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Amendment

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Offered by:

SEN. MCKINNEY, 28th Dist.

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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. (NEW) (*Effective October 1, 2010*) (a) On the effective date
4 of this section, the Department of Public Safety shall assume all
5 responsibilities of the Department of Emergency Management and
6 Homeland Security pursuant to any provision of the general statutes.
7 The transfer of functions, powers, duties, obligations, including, but
8 not limited to, contract obligations, the continuance of orders and
9 regulations, the effect upon pending actions and proceedings, the
10 completion of unfinished business, and the transfer of records and
11 property between the Department of Emergency Management and
12 Homeland Security, as said department existed immediately prior to

13 the effective date of this section, and the Department of Public Safety
14 shall be governed by the provisions of subsections (a) to (d), inclusive,
15 and subsection (f) of section 4-38d of the general statutes and sections
16 4-38e and 4-39 of the general statutes.

17 (b) Wherever the term "Department of Emergency Management and
18 Homeland Security" are used or referred to in any public or special
19 acts, the term "Department of Public Safety" shall be substituted in lieu
20 thereof.

21 (c) Wherever the term "Commissioner of Emergency Management
22 and Homeland Security" is used or referred to in any public or special
23 acts, the term "Commissioner of Public Safety" shall be substituted in
24 lieu thereof.

25 (d) Any order or regulation of the Department of Emergency
26 Management and Homeland Security, which is in force on the effective
27 date of this section, shall continue in force and effect as an order or
28 regulation of the Department of Public Safety until amended, repealed
29 or superseded pursuant to law. Where any order or regulation of said
30 departments conflict, the Commissioner of Public Safety may
31 implement policies and procedures consistent with the provisions of
32 this section and sections 1-210, 4-5, 4-38c, 4-66f, 4b-136, 4d-90, 5-182, 5-
33 213, 7-521, 10a-55a, 16-32e, 16-245n, 16-245aa, 16a-13b, 16a-106, 19a-
34 131g, 19a-487, 21a-70c, 22a-601, 22a-603, 28-1, 28-1a, 28-1b, 28-1i, 28-1j,
35 28-1k, 28-14a, 28-22a, 28-28a, 28-29a, 28-31, 29-1p and 54-142q of the
36 general statutes, as amended by this act, while in the process of
37 adopting the policy or procedure in regulation form, provided notice
38 of intention to adopt regulations is printed in the Connecticut Law
39 Journal within twenty days of implementation. The policy or
40 procedure shall be valid until the time final regulations are effective.

41 Sec. 502. Subdivision (19) of subsection (b) of section 1-210 of the
42 2010 supplement to the general statutes is repealed and the following
43 is substituted in lieu thereof (*Effective October 1, 2010*):

44 (19) Records when there are reasonable grounds to believe

45 disclosure may result in a safety risk, including the risk of harm to any
46 person, any government-owned or leased institution or facility or any
47 fixture or appurtenance and equipment attached to, or contained in,
48 such institution or facility, except that such records shall be disclosed
49 to a law enforcement agency upon the request of the law enforcement
50 agency. Such reasonable grounds shall be determined (A) (i) by the
51 Commissioner of Public Works, after consultation with the chief
52 executive officer of an executive branch state agency, with respect to
53 records concerning such agency; and (ii) by the Commissioner of
54 [Emergency Management and Homeland Security] Public Safety, after
55 consultation with the chief executive officer of a municipal, district or
56 regional agency, with respect to records concerning such agency; (B)
57 by the Chief Court Administrator with respect to records concerning
58 the Judicial Department; and (C) by the executive director of the Joint
59 Committee on Legislative Management, with respect to records
60 concerning the Legislative Department. As used in this section,
61 "government-owned or leased institution or facility" includes, but is
62 not limited to, an institution or facility owned or leased by a public
63 service company, as defined in section 16-1, a certified
64 telecommunications provider, as defined in section 16-1, a water
65 company, as defined in section 25-32a, or a municipal utility that
66 furnishes electric, gas or water service, but does not include an
67 institution or facility owned or leased by the federal government, and
68 "chief executive officer" includes, but is not limited to, an agency head,
69 department head, executive director or chief executive officer. Such
70 records include, but are not limited to:

71 (i) Security manuals or reports;

72 (ii) Engineering and architectural drawings of government-owned
73 or leased institutions or facilities;

74 (iii) Operational specifications of security systems utilized at any
75 government-owned or leased institution or facility, except that a
76 general description of any such security system and the cost and
77 quality of such system, may be disclosed;

78 (iv) Training manuals prepared for government-owned or leased
79 institutions or facilities that describe, in any manner, security
80 procedures, emergency plans or security equipment;

81 (v) Internal security audits of government-owned or leased
82 institutions or facilities;

83 (vi) Minutes or records of meetings, or portions of such minutes or
84 records, that contain or reveal information relating to security or other
85 records otherwise exempt from disclosure under this subdivision;

86 (vii) Logs or other documents that contain information on the
87 movement or assignment of security personnel;

88 (viii) Emergency plans and emergency preparedness, response,
89 recovery and mitigation plans, including plans provided by a person
90 to a state agency or a local emergency management agency or official;
91 and

92 (ix) With respect to a water company, as defined in section 25-32a,
93 that provides water service: Vulnerability assessments and risk
94 management plans, operational plans, portions of water supply plans
95 submitted pursuant to section 25-32d that contain or reveal
96 information the disclosure of which may result in a security risk to a
97 water company, inspection reports, technical specifications and other
98 materials that depict or specifically describe critical water company
99 operating facilities, collection and distribution systems or sources of
100 supply;

101 Sec. 503. Subsection (d) of section 1-210 of the 2010 supplement to
102 the general statutes is repealed and the following is substituted in lieu
103 thereof (*Effective October 1, 2010*):

104 (d) Whenever a public agency, except the Judicial Department or
105 Legislative Department, receives a request from any person for
106 disclosure of any records described in subdivision (19) of subsection
107 (b) of this section under the Freedom of Information Act, the public

108 agency shall promptly notify the Commissioner of Public Works or the
109 Commissioner of [Emergency Management and Homeland Security]
110 Public Safety, as applicable, of such request, in the manner prescribed
111 by such commissioner, before complying with the request as required
112 by the Freedom of Information Act and for information related to a
113 water company, as defined in section 25-32a, the public agency shall
114 promptly notify the water company before complying with the request
115 as required by the Freedom of Information Act. If the commissioner,
116 after consultation with the chief executive officer of the applicable
117 agency or after consultation with the chief executive officer of the
118 applicable water company for information related to a water company,
119 as defined in section 25-32a, believes the requested record is exempt
120 from disclosure pursuant to subdivision (19) of subsection (b) of this
121 section, the commissioner may direct the agency to withhold such
122 record from such person. In any appeal brought under the provisions
123 of section 1-206 of the Freedom of Information Act for denial of access
124 to records for any of the reasons described in subdivision (19) of
125 subsection (b) of this section, such appeal shall be against the chief
126 executive officer of the executive branch state agency or the municipal,
127 district or regional agency that issued the directive to withhold such
128 record pursuant to subdivision (19) of subsection (b) of this section,
129 exclusively, or, in the case of records concerning Judicial Department
130 facilities, the Chief Court Administrator or, in the case of records
131 concerning the Legislative Department, the executive director of the
132 Joint Committee on Legislative Management.

133 Sec. 504. Section 4-5 of the 2010 supplement to the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective*
135 *October 1, 2010*):

136 As used in sections 4-6, 4-7 and 4-8, the term "department head"
137 means Secretary of the Office of Policy and Management,
138 Commissioner of Administrative Services, Commissioner of Revenue
139 Services, Banking Commissioner, Commissioner of Children and
140 Families, Commissioner of Consumer Protection, Commissioner of
141 Correction, Commissioner of Economic and Community Development,

142 State Board of Education, [Commissioner of Emergency Management
143 and Homeland Security,] Commissioner of Environmental Protection,
144 Commissioner of Agriculture, Commissioner of Public Health,
145 Insurance Commissioner, Labor Commissioner, Liquor Control
146 Commission, Commissioner of Mental Health and Addiction Services,
147 Commissioner of Public Safety, Commissioner of Social Services,
148 Commissioner of Developmental Services, Commissioner of Motor
149 Vehicles, Commissioner of Transportation, Commissioner of Public
150 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
151 the chairperson of the Public Utilities Control Authority, the executive
152 director of the Board of Education and Services for the Blind, the
153 executive director of the Connecticut Commission on Culture and
154 Tourism, and the executive director of the Office of Military Affairs. As
155 used in sections 4-6 and 4-7, "department head" also means the
156 Commissioner of Education.

157 Sec. 505. Section 4-38c of the general statutes is repealed and the
158 following is substituted in lieu thereof (*Effective October 1, 2010*):

159 There shall be within the executive branch of state government the
160 following departments: Office of Policy and Management, Department
161 of Administrative Services, Department of Revenue Services,
162 Department of Banking, Department of Agriculture, Department of
163 Children and Families, Department of Consumer Protection,
164 Department of Correction, Department of Economic and Community
165 Development, State Board of Education, [Department of Emergency
166 Management and Homeland Security,] Department of Environmental
167 Protection, Department of Public Health, Board of Governors of
168 Higher Education, Insurance Department, Labor Department,
169 Department of Mental Health and Addiction Services, Department of
170 Developmental Services, Department of Public Safety, Department of
171 Social Services, Department of Transportation, Department of Motor
172 Vehicles, Department of Veterans' Affairs, Department of Public
173 Works and Department of Public Utility Control.

174 Sec. 506. Section 4-66f of the general statutes is repealed and the

175 following is substituted in lieu thereof (*Effective October 1, 2010*):

176 Notwithstanding any provision of the general statutes or the
177 regulations adopted thereunder, disaster assistance funds received by
178 the Department of [Emergency Management and Homeland Security]
179 Public Safety from the Federal Emergency Management Agency for
180 administration may be maintained in a separate fund or separate
181 account within the General Fund and used for any administrative
182 functions. The balance of any such funds remaining at the end of each
183 fiscal year shall be carried forward for the fiscal year next succeeding.

184 Sec. 507. Subsection (a) of section 4b-136 of the general statutes is
185 repealed and the following is substituted in lieu thereof (*Effective*
186 *October 1, 2010*):

187 (a) There is established a State-Wide Security Management Council.
188 The council shall consist of the Commissioner of Public Safety, the
189 Commissioner of Administrative Services, the Commissioner of
190 Mental Health and Addiction Services, the Commissioner of Public
191 Works, [the Commissioner of Emergency Management and Homeland
192 Security,] the Secretary of the Office of Policy and Management, the
193 Chief Court Administrator, an attorney appointed by the
194 Commissioner of Public Works, the executive director of the Joint
195 Committee on Legislative Management, a representative of the
196 Governor, a representative of the State Employees Bargaining Agent
197 Coalition and the president of the Connecticut State Police Union or
198 the president's designee. The Commissioner of Public Works shall
199 serve as chairperson of the council. Each council member shall provide
200 technical assistance in the member's area of expertise, as required by
201 the council.

202 Sec. 508. Subsection (a) of section 4d-90 of the general statutes is
203 repealed and the following is substituted in lieu thereof (*Effective*
204 *October 1, 2010*):

205 (a) There is established a Geospatial Information Systems Council
206 consisting of the following members, or their designees: (1) The

207 Secretary of the Office of Policy and Management; (2) the
208 Commissioners of Environmental Protection, Economic and
209 Community Development, Transportation, Public Safety, Public
210 Health, Public Works, Agriculture [, Emergency Management and
211 Homeland Security] and Social Services; (3) the Chief Information
212 Officer of the Department of Information Technology; (4) the
213 Chancellor of the Connecticut State University System; (5) the
214 president of The University of Connecticut; (6) the Executive Director
215 of the Connecticut Siting Council; (7) one member who is a user of
216 geospatial information systems appointed by the president pro
217 tempore of the Senate representing a municipality with a population of
218 more than sixty thousand; (8) one member who is a user of geospatial
219 information systems appointed by the minority leader of the Senate
220 representing a regional planning agency; (9) one member who is a user
221 of geospatial information systems appointed by the Governor
222 representing a municipality with a population of less than sixty
223 thousand but more than thirty thousand; (10) one member who is a
224 user of geospatial information systems appointed by the speaker of the
225 House of Representatives representing a municipality with a
226 population of less than thirty thousand; (11) one member appointed by
227 the minority leader of the House of Representatives who is a user of
228 geospatial information systems; (12) the chairperson of the Public
229 [Utility] Utilities Control Authority; (13) the Adjutant General of the
230 Military Department; and (14) any other persons the council deems
231 necessary appointed by the council. The Governor shall select the
232 chairperson from among the members. The chairperson shall
233 administer the affairs of the council. Vacancies shall be filled by
234 appointment by the authority making the appointment. Members shall
235 receive no compensation for their services on said council, but shall be
236 reimbursed for necessary expenses incurred in the performance of
237 their duties. Said council shall hold one meeting each calendar quarter
238 and such additional meetings as may be prescribed by council rules. In
239 addition, special meetings may be called by the chairperson or by any
240 three members upon delivery of forty-eight hours written notice to
241 each member.

242 Sec. 509. Subsection (d) of section 5-182 of the general statutes is
243 repealed and the following is substituted in lieu thereof (*Effective*
244 *October 1, 2010*):

245 (d) Any employee of the radiological maintenance and calibration
246 facility shall be credited for retirement purposes under this chapter
247 with his period of full-time service commencing with the date upon
248 which such employee began work at said facility under individual
249 contract with the Commissioner of [Emergency Management and
250 Homeland Security] Public Safety upon payment into the State
251 Employees Retirement Fund of such contributions as he would have
252 paid if he had been a state employee during the period of such service
253 and his salary for such service had been paid by the state, with five per
254 cent interest on such contribution from the date of his entry into such
255 service to the date of payment.

256 Sec. 510. Subsection (d) of section 5-213 of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective*
258 *October 1, 2010*):

259 (d) The term of employment in state service shall be construed to
260 include, in the case of an employee of the radiological maintenance
261 and calibration facility, the term of his service from the date upon
262 which he began work at said facility under individual contract with
263 the Commissioner of [Emergency Management and Homeland
264 Security] Public Safety, upon receipt of data satisfactory to the
265 Commissioner of Administrative Services showing the time such
266 employee worked for said facility. All records of the state which show
267 the length of service in the employment of the state of any employee of
268 said facility shall be maintained to show the length of such service and
269 the total time of state service.

270 Sec. 511. Section 7-521 of the general statutes is repealed and the
271 following is substituted in lieu thereof (*Effective October 1, 2010*):

272 (a) There is established a Local Emergency Relief Advisory
273 Committee comprised of: The Secretary of the Office of Policy and

274 Management, the Commissioner of Administrative Services, the
275 Commissioner of Transportation, the Commissioner of Public Safety []
276 and the Adjutant General of the Military Department, [and the
277 Commissioner of Emergency Management and Homeland Security,] or
278 their designees; the president pro tempore of the Senate, the minority
279 leader of the Senate, the speaker of the House of Representatives, and
280 the minority leader of the House of Representatives, or their designees;
281 a member of the Senate who shall be appointed by the president pro
282 tempore of the Senate and a member of the House of Representatives
283 who shall be appointed by the speaker of the House of
284 Representatives.

285 (b) The Commissioner of [Emergency Management and Homeland
286 Security] Public Safety shall serve as the chairman of the Local
287 Emergency Relief Advisory Committee. The committee may adopt
288 such bylaws and guidelines and shall adopt such eligibility standards
289 as it deems advisable to carry out the purposes of sections 7-520 to
290 7-522, inclusive. The Local Emergency Relief Advisory Committee
291 shall not be deemed to be an agency for the purposes of chapter 54.

292 Sec. 512. Subsection (c) of section 10a-55a of the general statutes is
293 repealed and the following is substituted in lieu thereof (*Effective*
294 *October 1, 2010*):

295 (c) On or before October 1, 2007, each institution of higher education
296 and private occupational school, as defined in section 10a-22a shall
297 have an emergency response plan. On or before October 1, 2007, and
298 annually thereafter, each institution of higher education and private
299 occupational school shall submit a copy of its emergency response plan
300 to (1) the [Commissioners] Commissioner of Public Safety, [and
301 Emergency Management and Homeland Security,] and (2) local first
302 responders. Such plan shall be developed in consultation with such
303 first responders and shall include a strategy for notifying students and
304 employees of the institution or school and visitors to such institution
305 or school of emergency information.

306 Sec. 513. Subsection (b) of section 16-32e of the general statutes is
307 repealed and the following is substituted in lieu thereof (*Effective*
308 *October 1, 2010*):

309 (b) Not later than June 1, 1996, and every five years thereafter, each
310 public service company, as defined in section 16-1, each
311 telecommunications company, as defined in said section, that installs,
312 maintains, operates or controls poles, wires, conduits or other fixtures
313 under or over any public highway for the provision of
314 telecommunications service authorized by section 16-247c, and each
315 municipal utility furnishing electric, gas or water service shall file with
316 the Department of Public Utility Control, the Department of
317 [Emergency Management and Homeland Security] Public Safety and
318 each municipality located within the service area of the public service
319 company, telecommunications company or municipal utility an
320 updated plan for restoring service which is interrupted as a result of an
321 emergency, except no such plan shall be required of a public service
322 company or municipal utility that submits a water supply plan
323 pursuant to section 25-32d. Plans filed by public service companies
324 and municipal utilities furnishing water shall be prepared in
325 accordance with the memorandum of understanding entered into
326 pursuant to section 4-67e. Not later than September 15, 1996, and every
327 five years thereafter, the Department of Public Utility Control may
328 conduct public hearings on such plans and, in consultation with the
329 Department of [Emergency Management and Homeland Security]
330 Public Safety, the Department of Public Health and the joint standing
331 committee of the General Assembly having cognizance of matters
332 relating to public utilities, revise such plans to the extent necessary to
333 provide properly for the public convenience, necessity and welfare. If
334 the Department of Public Utility Control revises the emergency plan of
335 a public service company, telecommunications company or municipal
336 utility, such company or municipal utility shall file a copy of the
337 revised plan with each municipality located within the service area of
338 the company.

339 Sec. 514. Subsection (e) of section 16-245n of the general statutes is

340 repealed and the following is substituted in lieu thereof (*Effective*
341 *October 1, 2010*):

342 (e) The Renewable Energy Investments Board shall include not
343 more than fifteen individuals with knowledge and experience in
344 matters related to the purpose and activities of the Renewable Energy
345 Investment Fund. The board shall consist of the following members:
346 (1) One person with expertise regarding renewable energy resources
347 appointed by the speaker of the House of Representatives; (2) one
348 person representing a state or regional organization primarily
349 concerned with environmental protection appointed by the president
350 pro tempore of the Senate; (3) one person with experience in business
351 or commercial investments appointed by the majority leader of the
352 House of Representatives; (4) one person representing a state or
353 regional organization primarily concerned with environmental
354 protection appointed by the majority leader of the Senate; (5) one
355 person with experience in business or commercial investments
356 appointed by the minority leader of the House of Representatives; (6)
357 the Commissioner of [Emergency Management and Homeland
358 Security] Public Safety or the commissioner's designee; (7) one person
359 with expertise regarding renewable energy resources appointed by the
360 Governor; (8) two persons with experience in business or commercial
361 investments appointed by the board of directors of Connecticut
362 Innovations, Incorporated; (9) a representative of a state-wide business
363 association, manufacturing association or chamber of commerce
364 appointed by the minority leader of the Senate; (10) the Consumer
365 Counsel; (11) the Secretary of the Office of Policy and Management or
366 the secretary's designee; (12) the Commissioner of Environmental
367 Protection or the commissioner's designee; (13) a representative of
368 organized labor appointed by the Governor; and (14) a representative
369 of residential customers or low-income customers appointed by
370 Governor. On a biennial basis, the board shall elect a chairperson and
371 vice-chairperson from among its members and shall adopt such
372 bylaws and procedures it deems necessary to carry out its functions.
373 The board may establish committees and subcommittees as necessary

374 to conduct its business.

375 Sec. 515. Subsection (b) of section 16-245aa of the general statutes is
376 repealed and the following is substituted in lieu thereof (*Effective*
377 *October 1, 2010*):

378 (b) Connecticut Innovations, Incorporated, in consultation with the
379 Department of Public Utility Control, the Department of Education
380 and the Department of [Emergency Management and Homeland
381 Security] Public Safety, shall establish a municipal renewable energy
382 and efficient energy generation grant program. Connecticut
383 Innovations, Incorporated, shall make grants under said program to
384 municipalities for the purchase of (1) renewable energy sources,
385 including solar energy, geothermal energy and fuel cells or other
386 energy-efficient hydrogen-fueled energy, or (2) energy-efficient
387 generation sources, including units providing combined heat-and-
388 power operations with greater than sixty-five per cent efficiency or
389 such higher efficiency level as Connecticut Innovations, Incorporated,
390 may prescribe, for municipal buildings. Connecticut Innovations,
391 Incorporated, shall give priority to applications for grants for disaster
392 relief centers and high schools. Each grant shall be in an amount that
393 makes the cost of purchasing and operating the renewable energy or
394 energy-efficient generation source competitive with the municipality's
395 current electricity expenses.

396 Sec. 516. Section 16a-13b of the general statutes is repealed and the
397 following is substituted in lieu thereof (*Effective October 1, 2010*):

398 (a) The secretary shall: (1) Be responsible for the conduct and
399 administration of energy emergency planning and preparedness
400 activities generally, including the coordination of such activities under
401 this title with other state emergency planning conducted under any
402 other provisions of the general statutes or special acts and with energy
403 emergency planning or preparedness activities undertaken by the
404 federal government, other states and regional or interstate
405 organizations, and (2) coordinate, under the direction of the office of

406 the Governor, the adoption and implementation of emergency
407 measures by state departments during any energy emergency
408 proclaimed under section 16a-11 or section 16a-12, including the
409 coordination of state, federal, regional and interstate activities.

410 (b) In exercising the responsibilities under subsection (a) of this
411 section, the secretary shall consult with [the Department of Emergency
412 Management and Homeland Security,] the Department of Public
413 Safety, the Department of Public Utility Control, the Department of
414 Transportation and such other state agencies as the secretary deems
415 appropriate. Each state agency shall assist the secretary in carrying out
416 the responsibilities assigned by sections 16a-9 to 16a-13d, inclusive.

417 Sec. 517. Subsection (c) of section 16a-106 of the general statutes is
418 repealed and the following is substituted in lieu thereof (*Effective*
419 *October 1, 2010*):

420 (c) The Commissioner of Transportation shall, not later than
421 November 1, 1976, and after consultation with the Commissioners of
422 Environmental Protection [] and Public Safety, [and Emergency
423 Management and Homeland Security,] the Secretary of the Office of
424 Policy and Management, representatives of the federal Nuclear
425 Regulatory Commission and the United States Department of
426 Transportation, adopt regulations pursuant to chapter 54, to carry out
427 the provisions of this section. The Commissioner of Transportation
428 shall, after consultation with the Commissioner of Public Safety,
429 establish by regulations adopted pursuant to chapter 54 a permit fee
430 schedule commensurate with the cost of administering the provisions
431 of this section.

432 Sec. 518. Section 19a-131g of the general statutes is repealed and the
433 following is substituted in lieu thereof (*Effective October 1, 2010*):

434 The Commissioner of Public Health shall establish a Public Health
435 Preparedness Advisory Committee. The advisory committee shall
436 consist of the Commissioner of Public Health, the Commissioner of
437 [Emergency Management and Homeland Security] Public Safety, the

438 president pro tempore of the Senate, the speaker of the House of
439 Representatives, the majority and minority leaders of both houses of
440 the General Assembly and the chairpersons and ranking members of
441 the joint standing committees of the General Assembly having
442 cognizance of matters relating to public health, public safety and the
443 judiciary, and representatives of town, city, borough and district
444 directors of health, as appointed by the commissioner, and any other
445 organization or persons that the commissioner deems relevant to the
446 issues of public health preparedness. The Public Health Preparedness
447 Advisory Committee shall develop the plan for emergency responses
448 to a public health emergency. Such plan may include an emergency
449 notification service. Not later than January 1, 2004, and annually
450 thereafter, the committee shall submit a report, in accordance with
451 section 11-4a, to the Governor and the joint standing committees of the
452 General Assembly having cognizance of matters relating to public
453 health and public safety, on the status of a public health emergency
454 plan and the resources needed for implementation of such plan.

455 Sec. 519. Subsection (a) of section 19a-487 of the general statutes is
456 repealed and the following is substituted in lieu thereof (*Effective*
457 *October 1, 2010*):

458 (a) There is established a board of directors to advise the
459 Department of Public Health on the operations of the mobile field
460 hospital. The board shall consist of the following members: The
461 Commissioners of Public Health, [Emergency Management and
462 Homeland Security,] Public Safety and Social Services, or their
463 designees, the Secretary of the Office of Policy and Management, or the
464 secretary's designee, the Adjutant General, or the Adjutant General's
465 designee, one representative of a hospital in this state with more than
466 five hundred licensed beds and one representative of a hospital in this
467 state with five hundred or fewer licensed beds, both appointed by the
468 Commissioner of Public Health. The Commissioner of Public Health
469 shall be the chairperson of the board. The board shall adopt bylaws
470 and shall meet at such times as specified in such bylaws and at such
471 other times as the Commissioner of Public Health deems necessary.

472 Sec. 520. Subsection (a) of section 21a-70c of the general statutes is
473 repealed and the following is substituted in lieu thereof (*Effective*
474 *October 1, 2010*):

475 (a) The Commissioner of Consumer Protection shall convene a
476 working group comprised of the [Commissioners] Commissioner of
477 Consumer Protection, [and Emergency Management and Homeland
478 Security, or their designees] or the commissioner's designee, a member
479 of the Commission of Pharmacy, the chairpersons of the joint standing
480 committee of the General Assembly having cognizance of matters
481 relating to public health, or their designees, and representatives of
482 retail drug establishments, independent pharmacies and
483 pharmaceutical manufacturers. The working group shall be
484 responsible for submitting recommendations to the Governor and to
485 the joint standing committee of the General Assembly having
486 cognizance of matters relating to public health concerning the
487 development and implementation of a program to authenticate the
488 pedigree of prescription drugs distributed in this state.

489 Sec. 521. Subsection (a) of section 22a-601 of the general statutes is
490 repealed and the following is substituted in lieu thereof (*Effective*
491 *October 1, 2010*):

492 (a) There is established a Connecticut Emergency Response
493 Commission which shall be within the Department of Environmental
494 Protection. The commission shall consist of [nineteen] eighteen
495 members as follows: The Commissioners of Environmental Protection,
496 [Emergency Management and Homeland Security,] Public Safety,
497 Public Health and Transportation, the Labor Commissioner, the
498 Secretary of the Office of Policy and Management, the Adjutant
499 General of the Military Department, the State Fire Marshal and the
500 State Fire Administrator, or their designees, and nine members
501 appointed by the Governor, four of whom shall represent the public,
502 three of whom shall represent owners or operators of facilities, one of
503 whom shall be the fire chief of a municipal fire department whose
504 employees are compensated for their services and one of whom shall

505 be the fire chief of a volunteer fire department. Members of the
506 commission appointed by the Governor shall serve for two years. The
507 Governor shall fill any vacancy in the office of an appointed member
508 for the unexpired portion of the term. Members of the commission
509 shall serve without compensation but shall be reimbursed for
510 necessary expenses incurred in the performance of their duties. The
511 chairperson of the commission shall be appointed by the Governor and
512 shall serve at his pleasure.

513 Sec. 522. Section 22a-603 of the general statutes is repealed and the
514 following is substituted in lieu thereof (*Effective October 1, 2010*):

515 The Commissioner of [Emergency Management and Homeland
516 Security] Public Safety shall implement the state emergency planning
517 activities required pursuant to the Emergency Planning and
518 Community Right-to-Know Act.

519 Sec. 523. Section 28-1 of the general statutes is repealed and the
520 following is substituted in lieu thereof (*Effective October 1, 2010*):

521 As used in this chapter:

522 (1) "Attack" means any attack or series of attacks by an enemy of the
523 United States causing, or which may cause, substantial damage or
524 injury to civilian property or persons in the United States in any
525 manner by sabotage or by the use of bombs, shellfire or atomic,
526 radiological, chemical, bacteriological or biological means or other
527 weapons or processes.

528 (2) "Major disaster" means any catastrophe including, but not
529 limited to, any hurricane, tornado, storm, high water, wind-driven
530 water, tidal wave, tsunami, earthquake, volcanic eruption, landslide,
531 mudslide, snowstorm or drought, or, regardless of cause, any fire,
532 flood, explosion, or manmade disaster in any part of this state that, in
533 the determination of the President, causes damage of sufficient
534 severity and magnitude to warrant major disaster assistance under the
535 Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42

536 USC 5121 et seq., as amended from time to time, to supplement the
537 efforts and available resources of this state, local governments thereof,
538 and disaster relief organizations in alleviating the damage, loss,
539 hardship, or suffering caused thereby.

540 (3) "Emergency" means any occasion or instance for which, in the
541 determination of the President, federal assistance is needed to
542 supplement state and local efforts and capabilities to save lives and
543 protect property, public health and safety or to avert or lessen the
544 threat of a disaster or catastrophe in any part of this state.

545 (4) "Civil preparedness" means all those activities and measures
546 designed or undertaken (A) to minimize or control the effects upon the
547 civilian population of major disaster, (B) to minimize the effects upon
548 the civilian population caused or which would be caused by an attack
549 upon the United States, (C) to deal with the immediate emergency
550 conditions which would be created by any such attack, major disaster
551 or emergency, and (D) to effectuate emergency repairs to, or the
552 emergency restoration of, vital utilities and facilities destroyed or
553 damaged by any such attack, major disaster or emergency. Such term
554 shall include, but shall not be limited to, (i) measures to be taken in
555 preparation for anticipated attack, major disaster or emergency,
556 including the establishment of appropriate organizations, operational
557 plans and supporting agreements; the recruitment and training of
558 personnel; the conduct of research; the procurement and stockpiling of
559 necessary materials and supplies; the provision of suitable warning
560 systems; the construction and preparation of shelters, shelter areas and
561 control centers; and, when appropriate, the nonmilitary evacuation of
562 the civilian population, pets and service animals; (ii) measures to be
563 taken during attack, major disaster or emergency, including the
564 enforcement of passive defense regulations prescribed by duly
565 established military or civil authorities; the evacuation of personnel to
566 shelter areas; the control of traffic and panic; and the control and use of
567 lighting and civil communication; and (iii) measures to be taken
568 following attack, major disaster or emergency, including activities for
569 fire fighting; rescue, emergency medical, health and sanitation

570 services; monitoring for specific hazards of special weapons;
571 unexploded bomb reconnaissance; essential debris clearance;
572 emergency welfare measures; and immediately essential emergency
573 repair or restoration of damaged vital facilities.

574 (5) "Civil preparedness forces" means any organized personnel
575 engaged in carrying out civil preparedness functions in accordance
576 with the provisions of this chapter or any regulation or order adopted
577 pursuant to this chapter. All the police and fire forces of the state or
578 any political subdivision of the state, or any part of any political
579 subdivision, including all the auxiliaries of these forces and emergency
580 medical service personnel licensed or certified pursuant to section 19a-
581 179, shall be construed to be a part of the civil preparedness forces. The
582 Connecticut Disaster Medical Assistance Team and the Medical
583 Reserve Corps, under the auspices of the Department of Public Health,
584 the Connecticut Urban Search and Rescue Team, under the auspices of
585 the Department of [Emergency Management and Homeland Security]
586 Public Safety, and the Connecticut behavioral health regional crisis
587 response teams, under the auspices of the Department of Mental
588 Health and Addiction Services and the Department of Children and
589 Families, and their members, shall be construed to be a part of the civil
590 preparedness forces while engaging in authorized civil preparedness
591 duty or while assisting or engaging in authorized training for the
592 purpose of eligibility for immunity from liability as provided in section
593 28-13 and for death, disability and injury benefits as provided in
594 section 28-14. Any member of the civil preparedness forces who is
595 called upon either by civil preparedness personnel or state or
596 municipal police personnel to assist in any emergency shall be deemed
597 to be engaging in civil preparedness duty while assisting in such
598 emergency or while engaging in training under the auspices of [the
599 Department of Emergency Management and Homeland Security,] the
600 Department of Public Safety, the Division of State Police within the
601 Department of Public Safety or a municipal police department, for the
602 purpose of eligibility for death, disability and injury benefits as
603 provided in section 28-14.

604 (6) "Mobile support unit" means an organization of civil
605 preparedness forces created in accordance with the provisions of this
606 chapter to be dispatched by the Governor or Commissioner of
607 [Emergency Management and Homeland Security] Public Safety to
608 supplement civil preparedness forces in a stricken or threatened area.

609 (7) "Civil preparedness emergency" or "disaster emergency" means
610 an emergency declared by the Governor under the provisions of this
611 chapter in the event of serious disaster or of enemy attack, sabotage or
612 other hostile action within the state or a neighboring state, or in the
613 event of the imminence thereof.

614 (8) "Local civil preparedness emergency" or "disaster emergency"
615 means an emergency declared by the chief executive officer of any
616 town or city in the event of serious disaster affecting such town or city.

617 (9) "Governor" means the Governor or anyone legally administering
618 the office of Governor.

619 (10) "Commissioner" means the Commissioner of [Emergency
620 Management and Homeland Security] Public Safety.

621 (11) "Department" means the Department of [Emergency
622 Management and Homeland Security] Public Safety.

623 (12) "Political subdivision" means any city, town, municipality,
624 borough or other unit of local government.

625 Sec. 524. Section 28-1a of the general statutes is repealed and the
626 following is substituted in lieu thereof (*Effective October 1, 2010*):

627 (a) [There is established a Department of Emergency Management
628 and Homeland Security. Said department] The Department of Public
629 Safety shall be the designated emergency management and homeland
630 security agency for the state. [The department head shall be the
631 commissioner, who shall be appointed by the Governor in accordance
632 with the provisions of sections 4-5, 4-6, 4-7 and 4-8 with the powers
633 and duties prescribed in said sections. The commissioner shall possess

634 professional training and knowledge consisting of not less than five
635 years of managerial or strategic planning experience in matters relating
636 to public safety, security, emergency services and emergency response.
637 No person possessing a record of any criminal, unlawful or unethical
638 conduct shall be eligible for or hold such position. Any person with
639 any present or past political activities or financial interests that may
640 substantially conflict with the duties of the commissioner or expose
641 such person to potential undue influence or compromise such person's
642 ability to be entrusted with necessary state or federal security
643 clearances or information shall be deemed unqualified for such
644 position and shall not be eligible to hold such position. The
645 commissioner shall be the chief administrative officer of the
646 department and] The Commissioner of Public Safety shall have the
647 responsibility for providing a coordinated, integrated program for
648 state-wide emergency management and homeland security. The
649 commissioner may do all things necessary to apply for, qualify for and
650 accept any federal funds made available or allotted under any federal
651 act relative to emergency management or homeland security.

652 (b) With reasonable conformance to applicable federal statutes and
653 administrative regulations of the Federal Emergency Management
654 Agency and the requirements of the Connecticut emergency
655 operations plan, the commissioner shall organize the department and
656 the personnel of the department as may be necessary for the effective
657 discharge of the authorized emergency management, civil
658 preparedness and homeland security missions, including, but not
659 limited to, the provisions of the Connecticut emergency operations
660 plan and the national plan for civil preparedness. Any department
661 personnel may be removed by the commissioner for security reasons
662 or for incompetence, subject to reinstatement by the Employees'
663 Review Board. The commissioner may enter into contracts for the
664 furnishing by any person or agency, public or private, of services
665 necessary for the proper execution of the duties of the department.
666 Any such contract that has a cost of three thousand dollars or more
667 shall be subject to the approval of the Attorney General.

668 (c) The commissioner shall be responsible for: (1) Coordinating with
669 state and local government personnel, agencies and authorities and the
670 private sector to ensure adequate planning, equipment, training and
671 exercise activities by such personnel, agencies and authorities and the
672 private sector with regard to homeland security; (2) coordinating, and
673 as may be necessary, consolidating homeland security
674 communications and communications systems of the state government
675 with state and local government personnel, agencies and authorities,
676 the general public and the private sector; (3) distributing and, as may
677 be appropriate, coordinating the distribution of information and
678 security warnings to state and local government personnel, agencies
679 and authorities and the general public; and (4) establishing standards
680 and security protocols for the use of any intelligence information.

681 (d) The commissioner may adopt such regulations, in accordance
682 with the provisions of chapter 54, as necessary to implement the duties
683 of the department.

684 (e) The commissioner shall, in consultation with the bargaining unit
685 representing state police, enter into an interagency memorandum of
686 understanding with [the Department of Public Safety and] the Military
687 Department to provide for (1) the temporary assignment and
688 retrenchment rights of [state police and] employees of the Military
689 Department to work in the department, and (2) interagency
690 information sharing. Any such personnel temporarily assigned shall
691 act under the direction of the commissioner. The Military Department
692 [of Public Safety and the Military Department, respectively,] shall
693 retain administrative control over such personnel.

694 (f) The commissioner may request and may receive from any
695 federal, state or local agency, cooperation and assistance in the
696 performance of the duties of the department, including the temporary
697 assignment of personnel necessary to perform the functions of the
698 department. Any such personnel temporarily assigned shall act under
699 the direction of the commissioner. The federal, state or local agency
700 shall retain administrative control over such personnel. For purposes

701 of section 5-141d, such personnel temporarily assigned shall be
702 deemed to be acting as state employees while assigned to, and
703 performing the duties of, the department.

704 (g) The functions, powers, duties and, as determined to be necessary
705 by the commissioner, personnel of [the Division of Homeland Security
706 within the Department of Public Safety and] the Office of Emergency
707 Management within the Military Department shall be transferred to
708 the Department of [Emergency Management and Homeland Security]
709 Public Safety in accordance with the provisions of sections 4-38d, 4-38e
710 and 4-39.

711 Sec. 525. Section 28-1b of the general statutes is repealed and the
712 following is substituted in lieu thereof (*Effective October 1, 2010*):

713 (a) There is established a state-wide Emergency Management and
714 Homeland Security Coordinating Council to advise the Department of
715 Public Safety [, the Office of Emergency Management and, on and after
716 January 1, 2005, the Department of Emergency Management and
717 Homeland Security] with respect to: (1) Application and distribution of
718 federal or state funds for emergency management and homeland
719 security; (2) planning, design, implementation and coordination of
720 state-wide emergency response systems; (3) assessing the state's
721 overall emergency management and homeland security preparedness,
722 policies and communications; (4) the recommendation of strategies to
723 improve emergency response and incident management including, but
724 not limited to, training and exercises, volunteer management,
725 communications and use of technology, intelligence gathering,
726 compilation and dissemination, the development, coordination and
727 implementation of state and federally required emergency response
728 plans, and the assessment of the state's use of regional management
729 structures; and (5) strengthening consultation, planning, cooperation
730 and communication among federal, state and local governments, the
731 Connecticut National Guard, police, fire, emergency medical and other
732 first responders, emergency managers, public health officials, private
733 industry and community organizations. The council shall advise the

734 Governor and the General Assembly on its findings and efforts to
735 secure the state from all disasters and emergencies and to enhance the
736 protection of the citizens of the state.

737 (b) The council shall consist of: (1) The [Commissioner of
738 Emergency Management and Homeland Security; the] Secretary of the
739 Office of Policy and Management; the Commissioner of Public Safety;
740 the Commissioner of Public Health; the Commissioner of Mental
741 Health and Addiction Services; the Commissioner of Environmental
742 Protection; the Commissioner of Public Works; the Commissioner of
743 Transportation; the Adjutant General of the Military Department; the
744 chairperson of the Department of Public Utility Control; the Chief
745 Information Officer [, as defined in section 4d-1] of the Department of
746 Information Technology; the State Fire Administrator; or their
747 designees; and (2) the following members appointed as follows: Two
748 municipal police chiefs, one appointed by the speaker of the House of
749 Representatives and one appointed by the Governor; two municipal
750 fire chiefs, one appointed by the president pro tempore of the Senate
751 and one appointed by the Governor; one volunteer fire chief appointed
752 by the minority leader of the Senate; one representative of the
753 Connecticut Conference of Municipalities appointed by the majority
754 leader of the Senate; one representative of the Council of Small Towns
755 appointed by the minority leader of the House of Representatives; two
756 local or regional emergency management directors, one appointed by
757 the speaker of the House of Representatives and one designated, not
758 later than July 1, 2007, by the president of the Connecticut Emergency
759 Management Association; one local or regional health director
760 appointed by the president pro tempore of the Senate; one emergency
761 medical services professional appointed by the Governor; one
762 nonprofit hospital administrator appointed by the majority leader of
763 the House of Representatives; and one manager or coordinator of 9-1-1
764 public safety answering points appointed by the Governor. Each
765 member appointed under this subdivision shall serve for a term of
766 three years from July 1, 2004, or three years from the time of
767 appointment if appointed after July 1, 2004, or until a qualified

768 successor has been appointed to replace such member. No member
769 appointed under this subdivision shall receive any compensation for
770 such member's service on the council.

771 (c) [The Secretary of the Office of Policy and Management, or the
772 secretary's designee who shall be an employee of said office, shall
773 serve as chairperson of the council until January 1, 2005. On and after
774 January 1, 2005, the Commissioner of Emergency Management and
775 Homeland Security shall serve as chairperson.] The Commissioner of
776 Public Safety shall serve as chairperson of the council.

777 (d) The council shall hold its first meeting not later than August 1,
778 2004, and shall meet at least quarterly thereafter.

779 (e) The chairperson of the council may request the participation of
780 other representatives of federal, state, regional and local agencies as
781 nonvoting members for purposes of consultation, planning and
782 communication.

783 (f) Any vacancy on the council shall be filled for the unexpired
784 portion of the term by the appointing authority having the power to
785 make the original appointment. Any vacancy occurring on the council
786 shall be filled within thirty days.

787 (g) The council shall submit a report to the General Assembly not
788 later than January 1, 2005, and annually thereafter.

789 Sec. 526. Section 28-1i of the general statutes is repealed and the
790 following is substituted in lieu thereof (*Effective from passage*):

791 Not later than January [1, 2006, and] first annually, [thereafter,] the
792 Commissioner of [Emergency Management and Homeland Security]
793 Public Safety shall submit a report to the joint standing committee of
794 the General Assembly having cognizance of matters relating to public
795 safety that specifies and evaluates state-wide emergency management
796 and homeland security activities during the preceding calendar year.

797 Sec. 527. Subsection (a) of section 28-1j of the general statutes is

798 repealed and the following is substituted in lieu thereof (*Effective*
799 *October 1, 2010*):

800 (a) The Attorney General, in consultation with the Commissioner of
801 [Emergency Management and Homeland Security] Public Safety, shall
802 make written recommendations to the United States Coast Guard
803 regarding the designation of a hazard zone in relation to a liquefied
804 natural gas terminal located or proposed to be located on Long Island
805 Sound that will impact Connecticut waters or land, and shall submit
806 such recommendations to the Governor and the General Assembly in
807 accordance with section 11-4a.

808 Sec. 528. Subsection (a) of section 28-1k of the general statutes is
809 repealed and the following is substituted in lieu thereof (*Effective*
810 *October 1, 2010*):

811 (a) The Attorney General, in consultation with the Commissioner of
812 [Emergency Management and Homeland Security] Public Safety, shall
813 make written recommendations to the federal government regarding
814 the designation of a security zone in relation to a liquefied natural gas
815 terminal located or proposed to be located on Long Island Sound that
816 will impact Connecticut waters or land, and shall submit such
817 recommendations to the Governor and the General Assembly in
818 accordance with section 11-4a.

819 Sec. 529. Subsection (b) of section 28-14a of the general statutes is
820 repealed and the following is substituted in lieu thereof (*Effective*
821 *October 1, 2010*):

822 (b) The Department of [Emergency Management and Homeland
823 Security] Public Safety shall compensate each volunteer with any
824 volunteer organization that conducts a homeland security drill
825 authorized by said department that exceeds twenty-four consecutive
826 hours in length who participates in such drill and is otherwise
827 employed, at the same rate as such volunteer is compensated in his or
828 her employment in the public or private sector, provided the payment
829 by said department shall be reduced by any amount of compensation

830 such volunteer receives from his or her employer for such drill.

831 Sec. 530. Section 28-22a of the general statutes is repealed and the
832 following is substituted in lieu thereof (*Effective October 1, 2010*):

833 Intrastate Mutual Aid Compact.

834 Article I. Purposes

835 This compact shall be known as the Intrastate Mutual Aid Compact
836 and is made and entered into by and between the participating
837 political subdivisions of this state. The purpose of this compact is to
838 create a system of intrastate mutual aid between participating political
839 subdivisions in the state. Each participant of this system recognizes
840 that emergencies transcend political jurisdictional boundaries and that
841 intergovernmental coordination is essential for the protection of lives
842 and property and for best use of available assets. The system shall
843 provide for mutual assistance among the participating political
844 subdivisions in the prevention of, response to, and recovery from, any
845 disaster that results in a declaration of a local civil preparedness
846 emergency in a participating political subdivision, subject to that
847 participating political subdivision's criteria for declaration. The system
848 shall provide for mutual cooperation among the participating
849 subdivisions in conducting disaster-related exercises, testing or
850 training activities.

851 Article II. General Provisions

852 (1) For purposes of this compact: (A) "Participating political
853 subdivision" means each political subdivision of the state whose
854 legislative body has not adopted a resolution withdrawing from this
855 compact in accordance with the provisions of this article; and (B) "chief
856 executive officer" means the elected or appointed officer granted the
857 authority to declare a local civil preparedness emergency by the
858 charter or ordinance of his or her political subdivision.

859 (2) On and after October 1, 2007, each political subdivision within

860 the state shall automatically be a participating member of this compact.
861 A participating political subdivision may withdraw from this compact
862 by adopting a resolution indicating its intent to do so. The political
863 subdivision shall automatically be deemed to have withdrawn from
864 this compact upon adoption of such a resolution. The chief executive
865 officer of such political subdivision shall submit a copy of such
866 resolution to the Commissioner of [Emergency Management and
867 Homeland Security] Public Safety not later than ten days after the
868 adoption of the resolution. Nothing in this article shall preclude a
869 participating political subdivision from entering into a supplementary
870 mutual aid agreement with another political subdivision or affect any
871 other inter-local municipal agreement, including any other mutual aid
872 agreement, to which a political subdivision may be a party or become a
873 party.

874 (3) In the event of a serious disaster affecting any political
875 subdivision of the state, the chief executive officer of that political
876 subdivision may declare a local civil preparedness emergency. The
877 chief executive officer of such political subdivision shall notify the
878 Commissioner of [Emergency Management and Homeland Security]
879 Public Safety of such declaration not later than twenty-four hours after
880 such declaration. Such a declaration shall activate the emergency plan
881 of operations of that political subdivision, as established under
882 subsection (a) of section 28-7, and authorize the request or furnishing
883 of aid and assistance, including any aid and assistance provided under
884 the intrastate mutual aid system described in this section. No
885 immunity, rights or privileges shall be provided for any individual
886 who self-dispatches in response to a declaration, without authorization
887 by such individual's participating political subdivision.

888 Article III. Responsibilities
889 of the Local and Joint Organizations
890 of Participating Political Subdivisions

891 The participating political subdivisions shall ensure that the duties
892 of their local or joint organizations, as described in subsection (a) of

893 section 28-7, include the following:

894 (1) Identifying potential hazards that could affect the participating
895 political subdivisions using an identification system common to all
896 participating jurisdictions;

897 (2) Conducting of joint planning, intelligence sharing and threat
898 assessment development with contiguous participating political
899 subdivisions, and conducting joint training at least biennially;

900 (3) Identifying and inventorying the current services, equipment,
901 supplies, personnel and other resources related to planning,
902 prevention, mitigation, response and recovery activities of the
903 participating political subdivisions; and

904 (4) Adopting and implementing the standardized incident
905 management system approved by the Department of [Emergency
906 Management and Homeland Security] Public Safety.

907 Article IV. Implementation

908 Any request for assistance made by the chief executive officer of a
909 participating political subdivision who has declared a local civil
910 preparedness emergency shall be made to the chief executive officers
911 of other participating political subdivisions or their designees.
912 Requests may be oral or in writing, and shall be reported to the
913 Commissioner of [Emergency Management and Homeland Security]
914 Public Safety not later than twenty-four hours after the request. Oral
915 requests shall be reduced to writing not later than forty-eight hours
916 after the request.

917 Article V. Conditions

918 A participating political subdivision's obligation to provide
919 assistance in the case of a declared local civil preparedness emergency
920 is subject to the following conditions:

921 (1) A participating political subdivision shall have declared a local

922 civil preparedness emergency;

923 (2) A responding participating political subdivision may withhold
924 or recall resources to the extent it deems necessary to provide
925 reasonable protection and services for its own jurisdiction;

926 (3) Personnel of a responding participating political subdivision
927 shall continue under the command and control of their responding
928 jurisdiction, including emergency medical treatment protocols,
929 standard operating procedures and other protocols, but shall be under
930 the operational control of the appropriate officials within the incident
931 management system of the participating political subdivision receiving
932 assistance; and

933 (4) Assets and equipment of a responding participating political
934 subdivision shall continue under the control of the responding
935 jurisdiction, but shall be under the operational control of the
936 appropriate officials within the incident management system of the
937 participating political subdivision receiving assistance.

938 Article VI. Licenses, Certificates and Permits

939 (1) If a person or entity holds a license, certificate or other permit
940 issued by a participating political subdivision or the state evidencing
941 qualification in a profession, mechanical skill or other skill, and the
942 assistance of that person or entity is requested by a participating
943 political subdivision, such person or entity shall be deemed to be
944 licensed, certified or permitted in the political subdivision requesting
945 assistance for the duration of the declared local civil preparedness
946 emergency, subject to any limitations and conditions as may be
947 prescribed by the chief executive officer of the participating political
948 subdivisions, by executive order or otherwise; or by the person or
949 entity's sponsor hospital.

950 (2) The officers, members and employees of the responding political
951 subdivision, including, but not limited to, public works personnel,
952 firefighters, police or other assigned personnel rendering aid or

953 assistance pursuant to the compact and this section shall have the same
954 duties, rights, privileges and immunities as if they were performing
955 their duties in the responding political subdivision.

956 Article VII. Reimbursement

957 (1) Participating political subdivisions shall maintain
958 documentation of all assets provided. In the event of federal
959 reimbursement to a requesting political subdivision, any political
960 subdivision providing assistance under the compact and this section
961 shall receive its appropriate share of said reimbursement.

962 (2) A participating political subdivision may donate assets of any
963 kind to a requesting participating political subdivision. Unless
964 requested in writing, no reimbursement shall be sought by a
965 responding political subdivision from a requesting political
966 subdivision that has declared a local civil preparedness emergency.
967 Any written request for reimbursement must be made not later than
968 thirty calendar days after the response, except that notice of intent to
969 seek reimbursement shall be given at the time the aid is rendered, or as
970 soon as possible thereafter.

971 (3) Any dispute between political subdivisions regarding
972 reimbursement shall be resolved by the parties not later than thirty
973 days after written notice of the dispute by the party asserting
974 noncompliance. If the dispute is not resolved within ninety days of the
975 notice of the claim, either party may request that the dispute be
976 resolved through arbitration. Any such arbitration shall be conducted
977 under the commercial arbitration rules of the American Arbitration
978 Association.

979 Article VIII. Liability

980 For the purposes of liability, all persons from a responding political
981 subdivision under the operational control of the requesting political
982 subdivision are deemed to be employees of the responding political
983 subdivision. Neither the participating political subdivisions nor their

984 employees, except in cases of wilful misconduct, gross negligence or
985 bad faith, shall be liable for the death of or injury to persons or for
986 damage to property when complying or attempting to comply with the
987 intrastate mutual aid system.

988 Sec. 531. Subsection (b) of section 28-28a of the 2010 supplement to
989 the general statutes is repealed and the following is substituted in lieu
990 thereof (*Effective October 1, 2010*):

991 (b) Each month, the provider of the enhanced 9-1-1 service database
992 shall provide to the Office of State-Wide Emergency
993 Telecommunications an electronic copy of the current subscriber
994 information maintained in the enhanced 9-1-1 service database. The
995 office shall make such subscriber information available to the
996 Department of [Emergency Management and Homeland Security]
997 Public Safety and to each public safety answering point pursuant to a
998 memorandum of understanding consistent with the provisions of this
999 section. Each public safety answering point that has entered into such
1000 a memorandum of understanding shall make such subscriber
1001 information available to one or more of the municipalities within the
1002 public safety answering point's jurisdiction at such a municipality's
1003 request.

1004 Sec. 532. Section 28-29a of the general statutes is repealed and the
1005 following is substituted in lieu thereof (*Effective October 1, 2010*):

1006 There is established an E 9-1-1 Commission to advise the office in
1007 the planning, design, implementation and coordination of the
1008 state-wide emergency 9-1-1 telephone system to be created pursuant to
1009 sections 28-25, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,
1010 28-28b, 28-29 and 28-29b. The commission shall be appointed by the
1011 Governor on or before October 1, 1984, and shall consist of the
1012 following members: (1) One representative of the technical support
1013 services unit of the Division of State Police within the Department of
1014 Public Safety; (2) the State Fire Administrator; (3) one representative
1015 from the Office of Emergency Medical Services; (4) one representative

1016 from the Department of [Emergency Management and Homeland
1017 Security] Public Safety; (5) one municipal police chief; (6) one
1018 municipal fire chief; (7) one volunteer fireman; (8) one representative
1019 of the Connecticut Conference of Municipalities; (9) one representative
1020 of the Council of Small Towns; (10) one manager or coordinator of 9-1-
1021 1 public safety answering points serving areas of differing population
1022 concentration; and (11) one representative of providers of commercial
1023 mobile radio services, as defined in 47 Code of Federal Regulations
1024 20.3, as amended. Each member shall serve for a term of three years
1025 from July 1, 1984, or until a successor has been appointed and
1026 qualified. No member of the commission shall receive compensation
1027 for such member's services.

1028 Sec. 533. Section 28-31 of the 2010 supplement to the general statutes
1029 is repealed and the following is substituted in lieu thereof (*Effective*
1030 *October 1, 2010*):

1031 (a) The Department of Public Utility Control shall establish a
1032 nuclear safety emergency preparedness account, which shall be a
1033 separate, nonlapsing account within the General Fund, and which
1034 shall be financed through assessments of all Nuclear Regulatory
1035 Commission licensees that own or operate nuclear power generating
1036 facilities in the state. The department shall initially assess the licensees
1037 for a total of two million dollars. The department may assess licensees
1038 for such amounts as necessary for the purposes of the account,
1039 provided the balance in the account at the end of the fiscal year may
1040 not exceed three hundred thousand dollars. The department shall
1041 annually assess the licensees, upon the request of the Commissioner of
1042 [Emergency Management and Homeland Security] Public Safety, for
1043 funding to support annual expenses of five staff positions in the
1044 Department of Environmental Protection and three staff positions in
1045 the Department of [Emergency Management and Homeland Security]
1046 Public Safety. Personnel shall be assigned to said staff positions solely
1047 for the purposes of the program established pursuant to subsection (b)
1048 of this section. Federal reimbursements and grants obtained in support
1049 of the nuclear safety emergency preparedness program shall be paid

1050 into the General Fund and credited to the account. The department
1051 shall develop an equitable method of assessing the licensees for their
1052 reasonable pro rata share of such assessments. All such assessments
1053 shall be included as operating expenses of the licensees for purposes of
1054 rate-making. All moneys within the account shall be invested by the
1055 State Treasurer in accordance with established investment practices
1056 and all interest earned by such investments shall be returned to the
1057 account.

1058 (b) Moneys in the account shall be expended by the Commissioner
1059 of [Emergency Management and Homeland Security] Public Safety, in
1060 conjunction with the Commissioner of Environmental Protection, only
1061 to support the activities of a nuclear safety emergency preparedness
1062 program and only in accordance with the plan approved by the
1063 Secretary of the Office of Policy and Management under subsection (c)
1064 of this section. The program shall include, but not necessarily be
1065 limited to: (1) Development of a detailed fixed facility nuclear
1066 emergency response plan for areas surrounding each nuclear electrical
1067 generation facility and each away-from-reactor spent fuel storage
1068 facility, (2) annual training of state and local emergency response
1069 personnel, (3) development of accident scenarios and exercising of
1070 fixed facility nuclear emergency response plans, (4) provision of
1071 specialized response equipment necessary to accomplish this task, (5)
1072 support for the operations and personal services costs of the
1073 radiological instrument maintenance and calibration facility, as
1074 necessary to replace any reduction in current federal funding, and (6)
1075 any other measures as may be required by the Nuclear Regulatory
1076 Commission and the Federal Emergency Management Agency of the
1077 United States Department of Homeland Security. Moneys in the
1078 account shall be distributed as follows to carry out the purposes of the
1079 program: The Commissioner of [Emergency Management and
1080 Homeland Security] Public Safety may expend not more than
1081 twenty-five per cent of the proceeds of the maximum annual
1082 assessment for administrative functions incident to the program. The
1083 Commissioner of [Emergency Management and Homeland Security]

1084 Public Safety may expend such additional funds as are necessary to
1085 assure and maintain emergency operations center capabilities and
1086 specialized response equipment necessary to implement the fixed
1087 facility nuclear emergency response plans. The remaining moneys in
1088 the account may be allocated to other state agencies and used to
1089 reimburse municipalities for costs incurred in the purchase and
1090 maintenance of equipment and for services rendered in carrying out
1091 the purposes of the program.

1092 (c) Not later than May first, annually, the Commissioner of
1093 [Emergency Management and Homeland Security] Public Safety, in
1094 consultation with the Commissioner of Environmental Protection, shall
1095 submit to the Secretary of the Office of Policy and Management a plan
1096 for carrying out the purposes of the nuclear safety emergency
1097 preparedness program during the next state fiscal year. The plan shall
1098 include proposed itemized expenditures and measures for the
1099 program. The secretary shall review the plan and, not later than June
1100 first, annually, approve the plan if it conforms to the provisions of this
1101 section.

1102 (d) All moneys within the nuclear safety emergency preparedness
1103 account may be expended only in accordance with the provisions of
1104 this section.

1105 (e) Notwithstanding the provisions of subsection (a) of this section,
1106 the Department of Public Utility Control may allow an additional
1107 assessment of the licensees to supplement the initial assessment of
1108 such licensees if either the Nuclear Regulatory Commission or the
1109 Federal Emergency Management Agency of the United States
1110 Department of Homeland Security disapproves or informs, in writing,
1111 the Commissioner of [Emergency Management and Homeland
1112 Security] Public Safety that it is likely to disapprove the nuclear safety
1113 emergency preparedness plan and additional funds are or would be
1114 needed to conform the plan to acceptable standards.

1115 Sec. 534. Section 29-1p of the general statutes is repealed and the

1116 following is substituted in lieu thereof (*Effective October 1, 2010*):

1117 [(a)] The Commissioner of Public Safety may assess threats to public
1118 safety to determine when a threat qualifies as a genuine terrorist
1119 threat. The commissioner may consult with whatever agencies or
1120 officials the commissioner deems appropriate for such evaluation.

1121 [(b) When the Commissioner of Public Safety determines that there
1122 is a genuine terrorist threat, the commissioner shall immediately notify
1123 the Commissioner of Emergency Management and Homeland Security
1124 of such threat.]

1125 Sec. 535. Subsection (c) of section 54-142q of the 2010 supplement to
1126 the general statutes is repealed and the following is substituted in lieu
1127 thereof (*Effective October 1, 2010*):

1128 (c) The governing board shall be composed of the Chief Court
1129 Administrator, the Commissioner of Public Safety, [the Commissioner
1130 of Emergency Management and Homeland Security,] the Secretary of
1131 the Office of Policy and Management, the Commissioner of Correction,
1132 the chairperson of the Board of Pardons and Paroles, the Chief State's
1133 Attorney, the Chief Public Defender, the Chief Information Officer of
1134 the Department of Information Technology, the Victim Advocate, the
1135 Commissioner of Motor Vehicles, the chairpersons and ranking
1136 members of the joint standing committee of the General Assembly on
1137 judiciary and the president of the Connecticut Police Chiefs
1138 Association. The Chief Court Administrator and a person appointed
1139 by the Governor from among the membership shall serve as
1140 cochairpersons. Each member of the governing board may appoint a
1141 designee who shall have the same powers as such member."