



General Assembly

Amendment

February Session, 2010

LCO No. 3848

SB0028803848SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. GAFFEY, 13th Dist.
SEN. HANDLEY, 4th Dist.

SEN. MCDONALD, 27th Dist.
SEN. STILLMAN, 20th Dist.
SEN. SLOSSBERG, 14th Dist.

To: Senate Bill No. 288

File No. 91

Cal. No. 89

"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE GENERAL GOVERNMENT ADMINISTRATION AND ELECTIONS STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 17a-22j of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2010*):

5 (a) There is established a Behavioral Health Partnership Oversight
6 Council which shall advise the Commissioners of Children and
7 Families and Social Services on the planning and implementation of
8 the Behavioral Health Partnership.

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

10 (1) Four appointed by the speaker of the House of Representatives;
11 two of whom are representatives of general or specialty psychiatric
12 hospitals; one of whom is an adult with a psychiatric disability; and
13 one of whom is an advocate for adults with psychiatric disabilities;

14 (2) Four appointed by the president pro tempore of the Senate, two
15 of whom are parents of children who have a behavioral health
16 disorder or have received child protection or juvenile justice services
17 from the Department of Children and Families; one of whom has
18 expertise in health policy and evaluation; and one of whom is an
19 advocate for children with behavioral health disorders;

20 (3) Two appointed by the majority leader of the House of
21 Representatives; one of whom is a primary care provider serving
22 children pursuant to the HUSKY Plan; and one of whom is a child
23 psychiatrist serving children pursuant to the HUSKY Plan;

24 (4) Two appointed by the majority leader of the Senate; one of
25 whom is either an adult with a substance use disorder or an advocate
26 for adults with substance use disorders; and one of whom is a
27 representative of school-based health clinics;

28 (5) Two appointed by the minority leader of the House of
29 Representatives; one of whom is a provider of community-based
30 behavioral health services for adults; and one of whom is a provider of
31 residential treatment for children;

32 (6) Two appointed by the minority leader of the Senate; one of
33 whom is a provider of community-based services for children with
34 behavioral health problems; and one of whom is a member of the
35 advisory council on Medicaid managed care;

36 (7) Four appointed by the Governor; two of whom are
37 representatives of general or specialty psychiatric hospitals and two of
38 whom are parents of children who have a behavioral health disorder
39 or have received child protection or juvenile justice services from the
40 Department of Children and Families;

41 (8) The chairpersons and ranking members of the joint standing
42 committees of the General Assembly having cognizance of matters
43 relating to human services, public health, appropriations and the
44 budgets of state agencies, or their designees;

45 [(9) A member of the Community Mental Health Strategy Board,
46 established pursuant to section 17a-485b, as selected by said board;]

47 [(10)] (9) The Commissioner of Mental Health and Addiction
48 Services, or said commissioner's designee;

49 [(11)] (10) Seven nonvoting ex-officio members, one each appointed
50 by the Commissioners of Social Services, Children and Families,
51 Mental Health and Addiction Services and Education to represent his
52 or her department and one appointed by the State Comptroller, the
53 Secretary of the Office of Policy and Management and the Office of
54 Health Care Access to represent said offices;

55 [(12)] (11) One or more consumers appointed by the chairpersons of
56 the council, to be nonvoting ex-officio members; and

57 [(13)] (12) One representative from the administrative services
58 organization and from each Medicaid managed care organization, to
59 be nonvoting ex-officio members.

60 (c) All appointments to the council shall be made no later than July
61 1, 2005, except that the chairpersons of the council may appoint
62 additional consumers to the council as nonvoting ex-officio members.
63 Any vacancy shall be filled by the appointing authority.

64 (d) The chairpersons of the advisory council on Medicaid managed
65 care shall select the chairpersons of the Behavioral Health Partnership
66 Oversight Council from among the members of such oversight council.
67 Such chairpersons shall convene the first meeting of the council, which
68 shall be held not later than August 1, 2005. The council shall meet at
69 least monthly thereafter.

70 (e) The Joint Committee on Legislative Management shall provide

71 administrative support to the chairpersons and assistance in convening
72 the council's meetings.

73 (f) The council shall make specific recommendations on matters
74 related to the planning and implementation of the Behavioral Health
75 Partnership which shall include, but not be limited to: (1) Review of
76 any contract entered into by the Departments of Children and Families
77 and Social Services with an administrative services organization, to
78 assure that the administrative services organization's decisions are
79 based solely on clinical management criteria developed by the clinical
80 management committee established in section 17a-22k; (2) review of
81 behavioral health services pursuant to Title XIX and Title XXI of the
82 Social Security Act to assure that federal revenue is being maximized;
83 and (3) review of periodic reports on the program activities, finances
84 and outcomes, including reports from the director of the Behavioral
85 Health Partnership on achievement of service delivery system goals,
86 pursuant to section 17a-22i. The council may conduct or cause to be
87 conducted an external, independent evaluation of the Behavioral
88 Health Partnership.

89 (g) On or before March 1, 2006, and annually thereafter, the council
90 shall submit a report to the Governor and, in accordance with section
91 11-4a, to the joint standing committees of the General Assembly having
92 cognizance of matters relating to human services, public health and
93 appropriations and the budgets of state agencies, on the council's
94 activities and progress.

95 Sec. 502. Section 17a-22aa of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective October 1, 2010*):

97 The Commissioner of Children and Families, in consultation with
98 the Commissioner of Mental Health and Addiction Services, [and the
99 Community Mental Health Strategy Board, established under section
100 17a-485b,] shall, within available appropriations, maintain the
101 availability of flexible emergency funding for children with psychiatric
102 disabilities who are not under the supervision of the Department of

103 Children and Families.

104 Sec. 503. Section 17a-451e of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective October 1, 2010*):

106 Any moneys received by the state from the sale, lease or transfer of
107 all or any part of Fairfield Hills Hospital shall be allocated to the
108 Department of Mental Health and Addiction Services [and shall be
109 divided equally between the General Fund accounts for the
110 Community Mental Health Strategy Board and] for grants for mental
111 health services.

112 Sec. 504. Subsection (c) of section 17a-485d of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective*
114 *October 1, 2010*):

115 (c) The Commissioner of Social Services shall take such action as
116 may be necessary to amend the Medicaid state plan to provide for
117 coverage of optional adult rehabilitation services supplied by
118 providers of mental health services or substance abuse rehabilitation
119 services for adults with serious and persistent mental illness or who
120 have alcoholism or other substance abuse conditions, that are certified
121 by the Department of Mental Health and Addiction Services. [For the
122 fiscal years ending June 30, 2004, and June 30, 2005, up to three million
123 dollars in each such fiscal year of any moneys received by the state as
124 federal reimbursement for optional Medicaid adult rehabilitation
125 services shall be credited to the Community Mental Health Restoration
126 subaccount within the account established under section 17a-485 and
127 shall be available for use for the purposes of the subaccount.] The
128 Commissioner of Social Services shall adopt regulations, in accordance
129 with the provisions of chapter 54, to implement optional rehabilitation
130 services under the Medicaid program. The commissioner shall
131 implement policies and procedures to administer such services while
132 in the process of adopting such policies or procedures in regulation
133 form, provided notice of intention to adopt the regulations is printed
134 in the Connecticut Law Journal within forty-five days of

135 implementation, and any such policies or procedures shall be valid
136 until the time final regulations are effective.

137 Sec. 505. Subsection (a) of section 17b-263a of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective*
139 *October 1, 2010*):

140 (a) On or before December 31, 2006, the Commissioner of Social
141 Services, in consultation with the Commissioner of Mental Health and
142 Addiction Services, [and the Community Mental Health Strategy
143 Board, established under section 17a-485b,] shall take such action as is
144 necessary to amend the Medicaid state plan to include assertive
145 community treatment teams and community support services within
146 the definition of optional adult rehabilitation services. Such
147 community treatment teams shall provide intensive, integrated,
148 multidisciplinary services to adults with severe psychiatric disabilities,
149 including, but not limited to, persons who are homeless, persons
150 diverted or discharged from in-patient programs or nursing homes
151 and persons diverted or released from correctional facilities, or who
152 are at risk of incarceration, and such teams shall provide intensive
153 community care management through case managers, nurses and
154 physicians and shall include, but not be limited to, vocational, peer
155 and substance abuse specialists. The Commissioner of Social Services
156 shall adopt regulations, in accordance with the provisions of chapter
157 54, for purposes of establishing the services specified in this
158 subsection. The Commissioner of Social Services may implement
159 policies and procedures for purposes of establishing such services
160 while in the process of adopting such policies or procedures in
161 regulation form, provided notice of intention to adopt the regulations
162 is printed in the Connecticut Law Journal no later than twenty days
163 after implementation and any such policies and procedures shall be
164 valid until the time the regulations are effective.

165 Sec. 506. Subsection (a) of section 17b-602a of the general statutes is
166 repealed and the following is substituted in lieu thereof (*Effective*
167 *October 1, 2010*):

168 (a) The Department of Social Services, in consultation with the
169 Department of Mental Health and Addiction Services, [and the
170 Community Mental Health Strategy Board established under section
171 17a-485b,] may seek approval of an amendment to the state Medicaid
172 plan or a waiver from federal law, whichever is sufficient and most
173 expeditious, to establish and implement a Medicaid-financed home
174 and community-based program to provide community-based services
175 and, if necessary, housing assistance, to adults with severe and
176 persistent psychiatric disabilities being discharged or diverted from
177 nursing home residential care.

178 Sec. 507. Subsection (e) of section 38a-1041 of the general statutes is
179 repealed and the following is substituted in lieu thereof (*Effective*
180 *October 1, 2010*):

181 (e) On or before October 1, 2005, the Managed Care Ombudsman [,
182 in consultation with the Community Mental Health Strategy Board,
183 established under section 17a-485b,] shall establish a process to
184 provide ongoing communication among mental health care providers,
185 patients, state-wide and regional business organizations, managed care
186 companies and other health insurers to assure: (1) Best practices in
187 mental health treatment and recovery; (2) compliance with the
188 provisions of sections 38a-476a, 38a-476b, 38a-488a and 38a-489; and (3)
189 the relative costs and benefits of providing effective mental health care
190 coverage to employees and their families. On or before January 1, 2006,
191 and annually thereafter, the Healthcare Advocate shall report, in
192 accordance with the provisions of section 11-4a, on the implementation
193 of this subsection to the joint standing committees of the General
194 Assembly having cognizance of matters relating to public health and
195 insurance.

196 Sec. 508. Section 4b-66 of the general statutes is repealed and the
197 following is substituted in lieu thereof (*Effective October 1, 2010*):

198 (a) There shall continue to be a master plan for the development of
199 the Connecticut Capitol Center in Hartford within the following-

200 described area to be known as the Capitol Center District: All of the
201 land within the city of Hartford bounded by Bushnell Park, Wells
202 Street, Main Street, Buckingham Street, Wadsworth Street to Cedar
203 Street following the rear property lines of property fronting on
204 Buckingham Street, Cedar Street, a line extended east from Grand
205 Street, Grand Street, Oak Street, the parcel at the southwest corner of
206 Russ Street and Oak Street, Russ Street, Broad Street, and the right-of-
207 way of the New Haven Railroad to Bushnell Park. The Capitol Center
208 District shall, where feasible, be the location of the central offices, and
209 their ancillary facilities, of the three branches of the state government.
210 The district shall also contain those noncentral offices, and their
211 ancillary facilities, which serve the Hartford area and which can
212 feasibly fulfill their functions at this location, except that this shall not
213 prohibit the construction or leasing by the state of courts and
214 courthouses outside of the Capitol Center District. Nongovernmental
215 uses, including, but not limited to, social, cultural, residential, and
216 retail uses may be incorporated in the area as ancillary uses.

217 (b) The master plan shall include, but need not be limited to, the
218 following: Land use, property acquisition, business and residential
219 relocation, street system alignments and dimensions, internal
220 circulation systems, parking facilities, utilities and services systems,
221 landscaping, lighting and amenities, and building space use priorities,
222 including programming, controls and restrictions, provided such
223 master plan shall not provide for the acquisition of the property
224 known as the Horace Bushnell Memorial without prior certification by
225 the board of trustees of the Horace Bushnell Memorial Hall
226 Corporation that the acquisition by the state of said property is in
227 conformance with the plans of the corporation. As an integral part of
228 the master plan, there shall be a capital improvements program, both
229 short range and long range, indicating recommended scheduling of the
230 various phases of construction and estimated costs therefor in order
231 that the development of the Connecticut Capitol Center may be
232 undertaken in an orderly and logical way and so that the needs of the
233 central offices of state government can be met in a timely manner.

234 [(c) Not later than January 1, 2003, and every five years thereafter,
235 the Connecticut Capitol Center Commission established pursuant to
236 section 4b-66a shall (1) review the master plan, and (2) submit a report
237 on its findings and proposed changes to the master plan to the
238 Governor and to the joint standing committees of the General
239 Assembly having cognizance of matters relating to appropriations,
240 government administration and finance, revenue and bonding.]

241 Sec. 509. Subsection (d) of section 4b-3 of the 2010 supplement to the
242 general statutes is repealed and the following is substituted in lieu
243 thereof (*Effective October 1, 2010*):

244 (d) Notwithstanding any other statute or special act to the contrary,
245 the Commissioner of Public Works shall be the sole person authorized
246 to represent the state in its dealings with third parties for the
247 acquisition, construction, development or leasing of real estate for
248 housing the offices or equipment of all agencies of the state or for the
249 state-owned public buildings or realty hereinafter provided for in
250 sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, 4b-26, 4b-27,
251 4b-30, [and] 4b-32, [subsection (c) of section 4b-66 and sections] 4b-67
252 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114,
253 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9,
254 51-27d and 51-27f, except that the Joint Committee on Legislative
255 Management may represent the state in the planning and construction
256 of the Legislative Office Building and related facilities, in Hartford; the
257 Chief Court Administrator may represent the state in providing for
258 space for the Court Support Services Division as part of a new or
259 existing contract for an alternative incarceration program pursuant to
260 section 54-103b or a program developed pursuant to section 46b-121i,
261 46b-121j, 46b-121k or 46b-121l; the board of trustees of a constituent
262 unit of the state system of higher education may represent the state in
263 the leasing of real estate for housing the offices or equipment of such
264 constituent unit, provided no lease payments for such realty are made
265 with funds generated from the general revenues of the state; the Labor
266 Commissioner may represent the state in the leasing of premises
267 required for employment security operations as provided in subsection

268 (c) of section 31-250; the Commissioner of Developmental Services may
269 represent the state in the leasing of residential property as part of the
270 program developed pursuant to subsection (b) of section 17a-218,
271 provided such residential property does not exceed two thousand five
272 hundred square feet, for the community placement of persons eligible
273 to receive residential services from the department; and the
274 Connecticut Marketing Authority may represent the state in the
275 leasing of land or markets under the control of the Connecticut
276 Marketing Authority, and, except for the housing of offices or
277 equipment in connection with the initial acquisition of an existing state
278 mass transit system or the leasing of land by the Connecticut
279 Marketing Authority for a term of one year or more in which cases the
280 actions of the Department of Transportation and the Connecticut
281 Marketing Authority shall be subject to the review and approval of the
282 State Properties Review Board. The Commissioner of Public Works
283 shall have the power to establish and implement any procedures
284 necessary for the commissioner to assume the commissioner's
285 responsibilities as said sole bargaining agent for state realty
286 acquisitions and shall perform the duties necessary to carry out such
287 procedures. The Commissioner of Public Works may appoint, within
288 the commissioner's budget and subject to the provisions of chapter 67,
289 such personnel deemed necessary by the commissioner to carry out the
290 provisions hereof, including experts in real estate, construction
291 operations, financing, banking, contracting, architecture and
292 engineering. The Attorney General's office, at the request of the
293 commissioner, shall assist the commissioner in contract negotiations
294 regarding the purchase, lease or construction of real estate.

295 Sec. 510. Subsections (a) and (b) of section 19a-6h of the general
296 statutes are repealed and the following is substituted in lieu thereof
297 (*Effective October 1, 2010*):

298 (a) There is established a State-wide Primary Care Access Authority.
299 The authority shall consist of the Commissioners of Public Health and
300 Social Services, the Comptroller [, the chairpersons of the HealthFirst
301 Connecticut Authority established under section 19a-6g] and the

302 following members: One each appointed by the Connecticut Primary
303 Care Association, the Connecticut State Medical Society, the
304 Connecticut Chapter of the American Academy of Pediatrics, the
305 Connecticut Nurses Association, the Connecticut Association of
306 School-Based Health Centers, the Connecticut State Dental
307 Association, the Connecticut Community Providers Association and
308 the Weitzman Center for Innovation In Community Health and
309 Primary Care. Members shall serve for a term of four years
310 commencing on August 1, 2007. All initial appointments to the
311 committee shall be made by July 15, 2007. Any vacancy shall be filled
312 by the appointing authority.

313 (b) [The chairpersons of the HealthFirst Connecticut Authority
314 established under section 19a-6g shall serve as cochairpersons of the
315 State-wide Primary Care Access Authority.] The speaker of the House
316 of Representatives and the president pro tempore of the Senate shall
317 each select one chairperson of the State-wide Primary Care Access
318 Authority from among the members of the authority. Members shall
319 serve without compensation but shall, within available appropriations,
320 be reimbursed for expenses necessarily incurred in the performance of
321 their duties.

322 Sec. 511. Subsection (c) of section 8-336f of the general statutes is
323 repealed and the following is substituted in lieu thereof (*Effective*
324 *October 1, 2010*):

325 (c) The Commissioner of Economic and Community Development
326 may provide a local housing partnership with an initial designation
327 under the Connecticut housing partnership program upon receipt of
328 evidence satisfactory to the commissioner that the local housing
329 partnership has been formed in accordance with the provisions of
330 subsection (b) of this section and that sufficient local resources have
331 been committed to the local housing partnership. Upon such initial
332 designation, the commissioner shall provide technical assistance to the
333 local housing partnership which assistance shall include, but shall not
334 be limited to, the following: (1) The assignment of a primary contact

335 person in the Department of Economic and Community Development
336 to work directly with the local housing partnership, (2) obtaining
337 assistance from other state agencies, regional planning agencies [] and
338 regional housing councils, [and the Housing Advisory Committee,
339 provided for under section 8-385,] on behalf of the local housing
340 partnership when necessary, (3) assisting the local housing partnership
341 in developing a comprehensive local housing strategy, (4) assisting the
342 local housing partnership in identifying available local resources, (5)
343 discussing possible ways to create affordable housing through the use
344 of conventional and alternative financing and through public and
345 private land use controls, (6) explaining the requirements of and the
346 types of assistance available under state housing programs, and (7)
347 providing information and advice concerning available federal and
348 private financial assistance for all aspects of housing development.

349 Sec. 512. Subsection (a) of section 21-84a of the general statutes is
350 repealed and the following is substituted in lieu thereof (*Effective*
351 *October 1, 2010*):

352 (a) There is established, within the Department of Consumer
353 Protection, a Mobile Manufactured Home Advisory Council composed
354 of fifteen members as follows: One member of the Connecticut Real
355 Estate Commission, one employee of the Department of Economic and
356 Community Development and one employee of the Connecticut
357 Housing Finance Authority to be appointed by the Governor; an
358 attorney-at-law specializing in mobile manufactured home matters to
359 be appointed by the speaker of the House of Representatives; one town
360 planner and one representative of the banking industry to be
361 appointed by the Governor; three mobile manufactured home park
362 owners, one to be appointed by the Governor, one to be appointed by
363 the minority leader of the Senate and one to be appointed by the
364 minority leader of the House of Representatives; a representative of
365 the mobile manufactured home industry to be appointed by the
366 majority leader of the House of Representatives; three mobile
367 manufactured home park tenants or representatives of such tenants,
368 each from different geographic areas of the state, one to be appointed

369 by the Governor, one to be appointed by the president pro tempore of
370 the Senate and one to be appointed by the majority leader of the
371 Senate; and a senior citizen, who is either a resident of a mobile
372 manufactured home park or a representative of other senior citizens
373 who reside in mobile manufactured home parks [, and a representative
374 of the Housing Advisory Committee] to be appointed by the Governor.
375 The mobile manufactured home park owners and the representative of
376 the mobile manufactured home industry shall be appointed from a list
377 submitted to the appointing authorities by the Connecticut
378 Manufactured Housing Association or its successor, if such
379 organization or successor exists. The mobile manufactured home park
380 tenants or tenant representatives and the senior citizen shall be
381 appointed from a list submitted to the appointing authorities by the
382 Connecticut Manufactured Home Owners Alliance or its successor, if
383 such organization or successor exists. The Governor shall appoint a
384 chairperson from among the members of the council. Members shall
385 serve for a term coterminous with the term of the Governor or until
386 their successors are appointed, whichever is later. Any vacancy shall
387 be filled by the appointing authority for the position which has become
388 vacant. Members of the council shall not be compensated for their
389 services. Any council member who fails to attend three consecutive
390 meetings or who fails to attend fifty per cent of all meetings held
391 during any calendar year shall be deemed to have resigned from office.

392 Sec. 513. Section 10-382 of the general statutes is repealed and the
393 following is substituted in lieu thereof (*Effective October 1, 2010*):

394 There is established a Native American Heritage Advisory Council
395 to evaluate and make recommendations on the Native American
396 heritage to the State Archaeologist and the Connecticut Commission
397 on Culture and Tourism. Such council shall consist of the following
398 members: One representing each of the following Indian tribes,
399 appointed by the tribe: The Schaghticoke, the Paucatuck Eastern
400 Pequot, the Mashantucket Pequot, the Mohegan and the Golden Hill
401 Paugussett; [one representing the Indian Affairs Council, appointed by
402 the chairperson of the council;] one representing the Commissioner of

403 Environmental Protection, appointed by said commissioner; one
404 representing the Archaeological Society of Connecticut, appointed by
405 the president pro tempore of the Senate; and three who are
406 knowledgeable in Native American history, traditions and
407 archaeology, one appointed by the speaker of the House of
408 Representatives, one appointed by the minority leader of the House of
409 Representatives and one appointed by the minority leader of the
410 Senate.

411 Sec. 514. Subsection (b) of section 10a-112 of the general statutes is
412 repealed and the following is substituted in lieu thereof (*Effective*
413 *October 1, 2010*):

414 (b) The Board of Directors of the State Museum of Natural History
415 shall appoint a State Archaeologist and staff for the Office of
416 Archaeology established pursuant to section 10a-112a. The State
417 Archaeologist shall have the following powers and duties: (1) To
418 supervise the care and study of the archaeological collection of the
419 State Museum of Natural History; (2) to coordinate (A) the
420 archaeological salvage of properties threatened with destruction, (B)
421 public and private archaeological research and the encouragement of
422 the highest possible standards in archaeological investigations, and (C)
423 the preservation of native American and other human osteological
424 remains and cemeteries with the Connecticut Commission on Culture
425 and Tourism, the Office of the Chief Medical Examiner [, the Indian
426 Affairs Council] and other state agencies; (3) to conduct research on the
427 state's prehistory and history and disseminate the results of such
428 research through publications and other means; (4) to educate the
429 public about the significance and fragility of archaeological resources;
430 (5) to respond to inquiries about the state's archaeological resources;
431 and (6) to maintain comprehensive site files and maps.

432 Sec. 515. Subsection (e) of section 19a-4j of the general statutes is
433 repealed and the following is substituted in lieu thereof (*Effective*
434 *October 1, 2010*):

435 (e) The Commissioner of Public Health shall submit an annual
436 report concerning the activities of the office to the Governor, the
437 General Assembly, the Permanent Commission on the Status of
438 Women established under section 46a-1, the Latino and Puerto Rican
439 Affairs Commission established under section 2-120 [, the Indian
440 Affairs Council established under section 47-59b] and the Connecticut
441 African-American Affairs Commission. The office shall also hold
442 community workshops and use other means to disseminate its
443 findings state-wide.

444 Sec. 516. Subsection (a) of section 38a-1051 of the 2010 supplement
445 to the general statutes is repealed and the following is substituted in
446 lieu thereof (*Effective October 1, 2010*):

447 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
448 the highest attainable standard of health is a human right and a
449 priority of the state, (2) research and experience demonstrate that
450 inhabitants of the state experience barriers to the equal enjoyment of
451 good health based on race, ethnicity, gender, national origin and
452 linguistic ability, and (3) addressing such barriers, and others that may
453 arise in the future, requires: The collection, analysis and reporting of
454 information, the identification of causes, and the development and
455 implementation of policy solutions that address health disparities
456 while improving the health of the public as a whole therefore, there is
457 established a Commission on Health Equity with the mission of
458 eliminating disparities in health status based on race, ethnicity, gender
459 and linguistic ability, and improving the quality of health for all of the
460 state's residents. Such commission shall consist of the following
461 commissioners, or their designees, and public members: (A) The
462 Commissioners of Public Health, Mental Health and Addiction
463 Services, Developmental Services, Social Services, Correction, Children
464 and Families, and Education; (B) the dean of The University of
465 Connecticut Health Center, or his designee; (C) the director of The
466 University of Connecticut Health Center and Center for Public Health
467 and Health Policy, or their designees; (D) the dean of the Yale
468 University Medical School, or his designee; (E) the dean of Public

469 Health and the School of Epidemiology at Yale University, or his
470 designee; (F) one member appointed by the president pro tempore of
471 the Senate, who shall be a member of an affiliate of the National Urban
472 League; (G) one member appointed by the speaker of the House of
473 Representatives, who shall be a member of the National Association
474 for the Advancement of Colored People; (H) one member appointed
475 by the majority leader of the House of Representatives, who shall be a
476 member of the Black and Puerto Rican Caucus of the General
477 Assembly; (I) one member appointed by the majority leader of the
478 Senate with the advice of the Native American Heritage Advisory
479 Council, [or the chairperson of the Indian Affairs Council,] who shall
480 be a representative of the Native American community; (J) one
481 member appointed by the minority leader of the Senate, who shall be a
482 representative of an advocacy group for Hispanics; (K) one member
483 appointed by the minority leader of the House of Representatives, who
484 shall be a representative of the state-wide Multicultural Health
485 Network; (L) the chairperson of the African-American Affairs
486 Commission, or his or her designee; (M) the chairperson of the Latino
487 and Puerto Rican Affairs Commission, or his or her designee; (N) the
488 chairperson of the Permanent Commission on the Status of Women, or
489 his or her designee; (O) the chairperson of the Asian Pacific American
490 Affairs Commission, or his or her designee; (P) the director of the
491 Hispanic Health Council, or his or her designee; (Q) the chairperson of
492 the Office of the Healthcare Advocate, or his or her designee; and (R)
493 eight members of the public, representing communities facing
494 disparities in health status based on race, ethnicity, gender and
495 linguistic ability, who shall be appointed as follows: Two by the
496 president pro tempore of the Senate, two by the speaker of the House
497 of Representatives, two by the minority leader of the Senate, and two
498 by the minority leader of the House of Representatives. Vacancies on
499 the council shall be filled by the appointing authority.

500 Sec. 517. Section 47-66 of the general statutes is repealed and the
501 following is substituted in lieu thereof (*Effective October 1, 2010*):

502 Tribal funds shall be under the care and control of the

503 Commissioner of Environmental Protection [with the advice of the
504 Indian Affairs Council] and may be used for the purposes set forth in
505 section 47-65. Said commissioner shall annually settle his accounts of
506 the affairs of each tribe with the Comptroller, and his report to the
507 Governor shall furnish, with respect to each tribe, a statement of the
508 amount and condition of its fund, an estimate of the value of its lands
509 and the income annually received and the expenditures made by said
510 commissioner from such fund. Said commissioner may maintain an
511 action in his name to recover any property misappropriated from a
512 reservation.

513 Sec. 518. Section 47-66g of the general statutes is repealed and the
514 following is substituted in lieu thereof (*Effective October 1, 2010*):

515 The Commissioner of Environmental Protection [with the advice of
516 the Indian Affairs Council] shall manage the state's interest in Indian
517 affairs not otherwise specified in this chapter, including but not limited
518 to, maintaining state documents, providing information to tribal
519 members and coordinating governmental grant programs.

520 Sec. 519. Subsection (a) of section 47-66i of the general statutes is
521 repealed and the following is substituted in lieu thereof (*Effective*
522 *October 1, 2010*):

523 (a) Each tribal leader shall file with the Governor his name and a
524 written description of the method of selecting tribal leaders and the
525 process by which tribal leaders exercise their authority. The Governor
526 shall file such description with the Secretary of the State, [and the
527 Indian Affairs Council established under section 47-59b.]

528 Sec. 520. Subsection (a) of section 47-66j of the general statutes is
529 repealed and the following is substituted in lieu thereof (*Effective*
530 *October 1, 2010*):

531 (a) On or before March 15, 1990, and annually thereafter, the tribal
532 leader selected in accordance with the method filed under section 47-
533 66i, as amended by this act, shall file a copy of the rules for tribal

534 membership and government and a current membership roll with the
535 Governor. The membership rules may include provisions for
536 revocation of membership. The Governor shall file the rules and
537 membership roll with the Secretary of the State, [and the Indian Affairs
538 Council established under section 47-59b.]

539 Sec. 521. Section 25-102xx of the general statutes is repealed and the
540 following is substituted in lieu thereof (*Effective October 1, 2010*):

541 The Commissioner of Environmental Protection [, in consultation
542 with the River Protection Advisory Committee,] shall prepare a model
543 river protection ordinance which may be used by any municipality in
544 this state in adopting ordinances or regulations for the protection of
545 rivers. Such model ordinance may include, but need not be limited to,
546 recommendations for the modification of municipal plans of
547 development and zoning, subdivision, site plan and wetlands
548 regulations as necessary to allow implementation of a river protection
549 ordinance or regulation. Such recommendations may concern tourism,
550 navigation, utility and transportation rights-of-way and water-
551 dependent recreational, industrial, commercial, agricultural and other
552 uses, as well as proposals for specific setbacks from the river,
553 dimensions of new lots and buildings, restrictions on cutting of
554 vegetation, restrictions on earth-moving for mining or other purposes,
555 prohibited activities and regulation of paving and other forms of
556 impervious ground cover. Such plan may also include
557 recommendations for incentives for property owners to protect lands
558 within the river corridor and to develop such lands in a manner that is
559 compatible with resource protection. Such incentives may include tax
560 credits for donation to appropriate parties of open space easements or
561 land development rights and incentives for cluster development.

562 Sec. 522. Subsection (l) of section 1-79 of the general statutes is
563 repealed and the following is substituted in lieu thereof (*Effective*
564 *October 1, 2010*):

565 (l) "Quasi-public agency" means the Connecticut Development

566 Authority, Connecticut Innovations, Incorporated, Connecticut Health
567 and Education Facilities Authority, Connecticut Higher Education
568 Supplemental Loan Authority, Connecticut Housing Finance
569 Authority, Connecticut Housing Authority, Connecticut Resources
570 Recovery Authority, [Lower Fairfield County Convention Center
571 Authority,] Capital City Economic Development Authority and
572 Connecticut Lottery Corporation.

573 Sec. 523. Section 4d-30 of the general statutes is repealed and the
574 following is substituted in lieu thereof (*Effective October 1, 2010*):

575 As used in this section and sections 4d-31 to 4d-44, inclusive:

576 (1) "Contract" means a contract for state agency information system
577 or telecommunication system facilities, equipment or services, which is
578 awarded pursuant to this chapter or subsection (e) of section 1-205,
579 subsection (c) of section 1-211, subsection (b) of section 1-212, section 4-
580 5, subsection (a) of section 10a-151b [.] or subsection (a) of section 19a-
581 110. [or subsection (b) of section 32-6i.]

582 (2) "Contractor" means a business entity or individual who is
583 awarded a contract or an amendment to a contract.

584 (3) "Subcontractor" means a subcontractor of a contractor for work
585 under a contract or an amendment to a contract.

586 Sec. 524. Section 4d-47 of the general statutes is repealed and the
587 following is substituted in lieu thereof (*Effective October 1, 2010*):

588 With respect to any state employee whose position is eliminated or
589 who is laid off as a result of any contract or amendment to a contract
590 which is subject to the provisions of this chapter and subsection (e) of
591 section 1-205, subsection (c) of section 1-211, subsection (b) of section
592 1-212, section 4-5, 4a-50, 4a-51, subsection (b) of section 4a-57,
593 subsection (a) of section 10a-151b [.] or subsection (a) of section
594 19a-110, [or subsection (b) of section 32-6i,] or any subcontract for
595 work under such contract or amendment, (1) the contractor shall hire

596 the employee, upon application by the employee, unless the employee
597 is hired by a subcontractor of the contractor, or (2) the employee may
598 transfer to any vacant position in state service for which such
599 employee is qualified, to the extent allowed under the provisions of
600 existing collectively bargained agreements and the general statutes. If
601 the contractor or any such subcontractor hires any such state employee
602 and does not provide the employee with fringe benefits which are
603 equivalent to, or greater than, the fringe benefits that the employee
604 would have received in state service, the state shall, for two years after
605 the employee terminates from state service, provide to the employee
606 either (A) the same benefits that such employee received from the
607 state, or (B) compensation in an amount which represents the
608 difference in the value of the fringe benefits that such employee
609 received when in state service and the fringe benefits that such
610 employee receives from the contractor or subcontractor.

611 Sec. 525. Section 4d-48 of the general statutes is repealed and the
612 following is substituted in lieu thereof (*Effective October 1, 2010*):

613 No contract or subcontract for state agency information system or
614 telecommunication system facilities, equipment or services may be
615 awarded to any business entity or individual pursuant to this chapter
616 or subsection (e) of section 1-205, subsection (c) of section 1-211,
617 subsection (b) of section 1-212, section 4-5, subsection (a) of section
618 10a-151b [, or subsection (a) of section 19a-110 [or subsection (b) of
619 section 32-6i] if such business entity or individual previously had a
620 contract with the state or a state agency to provide information system
621 or telecommunication system facilities, equipment or services and such
622 prior contract was finally terminated by the state or a state agency
623 within the previous five years for the reason that such business entity
624 or individual failed to perform or otherwise breached a material
625 obligation of the contract related to information system or
626 telecommunication system facilities, equipment or services. If the
627 termination of any such previous contract is contested in an arbitration
628 or judicial proceeding, the termination shall not be final until the
629 conclusion of such arbitration or judicial proceeding. If the fact-finder

630 determines, or a settlement stipulates, that the contractor failed to
631 perform or otherwise breached a material obligation of the contract
632 related to information system or telecommunication system facilities,
633 equipment or services, any award of a contract pursuant to said
634 chapter or sections during the pendency of such arbitration or
635 proceeding shall be rescinded and the bar provided in this section shall
636 apply to such business entity or individual.

637 Sec. 526. Section 47-65 of the general statutes is repealed and the
638 following is substituted in lieu thereof (*Effective October 1, 2010*):

639 (a) The Commissioner of Environmental Protection [with the advice
640 of the Indian Affairs Council] shall have the care and management of
641 reservation lands. The commissioner and the council shall establish the
642 boundaries of such reservations by land survey and shall file a map of
643 the same in the land records of the appropriate towns.

644 (b) All reservation buildings not privately owned shall be subject to
645 the care and management of the Commissioner of Environmental
646 Protection. The commissioner [with the advice of the Indian Affairs
647 Council] shall, upon the petition of the resident make major repairs
648 and improvements to the exterior of any such building and its heating,
649 water, electric, sewage disposal and plumbing systems as are
650 necessary to insure habitable living conditions. The resident of any
651 building shall assume responsibility for the interior maintenance of
652 floors, walls and ceilings and minor maintenance of the building and
653 its heating, water, electric, sewage disposal and plumbing systems,
654 provided the commissioner shall supply necessary materials for such
655 systems.

656 [(c) The council may, upon petition [of an Indian resident without
657 sufficient means to support himself, provide assistance in an amount
658 necessary to maintain a standard of living in the home compatible with
659 the well-being of the resident. The council shall provide other services
660 as it deems necessary to insure the well-being of all persons residing
661 on the reservations.]

662 [(d)] (c) The commissioner [and the council] may adopt and amend
663 regulations pursuant to chapter 54 to carry out the provisions of
664 subsections (a) and (b) of this section. [The council shall adopt
665 regulations which prescribe eligibility standards for assistance and
666 services under subsection (c) of this section.]

667 [(e)] (d) The Governor is hereby designated the administrative agent
668 of the state to apply for any funds or other aid, cooperate and enter
669 into contracts and agreements with the federal government, the Indian
670 Housing Authority or any other appropriate state or local agency for
671 the purpose of providing necessary services to housing projects to be
672 located on Indian reservations within the state of Connecticut or for
673 any other purpose which the Congress of the United States or the
674 General Assembly has authorized or may authorize for expenditures
675 compatible with the services provided for in this chapter. The
676 Governor is authorized in the name of the state to make all
677 applications, sign all documents, give assurances and do all other
678 things necessary to carry out the provisions of this chapter.

679 Sec. 527. Section 4-67m of the general statutes is repealed and the
680 following is substituted in lieu thereof (*Effective October 1, 2010*):

681 (a) The Office of Policy and Management, in consultation with each
682 budgeted state agency, shall develop, for state budgeting purposes,
683 specific biennial goals and objectives and quantifiable outcome
684 measures, which shall not be limited to measures of activities, for each
685 program, service and state grant administered or provided by such
686 agency. The Secretary of the Office of Policy and Management shall
687 submit an annual report concerning such goals, objectives and
688 measures to the joint standing committee of the General Assembly
689 having cognizance of matters relating to appropriations and the joint
690 standing committee having cognizance of matters relating to the
691 agency. For the biennium beginning July 1, 1995, and for each
692 biennium thereafter, the annual report shall include an evaluation of
693 the impact of each program, service and state contract on the family.

694 (b) The goals, objectives and measures developed for each such
695 agency pursuant to subsection (a) of this section shall be implemented
696 for the biennium beginning July 1, 1993. The Office of Policy and
697 Management, in consultation with each such agency, shall review and
698 revise such goals, objectives and measures for each biennium
699 thereafter.

700 [(c) For the biennium beginning July 1, 1995, and for each biennium
701 thereafter, the annual report submitted pursuant to subsection (a) of
702 this section shall evaluate the progress of budgeted state agencies in
703 achieving benchmarks established under section 4-67r.]

704 Sec. 528. Subsection (b) of section 46a-56 of the general statutes is
705 repealed and the following is substituted in lieu thereof (*Effective*
706 *October 1, 2010*):

707 (b) The commission may, when it is deemed in the best interests of
708 the state, exempt a contractor from the requirements of complying
709 with any or all of the provisions of section 4a-60, 4a-60a, 46a-68c, 46a-
710 68d or 46a-68e in any specific contract. Exemptions under the
711 provisions of this section may include, but not be limited to, the
712 following instances: (1) If the work is to be or has been performed
713 outside the state and no recruitment of workers within the limits of the
714 state is involved; (2) those involving less than specified amounts of
715 money or specified numbers of workers; (3) to the extent that they
716 involve subcontracts below a specified tier. The commission may also
717 exempt facilities of a contractor which are in all respects separate and
718 distinct from activities of the contractor related to the performance of
719 the contract, provided such an exemption shall not interfere with or
720 impede the effectuation of the purposes of this section and sections 4a-
721 60, 4a-60a, 4a-60g [, 4a-62] and 46a-68b to 46a-68k, inclusive.

722 Sec. 529. Section 46a-68b of the general statutes is repealed and the
723 following is substituted in lieu thereof (*Effective October 1, 2010*):

724 As used in this section and sections 4a-60, 4a-60a, 4a-60g, [4a-62,]
725 46a-56 and 46a-68c to 46a-68k, inclusive: "Public works contract" means

726 any agreement between any individual, firm or corporation and the
727 state or any political subdivision of the state other than a municipality
728 for construction, rehabilitation, conversion, extension, demolition or
729 repair of a public building, highway or other changes or improvements
730 in real property, or which is financed in whole or in part by the state,
731 including, but not limited to, matching expenditures, grants, loans,
732 insurance or guarantees.

733 Sec. 530. Section 46a-68c of the general statutes is repealed and the
734 following is substituted in lieu thereof (*Effective October 1, 2010*):

735 In addition to the provisions of section 4a-60, each contractor with
736 fifty or more employees awarded a public works contract in excess of
737 fifty thousand dollars in any fiscal year, but not subject to the
738 provisions of section 46a-68d, shall develop and file with the
739 commission an affirmative action plan which shall comply with
740 regulations adopted by said commission. Failure to develop an
741 approved affirmative action plan pursuant to this section shall act as a
742 bar to bidding on or the award of future contracts until such
743 requirement has been met. When the commission approves an
744 affirmative action plan pursuant to this section, it shall issue a
745 certificate of compliance to the contractor. This certificate shall be
746 prima facie proof of the contractor's eligibility to bid or be awarded
747 contracts for a period of two years from the date of the certificate. Such
748 certificate shall not excuse the contractor from monitoring by the
749 commission or from the reporting and record-keeping requirements of
750 sections 46a-68e and 46a-68f. The commission may revoke the
751 certificate of a contractor if the contractor does not implement its
752 affirmative action plan in compliance with this section and sections 4a-
753 60, 4a-60g, [4a-62,] 46a-56, 46a-68b, 46a-68d, and 46a-68e to 46a-68k,
754 inclusive.

755 Sec. 531. Subsection (e) of section 10-392 of the general statutes is
756 repealed and the following is substituted in lieu thereof (*Effective*
757 *October 1, 2010*):

758 (e) Wherever the words "State Commission on the Arts",
759 "Connecticut Historical Commission", "Office of Tourism",
760 "Connecticut Film, Video and Media Office" and "Connecticut
761 Commission on Arts, Tourism, Culture, History and Film" are used in
762 the following sections of the general statutes, or in any public or
763 special act of the 2003 or 2004 session the words "Connecticut
764 Commission on Culture and Tourism" shall be substituted in lieu
765 thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-60, 4b-64, [4b-66a,] 7-147a,
766 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, as amended
767 by this act, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-
768 111a, 10a-112, as amended by this act, 10a-112b, 10a-112g, 11-6a, 12-
769 376d, 13a-252, 19a-315b, 19a-315c, 22a-1d, 22a-19b, [25-102qq,] 25-109q,
770 29-259 and 32-6a.

771 Sec. 532. Section 25-102qq of the general statutes is repealed and the
772 following is substituted in lieu thereof (*Effective October 1, 2010*):

773 (a) The Commissioner of Environmental Protection shall be
774 responsible for state-wide river policy and comprehensive protection
775 of rivers. The commissioner shall: (1) Identify rivers or river segments
776 to be protected, (2) designate protected river corridors and (3) approve,
777 reject or modify river corridor maps and management plans submitted
778 pursuant to sections 25-205 and 25-235.

779 (b) The commissioner may establish a river management and
780 protection program designed to improve the management and
781 protection of the state's rivers.

782 [(c) If the commissioner undertakes to establish such a program, he
783 shall establish a River Protection Advisory Committee to assist him in
784 developing the river protection program. The committee shall consist
785 of the following members whose terms shall expire on October 1, 1992:
786 (1) The Commissioners of Public Health, Transportation, Economic
787 and Community Development and Agriculture, the Secretary of the
788 Office of Policy and Management, the director of the Connecticut
789 Commission on Culture and Tourism, and the State Archaeologist, or

790 their designees; and (2) two members representing the business
791 community, two members representing public service companies,
792 seven members representing environmental and recreational
793 organizations, four members representing river protection
794 organizations, one member representing municipalities with a river or
795 river segment within their borders, two members representing
796 regional planning agencies, three members representing related
797 professional practices and one member representing the public, which
798 members shall be appointed by the commissioner. On and after
799 October 1, 1992, the committee's membership shall consist of: (1) The
800 Commissioners of Public Health, Transportation, Economic and
801 Community Development and Agriculture, the Secretary of the Office
802 of Policy and Management, the director of the Connecticut
803 Commission on Culture and Tourism, and the State Archaeologist, or
804 their designees; and (2) one member representing the business
805 community, and one member representing a related professional
806 practice appointed by the Governor; one member representing an
807 environmental or recreational organization, one member representing
808 a river protection organization and one member representing a related
809 professional practice appointed by the president pro tempore of the
810 Senate; one member representing an environmental or recreational
811 organization, one member representing a river protection organization
812 and one member representing a related professional practice
813 appointed by the speaker of the House of Representatives; one
814 member representing an environmental or recreational organization,
815 one member representing a municipality with a river or river segment
816 within its borders and one member representing the business
817 community appointed by the majority leader of the Senate; two
818 members representing an environmental or recreational organization,
819 one member representing a river protection organization and one
820 member representing a public service company appointed by the
821 minority leader of the Senate; one member representing an
822 environmental or recreational organization, one member representing
823 a public service company and one member representing a regional
824 planning agency appointed by the majority leader of the House of

825 Representatives; one member representing an environmental or
826 recreational organization, one member representing a river protection
827 organization, one member of the public and one member representing
828 a regional planning agency appointed by the minority leader of the
829 House of Representatives.]

830 [(d)] (c) In developing the river protection program, the
831 commissioner [, with the assistance of the River Protection Advisory
832 Committee,] may: (1) Develop a proposal for a state-wide river
833 management and protection program, which shall include but not be
834 limited to: (A) The coordination of existing protective state authorities
835 as a means of improving river management and protection; (B) the
836 development of any statutory modifications to provide effective
837 regional and interstate cooperation for the development of river
838 management plans; (C) the development of recommendations for river
839 protection for use in regulations of local land use agencies; and (D) the
840 development of any other needed protection or management of the
841 state's rivers, as determined by the commissioner; (2) define the river
842 resources to be inventoried and assessed; (3) conduct a state-wide
843 inventory and assessment of the state's rivers; (4) develop a state-wide
844 data base of river resource information to facilitate environmental
845 planning, regulatory and management decisions; (5) develop a river
846 classification system; (6) develop criteria for identifying rivers or river
847 segments for designation as protected rivers and recommended
848 priorities for the management of the rivers or river segments; and (7)
849 develop a program to educate the public on river protection issues and
850 ensure public involvement in the development and implementation of
851 the river protection program.

852 Sec. 533. Section 32-4h of the general statutes is repealed and the
853 following is substituted in lieu thereof (*Effective October 1, 2010*):

854 Not later than August 1, 1997, and annually thereafter, the
855 chairperson of the board of directors of the Connecticut Development
856 Authority and the chairperson of the board of directors of Connecticut
857 Innovations, Incorporated shall submit a report to the joint standing

858 committee of the General Assembly having cognizance of matters
859 relating to the Department of Economic and Community
860 Development, in accordance with the provisions of section 11-4a,
861 which details the amount of bond funds expended during the previous
862 fiscal year on each economic cluster in the state by the quasi-public
863 agency administered by such chairperson. As used in this section,
864 "economic cluster" means a grouping of industries linked together
865 through customer, supplier or other relationships.

866 Sec. 534. Section 82 of public act 03-6 of the June 30 special session,
867 section 46 of public act 07-167, section 2 of public act 07-220 and public
868 act 08-136 are repealed. (*Effective October 1, 2010*)

869 Sec. 535. Special acts 84-59, 92-6, 96-14 and 97-7 are repealed.
870 (*Effective October 1, 2010*)

871 Sec. 536. Subdivision (29) of subsection (a) of section 2c-2b and
872 sections 2-110, 3-115d, 4-67r, 4a-62, 4b-66a, 7-520, 7-521, 8-385, 17a-485,
873 17a-485a, 17a-485b, 17a-485g, 19a-6g, 22-26e, 25-32i, 32-1g, 32-4f, 32-6i,
874 32-180 to 32-182, inclusive, 32-200 to 32-212, inclusive, 32-245, 32-246,
875 32-511 and 47-59b of the general statutes are repealed. (*Effective October*
876 *1, 2010*)"