreements
2031 for a different or discounted rate or method of payment;

2032 (12) "Medical assistance underpayment" means the amount
2033 calculated by dividing the total net revenue by the total gross revenue,
2034 and then multiplying the quotient by the total medical assistance
2035 charges, and then subtracting medical assistance payments from the
2036 product;

2037 (13) "Other allowances" means the amount of any difference
2038 between charges for employee self-insurance and related expenses
2039 determined using the hospital's overall relationship of costs to charges;

2040 (14) "Gross revenue" means the total gross patient charges for all
2041 patient services provided by a hospital;

2042 (15) "Net revenue" means total gross revenue less contractual
2043 allowance, less the difference between government charges and
2044 government payments, less uncompensated care and other allowances,
2045 plus uncompensated care program disproportionate share hospital
2046 payments from the Department of Social Services;

2047 (16) "Emergency assistance to families" means assistance to families
2048 with children under the age of twenty-one who do not have the
2049 resources to independently provide the assistance needed to avoid the
2050 destitution of the child.

2051 Sec. 77. Section 20-377p of the general statutes is repealed and the
2052 following is substituted in lieu thereof (*Effective from passage*):

2053 A certificate of registration as an interior designer shall be evidence
2054 that the person named in the certificate is entitled to the rights and
2055 privileges of a registered interior designer while such certificate
2056 remains in effect. The commissioner shall keep a roster of the names
2057 and addresses of all registered interior designers, all architects licensed

2058 in accordance with the provisions of chapter 390 and of such other
2059 information as the commissioner may by regulation require. Annually,
2060 during the month of September, the commissioner shall place such
2061 roster on file with the Secretary of the State and with the building
2062 department and library of each town. The commissioner shall maintain
2063 an index and record of each certificate of registration. A certificate shall
2064 remain in effect until revoked or suspended as provided in section 20-
2065 377s.

2066 Sec. 78. Subsection (c) of section 20-677 of the general statutes is
2067 repealed and the following is substituted in lieu thereof (*Effective from*
2068 *passage*):

2069 (c) In addition to any other remedy provided for in sections 20-670
2070 to 20-676, inclusive, any person who violates any provision of
2071 subsection (b) of this section [] shall be fined not more than one
2072 thousand dollars or imprisoned not more than six months, or both.

2073 Sec. 79. Subdivision (2) of subsection (b) of section 21-80 of the
2074 general statutes is repealed and the following is substituted in lieu
2075 thereof (*Effective from passage*):

2076 (2) An owner may not maintain a summary process action under
2077 subparagraph (B), (C) or (D) of subdivision (1) of this subsection,
2078 except a summary process action based upon conduct which
2079 constitutes a serious nuisance or a violation of subdivision (9) of
2080 subsection (b) of section 21-82, prior to delivering a written notice to
2081 the resident specifying the acts or omissions constituting the breach
2082 and that the rental agreement shall terminate upon a date not less than
2083 thirty days after receipt of the notice. If such breach can be remedied
2084 by repair by the resident or payment of damages by the resident to the
2085 owner and such breach is not so remedied within twenty-one days, the
2086 rental agreement shall terminate except that [(i)] (A) if the breach is
2087 remediable by repairs or the payment of damages and the resident
2088 adequately remedies the breach within said twenty-one-day period,
2089 the rental agreement shall not terminate, or [(ii)] (B) if substantially the
2090 same act or omission for which notice was given recurs within six

2091 months, the owner may terminate the rental agreement in accordance
2092 with the provisions of sections 47a-23 to 47a-23b, inclusive. For the
2093 purposes of this subdivision, "serious nuisance" means [(A)] (i)
2094 inflicting bodily harm upon another resident or the owner or
2095 threatening to inflict such harm with the present ability to effect the
2096 harm and under circumstances which would lead a reasonable person
2097 to believe that such threat will be carried out, [(B)] (ii) substantial and
2098 wilful destruction of part of the premises, [(C)] (iii) conduct which
2099 presents an immediate and serious danger to the safety of other
2100 residents or the owner, or [(D)] (iv) using the premises for prostitution
2101 or the illegal sale of drugs. If the owner elects to evict based upon an
2102 allegation, pursuant to subdivision (8) of subsection (b) of section 21-
2103 82, that the resident failed to require other persons on the premises
2104 with the resident's consent to conduct themselves in a manner that will
2105 not constitute a serious nuisance, and the resident claims to have had
2106 no knowledge of such conduct, then, if the owner establishes that the
2107 premises have been used for the illegal sale of drugs, the burden shall
2108 be on the resident to show that the resident had no knowledge of the
2109 creation of the serious nuisance.

2110 Sec. 80. Subdivision (55) of section 21a-240 of the 2010 supplement
2111 to the general statutes is repealed and the following is substituted in
2112 lieu thereof (*Effective from passage*):

2113 (55) "Wholesaler" means a distributor or a person who supplies
2114 controlled substances that he himself has not produced or prepared to
2115 registrants as defined in [subsection] subdivision (47) of this section;

2116 Sec. 81. Subsection (b) of section 22-277a of the general statutes is
2117 repealed and the following is substituted in lieu thereof (*Effective from*
2118 *passage*):

2119 (b) Notwithstanding the provisions of subsection (a) of this section
2120 and subject to such terms and conditions as the commissioner may
2121 prescribe by regulations adopted in accordance with chapter 54, the
2122 parties to the purchase and sale of livestock may expressly agree in
2123 writing, before such purchase or sale, to effect payment in a manner

2124 other than that required in subsection (a) of this section. Any such
2125 agreement shall be disclosed in the records of any such dealer, broker,
2126 person, firm or corporation selling the livestock, and in the purchaser's
2127 records and on the accounts or other documents issued by the
2128 purchaser relating to the transaction.

2129 Sec. 82. Subsection (b) of section 22-287 of the general statutes is
2130 repealed and the following is substituted in lieu thereof (*Effective from*
2131 *passage*):

2132 (b) Surveillance tests may be performed by a technician trained by
2133 and under the supervision of the State Veterinarian and employed by
2134 [the Livestock Division of] the Department of Agriculture, provided []
2135 no condemnation shall be made on the basis of such surveillance tests.
2136 The owner of any herd to be so tested shall provide assistance and
2137 proper restraint for confining the animals for and during the
2138 application of [said] such tests.

2139 Sec. 83. Section 22-301 of the general statutes is repealed and the
2140 following is substituted in lieu thereof (*Effective from passage*):

2141 No milk may be offered for sale in Connecticut unless produced
2142 from herds complying with sections 22-298, 22-299a, 22-303, 22-304, 22-
2143 306 and 22-307 and this section. Before a permit may be issued by the
2144 Commissioner of Agriculture for the sale of milk, information must be
2145 available from the [Livestock Division] state Department of
2146 Agriculture or from the livestock official of the state where milk is
2147 produced that such herd producing milk for sale has reacted
2148 negatively to tests which meet Connecticut specifications for the
2149 control of tuberculosis and brucellosis.

2150 Sec. 84. Subdivision (5) of section 22-415a of the general statutes is
2151 repealed and the following is substituted in lieu thereof (*Effective from*
2152 *passage*):

2153 (5) "Official test" means a serological test for equine infectious
2154 anemia that is (A) approved by the Animal and Plant Health

2155 Inspection Service of the United States Department of Agriculture, (B)
2156 conducted in a laboratory approved by the Commissioner of
2157 Agriculture, and (C) administered by a licensed veterinarian, state
2158 veterinarian, or full-time employee with the [livestock division of the]
2159 state Department of Agriculture;

2160 Sec. 85. Subsection (a) of section 22a-66g of the general statutes is
2161 repealed and the following is substituted in lieu thereof (*Effective from*
2162 *passage*):

2163 (a) A pesticide application business shall maintain records for not
2164 less than five years from the date such record is made or amended,
2165 whichever is later. The record shall indicate:

2166 (1) For each application of a pesticide made on behalf of the
2167 business, (A) the name and certification number of the commercial
2168 supervisor and the commercial operator, (B) the kind and amount of
2169 pesticide used and the amount of acreage treated, if applicable, (C) the
2170 date and place of application, (D) the pest treated for, and (E) the crop
2171 or site treated;

2172 (2) A list of the names and corresponding Environmental Protection
2173 Agency registration numbers of any pesticide applied by the business;
2174 [] and

2175 (3) The [names] name and applicator certification [numbers]
2176 number of [all] each certified commercial pesticide [applicators]
2177 applicator, operator or supervisory, who [are employees or agents] is
2178 an employee or agent of the business, and a list of the types of
2179 applications which each is performing.

2180 Sec. 86. Subsection (b) of section 22a-133aa of the general statutes is
2181 repealed and the following is substituted in lieu thereof (*Effective from*
2182 *passage*):

2183 (b) Any covenant entered into under this section shall release only
2184 those claims said commissioner may have which are related to
2185 pollution or contamination on or emanating from the property, which

2186 contamination resulted from a discharge, spillage, uncontrolled loss,
2187 seepage or filtration on such property prior to the effective date of the
2188 covenant. Such covenant shall provide that the commissioner will not
2189 take any action against the holder of the covenant to require
2190 remediation of the parcel or any other action against such holder
2191 related to such discharge, spillage, uncontrolled loss, seepage or
2192 filtration unless (1) prior to the commissioner's approval of a detailed
2193 written plan for remediation pursuant to a brownfields investigation
2194 plan and remediation schedule, the commissioner finds that there is
2195 substantial noncompliance with such investigation plan and
2196 remediation schedule and there has not been a good faith effort to
2197 substantially comply therewith, (2) such property is not remediated in
2198 accordance with the detailed written plan approved by the
2199 commissioner and incorporated by reference in such covenant, (3)
2200 prior to completion of remediation in accordance with such plan, the
2201 commissioner finds that there is substantial noncompliance with any
2202 such plan and there has not been a good faith effort to substantially
2203 comply therewith, (4) remediation of the parcel in accordance with any
2204 detailed written plan for remediation did not comply with standards
2205 adopted by the commissioner pursuant to section 22a-133k which were
2206 in effect as of the effective date of either the covenant or the
2207 commissioner's approval of the detailed written plan for remediation,
2208 whichever is later, (5) if required by the standards adopted by the
2209 commissioner pursuant to section 22a-133k, an environmental land use
2210 restriction has not been recorded in accordance with section 22a-133o
2211 or there has been a failure to comply with the provisions of such a
2212 restriction, (6) for a property subject to the brownfield plan and
2213 remediation schedule, the commissioner does not approve a detailed
2214 written plan for remediation, or (7) the prospective buyer or owner
2215 fails to pay the fee, including [fails] the failure to pay in accordance
2216 with any payment schedule pursuant to subsection (c) of this section.

2217 Sec. 87. Subsection (a) of section 22a-270 of the general statutes is
2218 repealed and the following is substituted in lieu thereof (*Effective from*
2219 *passage*):

2220 (a) The exercise of the powers granted by this chapter constitute the
2221 performance of an essential governmental function and the authority
2222 shall not be required to pay any taxes or assessments upon or in
2223 respect of a project, or any property or moneys of the authority, levied
2224 by any municipality or political subdivision or special district having
2225 taxing powers of the state, nor shall the authority be required to pay
2226 state taxes of any kind, and the authority, its projects, property and
2227 money and any bonds and notes issued under the provisions of this
2228 chapter, their transfer and the income therefrom, including revenues
2229 derived from the sale thereof, shall at all times be free from taxation of
2230 every kind by the state except for estate or succession taxes and by the
2231 municipalities and all other political subdivisions or special districts
2232 having taxing powers of the state; provided nothing herein shall
2233 prevent the authority from entering into agreements to make
2234 payments in lieu of taxes with respect to property acquired by it or by
2235 any person leasing a project from the authority or operating or
2236 managing a project on behalf of the authority and neither the authority
2237 nor its projects, properties, money or bonds and notes shall be
2238 obligated, liable or subject to lien of any kind for the enforcement,
2239 collection or payment thereof. If and to the extent the proceedings
2240 under which the bonds authorized to be issued under the provisions of
2241 this chapter so provide, the authority may agree to cooperate with the
2242 lessee or operator of a project in connection with any administrative or
2243 judicial proceedings for determining the validity or amount of such
2244 payment and may agree to appoint or designate and reserve the right
2245 in and for such lessees or operators to take all action which the
2246 authority may lawfully take in respect of such payments and all
2247 matters relating thereto, [providing] provided such lessee or operator
2248 shall bear and pay all costs and expenses of the authority thereby
2249 incurred at the request of such lessee or operator or by reason of any
2250 such action taken by such lessee or operator [in] on behalf of the
2251 authority. Any lessee or operator of a project which has paid the
2252 amounts in lieu of taxes permitted by this section to be paid shall not
2253 be required to pay any such taxes in which a payment in lieu thereof
2254 has been made to the state or to any such municipality or other

2255 political subdivision or special district having taxing powers, any other
2256 statute to the contrary notwithstanding.

2257 Sec. 88. Section 22a-373 of the general statutes is repealed and the
2258 following is substituted in lieu thereof (*Effective from passage*):

2259 (a) The commissioner shall, [within] not later than one hundred
2260 [and] twenty days [of] after the close of the hearing, make a decision
2261 either granting or denying the application as deemed complete in
2262 section 22a-371, or granting [it] the application upon such terms,
2263 limitations or conditions, including, but not limited to, provisions for
2264 monitoring, schedule of diversion, duration of permit and reporting as
2265 [he] the commissioner deems necessary to fulfill the purposes of
2266 sections 22a-365 to 22a-378, inclusive. The commissioner shall state in
2267 full the reasons for [his] the commissioner's decision.

2268 (b) In making [his] the commissioner's decision, the commissioner
2269 shall consider all relevant facts and circumstances including, but not
2270 limited to:

2271 (1) The effect of the proposed diversion on related needs for public
2272 water supply including existing and projected uses, safe yield of
2273 reservoir systems and reservoir and groundwater development;

2274 (2) The effect of the proposed diversion on existing and planned
2275 water uses in the area affected such as public water supplies, relative
2276 density of private wells, hydropower, flood management, water-based
2277 recreation, wetland habitats, waste assimilation and agriculture;

2278 (3) Compatibility of the proposed diversion with the policies and
2279 programs of the state of Connecticut, as adopted or amended, dealing
2280 with long-range planning, management, allocation and use of the
2281 water resources of the state;

2282 (4) The relationship of the proposed diversion to economic
2283 development and the creation of jobs;

2284 (5) The effect of the proposed diversion on the existing water

2285 conditions, with due regard to watershed characterization,
2286 groundwater availability potential, evapotranspiration conditions and
2287 water quality;

2288 (6) The effect, including thermal effect, on fish and wildlife as a
2289 result of flow reduction, alteration or augmentation caused by the
2290 proposed diversion;

2291 (7) The effect of the proposed diversion on navigation;

2292 (8) Whether the water to be diverted is necessary and to the extent
2293 that it is, whether such water can be derived from other alternatives
2294 including, but not limited to, conservation;

2295 (9) Consistency of the proposed diversion with action taken by the
2296 Attorney General, pursuant to sections 3-126 and 3-127; and

2297 (10) The interests of all municipalities which would be affected by
2298 the proposed diversion.

2299 (c) In making a decision on an application, the commissioner shall
2300 consider (1) capital expenditures and other resource commitments
2301 made prior to July 1, 1982, in connection with a proposed diversion,
2302 [but] except that such expenditures or commitments shall not be
2303 binding in favor of such proposed diversion, and (2) proposed
2304 diversions recommended in any water supply plan developed
2305 pursuant to section 25-32d or coordinated water system plan prepared
2306 pursuant to section 25-33h in the same manner as proposed diversions
2307 not recommended in any such plan.

2308 (d) If a decision is not made in the time required pursuant to
2309 subsection (a) of this section, the application shall be deemed granted.

2310 Sec. 89. Subsection (d) of section 25-204 of the general statutes is
2311 repealed and the following is substituted in lieu thereof (*Effective from*
2312 *passage*):

2313 (d) Upon completion of an inventory, statement of objectives and

2314 map pursuant to subsections (a), (b) and (c) of this section, the river
2315 committee shall publish in a newspaper having substantial circulation
2316 in the affected area at least thirty days' notice of a public hearing to be
2317 held in one of the municipalities represented on the committee. Such
2318 hearing shall provide an opportunity for public comment regarding
2319 such documents and the committee shall also provide for the
2320 submission of written comments to such committee regarding such
2321 documents. After considering all comments received, the river
2322 committee shall revise [said] such documents as appropriate and
2323 submit [them] such revised documents to the commissioner and the
2324 secretary. Within ninety days of receiving the revised documents, the
2325 commissioner shall provide written comments to the river committee
2326 and shall furnish a copy of such comments to the secretary. The
2327 secretary shall coordinate a review of the revised documents by all
2328 other relevant state agencies and regional planning organizations, as
2329 defined in section 4-124i, and, within ninety days of receiving such
2330 revised documents, shall provide written comments [thereon] on such
2331 revised documents to the river committee and shall furnish a copy of
2332 such comments to the commissioner. After considering all comments
2333 received from the commissioner and the secretary, the river committee
2334 shall adopt an inventory, statement of objectives and map and shall
2335 publish, in a newspaper having substantial circulation in the affected
2336 area, notice of the adoption of the inventory, statement of objectives
2337 and map.

2338 Sec. 90. Subsections (d) to (f), inclusive, of section 25-234 of the
2339 general statutes are repealed and the following is substituted in lieu
2340 thereof (*Effective from passage*):

2341 (d) Upon completion of an inventory, statement of objectives and
2342 map pursuant to subsections (a), (b) and (c) of this section, the river
2343 commission shall publish in a newspaper having a substantial
2344 circulation in the affected area notice of a public hearing to be held not
2345 less than thirty days thereafter in one of the municipalities represented
2346 on the commission. Such hearing shall provide an opportunity for oral
2347 and written comments regarding such documents. After considering

2348 all comments received, the river commission shall revise [said] such
2349 documents as appropriate and submit [them] such revised documents
2350 to the commissioner and the secretary. Within sixty days of receiving
2351 the revised documents, the commissioner shall provide written
2352 comments to the river commission and shall furnish a copy of such
2353 comments to the secretary. The secretary shall coordinate a review of
2354 the revised documents by all other relevant state agencies and regional
2355 planning organizations, as defined in section 4-124i, and, within ninety
2356 days of receiving such revised documents, shall provide written
2357 comments [thereon] on such revised documents to the river
2358 commission and shall furnish a copy of such comments to the
2359 commissioner. After considering all comments received from the
2360 commissioner and the secretary, the river commission shall adopt a
2361 final inventory, statement of objectives and map and shall publish, in a
2362 newspaper having a substantial circulation in the affected area, notice
2363 of the adoption of the final inventory, statement of objectives and map.

2364 (e) After adoption of an inventory, statement of objectives and map,
2365 pursuant to subsection (d) of this section, the river commission shall
2366 prepare a report on all federal, state, regional and municipal laws,
2367 plans, programs and proposed activities [which] that may affect the
2368 river corridor defined in such map. Such federal, state, regional and
2369 municipal laws shall include regulations adopted pursuant to chapter
2370 440, and zoning, subdivision and site plan regulations adopted
2371 pursuant to section 8-3. Such federal, state, regional and municipal
2372 plans shall include plans of development adopted pursuant to section
2373 8-23, the state plan for conservation and development, water utility
2374 supply plans submitted pursuant to section 25-32d, coordinated water
2375 system plans submitted pursuant to section 25-33h, the master
2376 transportation plan adopted pursuant to section 13b-15, plans
2377 prepared by regional planning organizations, as defined in section 4-
2378 124i, and plans of publicly owned wastewater treatment facilities
2379 whose discharges may affect the subject river corridor. State and
2380 regional agencies shall, within available resources, assist the river
2381 commission in identifying such laws, plans, programs and proposed
2382 activities. The report to be prepared pursuant to this section shall

2383 identify any conflicts between such federal, state, regional and
2384 municipal laws, plans, programs and proposed activities and the river
2385 commission's objectives for river corridor management as reflected in
2386 the statement of objectives. If conflicts are identified, the river
2387 commission shall notify the applicable state, regional or municipal
2388 agencies and such agencies shall, within available resources and in
2389 consultation with the river commission, attempt to resolve such
2390 conflicts.

2391 (f) (1) After adoption of an inventory, statement of objectives and
2392 map pursuant to subsection (d) of this section and completion of a
2393 report pursuant to subsection (e) of this section, the river commission
2394 shall prepare a river corridor management plan. The river commission
2395 shall publish in a newspaper having a substantial circulation in the
2396 affected area notice of a public hearing to be held not less than thirty
2397 days thereafter in one of the municipalities represented on the
2398 commission. Such hearing shall provide an opportunity for oral and
2399 written comment regarding the plan. The commission shall send a
2400 copy of such notice to the chief elected official of each municipality
2401 located wholly or partially in the subregional drainage basin in which
2402 the subject river corridor is located and shall send such notice by
2403 certified mail, return receipt requested, to each person who owns
2404 property adjacent to the river segment which is the subject of the river
2405 corridor. After considering all comments received, the river
2406 commission shall revise [said] such documents as appropriate and
2407 submit [them] such revised documents to the commissioner and the
2408 secretary. Within sixty days of receiving the revised documents, the
2409 commissioner shall provide written comments to the river commission
2410 and shall furnish a copy of such comments to the secretary. The
2411 secretary shall coordinate a review of the revised documents by all
2412 relevant state agencies and regional planning organizations, as defined
2413 in section 4-124i. Within ninety days of the date the secretary receives
2414 such revised documents, [he] the secretary shall provide written
2415 comments [thereon] on such revised documents to the river
2416 commission and to the commissioner. After considering all comments
2417 received from the commissioner and the secretary, the river

2418 commission shall prepare a document responding to all comments
2419 received, shall revise the river corridor management plan as
2420 appropriate and shall publish in a newspaper having a substantial
2421 circulation in the affected area notice of the availability of the response
2422 to comments and the revised plan.

2423 (2) A river corridor management plan shall set forth a strategy for
2424 achieving the objectives contained in the statement of objectives
2425 adopted pursuant to subsection (d) of this section for the river corridor
2426 mapped pursuant to said subsection and for resolving any conflicts
2427 identified in the report prepared pursuant to subsection (e) of this
2428 section. Such plan shall make recommendations for the modification of
2429 municipal plans of development and zoning, subdivision, site plan and
2430 wetlands regulations as necessary to allow implementation of such
2431 plan and to assure that each member municipality similarly manages
2432 that portion of the river corridor under its jurisdiction. Such
2433 recommendations may concern tourism, navigation, utility and
2434 transportation rights-of-way and water-dependent recreational,
2435 industrial, commercial and other uses, as well as proposals for specific
2436 setbacks from the river, dimensions of new lots and buildings,
2437 restrictions on cutting of vegetation, restrictions on earth-moving for
2438 mining or other purposes, prohibited activities and regulation of
2439 paving and other forms of impervious ground cover. Such plan may
2440 also include recommendations that member municipalities enact or
2441 adopt incentives for property owners to protect lands within the river
2442 corridor and to develop such lands in a manner that is compatible with
2443 resource protection. Such incentives may include tax credits for
2444 donation to appropriate parties of open space easements or land
2445 development rights and incentives for cluster development.

2446 (3) The river corridor management plan shall include the results of
2447 an instream flow study if the commissioner deems it necessary. An
2448 instream flow study shall be conducted in accordance with the
2449 commissioner's guidance and shall document water flow in the river
2450 corridor for the purpose of determining whether there is sufficient
2451 flow to allow withdrawals of water consistent with the resource

2452 protection and enhancement objectives of the river corridor
2453 management plan.

2454 Sec. 91. Section 26-72 of the general statutes is repealed and the
2455 following is substituted in lieu thereof (*Effective from passage*):

2456 The commissioner may, after notice and public hearing conducted
2457 in the manner prescribed by section 26-67, issue regulations governing
2458 and prescribing the taking of all species of fur-bearing animals by use
2459 of traps within the state. Such regulations may (1) establish the open
2460 and closed seasons, (2) establish the legal hours, (3) prescribe the legal
2461 methods that may be used, including size, type and kind of traps and
2462 the type and kind of bait and lures, (4) designate the places where
2463 traps may be placed and set and the conditions under which the
2464 placing and setting of traps will be legal, (5) establish the daily bag
2465 limit and the season bag limit, and (6) assess a reasonable fee, or
2466 develop a comparable equitable plan, for season trapping rights on
2467 state-owned property. Assignment of such rights for specific areas may
2468 be determined by drawing or by the order in which requests therefor
2469 are recorded as received in the office of the commissioner when there
2470 is a set fee for such areas, or the method of high bid may be used. No
2471 person shall set, place or attend any trap upon the land of another
2472 without having in [his] such person's possession the written
2473 permission of the owner or lessee of such land, or [his] such owner's or
2474 lessee's agent, and no person shall set, place or attend any trap not
2475 having the name of the person using such trap legibly stamped
2476 thereon or attached thereto, ; provided the owner or legal occupant of
2477 such land or such person as [he] such owner or legal occupant
2478 designates may set, place or attend any legal steel trap in any place
2479 within a radius of one hundred feet of any permanent building located
2480 on such land. No person who sets, places or attends any trap shall
2481 permit more than twenty-four hours to elapse between visits to such
2482 trap, ; provided,] except that if such twenty-four-hour period expires
2483 before sunset, the person who set such trap shall have until sunset to
2484 visit the [same] trap. No person shall place, set or attend any snare, net
2485 or similar device capable of taking or injuring any animal. The pelt of

2486 any fur-bearing animal legally taken may be possessed, sold or
2487 transported at any time. Upon demand of any officer having authority
2488 to serve criminal process or any representative of the Department of
2489 Environmental Protection, any person in possession of any such pelt
2490 shall furnish to such officer or such representative satisfactory
2491 evidence that such pelt was legally taken or acquired. No provision
2492 [hereof] of this section shall be construed as prohibiting any landowner
2493 or lessee of land used for agricultural purposes or any citizen of the
2494 United States, or any person having on file in the court having
2495 jurisdiction thereof a written declaration of [his] such person's
2496 intention to become a citizen of the United States, who is regularly
2497 employed by such landowner or lessee, from pursuing, trapping and
2498 killing at any time any fur-bearing animal, except deer, which is
2499 injuring any property, or the owner of any farm or enclosure used for
2500 breeding or raising any legally acquired fur-bearing animal who has a
2501 game breeder's license issued by the commissioner or a fur breeder's
2502 license issued by the [Livestock Division of the] Department of
2503 Agriculture, from taking or killing any such animal legally in his or her
2504 possession at any time or having in possession any pelt thereof. No
2505 person shall molest, injure or disturb any muskrat house or den at any
2506 time. Any fur-bearing animal legally taken alive may be possessed by
2507 the person taking the [same] animal, provided [he] the person shall
2508 notify the commissioner in a writing signed by [him] the person
2509 stating the species and sex of such animal, the date and the name of the
2510 town where such animal was taken and the specific address where
2511 such animal will be kept. Any representative of the department may at
2512 any time inspect such animal and the enclosure or other facilities used
2513 to hold such animal and make inquiry concerning the diet and other
2514 care such animal should have and if, in the opinion of the
2515 commissioner or such representative, such animal is not being
2516 provided adequate or proper facilities or care, such animal may be
2517 seized by such representative of the department and be disposed of as
2518 determined by the commissioner. Fur-bearing animals taken alive, as
2519 [herein] provided in this section, shall not be sold or exchanged,
2520 provided the person who legally possesses such animal may apply to

2521 the commissioner for a game breeder's license or to the [Livestock
2522 Division of the] Department of Agriculture for a fur breeder's license
2523 and when so licensed [he] such person may breed such animal and the
2524 progeny thereof, and such issue when three generations removed from
2525 the wild may be sold or exchanged alive or dead. Any trap illegally set
2526 and any snare, net or similar device found placed or set in violation of
2527 the provisions of this section shall be seized by any representative of
2528 the department and, if not claimed within twenty-four hours, the
2529 commissioner may order such trap, snare, net or other device
2530 destroyed, sold or retained for use by the commissioner. Any person
2531 who violates any provision of this section or any regulation issued by
2532 the commissioner shall be fined not more than two hundred dollars or
2533 be imprisoned not more than sixty days or both. Whenever any person
2534 is convicted, or forfeits any bond, or has [his] such person's case nollod
2535 upon the payment of any sum of money, or receives a suspended
2536 sentence or judgment for a violation of any of the provisions of this
2537 section or any regulation issued hereunder by the commissioner, all
2538 traps used, set or placed in violation of any such provisions or any
2539 such regulation may, by order of the trial court, be forfeited to the state
2540 and may be retained for use by the department or may be sold or
2541 destroyed at the discretion of the commissioner. The proceeds from
2542 any such sale shall be paid to the State Treasurer and [by him credited]
2543 the State Treasurer shall credit such proceeds to the General Fund.

2544 Sec. 92. Section 27-67a of the general statutes is repealed and the
2545 following is substituted in lieu thereof (*Effective from passage*):

2546 Any member of the armed forces of [this] the state who has been
2547 temporarily or permanently disabled incident to state service prior to
2548 June 6, 1977, who has made application for disability compensation
2549 and has a claim pending before the Adjutant General, and who has not
2550 signed a written release of his claim for such disability, shall be eligible
2551 for disability compensation under the provisions of section 27-67.

2552 Sec. 93. Section 27-81 of the general statutes is repealed and the
2553 following is substituted in lieu thereof (*Effective from passage*):

2554 Whenever the armed forces of [this] the state are called into active
2555 military or naval service in time of war, reasonable apprehension
2556 thereof, riot or rebellion, the state shall pay separation allowances
2557 weekly to actual and bona fide dependents of any members of the
2558 armed forces of the state so called into active service.

2559 Sec. 94. Subsection (a) of section 27-102a of the general statutes is
2560 repealed and the following is substituted in lieu thereof (*Effective from*
2561 *passage*):

2562 (a) Notwithstanding any provisions of the general statutes with
2563 respect to annual or biennial license or registration fees or occupational
2564 taxes, any resident of Connecticut on active duty with the armed forces
2565 of the United States [.] shall be exempt from the payment of such fees
2566 or taxes during his period of active service and for one year following
2567 the date of his honorable discharge or the date of his release under
2568 honorable conditions, from such service.

2569 Sec. 95. Subsection (a) of section 27-108 of the general statutes is
2570 repealed and the following is substituted in lieu thereof (*Effective from*
2571 *passage*):

2572 (a) Any veteran, as defined in subsection (a) of section 27-103, [and]
2573 who meets active military, naval or air service requirements, as
2574 defined [by] in 38 USC 101, may apply for admission to the home; and
2575 any such veteran who, from disease, wounds or accident, needs
2576 medical or surgical care and treatment or who has become mentally ill
2577 and who has no adequate means of support, may be admitted to any
2578 hospital and receive necessary food, clothing, care and treatment
2579 therein, at the expense of the state, unless other funds or means of
2580 payment are available.

2581 Sec. 96. Section 27-118 of the general statutes is repealed and the
2582 following is substituted in lieu thereof (*Effective from passage*):

2583 When any veteran dies, not having sufficient estate to pay the
2584 necessary expenses of the veteran's last sickness and burial, as

2585 determined by the commissioner after consultation with the probate
2586 court for the district in which the veteran resided, the state shall pay
2587 the sum of one thousand eight hundred dollars toward such funeral
2588 expenses, and the burial shall be in some cemetery or plot not used
2589 exclusively for the burial of the pauper dead, and the same amount
2590 shall be paid if the body is cremated, but no amount shall be paid for
2591 the expenses for burial or cremation unless claim therefor is made
2592 within one year from the date of death, except that in cases of death
2593 occurring abroad, such claim may be made within one year after the
2594 remains of such veteran have been interred in this country. No
2595 provision of this section shall prevent the payment of the sum above
2596 named for the burial of any person, otherwise entitled to the same, on
2597 account of such burial being made outside the limits of this state. Upon
2598 satisfactory proof by the person who has paid or provided for the
2599 funeral or burial expense to the commissioner of the identity of the
2600 deceased, the time and place of the deceased's death and burial and the
2601 approval thereof by the commissioner, said sum of one thousand eight
2602 hundred dollars shall be paid by the Comptroller to the person who
2603 has paid the funeral or burial expense or, upon assignment by such
2604 person, to the funeral director who has provided the funeral.
2605 Whenever the Comptroller has lawfully paid any sum toward the
2606 expenses of the burial of any deceased veteran and it afterwards
2607 appears that the deceased left any estate, the Comptroller may present
2608 a claim [in] on behalf of the state against the estate of such deceased
2609 veteran for the sum so paid, and the claim shall be a preferred claim
2610 against such estate and shall be paid to the Treasurer of the state. The
2611 commissioner, upon the advice of the Attorney General, may make
2612 application for administration upon the estate of any such deceased
2613 veteran if no other person authorized by law makes such application
2614 within sixty days after such payment has been made by the
2615 Comptroller.

2616 Sec. 97. Subsection (c) of section 27-180 of the general statutes is
2617 repealed and the following is substituted in lieu thereof (*Effective from*
2618 *passage*):

2619 (c) In every court-martial proceeding, the defense counsel may, in
2620 the event of conviction, forward for attachment to the record of
2621 proceedings a brief of such matters as [he] such defense counsel feels
2622 should be considered [in] on behalf of the accused on review,
2623 including any objection to the contents of the record which [he] such
2624 defense counsel considers appropriate.

2625 Sec. 98. Section 29-38 of the general statutes is repealed and the
2626 following is substituted in lieu thereof (*Effective from passage*):

2627 (a) Any person who knowingly has, in any vehicle owned, operated
2628 or occupied by such person, any weapon, any pistol or revolver for
2629 which a proper permit has not been issued as provided in section 29-28
2630 or any machine gun which has not been registered as required by
2631 section 53-202, shall be fined not more than one thousand dollars or
2632 imprisoned not more than five years or both, and the presence of any
2633 such weapon, pistol or revolver, or machine gun in any vehicle shall be
2634 prima facie evidence of a violation of this section by the owner,
2635 operator and each occupant thereof. The word "weapon", as used in
2636 this section, means any BB. gun, any blackjack, any metal or brass
2637 knuckles, any police baton or nightstick, any dirk knife or switch knife,
2638 any knife having an automatic spring release device by which a blade
2639 is released from the handle, having a blade of over one and one-half
2640 inches in length, any stiletto, any knife the edged portion of the blade
2641 of which is four inches or [over] more in length, any martial arts
2642 weapon or electronic defense weapon, as defined in section 53a-3, or
2643 any other dangerous or deadly weapon or instrument.

2644 (b) The provisions of this section shall not apply to: (1) Any officer
2645 charged with the preservation of the public peace while engaged in the
2646 pursuit of such officer's official duties; (2) any security guard having a
2647 baton or nightstick in a vehicle while engaged in the pursuit of such
2648 guard's official duties; (3) any person enrolled in and currently
2649 attending a martial arts school, with official verification of such
2650 enrollment and attendance, or any certified martial arts instructor,
2651 having any such martial arts weapon in a vehicle while traveling to or

2652 from such school or to or from an authorized event or competition; (4)
2653 any person having a BB. gun in a vehicle provided such weapon is
2654 unloaded and stored in the trunk of such vehicle or in a locked
2655 container other than the glove compartment or console; and (5) any
2656 person having a knife, the edged portion of the blade of which is four
2657 inches or [over] more in length, in a vehicle if such person is (A) any
2658 member of the armed forces of the United States, as defined in section
2659 27-103, or any reserve component thereof, or of the armed forces of
2660 [this] the state, as defined in section 27-2, when on duty or going to or
2661 from duty, (B) any member of any military organization when on
2662 parade or when going to or from any place of assembly, (C) any person
2663 while transporting such knife as merchandise or for display at an
2664 authorized gun or knife show, (D) any person while lawfully removing
2665 such person's household goods or effects from one place to another, or
2666 from one residence to another, (E) any person while actually and
2667 peaceably engaged in carrying any such knife from such person's place
2668 of abode or business to a place or person where or by whom such knife
2669 is to be repaired, or while actually and peaceably returning to such
2670 person's place of abode or business with such knife after the same has
2671 been repaired, (F) any person holding a valid hunting, fishing or
2672 trapping license issued pursuant to chapter 490 or any salt water
2673 fisherman while having such knife in a vehicle for lawful hunting,
2674 fishing or trapping activities, or (G) any person participating in an
2675 authorized historic reenactment.

2676 Sec. 99. Subsection (a) of section 29-154a of the general statutes is
2677 repealed and the following is substituted in lieu thereof (*Effective from*
2678 *passage*):

2679 (a) The commissioner may grant a private detective or private
2680 detective agency license to any suitable person, or to any corporation,
2681 association or partnership subject to the following qualifications: The
2682 applicant for a private detective or private detective agency license
2683 shall be not less than twenty-five years of age and of good moral
2684 character and shall have had at least five years' experience as a full-
2685 time investigator, as determined in regulations adopted by the

2686 commissioner pursuant to section 29-161, or shall have had at least ten
2687 years' experience as a police officer with a state or organized municipal
2688 police department. Employment as a security officer shall not be
2689 considered as employment as an investigator. If the applicant is a
2690 corporation, association or partnership, the person filing the
2691 application [in] on behalf of such corporation, association or
2692 partnership shall meet the qualifications set [out herein] forth in this
2693 section for an individual applicant, and shall be an officer of such
2694 corporation or member of such association or partnership. If the
2695 commissioner grants a private detective or private detective agency
2696 license to an applicant based on such applicant's experience as an
2697 investigator with an organized municipal fire department, such license
2698 shall restrict such licensee to performing the same type of
2699 investigations as were performed for the municipal fire department.

2700 Sec. 100. Section 29-361 of the general statutes is repealed and the
2701 following is substituted in lieu thereof (*Effective from passage*):

2702 Nothing in sections 29-356 to 29-366, inclusive, shall be construed to
2703 prohibit the sale by any resident manufacturer, wholesaler, dealer or
2704 jobber, at wholesale, of such fireworks as are not herein prohibited, or
2705 the sale of any kind of fireworks, provided the same are to be shipped
2706 directly out of state, in accordance with United States Department of
2707 Transportation regulations covering the transportation of explosives
2708 and other dangerous articles by motor, rail and water; or the
2709 possession, sale or use of signals necessary for the safe operation of
2710 railroads or other classes of public or private transportation, or of
2711 illuminating devices for photographic use, or of illuminating torches
2712 for parades or ceremonial events, nor shall the provisions of said
2713 sections apply to the military or naval forces of the United States or the
2714 armed forces of [this] the state, or to peace officers in the performance
2715 of their official duties, nor prohibit the sale or use of blank cartridges
2716 for ceremonial, theatrical or athletic events or for training dogs, or the
2717 use of fireworks solely for agricultural purposes under conditions
2718 approved by the local or State Fire Marshal.

2719 Sec. 101. Subsection (e) of section 31-58 of the general statutes is
2720 repealed and the following is substituted in lieu thereof (*Effective from*
2721 *passage*):

2722 (e) "Employer" means any owner or any person, partnership,
2723 corporation, limited liability company or association of persons acting
2724 directly as, or [in] on behalf of, or in the interest of an employer in
2725 relation to employees, including the state and any political subdivision
2726 thereof;

2727 Sec. 102. Section 31-105 of the general statutes is repealed and the
2728 following is substituted in lieu thereof (*Effective from passage*):

2729 It shall be an unfair labor practice for an employer: (1) To spy upon
2730 or keep under surveillance, whether directly or through agents or any
2731 other person, any activities of employees or their representatives in the
2732 exercise of the rights set forth in section 31-104; (2) to prepare,
2733 maintain, distribute or circulate any blacklist of individuals for the
2734 purpose of preventing any of such individuals from obtaining or
2735 retaining employment because of the exercise by such individuals of
2736 any of the rights set forth in section 31-104; (3) to dominate or actually
2737 interfere with the formation, existence or administration of any
2738 employee organization or association, agency or plan which exists in
2739 whole or in part for the purpose of dealing with employers concerning
2740 terms or conditions of employment, labor disputes or grievances, or to
2741 contribute financial or other support to any such organization, by any
2742 means, including but not limited to the following: (A) By participating
2743 or assisting in, supervising, controlling or dominating (i) the initiation
2744 or creation of any such employee organization or association, agency
2745 or plan, or (ii) the meetings, management, operation, elections,
2746 formulation or amendment of the constitution, rules or policies of any
2747 such employee organization or association, agency or plan; (B) by
2748 urging the employees to join any such employee organization or
2749 association, agency or plan for the purpose of encouraging
2750 membership in the same; (C) by compensating any employee or
2751 individual for services performed [in] on behalf of any such employee

2752 organization or association, agency or plan, or by donating free
2753 services, equipment, materials, office or meeting space or anything else
2754 of value for the use of any such employee organization or association,
2755 agency or plan, provided an employer shall not be prohibited from
2756 permitting employees to confer with him during working hours
2757 without loss of time or pay; (4) to require an employee or one seeking
2758 employment as a condition of employment to reveal membership, past
2759 membership or nonmembership in a labor organization, either by the
2760 use of written application forms, questionnaires or oral inquiries, or to
2761 join any company union or to refrain from forming or joining or
2762 assisting a labor organization of his own choosing; (5) to encourage
2763 membership in any company union or discourage membership in any
2764 labor organization by discrimination in regard to hire or tenure or in
2765 any term or condition of employment, provided nothing in this
2766 chapter shall preclude an employer from making an agreement with a
2767 labor organization requiring as a condition of employment
2768 membership therein, if such labor organization is the representative of
2769 employees as provided in section 31-106; (6) to refuse to bargain
2770 collectively with the representatives of employees, subject to the
2771 provisions of said section 31-106; (7) to refuse to discuss grievances
2772 with representatives of employees, subject to the provisions of said
2773 section 31-106; (8) to discharge or otherwise discriminate against an
2774 employee because [he] the employee has signed or filed any affidavit,
2775 petition or complaint or given any information or testimony under this
2776 chapter; (9) to distribute or circulate any blacklist of individuals
2777 exercising any right created or confirmed by this chapter or of
2778 members of labor organizations, or to inform any person of the
2779 exercise by any individual of such right, or of the membership of any
2780 individual in a labor organization for the purpose of preventing
2781 individuals so blacklisted or so named from obtaining or retaining
2782 employment; or (10) to do any acts other than those enumerated in this
2783 section which restrain, coerce or interfere with employees in the
2784 exercise of the rights set forth in section 31-104.

2785 Sec. 103. Subsection (f) of section 31-109 of the general statutes is
2786 repealed and the following is substituted in lieu thereof (*Effective from*

2787 *passage*):

2788 (f) Except as provided in subsection (e) of this section, unless
2789 otherwise directed by the court, commencement of proceedings under
2790 subsections (a) and (d) of this section shall not operate as a stay of such
2791 order.

2792 Sec. 104. Subsection (b) of section 31-276 of the general statutes is
2793 repealed and the following is substituted in lieu thereof (*Effective from*
2794 *passage*):

2795 (b) Notwithstanding the provisions of subsection (a) of this section,
2796 on and after October 1, 1988, any commissioner whose term expires on
2797 December thirty-first shall continue to serve until the next succeeding
2798 March thirty-first.

2799 Sec. 105. Section 31-318 of the general statutes is repealed and the
2800 following is substituted in lieu thereof (*Effective from passage*):

2801 When any employee affected by the provisions of this chapter or
2802 any person entitled to compensation thereunder is a minor or mentally
2803 incompetent, his parent or duly appointed guardian may, on his
2804 behalf, perform any act or duty required or exercise any right
2805 conferred by the provisions of this chapter with the same effect as if
2806 such person were legally capable to act [in] on his own behalf and had
2807 so acted. The commissioner may, for just cause shown, authorize or
2808 direct the payment of compensation directly to a minor or to some
2809 person nominated by the minor and approved by the commissioner,
2810 which person shall act [in] on behalf of such minor.

2811 Sec. 106. Section 31-321 of the general statutes is repealed and the
2812 following is substituted in lieu thereof (*Effective from passage*):

2813 Unless otherwise specifically provided, or unless the circumstances
2814 of the case or the rules of the commission direct otherwise, any notice
2815 required under this chapter to be served upon an employer, employee
2816 or commissioner shall be by written or printed notice, service
2817 personally or by registered or certified mail addressed to the person

2818 upon whom it is to be served at [his] the person's last-known residence
2819 or place of business. Notices [in] on behalf of a minor shall be given by
2820 or to [his] such minor's parent or guardian or, if there is no parent or
2821 guardian, then by or to such minor.

2822 Sec. 107. Section 32-1o of the 2010 supplement to the general statutes
2823 is repealed and the following is substituted in lieu thereof (*Effective*
2824 *from passage*):

2825 (a) On or before July 1, 2009, and every five years thereafter, the
2826 Commissioner of Economic and Community Development, within
2827 available appropriations, shall prepare an economic strategic plan for
2828 the state in consultation with the Secretary of the Office of Policy and
2829 Management, the Commissioners of Environmental Protection and
2830 Transportation, the Labor Commissioner, the executive directors of the
2831 Connecticut Housing Finance Authority, the Connecticut Development
2832 Authority, [the] Connecticut Innovations, [Inc.] Incorporated, the
2833 Commission on Culture and Tourism and the Connecticut Health and
2834 Educational Facilities Authority, and the president of the Office of
2835 Workforce Competitiveness, or their respective designees, and any
2836 other agencies the Commissioner of Economic and Community
2837 Development deems appropriate.

2838 (b) In developing the plan, the Commissioner of Economic and
2839 Community Development shall:

2840 (1) Ensure that the plan is consistent with (A) the text and locational
2841 guide map of the state plan of conservation and development []
2842 adopted pursuant to chapter 297, (B) the long-range state housing plan
2843 [] adopted pursuant to section 8-37t, and (C) the transportation
2844 strategy adopted pursuant to section 13b-57g;

2845 (2) Consult regional councils of governments, regional planning
2846 organizations, regional economic development agencies, interested
2847 state and local officials, entities involved in economic and community
2848 development, stakeholders and business, economic, labor, community
2849 and housing organizations;

2850 (3) Consider (A) regional economic, community and housing
2851 development plans, and (B) applicable state and local workforce
2852 investment strategies;

2853 (4) Assess and evaluate the economic development challenges and
2854 opportunities of the state and against the economic development
2855 competitiveness of other states and regions; and

2856 (5) Host regional forums to provide for public involvement in the
2857 planning process.

2858 (c) The strategic plan required under this section shall include, but
2859 not be limited to, the following:

2860 (1) A review and evaluation of the economy of the state. Such
2861 review and evaluation shall include, but not be limited to, a sectoral
2862 analysis, housing market and housing affordability analysis, labor
2863 market and labor quality analysis, demographic analysis and [include]
2864 historic trend analysis and projections;

2865 (2) A review and analysis of factors, issues and forces that impact or
2866 impede economic development and responsible growth in Connecticut
2867 and its constituent regions. Such factors, issues or forces shall include,
2868 but not be limited to, transportation, including, but not limited to,
2869 commuter transit, rail and barge freight, technology transfer,
2870 brownfield remediation and development, health care delivery and
2871 costs, early education, primary education, secondary and
2872 postsecondary education systems and student performance, business
2873 regulation, labor force quality and sustainability, social services costs
2874 and delivery systems, affordable and workforce housing cost and
2875 availability, land use policy, emergency preparedness, taxation,
2876 availability of capital and energy costs and supply;

2877 (3) Identification and analysis of economic clusters that are growing
2878 or declining within the state;

2879 (4) An analysis of targeted industry sectors in the state that (A)
2880 identifies those industry sectors that are of current or future

2881 importance to the growth of the state's economy and to its global
2882 competitive position, (B) identifies what those industry sectors need
2883 for continued growth, and (C) identifies [L] those industry [sectors]
2884 sectors' current and potential impediments to growth;

2885 (5) A review and evaluation of the economic development structure
2886 in the state, including, but not limited to, (A) a review and analysis of
2887 the past and current economic, community and housing development
2888 structures, budgets and policies, efforts and responsibilities of its
2889 constituent parts in Connecticut; and (B) an analysis of the
2890 performance of the current economic, community and housing
2891 development structure, and its individual constituent parts, in meeting
2892 its statutory obligations, responsibilities and mandates and their
2893 impact on economic development and responsible growth in
2894 Connecticut;

2895 (6) Establishment and articulation of a vision for Connecticut that
2896 identifies where the state should be in five, ten, fifteen and twenty
2897 years;

2898 (7) Establishment of clear and measurable goals and objectives for
2899 the state and regions, to meet the short and long-term goals established
2900 under this section and provide clear steps and strategies to achieve
2901 said goals and objectives, including, but not limited to, the following:
2902 (A) The promotion of economic development and opportunity, (B) the
2903 fostering of effective transportation access and choice including the use
2904 of airports and ports for economic development, (C) enhancement and
2905 protection of the environment, (D) maximization of the effective
2906 development and use of the workforce consistent with applicable state
2907 or local workforce investment strategy, (E) promotion of the use of
2908 technology in economic development, including access to high-speed
2909 telecommunications, and (F) the balance of resources through sound
2910 management of physical development;

2911 (8) Prioritization of goals and objectives established under this
2912 section;

2913 (9) Establishment of relevant measures that clearly identify and
2914 quantify (A) whether a goal and objective is being met at the state,
2915 regional, local and private sector level, and (B) cause and effect
2916 relationships, and [provides] provide a clear and replicable
2917 measurement methodology;

2918 (10) Recommendations on how the state can best achieve goals
2919 under the strategic plan and provide cost estimates for implementation
2920 of the plan and the projected return on investment for those areas;

2921 (11) A review and evaluation of the operation and efficacy of the
2922 urban jobs program established pursuant to sections 32-9i to 32-9l,
2923 inclusive, enterprise zones established pursuant to section 32-70,
2924 railroad depot zones established pursuant to section 32-75a, qualified
2925 manufacturing plants designated pursuant to section 32-75c,
2926 entertainment districts established pursuant to section 32-76 and
2927 enterprise corridor zones established pursuant to section 32-80. The
2928 review and evaluation of enterprise zones shall include an analysis of
2929 enterprise zones that have been expanded to include an area in a
2930 contiguous municipality or in which there are base or plant closures;
2931 and

2932 (12) Any other responsible growth information that the
2933 commissioner deems appropriate.

2934 (d) On or before July 1, 2009, and every five years thereafter, the
2935 Commissioner of Economic and Community Development shall
2936 submit an economic development strategic plan for the state to the
2937 Governor for approval. The Governor shall review and approve or
2938 disapprove such plan not more than sixty days after submission. The
2939 plan shall be effective upon approval by the Governor or sixty days
2940 after the date of submission.

2941 (e) Upon approval, the commissioner shall submit the economic
2942 development strategic plan to the joint standing committees of the
2943 General Assembly having cognizance of matters relating to commerce,
2944 planning and development, appropriations and the budgets of state

2945 agencies and finance, revenue and bonding. Not later than thirty days
2946 after such submission, the commissioner shall post the plan on the web
2947 site of the Department of Economic and Community Development.

2948 (f) The commissioner from time to time, may revise and update the
2949 strategic plan upon approval of the Governor. The commissioner shall
2950 post any such revisions on the web site of the Department of Economic
2951 and Community Development.

2952 Sec. 108. Section 32-23h of the general statutes is repealed and the
2953 following is substituted in lieu thereof (*Effective from passage*):

2954 The exercise of the powers granted by the authority legislation, as
2955 defined in subsection (hh) of section 32-23d, shall constitute the
2956 performance of an essential governmental function and the authority
2957 shall not be required to pay any taxes or assessments upon or in
2958 respect of a project, or any property or moneys of the authority, levied
2959 by any municipality or political subdivision or special district having
2960 taxing powers of the state, nor shall the authority be required to pay
2961 state taxes of any kind, and the authority, its projects, property and
2962 moneys and any bonds and notes issued under the provisions of said
2963 chapters and sections, their transfer and the income therefrom,
2964 including any profit made on the sale thereof, shall at all times be free
2965 from taxation of every kind by the state except for estate or succession
2966 taxes and by the municipalities and all other political subdivisions or
2967 special districts having taxing powers of the state; provided any
2968 person leasing a project from the authority shall pay to the
2969 municipality, or other political subdivision or special district having
2970 taxing powers, in which such project is located, a payment in lieu of
2971 taxes which shall equal the taxes on real and personal property,
2972 including water and sewer assessments, which such lessee would have
2973 been required to pay had it been the owner of such property during
2974 the period for which such payment is made and neither the authority
2975 nor its projects, properties, money or bonds and notes shall be
2976 obligated, liable or subject to lien of any kind for the enforcement,
2977 collection or payment thereof. The sale of tangible personal property or

2978 services by the authority is exempt from the sales tax under chapter
2979 219, and the storage, use or other consumption in this state of tangible
2980 personal property or services purchased from the authority is exempt
2981 from the use tax under chapter 219. If and to the extent the
2982 proceedings under which the bonds authorized to be issued under the
2983 provisions of said chapters and sections so provide, the authority may
2984 agree to cooperate with the lessee of a project in connection with any
2985 administrative or judicial proceedings for determining the validity or
2986 amount of such payments and may agree to appoint or designate and
2987 reserve the right in and for such lessee to take all action which the
2988 authority may lawfully take in respect of such payments and all
2989 matters relating thereto, provided such lessee shall bear and pay all
2990 costs and expenses of the authority thereby incurred at the request of
2991 such lessee or by reason of any such action taken by such lessee [in] on
2992 behalf of the authority. Any lessee of a project which has paid the
2993 amounts in lieu of taxes required by this section to be paid shall not be
2994 required to pay any such taxes in which a payment in lieu thereof has
2995 been made to the state or to any such municipality or other political
2996 subdivision or special district having taxing powers, any other statute
2997 to the contrary notwithstanding. Any industrial pollution control
2998 facility financed under said chapters and sections shall be subject to
2999 such approvals, as may be required by law, of any agency of the state
3000 and any agency of the United States having jurisdiction in the matter
3001 and, in the discretion of the authority, may be acquired, constructed or
3002 improved as part of or jointly with a pollution control facility
3003 undertaken by a municipality or political subdivision or special district
3004 having taxing powers in the state and the authority is authorized to
3005 cooperate and execute contracts with such a municipality or political
3006 subdivision or special district.

3007 Sec. 109. Subsection (b) of section 32-237 of the general statutes is
3008 repealed and the following is substituted in lieu thereof (*Effective from*
3009 *passage*):

3010 (b) The center for supply chain integration, established pursuant to
3011 subsection (a) of this section, shall make its services available to assist

3012 small and medium-sized manufacturers in the state. The center shall
3013 provide the same services to such manufacturers to promote supply
3014 chain development, as described in subsection (a) of this section.

3015 Sec. 110. Subsection (a) of section 34-327 of the general statutes is
3016 repealed and the following is substituted in lieu thereof (*Effective from*
3017 *passage*):

3018 (a) Except as otherwise provided in subsections (b), (c) and (d) of
3019 this section, all partners are liable jointly and severally for all
3020 obligations of the partnership unless otherwise agreed by the claimant
3021 or provided by law.

3022 Sec. 111. Subsection (c) of section 35-18h of the general statutes is
3023 repealed and the following is substituted in lieu thereof (*Effective from*
3024 *passage*):

3025 (c) In all cases where the registrant is an association, union or other
3026 organization which is not incorporated, an action under this section
3027 may be commenced and prosecuted by any officer or member of such
3028 association, union or other organization, [in] on behalf of such
3029 association, union or other organization.

3030 Sec. 112. Subsection (e) of section 36a-490 of the 2010 supplement to
3031 the general statutes is repealed and the following is substituted in lieu
3032 thereof (*Effective from passage*):

3033 (e) Each mortgage lender, mortgage correspondent lender,
3034 mortgage broker and mortgage loan originator license shall remain in
3035 force and effect until it has been surrendered, revoked [,] or
3036 suspended, or until it expires [,] or is no longer effective, in accordance
3037 with the provisions of this title.

3038 Sec. 113. Section 36a-725 of the general statutes is repealed and the
3039 following is substituted in lieu thereof (*Effective from passage*):

3040 As used in this section and section 36a-726, unless the context
3041 otherwise requires:

3042 (1) "First mortgage loan" means any loan made to an individual, the
3043 proceeds of which are to be used primarily for personal, family or
3044 household purposes, which loan is secured by a mortgage upon any
3045 interest in one-to-four-family residential, owner-occupied real
3046 property located in this state which is not subject to any prior
3047 mortgages. The term includes the renewal or refinancing of an existing
3048 first mortgage loan;

3049 (2) "Mortgage insurance" means insurance written by an
3050 independent mortgage insurance company to protect the mortgage
3051 lender against loss incurred in the event of a default by a borrower
3052 under the mortgage loan;

3053 (3) "Mortgage lender" means any person engaged in the business of
3054 making first mortgage loans, including, but not limited to, banks, out-
3055 of-state banks, Connecticut credit unions, federal credit unions, out-of-
3056 state credit unions, and mortgage lenders and [correspondent]
3057 mortgage correspondent lenders required to be licensed under sections
3058 36a-485 to 36a-498a, inclusive.

3059 Sec. 114. Subdivisions (5) and (6) of subsection (a) of section 36a-760
3060 of the 2010 supplement to the general statutes are repealed and the
3061 following is substituted in lieu thereof (*Effective from passage*):

3062 (5) "Lender" means any person engaged in the business of the
3063 making of mortgage loans who is required to be licensed by the
3064 Department of Banking under chapter 668, or [their] such person's
3065 successors or assigns, and [shall also mean] also means any bank, out-
3066 of-state bank, Connecticut credit union, federal credit union, out-of-
3067 state credit union, or an operating subsidiary of a federal bank or a
3068 federally chartered out-of-state bank where such subsidiary engages in
3069 the business of making mortgage loans, and their successors and
3070 assigns, but [shall] does not include any mortgage broker, as defined in
3071 this section, or any mortgage loan originator, as defined in section 36a-
3072 485;

3073 (6) "Mortgage broker" means any person, other than a lender, who

3074 (A) for a fee, commission or other valuable consideration, negotiates,
3075 solicits, arranges, places or finds a mortgage, and (B) who is required
3076 to be licensed by the Department of Banking under chapter 668, or
3077 [their] such person's successors or assigns;

3078 Sec. 115. Section 36b-79 of the 2010 supplement to the general
3079 statutes is repealed and the following is substituted in lieu thereof
3080 (*Effective from passage*):

3081 Not later than one hundred [and] twenty days after the end of the
3082 seller's most recent fiscal year and each year thereafter, each seller
3083 whose business opportunity has been registered under sections 36b-60
3084 to 36b-80, inclusive, shall renew the registration by submitting to the
3085 commissioner: (1) An annual renewal registration fee of one hundred
3086 dollars, which shall be nonrefundable; (2) a filing in accordance with
3087 the requirements of subsection (b) of section 36b-62, reflecting all
3088 amendments as of the date of filing; (3) a disclosure document filed in
3089 accordance with the requirements of sections 36b-62 and 36b-63,
3090 reflecting all amendments, clearly marked, since the date of the most
3091 recent disclosure document that was filed with the commissioner, or, if
3092 no such amendments have been made, an affidavit so stating; and (4)
3093 financial statements in accordance with the requirements of subsection
3094 (b) of section 36b-62. [In the event that] If the seller fails to submit the
3095 fee and information within the time period and in accordance with
3096 requirements of this section, the registration of such seller's business
3097 opportunity shall terminate.

3098 Sec. 116. Section 38a-119 of the general statutes is repealed and the
3099 following is substituted in lieu thereof (*Effective from passage*):

3100 For the purpose of preventing the unfair use of information which
3101 may have been obtained by such beneficial owner, director or officer
3102 by reason of his relationship to such domestic stock insurance
3103 company, any profit realized by him from any purchase and sale, or
3104 any sale and purchase, of any equity security of such company within
3105 any period of less than six months, unless such security was acquired
3106 in good faith in connection with a debt previously contracted, shall

3107 inure to and be recoverable by the company, irrespective of any
3108 intention on the part of such beneficial owner, director or officer in
3109 entering into such transaction of holding the security purchased or of
3110 not repurchasing the security sold for a period exceeding six months.
3111 Suit to recover such profit may be instituted at law or in equity in any
3112 court of competent jurisdiction by the company or by the owner of any
3113 security of the company in the name and [in] on behalf of the company
3114 if the company fails or refuses to bring such suit within sixty days after
3115 written request or fails diligently to prosecute the same thereafter; but
3116 no such suit shall be brought more than two years next after the filing
3117 with the commissioner of the report showing that the profit was
3118 realized. This section shall not be construed to cover any transaction
3119 where such beneficial owner was not such both at the time of the
3120 purchase and sale, or the sale and purchase, of the security involved,
3121 or any transaction or transactions which the commissioner by
3122 regulations may exempt as not comprehended within the purpose of
3123 this section.

3124 Sec. 117. Subsection (d) of section 38a-170 of the general statutes is
3125 repealed and the following is substituted in lieu thereof (*Effective from*
3126 *passage*):

3127 (d) All statutory, regulatory, and contractual provisions or
3128 restrictions providing that the insurance contract may not be cancelled
3129 unless notice is given to a governmental agency, mortgagee, or other
3130 third party shall apply where cancellation is effected under the
3131 provisions of this section. The insurer shall give the prescribed notice
3132 [in] on behalf of itself or the insured to any such governmental agency,
3133 mortgagee or other third party on or before the second business day
3134 after the day it receives the notice of cancellation from the insurance
3135 premium finance company and shall determine the effective date of
3136 cancellation taking into consideration the number of days notice
3137 required to complete the cancellation.

3138 Sec. 118. Subsection (a) of section 38a-271 of the general statutes is
3139 repealed and the following is substituted in lieu thereof (*Effective from*

3140 *passage*):

3141 (a) Unless otherwise indicated, as used in sections 38a-27 [J] and
3142 38a-271 to 38a-278, inclusive, "insurer" includes all corporations,
3143 associations, partnerships and individuals engaged as principals in the
3144 business of insurance and also includes interinsurance exchanges,
3145 mutual benefit societies and health care centers and "commissioner"
3146 means the Insurance Commissioner. Any of the following acts effected
3147 in this state by mail or otherwise is defined to be doing an insurance
3148 business in this state: (1) The making of or proposing to make, as an
3149 insurer, an insurance contract; (2) the making of or proposing to make,
3150 as guarantor or surety, any contract of guaranty or suretyship as a
3151 vocation and not merely incidental to any other legitimate business or
3152 activity of the guarantor or surety; (3) the taking or receiving of any
3153 application for insurance; (4) the receiving or collection of any
3154 premium, commission, membership fees, assessments, dues or other
3155 consideration for any insurance or any part thereof; (5) the issuance or
3156 delivery of contracts of insurance to residents of this state or to persons
3157 authorized to do business in this state; (6) directly or indirectly acting
3158 as an agent for or otherwise representing or aiding on behalf of
3159 another any person or insurer in the solicitation, negotiation,
3160 procurement or effectuation of insurance or renewals thereof or in the
3161 dissemination of information as to coverage or rates, or forwarding of
3162 applications, or delivery of policies or contracts, or inspection of risks,
3163 a filing of rates or investigation or adjustment of claims or losses or in
3164 the transaction of matters subsequent to effectuation of the contract
3165 and arising out of it, or in any other manner representing or assisting a
3166 person or insurer in the transaction of insurance with respect to
3167 subjects of insurance resident, located or to be performed in this state.
3168 The provisions of this subdivision shall not operate to prohibit full-
3169 time salaried employees of a corporate insured from acting in the
3170 capacity of an insurance manager or buyer in placing insurance [in] on
3171 behalf of such employer; (7) the doing of or proposing to do any
3172 insurance business in substance equivalent to any of the foregoing in a
3173 manner designed to evade the provisions of the general statutes
3174 relating to insurance; and (8) any other transactions of business in this

3175 state by an insurer. The venue of an act committed by mail is at the
3176 point where the matter transmitted by mail is delivered and takes
3177 effect.

3178 Sec. 119. Section 38a-317 of the general statutes is repealed and the
3179 following is substituted in lieu thereof (*Effective from passage*):

3180 [A mobile homeowner] An owner of a mobile home shall be a
3181 homeowner for purposes of sections 38a-72 to 38a-75, inclusive, 38a-
3182 285, 38a-305 to 38a-318, inclusive, 38a-328, 38a-663 to 38a-696,
3183 inclusive, 38a-827 and 38a-894 to 38a-898, inclusive, and homeowners
3184 policies as regulated under said sections shall be offered on the same
3185 terms to such an owner as to other homeowners, when such [mobile
3186 homeowner] owner of a mobile home owns and occupies a mobile
3187 dwelling equipped for year-round living which is permanently
3188 attached to a permanent foundation on property owned or leased by
3189 such [mobile homeowner] owner of a mobile home, is connected to
3190 utilities, is assessed as real property on the tax list of the town in which
3191 it is located and is in conformance with applicable state and local laws
3192 and ordinances.

3193 Sec. 120. Subsection (b) of section 38a-503b of the general statutes is
3194 repealed and the following is substituted in lieu thereof (*Effective from*
3195 *passage*):

3196 (b) Each carrier shall permit a female enrollee direct access to a
3197 participating in-network obstetrician-gynecologist for any
3198 gynecological examination or care related to pregnancy and shall allow
3199 direct access to a participating in-network obstetrician-gynecologist for
3200 primary and preventive obstetric and gynecologic services required as
3201 a result of any gynecological examination or as a result of a
3202 gynecological condition. Such obstetric and gynecologic services
3203 include, but are not limited to, pap smear tests. The plan may require
3204 the participating in-network obstetrician-gynecologist to discuss such
3205 services and any treatment plan with the female enrollee's primary
3206 care provider. Nothing in this section shall preclude access to an in-
3207 network nurse-midwife as licensed pursuant to sections 20-86c and 20-

3208 86g and in-network advanced practice registered nurses, as licensed
3209 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
3210 services within their scope of practice.

3211 Sec. 121. Subsection (b) of section 38a-530b of the general statutes is
3212 repealed and the following is substituted in lieu thereof (*Effective from*
3213 *passage*):

3214 (b) Each carrier shall permit a female enrollee direct access to a
3215 participating in-network obstetrician-gynecologist for any
3216 gynecological examination or care related to pregnancy and shall allow
3217 direct access to a participating in-network obstetrician-gynecologist for
3218 primary and preventive obstetric and gynecologic services required as
3219 a result of any gynecological examination or as a result of a
3220 gynecological condition. Such obstetric and gynecologic services
3221 include, but are not limited to, pap smear tests. The plan may require
3222 the participating in-network obstetrician-gynecologist to discuss such
3223 services and any treatment plan with the female enrollee's primary
3224 care provider. Nothing in this section shall preclude access to an in-
3225 network nurse-midwife as licensed pursuant to sections 20-86c and 20-
3226 86g and in-network advanced practice registered nurses, as licensed
3227 pursuant to sections 20-93 and 20-94a for obstetrical and gynecological
3228 services within their scope of practice.

3229 Sec. 122. Section 38a-714 of the general statutes is repealed and the
3230 following is substituted in lieu thereof (*Effective from passage*):

3231 Any person making within this state directly or indirectly any
3232 contract of insurance [in] on behalf of any insurance company which is
3233 not licensed to do business in this state shall be personally liable to the
3234 insured for the performance of such contract by the insurance
3235 company.

3236 Sec. 123. Section 38a-723 of the general statutes is repealed and the
3237 following is substituted in lieu thereof (*Effective from passage*):

3238 As used in this title, unless the context or subject matter otherwise

3239 requires, "public adjuster" means any person, partnership, association,
3240 limited liability company or corporation who or which practices as a
3241 business the adjusting of loss or damage by fire or other hazard under
3242 any policies of insurance [in] on behalf of the insured under such
3243 policies, or who advertises or solicits business as a public adjuster, or
3244 holds himself out to the public as engaging in such adjusting as a
3245 business. Lawyers settling claims of clients shall not be deemed to be
3246 insurance adjusters.

3247 Sec. 124. Section 38a-1049 of the general statutes is repealed and the
3248 following is substituted in lieu thereof (*Effective from passage*):

3249 (a) There is established an advisory committee to the Office of the
3250 Healthcare Advocate which shall meet four times a year with the
3251 Healthcare Advocate and the staff of the Office of the Healthcare
3252 Advocate to review and assess the performance of the Office of the
3253 Healthcare Advocate. The advisory committee shall consist of six
3254 members appointed one each by the president pro tempore of the
3255 Senate, the speaker of the House of Representatives, the majority
3256 leader of the Senate, the majority leader of the House of
3257 Representatives, the minority leader of the Senate and the minority
3258 leader of the House of Representatives. Each member of the advisory
3259 committee shall serve a term of five years and may be reappointed at
3260 the conclusion of that term. All initial appointments to the advisory
3261 committee shall be made not later than March 1, 2000.

3262 (b) The advisory committee shall make an annual evaluation of the
3263 effectiveness of the Office of the Healthcare Advocate and shall submit
3264 the evaluation to the Governor and the joint standing committees of
3265 the General Assembly having cognizance of matters relating to public
3266 health and insurance not later than April first of each year
3267 commencing February 1, 2001.

3268 Sec. 125. Section 42-110q of the general statutes is repealed and the
3269 following is substituted in lieu thereof (*Effective from passage*):

3270 (a) For the purposes of this section: [(i)] (1) "Service contractor" [is

3271 defined as] means a person engaged in the business of repairing,
3272 overhauling, adjusting, assembling or disassembling consumer goods;
3273 [(ii)] (2) "person" means a natural person, corporation, limited liability
3274 company, trust, partnership, incorporated or unincorporated
3275 association, and any other legal entity; [(iii)] (3) "consumer goods"
3276 means any article purchased, leased or rented primarily for personal,
3277 family or commercial purpose; and (4) "service charge" means the fee
3278 charged by the service contractor to respond to the request for services.

3279 (b) It shall be an unfair or deceptive trade practice, in violation of
3280 this chapter, for any service contractor to fail to disclose to a
3281 prospective customer, at the time the prospective customer makes
3282 initial contact by any means with the service contractor, that a service
3283 call made by the service contractor to the home or business of the
3284 prospective customer will require the payment by the prospective
3285 customer to the service contractor of separate and distinct fees for the
3286 following, if such is the case: [(i)] (1) Service charge, [defined as the fee
3287 charged by the service contractor to respond to the request for services;
3288 (ii)] and (2) labor charge.

3289 Sec. 126. Subdivision (2) of section 42-287 of the general statutes is
3290 repealed and the following is substituted in lieu thereof (*Effective from*
3291 *passage*):

3292 (2) Any transaction between a consumer and a bank, out-of-state
3293 bank, Connecticut credit union, federal credit union or out-of-state
3294 credit union as each is defined in section 36a-2, or a mortgage broker,
3295 mortgage correspondent lender, [or] mortgage lender, sales finance
3296 company or small loan lender licensed under chapter 668, in which
3297 any such person [,] or such person's subsidiary, affiliate or agent
3298 markets its own services to a consumer;

3299 Sec. 127. Section 43-17 of the general statutes is repealed and the
3300 following is substituted in lieu thereof (*Effective from passage*):

3301 The avoirdupois pound shall bear to the troy pound the relation of
3302 seven thousand to five thousand seven hundred [and] sixty. The

3303 hundredweight shall contain one hundred avoirdupois pounds; and
3304 the ton, twenty hundredweight. The barrel for liquids shall contain
3305 thirty-one and one-half gallons, except the barrel for beer, ale and
3306 porter which shall contain thirty-one gallons; and the hogshead, two
3307 barrels. The liquid gallon shall contain two hundred [and] thirty-one
3308 cubic inches.

3309 Sec. 128. Section 43-18 of the general statutes is repealed and the
3310 following is substituted in lieu thereof (*Effective from passage*):

3311 The bushel in struck measure shall contain twenty-one hundred
3312 [and] fifty and forty-two hundredths cubic inches, and in heap
3313 measure twenty-five hundred [and] sixty-four cubic inches, except that
3314 each bushel of charcoal shall contain twenty-seven hundred [and]
3315 forty-eight cubic inches. When sold by weight, the bushel of charcoal
3316 shall weigh twenty pounds when commercially dry; the barrel of flour,
3317 one hundred [and] ninety-six pounds, and the barrel of potatoes, one
3318 hundred [and] fifty pounds.

3319 Sec. 129. Section 45a-1 of the general statutes is repealed and the
3320 following is substituted in lieu thereof (*Effective January 5, 2011*):

3321 As used in sections 45a-1 to 45a-12, inclusive, 45a-18 to 45a-26,
3322 inclusive, 45a-34 to 45a-56, inclusive, 45a-62 to 45a-68, inclusive, 45a-74
3323 to 45a-83, inclusive, 45a-90 to [45a-94] 45a-93, inclusive, 45a-98, 45a-99,
3324 45a-105, 45a-119 to 45a-123, inclusive, 45a-128, 45a-130, 45a-131, 45a-
3325 133, 45a-199 and 45a-202, "district" means probate district.

3326 Sec. 130. Subsection (c) of section 45a-8 of the general statutes is
3327 repealed and the following is substituted in lieu thereof (*Effective from*
3328 *passage*):

3329 (c) If suitable court facilities are not provided in accordance with
3330 subsection (a) or (b) of this section: (1) The Probate Court
3331 Administrator shall provide written notice, by first class mail, to the
3332 judge of probate of the district and the chief executive officer of the
3333 town in which the court is located, on or before October first of any

3334 year in which suitable court facilities are not so provided. Such notice
3335 shall specify the requirements of subsection (a) or (b) of this section
3336 that are not met and shall direct the submission of a plan as required
3337 by this subdivision. Not later than January first of the year following
3338 the year in which such notice is provided, such chief executive officer,
3339 or his or her representative, shall file with the Probate Court
3340 Administrator a plan and time frame for meeting such requirements
3341 and providing suitable court facilities; (2) not later than February first
3342 of the year following the year in which notice is provided under
3343 subdivision (1) of this [section] subsection, the Probate Court
3344 Administrator shall submit a report to the joint standing committee of
3345 the General Assembly having cognizance of matters relating to the
3346 judiciary concerning the failure of the probate district to provide the
3347 required court facilities, which report may include a recommendation
3348 that the probate district be abolished as a separate district and be
3349 consolidated with a contiguous district where suitable court facilities
3350 can be provided; or (3) if, in the opinion of the Probate Court
3351 Administrator, abolition of the district is not in the public interest and
3352 judicial action is necessary to enforce the provision of suitable court
3353 facilities, the Probate Court Administrator shall bring an action in the
3354 Superior Court to enforce the requirements for the provision of
3355 suitable court facilities.

3356 Sec. 131. Subdivision (2) of subsection (a) of section 45a-123a of the
3357 2010 supplement to the general statutes is repealed and the following
3358 is substituted in lieu thereof (*Effective January 5, 2011*):

3359 (2) The Probate Court Administrator may nominate former judges
3360 of probate who meet the requirements of this subsection to serve as
3361 probate [magistrate] magistrates. The Probate Court Administrator
3362 shall provide a list of such nominated former judges to the Chief
3363 Justice of the Supreme Court and update the list as necessary. The
3364 Chief Justice shall appoint probate magistrates from the list for a term
3365 of three years and inform the Probate Court Administrator of such
3366 appointments. The Probate Court Administrator shall assign probate
3367 magistrates pursuant to section 45a-123 from among the probate

3368 magistrates appointed by the Chief Justice.

3369 Sec. 132. Subsection (a) of section 45a-186c of the general statutes is
3370 repealed and the following is substituted in lieu thereof (*Effective from*
3371 *passage*):

3372 (a) In an appeal taken under section 45a-186, costs may be taxed in
3373 favor of the prevailing party in the same manner, and to the same
3374 extent, [that] as such costs are allowed in judgments rendered by the
3375 Superior Court.

3376 Sec. 133. Section 45a-199 of the general statutes is repealed and the
3377 following is substituted in lieu thereof (*Effective from passage*):

3378 As used in sections [45a-143, 45a-152,] 45a-186c, 45a-202 to 45a-208,
3379 inclusive, and 45a-242 to 45a-244, inclusive, unless otherwise defined
3380 or unless otherwise required by the context, "fiduciary" includes an
3381 executor, administrator, trustee, conservator or guardian.

3382 Sec. 134. Subsection (c) of section 45a-434 of the general statutes is
3383 repealed and the following is substituted in lieu thereof (*Effective from*
3384 *passage*):

3385 (c) Whenever there has been a contest with respect to the validity,
3386 admissibility to probate or construction of a will, if all persons
3387 interested in the estate, including persons interested as contestants or
3388 fiduciaries acting [in] on behalf of a contestant, make and file in the
3389 court an agreement as to the division of the estate, in writing, executed
3390 and acknowledged in the same manner as provided for conveyances of
3391 land in section 47-5, such agreement shall be a valid division of the
3392 estate if approved by the Court of Probate. Any such fiduciary may
3393 petition the court of probate which appointed him for permission to
3394 enter into such an agreement. The court of probate may grant such
3395 petition or may deny such petition. Such petition shall not be denied
3396 unless a hearing has been held thereon for which the court shall make
3397 such order of notice as it deems reasonable. Any such contested estate
3398 which is settled by such an agreement shall be subject to the tax

3399 imposed under chapter 216, which shall be imposed on the basis of the
3400 disposition provided for in whatever will or codicil, if any, is admitted
3401 to probate after such agreement or if no will or codicil is admitted to
3402 probate, then on the basis of the dispositions provided for under the
3403 laws of intestacy.

3404 Sec. 135. Subdivision (5) of section 45a-535a of the general statutes is
3405 repealed and the following is substituted in lieu thereof (*Effective from*
3406 *passage*):

3407 (5) "Institutional fund" means a fund held by an institution
3408 exclusively for charitable purposes or a fund held by a trustee for a
3409 charitable community trust. [The term] "Institutional fund" does not
3410 include:

3411 (A) Program-related assets;

3412 (B) A fund held for an institution by a trustee that is not an
3413 institution, other than a fund which is held for a charitable community
3414 trust; or

3415 (C) A fund in which a beneficiary that is not an institution has an
3416 interest other than an interest that could arise upon violation or failure
3417 of the purposes of the fund.

3418 Sec. 136. Subsection (b) of section 45a-649 of the general statutes is
3419 repealed and the following is substituted in lieu thereof (*Effective from*
3420 *passage*):

3421 (b) The notice required by subdivision (2) of subsection (a) of this
3422 section shall specify [(A)] (1) the nature of involuntary representation
3423 sought and the legal consequences thereof, [(B)] (2) the facts alleged in
3424 the application, [(C)] (3) the date, time and place of the hearing, and
3425 [(D)] (4) that the respondent has a right to be present at the hearing
3426 and has a right to be represented by an attorney of the respondent's
3427 choice at the respondent's own expense. The notice shall also include a
3428 statement in boldface type of a minimum size of twelve points in
3429 substantially the following form:

3430 "POSSIBLE CONSEQUENCES OF THE APPOINTMENT OF A
3431 CONSERVATOR FOR YOU

3432 This court has received an application to appoint a conservator for
3433 you. A conservator is a court-appointed legal guardian who may be
3434 assigned important decision-making authority over your affairs. If the
3435 application is granted and a conservator is appointed for you, you will
3436 lose some of your rights.

3437 A permanent conservator may only be appointed for you after a
3438 court hearing. You have the right to attend the hearing on the
3439 application for appointment of a permanent conservator. If you are not
3440 able to access the court where the hearing will be held, you may
3441 request that the hearing be moved to a convenient location, even to
3442 your place of residence.

3443 You should have an attorney represent you at the hearing on the
3444 application. If you are unable to obtain an attorney to represent you at
3445 the hearing, the court will appoint an attorney for you. If you are
3446 unable to pay for representation by an attorney, the court will pay
3447 attorney fees as permitted by the court's rules. Even if you qualify for
3448 payment of an attorney on your behalf, you may choose an attorney if
3449 the attorney will accept the attorney fees permitted by the court's rules.

3450 If, after a hearing on the application, the court decides that you lack
3451 the ability to care for yourself, pay your bills or otherwise manage
3452 your affairs, the court may review any alternative plans you have to
3453 get assistance to handle your own affairs that do not require
3454 appointment of a conservator. If the court decides that there are no
3455 adequate alternatives to the appointment of a conservator, the court
3456 may appoint a conservator and assign the conservator responsibility
3457 for some or all of the duties listed below. While the purpose of a
3458 conservator is to help you, you should be aware that the appointment
3459 of a conservator limits your rights. Among the areas that may be
3460 affected are:

3461 - Accessing and budgeting your money

- 3462 - Deciding where you live
- 3463 - Making medical decisions for you
- 3464 - Paying your bills
- 3465 - Managing your real and personal property

3466 You may participate in the selection of your conservator. If you
3467 have already designated a conservator or if you inform the court of
3468 your choice for a conservator, the court must honor your request
3469 unless the court decides that the person designated by you is not
3470 appropriate.

3471 The conservator appointed for you may be a lawyer, a public official
3472 or someone whom you did not know before the appointment. The
3473 conservator will be required to make regular reports to the court about
3474 you. The conservator may charge you a fee, under the supervision of
3475 the court, for being your conservator."

3476 Sec. 137. Subsection (b) of section 45a-654 of the general statutes is
3477 repealed and the following is substituted in lieu thereof (*Effective from*
3478 *passage*):

3479 (b) Unless the court waives the medical evidence requirement
3480 pursuant to subsection (e) of this section, an appointment of a
3481 temporary conservator shall not be made unless a report is filed with
3482 the application for appointment of a temporary conservator, signed by
3483 a physician licensed to practice medicine or surgery in this state,
3484 stating: (1) That the physician has examined the respondent and the
3485 date of such examination, which shall not be more than three days
3486 prior to the date of presentation to the judge; (2) that it is the opinion of
3487 the physician that the respondent is incapable of managing his or her
3488 affairs or incapable of caring for himself or herself; and (3) the reasons
3489 for such opinion. Any physician's report filed with the court pursuant
3490 to this subsection shall be confidential. The court shall provide for the
3491 disclosure of the medical information required pursuant to this
3492 subsection to the respondent on the respondent's request, to the

3493 respondent's attorney and to any other party considered appropriate
3494 by the court.

3495 Sec. 138. Subsection (h) of section 45a-656b of the general statutes is
3496 repealed and the following is substituted in lieu thereof (*Effective from*
3497 *passage*):

3498 (h) For purposes of this section, an "institution for long-term care"
3499 means a facility that has been federally certified as a skilled nursing
3500 facility, an intermediate care facility, a residential care home, an
3501 extended care facility, a nursing home, a rest home [and] or a
3502 rehabilitation hospital or facility.

3503 Sec. 139. Section 46b-61 of the general statutes is repealed and the
3504 following is substituted in lieu thereof (*Effective from passage*):

3505 In all cases in which the parents of a minor child live separately, the
3506 superior court for the judicial district where the parties or one of them
3507 resides may, on the application of either party and after notice is given
3508 to the other party, make any order as to the custody, care, education,
3509 visitation and support of any minor child of the parties, subject to the
3510 provisions of sections 46b-54, 46b-56, 46b-57 and 46b-66. Proceedings
3511 to obtain such orders shall be commenced by service of an application,
3512 a summons and an order to show cause.

3513 Sec. 140. Subsection (b) of section 46b-124 of the general statutes is
3514 repealed and the following is substituted in lieu thereof (*Effective from*
3515 *passage*):

3516 (b) All records of cases of juvenile matters, as provided in section
3517 46b-121, except delinquency proceedings, or any part thereof, and all
3518 records of appeals from probate brought to the superior court for
3519 juvenile matters pursuant to [subsection (b) of] section 45a-186, shall be
3520 confidential and for the use of the court in juvenile matters, and open
3521 to inspection or disclosure to any third party, including bona fide
3522 researchers commissioned by a state agency, only upon order of the
3523 Superior Court, except that: (1) The records concerning any matter

3524 transferred from a court of probate pursuant to section 45a-623 or
3525 subsection (g) of section 45a-715 or any appeal from probate to the
3526 superior court for juvenile matters pursuant to subsection (b) of section
3527 45a-186 shall be available to the court of probate from which such
3528 matter was transferred or from which such appeal was taken; (2) such
3529 records shall be available to (A) the attorney representing the child or
3530 youth, including the Division of Public Defender Services, in any
3531 proceeding in which such records are relevant, (B) the parents or
3532 guardian of the child or youth until such time as the child or youth
3533 reaches the age of majority or becomes emancipated, (C) an adult
3534 adopted person in accordance with the provisions of sections 45a-736,
3535 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
3536 Division of Criminal Justice who in the performance of their duties
3537 require access to such records, (E) employees of the Judicial Branch
3538 who in the performance of their duties require access to such records,
3539 (F) another court under the provisions of subsection (d) of section 46b-
3540 115j, (G) the subject of the record, upon submission of satisfactory
3541 proof of the subject's identity, pursuant to guidelines prescribed by the
3542 Office of the Chief Court Administrator, provided the subject has
3543 reached the age of majority or has been emancipated, (H) the
3544 Department of Children and Families, and (I) the employees of the
3545 Commission on Child Protection who in the performance of their
3546 duties require access to such records; and (3) all or part of the records
3547 concerning a youth in crisis with respect to whom a court order was
3548 issued prior to January 1, 2010, may be made available to the
3549 Department of Motor Vehicles, provided such records are relevant to
3550 such order. Any records of cases of juvenile matters, or any part
3551 thereof, provided to any persons, governmental and private agencies,
3552 and institutions pursuant to this section shall not be disclosed, directly
3553 or indirectly, to any third party not specified in subsection (d) of this
3554 section, except as provided by court order or in the report required
3555 under section 54-76d or 54-91a.

3556 Sec. 141. Subsection (h) of section 46b-149 of the general statutes is
3557 repealed and the following is substituted in lieu thereof (*Effective from*
3558 *passage*):

3559 (h) If the court finds, based on clear and convincing evidence, that a
3560 child is from a family with service needs, the court may, in addition to
3561 issuing any orders under section 46b-121: (1) Refer the child to the
3562 Department of Children and Families for any voluntary services
3563 provided by the department or, if the child is from a family with
3564 service needs solely as a result of a finding that the child is a truant or
3565 habitual truant, to the authorities of the local or regional school district
3566 or private school for services provided by such school district or such
3567 school, which services may include summer school, or to community
3568 agencies providing child and family services; (2) order the child to
3569 remain in the child's own home or in the custody of a relative or any
3570 other suitable person (A) subject to the supervision of a probation
3571 officer, or (B) in the case of a child who is from a family with service
3572 needs solely as a result of a finding that the child is a truant or habitual
3573 truant, subject to the supervision of a probation officer and the
3574 authorities of the local or regional school district or private school; (3)
3575 if the child is from a family with service needs as a result of the child
3576 engaging in sexual intercourse with another person and such other
3577 person is thirteen years of age or older and not more than two years
3578 older or younger than such child, (A) refer the child to a youth service
3579 bureau or other appropriate service agency for participation in a
3580 program such as a teen pregnancy program or a sexually transmitted
3581 disease program, and (B) require such child to perform community
3582 service such as service in a hospital, an AIDS prevention program or
3583 an obstetrical and gynecological program; or (4) upon a finding that
3584 there is no less restrictive alternative, commit the child to the care and
3585 custody of the Commissioner of Children and Families for an
3586 indefinite period not to exceed eighteen months. The child shall be
3587 entitled to representation by counsel and an evidentiary hearing. If the
3588 court issues any order which regulates future conduct of the child,
3589 parent or guardian, the child, parent or guardian [,] shall receive
3590 adequate and fair warning of the consequences of violation of the
3591 order at the time it is issued, and such warning shall be provided to the
3592 child, parent or guardian, to his or her attorney and to his or her legal
3593 guardian in writing and shall be reflected in the court record and

3594 proceedings.

3595 Sec. 142. Subsection (b) of section 47-75a of the general statutes is
3596 repealed and the following is substituted in lieu thereof (*Effective from*
3597 *passage*):

3598 (b) The principal officer of the unit owners' association or such other
3599 officer or officers as the condominium instruments may specify [,] shall
3600 furnish the statements prescribed [by] in subsection (a) [hereof] of this
3601 section upon the written request of any unit owner within fifteen days
3602 of the receipt of such request.

3603 Sec. 143. Subsection (e) of section 47a-14h of the general statutes is
3604 repealed and the following is substituted in lieu thereof (*Effective from*
3605 *passage*):

3606 (e) The complainant may seek and the court may order interim or
3607 final relief including, but not limited to, the following: (1) An order
3608 compelling the landlord to comply with [his] the landlord's duties
3609 under local, state or federal law; (2) an order appointing a receiver to
3610 collect rent or to correct conditions in the property which violate local,
3611 state or federal law; (3) an order staying other proceedings concerning
3612 the same property; (4) an award of money damages, which may
3613 include a retroactive abatement of rent paid pursuant to subsection (h)
3614 of this section; and (5) such other relief in law or equity as the court
3615 may deem proper. If the court orders a retroactive abatement of rent
3616 pursuant to subdivision (4) of this subsection and all or a portion of the
3617 tenant's rent was deposited with the court pursuant to subsection (h)
3618 of this section by a housing authority, municipality, state agency or
3619 similar entity, any rent ordered to be returned shall be returned to the
3620 tenant and such entity in proportion to the amount of rent each
3621 deposited with the court pursuant to subsection (h) of this section.

3622 Sec. 144. Subdivision (1) of subsection (c) of section 49-8a of the
3623 general statutes is repealed and the following is substituted in lieu
3624 thereof (*Effective from passage*):

3625 (1) The affiant is an attorney-at-law or the authorized officer of a
3626 title insurance company, and that the affidavit is made [in] on behalf of
3627 and at the request of the mortgagor or the current owner of the interest
3628 encumbered by the mortgage;

3629 Sec. 145. Subsection (a) of section 50a-60 of the general statutes is
3630 repealed and the following is substituted in lieu thereof (*Effective from*
3631 *passage*):

3632 (a) Subject to subsection (b) of this section, if an action is brought to
3633 enforce a judgment of another jurisdiction expressed in a foreign
3634 money and the judgment is recognized in this state as enforceable, the
3635 enforcing judgment shall be entered as provided in section 50a-57,
3636 whether or not the foreign judgment confers an option to pay in an
3637 equivalent amount of United States dollars. A satisfaction or partial
3638 payment made upon the foreign judgment, on proof thereof, shall be
3639 credited against the amount of foreign money specified in the
3640 judgment, notwithstanding the entry of judgment in this state.

3641 Sec. 146. Section 51-5d of the 2010 supplement to the general
3642 statutes is repealed and the following is substituted in lieu thereof
3643 (*Effective from passage*):

3644 The Chief Court Administrator, or a designee, on or before the last
3645 day of January, April, July and October in each year, shall certify the
3646 amount of revenue received as a result of any fee increase that takes
3647 effect July 1, 2009, set forth in sections 52-258, 52-259, 52-259c and 52-
3648 361a, and transfer such amount to the organization administering the
3649 program for the use of interest earned on lawyers' clients' funds
3650 [account] accounts pursuant to section 51-81c, for the purpose of
3651 funding the delivery of legal services to the poor.

3652 Sec. 147. Subsection (b) of section 51-278 of the general statutes is
3653 repealed and the following is substituted in lieu thereof (*Effective from*
3654 *passage*):

3655 (b) (1) (A) The Criminal Justice Commission shall appoint two

3656 deputy chief state's attorneys as assistant administrative heads of the
3657 Division of Criminal Justice, one of whom shall be deputy chief state's
3658 attorney for operations and one of whom shall be deputy chief state's
3659 attorney for personnel, finance and administration, who shall assist the
3660 Chief State's Attorney in his duties. The term of office of a deputy chief
3661 state's attorney shall be four years from July first in the year of
3662 appointment and until the appointment and qualification of a
3663 successor unless sooner removed by the Criminal Justice Commission.
3664 The Criminal Justice Commission shall designate one deputy chief
3665 state's attorney who shall, in the absence or disqualification of the
3666 Chief State's Attorney, exercise the powers and duties of the Chief
3667 State's Attorney until such Chief State's Attorney resumes his duties.
3668 For the purposes of this subparagraph, the Criminal Justice
3669 Commission means the members of the commission other than the
3670 Chief State's Attorney. (B) The Criminal Justice Commission shall
3671 appoint a state's attorney for each judicial district, who shall act therein
3672 as attorney [in] on behalf of the state. The Criminal Justice Commission
3673 shall also appoint, from candidates recommended by the appropriate
3674 state's attorney and deemed qualified by the commission, as many
3675 assistant state's attorneys and deputy assistant state's attorneys on a
3676 full-time or part-time basis for each judicial district as the criminal
3677 business of the court, in the opinion of the Chief State's Attorney, may
3678 require, and the commission shall also appoint, from candidates
3679 recommended by the Chief State's Attorney and deemed qualified by
3680 the commission, as many assistant state's attorneys and deputy
3681 assistant state's attorneys as are necessary, in the opinion of the Chief
3682 State's Attorney, to assist the Chief State's Attorney. Assistant state's
3683 attorneys and deputy assistant state's attorneys, respectively, shall
3684 assist the state's attorneys for the judicial districts and the Chief State's
3685 Attorney in all criminal matters and, in the absence from the district or
3686 disability of the state's attorney or at his request, shall have and
3687 exercise all the powers and perform all the duties of state's attorney. At
3688 least three such assistant state's attorneys or deputy assistant state's
3689 attorneys shall be designated by the Chief State's Attorney to handle
3690 all prosecutions in the state of housing matters deemed to be criminal.

3691 Any assistant or deputy assistant state's attorney so designated should
3692 have a commitment to the maintenance of decent, safe and sanitary
3693 housing and, to the extent practicable, shall handle housing matters on
3694 a full-time basis. At least one assistant state's attorney shall be
3695 designated by the Chief State's Attorney to handle all prosecutions in
3696 the state of environmental matters deemed to be criminal. Any
3697 assistant state's attorney so designated should have a commitment to
3698 protecting the environment and, to the extent practicable, shall handle
3699 environmental matters on a full-time basis. (C) The Chief State's
3700 Attorney may promote any assistant state's attorney, or deputy
3701 assistant state's attorney who assists him, and the appropriate state's
3702 attorney may promote any assistant state's attorney or deputy assistant
3703 state's attorney who assists such state's attorney in the judicial district.

3704 (2) On and after July 1, 1985, the Chief State's Attorney, deputy chief
3705 state's attorneys, state's attorneys, assistant state's attorneys and
3706 deputy assistant state's attorneys shall receive salaries in accordance
3707 with a compensation plan approved by the Department of
3708 Administrative Services.

3709 (3) Each state's attorney who, on June 30, 1973, was included in the
3710 provisions of sections 51-49, 51-287 and 51-288 may elect to continue to
3711 be so included and, each state's attorney, incumbent on July 1, 1978,
3712 who was an assistant state's attorney, chief prosecuting attorney or
3713 deputy chief prosecuting attorney on June 30, 1973, may elect to be
3714 included in sections 51-49, 51-287 and 51-288, and, in each such case,
3715 the Comptroller shall deduct from his salary five per cent thereof as
3716 contributions for the purposes of sections 51-49, 51-287 and 51-288,
3717 provided any person who has so elected may thereafter elect to
3718 participate in chapter 66 and thereupon his past contributions to the
3719 State's Attorneys' Retirement Fund shall be transferred to the State
3720 Employees Retirement Fund and he shall be credited with all prior
3721 service. All other persons appointed under the provisions of this
3722 section shall be subject to the provisions of chapter 66.

3723 (4) Each Chief State's Attorney, deputy chief state's attorney or

3724 state's attorney who (A) is ineligible to elect under subdivision (3) of
3725 this subsection, (B) is not subject to the provisions of chapter 66, and
3726 (C) had vested under the State Employees Retirement Fund, prior to
3727 his appointment to such office, shall vest under the State's Attorneys'
3728 Retirement Fund upon reappointment to any such office by the
3729 Criminal Justice Commission.

3730 (5) The several state's attorneys shall each hold office for eight years
3731 from July first and until the appointment and qualification of a
3732 successor unless sooner removed for just cause by the Criminal Justice
3733 Commission.

3734 (6) When any vacancy in the office of the Chief State's Attorney or
3735 the office of a state's attorney is to be filled, the commission shall make
3736 its appointment from the various recommendations of the Chief State's
3737 Attorney or the appropriate state's attorney.

3738 (7) Each deputy chief state's attorney and state's attorney incumbent
3739 on the date of certification by the Secretary of the State of the
3740 constitutional amendment concerning appointment of state's attorneys,
3741 shall serve the term for which he had been appointed prior to said
3742 date.

3743 Sec. 148. Section 53-206 of the general statutes is repealed and the
3744 following is substituted in lieu thereof (*Effective from passage*):

3745 (a) Any person who carries upon his or her person any BB. gun,
3746 blackjack, metal or brass knuckles, or any dirk knife, or any switch
3747 knife, or any knife having an automatic spring release device by which
3748 a blade is released from the handle, having a blade of over one and
3749 one-half inches in length, or stiletto, or any knife the edged portion of
3750 the blade of which is four inches or [over] more in length, any police
3751 baton or nightstick, or any martial arts weapon or electronic defense
3752 weapon, as defined in section 53a-3, or any other dangerous or deadly
3753 weapon or instrument, shall be fined not more than five hundred
3754 dollars or imprisoned not more than three years or both. Whenever
3755 any person is found guilty of a violation of this section, any weapon or

3756 other instrument within the provisions of this section, found upon the
3757 body of such person, shall be forfeited to the municipality wherein
3758 such person was apprehended, notwithstanding any failure of the
3759 judgment of conviction to expressly impose such forfeiture.

3760 (b) The provisions of this section shall not apply to (1) any officer
3761 charged with the preservation of the public peace while engaged in the
3762 pursuit of such officer's official duties; (2) the carrying of a baton or
3763 nightstick by a security guard while engaged in the pursuit of such
3764 guard's official duties; (3) the carrying of a knife, the edged portion of
3765 the blade of which is four inches or [over] more in length, by (A) any
3766 member of the armed forces of the United States, as defined in section
3767 27-103, or any reserve component thereof, or of the armed forces of
3768 [this] the state, as defined in section 27-2, when on duty or going to or
3769 from duty, (B) any member of any military organization when on
3770 parade or when going to or from any place of assembly, (C) any person
3771 while transporting such knife as merchandise or for display at an
3772 authorized gun or knife show, (D) any person who is found with any
3773 such knife concealed upon one's person while lawfully removing such
3774 person's household goods or effects from one place to another, or from
3775 one residence to another, (E) any person while actually and peaceably
3776 engaged in carrying any such knife from such person's place of abode
3777 or business to a place or person where or by whom such knife is to be
3778 repaired, or while actually and peaceably returning to such person's
3779 place of abode or business with such knife after the same has been
3780 repaired, (F) any person holding a valid hunting, fishing or trapping
3781 license issued pursuant to chapter 490 or any salt water fisherman
3782 carrying such knife for lawful hunting, fishing or trapping activities, or
3783 (G) any person while participating in an authorized historic
3784 reenactment; (4) the carrying by any person enrolled in or currently
3785 attending, or an instructor at, a martial arts school of a martial arts
3786 weapon while in a class or at an authorized event or competition or
3787 while transporting such weapon to or from such class, event or
3788 competition; (5) the carrying of a BB. gun by any person taking part in
3789 a supervised event or competition of the Boy Scouts of America or the
3790 Girl Scouts of America or in any other authorized event or competition

3791 while taking part in such event or competition or while transporting
3792 such weapon to or from such event or competition; and (6) the
3793 carrying of a BB. gun by any person upon such person's own property
3794 or the property of another person provided such other person has
3795 authorized the carrying of such weapon on such property, and the
3796 transporting of such weapon to or from such property.

3797 Sec. 149. Section 53-249a of the general statutes is repealed and the
3798 following is substituted in lieu thereof (*Effective from passage*):

3799 Any person who sells or offers for sale at retail or gives away, living
3800 chickens, ducklings, other fowl or rabbits, which have been dyed,
3801 colored or otherwise treated so as to import to them an artificial color,
3802 shall be fined not more than one hundred [and] fifty dollars.

3803 Sec. 150. Section 53-332 of the general statutes is repealed and the
3804 following is substituted in lieu thereof (*Effective from passage*):

3805 No person shall bury the body of any deceased person within a
3806 distance of three hundred [and] fifty feet from any dwelling house
3807 unless a public highway intervenes between such place of burial and
3808 such dwelling house, or unless such body is encased in a lined vault,
3809 except in a cemetery established on or before November 1, 1911, or in a
3810 plot of land adjacent to such cemetery which has been made a part
3811 thereof with the approval in writing of the Commissioner of Public
3812 Health. Such approval shall contain a detailed description of the land
3813 so annexed and shall be recorded in the land records of the town in
3814 which such cemetery is situated. The provisions of this section shall
3815 not apply to any cemetery which, when established, was more than
3816 three hundred [and] fifty feet from any dwelling house. Any person
3817 who violates any provision of this section shall be fined not more than
3818 fifty dollars or imprisoned not more than thirty days, or both.

3819 Sec. 151. Section 53a-11 of the general statutes is repealed and the
3820 following is substituted in lieu thereof (*Effective from passage*):

3821 A person shall be criminally liable for conduct constituting an

3822 offense which such person performs or causes to be performed in the
3823 name of or [in] on behalf of a corporation or limited liability company
3824 to the same extent as if such conduct were performed in such person's
3825 own name or on such person's behalf.

3826 Sec. 152. Subsection (a) of section 54-142e of the general statutes is
3827 repealed and the following is substituted in lieu thereof (*Effective from*
3828 *passage*):

3829 (a) Notwithstanding the provisions of subsection (e) of section 54-
3830 142a and section 54-142c, with respect to any person, including, but not
3831 limited to, a consumer reporting agency as defined in subsection (h) of
3832 section 31-51i, [who] that purchases criminal matters of public record,
3833 as defined in said subsection (h), from the Judicial Department, the
3834 department shall make available to such person information
3835 concerning such criminal matters of public record that have been
3836 erased pursuant to section 54-142a. Such information may include
3837 docket numbers or other information that permits the person to
3838 identify and permanently delete records that have been erased
3839 pursuant to section 54-142a.

3840 Sec. 153. Section 4-169 of the general statutes is repealed and the
3841 following is substituted in lieu thereof (*Effective from passage*):

3842 No adoption, amendment or repeal of any regulation, except a
3843 regulation issued pursuant to subsection (f) of section 4-168, shall be
3844 effective until the original of the proposed regulation has been
3845 submitted to the Attorney General by the agency proposing such
3846 regulation and approved by the Attorney General or by some other
3847 person designated by the Attorney General for such purpose. The
3848 review of such regulations by the Attorney General shall be limited to
3849 a determination of the legal sufficiency of the proposed regulation. If
3850 the Attorney General or the Attorney General's designated
3851 representative fails to give notice to the agency of any legal
3852 insufficiency within thirty days of the receipt of the proposed
3853 regulation, the Attorney General shall be deemed to have approved
3854 the proposed regulation for purposes of this section. The approval of

3855 the Attorney General shall be indicated on the original of the proposed
3856 regulation which shall be submitted to the [joint] standing legislative
3857 regulation review committee. As used in this section "legal sufficiency"
3858 means (1) the absence of conflict with any general statute or regulation,
3859 federal law or regulation or the Constitution of this state or of the
3860 United States, and (2) compliance with the notice and hearing
3861 requirements of section 4-168.

3862 Sec. 154. Subsection (a) of section 4d-90 of the general statutes is
3863 repealed and the following is substituted in lieu thereof (*Effective from*
3864 *passage*):

3865 (a) There is established a Geospatial Information Systems Council
3866 consisting of the following members, or their designees: (1) The
3867 Secretary of the Office of Policy and Management; (2) the
3868 Commissioners of Environmental Protection, Economic and
3869 Community Development, Transportation, Public Safety, Public
3870 Health, Public Works, Agriculture, Emergency Management and
3871 Homeland Security and Social Services; (3) the Chief Information
3872 Officer of the Department of Information Technology; (4) the
3873 Chancellor of the Connecticut State University System; (5) the
3874 president of The University of Connecticut; (6) the Executive Director
3875 of the Connecticut Siting Council; (7) one member who is a user of
3876 geospatial information systems appointed by the president pro
3877 tempore of the Senate representing a municipality with a population of
3878 more than sixty thousand; (8) one member who is a user of geospatial
3879 information systems appointed by the minority leader of the Senate
3880 representing a regional planning agency; (9) one member who is a user
3881 of geospatial information systems appointed by the Governor
3882 representing a municipality with a population of less than sixty
3883 thousand but more than thirty thousand; (10) one member who is a
3884 user of geospatial information systems appointed by the speaker of the
3885 House of Representatives representing a municipality with a
3886 population of less than thirty thousand; (11) one member appointed by
3887 the minority leader of the House of Representatives who is a user of
3888 geospatial information systems; (12) the chairperson of the Public

3889 [Utility] Utilities Control Authority; (13) the Adjutant General of the
3890 Military Department; and (14) any other persons the council deems
3891 necessary appointed by the council. The Governor shall select the
3892 chairperson from among the members. The chairperson shall
3893 administer the affairs of the council. Vacancies shall be filled by
3894 appointment by the authority making the appointment. Members shall
3895 receive no compensation for their services on said council, but shall be
3896 reimbursed for necessary expenses incurred in the performance of
3897 their duties. Said council shall hold one meeting each calendar quarter
3898 and such additional meetings as may be prescribed by council rules. In
3899 addition, special meetings may be called by the chairperson or by any
3900 three members upon delivery of forty-eight hours written notice to
3901 each member.

3902 Sec. 155. Subdivision (3) of subsection (l) of section 5-259 of the 2010
3903 supplement to the general statutes is repealed and the following is
3904 substituted in lieu thereof (*Effective from passage*):

3905 (3) Effective December 1, 2000, any judicial marshal shall be allowed
3906 to participate in the plan or plans procured by the Comptroller
3907 pursuant to subsection (a) of this section. Such participation shall be
3908 voluntary and the participant shall pay the full cost of the coverage
3909 under such plan unless and until the judicial marshals participate in
3910 the plan or plans procured by the Comptroller under this section [5-
3911 259] through collective bargaining negotiations pursuant to subsection
3912 (f) of section 5-278.

3913 Sec. 156. Subdivision (1) of subsection (f) of section 12-7b of the
3914 general statutes is repealed and the following is substituted in lieu
3915 thereof (*Effective from passage*):

3916 (f) (1) The Office of Fiscal Analysis shall not make known in any
3917 manner any information obtained from any such report or inventory,
3918 or any information obtained pursuant to subdivision (2) of this
3919 subsection which would allow the identification of any taxpayer or of
3920 the amount or source of income, profits, losses, expenditures or any
3921 particulars thereof set forth or disclosed in any return, statement or

3922 report required to be filed with or submitted to the commissioner
3923 which is discernible from such report or inventory, or from such
3924 information obtained pursuant to subdivision [(d)] (2) of this
3925 subsection, except as provided in this subsection. The Office of Fiscal
3926 Analysis may disclose such information to other state officers and
3927 employees when required in the course of duty. No such officer or
3928 employee shall make known any such information to any other person
3929 except as provided in this subsection. Any person who violates any
3930 provision of this subsection shall be fined not more than one thousand
3931 dollars or imprisoned not more than one year, or both.

3932 Sec. 157. Subsection (b) of section 14-45 of the 2010 supplement to
3933 the general statutes is repealed and the following is substituted in lieu
3934 thereof (*Effective from passage*):

3935 (b) In IV-D support cases, as defined in subdivision [(14)] (13) of
3936 subsection (b) of section 46b-231, upon written notification by the
3937 Department of Social Services that the address listed for the holder of a
3938 motor vehicle operator's license, or the holder of an identity card is
3939 incorrect, the Commissioner of Motor Vehicles shall notify the operator
3940 that the correct address must be furnished to the department. The
3941 commissioner shall refuse to issue or renew a motor vehicle operator's
3942 license if the address furnished by the applicant is determined to be
3943 incorrect. The department shall notify the Department of Social
3944 Services of the current address of holders of motor vehicle operator's
3945 licenses when a change of address is reported.

3946 Sec. 158. Subsection (a) of section 15-140l of the 2010 supplement to
3947 the general statutes is repealed and the following is substituted in lieu
3948 thereof (*Effective from passage*):

3949 (a) A person commits the offense of reckless operation of a vessel in
3950 the first degree while under the influence when, while under the
3951 influence of intoxicating liquor or any drug, or both, or while such
3952 person has an elevated blood alcohol [level] content, such person
3953 operates a vessel at such speed or maneuvers a vessel in such a manner
3954 as to result in (1) serious physical injury to another person, or (2)

3955 damage to property in excess of two thousand dollars.

3956 Sec. 159. Subsection (a) of section 15-140n of the general statutes is
3957 repealed and the following is substituted in lieu thereof (*Effective from*
3958 *passage*):

3959 (a) A person commits the offense of reckless operation of a vessel in
3960 the second degree while under the influence when, while under the
3961 influence of intoxicating liquor or any drug, or both, or while such
3962 person has an elevated blood alcohol [level] content, such person
3963 operates a vessel at such speed or maneuvers a vessel in such a manner
3964 as to endanger the life, limb or property of another person.

3965 Sec. 160. Subsection (a) of section 17b-179a of the general statutes is
3966 repealed and the following is substituted in lieu thereof (*Effective from*
3967 *passage*):

3968 (a) On a quarterly basis, in IV-D support cases, as defined in
3969 subdivision [(14)] (13) of subsection (b) of section 46b-231, the
3970 Department of Social Services shall compile a list of child support
3971 obligors who have no visible earnings and shall transmit such list to
3972 the Department of Revenue Services. The Commissioner of Revenue
3973 Services shall promptly identify any such individuals who have any
3974 reported assets or income and transmit to the Department of Social
3975 Services the name, address and Social Security number of such
3976 individuals together with information on reported assets or income
3977 available for such individuals.

3978 Sec. 161. Subsection (b) of section 17b-745 of the general statutes is
3979 repealed and the following is substituted in lieu thereof (*Effective from*
3980 *passage*):

3981 (b) Except as provided in sections 46b-212 to 46b-213v, inclusive,
3982 any court or family support magistrate, called upon to enforce a
3983 support order, shall insure that such order is reasonable in light of the
3984 obligor's ability to pay. Except as provided in sections 46b-212 to 46b-
3985 213v, inclusive, any support order entered pursuant to this section, or

3986 any support order from another jurisdiction subject to enforcement by
3987 the state of Connecticut, may be modified by motion of the party
3988 seeking such modification, including Support Enforcement Services in
3989 [TANF] IV-D support cases, as defined in subdivision [(14)] (13) of
3990 subsection (b) of section 46b-231, upon a showing of a substantial
3991 change in the circumstances of either party or upon a showing that the
3992 final order for child support substantially deviates from the child
3993 support guidelines established pursuant to section 46b-215a, unless
3994 there was a specific finding on the record that the application of the
3995 guidelines would be inequitable or inappropriate, provided the court
3996 or family support magistrate finds that the obligor or the obligee and
3997 any other interested party have received actual notice of the pendency
3998 of such motion and of the time and place of the hearing on such
3999 motion. There shall be a rebuttable presumption that any deviation of
4000 less than fifteen per cent from the child support guidelines is not
4001 substantial and any deviation of fifteen per cent or more from the
4002 guidelines is substantial. Modification may be made of such support
4003 order without regard to whether the order was issued before, on or
4004 after May 9, 1991. In any hearing to modify any support order from
4005 another jurisdiction the court or the family support magistrate shall
4006 conduct the proceedings in accordance with the procedure set forth in
4007 sections 46b-213o to 46b-213q, inclusive. No such support orders may
4008 be subject to retroactive modification except that the court or family
4009 support magistrate may order modification with respect to any period
4010 during which there is a pending motion for a modification of an
4011 existing support order from the date of service of notice of such
4012 pending motion upon the opposing party pursuant to section 52-50.

4013 Sec. 162. Subsection (b) of section 22-26ll of the general statutes is
4014 repealed and the following is substituted in lieu thereof (*Effective from*
4015 *passage*):

4016 (b) The advisory board shall consist of twelve members as follows:
4017 A representative from The University of Connecticut Cooperative
4018 Extension Service, appointed by the Governor to serve an initial term
4019 of two years; a representative from the Connecticut Farm Bureau, who

4020 may be an owner and operator of a Connecticut farm and shall be
4021 appointed by the Governor to serve an initial term of three years; five
4022 owners and operators of Connecticut farms, who shall be appointed as
4023 follows: One by the Governor, one by the president pro tempore of the
4024 Senate, one by the speaker of the House of Representatives, one by the
4025 majority leader of the Senate, and one by the majority leader of the
4026 House of Representatives, to serve initial terms of three years; a
4027 representative from the Connecticut [Agriculture] Agricultural
4028 Experiment Station, appointed by the minority leader of the Senate, to
4029 serve an initial term of two years; a representative from the
4030 Connecticut Conference of Municipalities, appointed by the minority
4031 leader of the House of Representatives, to serve an initial term of two
4032 years; a representative from an organization whose mission includes
4033 farmland preservation, who may be an owner and operator of a
4034 Connecticut farm and who shall be appointed by the president pro
4035 tempore of the Senate to serve an initial term of two years; a
4036 representative from an organization whose mission includes food
4037 security, appointed by the speaker of the House of Representatives to
4038 serve an initial term of two years; and a representative from a financial
4039 lending organization whose clients include owners and operators of
4040 Connecticut farms, appointed by the Governor to serve an initial term
4041 of two years. The members of the board shall select a chairperson from
4042 among the board members who are owners and operators of
4043 Connecticut farms. Upon the expiration of the terms of the initial
4044 members, the terms of such members shall be three years. A person
4045 appointed to fill a vacancy shall serve for the unexpired term of such
4046 vacancy. Any member may be eligible for reappointment.

4047 Sec. 163. Subsection (d) of section 22a-371 of the general statutes is
4048 repealed and the following is substituted in lieu thereof (*Effective from*
4049 *passage*):

4050 (d) Upon notifying the applicant in accordance with subsection (c)
4051 of this section that the application is complete, the commissioner shall
4052 immediately provide notice of the application and a concise
4053 description of the proposed diversion to the Governor, the Attorney

4054 General, the speaker of the House of Representatives, the president pro
4055 tempore of the Senate, the Secretary of the Office of Policy and
4056 Management, the Commissioners of Public Health and Economic and
4057 Community Development, the chairperson of the Public [Utility]
4058 Utilities Control Authority, chief executive officer and chairmen of the
4059 conservation commission and wetlands agency of the municipality or
4060 municipalities in which the proposed diversion will take place or have
4061 effect, and to any person who has requested notice of such activities.

4062 Sec. 164. Subsection (a) of section 25-33o of the general statutes is
4063 repealed and the following is substituted in lieu thereof (*Effective from*
4064 *passage*):

4065 (a) The chairperson of the Public [Utility] Utilities Control
4066 Authority, or the chairperson's designee, the Commissioner of
4067 Environmental Protection, or the commissioner's designee, the
4068 Secretary of the Office of Policy and Management, or the secretary's
4069 designee, and the Commissioner of Public Health, or the
4070 commissioner's designee, shall constitute a Water Planning Council to
4071 address issues involving the water companies, water resources and
4072 state policies regarding the future of the state's drinking water supply.
4073 On or after July 1, 2007, and each year thereafter, the chairperson of the
4074 Water Planning Council shall be elected by the members of the Water
4075 Planning Council.

4076 Sec. 165. Subsection (c) of section 46b-133 of the 2010 supplement to
4077 the general statutes is repealed and the following is substituted in lieu
4078 thereof (*Effective from passage*):

4079 (c) Upon the arrest of any child by an officer, such officer may (1)
4080 [may] release the child to the custody of the child's parent or parents,
4081 guardian or some other suitable person or agency, (2) at the discretion
4082 of the officer, release the child to the child's own custody, or (3)
4083 immediately turn the child over to a juvenile detention center. When a
4084 child is arrested for the commission of a delinquent act and the child is
4085 not placed in detention or referred to a diversionary program, an
4086 officer shall serve a written complaint and summons on the child and

4087 the child's parent, guardian or some other suitable person or agency. If
 4088 such child is released to the child's own custody, the officer shall make
 4089 reasonable efforts to notify, and to provide a copy of a written
 4090 complaint and summons to, the parent or guardian or some other
 4091 suitable person or agency prior to the court date on the summons. If
 4092 any person so summoned wilfully fails to appear in court at the time
 4093 and place so specified, the court may issue a warrant for the child's
 4094 arrest or a *capias* to assure the appearance in court of such parent,
 4095 guardian or other person. If a child wilfully fails to appear in response
 4096 to such a summons, the court may order such child taken into custody
 4097 and such child may be charged with the delinquent act of wilful failure
 4098 to appear under section 46b-120. The court may punish for contempt,
 4099 as provided in section 46b-121, any parent, guardian or other person so
 4100 summoned who wilfully fails to appear in court at the time and place
 4101 so specified.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-102
Sec. 2	<i>from passage</i>	2-38
Sec. 3	<i>from passage</i>	3-20a(a)
Sec. 4	<i>from passage</i>	3-76q(a)
Sec. 5	<i>from passage</i>	3-128
Sec. 6	<i>from passage</i>	4-12
Sec. 7	<i>from passage</i>	4-28m(a)(1)
Sec. 8	<i>from passage</i>	4-68o(f)
Sec. 9	<i>from passage</i>	4-124hh(a)
Sec. 10	<i>from passage</i>	4a-13
Sec. 11	<i>from passage</i>	5-259d(d)
Sec. 12	<i>from passage</i>	7-22
Sec. 13	<i>from passage</i>	7-81
Sec. 14	<i>from passage</i>	7-131(d)
Sec. 15	<i>from passage</i>	7-151a(c)
Sec. 16	<i>from passage</i>	7-163e
Sec. 17	<i>from passage</i>	7-425(3)
Sec. 18	<i>from passage</i>	8-30g(f) to (i)
Sec. 19	<i>from passage</i>	8-250(22)
Sec. 20	<i>from passage</i>	8-265i(b)

Sec. 21	<i>from passage</i>	8-265dd(b)
Sec. 22	<i>from passage</i>	8-303(l)
Sec. 23	<i>from passage</i>	9-236
Sec. 24	<i>from passage</i>	9-249a
Sec. 25	<i>from passage</i>	9-445
Sec. 26	<i>from passage</i>	9-453b
Sec. 27	<i>from passage</i>	10-99
Sec. 28	<i>from passage</i>	10-221(d)
Sec. 29	<i>from passage</i>	10-256
Sec. 30	<i>from passage</i>	10-397(a)
Sec. 31	<i>from passage</i>	10a-8(a)
Sec. 32	<i>from passage</i>	12-2(b)
Sec. 33	<i>from passage</i>	12-81dd
Sec. 34	<i>from passage</i>	12-129c(a)
Sec. 35	<i>from passage</i>	12-170w(a)
Sec. 36	<i>from passage</i>	12-170aa(e)
Sec. 37	<i>from passage</i>	12-285c(a)
Sec. 38	<i>from passage</i>	12-412(82)
Sec. 39	<i>from passage</i>	12-724(b)
Sec. 40	<i>from passage</i>	12-809
Sec. 41	<i>from passage</i>	13b-50(a)
Sec. 42	<i>from passage</i>	13b-50a
Sec. 43	<i>from passage</i>	13b-55
Sec. 44	<i>from passage</i>	13b-57g(j)
Sec. 45	<i>from passage</i>	13b-270
Sec. 46	<i>from passage</i>	14-1(53)
Sec. 47	<i>from passage</i>	14-12a(b)
Sec. 48	<i>from passage</i>	14-25b(a)
Sec. 49	<i>from passage</i>	14-44(b)
Sec. 50	<i>from passage</i>	14-275(b)
Sec. 51	<i>from passage</i>	14-296aa(b)
Sec. 52	<i>from passage</i>	14-296aa(e)
Sec. 53	<i>from passage</i>	14-379
Sec. 54	<i>from passage</i>	15-154(f)
Sec. 55	<i>from passage</i>	16-244d(f)
Sec. 56	<i>from passage</i>	16a-4c(b)
Sec. 57	<i>from passage</i>	16a-47a(b)
Sec. 58	<i>from passage</i>	16a-48(a)(10)
Sec. 59	<i>from passage</i>	17a-453d
Sec. 60	<i>from passage</i>	17a-564
Sec. 61	<i>from passage</i>	17b-93(a)

Sec. 62	<i>from passage</i>	17b-93(c)
Sec. 63	<i>from passage</i>	17b-105h(a)
Sec. 64	<i>from passage</i>	17b-125(a)
Sec. 65	<i>from passage</i>	17b-232
Sec. 66	<i>from passage</i>	17b-256(a)
Sec. 67	<i>from passage</i>	17b-341(a)
Sec. 68	<i>from passage</i>	17b-367
Sec. 69	<i>from passage</i>	17b-427(b)
Sec. 70	<i>from passage</i>	17b-522(b)
Sec. 71	<i>from passage</i>	18-101b(c)
Sec. 72	<i>from passage</i>	19a-88a
Sec. 73	<i>from passage</i>	19a-300
Sec. 74	<i>from passage</i>	19a-352
Sec. 75	<i>from passage</i>	19a-509f
Sec. 76	<i>from passage</i>	19a-659
Sec. 77	<i>from passage</i>	20-377p
Sec. 78	<i>from passage</i>	20-677(c)
Sec. 79	<i>from passage</i>	21-80(b)(2)
Sec. 80	<i>from passage</i>	21a-240(55)
Sec. 81	<i>from passage</i>	22-277a(b)
Sec. 82	<i>from passage</i>	22-287(b)
Sec. 83	<i>from passage</i>	22-301
Sec. 84	<i>from passage</i>	22-415a(5)
Sec. 85	<i>from passage</i>	22a-66g(a)
Sec. 86	<i>from passage</i>	22a-133aa(b)
Sec. 87	<i>from passage</i>	22a-270(a)
Sec. 88	<i>from passage</i>	22a-373
Sec. 89	<i>from passage</i>	25-204(d)
Sec. 90	<i>from passage</i>	25-234(d) to (f)
Sec. 91	<i>from passage</i>	26-72
Sec. 92	<i>from passage</i>	27-67a
Sec. 93	<i>from passage</i>	27-81
Sec. 94	<i>from passage</i>	27-102a(a)
Sec. 95	<i>from passage</i>	27-108(a)
Sec. 96	<i>from passage</i>	27-118
Sec. 97	<i>from passage</i>	27-180(c)
Sec. 98	<i>from passage</i>	29-38
Sec. 99	<i>from passage</i>	29-154a(a)
Sec. 100	<i>from passage</i>	29-361
Sec. 101	<i>from passage</i>	31-58(e)
Sec. 102	<i>from passage</i>	31-105

Sec. 103	<i>from passage</i>	31-109(f)
Sec. 104	<i>from passage</i>	31-276(b)
Sec. 105	<i>from passage</i>	31-318
Sec. 106	<i>from passage</i>	31-321
Sec. 107	<i>from passage</i>	32-1o
Sec. 108	<i>from passage</i>	32-23h
Sec. 109	<i>from passage</i>	32-237(b)
Sec. 110	<i>from passage</i>	34-327(a)
Sec. 111	<i>from passage</i>	35-18h(c)
Sec. 112	<i>from passage</i>	36a-490(e)
Sec. 113	<i>from passage</i>	36a-725
Sec. 114	<i>from passage</i>	36a-760(a)(5) and (6)
Sec. 115	<i>from passage</i>	36b-79
Sec. 116	<i>from passage</i>	38a-119
Sec. 117	<i>from passage</i>	38a-170(d)
Sec. 118	<i>from passage</i>	38a-271(a)
Sec. 119	<i>from passage</i>	38a-317
Sec. 120	<i>from passage</i>	38a-503b(b)
Sec. 121	<i>from passage</i>	38a-530b(b)
Sec. 122	<i>from passage</i>	38a-714
Sec. 123	<i>from passage</i>	38a-723
Sec. 124	<i>from passage</i>	38a-1049
Sec. 125	<i>from passage</i>	42-110q
Sec. 126	<i>from passage</i>	42-287(2)
Sec. 127	<i>from passage</i>	43-17
Sec. 128	<i>from passage</i>	43-18
Sec. 129	January 5, 2011	45a-1
Sec. 130	<i>from passage</i>	45a-8(c)
Sec. 131	January 5, 2011	45a-123a(a)(2)
Sec. 132	<i>from passage</i>	45a-186c(a)
Sec. 133	<i>from passage</i>	45a-199
Sec. 134	<i>from passage</i>	45a-434(c)
Sec. 135	<i>from passage</i>	45a-535a(5)
Sec. 136	<i>from passage</i>	45a-649(b)
Sec. 137	<i>from passage</i>	45a-654(b)
Sec. 138	<i>from passage</i>	45a-656b(h)
Sec. 139	<i>from passage</i>	46b-61
Sec. 140	<i>from passage</i>	46b-124(b)
Sec. 141	<i>from passage</i>	46b-149(h)
Sec. 142	<i>from passage</i>	47-75a(b)
Sec. 143	<i>from passage</i>	47a-14h(e)

Sec. 144	<i>from passage</i>	49-8a(c)(1)
Sec. 145	<i>from passage</i>	50a-60(a)
Sec. 146	<i>from passage</i>	51-5d
Sec. 147	<i>from passage</i>	51-278(b)
Sec. 148	<i>from passage</i>	53-206
Sec. 149	<i>from passage</i>	53-249a
Sec. 150	<i>from passage</i>	53-332
Sec. 151	<i>from passage</i>	53a-11
Sec. 152	<i>from passage</i>	54-142e(a)
Sec. 153	<i>from passage</i>	4-169
Sec. 154	<i>from passage</i>	4d-90(a)
Sec. 155	<i>from passage</i>	5-259(l)(3)
Sec. 156	<i>from passage</i>	12-7b(f)(1)
Sec. 157	<i>from passage</i>	14-45(b)
Sec. 158	<i>from passage</i>	15-140l(a)
Sec. 159	<i>from passage</i>	15-140n(a)
Sec. 160	<i>from passage</i>	17b-179a(a)
Sec. 161	<i>from passage</i>	17b-745(b)
Sec. 162	<i>from passage</i>	22-26ll(b)
Sec. 163	<i>from passage</i>	22a-371(d)
Sec. 164	<i>from passage</i>	25-33o(a)
Sec. 165	<i>from passage</i>	46b-133(c)

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

This bill makes technical corrections to the general statutes and has no fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

sHB 5376

AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

SUMMARY:

This bill makes technical changes to the general statutes.

EFFECTIVE DATE: Upon passage, except changes to probate provisions taking effect on January 5, 2011 are effective on that date.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (03/29/2010)