



General Assembly

January Session, 2011

**Bill No. 6650**

LCO No. **6855**

\*06855 \_\_\_\_\_ \*

Referred to Committee on No Committee

Introduced by:

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

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

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET  
CONCERNING THE JUDICIAL BRANCH, CHILD PROTECTION,  
CRIMINAL JUSTICE, WEIGH STATIONS AND CERTAIN STATE  
AGENCY CONSOLIDATIONS.**

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

1 Section 1. Section 51-289 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) There is established a Public Defender Services Commission  
4 which shall consist of seven members appointed as follows:

5 (1) The Chief Justice shall appoint two judges of the Superior Court,  
6 or a judge of the Superior Court and any one of the following: A  
7 retired judge of the Superior Court, a former judge of the Superior  
8 Court, a retired judge of the Circuit Court, or a retired judge of the  
9 Court of Common Pleas;

10 (2) [the] The speaker of the House, the president pro tempore of the  
11 Senate, the minority leader of the House and the minority leader of the

12 Senate shall each appoint one member; and

13 (3) ~~[the]~~ The Governor shall appoint a chairman.

14 (b) The chairman shall serve for a three-year term and all  
15 appointments of members to replace those whose terms expire shall be  
16 for terms of three years.

17 (c) ~~[No]~~ Not more than three of the members, other than the  
18 chairman, may be members of the same political party. Of the four  
19 nonjudicial members, other than the chairman, at least two shall not be  
20 members of the bar of any state.

21 (d) If any vacancy occurs on the commission, the appointing  
22 authority having the power to make the initial appointment under the  
23 provisions of this chapter shall appoint a person for the unexpired  
24 term in accordance with the provisions of this chapter.

25 (e) Members shall serve without compensation but shall be  
26 reimbursed for actual expenses incurred while engaged in the duties of  
27 the commission. Members of ~~[this]~~ the commission shall not be  
28 employed or nominated to serve as public defenders or in any other  
29 position created under this chapter.

30 (f) The commission may adopt such rules as it deems necessary for  
31 the conduct of its internal affairs.

32 (g) The commission shall be responsible for carrying out the  
33 purposes of this chapter and, to carry out those purposes, ~~[it]~~ the  
34 commission shall adopt rules relating to the operations of a Division of  
35 Public Defender Services and shall provide any facilities, other than  
36 those provided in the courts by the Judicial Department, necessary for  
37 the carrying out of those services. Such rules shall include, but need  
38 not be limited to, Income and Eligibility Guidelines for the  
39 representation of indigent individuals.

40 (h) Public defender services shall consist of those duties carried out

41 by Superior Court and Court of Common Pleas public defenders prior  
42 to July 1, 1978, those duties carried out by the Commission on Child  
43 Protection and the Chief Child Protection Attorney prior to July 1,  
44 2011, and those responsibilities provided for by this chapter and  
45 section 4 of this act. Public defender services shall be executed by a  
46 Chief Public Defender, a deputy chief public defender, public  
47 defenders, assistant public defenders, deputy assistant public  
48 defenders, investigators and other personnel which the commission  
49 deems necessary.

50 (i) The Public Defender Services Commission shall constitute a  
51 successor to the Commission on Child Protection. All functions,  
52 powers and duties of the Commission on Child Protection are  
53 transferred to the Public Defender Services Commission in accordance  
54 with sections 4-38d, 4-38e and 4-39.

55 [(h)] (j) The Judicial Department shall provide adequate facilities for  
56 public defenders, assistant public defenders and deputy assistant  
57 public defenders in the various courts.

58 [(i)] (k) The commission shall establish a compensation plan  
59 comparable to that established for the Division of Criminal Justice in  
60 chapter 886, as it may be amended, and shall make rules [relative]  
61 relating to employees serving under [the] this chapter, including rules  
62 relating to sick leave and vacation time.

63 [(j)] (l) The commission shall be an autonomous body within the  
64 Judicial Department for fiscal and budgetary purposes only.

65 Sec. 2. Section 51-291 of the general statutes is repealed and the  
66 following is substituted in lieu thereof (*Effective July 1, 2011*):

67 The Chief Public Defender shall:

68 (1) Direct and supervise the work of the Deputy Chief Public  
69 Defender and all public defenders, assistant public defenders, deputy  
70 assistant public defenders and other personnel appointed pursuant to

71 this chapter and section 4 of this act; and [he] the Chief Public  
72 Defender and the Deputy Chief Public Defender may participate in the  
73 trial of criminal actions.

74 (2) Submit to the commission, prior to December thirty-first of each  
75 year, a report which shall include all pertinent data on the operation of  
76 the Division of Public Defender Services, the costs, projected needs,  
77 and recommendations for statutory changes, including changes in the  
78 civil and criminal law, and changes in court rules, which may be  
79 appropriate to the improvement of the system of criminal justice, the  
80 rehabilitation of offenders, the representation of children and parents  
81 or guardians in child protection and family relations matters and other  
82 related objectives. Prior to February first of the following year, the  
83 commission shall submit the report along with such recommendations,  
84 comments, conclusions or other pertinent information it chooses to  
85 make, to the Chief Justice, the Governor and the members of the joint  
86 standing committee [on] of the General Assembly having cognizance  
87 of matters relating to the judiciary. [of the General Assembly.] The  
88 reports shall be public records, shall be maintained in the office of the  
89 Chief Public Defender and shall be otherwise distributed as the  
90 commission shall direct.

91 (3) With the approval of the commission, establish such divisions,  
92 facilities and offices and select such professional, technical and other  
93 personnel, including investigators, as [he] the Chief Public Defender  
94 deems reasonably necessary for the efficient operation and discharge  
95 of the duties of public defender services under this chapter and section  
96 4 of this act, subject to the personnel policies and compensation plan  
97 established by the commission.

98 (4) Administer, coordinate and control the operations of public  
99 defender services and be responsible for the overall supervision and  
100 direction of all personnel, offices, divisions and facilities of the  
101 Division of Public Defender Services.

102 (5) Develop programs and administer activities to achieve the

103 purposes of this chapter and section 4 of this act.

104 (6) At [his] the discretion of the Chief Public Defender, consult and  
105 cooperate with professional bodies and groups concerning the causes  
106 of criminal conduct, means for reducing the commission of crimes, the  
107 rehabilitation and correction of those convicted of crimes, and the  
108 improvement of the administration and conduct of public defender  
109 services.

110 (7) Keep and maintain proper financial records with respect to the  
111 providing of all public defender services for use in the calculating of  
112 direct and indirect costs of any or all aspects of the operation of public  
113 defender services.

114 (8) Supervise the training of all public defenders, assistant public  
115 defenders, deputy assistant public defenders, Division of Public  
116 Defender Services assigned counsel and other personnel and establish  
117 such training courses as shall be appropriate.

118 (9) Promulgate necessary rules, regulations and instructions,  
119 consistent with this chapter and section 4 of this act, defining the  
120 organization of his office and the responsibilities of public defenders,  
121 assistant public defenders, deputy assistant public defenders and other  
122 personnel.

123 (10) With the approval of the commission, apply for and accept on  
124 behalf of the Division of Public Defender Services [,] any funds [which]  
125 that may be offered or [which] that may become available from  
126 government grants, private gifts, donations or bequests, or from any  
127 other source, and with the approval of the commission expend the  
128 funds to carry out the purposes of this chapter and section 4 of this act.

129 (11) Maintain one or more lists of trial lawyers who may be  
130 available to represent persons in habeas corpus proceedings arising  
131 from criminal matters, or to represent juveniles in delinquency matters  
132 before the court, or to represent parents or guardians and children in

133 child protection and family relations matters pursuant to subsection (c)  
134 of section 51-296, as amended by this act, or to represent persons in  
135 other appropriate matters on a case by case basis, as needed, which  
136 lawyers shall be selected by a judge of the court before which the  
137 matter is to be heard.

138 (12) Establish compensation for lawyers selected under subdivision  
139 (11) of this section for their services with the approval of the  
140 commission, to be paid from the budget of the Public Defender  
141 Services Commission.

142 (13) Prepare and submit to the commission estimates of  
143 appropriations necessary for the maintenance and operation of public  
144 defender services, and make recommendations with respect thereto;  
145 and with the approval of the commission, and after such modification  
146 as the commission directs, submit the budget requests to the Governor.

147 Sec. 3. Section 51-296 of the general statutes is repealed and the  
148 following is substituted in lieu thereof (*Effective July 1, 2011*):

149 (a) In any criminal action, in any habeas corpus proceeding arising  
150 from a criminal matter, in any extradition proceeding, or in any  
151 delinquency matter, the court before which the matter is pending shall,  
152 if it determines after investigation by the public defender or his office  
153 that a defendant is indigent as defined under this chapter, designate a  
154 public defender, assistant public defender or deputy assistant public  
155 defender to represent such indigent defendant, unless, in a  
156 misdemeanor case, at the time of the application for appointment of  
157 counsel, the court decides to dispose of the pending charge without  
158 subjecting the defendant to a sentence involving immediate  
159 incarceration or a suspended sentence of incarceration with a period of  
160 probation or the court believes that the disposition of the pending case  
161 at a later date will not result in a sentence involving immediate  
162 incarceration or a suspended sentence of incarceration with a period of  
163 probation and makes a statement to that effect on the record. If it  
164 appears to the court at a later date that, if convicted, the sentence of an

165 indigent defendant for whom counsel has not been appointed will  
166 involve immediate incarceration or a suspended sentence of  
167 incarceration with a period of probation, counsel shall be appointed  
168 prior to trial or the entry of a plea of guilty or nolo contendere.

169 (b) In the case of codefendants, the court may appoint one or more  
170 public defenders, assistant public defenders or deputy assistant public  
171 defenders to represent such defendants or may appoint counsel from  
172 the trial list established under section 51-291, as amended by this act.

173 (c) (1) The division shall provide, pursuant to section 4 of this act:  
174 (A) Legal services and guardians ad litem to children, youths and  
175 indigent respondents in family relations matters in which the state has  
176 been ordered to pay the cost of such legal services and guardians ad  
177 litem, provided legal services shall be provided to indigent  
178 respondents pursuant to this subparagraph only in paternity  
179 proceedings and contempt proceedings; and (B) legal services and  
180 guardians ad litem to children, youths and indigent legal parties in  
181 proceedings before the superior court for juvenile matters. To carry out  
182 the requirements of this subsection, the office of Chief Public Defender  
183 may contract with (i) appropriate not-for-profit legal services agencies,  
184 (ii) individual lawyers or law firms for the delivery of legal services to  
185 represent children and indigent legal parties in such proceedings, and  
186 (iii) mental health professionals as guardians ad litem in family  
187 relations matters. Any contract entered into pursuant to this subsection  
188 may include terms encouraging or requiring the use of a  
189 multidisciplinary agency model of legal representation.

190 (2) The division shall establish a system to ensure that attorneys  
191 providing legal services pursuant to this subsection are assigned to  
192 cases in a manner that will avoid conflicts of interest, as defined by the  
193 Rules of Professional Conduct.

194 (3) The division shall establish training, practice and caseload  
195 standards for the representation of children, youths, indigent  
196 respondents and indigent legal parties pursuant to subdivision (1) of

197 this subsection. Such standards shall apply to each attorney who  
198 represents children, youths, indigent respondents or indigent legal  
199 parties pursuant to this subsection and shall be designed to ensure a  
200 high quality of legal representation. The training standards for  
201 attorneys required by this subdivision shall be designed to ensure  
202 proficiency in the procedural and substantive law related to such  
203 matters and to establish a minimum level of proficiency in relevant  
204 subject areas, including, but not limited to, family violence, child  
205 development, behavioral health, educational disabilities and cultural  
206 competence.

207 [(c)] (d) Prior to [a defendant's] the appearance in court in any  
208 matter specified in [subsection (a) of] this section by a defendant, child,  
209 youth, respondent or legal party, a public defender, assistant public  
210 defender, [or] deputy assistant public defender or Division of Public  
211 Defender Services assigned counsel, upon a determination that the  
212 defendant, child, youth, respondent or legal party is indigent pursuant  
213 to subsection (a) of section 51-297, as amended by this act, shall be  
214 authorized to represent the defendant, child, youth, respondent or  
215 legal party until the court appoints counsel for such defendant, child,  
216 youth, respondent or legal party.

217 Sec. 4. (NEW) (*Effective July 1, 2011*) (a) The judicial authority before  
218 whom a family relations matter described in subparagraph (A) of  
219 subdivision (1) of subsection (c) of section 51-296 of the general  
220 statutes, as amended by this act, is pending shall determine eligibility  
221 for counsel for a child or youth and the parents or guardian of a child  
222 or youth if they are unable to afford counsel. Upon a finding that a  
223 party is unable to afford counsel, the judicial authority shall appoint an  
224 attorney to provide representation from a list of qualified attorneys  
225 provided by the office of Chief Public Defender.

226 (b) The judicial authority before whom a juvenile matter described  
227 in subparagraph (B) of subdivision (1) of subsection (c) of section 51-  
228 296 of the general statutes, as amended by this act, is pending shall

229 notify the office of Chief Public Defender who shall assign an attorney  
230 to represent the child or youth. The judicial authority shall determine  
231 eligibility for counsel for the parents or guardian of the child or youth  
232 if such parents or guardian is unable to afford counsel. Upon a finding  
233 that such parents or guardian is unable to afford counsel, the judicial  
234 authority shall notify the office of Chief Public Defender of such  
235 finding, and the office of Chief Public Defender shall assign an  
236 attorney to provide representation.

237 (c) For the purposes of determining eligibility for appointment of  
238 counsel pursuant to subsection (a) or (b) of this section, the judicial  
239 authority shall cause the parents or guardian of a child or youth to  
240 complete a written statement under oath or affirmation setting forth  
241 the parents' or guardian's liabilities and assets, income and sources  
242 thereof, and such other information as the Public Defender Services  
243 Commission designates and requires on forms adopted by the  
244 commission.

245 (d) The payment of any attorney who was appointed prior to July 1,  
246 2011, to represent a child or indigent parent in any case described in  
247 subparagraph (A) of subdivision (1) of subsection (c) of section 51-296  
248 of the general statutes, as amended by this act, who continues to  
249 represent such child or parent on or after July 1, 2011, shall be  
250 processed through the office of Chief Public Defender and paid at the  
251 rate that was in effect at the time of such appointment.

252 Sec. 5. Section 51-293 of the general statutes is repealed and the  
253 following is substituted in lieu thereof (*Effective July 1, 2011*):

254 (a) (1) The commission shall appoint a public defender for each  
255 judicial district and a public defender who shall handle appellate  
256 matters and provide legal support services to public defender offices,  
257 each of whom shall serve as public defender in the Superior Court and  
258 as many assistant public defenders and deputy assistant public  
259 defenders for the Superior Court as the criminal or delinquency  
260 business of the court may require. (2) This section shall not prevent a

261 judge of the Superior Court from appointing a [special assistant public  
262 defender] Division of Public Defender Services assigned counsel on a  
263 contractual basis for a temporary period of time in an appropriate case,  
264 whose expenses and compensation shall be paid from the budget of  
265 the Public Defender Services Commission and in accordance with the  
266 rates of compensation approved by the commission pursuant to  
267 subdivision (12) of section 51-291, as amended by this act. Whenever  
268 possible, any such appointment shall be made from a list of attorneys  
269 provided by the commission and submitted to the court by the office of  
270 [the] Chief Public Defender. Subsequent to an attorney's appointment  
271 as a [special assistant public defender] Division of Public Defender  
272 Services assigned counsel, the attorney may not solicit or accept from  
273 or on behalf of his or her client any money or article of value of any  
274 kind either as a fee for services performed or to be performed or as  
275 payment for costs or expenses incurred or to be incurred. (3) At the  
276 direction of the Chief Public Defender, any Superior Court public  
277 defender, assistant public defender, deputy assistant public defender  
278 or other person employed by the Division of Public Defender Services  
279 may be required to act in such capacity in another judicial district or  
280 geographical area when the demands of criminal business or  
281 delinquency proceedings necessitate it.

282 (b) The commission shall appoint, on recommendation of the Chief  
283 Public Defender, and fix the compensation of, all other personnel  
284 necessary to the operation of the Division of Public Defender Services.

285 (c) The term of office for public defenders, assistant public  
286 defenders and deputy assistant public defenders shall be for four years  
287 and until the appointment and qualification of their successors. Any  
288 vacancy in the office of public defender, assistant public defender or  
289 deputy assistant public defender may be filled by the commission for  
290 the balance of the term of the person he succeeds.

291 (d) Each public defender, assistant public defender and deputy  
292 assistant public defender shall devote his full time to the duties of his

293 office, shall not engage in the private practice of law, and shall not be a  
294 partner, member or associate of a law firm.

295 (e) Notwithstanding any other provision of this section, the  
296 commission may, if it believes it to be in the best interest of providing  
297 efficient defender services to the public, allow one or more public  
298 defenders, assistant public defenders or deputy assistant public  
299 defenders to serve on a part-time basis in areas where it determines  
300 that part-time services more satisfactorily fulfill the needs of the  
301 division and the public.

302 (f) No public defender, assistant public defender or deputy assistant  
303 public defender may be removed from office during his term except by  
304 order of the commission after due notice and hearing. A  
305 recommendation for removal from office may be initiated by the Chief  
306 Public Defender.

307 (g) A public defender, assistant public defender or deputy assistant  
308 public defender may be suspended for cause without pay by the Chief  
309 Public Defender for a period of not more than fifteen working days.  
310 Such a suspension shall be reviewed by the commission at the request  
311 of the public defender, assistant public defender or deputy assistant  
312 public defender. If the action of the Chief Public Defender is reversed,  
313 full payment of salary for the period of the suspension shall be made.  
314 A public defender, assistant public defender or deputy assistant public  
315 defender may be suspended or continued under suspension without  
316 pay for a period of more than fifteen working days only upon a  
317 majority vote of the commission after due notice and a hearing.

318 (h) Public defenders, assistant public defenders and deputy  
319 assistant public defenders shall receive salaries as established by the  
320 commission pursuant to this chapter. The salaries paid to public  
321 defenders, assistant public defenders and deputy assistant public  
322 defenders in the Superior Court shall be comparable to those paid to  
323 state's attorneys, assistant state's attorneys and deputy assistant state's  
324 attorneys in the various judicial districts in the court.

325 (i) The public defenders and assistant public defenders shall, at the  
326 time of their appointment, be attorneys-at-law, admitted to the practice  
327 of law in this state.

328 Sec. 6. Section 51-297 of the general statutes is repealed and the  
329 following is substituted in lieu thereof (*Effective July 1, 2011*):

330 (a) A public defender, assistant public defender or deputy assistant  
331 public defender shall make such investigation of the financial status of  
332 each person he has been appointed to represent or who has requested  
333 representation based on indigency, as he deems necessary. He shall  
334 cause the person to complete a written statement under oath or  
335 affirmation setting forth his liabilities and assets, income and sources  
336 thereof, and such other information which the commission shall  
337 designate and require on forms furnished for such purpose.

338 (b) Any person who intentionally falsifies a written statement in  
339 order to obtain appointment of a public defender, assistant public  
340 defender or deputy assistant public defender shall be guilty of a class  
341 A misdemeanor.

342 (c) If a public defender, assistant public defender or deputy assistant  
343 public defender is appointed to provide assistance to any person and  
344 he subsequently determines that the person is ineligible for assistance,  
345 the public defender, assistant public defender or deputy assistant  
346 public defender shall promptly inform the person in writing and make  
347 a motion to withdraw his appearance if filed, or his appointment if  
348 made by the court, as soon as it is practical to do so without prejudice  
349 to the case, giving the defendant a reasonable time to secure private  
350 counsel. If the withdrawal is granted by the court, the person shall  
351 reimburse the commission for any assistance which has been provided  
352 for which the person is ineligible.

353 (d) Reimbursement to the commission shall be made in accordance  
354 with a schedule of reasonable charges for public defender services  
355 which shall be provided by the commission.

356 (e) The Chief Public Defender or anyone serving under him may  
357 institute an investigation into the financial status of each defendant at  
358 such times as the circumstances shall warrant. In connection therewith,  
359 he shall have the authority to require a defendant or the parents,  
360 guardians or other persons responsible for the support of a minor  
361 defendant, child or youth, or those persons holding property in trust  
362 or otherwise for a defendant, child or youth, to execute and deliver  
363 such written authorizations as may be necessary to provide the Chief  
364 Public Defender, or anyone serving under him, with access to records  
365 of public or private sources, otherwise confidential, or any other  
366 information, which may be relevant to the making of a decision as to  
367 eligibility under this chapter. The Chief Public Defender, the Deputy  
368 Chief Public Defender, and each public defender, assistant public  
369 defender and deputy assistant public defender or designee, are  
370 authorized to obtain information from any office of the state or any  
371 subdivision or agency thereof on request and without payment of any  
372 fees.

373 (f) As used in this chapter "indigent defendant" means (1) a person  
374 who is formally charged with the commission of a crime punishable by  
375 imprisonment and who does not have the financial ability at the time  
376 of his request for representation to secure competent legal  
377 representation and to provide other necessary expenses of legal  
378 representation; [and] (2) a child who has a right to counsel under the  
379 provisions of subsection (a) of section 46b-135 and who does not have  
380 the financial ability at the time of his request for representation to  
381 secure competent legal representation and to provide other necessary  
382 expenses of legal representation; or (3) any person who has a right to  
383 counsel under section 46b-136, as amended by this act, and who does  
384 not have the financial ability at the time of his request for  
385 representation to secure competent legal representation and to provide  
386 other necessary expenses of legal representation.

387 (g) If the Chief Public Defender or anyone serving under [him] the  
388 Chief Public Defender determines that an individual is not eligible to

389 receive the services of a public defender under this chapter, the  
390 individual may appeal the decision to the court before which [his] the  
391 individual's case is pending.

392 Sec. 7. Section 51-298 of the general statutes is repealed and the  
393 following is substituted in lieu thereof (*Effective July 1, 2011*):

394 (a) (1) If at any time, either during or after the disposition of his  
395 case, a defendant who is receiving or has received public defender  
396 services based on his indigency, or a person for whom counsel has  
397 been appointed pursuant to subsection (c) of section 51-296, as  
398 amended by this act, becomes financially able to meet all or some part  
399 of the cost of the services rendered to him, he shall be required to  
400 reimburse the commission, in such amounts as he can reasonably pay,  
401 either by a single payment or by installments of reasonable amounts,  
402 in accordance with a schedule of charges for public defender services  
403 prepared by the commission. (2) Difficulty or failure in the making of  
404 payment shall not reduce or in any way affect the rendering of public  
405 defender services to the person.

406 (b) The commission shall have a claim against any person  
407 represented by a public defender, assistant public defender, [or]  
408 deputy assistant public defender or Division of Public Defender  
409 Services assigned counsel pursuant to this chapter, for the reasonable  
410 value of services rendered to him, as determined in accordance with  
411 the schedule of reasonable charges for public defender services  
412 provided by the commission. The claim shall be enforceable by civil  
413 action brought in the name of the state on behalf of the commission by  
414 the Attorney General, at any time within ten years from the last date  
415 on which any services were rendered. Money so recovered shall be  
416 repaid to the commission. The Attorney General shall do all things  
417 necessary and proper to collect all money due to the commission by  
418 way of reimbursement for services rendered pursuant to this chapter.  
419 He shall have all the remedies and may take all necessary proceedings  
420 for the collection of amounts due which may be had or taken for or

421 upon the recovery of a judgment in a civil action and may institute and  
422 maintain any action or proceeding in the courts necessary therefor. In  
423 any such proceedings or action, the defendant may contest the value of  
424 the services rendered pursuant to this chapter by any public defender,  
425 assistant public defender, [or] deputy assistant public defender or  
426 Division of Public Defender Services assigned counsel.

427 (c) The Attorney General may compromise and make settlement of,  
428 or with the concurrence of the Chief Public Defender, forego any  
429 claims for services performed for any person pursuant to this chapter  
430 whenever the financial circumstances of a person are such that the best  
431 interest of the state will be served by such action.

432 Sec. 8. Section 51-299 of the general statutes is repealed and the  
433 following is substituted in lieu thereof (*Effective July 1, 2011*):

434 [Whenever] Except in cases in which counsel has been appointed  
435 pursuant to subsection (c) of section 51-296, as amended by this act,  
436 whenever a person requesting services pursuant to this chapter is  
437 under the age of eighteen years eligibility for services shall be  
438 measured in terms of the financial circumstances of such person and of  
439 his parents, guardians, or those legally responsible for the support of  
440 said person. The commission shall be entitled to recover the reasonable  
441 cost of legal services, as determined in accordance with the schedule of  
442 reasonable charges for public defender services provided by the  
443 commission, from the parents, guardians, trustees or those legally  
444 responsible for the support of such person and the provisions of  
445 section 51-298, as amended by this act, shall apply to said persons. In  
446 so doing, it shall have the authority to require said parents, guardians  
447 or other such persons as well as those persons holding property in  
448 trust or otherwise for such minor or unemancipated person to execute  
449 and deliver to the commission or its employees any written requests or  
450 authorizations required under applicable law or otherwise to provide  
451 the Chief Public Defender or those serving under him with access to  
452 such records of public or private sources, otherwise confidential, or

453 any other information which may be relevant to the question of  
454 eligibility or liability to the commission under this chapter.

455 Sec. 9. Section 4-141 of the general statutes is repealed and the  
456 following is substituted in lieu thereof (*Effective July 1, 2011*):

457 As used in this chapter: "Claim" means a petition for the payment  
458 or refund of money by the state or for permission to sue the state; "just  
459 claim" means a claim which in equity and justice the state should pay,  
460 provided the state has caused damage or injury or has received a  
461 benefit; "person" means any individual, firm, partnership, corporation,  
462 limited liability company, association or other group, including  
463 political subdivisions of the state; "state agency" includes every  
464 department, division, board, office, commission, arm, agency and  
465 institution of the state government, whatever its title or function; and  
466 "state officers and employees" includes every person elected or  
467 appointed to or employed in any office, position or post in the state  
468 government, whatever such person's title, classification or function  
469 and whether such person serves with or without remuneration or  
470 compensation, including judges of probate courts, employees of such  
471 courts and special limited conservators appointed by such courts  
472 pursuant to section 17a-543a. In addition to the foregoing, "state  
473 officers and employees" includes attorneys appointed as victim  
474 compensation commissioners, attorneys appointed by the Public  
475 Defender Services Commission as public defenders, assistant public  
476 defenders or deputy assistant public defenders and attorneys  
477 appointed by the court as [special assistant public defenders] Division  
478 of Public Defender Services assigned counsel, the Attorney General,  
479 the Deputy Attorney General and any associate attorney general or  
480 assistant attorney general, any other attorneys employed by any state  
481 agency, any commissioner of the Superior Court hearing small claims  
482 matters or acting as a fact-finder, arbitrator or magistrate or acting in  
483 any other quasi-judicial position, any person appointed to a committee  
484 established by law for the purpose of rendering services to the Judicial  
485 Department, including, but not limited to, the Legal Specialization

486 Screening Committee, the State-Wide Grievance Committee, the Client  
487 Security Fund Committee, the advisory committee appointed pursuant  
488 to section 51-81d and the State Bar Examining Committee, any member  
489 of a multidisciplinary team established by the Commissioner of  
490 Children and Families pursuant to section 17a-106a, and any  
491 physicians or psychologists employed by any state agency. "State  
492 officers and employees" shall not include any medical or dental intern,  
493 resident or fellow of The University of Connecticut when (1) the intern,  
494 resident or fellow is assigned to a hospital affiliated with the university  
495 through an integrated residency program, and (2) such hospital  
496 provides protection against professional liability claims in an amount  
497 and manner equivalent to that provided by the hospital to its full-time  
498 physician employees.

499 Sec. 10. Section 4-165 of the general statutes is repealed and the  
500 following is substituted in lieu thereof (*Effective July 1, 2011*):

501 (a) No state officer or employee shall be personally liable for  
502 damage or injury, not wanton, reckless or malicious, caused in the  
503 discharge of his or her duties or within the scope of his or her  
504 employment. Any person having a complaint for such damage or  
505 injury shall present it as a claim against the state under the provisions  
506 of this chapter.

507 (b) For the purposes of this section, (1) "scope of employment"  
508 includes but is not limited to, (A) representation by an attorney  
509 appointed by the Public Defender Services Commission as a public  
510 defender, assistant public defender or deputy assistant public defender  
511 or an attorney appointed by the court as [a special assistant public  
512 defender] Division of Public Defender Services assigned counsel of an  
513 indigent accused or of a child on a petition of delinquency, (B)  
514 representation by such other attorneys, referred to in section 4-141, as  
515 amended by this act, of state officers and employees in actions brought  
516 against such officers and employees in their official and individual  
517 capacities, (C) the discharge of duties as a trustee of the state

518 employees retirement system, (D) the discharge of duties of a  
519 commissioner of the Superior Court hearing small claims matters or  
520 acting as a fact-finder, arbitrator or magistrate or acting in any other  
521 quasi-judicial position, (E) the discharge of duties of a person  
522 appointed to a committee established by law for the purpose of  
523 rendering services to the Judicial Department, including, but not  
524 limited to, the Legal Specialization Screening Committee, the State-  
525 Wide Grievance Committee, the Client Security Fund Committee, the  
526 advisory committee appointed pursuant to section 51-81d and the  
527 State Bar Examining Committee, and (F) military duty performed by  
528 the armed forces of the state while under state active duty; provided  
529 the actions described in subparagraphs (A) to (F), inclusive, of this  
530 subdivision arise out of the discharge of the duties or within the scope  
531 of employment of such officers or employees, and (2) "state employee"  
532 includes a member or employee of the soil and water district boards  
533 established pursuant to section 22a-315.

534 Sec. 11. Section 52-143 of the general statutes is repealed and the  
535 following is substituted in lieu thereof (*Effective July 1, 2011*):

536 (a) Subpoenas for witnesses shall be signed by the clerk of the court  
537 or a commissioner of the Superior Court and shall be served by an  
538 officer, indifferent person or, in any criminal case in which a defendant  
539 is represented by a public defender or [special assistant public  
540 defender] Division of Public Defender Services assigned counsel, by an  
541 investigator of the Division of Public Defender Services. The subpoena  
542 shall be served not less than eighteen hours prior to the time  
543 designated for the person summoned to appear, unless the court  
544 orders otherwise.

545 (b) Any subpoena summoning a police officer as a witness may be  
546 served upon the chief of police or any person designated by the chief  
547 of police at the appropriate police station who shall act as the agent of  
548 the police officer named in the subpoena. Service upon the agent shall  
549 be deemed to be service upon the police officer.

550 (c) Any subpoena summoning a correctional officer as a witness  
551 may be served upon a person designated by the Commissioner of  
552 Correction at the correctional facility where the correctional officer is  
553 assigned who shall act as the agent of the correctional officer named in  
554 the subpoena. Service upon the agent shall be deemed to be service  
555 upon the correctional officer.

556 (d) Subpoenas for witnesses summoned by the state, including those  
557 issued by the Attorney General or an assistant attorney general, or by  
558 any public defender or assistant public defender acting in his official  
559 capacity may contain this statement: "Notice to the person summoned:  
560 Your statutory fees as witness will be paid by the clerk of the court  
561 where you are summoned to appear, if you give the clerk this  
562 subpoena on the day you appear. If you do not appear in court on the  
563 day and at the time stated, or on the day and at the time to which your  
564 appearance may have been postponed or continued by order of an  
565 officer of the court, the court may order that you be arrested."

566 (e) If any person summoned by the state, or by the Attorney General  
567 or an assistant attorney general, or by any public defender or assistant  
568 public defender acting in his official capacity, by a subpoena  
569 containing the statement as provided in subsection (d), or if any other  
570 person upon whom a subpoena is served to appear and testify in a  
571 cause pending before any court and to whom one day's attendance and  
572 fees for traveling to court have been tendered, fails to appear and  
573 testify, without reasonable excuse, he shall be fined not more than  
574 twenty-five dollars and pay all damages to the party aggrieved; and  
575 the court or judge, on proof of the service of a subpoena containing the  
576 statement as provided in subsection (d), or on proof of the service of a  
577 subpoena and the tender of such fees, may issue a *capias* directed to  
578 some proper officer to arrest the witness and bring him before the  
579 court to testify.

580 (f) Any subpoena summoning a physician as a witness may be  
581 served upon the office manager or person in charge at the office or

582 principal place of business of such physician who shall act as the agent  
583 of the physician named in the subpoena. Service upon the agent shall  
584 be deemed to be service upon the physician.

585 Sec. 12. (NEW) (*Effective July 1, 2011*) (a) As used in this section:

586 (1) "Person" means an indigent defendant, as defined in section 51-  
587 297 of the general statutes, as amended by this act;

588 (2) "Confidential communications" means all oral and written  
589 communications transmitted in confidence between a public defender  
590 and a person the public defender has been appointed to provide legal  
591 representation to relating to legal advice sought by the person and all  
592 records prepared by the public defender in furtherance of the rendition  
593 of such legal advice; and

594 (3) "Public Defender" means the Chief Public Defender, Deputy  
595 Chief Public Defender, public defenders, assistant public defenders,  
596 deputy assistant public defenders, Division of Public Defender  
597 Services assigned counsel and the employees of the Division of Public  
598 Defender Services.

599 (b) In any civil or criminal case or proceeding or in any legislative or  
600 administrative proceeding, all confidential communications shall be  
601 privileged and a public defender shall not disclose any such  
602 communications unless the person who is represented by the public  
603 defender provides informed consent, as defined in the Rules of  
604 Professional Conduct, to waive the privilege and allow such  
605 disclosure.

606 Sec. 13. Subsection (f) of section 17a-28 of the general statutes is  
607 repealed and the following is substituted in lieu thereof (*Effective July*  
608 *1, 2011*):

609 (f) The commissioner or the commissioner's designee shall, upon  
610 request, promptly provide copies of records, without the consent of a  
611 person, to (1) a law enforcement agency, (2) the Chief State's Attorney,

612 or the Chief State's Attorney's designee, or a state's attorney for the  
613 judicial district in which the child resides or in which the alleged abuse  
614 or neglect occurred, or the state's attorney's designee, for purposes of  
615 investigating or prosecuting an allegation of child abuse or neglect, (3)  
616 the attorney appointed to represent a child in any court in litigation  
617 affecting the best interests of the child, (4) a guardian ad litem  
618 appointed to represent a child in any court in litigation affecting the  
619 best interests of the child, (5) the Department of Public Health, in  
620 connection with: (A) Licensure of any person to care for children for  
621 the purposes of determining the suitability of such person for  
622 licensure, subject to the provisions of sections 17a-101g and 17a-101k,  
623 or (B) an investigation conducted pursuant to section 19a-80f, (6) any  
624 state agency which licenses such person to educate or care for children  
625 pursuant to section 10-145b or 17a-101j, subject to the provisions of  
626 sections 17a-101g and 17a-101k concerning nondisclosure of findings  
627 of responsibility for abuse and neglect, (7) the Governor, when  
628 requested in writing, in the course of the Governor's official functions  
629 or the Legislative Program Review and Investigations Committee, the  
630 joint standing committee of the General Assembly having cognizance  
631 of matters relating to the judiciary and the select committee of the  
632 General Assembly having cognizance of matters relating to children  
633 when requested in the course of said committees' official functions in  
634 writing, and upon a majority vote of said committee, provided no  
635 names or other identifying information shall be disclosed unless it is  
636 essential to the legislative or gubernatorial purpose, (8) a local or  
637 regional board of education, provided the records are limited to  
638 educational records created or obtained by the state or Connecticut-  
639 Unified School District #2, established pursuant to section 17a-37, (9) a  
640 party in a custody proceeding under section 17a-112 or 46b-129, as  
641 amended by this act, in the Superior Court where such records concern  
642 a child who is the subject of the proceeding or the parent of such child,  
643 (10) the Chief [Child Protection Attorney] Public Defender, or his or  
644 her designee, for purposes of ensuring competent representation by  
645 the attorneys whom the Chief [Child Protection Attorney] Public

646 Defender contracts with to provide legal and guardian ad litem  
647 services to the subjects of such records and to ensure accurate  
648 payments for services rendered by such contract attorneys, (11) the  
649 Department of Motor Vehicles, for purposes of checking the state's  
650 child abuse and neglect registry pursuant to subsection (e) of section  
651 14-44, and (12) a judge of the Superior Court and all necessary parties  
652 in a family violence proceeding when such records concern family  
653 violence with respect to the child who is the subject of the proceeding  
654 or the parent of such child who is the subject of the proceeding. A  
655 disclosure under this section shall be made of any part of a record,  
656 whether or not created by the department, provided no confidential  
657 record of the Superior Court shall be disclosed other than the petition  
658 and any affidavits filed therewith in the superior court for juvenile  
659 matters, except upon an order of a judge of the Superior Court for  
660 good cause shown. The commissioner shall also disclose the name of  
661 any individual who cooperates with an investigation of a report of  
662 child abuse or neglect to such law enforcement agency or state's  
663 attorney for purposes of investigating or prosecuting an allegation of  
664 child abuse or neglect. The commissioner or the commissioner's  
665 designee shall, upon request, subject to the provisions of sections 17a-  
666 101g and 17a-101k, promptly provide copies of records, without the  
667 consent of the person, to (A) the Department of Public Health for the  
668 purpose of determining the suitability of a person to care for children  
669 in a facility licensed under sections 19a-77 to 19a-80, inclusive, 19a-82  
670 to 19a-87, inclusive, and 19a-87b, and (B) the Department of Social  
671 Services for determining the suitability of a person for any payment  
672 from the department for providing child care.

673       Sec. 14. Section 46b-62 of the general statutes is repealed and the  
674 following is substituted in lieu thereof (*Effective July 1, 2011*):

675       In any proceeding seeking relief under the provisions of this chapter  
676 and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to 46b-  
677 213v, inclusive, 47-14g, 51-348a and 52-362, the court may order either  
678 spouse or, if such proceeding concerns the custody, care, education,

679 visitation or support of a minor child, either parent to pay the  
680 reasonable attorney's fees of the other in accordance with their  
681 respective financial abilities and the criteria set forth in section 46b-82.  
682 If, in any proceeding under this chapter and said sections, the court  
683 appoints an attorney for a minor child, the court may order the father,  
684 mother or an intervening party, individually or in any combination, to  
685 pay the reasonable fees of the attorney or may order the payment of  
686 the attorney's fees in whole or in part from the estate of the child. If the  
687 child is receiving or has received state aid or care, the compensation of  
688 the attorney shall be established and paid by the [Commission on  
689 Child Protection] Public Defender Services Commission.

690 Sec. 15. Subsection (b) of section 46b-124 of the general statutes is  
691 repealed and the following is substituted in lieu thereof (*Effective July*  
692 *1, 2011*):

693 (b) All records of cases of juvenile matters, as provided in section  
694 46b-121, except delinquency proceedings, or any part thereof, and all  
695 records of appeals from probate brought to the superior court for  
696 juvenile matters pursuant to section 45a-186, shall be confidential and  
697 for the use of the court in juvenile matters, and open to inspection or  
698 disclosure to any third party, including bona fide researchers  
699 commissioned by a state agency, only upon order of the Superior  
700 Court, except that: (1) The records concerning any matter transferred  
701 from a court of probate pursuant to section 45a-623 or subsection (g) of  
702 section 45a-715 or any appeal from probate to the superior court for  
703 juvenile matters pursuant to subsection (b) of section 45a-186 shall be  
704 available to the court of probate from which such matter was  
705 transferred or from which such appeal was taken; (2) such records  
706 shall be available to (A) the attorney representing the child or youth,  
707 including the Division of Public Defender Services, in any proceeding  
708 in which such records are relevant, (B) the parents or guardian of the  
709 child or youth until such time as the child or youth reaches the age of  
710 majority or becomes emancipated, (C) an adult adopted person in  
711 accordance with the provisions of sections 45a-736, 45a-737 and 45a-

712 743 to 45a-757, inclusive, (D) employees of the Division of Criminal  
713 Justice who in the performance of their duties require access to such  
714 records, (E) employees of the Judicial Branch who in the performance  
715 of their duties require access to such records, (F) another court under  
716 the provisions of subsection (d) of section 46b-115j, (G) the subject of  
717 the record, upon submission of satisfactory proof of the subject's  
718 identity, pursuant to guidelines prescribed by the Office of the Chief  
719 Court Administrator, provided the subject has reached the age of  
720 majority or has been emancipated, (H) the Department of Children and  
721 Families, and (I) the employees of the [Commission on Child  
722 Protection] Division of Public Defender Services who, in the  
723 performance of their duties related to Division of Public Defender  
724 Services assigned counsel, require access to such records; and (3) all or  
725 part of the records concerning a youth in crisis with respect to whom a  
726 court order was issued prior to January 1, 2010, may be made available  
727 to the Department of Motor Vehicles, provided such records are  
728 relevant to such order. Any records of cases of juvenile matters, or any  
729 part thereof, provided to any persons, governmental and private  
730 agencies, and institutions pursuant to this section shall not be  
731 disclosed, directly or indirectly, to any third party not specified in  
732 subsection (d) of this section, except as provided by court order or in  
733 the report required under section 54-76d or 54-91a.

734 Sec. 16. Subsections (c) and (d) of section 46b-129 of the general  
735 statutes are repealed and the following is substituted in lieu thereof  
736 (*Effective July 1, 2011*):

737 (c) The preliminary hearing on the order of temporary custody or  
738 order to appear or the first hearing on a petition filed pursuant to  
739 subsection (a) of this section shall be held in order for the court to: (1)  
740 Advise the parent or guardian of the allegations contained in all  
741 petitions and applications that are the subject of the hearing and the  
742 parent's or guardian's right to counsel pursuant to subsection (b) of  
743 section 46b-135; (2) assure that an attorney, and where appropriate, a  
744 separate guardian ad litem has been appointed to represent the child

745 or youth in accordance with subsection (b) of section [46b-123e] 4 of  
746 this act and sections 46b-129a, as amended by this act, and 46b-136, as  
747 amended by this act; (3) upon request, appoint an attorney to represent  
748 the respondent when the respondent is unable to afford  
749 representation, in accordance with subsection (b) of section [46b-123e]  
750 4 of this act; (4) advise the parent or guardian of the right to a hearing  
751 on the petitions and applications, to be held not later than ten days  
752 after the date of the preliminary hearing if the hearing is pursuant to  
753 an order of temporary custody or an order to show cause; (5) accept a  
754 plea regarding the truth of such allegations; (6) make any interim  
755 orders, including visitation, that the court determines are in the best  
756 interests of the child or youth. The court, after a hearing pursuant to  
757 this subsection, shall order specific steps the commissioner and the  
758 parent or guardian shall take for the parent or guardian to regain or to  
759 retain custody of the child or youth; (7) take steps to determine the  
760 identity of the father of the child or youth, including, if necessary,  
761 inquiring of the mother of the child or youth, under oath, as to the  
762 identity and address of any person who might be the father of the  
763 child or youth and ordering genetic testing, and order service of the  
764 petition and notice of the hearing date, if any, to be made upon him;  
765 (8) if the person named as the father appears, and admits that he is the  
766 father, provide him and the mother with the notices that comply with  
767 section 17b-27 and provide them with the opportunity to sign a  
768 paternity acknowledgment and affirmation on forms that comply with  
769 section 17b-27. Such documents shall be executed and filed in  
770 accordance with chapter 815y and a copy delivered to the clerk of the  
771 superior court for juvenile matters; (9) in the event that the person  
772 named as a father appears and denies that he is the father of the child  
773 or youth, advise him that he may have no further standing in any  
774 proceeding concerning the child, and either order genetic testing to  
775 determine paternity or direct him to execute a written denial of  
776 paternity on a form promulgated by the Office of the Chief Court  
777 Administrator. Upon execution of such a form by the putative father,  
778 the court may remove him from the case and afford him no further

779 standing in the case or in any subsequent proceeding regarding the  
780 child or youth until such time as paternity is established by formal  
781 acknowledgment or adjudication in a court of competent jurisdiction;  
782 (10) identify any person or persons related to the child or youth by  
783 blood or marriage residing in this state who might serve as licensed  
784 foster parents or temporary custodians and order the Commissioner of  
785 Children and Families to investigate and determine, not later than  
786 thirty days after the preliminary hearing, the appropriateness of  
787 placement of the child or youth with such relative or relatives; and (11)  
788 in accordance with the provisions of the Interstate Compact on the  
789 Placement of Children pursuant to section 17a-175, identify any person  
790 or persons related to the child or youth by blood or marriage residing  
791 out of state who might serve as licensed foster parents or temporary  
792 custodians, and order the Commissioner of Children and Families to  
793 investigate and determine, within a reasonable time, the  
794 appropriateness of placement of the child or youth with such relative  
795 or relatives.

796 (d) (1) (A) If not later than thirty days after the preliminary hearing,  
797 or within a reasonable time when a relative resides out of state, the  
798 Commissioner of Children and Families determines that there is not a  
799 suitable person related to the child or youth by blood or marriage who  
800 can be licensed as a foster parent or serve as a temporary custodian,  
801 and the court has not granted temporary custody to a person related to  
802 the child or youth by blood or marriage, any person related to the child  
803 or youth by blood or marriage may file, not later than ninety days after  
804 the date of the preliminary hearing, a motion to intervene for the  
805 limited purpose of moving for temporary custody of such child or  
806 youth. If a motion to intervene is timely filed, the court shall grant  
807 such motion except for good cause shown.

808 (B) Any person related to a child or youth may file a motion to  
809 intervene for purposes of seeking temporary custody of a child or  
810 youth more than ninety days after the date of the preliminary hearing.  
811 The granting of such motion shall be solely in the court's discretion,

812 except that such motion shall be granted absent good cause shown  
813 whenever the child's or youth's most recent placement has been  
814 disrupted or is about to be disrupted.

815 (C) A relative shall appear in person, with or without counsel, and  
816 shall not be entitled to court appointed counsel or the assignment of  
817 counsel by the office of Chief [Child Protection Attorney] Public  
818 Defender, except as provided in section 46b-136, as amended by this  
819 act.

820 (2) Upon the granting of intervenor status to such relative of the  
821 child or youth, the court shall issue an order directing the  
822 Commissioner of Children and Families to conduct an assessment of  
823 such relative and to file a written report with the court not later than  
824 forty days after such order, unless such relative resides out of state, in  
825 which case the assessment shall be ordered and requested in  
826 accordance with the provisions of the Interstate Compact on the  
827 Placement of Children, pursuant to section 17a-175. The court may also  
828 request such relative to release such relative's medical records,  
829 including any psychiatric or psychological records and may order such  
830 relative to submit to a physical or mental examination. The expenses  
831 incurred for such physical or mental examination shall be paid as costs  
832 of commitment are paid. Upon receipt of the assessment, the court  
833 shall schedule a hearing on such relative's motion for temporary  
834 custody not later than fifteen days after the receipt of the assessment. If  
835 the Commissioner of Children and Families, the child's or youth's  
836 attorney or guardian ad litem, or the parent or guardian objects to the  
837 vesting of temporary custody in such relative, the agency or person  
838 objecting at such hearing shall be required to prove by a fair  
839 preponderance of the evidence that granting temporary custody of the  
840 child or youth to such relative would not be in the best interests of  
841 such child or youth.

842 (3) If the court grants such relative temporary custody during the  
843 period of such temporary custody, such relative shall be subject to

844 orders of the court, including, but not limited to, providing for the care  
845 and supervision of such child or youth and cooperating with the  
846 Commissioner of Children and Families in the implementation of  
847 treatment and permanency plans and services for such child or youth.  
848 The court may, on motion of any party or the court's own motion, after  
849 notice and a hearing, terminate such relative's intervenor status if such  
850 relative's participation in the case is no longer warranted or necessary.

851 (4) Any person related to a child or youth may file a motion to  
852 intervene for purposes of seeking permanent guardianship of a child  
853 or youth more than ninety days after the date of the preliminary  
854 hearing. The granting of such motion to intervene shall be solely in the  
855 court's discretion, except that such motion shall be granted absent  
856 good cause shown whenever the child's or youth's most recent  
857 placement has been disrupted or is about to be disrupted. The court  
858 may, in the court's discretion, order the Commissioner of Children and  
859 Families to conduct an assessment of such relative granted intervenor  
860 status pursuant to this subdivision.

861 (5) Any relative granted intervenor status pursuant to this  
862 subsection shall not be entitled to court-appointed counsel or  
863 representation by Division of Public Defender Services assigned  
864 counsel, except as provided in section 46b-136, as amended by this act.

865 Sec. 17. Section 46b-129a of the general statutes is repealed and the  
866 following is substituted in lieu thereof (*Effective July 1, 2011*):

867 In proceedings in the Superior Court under section 46b-129, as  
868 amended by this act:

869 (1) The court may order the child, the parents, the guardian, or other  
870 persons accused by a competent witness [with] of abusing the child, to  
871 be examined by one or more competent physicians, psychiatrists or  
872 psychologists appointed by the court;

873 (2) [a] (A) A child shall be represented by counsel knowledgeable

874 about representing such children who shall be [appointed by the court]  
875 assigned to represent the child [and to act as guardian ad litem for the  
876 child.] by the office of Chief Public Defender, or appointed by the court  
877 if there is an immediate need for the appointment of counsel during a  
878 court proceeding. The court shall give the parties prior notice of such  
879 assignment or appointment. Counsel for the child shall act solely as  
880 attorney for the child.

881 (B) If a child requiring assignment of counsel in a proceeding under  
882 section 46b-129, as amended by this act, is represented by an attorney  
883 for a minor child in an ongoing probate or family matter proceeding,  
884 the court may appoint the attorney to represent the child in the  
885 proceeding under section 46b-129, as amended by this act, provided (i)  
886 such counsel is knowledgeable about representing such children, and  
887 (ii) the court notifies the office of Chief Public Defender of the  
888 appointment. Any child who is subject to an ongoing probate or family  
889 matters proceeding who has been appointed a guardian ad litem in  
890 such proceeding shall be assigned a separate guardian ad litem in a  
891 proceeding under section 46b-129, as amended by this act, if it is  
892 deemed necessary pursuant to subparagraph (D) of this subdivision.

893 (C) The primary role of any counsel for the child [including the  
894 counsel who also serves as guardian ad litem,] shall be to advocate for  
895 the child in accordance with the Rules of Professional Conduct. [When  
896 a conflict arises between the child's wishes or position and that which  
897 counsel for the child believes is in the best interest of the child, the  
898 court shall appoint another person as guardian ad litem for the child.]

899 (D) If the court, based on evidence before it, or counsel for the child,  
900 determines that the child cannot adequately act in his or her own best  
901 interests and the child's wishes, as determined by counsel, if followed,  
902 could lead to substantial physical, financial or other harm to the child  
903 unless protective action is taken, counsel may request and the court  
904 may order that a separate guardian ad litem be assigned for the child,  
905 in which case the court shall either appoint a guardian ad litem to

906 serve on a voluntary basis or notify the office of Chief Public Defender  
907 who shall assign a separate guardian ad litem for the child. The  
908 guardian ad litem shall [speak on behalf] perform an independent  
909 investigation of the case and may present at any hearing information  
910 pertinent to the court's determination of the best [interest] interests of  
911 the child. [and] The guardian ad litem shall be subject to cross  
912 examination upon the request of opposing counsel. The guardian ad  
913 litem is not required to be an attorney-at-law but shall be  
914 knowledgeable about the needs and protection of children and and  
915 relevant court procedures. [In the event that] If a separate guardian ad  
916 litem is [appointed] assigned, the person previously serving as [both]  
917 counsel [and guardian ad litem] for the child shall continue to serve as  
918 counsel for the child and a different person shall be [appointed]  
919 assigned as guardian ad litem, unless the court for good cause also  
920 [appoints] determines that a different person should serve as counsel  
921 for the child, in which case the court shall notify the office of Chief  
922 Public Defender who shall assign a different person as counsel for the  
923 child. No person who has served as both counsel and guardian ad  
924 litem for a child shall thereafter serve solely as the child's guardian ad  
925 litem.

926 (E) The counsel and guardian ad litem's fees, if any, shall be paid by  
927 the office of Chief Public Defender unless the parents or guardian, or  
928 the estate of the child, [or, if such persons] are [unable] able to pay, [by  
929 the court] in which case the court shall assess the rate the parent or  
930 guardian is able to pay and the office of Chief Public Defender may  
931 seek reimbursement for the costs of representation from the parents,  
932 guardian or estate of the child;

933 (3) [the] The privilege against the disclosure of communications  
934 between husband and wife shall be inapplicable and either may testify  
935 as to any relevant matter; and

936 (4) [evidence] Evidence that the child has been abused or has  
937 sustained a nonaccidental injury shall constitute prima facie evidence

938 that shall be sufficient to support an adjudication that such child is  
939 uncared for or neglected.

940 Sec. 18. Section 46b-136 of the general statutes is repealed and the  
941 following is substituted in lieu thereof (*Effective July 1, 2011*):

942 In any proceeding in a juvenile matter, the judge before whom such  
943 proceeding is pending shall, even in the absence of a request to do so,  
944 provide an attorney to represent the child or youth, the child's or  
945 youth's parent or parents or guardian, or other person having control  
946 of the child or youth, if such judge determines that the interests of  
947 justice so require, and in any proceeding in which the custody of a  
948 child is at issue, such judge shall provide an attorney to represent the  
949 child and may authorize such attorney or appoint another attorney to  
950 represent such child or youth, parent, guardian or other person on an  
951 appeal from a decision in such proceeding. Where, under the  
952 provisions of this section, the court so appoints counsel for any such  
953 party who is found able to pay, in whole or in part, the cost thereof, the  
954 court shall assess as costs against such parents, guardian or custodian,  
955 including any agency vested with the legal custody of the child or  
956 youth, the expense so incurred and paid by the [Commission on Child  
957 Protection] Division of Public Defender Services in providing such  
958 counsel, to the extent of their financial ability to do so. The  
959 [Commission on Child Protection] Division of Public Defender  
960 Services shall establish the rate at which counsel provided pursuant to  
961 this section shall be compensated.

962 Sec. 19. (*Effective July 1, 2011*) (a) Wherever the words "Commission  
963 on Child Protection" are used in the public or special acts of 2011, the  
964 words "Public Defender Services Commission" shall be substituted in  
965 lieu thereof.

966 (b) Wherever the words "Chief Child Protection Attorney" are used  
967 in the public or special acts of 2011, the words "Chief Public Defender"  
968 shall be substituted in lieu thereof.

969 (c) Wherever the words "special assistant public defender" are used  
970 in the public or special acts of 2011, the words "Division of Public  
971 Defender Services assigned counsel" shall be substituted in lieu  
972 thereof.

973 (d) The Legislative Commissioners' Office shall, in codifying the  
974 provisions of this section, make such technical, grammatical and  
975 punctuation changes as are necessary to carry out the purposes of this  
976 section.

977 Sec. 20. (*Effective July 1, 2011*) Not later than January 2, 2012, the  
978 Chief Public Defender shall submit a report, in accordance with the  
979 provisions of section 11-4a of the general statutes, to the joint standing  
980 committees of the General Assembly having cognizance of matters  
981 relating to appropriations and the budgets of state agencies and the  
982 judiciary concerning (1) the status of the transfer of the functions,  
983 powers and duties of the Commission on Child Protection to the Public  
984 Defender Services Commission in accordance with sections 1 to 19,  
985 inclusive, of this act, and (2) any recommendations for further  
986 legislative action concerning such transfer.

987 Sec. 21. (NEW) (*Effective from passage*) (a) Probation officers shall  
988 provide intensive pretrial supervision services, in accordance with  
989 guidelines developed by the Court Support Services Division,  
990 whenever ordered to do so by the court.

991 (b) Probation officers shall complete alternative sentencing plans, in  
992 accordance with guidelines developed by the Court Support Services  
993 Division, for persons who have entered into a stated plea agreement  
994 that includes a term of imprisonment of two years or less, whenever  
995 ordered to do so by the court.

996 (c) Probation officers may evaluate persons sentenced to a term of  
997 imprisonment of two years or less who have been confined under such  
998 sentence for at least ninety days and have complied with institutional  
999 rules and necessary treatment programs of the Department of

1000 Correction, and may develop a community release plan for such  
1001 persons in accordance with guidelines developed by the Court Support  
1002 Services Division. If a probation officer develops a community release  
1003 plan, the probation officer shall apply for a sentence modification  
1004 hearing under section 53a-39 of the general statutes.

1005       Sec. 22. (NEW) (*Effective July 1, 2011*) (a) Notwithstanding any  
1006 provision of the general statutes, any person sentenced to a term of  
1007 imprisonment for a crime committed on or after October 1, 1994, and  
1008 committed to the custody of the Commissioner of Correction on or  
1009 after said date, may be eligible to earn risk reduction credit toward a  
1010 reduction of such person's sentence, in an amount not to exceed five  
1011 days per month, at the discretion of the Commissioner of Correction  
1012 for good conduct on or after April 1, 2006.

1013       (b) An inmate may earn risk reduction credit for adherence to the  
1014 inmate's offender accountability plan and for participation in eligible  
1015 programs or activities, good conduct and obedience to institutional  
1016 rules as designated by the commissioner, provided the commissioner  
1017 or the commissioner's designee may, in his or her discretion, cause the  
1018 loss of all or any portion of such earned risk reduction credit for any  
1019 act of misconduct or insubordination or refusal to conform to  
1020 recommended programs or activities or institutional rules occurring at  
1021 any time during the service of the sentence or for other good cause. If  
1022 an inmate has not earned sufficient risk reduction credit at the time the  
1023 commissioner or the commissioner's designee orders the loss of all or a  
1024 portion of earned credit, such loss shall be deducted from any credit  
1025 earned by such inmate in the future.

1026       (c) The award of risk reduction credit earned for conduct occurring  
1027 prior to July 1, 2011, shall be phased in consistent with public safety,  
1028 risk reduction, administrative purposes and sound correctional  
1029 practice, at the discretion of the commissioner, but shall be completed  
1030 not later than July 1, 2012.

1031       (d) Any credit earned under this section may only be earned during

1032 the period of time that the inmate is sentenced to a term of  
1033 imprisonment and committed to the custody of the commissioner and  
1034 may not be transferred or applied to a subsequent term of  
1035 imprisonment.

1036 (e) The commissioner shall adopt policies and procedures to  
1037 determine the amount of credit an inmate may earn toward a  
1038 reduction in his or her sentence and to phase in the awarding of  
1039 retroactive credit authorized by subsection (c) of this section.

1040 Sec. 23. Section 18-100c of the general statutes is repealed and the  
1041 following is substituted in lieu thereof (*Effective July 1, 2011*):

1042 A person convicted of a crime who is incarcerated on or after July 1,  
1043 1993, who received a definite sentence of two years or less, and who  
1044 has been confined under such sentence for not less than one-half of the  
1045 sentence imposed by the court, less such time as may have been earned  
1046 under the provisions of section 18-7, 18-7a, 18-98a, 18-98b or 18-98d or  
1047 less any risk reduction credit earned under the provisions of section 22  
1048 of this act, may be released pursuant to subsection (e) of section 18-100  
1049 or to any other community correction program approved by the  
1050 Commissioner of Correction.

1051 Sec. 24. Section 18-100d of the general statutes is repealed and the  
1052 following is substituted in lieu thereof (*Effective July 1, 2011*):

1053 Notwithstanding any other provision of the general statutes, any  
1054 person convicted of a crime committed on or after October 1, 1994,  
1055 shall be subject to supervision by personnel of the Department of  
1056 Correction until the expiration of the maximum term or terms for  
1057 which such person was sentenced less any risk reduction credit earned  
1058 under the provisions of section 22 of this act.

1059 Sec. 25. Section 54-125a of the general statutes is repealed and the  
1060 following is substituted in lieu thereof (*Effective July 1, 2011*):

1061 (a) A person convicted of one or more crimes who is incarcerated on

1062 or after October 1, 1990, who received a definite sentence or aggregate  
1063 sentence of more than two years, and who has been confined under  
1064 such sentence or sentences for not less than one-half of the aggregate  
1065 sentence less any risk reduction credit earned under the provisions of  
1066 section 22 of this act or one-half of the most recent sentence imposed  
1067 by the court less any risk reduction credit earned under the provisions  
1068 of section 22 of this act, whichever is greater, may be allowed to go at  
1069 large on parole in the discretion of the panel of the Board of Pardons  
1070 and Paroles for the institution in which the person is confined, if (1) it  
1071 appears from all available information, including any reports from the  
1072 Commissioner of Correction that the panel may require, that there is  
1073 reasonable probability that such inmate will live and remain at liberty  
1074 without violating the law, and (2) such release is not incompatible with  
1075 the welfare of society. At the discretion of the panel, and under the  
1076 terms and conditions as may be prescribed by the panel including  
1077 requiring the parolee to submit personal reports, the parolee shall be  
1078 allowed to return to the parolee's home or to reside in a residential  
1079 community center, or to go elsewhere. The parolee shall, while on  
1080 parole, remain under the jurisdiction of the board until the expiration  
1081 of the maximum term or terms for which the parolee was sentenced  
1082 less any risk reduction credit earned under the provisions of section 22  
1083 of this act. Any parolee released on the condition that the parolee  
1084 reside in a residential community center may be required to contribute  
1085 to the cost incidental to such residence. Each order of parole shall fix  
1086 the limits of the parolee's residence, which may be changed in the  
1087 discretion of the board and the Commissioner of Correction. Within  
1088 three weeks after the commitment of each person sentenced to more  
1089 than two years, the state's attorney for the judicial district shall send to  
1090 the Board of Pardons and Paroles the record, if any, of such person.

1091 (b) (1) No person convicted of any of the following offenses, which  
1092 was committed on or after July 1, 1981, shall be eligible for parole  
1093 under subsection (a) of this section: Capital felony, as provided in  
1094 section 53a-54b, felony murder, as provided in section 53a-54c, arson  
1095 murder, as provided in section 53a-54d, murder, as provided in section

1096 53a-54a, or aggravated sexual assault in the first degree, as provided in  
1097 section 53a-70a. (2) A person convicted of (A) a violation of section 53a-  
1098 100aa or 53a-102, or (B) an offense, other than an offense specified in  
1099 subdivision (1) of this subsection, where the underlying facts and  
1100 circumstances of the offense involve the use, attempted use or  
1101 threatened use of physical force against another person shall be  
1102 ineligible for parole under subsection (a) of this section until such  
1103 person has served not less than eighty-five per cent of the definite  
1104 sentence imposed less any risk reduction credit earned under the  
1105 provisions of section 22 of this act.

1106 (c) The Board of Pardons and Paroles shall, not later than July 1,  
1107 1996, adopt regulations in accordance with chapter 54 to ensure that a  
1108 person convicted of an offense described in subdivision (2) of  
1109 subsection (b) of this section is not released on parole until such person  
1110 has served eighty-five per cent of the definite sentence imposed by the  
1111 court less any risk reduction credit earned under the provisions of  
1112 section 22 of this act. Such regulations shall include guidelines and  
1113 procedures for classifying a person as a violent offender that are not  
1114 limited to a consideration of the elements of the offense or offenses for  
1115 which such person was convicted.

1116 (d) The Board of Pardons and Paroles shall hold a hearing to  
1117 determine the suitability for parole release of any person whose  
1118 eligibility for parole release is not subject to the provisions of  
1119 subsection (b) of this section upon completion by such person of  
1120 seventy-five per cent of such person's definite or aggregate sentence  
1121 less any risk reduction credit earned under the provisions of section 22  
1122 of this act. An employee of the board or, if deemed necessary by the  
1123 chairperson, a panel of the board shall reassess the suitability for  
1124 parole release of such person based on the following standards: (1)  
1125 Whether there is reasonable probability that such person will live and  
1126 remain at liberty without violating the law, and (2) whether the  
1127 benefits to such person and society that would result from such  
1128 person's release to community supervision substantially outweigh the

1129 benefits to such person and society that would result from such  
1130 person's continued incarceration. After hearing, if the board  
1131 determines that continued confinement is necessary, it shall articulate  
1132 for the record the specific reasons why such person and the public  
1133 would not benefit from such person serving a period of parole  
1134 supervision while transitioning from incarceration to the community.  
1135 The decision of the board under this subsection shall not be subject to  
1136 appeal.

1137 (e) The Board of Pardons and Paroles shall hold a hearing to  
1138 determine the suitability for parole release of any person whose  
1139 eligibility for parole release is subject to the provisions of subdivision  
1140 (2) of subsection (b) of this section upon completion by such person of  
1141 eighty-five per cent of such person's definite or aggregate sentence less  
1142 any risk reduction credit earned under the provisions of section 22 of  
1143 this act. An employee of the board or, if deemed necessary by the  
1144 chairperson, a panel of the board shall assess the suitability for parole  
1145 release of such person based on the following standards: (1) Whether  
1146 there is reasonable probability that such person will live and remain at  
1147 liberty without violating the law, and (2) whether the benefits to such  
1148 person and society that would result from such person's release to  
1149 community supervision substantially outweigh the benefits to such  
1150 person and society that would result from such person's continued  
1151 incarceration. After hearing, if the board determines that continued  
1152 confinement is necessary, it shall articulate for the record the specific  
1153 reasons why such person and the public would not benefit from such  
1154 person serving a period of parole supervision while transitioning from  
1155 incarceration to the community. The decision of the board under this  
1156 subsection shall not be subject to appeal.

1157 (f) Any person released on parole under this section shall remain in  
1158 the custody of the Commissioner of Correction and be subject to  
1159 supervision by personnel of the Department of Correction during such  
1160 person's period of parole.

1161       Sec. 26. (NEW) (*Effective July 1, 2011*) Notwithstanding any  
1162 provision of the general statutes, whenever a person is sentenced to a  
1163 term of imprisonment pursuant to subsection (g) of section 14-227a of  
1164 the general statutes or section 14-215 of the general statutes, and  
1165 committed by the court to the custody of the Commissioner of  
1166 Correction, the commissioner may, after admission and a risk and  
1167 needs assessment of such person, release such person to such person's  
1168 residence subject to the condition that such person not leave such  
1169 residence unless otherwise authorized. Based upon the assessment of  
1170 such person, the commissioner may require such person to be subject  
1171 to electronic monitoring, which may include the use of a global  
1172 positioning system and continuous monitoring for alcohol  
1173 consumption, and to any other conditions the commissioner deems  
1174 appropriate. Any person released pursuant to this section shall remain  
1175 in the custody of the commissioner and shall be supervised by  
1176 employees of the department during the period of such release. Upon  
1177 the violation by such person of any condition of such release, the  
1178 commissioner may revoke such release and return such person to  
1179 confinement in a correctional facility. The commissioner shall establish  
1180 an advisory committee for the purpose of developing a protocol for the  
1181 training of correctional staff assigned to the assessment and  
1182 supervision of offenders eligible for release pursuant to this section,  
1183 evaluation of outcomes of participation in such release, the  
1184 establishment of victim impact panels and the provision of treatment  
1185 to such participants. For purposes of this section, "continuous  
1186 monitoring for alcohol consumption" means automatically testing  
1187 breath, blood or transdermal alcohol concentration levels and tamper  
1188 attempts at least once every hour regardless of the location of the  
1189 person being monitored.

1190       Sec. 27. (NEW) (*Effective July 1, 2011*) Notwithstanding any  
1191 provision of the general statutes, whenever a person is sentenced to a  
1192 term of imprisonment for a violation of section 21a-267 of the general  
1193 statutes or subsection (c) of section 21a-279 of the general statutes and  
1194 committed by the court to the custody of the Commissioner of

1195 Correction, the commissioner may, after admission and a risk and  
1196 needs assessment, release such person to such person's residence  
1197 subject to the condition that such person not leave such residence  
1198 unless otherwise authorized. Based upon the assessment of such  
1199 person, the commissioner may require such person to be subject to  
1200 electronic monitoring, which may include the use of a global  
1201 positioning system and continuous monitoring for alcohol  
1202 consumption, to drug testing on a random basis, and to any other  
1203 conditions that the commissioner may impose. Any person released  
1204 pursuant to this section shall remain in the custody of the  
1205 commissioner and shall be supervised by employees of the department  
1206 during the period of such release. Upon the violation by such person of  
1207 any condition of such release, the commissioner may revoke such  
1208 release and return such person to confinement in a correctional facility  
1209 For purposes of this section, "continuous monitoring for alcohol  
1210 consumption" means automatically testing breath, blood or  
1211 transdermal alcohol concentration levels and tamper attempts at least  
1212 once every hour regardless of the location of the person being  
1213 monitored.

1214 Sec. 28. Section 10-253 of the general statutes is amended by adding  
1215 subsection (g) as follows (*Effective July 1, 2011*):

1216 (NEW) (g) (1) For purposes of this subsection, "juvenile detention  
1217 facility" means a juvenile detention facility operated by, or under  
1218 contract with, the Judicial Department.

1219 (2) The local or regional board of education for the school district in  
1220 which a juvenile detention facility is located shall be responsible for  
1221 the provision of general education and special education and related  
1222 services to children detained in such facility. The provision of general  
1223 education and special education and related services shall be in  
1224 accordance with all applicable state and federal laws concerning the  
1225 provision of educational services. Such board may provide such  
1226 educational services directly or may contract with public or private

1227 educational service providers for the provision of such services.  
1228 Tuition may be charged to the local or regional board of education  
1229 under whose jurisdiction the child would otherwise be attending  
1230 school for the provision of general education and special education  
1231 and related services. Responsibility for the provision of educational  
1232 services to the child shall begin on the date of the child's placement in  
1233 the juvenile detention facility and financial responsibility for the  
1234 provision of such services shall begin upon the receipt by the child of  
1235 such services.

1236 (3) The local or regional board of education under whose  
1237 jurisdiction the child would otherwise be attending school or, if no  
1238 such board can be identified, the local or regional board of education  
1239 for the school district in which the juvenile detention facility is located  
1240 shall be financially responsible for the tuition charged for the provision  
1241 of educational services to the child in such juvenile detention facility.  
1242 The State Board of Education shall pay, on a current basis, any costs in  
1243 excess of such local or regional board of education's prior year's  
1244 average per pupil costs. If the local or regional board of education  
1245 under whose jurisdiction the child would otherwise be attending  
1246 school cannot be identified, the local or regional board of education for  
1247 the school district in which the juvenile detention facility is located  
1248 shall be eligible to receive on a current basis from the State Board of  
1249 Education any costs in excess of such local or regional board of  
1250 education's prior year's average per pupil costs. Application for the  
1251 grant to be paid by the state for costs in excess of the local or regional  
1252 board of education's basic contribution shall be made in accordance  
1253 with the provisions of subdivision (5) of subsection (e) of section 10-  
1254 76d, as amended by this act.

1255 (4) The local or regional board of education under whose  
1256 jurisdiction the child would otherwise be attending school shall be  
1257 financially responsible for the provision of educational services to the  
1258 child placed in a juvenile detention facility as provided in subdivision  
1259 (3) of this subsection notwithstanding that the child has been

1260 suspended from school pursuant to section 10-233c, has been expelled  
1261 from school pursuant to section 10-233d or has withdrawn, dropped  
1262 out or otherwise terminated enrollment from school. Upon notification  
1263 of such board of education by the educational services provider for the  
1264 juvenile detention facility, the child shall be reenrolled in the school  
1265 district where the child would otherwise be attending school or, if no  
1266 such district can be identified, in the school district in which the  
1267 juvenile detention facility is located, and provided with educational  
1268 services in accordance with the provisions of this subsection.

1269 (5) The local or regional board of education under whose  
1270 jurisdiction the child would otherwise be attending school or, if no  
1271 such board can be identified, the local or regional board of education  
1272 for the school district in which the juvenile detention facility is located  
1273 shall be notified in writing by the Judicial Branch of the child's  
1274 placement at the juvenile detention facility not later than one business  
1275 day after the child's placement, notwithstanding any provision of the  
1276 general statutes to the contrary. The notification shall include the  
1277 child's name and date of birth, the address of the child's parents or  
1278 guardian, placement location and contact information, and such other  
1279 information as is necessary to provide educational services to the child.

1280 (6) Prior to the child's discharge from the juvenile detention facility,  
1281 an assessment of the school work completed by the child shall be  
1282 conducted by the local or regional board of education responsible for  
1283 the provision of educational services to children in the juvenile  
1284 detention facility to determine an assignment of academic credit for  
1285 the work completed. Credit assigned shall be the credit of the local or  
1286 regional board of education responsible for the provision of the  
1287 educational services. Credit assigned for work completed by the child  
1288 shall be accepted in transfer by the local or regional board of education  
1289 for the school district in which the child continues his or her education  
1290 after discharge from the juvenile detention facility.

1291 Sec. 29. Subdivision (5) of subsection (e) of section 10-76d of the

1292 general statutes is repealed and the following is substituted in lieu  
1293 thereof (*Effective July 1, 2011*):

1294 (5) Application for the grant to be paid by the state for costs in  
1295 excess of the local or regional board of education's basic contribution  
1296 shall be made by such board of education by filing with the State  
1297 Board of Education, in such manner as prescribed by the  
1298 Commissioner of Education, annually on or before December first a  
1299 statement of the cost of providing special education, as defined in  
1300 subdivision (2) of this subsection, for a child of the board placed by a  
1301 state agency in accordance with the provisions of said subdivision or,  
1302 where appropriate, a statement of the cost of providing educational  
1303 services other than special educational services pursuant to the  
1304 provisions of subsection (b) or (g) of section 10-253, as amended by this  
1305 act, provided a board of education may submit, not later than March  
1306 first, claims for additional children or costs not included in the  
1307 December filing. Payment by the state for such excess costs shall be  
1308 made to the local or regional board of education as follows: Seventy-  
1309 five per cent of the cost in February and the balance in May. The  
1310 amount due each town pursuant to the provisions of this subsection  
1311 and the amount due to each town as tuition from other towns pursuant  
1312 to this section shall be paid to the treasurer of each town entitled to  
1313 such aid, provided the treasurer shall treat such grant or tuition  
1314 received, or a portion of such grant or tuition, which relates to special  
1315 education expenditures incurred pursuant to subdivisions (2) and (3)  
1316 of this subsection in excess of such board's budgeted estimate of such  
1317 expenditures, as a reduction in expenditures by crediting such  
1318 expenditure account, rather than town revenue. The state shall notify  
1319 the local or regional board of education when payments are made to  
1320 the treasurer of the town pursuant to this subdivision.

1321 Sec. 30. Section 46b-122 of the general statutes is repealed and the  
1322 following is substituted in lieu thereof (*Effective July 1, 2011*):

1323 (a) All matters which are juvenile matters, as [provided] defined in

1324 section 46b-121, shall be kept separate and apart from all other  
1325 business of the Superior Court as far as is practicable, except matters  
1326 transferred under the provisions of section 46b-127, which matters  
1327 shall be transferred to the regular criminal docket of the Superior  
1328 Court.

1329 (b) Except as provided in subsection [(b)] (c) of this section, any  
1330 judge hearing a juvenile matter may, during such hearing, exclude  
1331 from the room in which such hearing is held any person whose  
1332 presence is, in the court's opinion, not necessary, except that in  
1333 delinquency proceedings, any victim shall not be excluded unless,  
1334 after hearing from the parties and the victim and for good cause  
1335 shown, which shall be clearly and specifically stated on the record, the  
1336 judge orders otherwise. For the purposes of this section, "victim"  
1337 means a person who is the victim of a delinquent act, a parent or  
1338 guardian of such person, the legal representative of such person or a  
1339 victim advocate for such person under section 54-220.

1340 [(b) The Judicial Department shall establish, in a superior court for  
1341 juvenile matters location designated by the Chief Court Administrator,  
1342 a pilot program to increase public access to proceedings in which a  
1343 child is alleged to be uncared for, neglected, abused or dependent or is  
1344 the subject of a petition for termination of parental rights. In any  
1345 proceeding under this subsection, the judge may order on a case-by-  
1346 case basis that such proceeding be kept separate and apart and heard  
1347 in accordance with subsection (a) of this section, upon motion of any  
1348 party for good cause shown. After consultation with the Juvenile  
1349 Access Pilot Program Advisory Board established pursuant to section 6  
1350 of public act 09-194, the Judicial Department shall adopt policies and  
1351 procedures for the operation of the pilot program.]

1352 (c) Any judge hearing a juvenile matter, in which a child is alleged  
1353 to be uncared for, neglected, abused or dependent or in which a child  
1354 is the subject of a petition for termination of parental rights, may  
1355 permit any person whom the court finds has a legitimate interest in the

1356 hearing or the work of the court to attend such hearing. Such person  
1357 may include a party, foster parent, relative related to the child by  
1358 blood or marriage, service provider or any person or representative of  
1359 any agency, entity or association, including a representative of the  
1360 news media. The court may, for the child's safety and protection and  
1361 for good cause shown, prohibit any person or representative of any  
1362 agency, entity or association, including a representative of the news  
1363 media, who is present in court from further disclosing any information  
1364 that would identify the child, the custodian or caretaker of the child or  
1365 the members of the child's family involved in the hearing.

1366 [(c)] (d) Nothing in this section shall be construed to affect the  
1367 confidentiality of records of cases of juvenile matters as set forth in  
1368 section 46b-124, as amended by this act, or the right of foster parents to  
1369 be heard pursuant to subdivision (o) of section 46b-129.

1370 Sec. 31. Section 49-31l of the general statutes is repealed and the  
1371 following is substituted in lieu thereof (*Effective July 1, 2011*):

1372 (a) Prior to July 1, [2012] 2014: (1) Any action for the foreclosure of a  
1373 mortgage on residential real property with a return date during the  
1374 period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to  
1375 the provisions of subsection (b) of this section, and (2) any action for  
1376 the foreclosure of a mortgage on residential real property with a return  
1377 date during the period from July 1, 2009, to June 30, [2012] 2014,  
1378 inclusive, shall be subject to the provisions of subsection (c) of this  
1379 section.

1380 (b) (1) Prior to July 1, 2012, when a mortgagee commences an action  
1381 for the foreclosure of a mortgage on residential real property with a  
1382 return date during the period from July 1, 2008, to June 30, 2009,  
1383 inclusive, the mortgagee shall give notice to the mortgagor of the  
1384 foreclosure mediation program established in section 49-31m by  
1385 attaching to the front of the foreclosure complaint that is served on the  
1386 mortgagor: (A) A copy of the notice of the availability of foreclosure  
1387 mediation, in such form as the Chief Court Administrator prescribes,

1388 and (B) a foreclosure mediation request form, in such form as the Chief  
1389 Court Administrator prescribes.

1390 (2) Except as provided in subdivision (3) of this subsection, a  
1391 mortgagor may request foreclosure mediation by submitting the  
1392 foreclosure mediation request form to the court and filing an  
1393 appearance not more than fifteen days after the return [day] date for  
1394 the foreclosure action. Upon receipt of the foreclosure mediation  
1395 request form, the court shall notify each appearing party that a  
1396 foreclosure mediation request form has been submitted by the  
1397 mortgagor.

1398 (3) The court may grant a mortgagor permission to submit a  
1399 foreclosure mediation request form and file an appearance after the  
1400 fifteen-day period established in subdivision (2) of this subsection, for  
1401 good cause shown, except that no foreclosure mediation request form  
1402 may be submitted and no appearance may be filed more than twenty-  
1403 five days after the return date.

1404 (4) No foreclosure mediation request form may be submitted to the  
1405 court under this subsection on or after July 1, 2012.

1406 (5) If at any time on or after July 1, 2008, but prior to July 1, 2012, the  
1407 court determines that the notice requirement of subdivision (1) of this  
1408 subsection has not been met, the court may, upon its own motion or  
1409 upon the written motion of the mortgagor, issue an order that no  
1410 judgment may enter for fifteen days during which period the  
1411 mortgagor may submit a foreclosure mediation request form to the  
1412 court.

1413 (6) Notwithstanding any provision of the general statutes or any  
1414 rule of law to the contrary, prior to July 1, 2012, no judgment of strict  
1415 foreclosure nor any judgment ordering a foreclosure sale shall be  
1416 entered in any action subject to the provisions of this subsection and  
1417 instituted by the mortgagee to foreclose a mortgage on residential real  
1418 property unless: (A) Notice to the mortgagor has been given by the

1419 mortgagee in accordance with subdivision (1) of this subsection and  
1420 the time for submitting a foreclosure mediation request form has  
1421 expired and no foreclosure mediation request form has been  
1422 submitted, or if such notice has not been given, the time for submitting  
1423 a foreclosure mediation request form pursuant to subdivision (2) or (3)  
1424 of this subsection has expired and no foreclosure mediation request  
1425 form has been submitted, or (B) the mediation period set forth in  
1426 subdivision (b) of section 49-31n, as amended by this act, has expired  
1427 or has otherwise terminated, whichever is earlier.

1428 (7) None of the mortgagor's or mortgagee's rights in the foreclosure  
1429 action shall be waived by the mortgagor's submission of a foreclosure  
1430 mediation request form to the court.

1431 (c) (1) Prior to July 1, [2012] 2014, when a mortgagee commences an  
1432 action for the foreclosure of a mortgage on residential real property  
1433 with a return date on or after July 1, 2009, the mortgagee shall give  
1434 notice to the mortgagor of the foreclosure mediation program  
1435 established in section 49-31m by attaching to the front of the writ,  
1436 summons and complaint that is served on the mortgagor: (A) A copy  
1437 of the notice of foreclosure mediation, in such form as the Chief Court  
1438 Administrator prescribes, (B) a copy of the foreclosure mediation  
1439 certificate form described in subdivision (3) of this subsection, in such  
1440 form as the Chief Court Administrator prescribes, and (C) a blank  
1441 appearance form, in such form as the Chief Court Administrator  
1442 prescribes.

1443 (2) The court shall issue a notice of foreclosure mediation described  
1444 in subdivision (3) of this subsection to the mortgagor not later than the  
1445 date three business days after the date the mortgagee returns the writ  
1446 to the court.

1447 (3) The notice of foreclosure mediation shall instruct the mortgagor  
1448 to file the appearance and foreclosure mediation certificate forms with  
1449 the court [no] not later than the date fifteen days from the return date  
1450 for the foreclosure action. The foreclosure mediation certificate form

1451 shall require the mortgagor to provide sufficient information to permit  
1452 the court to confirm that the defendant in the foreclosure action is a  
1453 mortgagor, and to certify that said mortgagor has sent a copy of the  
1454 mediation certificate form to the plaintiff in the action.

1455 (4) Upon receipt of the mortgagor's appearance and foreclosure  
1456 mediation certificate forms, and provided the court confirms the  
1457 defendant in the foreclosure action is a mortgagor and that said  
1458 mortgagor has sent a copy of the mediation certificate form to the  
1459 plaintiff, the court shall schedule a date for foreclosure mediation in  
1460 accordance with subsection (c) of section 49-31n, as amended by this  
1461 act. The court shall issue notice of such mediation date to all appearing  
1462 parties not earlier than the date five business days after the return date  
1463 or by the date three business days after the date on which the court  
1464 receives the mortgagor's appearance and foreclosure mediation  
1465 certificate forms, whichever is later, except that if the court does not  
1466 receive the appearance and foreclosure mediation certificate forms  
1467 from the mortgagor by the date fifteen days after the return date for  
1468 the foreclosure action, the court shall not schedule such mediation.

1469 (5) Notwithstanding the provisions of this subsection, the court may  
1470 refer a foreclosure action brought by a mortgagee to the foreclosure  
1471 mediation program at any time, provided the mortgagor has filed an  
1472 appearance in said action and further provided the court shall, not  
1473 later than the date three business days after the date on which it makes  
1474 such referral, send a notice to each appearing party scheduling the first  
1475 foreclosure mediation session for a date not later than the date fifteen  
1476 business days from the date of such referral.

1477 (6) Notwithstanding any provision of the general statutes or any  
1478 rule of law, prior to July 1, [2012] 2014, no judgment of strict  
1479 foreclosure nor any judgment ordering a foreclosure sale shall be  
1480 entered in any action subject to the provisions of this subsection and  
1481 instituted by the mortgagee to foreclose a mortgage on residential real  
1482 property unless: (A) The mediation period set forth in subsection (c) of

1483 section 49-31n, as amended by this act, has expired or has otherwise  
1484 terminated, whichever is earlier, or (B) the mediation program is not  
1485 otherwise required or available.

1486 (7) None of the mortgagor's or mortgagee's rights in the foreclosure  
1487 action shall be waived by participation in the foreclosure mediation  
1488 program.

1489 Sec. 32. Section 49-31n of the general statutes is repealed and the  
1490 following is substituted in lieu thereof (*Effective July 1, 2011*):

1491 (a) Prior to July 1, [2012] 2014: (1) Any action for the foreclosure of a  
1492 mortgage on residential real property with a return date during the  
1493 period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to  
1494 the provisions of subsection (b) of this section, and (2) any action for  
1495 the foreclosure of a mortgage on residential real property with a return  
1496 date during the period from July 1, 2009, to June 30, [2012] 2014,  
1497 inclusive, shall be subject to the provisions of subsection (c) of this  
1498 section.

1499 (b) (1) For any action for the foreclosure of a mortgage on residential  
1500 real property with a return date during the period from July 1, 2008, to  
1501 June 30, 2009, inclusive, the mediation period under the foreclosure  
1502 mediation program established in section 49-31m shall commence  
1503 when the court sends notice to each appearing party that a foreclosure  
1504 mediation request form has been submitted by a mortgagor to the  
1505 court, which notice shall be sent not later than three business days after  
1506 the court receives a completed foreclosure mediation request form. The  
1507 mediation period shall conclude not more than sixty days after the  
1508 return [day] date for the foreclosure action, except that the court may,  
1509 in its discretion, for good cause shown, (A) extend, by not more than  
1510 thirty days, or shorten the mediation period on its own motion or upon  
1511 motion of any party, or (B) extend by not more than thirty days the  
1512 mediation period upon written request of the mediator.

1513 (2) The first mediation session shall be held not later than fifteen

1514 business days after the court sends notice to all parties that a  
1515 foreclosure mediation request form has been submitted to the court.  
1516 The mortgagor and mortgagee shall appear in person at each  
1517 mediation session and shall have authority to agree to a proposed  
1518 settlement, except that if the mortgagee is represented by counsel, the  
1519 mortgagee's counsel may appear in lieu of the mortgagee to represent  
1520 the mortgagee's interests at the mediation, provided such counsel has  
1521 the authority to agree to a proposed settlement and the mortgagee is  
1522 available during the mediation session by telephone. The court shall  
1523 not award attorney's fees to any mortgagee for time spent in any  
1524 mediation session if the court finds that such mortgagee has failed to  
1525 comply with this subdivision, unless the court finds reasonable cause  
1526 for such failure.

1527 (3) Not later than two days after the conclusion of the first  
1528 mediation session, the mediator shall determine whether the parties  
1529 will benefit from further mediation. The mediator shall file with the  
1530 court a report setting forth such determination and mail a copy of such  
1531 report to each appearing party. If the mediator reports to the court that  
1532 the parties will not benefit from further mediation, the mediation  
1533 period shall terminate automatically. If the mediator reports to the  
1534 court after the first mediation session that the parties may benefit from  
1535 further mediation, the mediation period shall continue.

1536 (4) If the mediator has submitted a report to the court that the  
1537 parties may benefit from further mediation pursuant to subdivision (3)  
1538 of this subsection, not more than two days after the conclusion of the  
1539 mediation, but [no] not later than the termination of the mediation  
1540 period set forth in subdivision (1) of this subsection, the mediator shall  
1541 file a report with the court describing the proceedings and specifying  
1542 the issues resolved, if any, and any issues not resolved pursuant to the  
1543 mediation. The filing of the report shall terminate the mediation period  
1544 automatically. If certain issues have not been resolved pursuant to the  
1545 mediation, the mediator may refer the mortgagor to any appropriate  
1546 community-based services that are available in the judicial district, but

1547 any such referral shall not cause a delay in the mediation process.

1548 (5) The Chief Court Administrator shall establish policies and  
1549 procedures to implement this subsection. Such policies and procedures  
1550 shall, at a minimum, provide that the mediator shall advise the  
1551 mortgagor at the first mediation session required by subdivision (2) of  
1552 this subsection that: (A) Such mediation does not suspend the  
1553 mortgagor's obligation to respond to the foreclosure action; and (B) a  
1554 judgment of strict foreclosure or foreclosure by sale may cause the  
1555 mortgagor to lose the residential real property to foreclosure.

1556 (6) In no event shall any determination issued by a mediator under  
1557 this program form the basis of an appeal of any foreclosure judgment.

1558 (7) Foreclosure mediation request forms shall not be accepted by the  
1559 court under this subsection on or after July 1, 2012, and the foreclosure  
1560 mediation program shall terminate when all mediation has concluded  
1561 with respect to any applications submitted to the court prior to July 1,  
1562 [2012] 2014.

1563 (8) At any time during the mediation period, the mediator may refer  
1564 the mortgagor to the mortgage assistance programs, except that any  
1565 such referral shall not prevent a mortgagee from proceeding to  
1566 judgment when the conditions specified in subdivision (6) of  
1567 subsection (b) of section 49-31l, as amended by this act, have been  
1568 satisfied.

1569 (c) (1) For any action for the foreclosure of a mortgage on residential  
1570 real property with a return date during the period from July 1, 2009, to  
1571 June 30, [2012] 2014, inclusive, the mediation period under the  
1572 foreclosure mediation program established in section 49-31m shall  
1573 commence when the court sends notice to each appearing party  
1574 scheduling the first foreclosure mediation session. The mediation  
1575 period shall conclude not later than the date sixty days after the return  
1576 date for the foreclosure action, except that the court may, in its  
1577 discretion, for good cause shown, (A) extend, by not more than thirty

1578 days, or shorten the mediation period on its own motion or upon  
1579 motion of any party, or (B) extend by not more than thirty days the  
1580 mediation period upon written request of the mediator.

1581 (2) The first mediation session shall be held not later than fifteen  
1582 business days after the court sends notice to each appearing party in  
1583 accordance with subdivision (4) of subsection (c) of section 49-311, as  
1584 amended by this act. The mortgagor and mortgagee shall appear in  
1585 person at each mediation session and shall have authority to agree to a  
1586 proposed settlement, except that if the mortgagee is represented by  
1587 counsel, the mortgagee's counsel may appear in lieu of the mortgagee  
1588 to represent the mortgagee's interests at the mediation, provided such  
1589 counsel has the authority to agree to a proposed settlement and the  
1590 mortgagee is available during the mediation session by telephone. The  
1591 court shall not award attorney's fees to any mortgagee for time spent  
1592 in any mediation session if the court finds that such mortgagee has  
1593 failed to comply with this subdivision, unless the court finds  
1594 reasonable cause for such failure.

1595 (3) Not later than two days after the conclusion of the first  
1596 mediation session, the mediator shall determine whether the parties  
1597 will benefit from further mediation. The mediator shall file with the  
1598 court a report setting forth such determination and mail a copy of such  
1599 report to each appearing party. If the mediator reports to the court that  
1600 the parties will not benefit from further mediation, the mediation  
1601 period shall terminate automatically. If the mediator reports to the  
1602 court after the first mediation session that the parties may benefit from  
1603 further mediation, the mediation period shall continue.

1604 (4) If the mediator has submitted a report to the court that the  
1605 parties may benefit from further mediation pursuant to subdivision (3)  
1606 of this subsection, not more than two days after the conclusion of the  
1607 mediation, but [no] not later than the termination of the mediation  
1608 period set forth in subdivision (1) of this subsection, the mediator shall  
1609 file a report with the court describing the proceedings and specifying

1610 the issues resolved, if any, and any issues not resolved pursuant to the  
1611 mediation. The filing of the report shall terminate the mediation period  
1612 automatically. If certain issues have not been resolved pursuant to the  
1613 mediation, the mediator may refer the mortgagor to any appropriate  
1614 community-based services that are available in the judicial district, but  
1615 any such referral shall not cause a delay in the mediation process.

1616 (5) The Chief Court Administrator shall establish policies and  
1617 procedures to implement this subsection. Such policies and procedures  
1618 shall, at a minimum, provide that the mediator shall advise the  
1619 mortgagor at the first mediation session required by subdivision (2) of  
1620 this subsection that: (A) Such mediation does not suspend the  
1621 mortgagor's obligation to respond to the foreclosure action; and (B) a  
1622 judgment of strict foreclosure or foreclosure by sale may cause the  
1623 mortgagor to lose the residential real property to foreclosure.

1624 (6) In no event shall any determination issued by a mediator under  
1625 this program form the basis of an appeal of any foreclosure judgment.

1626 (7) The foreclosure mediation program shall terminate when all  
1627 mediation has concluded with respect to any foreclosure action with a  
1628 return date during the period from July 1, 2009, to June 30, [2012] 2014,  
1629 inclusive.

1630 (8) At any time during the mediation period, the mediator may refer  
1631 the mortgagor to the mortgage assistance programs, except that any  
1632 such referral shall not prevent a mortgagee from proceeding to  
1633 judgment when the conditions specified in subdivision (6) of  
1634 subsection (c) of section 49-31l, as amended by this act, have been  
1635 satisfied.

1636 Sec. 33. (NEW) (*Effective October 1, 2011*) Any parent or guardian of a  
1637 minor child who, knowing that such child possesses a firearm, as  
1638 defined in section 53a-3 of the general statutes, and is ineligible to  
1639 possess such firearm, fails to make reasonable efforts to halt such  
1640 possession shall be guilty of (1) a class A misdemeanor, or (2) if such

1641 child causes the injury or death of another person with such firearm, a  
1642 class D felony.

1643 Sec. 34. Section 88 of public act 07-4 of the June special session, as  
1644 amended by section 113 of public act 09-7 of the September special  
1645 session, is repealed and the following is substituted in lieu thereof  
1646 (*Effective from passage*):

1647 (a) There is established a Juvenile Jurisdiction Policy and Operations  
1648 Coordinating Council. The council shall monitor the implementation  
1649 of changes required in the juvenile justice system to expand  
1650 jurisdiction to include persons sixteen and seventeen years of age.

1651 (b) The council shall consist of the following members:

1652 (1) Two members of the General Assembly, one of whom shall be  
1653 appointed by the speaker of the House of Representatives, and one of  
1654 whom shall be appointed by the president pro tempore of the Senate;

1655 (2) The chairpersons and ranking members of the joint standing  
1656 committees of the General Assembly having cognizance of matters  
1657 relating to the judiciary, human services and appropriations, or their  
1658 designees;

1659 (3) The Chief Court Administrator, or the Chief Court  
1660 Administrator's designee;

1661 (4) A judge of the superior court for juvenile matters, appointed by  
1662 the Chief Justice;

1663 (5) The executive director of the Court Support Services Division of  
1664 the judicial branch, or the executive director's designee;

1665 (6) The executive director of the Superior Court Operations  
1666 Division, or the executive director's designee;

1667 (7) The Chief Public Defender, or the Chief Public Defender's  
1668 designee;

1669 (8) The Chief State's Attorney, or the Chief State's Attorney's  
1670 designee;

1671 (9) The Commissioner of Children and Families, or the  
1672 commissioner's designee;

1673 (10) The Commissioner of Correction, or the commissioner's  
1674 designee;

1675 (11) The Commissioner of Education, or the commissioner's  
1676 designee;

1677 (12) The Commissioner of Mental Health and Addiction Services, or  
1678 the commissioner's designee;

1679 (13) The president of the Connecticut Police Chiefs Association, or  
1680 the president's designee;

1681 (14) Two child or youth advocates, one of whom shall be appointed  
1682 by one chairperson of the Juvenile Jurisdiction Planning and  
1683 Implementation Committee, and one of whom shall be appointed by  
1684 the other chairperson of the Juvenile Jurisdiction Planning and  
1685 Implementation Committee;

1686 (15) Two parents, each of whom is the parent of a child who has  
1687 been involved with the juvenile justice system, one of whom shall be  
1688 appointed by the minority leader of the House of Representatives, and  
1689 one of whom shall be appointed by the minority leader of the Senate;  
1690 and

1691 (16) The Child Advocate, or the Child Advocate's designee.

1692 (c) All appointments to the council shall be made not later than  
1693 thirty days after the effective date of this section. Any vacancy shall be  
1694 filled by the appointing authority.

1695 (d) The Secretary of the Office of Policy and Management, or the  
1696 secretary's designee and a member of the General Assembly selected

1697 jointly by the speaker of the House of Representatives and the  
1698 president pro tempore of the Senate shall be cochairpersons of the  
1699 council. Such cochairpersons shall schedule the first meeting of the  
1700 council, which shall be held not later than sixty days after the effective  
1701 date of this section.

1702 (e) Members of the council shall serve without compensation, except  
1703 for necessary expenses incurred in the performance of their duties.

1704 (f) Not later than January 1, 2011, the council shall submit a report  
1705 on the council's recommendations concerning the implementation of  
1706 changes required in the juvenile justice system to expand jurisdiction  
1707 to include persons sixteen and seventeen years of age to the Governor  
1708 and the joint standing committees of the General Assembly having  
1709 cognizance of matters relating to the judiciary, human services and  
1710 appropriations, and the select committee of the General Assembly  
1711 having cognizance of matters relating to children, in accordance with  
1712 section 11-4a of the general statutes.

1713 (g) Not later than January 1, 2012, the council shall submit a report  
1714 on the council's recommendations concerning the implementation of  
1715 changes required in the juvenile justice system to expand jurisdiction  
1716 to include persons seventeen years of age to the Governor and the joint  
1717 standing committees of the General Assembly having cognizance of  
1718 matters relating to the judiciary, human services and appropriations,  
1719 and the select committee of the General Assembly having cognizance  
1720 of matters relating to children, in accordance with section 11-4a of the  
1721 general statutes.

1722 Sec. 35. (*Effective from passage*) Not later than January 1, 2012, the  
1723 Commissioner of Correction, the Commissioner of Children and  
1724 Families and the Secretary of the Office of Policy and Management, in  
1725 consultation with the Juvenile Jurisdiction Policy and Operations  
1726 Coordinating Council and the Criminal Justice Policy Advisory  
1727 Commission, shall submit a report on the feasibility of establishing,  
1728 and the steps necessary to implement, a unified community corrections

1729 agency by July 1, 2013, that would serve both adult and juvenile  
1730 offenders who can safely be served in community-based programs.  
1731 The report shall be submitted to the Governor and the joint standing  
1732 committees of the General Assembly having cognizance of matters  
1733 relating to the judiciary, human services and appropriations and the  
1734 budgets of state agencies and the select committee of the General  
1735 Assembly having cognizance of matters relating to children in  
1736 accordance with section 11-4a of the general statutes.

1737       Sec. 36. (*Effective from passage*) (a) Notwithstanding subsection (j) of  
1738 section 45a-82 of the general statutes, the sum of four million dollars of  
1739 surplus funds in the Probate Court Administration Fund shall not be  
1740 transferred to the General Fund on June 30, 2011.

1741       (b) Notwithstanding subsection (j) of section 45a-82 of the general  
1742 statutes, the sum of four million dollars of surplus funds in the Probate  
1743 Court Administration Fund shall not be transferred to the General  
1744 Fund on June 30, 2012.

1745       Sec. 37. (*Effective from passage*) (a) Notwithstanding subsection (j) of  
1746 section 45a-82 of the general statutes, the sum of seventy-five thousand  
1747 dollars of surplus funds in the Probate Court Administration Fund  
1748 shall be transferred to the Court Support Services Division of the  
1749 Judicial Department on June 30, 2011, for the purpose of providing  
1750 competency evaluations pursuant to section 5 of substitute house bill  
1751 6637 of the current session for children and youths in juvenile matters,  
1752 as defined in section 46b-121 of the general statutes, or youth in crisis  
1753 matters pursuant to section 46b-150f of the general statutes.

1754       (b) Notwithstanding subsection (j) of section 45a-82 of the general  
1755 statutes, the sum of seventy-five thousand dollars of surplus funds in  
1756 the Probate Court Administration Fund shall be transferred to the  
1757 Court Support Services Division of the Judicial Department on June 30,  
1758 2012, for the purpose of providing competency evaluations pursuant to  
1759 section 5 of substitute house bill 6637 of the current session for children  
1760 and youths in juvenile matters, as defined in section 46b-121 of the

1761 general statutes, or youth in crisis matters pursuant to section 46b-150f  
1762 of the general statutes.

1763 Sec. 38. Section 14-270c of the general statutes is repealed and the  
1764 following is substituted in lieu thereof (*Effective July 1, 2011*):

1765 (a) The [Commissioners of Public Safety and] Commissioner of  
1766 Motor Vehicles shall staff, and shall coordinate coverage and hours of  
1767 operation of, the official weighing areas as follows:

1768 (1) Greenwich: Eight work shifts in each seven-day period from  
1769 Sunday through Saturday. No such shifts shall be worked  
1770 consecutively, except that two shifts may be worked consecutively on  
1771 not more than three days;

1772 (2) Danbury: The [Department of Public Safety shall staff three work  
1773 shifts in each seven-day period from Sunday through Saturday and  
1774 the] Department of Motor Vehicles shall staff [three] six work shifts in  
1775 each seven-day period from Sunday through Saturday. The  
1776 Commissioner of [Public Safety] Motor Vehicles shall, whenever  
1777 possible, coordinate coverage between this official weighing area and  
1778 the official weighing area in Greenwich in order to ensure concurrent  
1779 coverage;

1780 (3) Union: Between five and eight work shifts in each seven-day  
1781 period from Sunday through Saturday; [. The Commissioner of Motor  
1782 Vehicles shall coordinate the hours of operation of this official  
1783 weighing area;] and

1784 (4) Portable scale locations: [Ten shifts] The Commissioner of  
1785 Emergency Services and Public Protection shall assign troopers to  
1786 work ten shifts in each seven-day period from Sunday through  
1787 Saturday [which shall be staggered] to conduct commercial motor  
1788 vehicle enforcement throughout the four geographical areas  
1789 established by the Commissioner of [Public Safety] Motor Vehicles  
1790 with concentration in areas that have fewer hours of operation for the

1791 permanent weighing areas.

1792 (b) The [Commissioners of Public Safety and] Commissioner of  
1793 Motor Vehicles shall adjust the work shifts required in subsection (a)  
1794 of this section on a daily basis in order to effectuate an unpredictable  
1795 schedule.

1796 (c) The Commissioner of [Public Safety] Motor Vehicles may assign  
1797 [any remaining] personnel [in the traffic unit] to the permanent  
1798 weighing areas in Waterford and Middletown or to the portable scale  
1799 operations.

1800 (d) The Commissioner of [Public Safety] Emergency Services and  
1801 Public Protection, in consultation with the Commissioner of Motor  
1802 Vehicles, shall assign [personnel from the traffic unit to work between  
1803 nine and twelve shifts] one trooper to each weighing area working  
1804 shift in each seven-day period from Sunday through Saturday to  
1805 [patrol and] enforce laws relative to the safe movement of all vehicles  
1806 on the highways of the state.

1807 (e) [Nothing in this section shall prohibit the Commissioner of  
1808 Public Safety from reassigning personnel in the traffic unit as he deems  
1809 necessary in order to ensure public safety.] In addition to the weighing  
1810 area commercial motor vehicle enforcement activities, the Department  
1811 of Emergency Services and Public Protection shall perform roaming  
1812 commercial motor vehicle enforcement on the highways of the state  
1813 and such work shall be assigned to troopers trained in commercial  
1814 motor vehicle enforcement.

1815 Sec. 39. Section 14-270d of the general statutes is repealed and the  
1816 following is substituted in lieu thereof (*Effective July 1, 2011*):

1817 The Commercial Vehicle Safety Division [of State Police] within the  
1818 Department of [Public Safety] Motor Vehicles shall temporarily close  
1819 any weigh station located within the state that develops a backlog of  
1820 traffic entering said weigh station and therefore creates a traffic

1821 hazard.

1822 Sec. 40. Section 14-270e of the general statutes is repealed and the  
1823 following is substituted in lieu thereof (*Effective July 1, 2011*):

1824 On or before January 1, [2004] 2012, the Commissioner of  
1825 Transportation, in consultation with the Department of [Public Safety]  
1826 Emergency Services and Public Protection and the Department of  
1827 Motor Vehicles, shall establish a program to implement regularly  
1828 scheduled and enforced hours of operation for weigh stations. Not  
1829 later than October 1, [2004] 2012, and annually thereafter, the  
1830 commissioner shall submit a report, in accordance with section 11-4a,  
1831 on the planned program to the joint standing committee of the General  
1832 Assembly having cognizance of matters relating to transportation.

1833 Sec. 41. Section 14-270f of the general statutes is repealed and the  
1834 following is substituted in lieu thereof (*Effective July 1, 2011*):

1835 (a) On and after January 1, 2008, logs shall be maintained for each  
1836 shift at all weigh stations located in the state. Each log shall contain the  
1837 following information with respect to each weigh station: (1) The  
1838 location [,] and date [and hours] of each shift, (2) the hours the "OPEN"  
1839 sign is illuminated, (3) the number of Department of Motor Vehicles  
1840 and Department of [Public Safety] Emergency Services and Public  
1841 Protection officers or civilian technicians for each shift, (4) the number  
1842 [and weight] of all vehicles [inspected] weighed, (5) the number and  
1843 type of [vehicle] safety inspections, (6) the number and types of  
1844 citations issued, (7) the amount of fines that may be imposed for  
1845 overweight or other violations, [(8) the operating costs for each shift,]  
1846 and [(9)] (8) the number of vehicles that pass through the weigh station  
1847 during each shift. Each log shall be submitted to the Commissioner of  
1848 [Public Safety] Motor Vehicles. Not later than December 15, [2007]  
1849 2011, the Commissioner of [Public Safety, in consultation with the  
1850 Commissioner of] Motor Vehicles [,] shall develop and distribute a  
1851 form for the recording of such information.

1852 (b) Not later than January 1, [2008] 2012, and semiannually  
1853 thereafter, the Commissioner of [Public Safety] Motor Vehicles shall  
1854 submit, in accordance with section 11-4a, a written report that contains  
1855 a summary of the information specified in subsection (a) of this section  
1856 for the preceding six-month period to the joint standing committee of  
1857 the General Assembly having cognizance of matters relating to  
1858 transportation. Such report shall also be posted on the Internet web  
1859 site of the [Departments] Department of Motor Vehicles, [and Public  
1860 Safety.]

1861 Sec. 42. Section 4a-1 of the general statutes is repealed and the  
1862 following is substituted in lieu thereof (*Effective July 1, 2011*):

1863 (a) There shall be a Department of Administrative Services. The  
1864 department head shall be the Commissioner of Administrative  
1865 Services, who shall be appointed by the Governor in accordance with  
1866 the provisions of sections 4-5, 4-6, 4-7 and 4-8, with the powers and the  
1867 duties therein prescribed.

1868 (b) The Department of Administrative Services shall constitute a  
1869 successor department to the Department of Public Works, except those  
1870 duties relating to construction and construction management, in  
1871 accordance with the provisions of sections 4-38d, 4-38e and 4-39.  
1872 Where any order or regulation of said departments conflict, the  
1873 Commissioner of Administrative Services may implement policies or  
1874 procedures consistent with the provisions of titles 4a and 4b while in  
1875 the process of adopting such policies or procedures in regulation form,  
1876 provided notice of intent to adopt such regulations is printed in the  
1877 Connecticut Law Journal not later than twenty days after  
1878 implementation. Any such policies or procedures shall be valid until  
1879 the time final regulations are adopted.

1880 (c) The Department of Administrative Services shall constitute a  
1881 successor department to the Department of Information Technology in  
1882 accordance with the provisions of sections 4-38d, 4-38e and 4-39.  
1883 Where any order or regulation of said departments conflict, the

1884 Commissioner of Administrative Services may implement policies or  
1885 procedures consistent with the provisions of title 4d while in the  
1886 process of adopting such policies or procedures in regulation form,  
1887 provided notice of intent to adopt such regulations is printed in the  
1888 Connecticut Law Journal not later than twenty days after  
1889 implementation. Any such policies or procedures shall be valid until  
1890 the time final regulations are adopted.

1891 Sec. 43. Section 4a-2 of the general statutes is repealed and the  
1892 following is substituted in lieu thereof (*Effective July 1, 2011*):

1893 (a) The Commissioner of Administrative Services shall have the  
1894 following general duties and responsibilities:

1895 (1) The establishment of personnel policy and responsibility for the  
1896 personnel administration of state employees;

1897 (2) The purchase and provision of supplies, materials, equipment  
1898 and contractual services, as defined in section 4a-50;

1899 (3) The publishing, printing or purchasing of laws, stationery, forms  
1900 and reports; [and]

1901 (4) The collection of sums due the state for public assistance;

1902 (5) The purchase and contracting for information systems and  
1903 telecommunication system facilities, equipment and services for state  
1904 agencies, in accordance with chapter 61;

1905 (6) The purchase, sale, lease, sublease and acquisition of property  
1906 and space to house state agencies;

1907 (7) Subject to the provisions of section 4b-21, the sale or exchange of  
1908 any land or interest in land belonging to the state;

1909 (8) The maintenance of a complete and current inventory of leased  
1910 property and premises, including space-utilization data;

1911 (9) The supervision of the care and control of building and grounds  
1912 owned or leased by the state in Hartford, except (A) the buildings and  
1913 grounds of the State Capitol and the Legislative Office Building and  
1914 parking garage and related structures and facilities and grounds, as  
1915 provided in section 2-71h, as amended by this act, (B) any property of  
1916 the Connecticut Marketing Authority, and (C) property under the  
1917 supervision of the Office of the Chief Court Administrator as provided  
1918 in section 4b-11, as amended by this act; and

1919 (10) The establishing and maintaining of security standards for all  
1920 facilities housing the offices and equipment of the state except (A)  
1921 Department of Transportation mass transit, marine and aviation  
1922 facilities, (B) the State Capitol and Legislative Office Building and  
1923 related facilities, (C) facilities under the care and control of The  
1924 University of Connecticut or other constituent units of the state system  
1925 of higher education, (D) Judicial Department facilities, (E) Department  
1926 of Emergency Services and Public Protection facilities, (F) Military  
1927 Department facilities, (G) Department of Correction facilities, (H)  
1928 Department of Children and Families client-occupied facilities, (I)  
1929 facilities occupied by the Governor, Lieutenant Governor, Attorney  
1930 General, Comptroller, Secretary of the State and Treasurer, and (J)  
1931 facilities occupied by the Board of Pardons and Paroles. As used in this  
1932 subdivision, "security" has the same meaning as provided in section  
1933 4b-30.

1934 (b) Notwithstanding any other provision of the general statutes, the  
1935 commissioner may supervise the care and control of (1) any state-  
1936 owned or leased office building, and related buildings and grounds,  
1937 outside the city of Hartford, used as district offices, except any state-  
1938 owned or leased office building, and such buildings and grounds, used  
1939 by the Judicial Department or The University of Connecticut, and (2)  
1940 any other state-owned or leased property, other than property of The  
1941 University of Connecticut, on a temporary or permanent basis, if the  
1942 commissioner, the Secretary of the Office of Policy and Management  
1943 and the executive head of the department or agency supervising the

1944 care and control of such property agree, in writing, to such  
1945 supervision.

1946 (c) All state agencies shall provide the commissioner with any  
1947 information requested by the commissioner for purposes of  
1948 maintaining the inventory required by this section, and shall notify the  
1949 commissioner of any new or terminated leases of state property. The  
1950 commissioner shall update such inventory not less than annually, and  
1951 shall provide the Secretary of the Office of Policy and Management  
1952 with a copy of the inventory whenever such inventory is updated. Not  
1953 later than June 30, 2012, and annually thereafter, the commissioner  
1954 shall submit a copy of such inventory, in accordance with the  
1955 provisions of section 11-4a, to the joint standing committees of the  
1956 General Assembly having cognizance of matters relating to  
1957 government administration and appropriations and the budgets of  
1958 state agencies. For the purposes of this subsection, "state property"  
1959 means any real property or building leased by a state agency, and  
1960 "state agency" means any office, department, board, council,  
1961 commission, institution, constituent unit of the state system of higher  
1962 education, vocational-technical school or other agency in the executive,  
1963 legislative or judicial branch of state government.

1964 [(b)] (d) Subject to the provisions of chapter 67, the Commissioner of  
1965 Administrative Services may appoint such employees as are necessary  
1966 for carrying out the duties prescribed to said commissioner by the  
1967 general statutes.

1968 Sec. 44. (Effective July 1, 2011) (a) (1) Wherever the term  
1969 "Commissioner of Public Works" or "Public Works Commissioner" is  
1970 used in the following sections of the general statutes, the term  
1971 "Commissioner of Administrative Services" shall be substituted in lieu  
1972 thereof; and (2) wherever the term "Department of Public Works" is  
1973 used in the following sections of the general statutes, the term  
1974 "Department of Administrative Services" shall be substituted in lieu  
1975 thereof: 1-205, 1-210, 2-71h, 3-10, 3-14b, 4-87, 4b-2, 4b-4, 4b-12, 4b-13,

1976 4b-17, 4b-21, 4b-24a, 4b-25, 4b-27, 4b-29, 4b-30, 4b-30a, 4b-33, 4b-34, 4b-  
1977 35, 4b-46, 4b-65, 4b-67, 4b-68, 4b-69, 4b-71, 4b-72, 4b-73, 4b-74, 4b-130,  
1978 4b-132, 8-37y, 10a-89, 10a-150, 13a-80i, 13b-42, 13b-55, 16a-38h, 17b-655,  
1979 18-31b, 20-68, 20-311b, 20-503, 22a-324, 31-250, 32-6, 32-228, 45a-80, 46a-  
1980 29, 51-27a, 51-27c, 51-27d, 51-51k and 51-279.

1981 (b) The Legislative Commissioners' Office shall, in codifying the  
1982 provisions of this section, make such technical, grammatical and  
1983 punctuation changes as are necessary to carry out the purposes of this  
1984 section.

1985 Sec. 45. (NEW) (*Effective July 1, 2011*) (a) There is established a  
1986 Department of Construction Services. The department head shall be  
1987 the Commissioner of Construction Services, who shall be appointed by  
1988 the Governor, in accordance with the provisions of sections 4-5 to 4-8,  
1989 inclusive, of the general statutes, as amended by this act, with the  
1990 powers and duties prescribed in sections 4-5 to 4-8, inclusive, of the  
1991 general statutes.

1992 (b) The Department of Construction Services shall constitute a  
1993 successor department to the Department of Public Works in  
1994 accordance with the provisions of sections 4-38d, 4-38e and 4-39 of the  
1995 general statutes with respect to those duties and functions of the  
1996 Department of Public Works concerning construction and construction  
1997 management pursuant to any provision of the general statutes.

1998 (c) The Department of Construction Services shall constitute a  
1999 successor department to the Department of Public Safety with respect  
2000 to the Division of Fire, Emergency and Building Services within the  
2001 Department of Public Safety, except the portion of said division  
2002 concerning emergency services, in accordance with the provisions of  
2003 sections 4-38d, 4-38e and 4-39 of the general statutes.

2004 (d) The Department of Construction Services shall constitute a  
2005 successor department to the Department of Education in accordance  
2006 with the provisions of sections 4-38d, 4-38e and 4-39 of the general

2007 statutes with respect to the issuance of school construction grants in  
2008 accordance with chapter 173 of the general statutes, as said chapter is  
2009 amended by this act. On and after July 1, 2011, any regulation of the  
2010 State Board of Education adopted pursuant to chapter 173 of the  
2011 general statutes shall continue in force and effect until the  
2012 Commissioner of Education, in consultation with the Commissioner of  
2013 Construction Services, determines which regulations need to be  
2014 transferred to the Department of Construction Services in accordance  
2015 with chapter 54 of the general statutes and either the Department of  
2016 Construction Services or State Board of Education amends such  
2017 regulations to effect such transfer. Where any order or regulation of  
2018 said departments conflict, the Commissioner of Construction Services  
2019 or Commissioner of Education may implement policies or procedures  
2020 consistent with the provisions of chapter 173 while in the process of  
2021 adopting such policies or procedures in regulation form, provided  
2022 notice of intent to adopt such regulations is printed in the Connecticut  
2023 Law Journal not later than twenty days after implementation. Any  
2024 such policies or procedures shall be valid until the time final  
2025 regulations are adopted.

2026 (e) Where any order or regulation of the Department of Public  
2027 Works concerning construction or construction management or the  
2028 Department of Public Safety, pursuant to chapter 541 of the general  
2029 statutes, conflict, the Commissioner of Construction Services may  
2030 implement policies and procedures consistent with the provisions of  
2031 this act while in the process of adopting the policies or procedures in  
2032 regulation form, provided notice of intention to adopt regulations is  
2033 printed in the Connecticut Law Journal not later than twenty days after  
2034 implementation. Any such policies or procedures shall be valid until  
2035 the time final regulations are effective.

2036 (f) The commissioner may, within available appropriations, employ  
2037 any other personnel that may be necessary in the performance of the  
2038 department's functions.

2039 (g) The commissioner may enter into contracts for the furnishing by  
2040 any person or agency, public or private, of services necessary for the  
2041 proper execution of the duties of the department. Any such contract  
2042 that has a cost of three thousand dollars or more shall be subject to the  
2043 approval of the Attorney General.

2044 (h) The commissioner may perform any other acts that may be  
2045 necessary and appropriate to carry out the functions of the department  
2046 as set forth in this section.

2047 Sec. 46. Section 4-5 of the general statutes is repealed and the  
2048 following is substituted in lieu thereof (*Effective July 1, 2011*):

2049 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
2050 means Secretary of the Office of Policy and Management,  
2051 Commissioner of Administrative Services, Commissioner of Revenue  
2052 Services, Banking Commissioner, Commissioner of Children and  
2053 Families, Commissioner of Construction Services, Commissioner of  
2054 Consumer Protection, Commissioner of Correction, Commissioner of  
2055 Economic and Community Development, State Board of Education,  
2056 Commissioner of Emergency Management and Homeland Security,  
2057 Commissioner of Environmental Protection, Commissioner of  
2058 Agriculture, Commissioner of Public Health, Insurance Commissioner,  
2059 Labor Commissioner, Liquor Control Commission, Commissioner of  
2060 Mental Health and Addiction Services, Commissioner of Public Safety,  
2061 Commissioner of Social Services, Commissioner of Developmental  
2062 Services, Commissioner of Motor Vehicles, Commissioner of  
2063 Transportation, [Commissioner of Public Works,] Commissioner of  
2064 Veterans' Affairs, [Chief Information Officer,] the chairperson of the  
2065 Public Utilities Control Authority, the executive director of the Board  
2066 of Education and Services for the Blind, the executive director of the  
2067 Connecticut Commission on Culture and Tourism, and the executive  
2068 director of the Office of Military Affairs. As used in sections 4-6 and 4-  
2069 7, "department head" also means the Commissioner of Education.

2070 Sec. 47. Section 4-38c of the general statutes is repealed and the

2071 following is substituted in lieu thereof (*Effective July 1, 2011*):

2072 There shall be within the executive branch of state government the  
2073 following departments: Office of Policy and Management, Department  
2074 of Administrative Services, Department of Revenue Services,  
2075 Department of Banking, Department of Agriculture, Department of  
2076 Children and Families, Department of Consumer Protection,  
2077 Department of Correction, Department of Economic and Community  
2078 Development, State Board of Education, Department of Emergency  
2079 Management and Homeland Security, Department of Environmental  
2080 Protection, Department of Public Health, Board of Governors of  
2081 Higher Education, Insurance Department, Labor Department,  
2082 Department of Mental Health and Addiction Services, Department of  
2083 Developmental Services, Department of Public Safety, Department of  
2084 Social Services, Department of Transportation, Department of Motor  
2085 Vehicles, Department of Veterans' Affairs, [Department of Public  
2086 Works] Department of Construction Services and Department of  
2087 Public Utility Control.

2088 Sec. 48. Subsection (b) of section 4a-59a of the general statutes is  
2089 repealed and the following is substituted in lieu thereof (*Effective*  
2090 *July 1, 2011*):

2091 (b) Notwithstanding the provisions of subsection (a) of this section,  
2092 the [Commissioners] Commissioner of Administrative Services [and  
2093 Public Works] may, for a period of one year from the date such  
2094 contract would otherwise expire, extend any contract in effect on May  
2095 1, 2005, with a value of fifty thousand dollars or more per year, to  
2096 perform any of the following services for the state: Janitorial, building  
2097 maintenance, security and food and beverage. Any such extension  
2098 shall include any applicable increase in the standard wage and the  
2099 payroll burden to administer the standard wage, as established by the  
2100 Labor Department.

2101 Sec. 49. Subsection (b) of section 4a-62 of the general statutes is  
2102 repealed and the following is substituted in lieu thereof (*Effective*

2103 *July 1, 2011):*

2104 (b) The committee may request any agency of the state authorized to  
2105 award public works contracts or to enter into purchase of goods or  
2106 services contracts to submit such information on compliance with  
2107 sections 4a-60 and 4a-60g and at such times as the committee may  
2108 require. The committee shall consult with the Departments of [Public  
2109 Works] Administrative Services, Construction Services, Transportation  
2110 and Economic Development and the Commission on Human Rights  
2111 and Opportunities concerning compliance with the state programs for  
2112 minority business enterprises. The committee shall report annually on  
2113 or before February first to the Joint Standing Committee on Legislative  
2114 Management on the results of its ongoing study and include its  
2115 recommendations, if any, for legislation.

2116 Sec. 50. Subsections (k) and (l) of section 4a-100 of the general  
2117 statutes are repealed and the following is substituted in lieu thereof  
2118 (*Effective July 1, 2011*):

2119 (k) (1) Any substantial evidence of fraud in obtaining or  
2120 maintaining prequalification or any materially false statement in the  
2121 application, update statement or update bid statement may, in the  
2122 discretion of the awarding authority, result in termination of any  
2123 contract awarded the contractor by the awarding authority. The  
2124 awarding authority shall provide written notice to the commissioner of  
2125 such false statement not later than thirty days after discovering such  
2126 false statement. The commissioner shall provide written notice of such  
2127 false statement to the Commissioner of [Public Works] Construction  
2128 Services, the Commissioner of Consumer Protection and the President  
2129 of The University of Connecticut not later than thirty days after  
2130 discovering such false statement or receiving such notice.

2131 (2) The commissioner shall deny or revoke the prequalification of  
2132 any contractor or substantial subcontractor if the commissioner finds  
2133 that the contractor or substantial subcontractor, or a principal or key  
2134 personnel of such contractor or substantial contractor, within the past

2135 five years (A) has included any materially false statement in a  
2136 prequalification application, update statement or update bid  
2137 statement, (B) has been convicted of, entered a plea of guilty or nolo  
2138 contendere for, or admitted to, a crime related to the procurement or  
2139 performance of any public or private construction contract, or (C) has  
2140 otherwise engaged in fraud in obtaining or maintaining  
2141 prequalification. Any revocation made pursuant to this subsection  
2142 shall be made only after an opportunity for a hearing. Any contractor  
2143 or substantial subcontractor whose prequalification has been revoked  
2144 pursuant to this subsection shall be disqualified for a period of two  
2145 years after which the contractor or substantial subcontractor may  
2146 reapply for prequalification, except that a contractor or substantial  
2147 subcontractor whose prequalification has been revoked on the basis of  
2148 conviction of a crime or engaging in fraud shall be disqualified for a  
2149 period of five years after which the contractor or substantial  
2150 subcontractor may reapply for prequalification. The commissioner  
2151 shall not prequalify a contractor or substantial subcontractor whose  
2152 prequalification has been revoked pursuant to this subdivision until  
2153 the expiration of said two-year, five-year, or other applicable  
2154 disqualification period and the commissioner is satisfied that the  
2155 matters that gave rise to the revocation have been eliminated or  
2156 remedied.

2157 (l) The commissioner shall provide written notice of any revocation,  
2158 disqualification, reduction in classification or capacity rating or  
2159 reinstated prequalification to the Commissioner of [Public Works]  
2160 Construction Services, the Commissioner of Consumer Protection and  
2161 the President of The University of Connecticut not later than thirty  
2162 days after any final determination.

2163 Sec. 51. Section 4b-1 of the general statutes is repealed and the  
2164 following is substituted in lieu thereof (*Effective July 1, 2011*):

2165 [(a)] The Commissioner of [Public Works] Construction Services  
2166 shall (1) be responsible for the administrative functions of construction

2167 and planning of all capital improvements undertaken by the state,  
2168 except (A) highway and bridge construction, the construction and  
2169 planning of capital improvements related to mass transit, marine and  
2170 aviation transportation, (B) the Connecticut Marketing Authority, (C)  
2171 planning and construction of capital improvements to the State Capitol  
2172 building or the Legislative Office Building and related facilities by the  
2173 Joint Committee on Legislative Management, (D) any project as  
2174 defined in subdivision (16) of section 10a-109c, undertaken by The  
2175 University of Connecticut, and (E) construction and planning of capital  
2176 improvements related to the Judicial Department if such construction  
2177 and planning do not constitute a project within the meaning of  
2178 subsection (g) of section 4b-55, including the preparation of  
2179 preliminary plans, estimates of cost, development of designs, working  
2180 plans and specifications, award of contracts and supervision and  
2181 inspection. For the purposes of this subparagraph (E), the term  
2182 "Judicial Department" does not include the courts of probate, the  
2183 Division of Criminal Justice and the Public Defender Services  
2184 Commission, except where such agencies share facilities in state-  
2185 maintained courts; (2) select consultant firms in accordance with the  
2186 provisions of sections 4b-56 to 4b-59, inclusive, to assist in the  
2187 development of plans and specifications when in the commissioner's  
2188 judgment such assistance is desirable; (3) render technical advice and  
2189 service to all state agencies in the preparation and correlation of plans  
2190 for necessary improvement of their physical plants; and (4) cooperate  
2191 with those charged with fiscal programming and budget formulation  
2192 in the development of a capital program and a capital budget for the  
2193 state. [; (5) be responsible for the purchase, sale, lease, sublease and  
2194 acquisition of property and space to house state agencies and, subject  
2195 to the provisions of section 4b-21, the sale or exchange of any land or  
2196 interest in land belonging to the state; (6) maintain a complete and  
2197 current inventory of all state-owned or leased property and premises,  
2198 including space-utilization data; (7) supervise the care and control of  
2199 buildings and grounds owned or leased by the state in Hartford,  
2200 except the building and grounds of the State Capitol and the

2201 Legislative Office Building and parking garage and related structures  
2202 and facilities and grounds, as provided in section 2-71h, and the  
2203 Connecticut Marketing Authority and property under the supervision  
2204 of the Office of the Chief Court Administrator under the terms of  
2205 section 4b-11; and (8) be responsible for the administrative functions of  
2206 establishing and maintaining security standards for all facilities  
2207 housing the offices and equipment of the state except (A) Department  
2208 of Transportation mass transit, marine and aviation facilities, (B) the  
2209 State Capitol and the Legislative Office Building and related facilities,  
2210 (C) facilities under the care and control of The University of  
2211 Connecticut or other constituent units of the state system of higher  
2212 education, (D) Judicial Department facilities, (E) Department of Public  
2213 Safety facilities, (F) Military Department facilities, (G) Department of  
2214 Correction facilities, (H) Department of Children and Families client-  
2215 occupied facilities, (I) facilities occupied by the Governor, Lieutenant  
2216 Governor, Attorney General, Comptroller, Secretary of the State and  
2217 Treasurer, and (J) facilities occupied by the Board of Pardons and  
2218 Paroles. As used in this subdivision, "security" has the meaning  
2219 assigned to it in section 4b-130. Subject to the provisions of chapter 67,  
2220 said commissioner may appoint such employees as are necessary for  
2221 carrying out the duties prescribed to said commissioner by the general  
2222 statutes.]

2223 [(b) Notwithstanding any other provision of the general statutes,  
2224 except for the property of The University of Connecticut, the  
2225 commissioner may supervise the care and control of (1) any state-  
2226 owned or leased office building, and related buildings and grounds,  
2227 outside the city of Hartford, used as district offices, except any state-  
2228 owned or leased office building, and related buildings and grounds,  
2229 used by the Judicial Department, and (2) any other state-owned or  
2230 leased property, on a temporary or permanent basis, if the  
2231 commissioner, the Secretary of the Office of Policy and Management  
2232 and the executive head of the department or agency supervising the  
2233 care and control of such property agree, in writing, to such  
2234 supervision.]

2235 Sec. 52. Section 4b-3 of the general statutes is repealed and the  
2236 following is substituted in lieu thereof (*Effective July 1, 2011*):

2237 (a) There is established a State Properties Review Board which shall  
2238 consist of six members appointed as follows: The speaker of the House  
2239 and president pro tempore of the Senate shall jointly appoint three  
2240 members, one of whom shall be experienced in matters relating to  
2241 architecture, one experienced in building construction matters and one  
2242 in matters relating to engineering; and the minority leader of the  
2243 House and the minority leader of the Senate shall jointly appoint three  
2244 members, one of whom shall be experienced in matters relating to the  
2245 purchase, sale and lease of real estate and buildings, one experienced  
2246 in business matters generally and one experienced in the management  
2247 and operation of state institutions. No more than three of said six  
2248 members shall be of the same political party. One of the members first  
2249 appointed by the speaker and the president pro tempore shall serve a  
2250 two-year term, one shall serve a three-year term and one shall serve a  
2251 four-year term. One of the members first appointed by the minority  
2252 leaders of the House and Senate shall serve a two-year term, one shall  
2253 serve a three-year term and one shall serve a four-year term. All  
2254 appointments of members to replace those whose terms expire shall be  
2255 for a term of four years and until their successors have been appointed  
2256 and qualified. If any vacancy occurs on the board, the appointing  
2257 authorities having the power to make the initial appointment under  
2258 the provisions of this section shall appoint a person for the unexpired  
2259 term in accordance with the provisions hereof.

2260 (b) The chairman of the board shall be compensated two hundred  
2261 dollars per diem up to a maximum of thirty thousand dollars annually.  
2262 Other members of the board shall be compensated two hundred  
2263 dollars per diem up to a maximum of twenty-five thousand dollars  
2264 annually. The members of the board shall choose their own chairman.  
2265 No person shall serve on this board who holds another state or  
2266 municipal governmental position and no person on the board shall be  
2267 directly involved in any enterprise which does business with the state

2268 or directly or indirectly involved in any enterprise concerned with real  
2269 estate acquisition or development.

2270 (c) The board may adopt such rules as it deems necessary for the  
2271 conduct of its internal affairs, in accordance with section 4-167.

2272 (d) Notwithstanding any other statute or special act to the contrary,  
2273 the Commissioner of [Public Works] Administrative Services shall be  
2274 the sole person authorized to represent the state in its dealings with  
2275 third parties for the acquisition [, construction, development] or  
2276 leasing of real estate for housing the offices or equipment of all  
2277 agencies of the state or for the state-owned public buildings or realty  
2278 [hereinafter] and the Commissioner of Construction Services shall be  
2279 the sole person authorized to represent the state in its dealings with  
2280 third parties for the construction or development of real estate or state-  
2281 owned public buildings or realty, as provided for in sections 2-90, 4b-1  
2282 to 4b-5, inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, as  
2283 amended by this act, 4b-26, as amended by this act, 4b-27, 4b-30 and  
2284 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69,  
2285 inclusive, 4b-71, 4b-72, 10-95, 10a-72, as amended by this act, 10a-89,  
2286 10a-90, as amended by this act, 10a-114, 10a-130, 10a-144, 17b-655, 22-  
2287 64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except  
2288 that (1) the Joint Committee on Legislative Management may represent  
2289 the state in the planning and construction of the Legislative Office  
2290 Building and related facilities, in Hartford; (2) the Chief Court  
2291 Administrator may represent the state in providing for space for the  
2292 Court Support Services Division as part of a new or existing contract  
2293 for an alternative incarceration program pursuant to section 54-103b or  
2294 a program developed pursuant to section 46b-121i, 46b-121j, 46b-121k  
2295 or 46b-121l; (3) the board of trustees of a constituent unit of the state  
2296 system of higher education may represent the state in the leasing of  
2297 real estate for housing the offices or equipment of such constituent  
2298 unit, provided no lease payments for such realty are made with funds  
2299 generated from the general revenues of the state; (4) the Labor  
2300 Commissioner may represent the state in the leasing of premises

2301 required for employment security operations as provided in subsection  
2302 (c) of section 31-250; (5) the Commissioner of Developmental Services  
2303 may represent the state in the leasing of residential property as part of  
2304 the program developed pursuant to subsection (b) of section 17a-218,  
2305 provided such residential property does not exceed two thousand five  
2306 hundred square feet, for the community placement of persons eligible  
2307 to receive residential services from the department; and (6) the  
2308 Connecticut Marketing Authority may represent the state in the  
2309 leasing of land or markets under the control of the Connecticut  
2310 Marketing Authority, and, except for the housing of offices or  
2311 equipment in connection with the initial acquisition of an existing state  
2312 mass transit system or the leasing of land by the Connecticut  
2313 Marketing Authority for a term of one year or more in which cases the  
2314 actions of the Department of Transportation and the Connecticut  
2315 Marketing Authority shall be subject to the review and approval of the  
2316 State Properties Review Board. The Commissioner of [Public Works]  
2317 Administrative Services shall have the power to establish and  
2318 implement any procedures necessary for the commissioner to assume  
2319 the commissioner's responsibilities as said sole bargaining agent for  
2320 state realty acquisitions and shall perform the duties necessary to carry  
2321 out such procedures. The Commissioner of [Public Works]  
2322 Administrative Services or Construction Services may appoint, within  
2323 [the commissioner's] each department's budget and subject to the  
2324 provisions of chapter 67, such personnel deemed necessary by the  
2325 applicable commissioner to carry out the provisions hereof, including  
2326 experts in real estate, construction operations, financing, banking,  
2327 contracting, architecture and engineering. The Attorney General's  
2328 office, at the request of the [commissioner] Commissioner of  
2329 Administrative Services, shall assist the [commissioner] Commissioner  
2330 of Administrative Services in contract negotiations regarding the  
2331 purchase [,] or lease [or construction] of real estate, and, at the request  
2332 of the Commissioner of Construction Services, shall assist said  
2333 commissioner in contract negotiations regarding the construction of  
2334 real estate.

2335 (e) The State Properties Review Board shall be within the  
2336 Department of Administrative Services and shall have independent  
2337 decision-making authority.

2338 (f) The State Properties Review Board shall review real estate  
2339 acquisitions, sales, leases and subleases proposed by the  
2340 Commissioner of [Public Works] Administrative Services, the  
2341 acquisition, other than by condemnation, or the sale or lease of any  
2342 property by the Commissioner of Transportation under subdivision  
2343 (12) of section 13b-4, subject to section 4b-23, as amended by this act,  
2344 and subsection (h) of section 13a-73, as amended by this act, and  
2345 review, for approval or disapproval, any contract for a project  
2346 described in subsection (h) of section 4b-91. Such review shall consider  
2347 all aspects of the proposed actions, including feasibility and method of  
2348 acquisition and the prudence of the business method proposed. The  
2349 board shall also cooperate with and advise and assist the  
2350 Commissioner of [Public Works] Administrative Services and the  
2351 Commissioner of Transportation in carrying out their duties. The  
2352 board shall have access to all information, files and records, including  
2353 financial records, of the Commissioner of [Public Works]  
2354 Administrative Services and the Commissioner of Transportation, and  
2355 shall, when necessary, be entitled to the use of personnel employed by  
2356 said commissioners. The board shall approve or disapprove any  
2357 acquisition of development rights of agricultural land by the  
2358 Commissioner of Agriculture under section 22-26cc. The board shall  
2359 hear any appeal under section 8-273a and shall render a final decision  
2360 on the appeal within thirty days thereafter. The written decision of the  
2361 board shall be a final decision for the purposes of sections 4-180 and 4-  
2362 183.

2363 Sec. 53. Section 4b-14 of the general statutes is repealed and the  
2364 following is substituted in lieu thereof (*Effective July 1, 2011*):

2365 The [commissioner] Commissioner of Administrative Services shall  
2366 cause the national and the state flags to be displayed on the State

2367 Armory, State Office Building, state police building and the State  
2368 Library in Hartford, from sunrise to sunset of each day.

2369 Sec. 54. Subsection (a) of section 4b-15 of the general statutes is  
2370 repealed and the following is substituted in lieu thereof (*Effective July*  
2371 *1, 2011*):

2372 (a) Each state agency having care, control and supervision of state  
2373 property, including the Judicial Department and the Joint Committee  
2374 on Legislative Management of the General Assembly, shall prepare [on  
2375 or before October 1, 1990,] and [thereafter] periodically update, in  
2376 consultation with the Commissioners of Environmental Protection and  
2377 [Public Works] Administrative Services, a plan for each facility under  
2378 its care, control or supervision to (1) reduce the use of disposable and  
2379 single-use products, in accordance with the plan adopted by the  
2380 Commissioner of Administrative Services pursuant to section 4a-67b,  
2381 (2) separate and collect items designated as either suitable or required  
2382 for recycling pursuant to section 22a-241b. Such plan shall establish a  
2383 schedule for implementation of the policies recommended in the plan.

2384 Sec. 55. Section 4b-23 of the general statutes is repealed and the  
2385 following is substituted in lieu thereof (*Effective July 1, 2011*):

2386 (a) As used in this section, "facility" means buildings and real  
2387 property owned or leased by the state. The Secretary of the Office of  
2388 Policy and Management shall establish guidelines which further define  
2389 such term. All agencies and departments of the state shall notify the  
2390 Secretary of the Office of Policy and Management of their facility needs  
2391 including, but not limited to, the types of such facilities and the  
2392 municipalities or general location for the facilities. Each agency and  
2393 department shall continue long-range planning for facility needs,  
2394 establish a plan for its long-range facility needs and submit such plan  
2395 and related facility project requests to the Secretary of the Office of  
2396 Policy and Management, and a copy thereof to the Commissioner of  
2397 [Public Works] Administrative Services, on or before September first of  
2398 each even-numbered year. Each such request shall be accompanied by

2399 a capital development impact statement, as required by section 4-66b,  
2400 and a colocation statement, as required by section 4b-31, if the  
2401 secretary so requires. Each agency and department shall base its long-  
2402 term planning for facility needs on a program plan. The secretary shall  
2403 establish a content guide and schedule for such plans. Each agency and  
2404 department shall prepare its program plan in accordance with such  
2405 guide and file it with the secretary pursuant to such schedule. Facility  
2406 plans shall include, but not be limited to: Identification of (1) long-term  
2407 and short-term facility needs, (2) opportunities for the substitution of  
2408 state-owned space for leased space, (3) facilities proposed for  
2409 demolition or abandonment which have potential for other uses and  
2410 (4) space modifications or relocations that could result in cost or  
2411 energy savings. Each agency or department program plan and facility  
2412 plan and its facility project requests shall cover a period of at least five  
2413 years. The secretary shall provide agencies and departments with  
2414 instructions for preparing program plans, long-term facility plans and  
2415 facility project requests and shall provide appropriate programmatic  
2416 planning assistance. The [Commissioner of Public Works]  
2417 Commissioners of Administrative Services and Construction Services  
2418 shall assist agencies and departments with long-term facilities  
2419 planning and the preparation of cost estimates for such plans and  
2420 requests. The Secretary of the Office of Policy and Management shall  
2421 review such plans and prepare an integrated state facility plan which  
2422 meets the aggregate facility needs of the state. The secretary shall  
2423 review the cost effective retrofit measures recommended to him by the  
2424 Commissioner of [Public Works] Construction Services under  
2425 subsection (b) of section 16a-38a and include in the plan those  
2426 measures which would best attain the energy performance standards  
2427 established under subdivision (1) of subsection (b) of section 16a-38.

2428 (b) On or before December first of each even-numbered year, the  
2429 Commissioner of [Public Works] Administrative Services shall provide  
2430 the Secretary of the Office of Policy and Management with a review of  
2431 the plans and requests submitted pursuant to subsection (a) of this  
2432 section for consistency with realistic cost factors, space requirements,

2433 space standards, implementation schedules, priority needs, objectives  
2434 of the Commissioner of [Public Works] Administrative Services in  
2435 carrying out his responsibilities under section 4b-30 and the need for  
2436 the maintenance, improvement and replacement of state facilities.

2437 (c) The Secretary of the Office of Policy and Management shall  
2438 present a proposed state facility plan to the Properties Review Board  
2439 on or before February fifteenth of each odd-numbered year. Such plan  
2440 shall be known as the recommended state facility plan and shall  
2441 include all leases and capital projects and a statement of the degree to  
2442 which it promotes the colocation goals addressed in subsection (e) of  
2443 section 4b-31. The secretary shall establish guidelines defining "capital  
2444 projects". The Properties Review Board shall submit its  
2445 recommendations to the secretary on or before March first of each odd-  
2446 numbered year. The Properties Review Board recommendations shall  
2447 address the goals described in subsection (e) of section 4b-31. The  
2448 secretary shall present the recommended state facility plan to the  
2449 General Assembly on or before March fifteenth of each odd-numbered  
2450 year.

2451 (d) Upon the approval by the General Assembly of the operating  
2452 and capital budget appropriations, the Secretary of the Office of Policy  
2453 and Management shall update and modify the recommended state  
2454 facility plan, which shall then be known as the state facility plan. The  
2455 state facility plan shall be used as an advisory document for the leasing  
2456 of property for use by state agencies and departments and for related  
2457 capital projects.

2458 (e) Implementation of the state facility plan shall be the  
2459 responsibility of the Commissioner of [Public Works. He]  
2460 Administrative Services who shall conduct a study of each proposed  
2461 facility in the plan to determine: (1) The method of choice for satisfying  
2462 each such facility need, (2) the geographical areas best suited to such  
2463 need, (3) the feasibility and cost of such acquisition using a life-cycle  
2464 cost analysis as established by subdivision (2) of subsection (b) of

2465 section 16a-38, (4) the degree to which the plan promotes the goals  
2466 addressed in subsection (e) of section 4b-31<sub>2</sub> and (5) any other relevant  
2467 factors. Said commissioner shall review and approve each facility plan  
2468 implementation action and shall submit to the Properties Review  
2469 Board a list of each such action approved and the method and plan by  
2470 which it shall be accomplished. Said commissioner shall endeavor to  
2471 locate human services agencies in the same buildings as municipal and  
2472 private agencies that provide human services. The results of said  
2473 commissioner's study along with all supportive materials shall be  
2474 immediately sent to the Properties Review Board. The board shall meet  
2475 to review the decision of the commissioner and may request the  
2476 commissioner or any member of his department, and the head of the  
2477 requesting agency or any of his employees to appear for the purpose of  
2478 supplying pertinent information. Said board shall call a meeting within  
2479 two weeks of the receipt of the commissioner's decision, and may meet  
2480 as often as necessary, to review said decision. The board, within ninety  
2481 days after the receipt of the decision of the Commissioner of [Public  
2482 Works] Administrative Services, shall either accept, reject or request  
2483 modification of such decision, except that when more time is required,  
2484 the board may have a ninety-day extension of time, provided the  
2485 board shall advise the Commissioner of [Public Works] Administrative  
2486 Services in writing as to the reasons for such extension of time. If such  
2487 decision is disapproved by the board, it shall so inform the  
2488 commissioner along with its reasons therefor, and the commissioner  
2489 shall inform the head of the requesting agency and the Secretary of the  
2490 Office of Policy and Management that its request has been rejected. If  
2491 such decision is approved by the board it shall inform the  
2492 commissioner of such approval and the commissioner shall  
2493 immediately communicate his decision to the head or acting head of  
2494 such governmental unit and to the Secretary of the Office of Policy and  
2495 Management and shall set forth the procedures to be taken to  
2496 accomplish the results of such decision. The decision to make public  
2497 such decision shall rest solely with the [commissioner] Commissioner  
2498 of Administrative Services both as to time and manner of disclosure,

2499 but in no event shall such period exceed one year. The commissioner  
2500 shall, when he deems it to be in the public interest, authorize the  
2501 disclosure of such information; however, in the absence of such  
2502 authorization, any unauthorized disclosure shall be subject to the  
2503 criminal provisions of section 4b-27. All decisions made by the  
2504 commissioner under the provisions of this section shall require review  
2505 by the board. Except as otherwise hereinafter provided, the approval  
2506 or disapproval of the Properties Review Board shall be binding on the  
2507 commissioner and the requesting agency with regard to the acquisition  
2508 of any real estate by lease or otherwise, notwithstanding any other  
2509 statute or special act to the contrary. A majority vote of the board shall  
2510 be required to accept or reject a decision of the commissioner.

2511 (f) Within forty-five days from the date of the board's decision  
2512 regarding the request of a governmental unit, the head or acting head  
2513 of such unit shall notify the [commissioner] Commissioner of  
2514 Administrative Services (1) that it accepts his decision, (2) that it rejects  
2515 his decision and withdraws its request, or (3) that it does not approve  
2516 such decision and requests that all or part of such decision be modified  
2517 by the commissioner. When such modification is requested, the  
2518 [commissioner] Commissioner of Administrative Services shall, within  
2519 three weeks from receipt of such request, consider and act upon such  
2520 request for modification and submit his decision to the Properties  
2521 Review Board. If the commissioner and the board fail to agree to such  
2522 modification in whole or in part, the governmental unit may, within  
2523 ten days from the date of notification of such final decision, accept the  
2524 commissioner's final decision, reject such decision and withdraw its  
2525 request, or appeal to the Governor. Upon such appeal, the  
2526 [commissioner] Commissioner of Administrative Services shall submit  
2527 a report to the Governor stating the board's conclusions and  
2528 supporting material therefor and the governmental agency shall  
2529 submit a report to the Governor stating its objections to such decision  
2530 and its supporting material therefor. The Governor shall, within thirty  
2531 days of the receipt of such reports, make a decision which shall be  
2532 binding on the parties involved. In the absence of any such appeal or

2533 withdrawal of request, the decision of the commissioner and the board  
2534 shall be final and binding upon the governmental unit.

2535 (g) After final action is taken approving any request or modification  
2536 thereof, condemnation procedures shall continue to be prosecuted in  
2537 the same manner as they were on July 1, 1975, by the agency involved,  
2538 where such procedures are applicable and authorized by statute.

2539 (h) Approval by the Properties Review Board shall not be required  
2540 prior to State Bond Commission authorization of funds (1) for  
2541 planning costs and other preliminary expenses for any construction or  
2542 acquisition project, or (2) for any construction or acquisition project for  
2543 which an architect was selected prior to July 1, 1975.

2544 (i) As used in this subsection, (1) "project" means any state program,  
2545 except the downtown Hartford higher education center project, as  
2546 defined in subsection (l) of section 4b-55, requiring consultant services  
2547 if the cost of such services is estimated to exceed one hundred  
2548 thousand dollars or, in the case of a constituent unit of the state system  
2549 of higher education, the cost of such services is estimated to exceed  
2550 three hundred thousand dollars, or in the case of a building or  
2551 premises under the supervision of the Office of the Chief Court  
2552 Administrator or property where the Judicial Department is the  
2553 primary occupant, the cost of such services is estimated to exceed three  
2554 hundred thousand dollars; (2) "consultant" means "consultant" as  
2555 defined in section 4b-55; and (3) "consultant services" means  
2556 "consultant services" as defined in section 4b-55. Any contracts entered  
2557 into by the [commissioner] Commissioner of Construction Services  
2558 with any consultants for employment (A) for any project under the  
2559 provisions of this section, (B) in connection with a list established  
2560 under subsection (d) of section 4b-51, or (C) by task letter issued by the  
2561 [commissioner] Commissioner of Construction Services to any  
2562 consultant on such list pursuant to which the consultant will provide  
2563 services valued in excess of one hundred thousand dollars, shall be  
2564 subject to the approval of the Properties Review Board prior to the

2565 employment of said consultant or consultants by the commissioner.  
2566 The Properties Review Board shall, within thirty days, approve or  
2567 disapprove the selection of or contract with any consultant made by  
2568 the Commissioner of [Public Works] Construction Services pursuant to  
2569 sections 4b-1, as amended by this act, and 4b-55 to 4b-59, inclusive. If  
2570 upon the expiration of the thirty-day period a decision has not been  
2571 made, the Properties Review Board shall be deemed to have approved  
2572 such selection or contract.

2573 (j) The Properties Review Board shall, within thirty days, approve or  
2574 disapprove the proposed acquisition by lease of any residential  
2575 property by the Commissioner of Developmental Services pursuant to  
2576 subsection (d) of section 4b-3, as amended by this act. If upon the  
2577 expiration of such thirty-day period a decision has not been made, the  
2578 Properties Review Board shall be deemed to have approved such lease.

2579 (k) Any agency or department of state government requiring  
2580 additional facilities not included in the state facility plan may submit a  
2581 request to the Secretary of the Office of Policy and Management  
2582 outlining the justification for its request. The agency or department  
2583 shall also provide (1) in the case of a request not previously submitted  
2584 to the secretary pursuant to subsection (a) of this section, the reasons  
2585 why it was not so submitted, and (2) in the case of a request so  
2586 submitted, sufficient new information to warrant reconsideration. Such  
2587 request shall include a statement of the degree to which the proposed  
2588 state facility plan promotes the goals addressed in subsection (e) of  
2589 section 4b-31, if the secretary so requires. Such request shall also be  
2590 accompanied by a capital development impact statement as required  
2591 under section 4-66b, if the secretary so requires. Subsections (b) to (d),  
2592 inclusive, of this section shall not apply to the review of such requests.  
2593 Any such request for additional facilities which are determined by the  
2594 Secretary of the Office of Policy and Management to be of emergency  
2595 nature or the lack of which may seriously hinder the efficient operation  
2596 of the state, may be approved by the Properties Review Board and the  
2597 Secretary of the Office of Policy and Management and shall be known

2598 as an approval made during the interim between state facility plans.  
2599 No action may be taken by the state to lease or construct such  
2600 additional facilities unless the secretary makes such a determination.

2601 (l) The Commissioner of [Public Works] Administrative Services  
2602 shall monitor the amount of leased space being requested and the costs  
2603 of all proposed and approved facility project actions and, in the case of  
2604 space or facility projects for which bond funds were authorized, shall  
2605 advise the Secretary of the Office of Policy and Management and the  
2606 Governor when the space to be leased or the forecast costs to complete  
2607 the project exceed the square footage amount or the cost levels in the  
2608 approved state facility plan by ten per cent or more. Approval of the  
2609 Secretary of the Office of Policy and Management, the Properties  
2610 Review Board, the State Bond Commission and the Governor shall be  
2611 required to continue the project.

2612 (m) (1) Plans to construct, renovate or modify state-owned or  
2613 occupied buildings shall provide for a portion of the total planned  
2614 floor area of newly constructed state buildings or buildings  
2615 constructed specifically for use by the state to be served by renewable  
2616 sources of energy, including solar, wind, water and biomass sources,  
2617 for use in space heating and cooling, domestic hot water and other  
2618 applications. For the plan due December 1, 1979, the portion to be  
2619 served by renewable energy sources shall be not less than five per cent  
2620 of total planned new floor area. For each succeeding state facilities  
2621 plan submitted after December 1, 1979, the portion of the total planned  
2622 floor area of any additional newly constructed state buildings or  
2623 buildings constructed specifically for use by the state to be served by  
2624 renewable energy sources shall be increased by at least five per cent  
2625 per year until a goal of fifty per cent of total planned floor area of any  
2626 additional newly constructed state buildings or buildings constructed  
2627 specifically for use by the state is reached. For any facility served by  
2628 renewable energy sources in accordance with this subsection, not less  
2629 than thirty per cent of the total energy requirements of any specific  
2630 energy application, including, but not limited to, space heating or

2631 cooling and providing domestic hot water, shall be provided by  
2632 renewable energy sources. The installation in newly constructed state  
2633 buildings or buildings constructed specifically for use by the state of  
2634 systems using renewable energy sources in accordance with this  
2635 subsection, shall be subject to the life-cycle cost analysis provided for  
2636 in section 16a-38. (2) The state shall fulfill the obligations imposed by  
2637 subdivision (1) of this section unless such action would cause an  
2638 undue economic hardship to the state.

2639 (n) The recommended state facility plan shall include policies for:

2640 (1) The encouragement of the acquisition, transfer and utilization of  
2641 space in suitable buildings of historic, architectural or cultural  
2642 significance, unless use of such space would not prove feasible and  
2643 prudent compared with available alternatives;

2644 (2) The encouragement of the location of commercial, cultural,  
2645 educational and recreational facilities and activities within public  
2646 buildings;

2647 (3) The provision and maintenance of space, facilities and activities  
2648 to the extent practicable, which encourage public access to and  
2649 stimulate public pedestrian traffic around, into and through public  
2650 buildings, permitting cooperative improvements to and uses of the  
2651 areas between the building and the street, so that such activities  
2652 complement and supplement commercial, cultural, educational and  
2653 recreational resources in the neighborhood of public buildings;

2654 (4) The encouragement of the public use of public buildings for  
2655 cultural, educational and recreational activities;

2656 (5) The encouragement of the ownership or leasing of modern  
2657 buildings to replace obsolete facilities, achieve cost and energy  
2658 efficiencies, maximize delivery of services to the public, preserve  
2659 existing infrastructure and provide a comfortable and space-efficient  
2660 work environment; and

2661 (6) The encouragement of the establishment of child day care  
2662 facilities and child development centers including provisions for (A)  
2663 full-day and year-round programs for children of working parents, (B)  
2664 opportunities for parents to choose among accredited public or private  
2665 programs, (C) open enrollment for children in child day care and  
2666 school readiness programs, and (D) incentives for the colocation and  
2667 service integration of child day care programs and school readiness  
2668 programs pursuant to section 4b-31.

2669 (o) [Not later than January 1, 1988, the] The Commissioner of [Public  
2670 Works] Administrative Services shall adopt regulations, in  
2671 consultation with the Secretary of the Office of Policy and  
2672 Management and the State Properties Review Board, and in  
2673 accordance with the provisions of chapter 54, setting forth the  
2674 procedures which the Department of [Public Works] Administrative  
2675 Services and [such] said office and board shall follow in carrying out  
2676 their responsibilities concerning state leasing of offices, space or other  
2677 facilities. Such regulations shall specify, for each step in the leasing  
2678 process at which an approval is needed in order to proceed to the next  
2679 step, what information shall be required, who shall provide the  
2680 information and the criteria for granting the approval.  
2681 Notwithstanding any other provision of the general statutes, such  
2682 regulations shall provide that: (1) The Commissioner of [Public Works]  
2683 Administrative Services shall (A) review all lease requests included in,  
2684 and scheduled to begin during, the first year of each approved state-  
2685 wide facility and capital plan and (B) provide the Secretary of the  
2686 Office of Policy and Management with an estimate of the gross cost  
2687 and total square footage need for each lease, (2) the secretary shall  
2688 approve a gross cost and a total square footage for each such lease and  
2689 transmit each decision to the requesting agency, the commissioner and  
2690 the State Properties Review Board, (3) [the commissioner] any agency  
2691 seeking to enter into a lease, lease renewal or hold over agreement  
2692 shall submit such lease, renewal or agreement to the secretary[,] for  
2693 approval, [only negotiated lease requests which exceed such approved  
2694 cost, or which exceed such approved square footage by at least ten per

2695 cent,] and (4) the secretary shall approve or disapprove any such lease  
2696 request or agreement not more than ten working days after [he] the  
2697 secretary receives the request or agreement. [If the secretary fails to act  
2698 on the request during such period, the request shall be deemed to have  
2699 been approved and shall be forwarded to the board.]

2700 Sec. 56. Section 4b-24 of the general statutes is repealed and the  
2701 following is substituted in lieu thereof (*Effective July 1, 2011*):

2702 In acting as the determining authority in fulfilling the needs of the  
2703 various departments and agencies of state government, except the  
2704 Legislative Department, and choosing the method of acquisition which  
2705 shall be pursued in the open competitive market, the [commissioner]  
2706 Commissioner of Administrative Services shall have the following  
2707 duties:

2708 (1) [(A) Compile] The commissioner shall (A) compile and maintain  
2709 a comprehensive and complete [inventories] inventory of all the  
2710 improved and unimproved real estate available to the state by virtue  
2711 of [ownership or] lease. The actual mechanical compilation of such  
2712 [inventories] inventory may be handled, at the request of the  
2713 commissioner, by the Secretary of the Office of Policy and  
2714 Management; provided such compilation shall be available to the  
2715 Commissioner of [Public Works] Administrative Services at all times.  
2716 Such inventory shall be used by the commissioner as the primary  
2717 source for meeting state needs, and shall be shared with the review  
2718 board and with the Secretary of the Office of Policy and Management;  
2719 and (B) [prepare an annual inventory of improved and unimproved  
2720 real estate which is owned by the state and which is unused or  
2721 underutilized and study and make recommendations concerning the  
2722 reuse or disposition of such real estate; (C)] identify in the [inventories]  
2723 inventory required [under subparagraphs (A) and (B),] under this  
2724 subdivision existing buildings that (i) are of historic, architectural or  
2725 cultural significance, including buildings listed or eligible to be listed  
2726 in the national register established under the National Historic

2727 Preservation Act of 1966, 80 Stat. 915 (1966), 16 USC 470a and (ii)  
2728 would be suitable, whether or not in need of repair, alteration or  
2729 addition, to meet the public building needs of the state or to meet the  
2730 needs of the public in accordance with the provisions of subsection (m)  
2731 of section 4b-23.

2732 (2) Whenever realty uses designed uniquely for state use and for  
2733 periods over five years are concerned, the commissioner shall,  
2734 whenever practicable, attempt to purchase [.] or lease-purchase [or  
2735 construct] on state-owned land. In such cases leases shall be used only  
2736 when other possibilities have been eliminated as not feasible, in the  
2737 opinion of the commissioner.

2738 [(3) Whenever the commissioner has established specific plans and  
2739 specifications for new construction on state land or new construction  
2740 for sale to the state: (A) If it appears to the commissioner that the cost  
2741 of the project shall be less than five hundred thousand dollars,  
2742 contracts shall be made, where practicable, through a process of sealed  
2743 bidding as provided in section 4b-91 relating to projects in excess of  
2744 five hundred thousand dollars; (B) if it appears to the commissioner  
2745 that the space needs of the requesting agency are less than five  
2746 thousand square feet, the commissioner shall, whenever practicable,  
2747 carry on advertising, in accordance with the provisions of section 4b-34  
2748 relating to projects in excess of five thousand square feet, in order to  
2749 allow an equal opportunity for third parties to do business with the  
2750 state without regard to political affiliation, political contributions or  
2751 relationships with persons in state, federal or local governmental  
2752 positions.

2753 (4) The commissioner may designate projects to be accomplished on  
2754 a total cost basis for (A) new facilities to provide for the substantial  
2755 space needs of a requesting agency, (B) the installation of mechanical  
2756 or electrical equipment systems in existing state facilities, or (C) the  
2757 demolition of any state facility that the commissioner is authorized to  
2758 demolish under the general statutes. If the commissioner designates a

2759 project as a designated total cost basis project, the commissioner may  
2760 enter into a single contract with a private developer which may  
2761 include such project elements as site acquisition, architectural design  
2762 and construction. The commissioner shall select a private developer  
2763 from among the developers who are selected and recommended by the  
2764 award panels established in this subdivision. All contracts for such  
2765 designated projects shall be based on competitive proposals received  
2766 by the commissioner, who shall give notice of such project, and  
2767 specifications for the project, by advertising, at least once, in a  
2768 newspaper having a substantial circulation in the area in which such  
2769 project is to be located. No contract which includes the construction,  
2770 reconstruction, alteration, remodeling, repair or demolition of any  
2771 public building for work by the state for which the total cost is  
2772 estimated to be more than five hundred thousand dollars may be  
2773 awarded to a person who is not prequalified for the work in  
2774 accordance with section 4a-100. The commissioner shall determine all  
2775 other requirements and conditions for such proposals and awards and  
2776 shall have sole responsibility for all other aspects of such contracts.  
2777 Such contracts shall state clearly the responsibilities of the developer to  
2778 deliver a completed and acceptable product on a date certain, the  
2779 maximum cost of the project and, as a separate item, the cost of site  
2780 acquisition, if applicable. No such contract may be entered into by the  
2781 commissioner without the prior approval of the State Properties  
2782 Review Board and unless funding has been authorized pursuant to the  
2783 general statutes or a public or special act.]

2784 [(5)] (3) Whenever a bid is made to the commissioner for any  
2785 purpose regarding the use of land or whenever any person proposes to  
2786 sell or lease land to the state, the bidder or such person shall be the  
2787 owner of the land, or the commissioner shall have the option to void  
2788 any contract subsequently made with said bidder or third person.

2789 [(6)] (4) In all dealings with the commissioner the owner of record or  
2790 beneficial owner shall be disclosed to the commissioner and the bid  
2791 shall be revealed to the owner of record or beneficial owner or the

2792 commissioner shall have the option to void any contract subsequently  
2793 made concerning any such dealing.

2794 [(7)] (5) After the authorization of a project under the provisions of  
2795 section 4b-23, as amended by this act, the public auditors of the state  
2796 and the auditors or accountants of the Commissioner of [Public Works]  
2797 Administrative Services or Construction Services, as applicable, shall  
2798 have the right to audit the books of any contractor employed by [the]  
2799 either commissioner pursuant to such authorization, or of any party  
2800 negotiating with the [commissioner] Commissioner of Administrative  
2801 Services for the acquisition of land by lease or otherwise; provided,  
2802 however, that any such audit shall be limited to the project authorized  
2803 by the [commissioner] Commissioner of Administrative Services or  
2804 Construction Services and the Properties Review Board, and provided  
2805 further that in the case of a party negotiating with the [commissioner]  
2806 Commissioner of Administrative Services, such audit may also be  
2807 conducted after the negotiations have ended, if a contract is  
2808 consummated with [the] either commissioner.

2809 Sec. 57. (NEW) (*Effective July 1, 2011*) (a) Whenever realty uses  
2810 designed uniquely for state use and for periods over five years are  
2811 concerned, the Commissioner of Construction Services shall, whenever  
2812 practicable, attempt to construct on state-owned land. Whenever the  
2813 Commissioner of Construction Services has established specific plans  
2814 and specifications for new construction on state land or new  
2815 construction for sale to the state: (1) If it appears to the commissioner  
2816 that the cost of the project shall be less than five hundred thousand  
2817 dollars, contracts shall be made, where practicable, through a process  
2818 of sealed bidding as provided in section 4b-91 of the general statutes  
2819 relating to projects in excess of five hundred thousand dollars; (2) if it  
2820 appears to the commissioner that the space needs of the requesting  
2821 agency are less than five thousand square feet, the commissioner shall,  
2822 whenever practicable, carry on advertising, in accordance with the  
2823 provisions of section 4b-34 of the general statutes relating to projects in  
2824 excess of five thousand square feet, in order to allow an equal

2825 opportunity for third parties to do business with the state without  
2826 regard to political affiliation, political contributions or relationships  
2827 with persons in state, federal or local governmental positions.

2828 (b) The commissioner may designate projects to be accomplished on  
2829 a total cost basis for (1) new facilities to provide for the substantial  
2830 space needs of a requesting agency, (2) the installation of mechanical  
2831 or electrical equipment systems in existing state facilities, or (3) the  
2832 demolition of any state facility that the commissioner is authorized to  
2833 demolish under the general statutes. If the commissioner designates a  
2834 project as a designated total cost basis project, the commissioner may  
2835 enter into a single contract with a private developer which may  
2836 include such project elements as site acquisition, architectural design  
2837 and construction. The commissioner shall select a private developer  
2838 from among the developers who are selected and recommended by the  
2839 award panels established in this subdivision. All contracts for such  
2840 designated projects shall be based on competitive proposals received  
2841 by the commissioner, who shall give notice of such project, and  
2842 specifications for the project, by advertising, at least once, in a  
2843 newspaper having a substantial circulation in the area in which such  
2844 project is to be located. No contract which includes the construction,  
2845 reconstruction, alteration, remodeling, repair or demolition of any  
2846 public building for work by the state for which the total cost is  
2847 estimated to be more than five hundred thousand dollars may be  
2848 awarded to a person who is not prequalified for the work in  
2849 accordance with section 4a-100 of the general statutes. The  
2850 commissioner shall determine all other requirements and conditions  
2851 for such proposals and awards and shall have sole responsibility for all  
2852 other aspects of such contracts. Such contracts shall state clearly the  
2853 responsibilities of the developer to deliver a completed and acceptable  
2854 product on a date certain, the maximum cost of the project and, as a  
2855 separate item, the cost of site acquisition, if applicable. No such  
2856 contract may be entered into by the commissioner without the prior  
2857 approval of the State Properties Review Board and unless funding has  
2858 been authorized pursuant to the general statutes or a public or special

2859 act.

2860 Sec. 58. Section 4b-26 of the general statutes is repealed and the  
2861 following is substituted in lieu thereof (*Effective July 1, 2011*):

2862 (a) The expert members of the staff of the [commissioner]  
2863 Commissioner of Administrative Services shall be responsible for  
2864 ensuring that sellers, lessors, and contractors strictly comply with all  
2865 agreed plans, specifications, requirements and contractual terms.

2866 (b) The Attorney General shall be responsible for determining the  
2867 legal sufficiency of all contracts and leases, both as to substance and to  
2868 form, and said Attorney General shall enforce all terms of all  
2869 agreements, including, but not limited to, the obligations of all  
2870 landlords to meet the terms of leases.

2871 (c) In any lease containing a tax escalation clause, there shall be a  
2872 provision that the state shall be relieved of all liability for increased  
2873 taxes unless the landlord shall notify the [commissioner]  
2874 Commissioner of Administrative Services of any pending increase in  
2875 sufficient time to permit the state, on behalf of the landlord, to contest  
2876 such increase if the commissioner determines it to be appropriate.

2877 (d) The Attorney General shall determine when to take any such  
2878 appeal and shall be responsible for perfecting and prosecuting such  
2879 appeal.

2880 Sec. 59. Section 4b-36 of the general statutes is repealed and the  
2881 following is substituted in lieu thereof (*Effective July 1, 2011*):

2882 Subject to the provisions of section 4b-30, as amended by this act,  
2883 the [commissioner] Commissioner of Construction Services may enter  
2884 into contracts for the construction upon state-owned land of buildings  
2885 or facilities or both, and the Commissioner of Administrative Services  
2886 may enter into contracts for the subsequent leasing [thereof] of such  
2887 building or facilities to the state to meet the needs of agencies and  
2888 institutions, without first leasing the underlying state-owned land to

2889 the developer. Such contracts shall contain provisions providing for  
2890 the state to buy the buildings and facilities for a lump sum at stated  
2891 times during or at the end of the lease term or, at the state's option, to  
2892 buy the same by paying the purchase price in installments.

2893 Sec. 60. Section 4b-62 of the general statutes is repealed and the  
2894 following is substituted in lieu thereof (*Effective July 1, 2011*):

2895 The Commissioner of [Public Works] Administrative Services may  
2896 accept and execute any trusts, testamentary or otherwise, created or  
2897 established for the purpose of procuring, erecting and maintaining any  
2898 memorial on public grounds or within public buildings of the state or  
2899 any municipality therein, and the court of probate in which a will  
2900 creating any such trust has been proved may appoint said  
2901 commissioner as trustee to execute such trust without requiring said  
2902 commissioner to furnish a probate bond as such trustee; but this  
2903 section shall not be construed as empowering said commissioner to  
2904 erect or maintain any such memorial upon the grounds or within or  
2905 upon any public building belonging to the state without the consent of  
2906 the General Assembly, nor upon any grounds nor within or upon any  
2907 public building belonging to any city or town, without the consent of  
2908 the common council of the city or the selectmen of the town, as the  
2909 case may be. The commissioner shall not, without special authority  
2910 from the General Assembly or without consultation with the  
2911 Commissioner of Construction Services, make, erect or remove from its  
2912 location any statue or sculpture upon the property of the state.

2913 Sec. 61. Section 4b-66a of the general statutes is repealed and the  
2914 following is substituted in lieu thereof (*Effective July 1, 2011*):

2915 (a) There is established a Connecticut Capitol Center Commission.  
2916 The commission shall consist of (1) the Secretary of the Office of Policy  
2917 and Management, or the secretary's designee; (2) the Commissioner of  
2918 [Public Works] Administrative Services, or the commissioner's  
2919 designee; (3) the Commissioner of Economic and Community  
2920 Development, or the commissioner's designee; (4) the executive

2921 director of the Connecticut Commission on Culture and Tourism, or  
2922 the executive director's designee; (5) the Commissioner of Construction  
2923 Services, or the commissioner's designee; (6) one member appointed by  
2924 the speaker of the House of Representatives; [(6)] (7) one member  
2925 appointed by the president pro tempore of the Senate; [(7)] (8) one  
2926 member appointed by the majority leader of the House of  
2927 Representatives; [(8)] (9) one member appointed by the majority leader  
2928 of the Senate; [(9)] (10) one member appointed by the minority leader  
2929 of the House of Representatives; [(10)] (11) one member appointed by  
2930 the minority leader of the Senate; [(11)] (12) the chairperson of the  
2931 Hartford Commission on the City Plan; [(12)] (13) one member  
2932 appointed by the mayor of the city of Hartford; and [(13)] (14) one  
2933 member from the South Downtown Neighborhood Revitalization  
2934 Committee.

2935 (b) The Secretary of the Office of Policy and Management, or the  
2936 secretary's designee, shall serve as chairperson of the commission. The  
2937 chairperson shall schedule the first meeting of the commission which  
2938 shall be held no later than sixty days after October 1, 2001.

2939 (c) The commission shall review the master plan for the  
2940 development of the Connecticut Capitol Center in Hartford and make  
2941 recommendations in accordance with section 4b-66, as amended by  
2942 this act.

2943 Sec. 62. Section 4b-133 of the general statutes is repealed and the  
2944 following is substituted in lieu thereof (*Effective July 1, 2011*):

2945 (a) The [commissioner] Commissioner of Administrative Services  
2946 may conduct or require a security audit of any building or structure  
2947 owned or leased by a state agency, as defined in section 4b-130, to  
2948 determine the security characteristics of such building or structure.  
2949 Such security audit shall be conducted in cooperation with the state  
2950 agency owning or occupying the building or structure.

2951 (b) Any recommendations for security improvements in any such

2952 security audit shall be based on the audit's findings and, at a  
2953 minimum, shall bring the audited building or structure into  
2954 compliance with the security standards established under section 4b-  
2955 132.

2956 (c) The [commissioner] Commissioner of Construction Services shall  
2957 be the sole authority and have all oversight responsibility for  
2958 implementing security audit recommendations for capital  
2959 improvements made under subsections (a) and (b) of this section. Such  
2960 responsibility shall include, but not be limited to, prioritizing facilities  
2961 requiring security improvements.

2962 (d) Notwithstanding subsection (a) of this section, the  
2963 [commissioner] Commissioner of Administrative Services may waive  
2964 the requirement for a security audit for any building or structure if an  
2965 assessment of the facility's security needs, comparable in the  
2966 commissioner's opinion to a Department of [Public Works']  
2967 Administrative Services' security audit, has been applied to the facility.

2968 Sec. 63. Section 4b-134 of the general statutes is repealed and the  
2969 following is substituted in lieu thereof (*Effective July 1, 2011*):

2970 (a) [On or after October 1, 1999, the] The Commissioner of [Public  
2971 Works] Construction Services shall determine whether each renovation  
2972 project for a state agency building or structure under this title would  
2973 have a significant impact on the security characteristics of the building  
2974 or structure. If the [commissioner] Commissioner of Construction  
2975 Services determines that the project would have a significant impact  
2976 on such security characteristics, [the] said commissioner shall review  
2977 the preliminary design for the project for compliance with the security  
2978 standards established under section 4b-132. The [commissioner]  
2979 Commissioner of Construction Services shall not approve any such  
2980 preliminary design unless (1) the building or structure has had a  
2981 security audit, and (2) the [commissioner] Commissioner of  
2982 Construction Services determines, based on such review and audit,  
2983 that such preliminary design meets or exceeds such security standards.

2984 (b) [On or after October 1, 1999, the commissioner] The  
2985 Commissioner of Construction Services shall review the preliminary  
2986 design for each project for new construction for a state agency under  
2987 this title for compliance with the security standards established under  
2988 section 4b-132, as amended by this act. The [commissioner]  
2989 Commissioner of Construction Services shall not approve any such  
2990 preliminary design unless the [commissioner] Commissioner of  
2991 Construction Services determines, based on such review, that such  
2992 preliminary design meets or exceeds such security standards.

2993 Sec. 64. Subsection (a) of section 4b-136 of the general statutes is  
2994 repealed and the following is substituted in lieu thereof (*Effective*  
2995 *July 1, 2011*):

2996 (a) There is established a State-Wide Security Management Council.  
2997 The council shall consist of the following members or their designees:  
2998 The Commissioner of Public Safety, the Commissioner of  
2999 Administrative Services, the Commissioner of Mental Health and  
3000 Addiction Services, the Commissioner of [Public Works] Construction  
3001 Services, the Commissioner of Emergency Management and  
3002 Homeland Security, the Secretary of the Office of Policy and  
3003 Management, the Chief Court Administrator, [an attorney appointed  
3004 by the Commissioner of Public Works,] the executive director of the  
3005 Joint Committee on Legislative Management, a representative of the  
3006 Governor, a representative of the State Employees Bargaining Agent  
3007 Coalition, [and] the president of the Connecticut State Police Union [or  
3008 the president's designee] and the president of the Uniformed  
3009 Professional Fire Fighters Association. The Commissioner of [Public  
3010 Works] Administrative Services shall serve as chairperson of the  
3011 council. Each council member shall provide technical assistance in the  
3012 member's area of expertise, as required by the council.

3013 Sec. 65. Subsection (a) of section 4d-90 of the general statutes is  
3014 repealed and the following is substituted in lieu thereof (*Effective*  
3015 *July 1, 2011*):

3016 (a) There is established a Geospatial Information Systems Council  
3017 consisting of the following members, or their designees: (1) The  
3018 Secretary of the Office of Policy and Management; (2) the  
3019 Commissioners of Environmental Protection, Economic and  
3020 Community Development, Transportation, Public Safety, Public  
3021 Health, [Public Works] Construction Services, Administrative Services,  
3022 Agriculture, Emergency Management and Homeland Security and  
3023 Social Services; [(3) the Chief Information Officer of the Department of  
3024 Information Technology; (4)] (3) the Chancellor of the Connecticut  
3025 State University System; [(5)] (4) the president of The University of  
3026 Connecticut; [(6)] (5) the Executive Director of the Connecticut Siting  
3027 Council; [(7)] (6) one member who is a user of geospatial information  
3028 systems appointed by the president pro tempore of the Senate  
3029 representing a municipality with a population of more than sixty  
3030 thousand; [(8)] (7) one member who is a user of geospatial information  
3031 systems appointed by the minority leader of the Senate representing a  
3032 regional planning agency; [(9)] (8) one member who is a user of  
3033 geospatial information systems appointed by the Governor  
3034 representing a municipality with a population of less than sixty  
3035 thousand but more than thirty thousand; [(10)] (9) one member who is  
3036 a user of geospatial information systems appointed by the speaker of  
3037 the House of Representatives representing a municipality with a  
3038 population of less than thirty thousand; [(11)] (10) one member  
3039 appointed by the minority leader of the House of Representatives who  
3040 is a user of geospatial information systems; [(12)] (11) the chairperson  
3041 of the Public Utilities Control Authority; [(13)] (12) the Adjutant  
3042 General of the Military Department; and [(14)] (13) any other persons  
3043 the council deems necessary appointed by the council. The Governor  
3044 shall select the chairperson from among the members. The chairperson  
3045 shall administer the affairs of the council. Vacancies shall be filled by  
3046 appointment by the authority making the appointment. Members shall  
3047 receive no compensation for their services on said council, but shall be  
3048 reimbursed for necessary expenses incurred in the performance of  
3049 their duties. Said council shall hold one meeting each calendar quarter

3050 and such additional meetings as may be prescribed by council rules. In  
3051 addition, special meetings may be called by the chairperson or by any  
3052 three members upon delivery of forty-eight hours written notice to  
3053 each member.

3054 Sec. 66. Section 4e-8 of the general statutes is repealed and the  
3055 following is substituted in lieu thereof (*Effective July 1, 2011*):

3056 There is established a Contracting Standards Advisory Council,  
3057 which shall consist of representatives from the Office of Policy and  
3058 Management, Departments of Administrative Services, Transportation  
3059 [~~Public Works and Information Technology~~] and Construction  
3060 Services and representatives of at least three additional contracting  
3061 agencies, including at least one human services related state agency,  
3062 designated by the Governor. The Chief Procurement Officer shall be a  
3063 member of the council and serve as chairperson. The advisory council  
3064 shall meet at least four times per year to discuss state procurement  
3065 issues and to make recommendations for improvement of the  
3066 procurement processes to the State Contracting Standards Board. The  
3067 advisory council may conduct studies, research and analyses and make  
3068 reports and recommendations with respect to subjects or matters  
3069 within the jurisdiction of the State Contracting Standards Board.

3070 Sec. 67. Subsection (h) of section 13a-73 of the general statutes is  
3071 repealed and the following is substituted in lieu thereof (*Effective July*  
3072 *1, 2011*):

3073 (h) All sales or exchanges of surplus property by the Department of  
3074 Transportation and matters dealing with the initial acquisition of any  
3075 existing mass transit system or the purchase or sale of properties  
3076 acquired in connection with any state highway system or mass transit  
3077 system shall be subject to review and approval of the State Properties  
3078 Review Board except that those acquisitions and administrative  
3079 settlements relating to such properties which involve sums not in  
3080 excess of five thousand dollars shall be reported to the board by the  
3081 Commissioner of Transportation but shall not be subject to such

3082 review and approval. The [Commissioner of Public Works] Secretary  
3083 of the Office of Policy and Management shall be informed for  
3084 inventory purposes of any transfer effectuated in connection with this  
3085 section. The State Properties Review Board shall not grant such  
3086 approval if the Department of Transportation has failed to comply  
3087 with any applicable statutes in connection with the proposed action.

3088 Sec. 68. Subsection (b) of section 16a-35c of the general statutes is  
3089 repealed and the following is substituted in lieu thereof (*Effective*  
3090 *July 1, 2011*):

3091 (b) The Secretary of the Office of Policy and Management, in  
3092 consultation with the Commissioners of Economic and Community  
3093 Development, Environmental Protection, [Public Works]  
3094 Administrative Services, Agriculture, Transportation, the chairman of  
3095 the Transportation Strategy Board, the regional planning agencies in  
3096 the state and any other persons or entities the secretary deems  
3097 necessary shall develop recommendations for delineation of the  
3098 boundaries of priority funding areas in the state and for revisions  
3099 thereafter. In making such recommendations the secretary shall  
3100 consider areas designated as regional centers, growth areas,  
3101 neighborhood conservation areas and rural community centers on the  
3102 state plan of conservation and development, redevelopment areas,  
3103 distressed municipalities, as defined in section 32-9p; targeted  
3104 investment communities, as defined in section 32-222; public  
3105 investment communities, as defined in section 7-545, enterprise zones,  
3106 designated by the Commissioner of Economic and Community  
3107 Development under section 32-70, corridor management areas  
3108 identified in the state plan of conservation and development and the  
3109 principles of the Transportation Strategy Board approved under  
3110 section 13b-57h. The secretary shall submit the recommendations to  
3111 the Continuing Legislative Committee on State Planning and  
3112 Development established pursuant to section 4-60d for review when  
3113 the state plan of conservation and development is submitted to such  
3114 committee in accordance with section 16a-29. The committee shall

3115 report its recommendations to the General Assembly at the time said  
3116 state plan is submitted to the General Assembly under section 16a-30.  
3117 The boundaries shall become effective upon approval of the General  
3118 Assembly.

3119 Sec. 69. Section 22a-26a of the general statutes is repealed and the  
3120 following is substituted in lieu thereof (*Effective July 1, 2011*):

3121 The Department of Environmental Protection, in consultation with  
3122 the Departments of Transportation and [Public Works] Administrative  
3123 Services, The University of Connecticut and other state agencies with  
3124 jurisdiction over state-owned properties, shall identify state-owned  
3125 properties which provide public access to the waters of Long Island  
3126 Sound and, in addition, identify other properties which the state may  
3127 acquire to provide public access to the waters of Long Island Sound.  
3128 The properties to be identified shall include highway easements,  
3129 bridge crossings, university-owned lands, railroad rights-of-way and  
3130 other coastal or riverfront properties owned or controlled by the state  
3131 or by others. State-owned properties which are used for non-water-  
3132 dependent activities shall be assessed for reclassification to public  
3133 water-dependent use or shared use. The department shall submit a  
3134 report of its findings to the joint standing committee of the General  
3135 Assembly having cognizance of matters concerning the environment  
3136 on or before October 1, 1992, and the Comptroller shall cause such  
3137 findings to be added to and made a part of the inventory of state  
3138 property required pursuant to the provisions of section 4-36.

3139 Sec. 70. Subsection (b) of section 22a-354i of the general statutes is  
3140 repealed and the following is substituted in lieu thereof (*Effective*  
3141 *July 1, 2011*):

3142 (b) In adopting such regulations, the commissioner shall consider  
3143 the guidelines for aquifer protection areas recommended in the report  
3144 prepared pursuant to special act 87-63, as amended, and shall avoid  
3145 duplication and inconsistency with other state or federal laws and  
3146 regulations affecting aquifers. The regulations shall be developed in

3147 consultation with an advisory committee appointed by the  
3148 commissioner. The advisory committee shall include the  
3149 Commissioners of [Public Works] Construction Services and Public  
3150 Health and the chairperson of the Public Utilities Control Authority, or  
3151 their designees, members of the public, and representatives of  
3152 businesses affected by the regulations, agriculture, environmental  
3153 groups, municipal officers and water companies.

3154 Sec. 71. Subsection (c) of section 31-57c of the general statutes is  
3155 repealed and the following is substituted in lieu thereof (*Effective*  
3156 *July 1, 2011*):

3157 (c) The Commissioner of [Public Works] Construction Services may  
3158 disqualify any contractor, for up to two years, from bidding on,  
3159 applying for, or participating as a subcontractor under, contracts with  
3160 the state, acting through any of its departments, commissions or other  
3161 agencies, except the Department of Administrative Services, the  
3162 Department of Transportation and the constituent units of the state  
3163 system of higher education, for one or more causes set forth under  
3164 subsection (d) of this section. The commissioner may initiate a  
3165 disqualification proceeding only after consulting with the contract  
3166 awarding agency, if any, and the Attorney General and shall provide  
3167 notice and an opportunity for a hearing to the contractor who is the  
3168 subject of the proceeding. The hearing shall be conducted in  
3169 accordance with the contested case procedures set forth in chapter 54.  
3170 The commissioner shall issue a written decision within ninety days of  
3171 the last date of such hearing and state in the decision the reasons for  
3172 the action taken and, if the contractor is being disqualified, the period  
3173 of such disqualification. The existence of a cause for disqualification  
3174 shall not be the sole factor to be considered in determining whether the  
3175 contractor shall be disqualified. In determining whether to disqualify a  
3176 contractor, the commissioner shall consider the seriousness of the  
3177 contractor's acts or omissions and any mitigating factors. The  
3178 commissioner shall send the decision to the contractor by certified  
3179 mail, return receipt requested. The written decision shall be a final

3180 decision for the purposes of sections 4-180 and 4-183.

3181 Sec. 72. Section 31-390 of the general statutes is repealed and the  
3182 following is substituted in lieu thereof (*Effective July 1, 2011*):

3183 (a) The Labor Commissioner and the Commissioners of Economic  
3184 and Community Development and [Public Works] Construction  
3185 Services shall have the right of inspection of any such project at any  
3186 time.

3187 (b) The Labor Commissioner and the Commissioners of Economic  
3188 and Community Development and [Public Works] Construction  
3189 Services and the Secretary of the Office of Policy and Management are  
3190 authorized to make orders, establish guidelines and adopt regulations  
3191 under the provisions of chapter 54 with respect to the implementation  
3192 of this chapter.

3193 (c) At the request of the commissioners, any agency or department  
3194 of the executive branch shall advise and assist the commissioners in  
3195 the implementation of this chapter.

3196 Sec. 73. Section 46a-68 of the general statutes is repealed and the  
3197 following is substituted in lieu thereof (*Effective from passage*):

3198 (a) Each state agency, department, board and commission with  
3199 twenty-five, or more, full-time employees shall develop and  
3200 implement, in cooperation with the Commission on Human Rights  
3201 and Opportunities, an affirmative action plan that commits the agency,  
3202 department, board or commission to a program of affirmative action in  
3203 all aspects of personnel and administration. Such plan shall be  
3204 developed pursuant to regulations adopted by the Commission on  
3205 Human Rights and Opportunities in accordance with chapter 54 to  
3206 ensure that affirmative action is undertaken as required by state and  
3207 federal law to provide equal employment opportunities and to comply  
3208 with all responsibilities under the provisions of sections 4-61u to 4-  
3209 61w, inclusive, sections 46a-54 to 46a-64, inclusive, section 46a-64c and

3210 sections 46a-70 to 46a-78, inclusive. The executive head of each such  
3211 agency, department, board or commission shall be directly responsible  
3212 for the development, filing and implementation of such affirmative  
3213 action plan. The Metropolitan District of Hartford County shall be  
3214 deemed to be a state agency for purposes of this section.

3215 (b) (1) Each state agency, department, board or commission shall  
3216 designate a full-time or part-time [affirmative action] equal  
3217 employment opportunity officer. If such [affirmative action] equal  
3218 employment opportunity officer is an employee of the agency,  
3219 department, board or commission, the executive head of the agency,  
3220 department, board or commission shall be directly responsible for the  
3221 supervision of the officer.

3222 (2) The Commission on Human Rights and Opportunities shall  
3223 provide training and technical assistance to [affirmative action] equal  
3224 employment opportunity officers in plan development and  
3225 implementation.

3226 (3) The Commission on Human Rights and Opportunities and the  
3227 Permanent Commission on the Status of Women shall provide training  
3228 concerning state and federal discrimination laws and techniques for  
3229 conducting investigations of discrimination complaints to persons  
3230 designated by state agencies, departments, boards or commissions as  
3231 [affirmative action] equal employment opportunity officers and  
3232 persons designated by the Attorney General or the Attorney General's  
3233 designee to represent such agencies, departments, boards or  
3234 commissions pursuant to subdivision (5) of this subsection. [Such] On  
3235 or after October 1, 2011, such training shall be provided for a minimum  
3236 of [ten] five hours during the first year of service or designation, and a  
3237 minimum of [five] three hours [per year] every two years thereafter.

3238 (4) (A) Each person designated by a state agency, department, board  
3239 or commission as an [affirmative action] equal employment  
3240 opportunity officer shall (i) be responsible for mitigating any  
3241 discriminatory conduct within the agency, department, board or

3242 commission, (ii) investigate all complaints of discrimination made  
3243 against the state agency, department, board or commission, except if  
3244 any such complaint has been filed with the Commission on Human  
3245 Rights and Opportunities or the Equal Employment Opportunity  
3246 Commission, the state agency, department, board or commission may  
3247 rely upon the process of the applicable commission, as applicable, in  
3248 lieu of such investigation, and (iii) report all findings and  
3249 recommendations upon the conclusion of an investigation to the  
3250 commissioner or director of the state agency, department, board or  
3251 commission for proper action.

3252 (B) Notwithstanding the provisions of subparagraphs (A)(i), (A)(ii)  
3253 and (A)(iii) of this subdivision, if a discrimination complaint is made  
3254 against the executive head of a state agency or department, any  
3255 member of a state board or commission or any [affirmative action]  
3256 equal employment opportunity officer alleging that the executive  
3257 head, member or officer directly or personally engaged in  
3258 discriminatory conduct, or if a complaint of discrimination is made by  
3259 the executive head of a state agency, any member of a state board or  
3260 commission or any [affirmative action] equal employment opportunity  
3261 officer, the complaint shall be referred to the Commission on Human  
3262 Rights and Opportunities for review and, if appropriate, investigation  
3263 by the Department of Administrative Services, except if any such  
3264 complaint has been filed with the Equal Employment Opportunity  
3265 Commission or the Commission on Human Rights and Opportunities,  
3266 the Commission on Human Rights and Opportunities or Department  
3267 of Administrative Services may rely upon the process of the applicable  
3268 commission in lieu of such investigation. If the discrimination  
3269 complaint is made by or against the executive head, any member or  
3270 the [affirmative action] equal employment opportunity officer of the  
3271 Commission on Human Rights and Opportunities alleging that the  
3272 executive head, member or officer directly or personally engaged in  
3273 discriminatory conduct, the commission shall refer the complaint to  
3274 the Department of Administrative Services for review and, if  
3275 appropriate, investigation. If the complaint is by or against the

3276 executive head or [affirmative action] equal employment opportunity  
3277 officer of the Department of Administrative Services, the complaint  
3278 shall be referred to the Commission on Human Rights and  
3279 Opportunities for review and, if appropriate, investigation. Each  
3280 person who conducts an investigation pursuant to this subparagraph  
3281 shall report all findings and recommendations upon the conclusion of  
3282 such investigation to the appointing authority of the individual who  
3283 was the subject of the complaint for proper action. The provisions of  
3284 this subparagraph shall apply to any such complaint pending on or  
3285 after July 5, 2007.

3286 (5) Each person designated by a state agency, department, board or  
3287 commission as an [affirmative action] equal employment opportunity  
3288 officer, and each person designated by the Attorney General or the  
3289 Attorney General's designee to represent an agency pursuant to  
3290 subdivision (6) of this subsection, shall complete training provided by  
3291 the Commission on Human Rights and Opportunities and the  
3292 Permanent Commission on the Status of Women pursuant to  
3293 subdivision (3) of this subsection.

3294 (6) No person designated by a state agency, department, board or  
3295 commission as an [affirmative action] equal employment opportunity  
3296 officer shall represent such agency, department, board or commission  
3297 before the Commission on Human Rights and Opportunities or the  
3298 Equal Employment Opportunity Commission concerning a  
3299 discrimination complaint. If a discrimination complaint is filed with  
3300 the Commission on Human Rights and Opportunities or the Equal  
3301 Employment Opportunity Commission against a state agency,  
3302 department, board or commission, the Attorney General, or the  
3303 Attorney General's designee, other than the [affirmative action] equal  
3304 employment opportunity officer for such agency, department, board or  
3305 commission, shall represent the state agency, department, board or  
3306 commission before the Commission on Human Rights and  
3307 Opportunities or the Equal Employment Opportunity Commission. In  
3308 the case of a discrimination complaint filed against the Metropolitan

3309 District of Hartford County, the Attorney General, or the Attorney  
3310 General's designee, shall not represent such district before the  
3311 Commission on Human Rights and Opportunities or the Equal  
3312 Employment Opportunity Commission.

3313 (c) Each state agency, department, board and commission that  
3314 employs two hundred fifty or more full-time employees shall file an  
3315 affirmative action plan developed in accordance with subsection (a) of  
3316 this section, with the Commission on Human Rights and  
3317 Opportunities, semiannually, except that any state agency,  
3318 department, board or commission which has an affirmative action plan  
3319 approved by the commission may be permitted to file its plan on an  
3320 annual basis in a manner prescribed by the commission and any state  
3321 agency, department, board or commission that employs [twenty or  
3322 fewer] twenty-five or more employees but fewer than two hundred  
3323 fifty full-time employees shall file its affirmative action plan biennially,  
3324 unless the commission disapproves the most recent submission of the  
3325 plan, in which case the commission may require the resubmission of  
3326 such plan by a time chosen by the commission, until the plan is  
3327 approved. All affirmative action plans shall be filed electronically.

3328 (d) The Commission on Human Rights and Opportunities shall  
3329 review and formally approve, conditionally approve or disapprove the  
3330 content of such affirmative action plans within ninety days of the  
3331 submission of each plan to the commission. If the commissioners, by a  
3332 majority vote of those present and voting, fail to approve,  
3333 conditionally approve or disapprove a plan within [that] such period,  
3334 the plan shall be deemed to be approved. Any plan that is filed more  
3335 than ninety days after the date such plan is due to be filed in  
3336 accordance with the schedule established pursuant to subsection (g) of  
3337 this section, shall be deemed disapproved.

3338 (e) The Commissioner of Administrative Services and the Secretary  
3339 of the Office of Policy and Management shall cooperate with the  
3340 Commission on Human Rights and Opportunities to insure that the

3341 State Personnel Act and personnel regulations are administered, and  
3342 that the process of collective bargaining is conducted by all parties in a  
3343 manner consistent with the affirmative action responsibilities of the  
3344 state.

3345 (f) The Commission on Human Rights and Opportunities shall  
3346 monitor the activity of such plans within each state agency,  
3347 department, board and commission and report to the Governor and  
3348 the General Assembly on or before April first of each year concerning  
3349 the results of such plans.

3350 (g) The Commission on Human Rights and Opportunities shall  
3351 adopt regulations, in accordance with chapter 54, to carry out the  
3352 requirements of this section. [Such regulations shall include] The  
3353 executive director shall establish a schedule for semiannual, annual  
3354 and biennial filing of plans.

3355 Sec. 74. Section 10a-11 of the general statutes is repealed and the  
3356 following is substituted in lieu thereof (*Effective from passage*):

3357 (a) The Board of Governors of Higher Education shall, in  
3358 consultation with the institutions of the state system of higher  
3359 education and the constituent unit boards of trustees, develop a  
3360 strategic plan, consistent with the affirmative action plan submitted to  
3361 the Commission on Human Rights and Opportunities in accordance  
3362 with section 46a-68, as amended by this act, to ensure that students,  
3363 faculty, administrators and staff at each institution are representative  
3364 of the racial and ethnic diversity of the total population of the state. For  
3365 each institution there shall be an approved plan which shall include  
3366 goals, programs and timetables for achieving those goals, and a  
3367 procedure to monitor annually the results of these programs and a  
3368 procedure to take corrective action if necessary. The Board of  
3369 Governors of Higher Education shall also develop policies to guide  
3370 [affirmative action] equal employment opportunity officers and  
3371 programs in all constituent units and at each institution of public  
3372 higher education.

3373 (b) The Board of Governors of Higher Education shall report  
3374 annually to the Governor and General Assembly on the activities  
3375 undertaken by the board in accordance with subsection (a) of this  
3376 section. The report shall include institutional goals and plans for  
3377 attaining such goals, as well as changes in enrollment and employment  
3378 at the state's institutions of public higher education. If it is determined  
3379 that an institution has failed to achieve the goals set out pursuant to  
3380 this section, such institution shall develop a plan of corrective  
3381 procedures to ensure that such goals are achieved, subject to the  
3382 approval of the Board of Governors of Higher Education. The Board of  
3383 Governors of Higher Education may establish a minority advancement  
3384 program to reward and support efforts by institutions within the state  
3385 system of higher education towards meeting the goals established in  
3386 the strategic plan developed pursuant to subsection (a) of this section.

3387 Sec. 75. (NEW) (*Effective from passage*) (a) Not later than July 1, 2011,  
3388 the executive director of the Commission on Human Rights and  
3389 Opportunities shall convene a working group to review the  
3390 commission's existing regulations governing affirmative action plans  
3391 adopted in accordance with section 46a-68 of the general statutes, as  
3392 amended by this act, and to recommend amendments to such  
3393 regulations. Such working group shall consist of the executive director,  
3394 the Secretary of the Office of Policy and Management, or a designee,  
3395 the Commissioner of Administrative Services, or a designee, and eight  
3396 other members selected by the executive director who have experience  
3397 in one or more of the following: (1) Drafting affirmative action plans  
3398 for state agencies, (2) affirmative action law, (3) affirmative action  
3399 education, or (4) the impact of affirmative action on minority  
3400 communities. Such eight members shall include at least one  
3401 representative of each of the following: (A) A regulation and  
3402 protection agency, (B) a conservation and development agency, (C) a  
3403 human services agency, (D) a transportation agency, and (E) an  
3404 education agency. The executive director shall serve as chairperson of  
3405 the working group.

3406 (b) The working group shall examine and issue recommendations  
3407 concerning (1) the elimination of unnecessary or redundant provisions  
3408 of such regulations, (2) improvements in the use of state-wide data and  
3409 systems, including, but not limited to, CORE-CT, Labor Department  
3410 data and census data for efficient information collection concerning  
3411 affirmative action plans, (3) whether all provisions of the regulations  
3412 are in accordance with state and federal law and are constitutional,  
3413 and (4) a reorganization of the regulations to streamline content and  
3414 structure in order to provide a more useful resource for state agencies,  
3415 departments, boards and commissions. Not later than November 1,  
3416 2011, the working group shall issue recommendations concerning  
3417 amendments to such regulations.

3418 (c) Not later than January 1, 2012, the Commission on Human  
3419 Rights and Opportunities shall publish notice of its intention to amend  
3420 its regulations to implement the recommendations of the working  
3421 group in the Connecticut Law Journal in accordance with the  
3422 provisions of section 4-168 of the general statutes.

3423 Sec. 76. (*Effective July 1, 2011*) (a) (1) Wherever the term "Chief  
3424 Information Officer of the Department of Information Technology" is  
3425 used in the following general statutes, the term "Commissioner of  
3426 Administrative Services" shall be substituted in lieu thereof; (2)  
3427 wherever the term "Chief Information Officer" is used in the following  
3428 general statutes, the term "commissioner" shall be substituted in lieu  
3429 thereof; and (3) wherever the term "Department of Information  
3430 Technology" is used in the following general statutes, the term  
3431 "Department of Administrative Services" shall be substituted in lieu  
3432 thereof: 1-205, 1-211, 1-212, 1-283, 4d-3, 4d-5, 4d-10, 4d-11, 4d-13, 4d-14,  
3433 4d-38, 4d-41, 4d-42, 4d-43, 4d-81a, 4d-82a, 4d-83, 4d-84, 10-5b, 10-10a,  
3434 18-81x, 19a-110, 19a-750, 32-6i, 54-105a, 54-142q, 54-142r and 54-142s.

3435 (b) Wherever the term "Department of Information Technology" is  
3436 used in any public or special act of 2011, the term "Department of  
3437 Administrative Services" shall be substituted in lieu thereof. Wherever

3438 the term "Chief Information Officer of the Department of Information  
3439 Technology" is used in any public or special act of 2011, the term  
3440 "Commissioner of Administrative Services" shall be substituted in lieu  
3441 thereof. Wherever the term "Chief Information Officer" is used in any  
3442 public or special act of 2011, the term "commissioner" shall be  
3443 substituted in lieu thereof.

3444 (c) The Legislative Commissioners' Office shall, in codifying the  
3445 provisions of this section, make such technical, grammatical and  
3446 punctuation changes as are necessary to carry out the purposes of this  
3447 section.

3448 Sec. 77. Section 4d-1 of the general statutes is repealed and the  
3449 following is substituted in lieu thereof (*Effective July 1, 2011*):

3450 As used in this chapter, unless the context indicates a different  
3451 meaning:

3452 (1) "Architecture" means the defined structure or orderly  
3453 arrangement of information systems and telecommunication systems,  
3454 based on accepted industry standards and guidelines, for the purpose  
3455 of maximizing the interconnection and efficiency of such systems and  
3456 the ability of users to share information resources.

3457 (2) "Information systems" means the combination of data processing  
3458 hardware and software in the collection, processing and distribution of  
3459 data to and from interactive computer-based systems to meet  
3460 informational needs.

3461 (3) "State agency" means each department, board, council,  
3462 commission, institution or other agency of the Executive Department  
3463 of the state government, provided each board, council, commission,  
3464 institution or other agency included by law within any given  
3465 department shall be deemed a division of that department. The term  
3466 "state agency" shall include (A) the offices of the Governor, Lieutenant  
3467 Governor, Treasurer, Attorney General, Secretary of the State and

3468 Comptroller, and (B) all operations of an Executive Department agency  
3469 which are funded by either the General Fund or a special fund.

3470 (4) "Telecommunication systems" means telephone equipment and  
3471 transmission facilities, either alone or in combination with information  
3472 systems, for the electronic distribution of all forms of information,  
3473 including voice, data and images.

3474 [(5) "Chief Information Officer" means the department head for the  
3475 Department of Information Technology.]

3476 (5) "Commissioner" means the Commissioner of Administrative  
3477 Services.

3478 Sec. 78. Section 4d-2 of the general statutes is repealed and the  
3479 following is substituted in lieu thereof (*Effective July 1, 2011*):

3480 (a) There [is established the Department] shall be a Division of  
3481 Information Technology within the Department of Administrative  
3482 Services. The [Department of Information Technology shall be  
3483 administered by a] Commissioner of Administrative Services shall  
3484 appoint a Chief Information Officer to administer the division, who  
3485 shall be exempt from the classified service. The Chief Information  
3486 Officer [ , who] shall be an individual knowledgeable with respect to  
3487 information and telecommunication systems. [The Chief Information  
3488 Officer shall be appointed by the Governor in accordance with the  
3489 provisions of sections 4-5 to 4-8, inclusive, with the powers and duties  
3490 prescribed in said sections.]

3491 [(b) The Department of Information Technology shall constitute a  
3492 successor department to the Office of Information and Technology, in  
3493 accordance with the provisions of sections 4-38d, 4-38e and 4-39.]

3494 [(c)] (b) The [Chief Information Officer] Commissioner of  
3495 Administrative Services shall: (1) [Develop and implement an  
3496 integrated set of policies and architecture pertaining to information  
3497 and telecommunication systems for state agencies; (2) develop a series

3498 of comprehensive standards and planning guidelines pertaining to the  
3499 development, acquisition, implementation, and oversight and  
3500 management of information and telecommunication systems for state  
3501 agencies; (3) identify] Identify and implement (A) optimal information  
3502 and telecommunication systems to efficiently service the needs of state  
3503 agencies, and (B) opportunities for reducing costs for such systems;  
3504 [(4)] (2) approve or disapprove, in accordance with guidelines  
3505 established by the [Chief Information Officer] commissioner, each  
3506 proposed state agency acquisition of hardware or software for an  
3507 information or telecommunication system, except for (A) hardware or  
3508 software having a cost of less than twenty thousand dollars, or (B)  
3509 hardware or software having a cost of twenty thousand dollars or  
3510 more, but less than one hundred thousand dollars, which is for a  
3511 project that complies with the agency's business systems plan; [as  
3512 approved by the Chief Information Officer; (5)] (3) approve or  
3513 disapprove, in accordance with guidelines established by the [Chief  
3514 Information Officer] commissioner, all state agency requests or  
3515 proposed contracts for consultants for information and  
3516 telecommunication systems; [(6)] (4) be responsible for purchasing,  
3517 leasing and contracting for all information system and  
3518 telecommunication system facilities, equipment and services for state  
3519 agencies, in accordance with the provisions of subsection (a) of section  
3520 4d-8, except for the offices of the Governor, Lieutenant Governor,  
3521 Treasurer, Attorney General, Secretary of the State and Comptroller;  
3522 [(7)] (5) review existing and new information and telecommunication  
3523 system technologies to ensure consistency with the strategic plan  
3524 established under section 4d-7, as amended by this act, and approved  
3525 state agency architecture and make recommendations to the  
3526 Standardization Committee established under section 4a-58 for review  
3527 and appropriate action; [(8)] (6) cooperate with the General Assembly,  
3528 the Judicial Department and the constituent units of the state system of  
3529 higher education in assessing opportunities for cost savings and  
3530 greater sharing of information resources which could result if such  
3531 entities acquire information and telecommunication systems similar to

3532 those of state agencies; [(9)] (7) ensure state-wide implementation of  
3533 the 9-1-1 and E 9-1-1 systems; and [(10)] (8) report annually, on or  
3534 before February fifteenth, in accordance with section 11-4a, to the joint  
3535 standing committees of the General Assembly having cognizance of  
3536 matters relating to appropriations and the budgets of state agencies  
3537 and government administration and elections on all technology  
3538 projects on which the department is working or that the department  
3539 plans to undertake.

3540 [(d)] (c) The Department of [Information Technology]  
3541 Administrative Services shall approve or disapprove a state agency  
3542 request or proposed contract under subdivision [(4) or (5)] (2) or (3) of  
3543 subsection [(c)] (a) of this section no later than seven business days  
3544 after receipt of the request or proposed contract and any necessary  
3545 supporting information. If the Department of [Information  
3546 Technology] Administrative Services does not approve or disapprove  
3547 the request or proposed contract by the end of such seven-day period,  
3548 the request or proposed contract shall be deemed to have been  
3549 approved. The provisions of [said] subdivision [(5)] (3) of subsection  
3550 (b) of this section shall not apply to telecommunication consultants  
3551 retained by the Department of Public Utility Control or the Office of  
3552 Consumer Counsel in connection with telecommunication proceedings  
3553 of said department.

3554 Sec. 79. Section 4d-7 of the general statutes is repealed and the  
3555 following is substituted in lieu thereof (*Effective July 1, 2011*):

3556 (a) The [Chief Information Officer] Commissioner of Administrative  
3557 Services shall develop, publish and annually update an information  
3558 and telecommunication systems strategic plan, in accordance with the  
3559 policies established by the Office of Policy and Management, which  
3560 shall have the following goals: (1) To provide a level of voice and data  
3561 communications service among all state agencies that will ensure the  
3562 effective and efficient completion of their respective functions; (2) [to  
3563 establish a direction for the collection, storage, management and use of

3564 information by state agencies in an efficient manner; (3) to develop a  
3565 comprehensive information policy for state agencies that clearly  
3566 articulates (A) the state's commitment to the sharing of its information  
3567 resources, (B) the relationship of such resources to library and other  
3568 information resources in the state, and (C) a philosophy of equal access  
3569 to information; (4)] to provide all necessary telecommunication  
3570 services between state agencies and the public; [(5)] (3) to provide, in  
3571 the event of an emergency, immediate voice and data communications  
3572 and critical application recovery capabilities which are necessary to  
3573 support state agency functions; and [(6)] (4) to provide necessary  
3574 access to higher technology for state agencies.

3575 (b) In order to facilitate the development of a fully integrated state-  
3576 wide information services and telecommunication system which  
3577 effectively and efficiently supports data processing and  
3578 telecommunication requirements of all state agencies, the strategic  
3579 plan shall include: (1) Establishment of guidelines and standards for  
3580 the architecture for information and telecommunication systems which  
3581 support state agencies; (2) plans for a cost-effective state-wide  
3582 telecommunication network to support state agencies, which network  
3583 may consist of different types of transmission media, including wire,  
3584 fiber and radio, and shall be able to support voice, data, video and  
3585 facsimile transmission requirements and any other form of information  
3586 exchange which takes place via electromagnetic media; (3) a level of  
3587 information systems and telecommunication planning for all state  
3588 agencies and operations throughout the state that will ensure the  
3589 effective and efficient utilization and access to the state's information  
3590 and telecommunication resources, including but not limited to, (A) an  
3591 inventory of existing on-line public access arrangements for state  
3592 agency data bases which contain information subject to disclosure  
3593 under the Freedom of Information Act, as defined in section 1-200, (B)  
3594 a list of data bases for which such access could be provided, including  
3595 data bases containing consumer, business and health and human  
3596 services program information, (C) provisions addressing the feasibility  
3597 and cost of providing such access, (D) provisions for a public-private

3598 partnership in providing such on-line access, and (E) provisions to  
3599 enable citizens to communicate with state agencies by electronic mail;  
3600 and (4) identification of annual expenditures and major capital  
3601 commitments for information and telecommunication systems. [; and  
3602 (5) a direction and policy planning pertaining to the infusion of new  
3603 technology for such systems for state agencies.] In carrying out the  
3604 provisions of subparagraphs (A) to (E), inclusive, of subdivision (3) of  
3605 this subsection, the [Chief Information Officer] Commissioner of  
3606 Administrative Services shall consult with representatives of business  
3607 associations, consumer organizations and nonprofit human services  
3608 providers.

3609 (c) Each state agency shall submit to the [Chief Information Officer]  
3610 Commissioner of Administrative Services all plans, documents and  
3611 other information requested by the [Chief Information Officer]  
3612 commissioner for the development of such plan.

3613 (d) The [Chief Information Officer] Commissioner of Administrative  
3614 Services shall not implement a state agency proposal for information  
3615 system hardware, software, maintenance service or consulting unless  
3616 such proposal complies with the strategic plan and the agency's  
3617 approved business systems plan. The [Chief Information Officer]  
3618 commissioner shall maintain a current inventory of information  
3619 system components to facilitate asset management and procurement  
3620 leverage.

3621 Sec. 80. Section 4d-8 of the general statutes is repealed and the  
3622 following is substituted in lieu thereof (*Effective July 1, 2011*):

3623 (a) The provisions of title 4a shall apply to the purchasing, leasing  
3624 and contracting for information system and telecommunication system  
3625 facilities, equipment and services. [by the Chief Information Officer,  
3626 except that (1) the Chief Information Officer shall have the powers and  
3627 duties that are assigned by said title 4a to the Commissioner of  
3628 Administrative Services and (2) the Chief Information Officer may use  
3629 competitive negotiation, as defined in section 4a-50, to purchase or

3630 contract for such facilities, equipment and services after making a  
3631 written determination, including the reasons therefor, that such action  
3632 is in the best interest of the state. The Chief Information Officer shall  
3633 adopt regulations, in accordance with the provisions of chapter 54,  
3634 establishing objective standards for determining when such  
3635 competitive negotiation may be used instead of competitive bidding,  
3636 including whether the character of the facilities, equipment or services  
3637 is more important than their relative cost.]

3638 (b) (1) As used in this subsection, "information technology personal  
3639 property" includes, but is not limited to, electronic data processing  
3640 equipment, other equipment necessary for the utilization of  
3641 information systems, telecommunication equipment or installations,  
3642 and other equipment necessary for the utilization of  
3643 telecommunication systems.

3644 (2) Notwithstanding any provision of the general statutes to the  
3645 contrary, the [Chief Information Officer] Commissioner of  
3646 Administrative Services may sell, lease or otherwise dispose of  
3647 information technology personal property. The [Chief Information  
3648 Officer] commissioner may execute personal service agreements or  
3649 other contracts with outside vendors for such purposes. If any such  
3650 information technology personal property was purchased or improved  
3651 with the proceeds of tax-exempt obligations issued or to be issued by  
3652 the state, the [Chief Information Officer] commissioner shall notify the  
3653 State Treasurer and obtain the approval of the State Treasurer, before  
3654 selling, leasing or disposing of the personal property or executing such  
3655 an agreement or contract for such purpose. The State Treasurer may  
3656 disapprove such sale, lease, disposition, agreement or contract only if  
3657 it would affect the tax-exempt status of such obligations and could not  
3658 be modified to maintain such tax-exempt status.

3659 Sec. 81. Section 4d-9 of the general statutes is repealed and the  
3660 following is substituted in lieu thereof (*Effective July 1, 2011*):

3661 There shall be a Technical Services Revolving Fund in the

3662 Department of [Information Technology] Administrative Services for  
3663 the purchase, installation and utilization of information systems, as  
3664 defined in section 4d-1, as amended by this act, for budgeted agencies  
3665 of the state. The [Chief Information Officer] Commissioner of  
3666 Administrative Services and the Secretary of the Office of Policy and  
3667 Management shall jointly be responsible for the administration of  
3668 [such] said fund. Said [officer] commissioner and secretary shall  
3669 develop appropriate review procedures and accountability standards  
3670 for [such] said fund and measures for determining the performance of  
3671 the fund in carrying out the purposes of this part.

3672 Sec. 82. Section 4d-12 of the general statutes is repealed and the  
3673 following is substituted in lieu thereof (*Effective July 1, 2011*):

3674 (a) The [Chief Information Officer] Commissioner of Administrative  
3675 Services may establish such committees as he deems necessary to  
3676 advise [said office] the commissioner in carrying out the purposes of  
3677 sections 4d-1 to 4d-5, inclusive, as amended by this act, section 4d-7, as  
3678 amended by this act, and sections 4d-11 to 4d-14, inclusive, as  
3679 amended by this act.

3680 (b) There is established an information and telecommunication  
3681 systems executive steering committee consisting of the [Chief  
3682 Information Officer] Commissioner of Administrative Services, the  
3683 Secretary of the Office of Policy and Management, the Comptroller, the  
3684 Treasurer [, the Commissioner of Administrative Services] and the  
3685 chairperson of the board of trustees of each constituent unit of the state  
3686 system of higher education, or their designees. The [Chief Information  
3687 Officer] Commissioner of Administrative Services, or [his] a designee,  
3688 shall serve as [chairman] chairperson of the committee. The  
3689 Department of [Information Technology] Administrative Services shall  
3690 serve as staff to the committee. The committee shall (1) review and  
3691 approve or disapprove the annual information and telecommunication  
3692 systems strategic plan developed under section 4d-7, as amended by  
3693 this act, state agency estimates of expenditure requirements for

3694 information and telecommunication systems established under section  
3695 4d-11, as amended by this act, and major telecommunication  
3696 initiatives, (2) review, in consultation with the Department of  
3697 [Information Technology] Administrative Services, and approve or  
3698 disapprove variances to (A) the list of approved architectural  
3699 components for information and telecommunication systems for state  
3700 agencies, (B) the strategic plan, and (C) appropriations for information  
3701 and telecommunication systems, and (3) advise the Department of  
3702 [Information Technology] Administrative Services on the organization  
3703 and functions of the department in regards to information and  
3704 telecommunication systems. The committee shall submit a report on  
3705 each approved variance to the General Assembly. Such report shall  
3706 include the reasons for the variance and the results of a cost-benefit  
3707 analysis on the variance.

3708 Sec. 83. Section 4d-32 of the general statutes is repealed and the  
3709 following is substituted in lieu thereof (*Effective July 1, 2011*):

3710 (a) No contractor shall award a subcontract for work under a  
3711 contract or for work under an amendment to a contract without the  
3712 approval of the [Chief Information Officer] Commissioner of  
3713 Administrative Services or [his] a designee of (1) the selection of the  
3714 subcontractor, and (2) the disclosure of the provisions of the  
3715 subcontract.

3716 (b) Each such contractor shall file a copy of each executed  
3717 subcontract or amendment to the subcontract with the [Chief  
3718 Information Officer] Commissioner of Administrative Services, who  
3719 shall maintain the subcontract or amendment as a public record, as  
3720 defined in section 1-200.

3721 Sec. 84. Subsection (a) of section 4d-45 of the general statutes is  
3722 repealed and the following is substituted in lieu thereof (*Effective*  
3723 *July 1, 2011*):

3724 (a) No contracts or amendments to contracts for information system

3725 or telecommunication system facilities, equipment or services, which  
3726 are entered into by any state agency (1) pursuant to the request for  
3727 proposal issued by the Department of Administrative Services dated  
3728 February 21, 1997, or (2) in the event such request for proposal is  
3729 withdrawn, suspended or superseded, pursuant to any similar request  
3730 for proposal issued by the Department of Administrative Services, [or  
3731 the Department of Information Technology,] shall be effective except  
3732 as provided in this section and sections 4d-46 and 4d-47.

3733 Sec. 85. Subsection (a) of section 4d-80 of the general statutes is  
3734 repealed and the following is substituted in lieu thereof (*Effective*  
3735 *July 1, 2011*):

3736 (a) There is established a Commission for Educational Technology  
3737 within the Department of [Information Technology for administrative  
3738 purposes only] Administrative Services. The commission shall consist  
3739 of: (1) The [Chief Information Officer of the Department of Information  
3740 Technology] Commissioner of Administrative Services, or the [Chief  
3741 Information Officer's] commissioner's designee, the Commissioners of  
3742 Education and Higher Education, or their designees, the State  
3743 Librarian, or the State Librarian's designee, the chairperson of the  
3744 Department of Public Utility Control, or the chairperson's designee,  
3745 the chief executive officers of the constituent units of the state system  
3746 of higher education, or their designees, (2) one member each  
3747 representing the Connecticut Conference of Independent Colleges, the  
3748 Connecticut Association of Boards of Education, the Connecticut  
3749 Association of Public School Superintendents, the Connecticut  
3750 Educators Computer Association, and the Connecticut Library  
3751 Association, (3) a secondary school teacher designated by the  
3752 Connecticut Education Association and an elementary school teacher  
3753 designated by the Connecticut Federation of Educational and  
3754 Professional Employees, and (4) four members who represent business  
3755 and have expertise in information technology, one each appointed by  
3756 the Governor, the Lieutenant Governor, the speaker of the House of  
3757 Representatives and the president pro tempore of the Senate. The

3758 Lieutenant Governor shall convene the first meeting of the commission  
3759 on or before September 1, 2000.

3760 Sec. 86. Subsection (c) of section 4e-13 of the general statutes is  
3761 repealed and the following is substituted in lieu thereof (*Effective*  
3762 *July 1, 2011*):

3763 (c) All state agencies in the executive branch, the constituent units of  
3764 the state system of higher education and quasi-public agencies shall  
3765 post all bids, requests for proposals and all resulting contracts and  
3766 agreements on the State Contracting Portal and shall, with the  
3767 assistance of the Department of Administrative Services [and the  
3768 Department of Information Technology] as needed, develop the  
3769 infrastructure and capability to electronically communicate with the  
3770 State Contracting Portal.

3771 Sec. 87. Subsection (a) of section 10a-151b of the general statutes is  
3772 repealed and the following is substituted in lieu thereof (*Effective*  
3773 *July 1, 2011*):

3774 (a) Notwithstanding the provisions of chapter 58, and sections 4-98,  
3775 4a-4, 4a-5, 4a-6, 4d-2, and 4d-5 to the contrary, a chief executive officer  
3776 may purchase equipment, supplies and contractual services, execute  
3777 personal service agreements, as defined in section 4-212, or lease  
3778 personal property compatible, where relevant, with standards for  
3779 computer architecture established by the Department of [Information  
3780 Technology] Administrative Services, without the approval of the  
3781 Comptroller, the Secretary of the Office of Policy and Management or  
3782 the Commissioner of Administrative Services, [or the Chief  
3783 Information Officer,] provided the Chief Executive Officer consults  
3784 with the [Chief Information Officer] commissioner and such purchases  
3785 are made in accordance with this section and in accordance with  
3786 policies which are (1) adopted by the board of trustees of the  
3787 constituent unit after reasonable opportunity for interested persons to  
3788 present their views, and (2) subject to section 4-175. For purposes of  
3789 this section, "chief executive officer" means the chief executive officer

3790 of a constituent unit of the state system of higher education or the chief  
3791 executive officer of an institution within the jurisdiction of such a  
3792 constituent unit. The provisions of sections 4-212 to 4-219, inclusive,  
3793 and section 9 of public act 93-336 shall not apply to personal service  
3794 agreements executed pursuant to this section.

3795 Sec. 88. Section 14-42a of the general statutes is repealed and the  
3796 following is substituted in lieu thereof (*Effective July 1, 2011*):

3797 (a) The Commissioner of Motor Vehicles and the [Chief Information  
3798 Officer of the Department of Information Technology] Commissioner  
3799 of Administrative Services shall enter into an agreement with one or  
3800 more federally-designated organ and tissue procurement  
3801 organizations to provide to such organizations access to the names,  
3802 dates of birth and other pertinent information of holders of operator's  
3803 licenses and identity cards issued pursuant to section 1-1h who have  
3804 registered with the Department of Motor Vehicles an intent to become  
3805 organ and tissue donors. Such access shall be provided in a manner  
3806 and form to be determined by the [commissioner and Chief  
3807 Information Officer] commissioners, following consultation with such  
3808 organizations, and may include electronic transmission of initial  
3809 information and periodic updating of information. The [commissioner]  
3810 Commissioner of Motor Vehicles shall not charge a fee for such access  
3811 pursuant to section 14-50a, but may charge such organizations  
3812 reasonable administrative costs. Information provided to such  
3813 organizations shall be used solely for identifying such license holders  
3814 as organ and tissue donors.

3815 (b) The Commissioner of Motor Vehicles shall include in regulations  
3816 adopted pursuant to sections 14-36f and 14-78 a requirement that a  
3817 description of the purposes and procedures of procurement  
3818 organizations, as defined in section 19a-289a, be included in driver  
3819 education programs.

3820 Sec. 89. Section 19a-25e of the general statutes is repealed and the  
3821 following is substituted in lieu thereof (*Effective July 1, 2011*):

3822 (a) The Department of Public Health and The University of  
3823 Connecticut Health Center may, within available appropriations,  
3824 develop a Connecticut Health Information Network plan to securely  
3825 integrate state health and social services data, consistent with state and  
3826 federal privacy laws, within and across The University of Connecticut  
3827 Health Center and the Departments of Public Health, Developmental  
3828 Services and Children and Families. Data from other state agencies  
3829 may be integrated into the network as funding permits and as  
3830 permissible under federal law.

3831 (b) The Department of Public Health and The Center for Public  
3832 Health and Health Policy at The University of Connecticut Health  
3833 Center shall collaborate with the Departments of [Information  
3834 Technology] Administrative Services, Developmental Services, and  
3835 Children and Families to develop the Connecticut Health Information  
3836 Network plan.

3837 (c) The plan shall: (1) Include research in and describe existing  
3838 health and human services data; (2) inventory the various health and  
3839 human services data aggregation initiatives currently underway; (3)  
3840 include a framework and options for the implementation of a  
3841 Connecticut Health Information Network, including query  
3842 functionality to obtain aggregate data on key health indicators within  
3843 the state; (4) identify and comply with confidentiality, security and  
3844 privacy standards; and (5) include a detailed cost estimate for  
3845 implementation and potential sources of funding.

3846 Sec. 90. (*Effective July 1, 2011*) (a) (1) Wherever the term  
3847 "Commissioner of Public Safety" is used in the following general  
3848 statutes, the term "Commissioner of Construction Services" shall be  
3849 substituted in lieu thereof, and (2) wherever the term "Department of  
3850 Public Safety" is used in the following general statutes, the term  
3851 "Department of Construction Services" shall be substituted in lieu  
3852 thereof: 10a-91d, 10a-109ff, 17a-154, 21a-86f, 29-109, 29-117, 29-127, 29-  
3853 191, 29-192, 29-199, 29-200, 29-201, 29-204, 29-221, 29-222, 29-224b, 29-

3854 232, 29-233, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-  
3855 244, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256,  
3856 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-  
3857 298a, 29-313, 29-315, 29-317, 29-317, as amended by section 7 of public  
3858 act 09-177 and sections 1 and 6 of public act 10-54, 29-319, 29-320, 29-  
3859 320, as amended by section 8 of public act 09-177 and sections 2 and 6  
3860 of public act 10-54, 29-321, 29-322, 29-325, 29-331, 29-331, as amended  
3861 by section 14 of public act 09-177 and section 6 of public act 10-54, 29-  
3862 332, 29-333, 29-337, 29-337, as amended by section 15 of public act 09-  
3863 177 and section 6 of public act 10-54, 29-338, 29-339, 29-344, 29-345, 29-  
3864 346, 29-349, 29-355, 29-359, 29-367, 29-367, as amended by section 18 of  
3865 public act 09-177 and sections 4 and 6 of public act 10-54, 29-401, 29-402  
3866 and 29-403.

3867 (b) (1) Wherever the term "Commissioner of Public Works" is used  
3868 in the following general statutes, the term "Commissioner of  
3869 Construction Services" shall be substituted in lieu thereof; and (2)  
3870 wherever the term "Department of Public Works" is used in the  
3871 following general statutes, the term "Department of Construction  
3872 Services" shall be substituted in lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-  
3873 1a, 4b-16, 4b-22a, 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-  
3874 60, 4b-63, 4b-70, 4b-91, 4b-100, 4b-100a, 4b-102, 4b-103, 5-142, 7-323p,  
3875 10a-4a, 10a-91c, 10a-91d, 13b-20n, 16a-37u, 16a-37v, 16a-38, 16a-38a,  
3876 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38l, 16a-38m, 16a-39, 17a-27, 17a-  
3877 27c, 17a-27d, 17a-451b, 17b-739, 22-64, 22a-6, 22a-12, 22a-439a, 22a-459,  
3878 26-3, 27-45, 27-131, 28-1b, 31-57, 32-612, 32-613, 32-655a, 32-656 and 49-  
3879 41b.

3880 (c) Wherever the term "Commissioner of Education" is used in the  
3881 following sections of the general statutes, the term "Commissioner of  
3882 Construction Services" shall be substituted in lieu thereof; and (2)  
3883 wherever the term "Department of Education" is used in the following  
3884 sections of the general statutes, the term "Department of Construction  
3885 Services" shall be substituted in lieu thereof: 10-285d, 10-285g, 10-286d,  
3886 10-286e, 10-287, 10-287i, 10-289h, 10-290e, 10-290f, 10-291 and 10-292, as

3887 amended by this act.

3888 (d) The Legislative Commissioners' Office shall, in codifying the  
3889 provisions of this section, make such technical, grammatical and  
3890 punctuation changes as are necessary to carry out the purposes of this  
3891 section.

3892 Sec. 91. Section 4b-11 of the general statutes is repealed and the  
3893 following is substituted in lieu thereof (*Effective July 1, 2011*):

3894 The board of trustees of each state institution shall have the  
3895 supervision, care and control of all property used in connection with  
3896 such institution; the Commissioner of Public Safety shall have the  
3897 supervision, care and control of all property used in connection with  
3898 the Division of State Police [and the Division of Fire, Emergency and  
3899 Building Services within the Department of Public Safety] within the  
3900 Department of Emergency Services and Public Protection located  
3901 outside the city of Hartford; the Joint Committee on Legislative  
3902 Management of the General Assembly shall have the supervision, care  
3903 and control of the State Capitol building and grounds, the Legislative  
3904 Office Building and parking garage and grounds and related  
3905 structures and facilities; the Office of the Chief Court Administrator  
3906 shall have the supervision, care and control of all property where the  
3907 Judicial Department is the primary occupant and of the building and  
3908 grounds of the State Library and Supreme Court and shall establish  
3909 policies and procedures governing such supervision, care and control.  
3910 For the purposes of this section, the term "Judicial Department" does  
3911 not include the courts of probate, the Division of Criminal Justice and  
3912 the Public Defender Services Commission, except where they share  
3913 facilities in state-maintained courts. Such board of trustees and said  
3914 commissioner may make regulations for the maintenance of order on,  
3915 and the safeguarding and use of, any such property, subject to the  
3916 direction and supervision of the Commissioner of [Public Works]  
3917 Administrative Services. Any person who trespasses upon such  
3918 property shall be subject to the penalty for criminal trespass, as

3919 provided in sections 53a-107 to 53a-109, inclusive, or simple trespass,  
3920 as provided in section 53a-110a. Any person who violates any  
3921 regulation concerning the use of such property shall be fined not more  
3922 than five hundred dollars or imprisoned not more than three months,  
3923 or both.

3924 Sec. 92. Section 4b-52 of the general statutes is repealed and the  
3925 following is substituted in lieu thereof (*Effective July 1, 2011*):

3926 (a) (1) No repairs, alterations or additions involving expense to the  
3927 state of five hundred thousand dollars or less or, in the case of repairs,  
3928 alterations or additions to a building rented or occupied by the Judicial  
3929 Branch, one million two hundred fifty thousand dollars or less or, in  
3930 the case of repairs, alterations or additions to a building rented or  
3931 occupied by a constituent unit of the state system of higher education,  
3932 two million dollars or less, shall be made to any state building or  
3933 premises occupied by any state officer, department, institution, board,  
3934 commission or council of the state government and no contract for any  
3935 construction, repairs, alteration or addition shall be entered into  
3936 without the prior approval of the Commissioner of [Public Works]  
3937 Construction Services, except repairs, alterations or additions to a  
3938 building under the supervision and control of the Joint Committee on  
3939 Legislative Management and repairs, alterations or additions to a  
3940 building under the supervision of The University of Connecticut.  
3941 Repairs, alterations or additions which are made pursuant to such  
3942 approval of the Commissioner of [Public Works] Construction Services  
3943 shall conform to all guidelines and procedures established by the  
3944 Department of [Public Works] Construction Services for agency-  
3945 administered projects. (2) Notwithstanding the provisions of  
3946 subdivision (1) of this subsection, repairs, alterations or additions  
3947 involving expense to the state of five hundred thousand dollars or less  
3948 may be made to any state building or premises under the supervision  
3949 of the Office of the Chief Court Administrator or a constituent unit of  
3950 the state system of higher education, under the terms of section 4b-11,  
3951 and any contract for any such construction, repairs or alteration may

3952 be entered into by the Office of the Chief Court Administrator or a  
3953 constituent unit of the state system of higher education without the  
3954 approval of the Commissioner of [Public Works] Construction  
3955 Services.

3956 (b) Except as provided in this section, no repairs, alterations or  
3957 additions involving an expense to the state of more than five hundred  
3958 thousand dollars or, in the case of repairs, alterations or additions to a  
3959 building rented or occupied by the Judicial Branch, more than one  
3960 million two hundred fifty thousand dollars, or, in the case of repairs,  
3961 alterations or additions to a building rented or occupied by a  
3962 constituent unit of the state system of higher education, more than two  
3963 million dollars, shall be made to any state building or premises  
3964 occupied by any state officer, department, institution, board,  
3965 commission or council of the state government, nor shall any contract  
3966 for any construction, repairs, alteration or addition be entered into,  
3967 until the Commissioner of [Public Works] Construction Services or, in  
3968 the case of the construction or repairs, alterations or additions to a  
3969 building under the supervision and control of the Joint Committee on  
3970 Legislative Management of the General Assembly, said joint  
3971 committee or, in the case of construction, repairs, alterations or  
3972 additions to a building involving expenditures in excess of five  
3973 hundred thousand dollars but not more than one million two hundred  
3974 fifty thousand dollars under the supervision and control of the Judicial  
3975 Branch, said Judicial Branch or, in the case of the construction, repairs,  
3976 alterations or additions to a building involving expenditures in excess  
3977 of five hundred thousand dollars but not more than two million  
3978 dollars under the supervision and control of one of the constituent  
3979 units of higher education, the constituent unit, has invited bids thereon  
3980 and awarded a contract thereon, in accordance with the provisions of  
3981 sections 4b-91 to 4b-96, inclusive. The Commissioner of [Public Works]  
3982 Construction Services, with the approval of the authority having the  
3983 supervision of state employees or the custody of inmates of state  
3984 institutions, without the necessity of bids, may employ such  
3985 employees or inmates and purchase or furnish the necessary materials

3986 for the construction, erection, alteration, repair or enlargement of any  
3987 such state building or premises occupied by any state officer,  
3988 department, institution, board, commission or council of the state  
3989 government.

3990 (c) Whenever the Commissioner of [Public Works] Construction  
3991 Services declares that an emergency condition exists at any state  
3992 facility, other than a building under the supervision and control of the  
3993 Joint Committee on Legislative Management, and that the condition  
3994 would adversely affect public safety or the proper conduct of essential  
3995 state government operations, or said joint committee declares that such  
3996 an emergency exists at a building under its supervision and control,  
3997 the commissioner or the joint committee may employ such assistance  
3998 as may be required to restore facilities under their control and  
3999 management, or the commissioner may so act upon the request of a  
4000 state agency, to restore facilities under the control and management of  
4001 such agency, without inviting bids as required in subsection (b) of this  
4002 section. The commissioner shall take no action requiring the  
4003 expenditure of more than five hundred thousand dollars to restore any  
4004 facility under this subsection (1) without the written consent of the  
4005 Governor, and (2) until the commissioner has certified to the joint  
4006 committee of the General Assembly having cognizance of matters  
4007 relating to legislative management that the project is of such an  
4008 emergency nature that an exception to subsection (b) of this section is  
4009 required. Such certification shall include input from all affected  
4010 agencies, detail the need for the exception and include any relevant  
4011 documentation. The provisions of this subsection shall not apply if any  
4012 person is obligated under the terms of an existing contract with the  
4013 state to render such assistance. The annual report of the commissioner  
4014 shall include a detailed statement of all expenditures made under this  
4015 subsection.

4016 (d) The Commissioner of [Public Works] Administrative Services  
4017 may, during the term of a lease of a building or premises occupied by  
4018 any state offices, department, institution, board, commission or council

4019 of the state government, (1) renegotiate the lease in order to enable the  
4020 lessor to make necessary alterations or additions up to a maximum  
4021 amount of five hundred thousand dollars, in consultation with the  
4022 Commissioner of Construction Services and subject to the approval of  
4023 the State Properties Review Board, or (2) require that a security audit  
4024 be conducted for such building or premises and, if necessary,  
4025 renegotiate the lease in order to enable the lessor to make necessary  
4026 alterations or additions to bring the building or premises into  
4027 compliance with the security standards for state agencies established  
4028 under section 4b-132. Alterations or additions under subdivision (2) of  
4029 this subsection shall not be subject to the spending limit in subdivision  
4030 (1) of this subsection, and a renegotiated lease under said subdivision  
4031 (2) shall be subject to the approval of the State Properties Review  
4032 Board, provided such approval requirement shall not compromise the  
4033 security requirements of chapter 60a and this section. The  
4034 commissioner shall determine the manner of submission, conditions  
4035 and requirements of bids and awards made for alterations or additions  
4036 under this subsection. No lease shall be renegotiated under this  
4037 subsection for a term less than five years. As used in this subsection,  
4038 "security" and "security audit" have the meanings assigned to such  
4039 terms in section 4b-130.

4040 Sec. 93. Subdivision (10) of section 20-330 of the general statutes is  
4041 repealed and the following is substituted in lieu thereof (*Effective*  
4042 *July 1, 2011*):

4043 (10) "State Fire Marshal" means the State Fire Marshal [or any  
4044 member of the Division of State Police to whom the Commissioner of  
4045 Public Safety has delegated powers under section 29-291] appointed by  
4046 the Commissioner of Construction Services;

4047 Sec. 94. Section 29-250 of the general statutes is repealed and the  
4048 following is substituted in lieu thereof (*Effective July 1, 2011*):

4049 [(a) There shall be within the Department of Public Safety a Division  
4050 of Fire, Emergency and Building Services. The Commissioner of Public

4051 Safety shall serve as administrative head of said division. In his  
4052 capacity as administrative head, the commissioner may delegate his  
4053 jurisdiction of the affairs of the division to a deputy commissioner who  
4054 shall be a civilian.]

4055 [(b)] There shall be [in the Division of Fire, Emergency and Building  
4056 Services] (1) an Office of the State Fire Marshal, and (2) an Office of the  
4057 State Building Inspector, within the Department of Construction  
4058 Services. [, and (3) an Office of State-Wide Emergency  
4059 Telecommunications. The State Building Inspector shall serve as  
4060 administrative head of the Office of the State Building Inspector.] The  
4061 head of each such office shall report to the [administrative head of the  
4062 Division of Fire, Emergency and Building Services] Commissioner of  
4063 Construction Services.

4064 Sec. 95. Section 29-315a of the general statutes is repealed and the  
4065 following is substituted in lieu thereof (*Effective July 1, 2011*):

4066 On or before July 1, 2005, each chronic and convalescent nursing  
4067 home or rest home with nursing supervision licensed pursuant to  
4068 chapter 368v shall submit a plan for employee fire safety training and  
4069 education to the Departments of Public Health and [Public Safety]  
4070 Construction Services and the Labor Department. Such plan shall, at a  
4071 minimum, comply with standards adopted by the federal  
4072 Occupational Safety and Health Administration, including, but not  
4073 limited to, standards listed in 29 CFR 1910.38, 1910.39 and 1910.157, as  
4074 adopted pursuant to chapter 571, or 29 USC Section 651 et seq., as  
4075 appropriate. The commissioners shall review each such plan and may  
4076 make recommendations they deem necessary. Once approved or  
4077 revised, such plan shall not be required to be resubmitted until further  
4078 revised or there is a change of ownership of the nursing or rest home.

4079 Sec. 96. Section 4-67g of the general statutes is repealed and the  
4080 following is substituted in lieu thereof (*Effective July 1, 2011*):

4081 [There is created a Bureau of Real Property Management within the]

4082 (a) The Office of Policy and Management [. Such office] shall be  
4083 responsible for: (1) Long-range planning with regard to the use of all  
4084 state real property; (2) determining the level of efficiency of each and  
4085 every state agency's use of any and all real property under its control;  
4086 and (3) [reviewing the] maintaining an inventory of state property  
4087 [maintained by the Commissioner of Public Works pursuant to  
4088 subdivision (6) of section 4b-1] to determine the appropriate use of  
4089 such properties.

4090 (b) In creating such inventory, the secretary shall make  
4091 recommendations concerning the reuse or disposition of state property  
4092 and identify in such inventory existing buildings that (1) are of  
4093 historic, architectural or cultural significance, including buildings  
4094 listed or eligible to be listed in the national register established under  
4095 the National Historic Preservation Act of 1966, 80 Stat. 915 (1966), 16  
4096 USC 470a, and (2) would be suitable, whether or not in need of repair,  
4097 alteration or addition, to meet the public building needs of the state or  
4098 to meet the needs of the public in accordance with the provisions of  
4099 subsection (m) of section 4b-23, as amended by this act.

4100 (c) All state agencies shall provide the secretary with any  
4101 information requested by said secretary for purposes of maintaining  
4102 the inventory required by this section, and shall notify the secretary of  
4103 any change in ownership regarding state property. The secretary shall  
4104 update such inventory not less than annually, and shall provide the  
4105 Commissioner of Administrative Services with a copy of the inventory  
4106 whenever such inventory is updated. Not later than June 30, 2012, and  
4107 annually thereafter, the Secretary of the Office of Policy and  
4108 Management shall submit a copy of such inventory, in accordance  
4109 with the provisions of section 11-4a, to the joint standing committees of  
4110 the General Assembly having cognizance of matters relating to  
4111 government administration and appropriations and the budgets of  
4112 state agencies.

4113 (d) For the purposes of this section, "state property" means any

4114 improved or unimproved real property owned by a state agency, and  
4115 "state agency" means any office, department, board, council,  
4116 commission, institution, constituent unit of the state system of higher  
4117 education, vocational-technical school or other agency in the executive,  
4118 legislative or judicial branch of state government.

4119 Sec. 97. Section 4-77b of the general statutes is repealed and the  
4120 following is substituted in lieu thereof (*Effective July 1, 2011*):

4121 The estimates of expenditure requirements transmitted by the  
4122 Commissioner of [Public Works] Administrative Services to the  
4123 Secretary of the Office of Policy and Management pursuant to section  
4124 4-77 and the appropriations recommended in the budget document  
4125 transmitted by the Governor to the General Assembly pursuant to  
4126 section 4-71 shall include an estimate of the amount required by the  
4127 Department of [Public Works] Administrative Services for the leasing  
4128 of additional facilities and an estimate of the amount required for the  
4129 maintenance, including preventive maintenance, of facilities under the  
4130 supervision, care and control of the department.

4131 Sec. 98. Section 4-142b of the general statutes is repealed and the  
4132 following is substituted in lieu thereof (*Effective July 1, 2011*):

4133 The Department of Administrative Services shall provide staff  
4134 support for the Office of the Claims Commissioner. The Claims  
4135 Commissioner shall maintain a permanent office in Hartford County  
4136 in such suitable space as the Commissioner of [Public Works]  
4137 Administrative Services provides. All papers required to be filed with  
4138 the Claims Commissioner shall be delivered to such office.

4139 Sec. 99. Section 4b-76 of the general statutes is repealed and the  
4140 following is substituted in lieu thereof (*Effective July 1, 2011*):

4141 In the event that a public or special act authorizes the state  
4142 acquisition of real property or the construction, improvement, repair  
4143 or renovation of any facility, the Commissioner of [Public Works]

4144 Administrative Services, in accordance with the provisions of this title,  
4145 may acquire such real property [or] and the Commissioner of  
4146 Construction Services may provide design and construction services  
4147 for any such construction, improvement, repair or renovation of such  
4148 facility. [, or both if applicable.]

4149 Sec. 100. Section 4b-101a of the general statutes is repealed and the  
4150 following is substituted in lieu thereof (*Effective July 1, 2011*):

4151 (a) Not later than January 1, 2006, and annually thereafter, each  
4152 awarding authority, other than a municipality, shall prepare a report  
4153 on the status of [(1)] any ongoing project for the construction,  
4154 reconstruction, alteration, remodeling, repair or demolition of any  
4155 public building which is estimated to cost more than five hundred  
4156 thousand dollars and is paid for, in whole or in part, with state funds,  
4157 [, or (2) any property management contract awarded by the  
4158 Department of Public Works which has an annual value of one  
4159 hundred thousand dollars or more.] Except for a school construction  
4160 project, the awarding authority shall submit the report to the Governor  
4161 and the joint standing committees of the General Assembly having  
4162 cognizance of matters relating to government administration and  
4163 finance, revenue and bonding. The report shall be submitted in  
4164 accordance with section 11-4a. The first report submitted after a  
4165 contract is awarded shall indicate: [(A)] (1) When, where and how the  
4166 request for bids was advertised; [(B)] (2) who bid on the projects; [(C)]  
4167 (3) the provisions of law that governed the award of the contract and if  
4168 there were any deviations from standard procedure in awarding the  
4169 contract; [(D)] (4) the names of the individuals who had decision-  
4170 making authority in awarding the contract, including, but not limited  
4171 to, the individuals who served on any award panel; [(E)] (5) if an  
4172 award panel was used, whether the recommendation of the panel was  
4173 followed and, if applicable, the reason why such recommendation was  
4174 not followed; [(F)] (6) whether the awarding authority has any other  
4175 contracts with the contractor who was awarded the contract, and if so,  
4176 the nature and value of the contract; and [(G)] (7) any provisions of law

4177 that authorized or funded the project.

4178 (b) The University of Connecticut shall not be required to submit a  
4179 report pursuant to this section for any project, as defined in  
4180 subdivision (16) of section 10a-109c, that is undertaken and controlled  
4181 by the university.

4182 Sec. 101. Section 4b-135 of the general statutes is repealed and the  
4183 following is substituted in lieu thereof (*Effective July 1, 2011*):

4184 [On or after July 1, 1999, the] The Commissioner of [Public Works]  
4185 Administrative Services may not execute a new lease for use by a state  
4186 agency, as defined in section 4b-130, as amended by this act, of any  
4187 building or structure which is not occupied or possessed by the state at  
4188 the time of execution of the lease unless (1) the owner or agent of the  
4189 owner of the building or structure has had a security audit conducted  
4190 for the building or structure, which in the commissioner's opinion is  
4191 comparable to security audits conducted [by the commissioner] under  
4192 section 4b-133, as amended by this act, (2) (A) the [commissioner]  
4193 Commissioner of Administrative Services determines that the building  
4194 or structure complies with the security standards established under  
4195 section 4b-132, as amended by this act, or (B) such owner or agent has  
4196 implemented the recommendations of the security audit which bring  
4197 the building or structure into compliance with such security standards,  
4198 and (3) such owner or agent agrees in the lease to maintain the security  
4199 standards.

4200 Sec. 102. Subsection (a) of section 10a-72 of the general statutes is  
4201 repealed and the following is substituted in lieu thereof (*Effective*  
4202 *July 1, 2011*):

4203 (a) Subject to state-wide policy and guidelines established by the  
4204 Board of Governors of Higher Education, said board of trustees shall  
4205 administer the regional community-technical colleges and plan for the  
4206 expansion and development of the institutions within its jurisdiction  
4207 and submit such plans to the Board of Governors of Higher Education

4208 for review and recommendations. The Commissioner of [Public  
4209 Works] Administrative Services on request of the board of trustees  
4210 shall, in accordance with section 4b-30, as amended by this act,  
4211 negotiate and execute leases on such physical facilities as the board of  
4212 trustees may deem necessary for proper operation of such institutions,  
4213 and said board of trustees may expend capital funds therefor, if such  
4214 leasing is required during the planning and construction phases of  
4215 institutions within its jurisdiction for which such capital funds were  
4216 authorized. The board of trustees may appoint and remove the chief  
4217 executive officer of each institution within its jurisdiction, and with  
4218 respect to its own operation the board may appoint and remove a  
4219 chancellor and an executive staff. The board of trustees may determine  
4220 the size of the executive staff and the duties, terms and conditions of  
4221 employment of a chancellor and staff, subject to personnel guidelines  
4222 established by the Board of Governors of Higher Education in  
4223 consultation with said board of trustees, provided said board of  
4224 trustees may not appoint or reappoint members of the executive staff  
4225 for terms longer than one year. The board of trustees may employ the  
4226 faculty and other personnel needed to operate and maintain the  
4227 institutions within its jurisdiction. Within the limitation of  
4228 appropriations, the board of trustees shall fix the compensation of such  
4229 personnel, establish terms and conditions of employment and  
4230 prescribe their duties and qualifications. Said board of trustees shall  
4231 determine who constitutes its professional staff and establish  
4232 compensation and classification schedules for its professional staff.  
4233 Said board shall annually submit to the Commissioner of  
4234 Administrative Services a list of the positions which it has included  
4235 within the professional staff. The board shall establish a division of  
4236 technical and technological education. The board of trustees shall  
4237 confer such certificates and degrees as are appropriate to the curricula  
4238 of community-technical colleges subject to the approval of the Board of  
4239 Governors of Higher Education. The board of trustees shall with the  
4240 advice of, and subject to the approval of, the Board of Governors of  
4241 Higher Education, prepare plans for the development of a regional

4242 community-technical college and submit the same to the  
4243 [Commissioner of Public Works] Commissioners of Administrative  
4244 Services and Construction Services and request said [commissioner]  
4245 commissioners to select the site for such college. Within the limits of  
4246 the bonding authority therefor, the [commissioner] Commissioner of  
4247 Administrative Services, subject to the provisions of section 4b-23, as  
4248 amended by this act, may acquire such site and the Commissioner of  
4249 Construction Services may construct such buildings as are consistent  
4250 with the plan of development approved by the Board of Governors of  
4251 Higher Education.

4252 Sec. 103. Section 10a-90 of the general statutes is repealed and the  
4253 following is substituted in lieu thereof (*Effective July 1, 2011*):

4254 The Board of Trustees for the Connecticut State University System,  
4255 with the approval of the Governor and the Secretary of the Office of  
4256 Policy and Management, may lease state-owned land under its care,  
4257 custody or control to private developers for construction of dormitory  
4258 buildings, provided such developers agree to lease such buildings to  
4259 such board of trustees with an option to purchase and provided  
4260 further that any such agreement to lease is subject to the provisions of  
4261 section 4b-23, as amended by this act, prior to the making of the  
4262 original lease by the board of trustees. The plans for such buildings  
4263 shall be subject to approval of such board, the Commissioner of [Public  
4264 Works] Construction Services and the State Properties Review Board  
4265 and such leases shall be for the periods and upon such terms and  
4266 conditions as the Commissioner of [Public Works] Administrative  
4267 Services determines, and such buildings, while privately owned, shall  
4268 be subject to taxation by the town in which they are located. The Board  
4269 of Trustees for the Connecticut State University System may also deed,  
4270 transfer or lease state-owned land under its care, custody or control to  
4271 the State of Connecticut Health and Educational Facilities Authority  
4272 for financing or refinancing the planning, development, acquisition  
4273 and construction and equipping of dormitory buildings and student  
4274 housing facilities and to lease or sublease such dormitory buildings or

4275 student housing facilities and authorize the execution of financing  
4276 leases of land, interests therein, buildings and fixtures in order to  
4277 secure obligations to repay any loan from the State of Connecticut  
4278 Health and Educational Facilities Authority from the proceeds of  
4279 bonds issued thereby pursuant to the provisions of chapter 187 made  
4280 by the authority to finance or refinance the planning, development,  
4281 acquisition and construction of dormitory buildings. Any such  
4282 financing lease shall not be subject to the provisions of section 4b-23, as  
4283 amended by this act, and the plans for such dormitories shall be  
4284 subject only to the approval of the board. Such financing leases shall be  
4285 for such periods and upon such terms and conditions that the board  
4286 shall determine. Any state property so leased shall not be subject to  
4287 local assessment and taxation and such state property shall be  
4288 included as property of the Connecticut State University System for  
4289 the purpose of computing a grant in lieu of taxes pursuant to section  
4290 12-19a.

4291 Sec. 104. Subsection (a) of section 10a-91 of the general statutes is  
4292 repealed and the following is substituted in lieu thereof (*Effective*  
4293 *July 1, 2011*):

4294 (a) The Board of Trustees of the Connecticut State University  
4295 System, with the approval of the Governor, the Commissioner of  
4296 [Public Works] Administrative Services and the State Properties  
4297 Review Board, may lease land or buildings under its care, custody or  
4298 control to private developers for rental housing and commercial  
4299 establishments. Such leases shall be for periods and upon such terms  
4300 and conditions, including, but not limited to, provision for adequate  
4301 liability insurance to be maintained by the lessee for the benefit of the  
4302 state and rental terms, as may be determined by the Commissioner of  
4303 [Public Works] Administrative Services and, in the case of a lease of  
4304 land, may provide for the construction of buildings thereon to be used  
4305 for rental housing and commercial establishments, the plans of which  
4306 shall be subject to the approval of the board of trustees, the  
4307 Commissioner of [Public Works] Construction Services and the State

4308 Properties Review Board. Said board of trustees may provide for  
4309 water, heat and waste disposal services on a cost-reimbursement basis  
4310 to such leased premises. Said board may designate the kinds of  
4311 concessions for supplying goods, commodities, services and facilities  
4312 to be permitted on such land and may select the permittees, or said  
4313 board may delegate such functions to the private developers with  
4314 which it contracts pursuant to this section.

4315 Sec. 105. Subsection (a) of section 28-24 of the general statutes is  
4316 repealed and the following is substituted in lieu thereof (*Effective*  
4317 *July 1, 2011*):

4318 (a) There is established an Office of State-Wide Emergency  
4319 Telecommunications which shall be [in the Division of Fire,  
4320 Emergency and Building Services] within the Department of [Public  
4321 Safety] Emergency Services and Public Protection. The Office of State-  
4322 Wide Emergency Telecommunications shall be responsible for  
4323 developing and maintaining a state-wide emergency service  
4324 telecommunications policy. In connection with said policy the office  
4325 shall:

4326 (1) Develop a state-wide emergency service telecommunications  
4327 plan specifying emergency police, fire and medical service  
4328 telecommunications systems needed to provide coordinated  
4329 emergency service telecommunications to all state residents, including  
4330 the physically disabled;

4331 (2) Pursuant to the recommendations of the task force established by  
4332 public act 95-318 to study enhanced 9-1-1 telecommunications services,  
4333 and in accordance with regulations adopted by the Commissioner of  
4334 [Public Safety] Emergency Services and Public Protection pursuant to  
4335 subsection (b) of this section, develop and administer, by July 1, 1997,  
4336 an enhanced emergency 9-1-1 program, which shall provide for: (A)  
4337 The replacement of existing 9-1-1 terminal equipment for each public  
4338 safety answering point; (B) the subsidization of regional public safety  
4339 emergency telecommunications centers, with enhanced subsidization

4340 for municipalities with a population in excess of forty thousand; (C)  
4341 the establishment of a transition grant program to encourage  
4342 regionalization of public safety telecommunications centers; and (D)  
4343 the establishment of a regional emergency telecommunications service  
4344 credit in order to support regional dispatch services;

4345 (3) Provide technical telecommunications assistance to state and  
4346 local police, fire and emergency medical service agencies;

4347 (4) Provide frequency coordination for such agencies;

4348 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-  
4349 1 systems;

4350 (6) Review and make recommendations concerning proposed  
4351 legislation affecting emergency service telecommunications; and

4352 (7) Review and make recommendations to the General Assembly  
4353 concerning emergency service telecommunications funding.

4354 Sec. 106. Section 29-291 of the general statutes is repealed and the  
4355 following is substituted in lieu thereof (*Effective July 1, 2011*):

4356 For the purposes of this part and any other statute related to fire  
4357 prevention and safety, the Commissioner of [Public Safety shall]  
4358 Construction Services shall appoint a person to serve as the State Fire  
4359 Marshal. The commissioner may delegate such powers as the  
4360 commissioner deems expedient for the proper administration of this  
4361 part and any other statute related to fire prevention and safety to any  
4362 employee of (1) the Department of [Public Safety] Construction  
4363 Services, and (2) The University of Connecticut at Storrs Division of  
4364 Public Safety, provided the commissioner and the president of The  
4365 University of Connecticut enter into a memorandum of understanding  
4366 concerning such delegation of powers in accordance with section 10a-  
4367 109ff, as amended by this act.

4368 Sec. 107. Section 29-302 of the general statutes is repealed and the

4369 following is substituted in lieu thereof (*Effective July 1, 2011*):

4370 The local fire marshal shall, in accordance with the provisions of  
4371 section 29-311, as amended by this act, investigate the cause, origin  
4372 and circumstances of any fire or explosion within his jurisdiction, by  
4373 reason of which property has been destroyed or damaged, or any  
4374 person injured or killed, or any incidents which threatened any  
4375 property with destruction or damage or any person with injury or  
4376 death by reason of fire or explosion, and shall especially investigate  
4377 whether such fire was the result of an incendiary device or the result of  
4378 carelessness, design or any criminal act; and the [Commissioner of  
4379 Public Safety as] State Fire Marshal, or the deputy fire marshal under  
4380 his direction, may supervise and direct such investigation.

4381 Sec. 108. Section 29-310 of the general statutes is repealed and the  
4382 following is substituted in lieu thereof (*Effective July 1, 2011*):

4383 (a) The [Commissioner of Public Safety as] State Fire Marshal shall  
4384 thoroughly investigate the cause, circumstances and origin of all fires  
4385 or explosions to which his attention has been called, in accordance  
4386 with the provisions of this part, by reason of which any property has  
4387 been destroyed or damaged, or any person injured or killed, and shall  
4388 especially examine and decide as to whether such fire was the result of  
4389 carelessness, design, an incendiary device or any other criminal act. He  
4390 may take the testimony under oath of any person supposed to be  
4391 cognizant of or to have means of knowledge in relation to the matters  
4392 as to which an examination is being made, and shall cause the same to  
4393 be reduced to writing and filed in his office; and if, in his opinion,  
4394 there is sufficient evidence to warrant that any person should be  
4395 charged with the crime of arson or any other crime, he shall forthwith  
4396 submit such evidence, together with the names of the witnesses and all  
4397 other information obtained by him, to the proper prosecuting officer.  
4398 He may, in any investigation, issue subpoenas for the purposes of  
4399 summoning and compelling the attendance of witnesses before him to  
4400 testify. He may administer oaths or affirmations to witnesses before

4401 him, and false swearing therein shall be perjury. He may, in the  
4402 performance of his duties, enter, by himself or his assistants, into and  
4403 upon the premises or building where any fire or explosion has  
4404 occurred and premises thereto adjacent in accordance with the  
4405 provisions of section 29-311, as amended by this act.

4406 (b) Whenever it comes to his knowledge or to the knowledge of any  
4407 local fire marshal that there exists in any building or upon any  
4408 premises combustible material or flammable conditions dangerous to  
4409 the safety of such building or premises or dangerous to any other  
4410 building or property, or conditions that present a fire hazard to the  
4411 occupants thereof, the [commissioner] State Fire Marshal, or any local  
4412 fire marshal, obtaining such knowledge, shall order such material to be  
4413 forthwith removed or such conditions remedied by the owner or  
4414 occupant of such building or premises, and such owner or occupant  
4415 shall be subject to the penalties prescribed by section 29-295 and, in  
4416 addition thereto, shall suffer a penalty of one hundred dollars a day for  
4417 each day of neglect, to be recovered in a proper action in the name of  
4418 the state.

4419 Sec. 109. Section 29-311 of the general statutes is repealed and the  
4420 following is substituted in lieu thereof (*Effective July 1, 2011*):

4421 (a) The [Commissioner of Public Safety as] State Fire Marshal, any  
4422 local fire marshal within the local fire marshal's jurisdiction, and all  
4423 duly authorized fire and police personnel acting within their  
4424 jurisdiction may enter into and upon any premises or building where  
4425 any fire or explosion has occurred and premises adjacent thereto,  
4426 without liability for trespass or damages reasonably incurred, to  
4427 conduct investigations in accordance with sections 29-302 and 29-310,  
4428 as amended by this act, under the following circumstances and  
4429 conditions:

4430 (1) During an emergency by reason of fire or explosion on any  
4431 premises, they or any of them may, without a warrant, enter such  
4432 premises during the suppression of the fire or explosion or within a

4433 reasonable period of time following the suppression thereof and  
4434 remain for a reasonable period of time following the suppression of the  
4435 fire or explosion to: (A) Investigate in order to determine the cause and  
4436 origin of the fire or explosion, (B) prevent the intentional or  
4437 unintentional destruction of evidence and (C) prevent a rekindling of  
4438 the fire.

4439 (2) After expiration of a reasonable period of time following the  
4440 suppression of the fire or explosion, they or any of them shall apply in  
4441 writing under oath to any judge of the Superior Court for a warrant to  
4442 enter upon the premises to determine the cause and origin of the fire or  
4443 explosion, if such cause or origin has not been previously determined.  
4444 The application shall describe: (A) The premises under investigation,  
4445 (B) the owner or occupant of the premises, if reasonably ascertainable,  
4446 (C) the date and time the fire or explosion which is the subject of the  
4447 investigation was reported to a police or fire agency, and (D) the dates  
4448 and times during which the investigative activities to determine the  
4449 cause and origin of such fire or explosion are to be conducted. The  
4450 judge to whom an application for a warrant is made may issue such a  
4451 warrant upon finding that the requirements of this subsection have  
4452 been met, and that the proposed activities are a reasonable intrusion  
4453 onto the private premises to determine the cause and origin of the fire  
4454 or explosion.

4455 (b) The [Commissioner of Public Safety as] State Fire Marshal shall,  
4456 within available appropriations, provide quarterly reports to the  
4457 Insurance Commissioner detailing all cases in which it has been  
4458 determined that a fire or explosion was the result of arson.

4459 Sec. 110. Section 29-312 of the general statutes is repealed and the  
4460 following is substituted in lieu thereof (*Effective July 1, 2011*):

4461 The Commissioner of Construction Services may appoint a Deputy  
4462 State Fire Marshal [appointed in accordance with the provisions of  
4463 section 29-4 shall,] who shall be subject to the supervision and  
4464 direction of the Commissioner of [Public Safety,] Construction Services

4465 and be vested with all the powers conferred upon said commissioner  
4466 by section 29-310, as amended by this act.

4467 Sec. 111. Subsection (y) of section 5-198 of the general statutes is  
4468 repealed and the following is substituted in lieu thereof (*Effective*  
4469 *July 1, 2011*):

4470 (y) The Deputy State Fire Marshal [in the Division of Fire,  
4471 Emergency and Building Services] within the Department of [Public  
4472 Safety] Construction Services;

4473 Sec. 112. Section 16a-38k of the general statutes is repealed and the  
4474 following is substituted in lieu thereof (*Effective July 1, 2011*):

4475 (a) Notwithstanding any provision of the general statutes, any (1)  
4476 new construction of a state facility that is projected to cost five million  
4477 dollars, or more, and for which all budgeted project bond funds are  
4478 allocated by the State Bond Commission on or after January 1, 2008, (2)  
4479 renovation of a state facility that is projected to cost two million dollars  
4480 or more, of which two million dollars or more is state funding,  
4481 approved and funded on or after January 1, 2008, (3) new construction  
4482 of a facility that is projected to cost five million dollars, or more, of  
4483 which two million dollars or more is state funding, and is authorized  
4484 by the General Assembly pursuant to chapter 173 on or after January 1,  
4485 2009, and (4) renovation of a public school facility as defined in  
4486 subdivision (18) of section 10-282 that is projected to cost two million  
4487 dollars or more, of which two million dollars or more is state funding,  
4488 and is authorized by the General Assembly pursuant to chapter 173 on  
4489 or after January 1, 2009, shall comply with or exceed compliance with  
4490 the silver building rating of the Leadership in Energy and  
4491 Environmental Design's rating system for new commercial  
4492 construction and major renovation projects, as established by the  
4493 United States Green Building Council, or an equivalent standard,  
4494 including, but not limited to, a two-globe rating in the Green Globes  
4495 USA design program until the regulations described in subsection (b)  
4496 of this section are adopted. The Secretary of the Office of Policy and

4497 Management, in consultation with the Commissioner of [Public  
4498 Works] Construction Services and the Institute for Sustainable Energy,  
4499 shall exempt any facility from complying with said regulations if said  
4500 secretary finds, in a written analysis, that the cost of such compliance  
4501 significantly outweighs the benefits. Nothing in this section shall be  
4502 construed to require the redesign of any new construction of a state  
4503 facility that is designed in accordance with the silver building rating of  
4504 the Leadership in Energy and Environmental Design's rating system  
4505 for new commercial construction and major renovation projects, as  
4506 established by the United States Green Building Council, or an  
4507 equivalent standard, including, but not limited to, a two-globe rating  
4508 in the Green Globes USA design program, provided the design for  
4509 such facility was initiated or completed prior to the adoption of the  
4510 regulations described in subsection (b) of this section.

4511 (b) Not later than January 1, 2007, the Secretary of the Office of  
4512 Policy and Management, in consultation with the Commissioner of  
4513 [Public Works,] Construction Services and the Commissioner of  
4514 Environmental Protection, [and the Commissioner of Public Safety,]  
4515 shall adopt regulations, in accordance with the provisions of chapter  
4516 54, to adopt state building construction standards that are consistent  
4517 with or exceed the silver building rating of the Leadership in Energy  
4518 and Environmental Design's rating system for new commercial  
4519 construction and major renovation projects, as established by the  
4520 United States Green Building Council, including energy standards that  
4521 exceed those set forth in the 2004 edition of the American Society of  
4522 Heating, Ventilating and Air Conditioning Engineers (ASHRAE)  
4523 Standard 90.1 by no less than twenty per cent, or an equivalent  
4524 standard, including, but not limited to, a two-globe rating in the Green  
4525 Globes USA design program, and thereafter update such regulations  
4526 as the secretary deems necessary.

4527 Sec. 113. Section 4-212 of the general statutes is repealed and the  
4528 following is substituted in lieu thereof (*Effective July 1, 2011*):

4529 As used in sections 4-212 to 4-219, inclusive:

4530 (1) "Competitive negotiation" means a procedure for contracting for  
4531 services in which (A) proposals are solicited from qualified persons,  
4532 firms or corporations by a request for proposals, and (B) changes may  
4533 be negotiated in proposals and prices after being submitted.

4534 (2) "Personal service contractor" means any person, firm or  
4535 corporation not employed by the state, who is hired by a state agency  
4536 for a fee to provide services to the agency. The term "personal service  
4537 contractor" shall not include (A) a person, firm or corporation  
4538 providing "contractual services", as defined in section 4a-50, to the  
4539 state, (B) a "consultant", as defined in section 4b-55, (C) a "consultant",  
4540 as defined in section 13b-20b, (D) an agency of the federal government,  
4541 of the state or of a political subdivision of the state, or (E) a person,  
4542 firm or corporation providing consultant services for information and  
4543 telecommunications systems authorized under subdivision [(5)] (3) of  
4544 subsection [(c)] (b) of section 4d-2, as amended by this act.

4545 (3) "Personal service agreement" means a written agreement  
4546 defining the services or end product to be delivered by a personal  
4547 service contractor to a state agency, excluding any agreement with a  
4548 personal service contractor that the state accounting manual does not  
4549 require to be submitted to the Comptroller.

4550 (4) "Secretary" means the Secretary of the Office of Policy and  
4551 Management.

4552 (5) "State agency" means a department, board, council, commission,  
4553 institution or other executive branch agency.

4554 Sec. 114. (*Effective July 1, 2011*) (a) Not later than January 2, 2012, the  
4555 Commissioners of Education and Construction Services shall each  
4556 submit a report, in accordance with the provisions of section 11-4a of  
4557 the general statutes, to the joint standing committees of the General  
4558 Assembly having cognizance of matters relating to appropriations and

4559 the budgets of state agencies, education, public safety and government  
4560 administration concerning the following: (1) The status of the merger  
4561 of functions of the Departments of Public Safety and Public Works and  
4562 a portion of the school construction grant functions of the Department  
4563 of Education into the Department of Construction Services in  
4564 accordance with the provisions of this act, (2) the status of any  
4565 regulations required to be adopted under section 10-287c of the general  
4566 statutes, as amended by this act, whether any policies or procedures  
4567 have been implemented by the Department of Construction Services or  
4568 the Department of Education as authorized by section 45 of this act, (3)  
4569 whether there are any outstanding issues regarding the division of  
4570 duties between the Department of Construction Services and the  
4571 Department of Education, (4) recommendations on how to strengthen  
4572 the audit functions of the Department of Construction Services, and (5)  
4573 any recommendations for further legislative action concerning such  
4574 merger.

4575 (b) Not later than January 2, 2012, the Commissioner of  
4576 Administrative Services shall submit a report, in accordance with the  
4577 provisions of section 11-4a of the general statutes, to the joint standing  
4578 committees of the General Assembly having cognizance of matters  
4579 relating to appropriations and the budgets of state agencies and  
4580 government administration concerning (1) The status of the merger of  
4581 the Departments of Information Technology and a portion of the  
4582 Department of Public Works into the Department of Administrative  
4583 Services, in accordance with the provisions of this act, and (2) any  
4584 recommendations for further legislative action concerning such  
4585 merger.

4586 Sec. 115. Subdivision (8) of section 10-282 of the general statutes is  
4587 repealed and the following is substituted in lieu thereof (*Effective July*  
4588 *1, 2011*):

4589 (8) "Completed school building project" means a school building  
4590 project declared complete by the applicant board of education as of the

4591 date shown on the final application for grant payment purposes as  
4592 submitted by said board to the Commissioner of [Education]  
4593 Construction Services or [his] an agent of the commissioner;

4594 Sec. 116. Section 10-283 of the general statutes is repealed and the  
4595 following is substituted in lieu thereof (*Effective July 1, 2011*):

4596 (a) (1) Each town or regional school district shall be eligible to apply  
4597 for and accept grants for a school building project as provided in this  
4598 chapter. Any town desiring a grant for a public school building project  
4599 may, by vote of its legislative body, authorize the board of education of  
4600 such town to apply to the Commissioner of Education and to accept or  
4601 reject such grant for the town. Any regional school board may vote to  
4602 authorize the supervising agent of the regional school district to apply  
4603 to the Commissioner of Education for and to accept or reject such grant  
4604 for the district. Applications for such grants under this chapter shall be  
4605 made by the superintendent of schools of such town or regional school  
4606 district on the form provided and in the manner prescribed by the  
4607 Commissioner of Education, in consultation with the Commissioner of  
4608 Construction Services. The application form shall require the  
4609 superintendent of schools to affirm that the school district considered  
4610 the maximization of natural light and the use and feasibility of wireless  
4611 connectivity technology in projects for new construction and alteration  
4612 or renovation of a school building. [Grant applications for school  
4613 building projects shall be reviewed by the Commissioner of Education]  
4614 The Commissioner of Education shall review each grant application  
4615 for a school building project for compliance with educational  
4616 requirements and on the basis of categories for building projects [and  
4617 standards for school construction] established by the State Board of  
4618 Education in accordance with this section, and shall evaluate, if  
4619 appropriate, whether the project will assist the state in meeting the  
4620 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William  
4621 A. O'Neill, et al., provided grant applications submitted for purposes  
4622 of subsection (a) of section 10-65 or section 10-76e shall be reviewed  
4623 annually by the commissioner on the basis of the educational needs of

4624 the applicant. After reviewing each such application, the  
4625 Commissioner of Education shall forward each application and the  
4626 category that the Commissioner of Education has assigned to each  
4627 such project in accordance with subdivision (2) of this subsection to the  
4628 Commissioner of Construction Services not later than August thirty-  
4629 first of each fiscal year. The Commissioner of Construction Services  
4630 shall review all grant applications for school building projects on the  
4631 basis of standards for school construction, established in regulation in  
4632 accordance with section 10-287c, as amended by this act.  
4633 Notwithstanding the provisions of this chapter, the Board of Trustees  
4634 of the Community-Technical Colleges on behalf of Quinebaug Valley  
4635 Community College and the following entities that will operate an  
4636 interdistrict magnet school that will assist the state in meeting the  
4637 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William  
4638 A. O'Neill, et al., as determined by the [commissioner] Commissioner  
4639 of Education, may apply for and shall be eligible to receive grants for  
4640 school building projects pursuant to section 10-264h, as amended by  
4641 this act, for such a school: (A) The Board of Trustees of the  
4642 Community-Technical Colleges on behalf of a regional community-  
4643 technical college, (B) the Board of Trustees of the Connecticut State  
4644 University System on behalf of a state university, (C) the Board of  
4645 Trustees for The University of Connecticut on behalf of the university,  
4646 (D) the board of governors for an independent college or university, as  
4647 defined in section 10a-37, or the equivalent of such a board, on behalf  
4648 of the independent college or university, [(D)] (E) cooperative  
4649 arrangements pursuant to section 10-158a, and [(E)] (F) any other  
4650 third-party not-for-profit corporation approved by the [commissioner]  
4651 Commissioner of Education.

4652 (2) [Each school building project shall be assigned] The  
4653 Commissioner of Education shall assign each school building project to  
4654 a category on the basis of whether such project is primarily required to:  
4655 (A) Create new facilities or alter existing facilities to provide for  
4656 mandatory instructional programs pursuant to this chapter, for  
4657 physical education facilities in compliance with Title IX of the

4658 Elementary and Secondary Education Act of 1972 where such  
4659 programs or such compliance cannot be provided within existing  
4660 facilities or for the correction of code violations which cannot be  
4661 reasonably addressed within existing program space; (B) create new  
4662 facilities or alter existing facilities to enhance mandatory instructional  
4663 programs pursuant to this chapter or provide comparable facilities  
4664 among schools to all students at the same grade level or levels within  
4665 the school district unless such project is otherwise explicitly included  
4666 in another category pursuant to this section; and (C) create new  
4667 facilities or alter existing facilities to provide supportive services,  
4668 provided in no event shall such supportive services include swimming  
4669 pools, auditoriums, outdoor athletic facilities, tennis courts,  
4670 elementary school playgrounds, site improvement or garages or  
4671 storage, parking or general recreation areas. All applications submitted  
4672 prior to July first shall be reviewed promptly by the [commissioner  
4673 and] Commissioner of Education prior to forwarding such application  
4674 to the Commissioner of Construction Services. The Commissioner of  
4675 Construction Services shall estimate the amount of the grant for which  
4676 such project is eligible, [shall be estimated] in accordance with the  
4677 provisions of section 10-285a, as amended by this act, provided an  
4678 application for a school building project determined by the  
4679 [commissioner] Commissioner of Education to be a project that will  
4680 assist the state in meeting the goals of the 2008 stipulation and order  
4681 for Milo Sheff, et al. v. William A. O'Neill, et al., shall have until  
4682 September first to submit an application for such a project and may  
4683 have until December first of the same year to secure and report all local  
4684 and state approvals required to complete the grant application. The  
4685 [commissioner] Commissioner of Construction Services shall annually  
4686 prepare a listing of all such eligible school building projects listed by  
4687 category together with the amount of the estimated grants [therefor]  
4688 for such projects and shall submit the same to the Governor, the  
4689 Secretary of the Office of Policy and Management and the General  
4690 Assembly on or before the fifteenth day of December, except as  
4691 provided in section 10-283a, with a request for authorization to enter

4692 into grant commitments. [Each such listing submitted after December  
4693 1995 shall include a separate schedule of authorized projects which  
4694 have changed in scope or cost to a degree determined by the  
4695 commissioner. Notwithstanding any provision of this chapter, no such  
4696 project that has changed in scope or cost to the degree determined by  
4697 the commissioner shall be eligible for reimbursement under this  
4698 chapter unless it appears on such list.] On or before December thirty-  
4699 first annually, the Secretary of the Office of Policy and Management  
4700 shall submit comments and recommendations regarding each eligible  
4701 project on such listing of eligible school building projects to the school  
4702 construction committee, established pursuant to section 10-283a, as  
4703 amended by this act. Each such listing submitted after December 15,  
4704 2005, until December 15, 2010, inclusive, shall include a separate  
4705 schedule of authorized projects which have changed in scope or cost to  
4706 a degree determined by the [commissioner] Commissioner of  
4707 Education once, and a separate schedule of authorized projects which  
4708 have changed in scope or cost to a degree determined by [the] said  
4709 commissioner twice. [On and after] Any such listing submitted after  
4710 December 15, 2010, until December 15, 2011, inclusive, shall include a  
4711 separate schedule of authorized projects which have changed in scope  
4712 or cost to a degree determined by the Commissioner of Construction  
4713 Services once, and a separate schedule of authorized projects which  
4714 have changed in scope or cost to a degree determined by said  
4715 commissioner twice. On and after July 1, 2011, each such listing shall  
4716 include a report on the review conducted by the Commissioner of  
4717 Education of the enrollment projections for each such eligible project.  
4718 For the period beginning July 1, 2006, and ending June 30, 2012, no  
4719 project, other than a project for a regional vocational-technical school,  
4720 may appear on the separate schedule of authorized projects which  
4721 have changed in cost more than twice. On and after July 1, 2012, no  
4722 project, other than a project for a regional vocational-technical school,  
4723 may appear on the separate schedule of authorized projects which  
4724 have changed in cost more than once, except the Commissioner of  
4725 Construction Services may allow a project to appear on such separate

4726 schedule of authorized projects a second time if the town or regional  
4727 school district for such project can demonstrate that exigent  
4728 circumstances require such project to appear a second time on such  
4729 separate schedule of authorized projects. Notwithstanding any  
4730 provision of this chapter, no projects which have change in scope or  
4731 cost to the degree determined by the Commissioner of Construction  
4732 Services, in consultation with the Commissioner of Education, shall be  
4733 eligible for reimbursement under this chapter unless it appears on such  
4734 list. The percentage determined pursuant to section 10-285a, as  
4735 amended by this act, at the time a school building project on such  
4736 schedule was originally authorized shall be used for purposes of the  
4737 grant for such project. On and after July 1, 2006, a project that was not  
4738 previously authorized as an interdistrict magnet school shall not  
4739 receive a higher percentage for reimbursement than that determined  
4740 pursuant to section 10-285a, as amended by this act, at the time a  
4741 school building project on such schedule was originally authorized.  
4742 The General Assembly shall annually authorize the [commissioner]  
4743 Commissioner of Construction Services to enter into grant  
4744 commitments on behalf of the state in accordance with the  
4745 commissioner's categorized listing for such projects as the General  
4746 Assembly shall determine. The [commissioner] Commissioner of  
4747 Construction Services may not enter into any such grant commitments  
4748 except pursuant to such legislative authorization. Any regional school  
4749 district which assumes the responsibility for completion of a public  
4750 school building project shall be eligible for a grant pursuant to  
4751 subdivision (5) or (6), as the case may be, of subsection (a) of section  
4752 10-286, as amended by this act, when such project is completed and  
4753 accepted by such regional school district.

4754 (3) (A) All final calculations completed by the Department of  
4755 [Education] Construction Services for school building projects  
4756 [authorized on or after July 1, 1996,] shall include a computation of the  
4757 state grant for the school building project amortized on a straight line  
4758 basis over a twenty-year period for school building projects with costs  
4759 equal to or greater than two million dollars and over a ten-year period

4760 for school building projects with costs less than two million dollars.  
4761 Any town or regional school district which abandons, sells, leases,  
4762 demolishes or otherwise redirects the use of such a school building  
4763 project to other than a public school use during such amortization  
4764 period shall refund to the state the unamortized balance of the state  
4765 grant remaining as of the date the abandonment, sale, lease,  
4766 demolition or redirection occurs. The amortization period for a project  
4767 shall begin on the date the project was accepted as complete by the  
4768 local or regional board of education. A town or regional school district  
4769 required to make a refund to the state pursuant to this subdivision  
4770 may request forgiveness of such refund if the building is redirected for  
4771 public use. The [department] Department of Construction Services  
4772 shall include as an addendum to the annual school construction  
4773 priority list all those towns requesting forgiveness. General Assembly  
4774 approval of the priority list containing such request shall constitute  
4775 approval of such request. This subdivision shall not apply to projects  
4776 to correct safety, health and other code violations or to remedy  
4777 certified school indoor air quality emergencies approved pursuant to  
4778 subsection (b) of this section or projects subject to the provisions of  
4779 section 10-285c.

4780 (B) Any moneys refunded to the state pursuant to subparagraph (A)  
4781 of this subdivision shall be deposited in the state's tax-exempt  
4782 proceeds fund and used not later than sixty days after repayment to  
4783 pay debt service on, including redemption, defeasance or purchase of,  
4784 outstanding bonds of the state the interest on which is not included in  
4785 gross income pursuant to Section 103 of the Internal Revenue Code of  
4786 1986, or any subsequent corresponding internal revenue code of the  
4787 United States, as from time to time amended.

4788 (b) Notwithstanding the application date requirements of this  
4789 section, the Commissioner of [Education] Construction Services, in  
4790 consultation with the Commissioner of Education, may approve  
4791 applications for grants to assist school building projects to remedy  
4792 damage from fire and catastrophe, to correct safety, health and other

4793 code violations, to replace roofs, to remedy a certified school indoor air  
4794 quality emergency, or to purchase and install portable classroom  
4795 buildings at any time within the limit of available grant authorization  
4796 and make payments thereon within the limit of appropriated funds,  
4797 provided portable classroom building projects shall not create a new  
4798 facility or cause an existing facility to be modified so that the portable  
4799 buildings comprise a substantial percentage of the total facility area, as  
4800 determined by the commissioner.

4801 (c) No school building project shall be added to the list prepared by  
4802 the Commissioner of [Education] Construction Services pursuant to  
4803 subsection (a) of this section after such list is submitted to the  
4804 committee of the General Assembly appointed pursuant to section 10-  
4805 283a, as amended by this act, unless (1) the project is for a school  
4806 placed on probation by the New England Association of Schools and  
4807 Colleges and the project is necessary to preserve accreditation, (2) the  
4808 project is necessary to replace a school building for which a state  
4809 agency issued a written notice of its intent to take the school property  
4810 for public purpose, (3) [for the fiscal year ending June 30, 2002, the  
4811 project is in a town operating under state governance, or (4)] it is a  
4812 school building project determined by the [commissioner]  
4813 Commissioner of Education to be a project that will assist the state in  
4814 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.  
4815 v. William A. O'Neill, et al. The provisions of this subsection shall not  
4816 apply to projects previously authorized by the General Assembly that  
4817 require special legislation to correct procedural deficiencies.

4818 (d) No application for a school building project shall be accepted by  
4819 the [commissioner] Commissioner of Education on or after July 1, 2002,  
4820 unless the applicant has secured funding authorization for the local  
4821 share of the project costs prior to application. The reimbursement  
4822 percentage for a project covered by this subsection shall reflect the  
4823 rates in effect during the fiscal year in which such local funding  
4824 authorization is secured.

4825 [(e) For each such list submitted in December, 2003, and December,  
4826 2004, the total amount requested by the commissioner for grant  
4827 commitments shall not exceed one billion dollars. In each such list, the  
4828 commissioner shall list the categories described in subdivision (2) of  
4829 subsection (a) of this section in order of priority and shall list the  
4830 projects within each category in order of priority. The commissioner  
4831 shall comply with the limitation on grant commitments provided for  
4832 under this subsection according to such priorities. Eligible projects that  
4833 cannot be included on the list shall be included first on the list  
4834 submitted the next following year.]

4835 Sec. 117. Section 10-283a of the general statutes is repealed and the  
4836 following is substituted in lieu thereof (*Effective July 1, 2011*):

4837 A committee to review the listing of eligible school building projects  
4838 submitted pursuant to section 10-283, as amended by this act, shall be  
4839 appointed annually on or before July first consisting of eight persons  
4840 who are members of the General Assembly at the time of their  
4841 appointment as follows: Two persons each appointed by the speaker of  
4842 the House of Representatives, the minority leader of the House of  
4843 Representatives, the president pro tempore of the Senate and the  
4844 minority leader of the Senate. The listing of eligible projects by  
4845 category shall be submitted to said committee prior to December  
4846 fifteenth annually to determine if said listing is in compliance with the  
4847 categories described in subsection (a) of section 10-283, as amended by  
4848 this act, and [existing] standards established [by the State Board of  
4849 Education] in regulations adopted pursuant to [said regulations]  
4850 section 10-287c, as amended by this act. The committee may modify  
4851 the listing. [if it finds that the Commissioner of Education acted in an  
4852 arbitrary or unreasonable manner in establishing the listing.] Such  
4853 modified listing shall be in compliance with [said] such standards and  
4854 categories. [Prior] On or after January first annually, and prior to  
4855 February first annually, the committee shall submit the approved or  
4856 modified listing of projects to the Governor and the General Assembly.

4857 Sec. 118. Section 10-283b of the general statutes is repealed and the  
4858 following is substituted in lieu thereof (*Effective July 1, 2011*):

4859 (a) On and after July 1, [1999] 2011, the Commissioner of  
4860 [Education] Construction Services shall include school building  
4861 projects for the regional vocational-technical schools on the list  
4862 developed pursuant to section 10-283. [Prior to inclusion on the list,  
4863 such projects shall be reviewed by the Department of Public Works.]  
4864 The adoption of the list by the General Assembly and authorization by  
4865 the State Bond Commission of the issuance of bonds pursuant to  
4866 section 10-287d shall fund the full cost of the projects. On or after July  
4867 1, [2007] 2011, the [commissioner] the Commissioner of Construction  
4868 Services, in consultation with the Commissioner of Education, may  
4869 approve applications for grants to assist school building projects for  
4870 the regional vocational-technical school system to remedy damage  
4871 from fire and catastrophe, to correct safety, health and other code  
4872 violations, to replace roofs, to remedy a certified school indoor air  
4873 quality emergency, or to purchase and install portable classroom  
4874 buildings at any time within the limit of available grant authorization  
4875 and to make payments on such a project within the limit of  
4876 appropriated funds, provided portable classroom building projects do  
4877 not create a new facility or cause an existing facility to be modified so  
4878 that the portable buildings comprise a substantial percentage of the  
4879 total facility area, as determined by the [commissioner. Funds for the  
4880 projects shall be transferred to the Department of Public Works and,  
4881 upon such transfer, the] Commissioner of Construction Services. Such  
4882 projects shall be subject to the requirements of chapters 59 and 60.

4883 (b) The Department of [Public Works] Construction Services shall  
4884 ensure that an architect and a construction manager or construction  
4885 administrator hired to work on a project pursuant to subsection (a) of  
4886 this section are not related persons as defined in subdivision (18) of  
4887 subsection (a) of section 12-218b.

4888 Sec. 119. Section 10-284 of the general statutes is repealed and the

4889 following is substituted in lieu thereof (*Effective July 1, 2011*):

4890 (a) The Commissioner of Education shall have authority to receive  
4891 [ ] and review [and approve] applications for state grants under this  
4892 chapter, [or to] and the Commissioner of Construction Services shall  
4893 have authority to review and approve any such application, or to  
4894 disapprove any such application if (1) it does not comply with the  
4895 requirements of the State Fire Marshal or the Department of Public  
4896 Health, (2) it is not accompanied by a life-cycle cost analysis approved  
4897 by the Commissioner of [Public Works] Construction Services  
4898 pursuant to section 16a-38, (3) it does not comply with the provisions  
4899 of sections 10-290d and 10-291, (4) it does not meet (A) the standards or  
4900 requirements established in regulations adopted in accordance with  
4901 section 10-287c, as amended by this act, or (B) school building  
4902 [priorities established by the State Board of Education] categorization  
4903 requirements described in section 10-283, as amended by this act, [or]  
4904 (5) the estimated construction cost exceeds the per square foot cost for  
4905 schools established in regulations adopted by the Commissioner of  
4906 Construction Services for the county in which the project is proposed  
4907 to be located, or (6) the [commissioner] Commissioner of Education  
4908 determines that the proposed educational specifications for or theme  
4909 of the project for which the applicant requests a state grant duplicates a  
4910 program offered by a vocational-technical school or an interdistrict  
4911 magnet school in the same region.

4912 (b) [(1)] The Commissioner of [Education] Construction Services  
4913 may also disapprove [such] a grant application [: (A) For a project for  
4914 which the General Assembly authorized a grant commitment prior to  
4915 June 14, 1984, if [the] a town or regional school district has not begun  
4916 construction, as defined in section 10-282, by July 1, 1987; or (B) for any  
4917 other project] if the town or regional school district has not begun  
4918 construction, as defined in section 10-282, [within] not later than two  
4919 years after the effective date of the act of the General Assembly  
4920 authorizing the Commissioner of Education or Construction Services  
4921 to enter into grant commitments for [such projects] a project as

4922 provided in sections 10-283 and 10-283a, as amended by this act. The  
4923 Commissioner of Construction Services shall cancel any grant  
4924 commitment for a project for which the General Assembly authorized  
4925 such grant commitment prior to July 1, 2010, if the town or regional  
4926 school district has not begun construction, as defined in section 10-282,  
4927 as amended by this act, by April 30, 2015, and such town or regional  
4928 school district may make a new application for a grant in accordance  
4929 with section 10-283, as amended by this act.

4930 [(2) Prior to disapproval of an application under the provisions of  
4931 subparagraph (A) of subdivision (1) of this subsection, the  
4932 commissioner shall give written notice of the pending disapproval by  
4933 mail to (A) the school building committee formed in connection with  
4934 the application, (B) the local or regional board of education, and (C) if  
4935 the applicant is a local board, to the chief executive officer of the town  
4936 or if the applicant is a regional board, to the chief executive officer of  
4937 each of the district's member towns. The notice shall be given twice.  
4938 The first such notice shall be mailed not later than September 1, 1986,  
4939 and the second notice shall be mailed not later than March 1, 1987.]

4940 (c) When any such application is approved, [said commissioner] the  
4941 Commissioner of Construction Services shall certify to the Comptroller  
4942 the amount of the grant for which the town or regional school district  
4943 is eligible under this chapter and the amount and time of the payment  
4944 thereunder. Upon receipt of such certification, the Comptroller is  
4945 authorized and directed to draw his order on the Treasurer in such  
4946 amount and at such time as certified by [said commissioner] the  
4947 Commissioner of Construction Services.

4948 Sec. 120. Subsection (a) of section 10-285a of the general statutes is  
4949 repealed and the following is substituted in lieu thereof (*Effective July*  
4950 *1, 2011*):

4951 (a) The percentage of school building project grant money a local  
4952 board of education may be eligible to receive, under the provisions of  
4953 section 10-286, as amended by this act, shall be determined by the

4954 Commissioner of Education as follows: (1) [Each town shall be ranked  
4955 in descending order from one to one hundred sixty-nine according to  
4956 such town's adjusted equalized net grand list per capita, as defined in  
4957 section 10-261; (2) based upon such ranking, a percentage of not less  
4958 than forty nor more than eighty shall be determined for each town on a  
4959 continuous scale, except that for school building projects authorized by  
4960 the General Assembly during the fiscal year ending June 30, 1991, for  
4961 all such projects so authorized thereafter and for] For grants approved  
4962 pursuant to subsection (b) of section 10-283, as amended by this act, for  
4963 which application is made on and after July 1, 1991, [the percentage of  
4964 school building project grant money a local board of education may be  
4965 eligible to receive, under the provisions of section 10-286 shall be  
4966 determined as follows: (A) Each] and before July 1, 2011, (A) each town  
4967 shall be ranked in descending order from one to one hundred sixty-  
4968 nine according to such town's adjusted equalized net grand list per  
4969 capita, as defined in section 10-261; and (B) based upon such ranking, a  
4970 percentage of not less than twenty nor more than eighty shall be  
4971 determined for each town on a continuous scale; and (2) for grants  
4972 approved pursuant to subsection (b) of section 10-283, as amended by  
4973 this act, for which application is made on and after July 1, 2011, (A)  
4974 each town shall be ranked in descending order from one to one  
4975 hundred sixty-nine according to such town's adjusted equalized net  
4976 grand list per capita, as defined in section 10-261, and (B) based upon  
4977 such ranking, (i) a percentage of not less than ten nor more than  
4978 seventy shall be determined for new construction or replacement of a  
4979 school building for each town on a continuous scale, and (ii) a  
4980 percentage of not less than twenty nor more than eighty shall be  
4981 determined for renovations, extensions, code violations, roof  
4982 replacements and major alterations of an existing school building and  
4983 the new construction or replacement of a school building when a town  
4984 or regional school district can demonstrate that a new construction or  
4985 replacement is less expensive than a renovation, extension or major  
4986 alteration of an existing school building for each town on a continuous  
4987 scale.

4988 Sec. 121. Section 10-285b of the general statutes is repealed and the  
4989 following is substituted in lieu thereof (*Effective July 1, 2011*):

4990 [(a) (1) For the fiscal year ending June 30, 1987, Woodstock  
4991 Academy may apply and be eligible subsequently to be considered for  
4992 school construction grant commitments from the state pursuant to this  
4993 chapter. (2) Except as provided in subdivision (1) of this subsection,  
4994 any incorporated or endowed high school or academy approved by the  
4995 State Board of Education pursuant to section 10-34 may apply and be  
4996 eligible subsequently to be considered for school construction grant  
4997 commitments from the state pursuant to this chapter. (3) Applications  
4998 pursuant to this subsection shall be filed at such time and on such  
4999 forms as the state Department of Education prescribes. The  
5000 Commissioner of Education shall approve such applications pursuant  
5001 to the provisions of section 10-284 deemed applicable by the state  
5002 Department of Education.]

5003 [(b)] (a) In the case of a school building project, as defined in  
5004 subparagraph (A) of subdivision (3) of section 10-282, the amount of  
5005 the grant approved by [said commissioner] the Commissioner of  
5006 Construction Services shall be computed pursuant to the provisions of  
5007 section 10-286, as amended by this act, and the eligible percentage shall  
5008 be computed pursuant to the provisions of [subdivision (2) of]  
5009 subsection [(c)] (b) of this section. The calculation of the grant pursuant  
5010 to this section shall be made in accordance with the state standard  
5011 space specifications in effect at the time of final grant calculation.

5012 [(c) (1) The percentage of school building project grant money  
5013 Woodstock Academy may be eligible to receive for school construction  
5014 projects for which application was made in the fiscal year ending June  
5015 30, 1987, under the provisions of subsection (b) of this section shall be  
5016 determined by its ranking. The ranking shall be determined by (A)  
5017 multiplying the total population, as defined in section 10-261, of each  
5018 town which subsequent to October 1, 1985, and prior to October 1,  
5019 1986, designates Woodstock Academy as the high school for such town

5020 for a period of not less than five years, by such town's percentile  
5021 ranking, as determined in subsection (a) of section 10-285a, (B) adding  
5022 together the figures for each town determined under subparagraph (A)  
5023 of this subdivision, and (C) dividing the total computed under  
5024 subparagraph (B) of this subdivision by the total population of all  
5025 towns which designate Woodstock Academy as their high school  
5026 under subparagraph (A) of this subdivision. The ranking determined  
5027 pursuant to this subdivision shall be rounded to the next higher whole  
5028 number. Woodstock Academy shall receive the same reimbursement  
5029 percentage as would a town with the same rank.]

5030 [(2)] (b) [Except as provided in subdivision (1) of this subsection,  
5031 the] The percentage of school building project grant money each  
5032 incorporated or endowed high school or academy may be eligible to  
5033 receive under the provisions of subsection [(b)] (a) of this section shall  
5034 be determined by its ranking. The ranking shall be determined by [(A)]  
5035 (1) multiplying the total population, as defined in section 10-261, of  
5036 each town which at the time of application for such school construction  
5037 grant commitment has designated such school as the high school for  
5038 such town for a period of not less than five years from the date of such  
5039 application, by such town's percentile ranking, as determined in  
5040 subsection (a) of section 10-285a, as amended by this act, [(B)] (2)  
5041 adding together the figures for each town determined under  
5042 [subparagraph (A) of this] subdivision (1) of this subsection, and [(C)]  
5043 (3) dividing the total computed under [subparagraph (B) of this]  
5044 subdivision (2) of this subsection by the total population of all towns  
5045 which designate the school as their high school under [subparagraph  
5046 (A) of this] subdivision (1) of this subsection. The ranking determined  
5047 pursuant to this [subdivision] subsection shall be rounded to the next  
5048 higher whole number. Such high school or academy shall receive the  
5049 reimbursement percentage of a town with the same rank increased by  
5050 five per cent, except that the reimbursement percentage of such high  
5051 school or academy shall not exceed eighty-five per cent.

5052 [(d) (1) In order for Woodstock Academy to be eligible for a grant

5053 commitment pursuant to this section for the fiscal year ending June 30,  
5054 1987, said academy shall (A) provide educational facilities to the town  
5055 or towns designating it as the high school for such town or towns for a  
5056 period commencing on June 5, 1986, and not less than ten years after  
5057 completion of grant payments under this section, and (B) provide that  
5058 at least half of its executive committee, exclusive of the president, be  
5059 representatives of the board or boards of education designating  
5060 Woodstock Academy as the high school for each such board's town.]

5061 [(2) Except as provided in subdivision (1) of this subsection, in] (c)  
5062 In order for an incorporated or endowed high school or academy to be  
5063 eligible for a grant commitment pursuant to this section such high  
5064 school or academy shall [(A)] (1) provide educational services to the  
5065 town or towns designating it as the high school for such town or towns  
5066 for a period of not less than ten years after completion of grant  
5067 payments under this section, and [(B)] (2) provide that at least half of  
5068 the governing board which exercises final educational, financial and  
5069 legal responsibility for the high school or academy, exclusive of the  
5070 chairman of such board, be representatives of the board or boards of  
5071 education designating the high school or academy as the high school  
5072 for each such board's town.

5073 Sec. 122. Section 10-285e of the general statutes is repealed and the  
5074 following is substituted in lieu thereof (*Effective July 1, 2011*):

5075 (a) The State Board of Education shall include reimbursement for  
5076 reasonable lease costs that are determined by the Commissioner of  
5077 [Education] Construction Services to be required as part of a school  
5078 building project grant under this chapter.

5079 (b) The [State Board of Education] Department of Construction  
5080 Services shall require renovation projects under this chapter to meet  
5081 the same state and federal codes and regulations as are required for  
5082 alteration projects.

5083 Sec. 123. Section 10-286 of the general statutes is repealed and the

5084 following is substituted in lieu thereof (*Effective July 1, 2011*):

5085 (a) The amount of the grant approved by the Commissioner of  
5086 [Education] Construction Services under the provisions of this chapter  
5087 for any completed school building project shall be computed as  
5088 follows:

5089 (1) For the fiscal year ending June 30, [1984] 2012, and each fiscal  
5090 year thereafter, in the case of a new school plant, an extension of an  
5091 existing school building or projects involving the major alteration of  
5092 any existing building to be used for school purposes, the eligible  
5093 percentage, as determined in section 10-285a, as amended by this act,  
5094 of the result of multiplying together the number representing the  
5095 highest projected enrollment, based on data acceptable to the  
5096 Commissioner of Education, for such building during the eight-year  
5097 period from the date a local or regional board of education files a  
5098 notification of a proposed school building project with the Department  
5099 of [Education] Construction Services, the number of gross square feet  
5100 per pupil determined by the Commissioner of Education to be  
5101 adequate for the kind of educational program or programs intended,  
5102 and the eligible cost of such project, divided by the gross square feet of  
5103 such building, or the eligible percentage, as determined in section 10-  
5104 285a, as amended by this act, of the eligible cost of such project,  
5105 whichever is less; [, provided, (A) any such project on which  
5106 construction was started prior to July 1, 1975, shall be reimbursed  
5107 under the formula in effect prior to said date, (B) any such project on  
5108 which construction or payments under this chapter were started after  
5109 June 30, 1975, but prior to July 31, 1983, shall be reimbursed based  
5110 upon the data, submitted for each such project and accepted by the  
5111 Department of Education during said period, representing the number  
5112 of pupils the plant was designed to accommodate, (C) any project for  
5113 which final grant calculation has been made after June 30, 1975, but  
5114 prior to July 31, 1983, shall be reimbursed based upon such final  
5115 calculation, and (D) any such project for which estimated grant  
5116 payments were begun prior to July 31, 1983, shall be reimbursed based

5117 upon the calculation formula used in making such estimated grant  
5118 payments;]

5119 (2) In the case of projects involving the purchase of an existing  
5120 building to be used for school purposes, the eligible percentage, as  
5121 determined in section 10-285a, as amended by this act, of the eligible  
5122 cost as determined by the Commissioner of [Education] Construction  
5123 Services, provided any project [for which an application is made on or  
5124 after July 1, 1995,] involving the purchase and renovation of an  
5125 existing facility, may be exempt from the standard space specifications,  
5126 and otherwise ineligible repairs and replacements may be considered  
5127 eligible for reimbursement as part of such a project, if information is  
5128 provided acceptable to the [commissioner] Commissioner of  
5129 Construction Services documenting the need for such work and the  
5130 cost savings to the state and the school district of such purchase and  
5131 renovation project in comparison to alternative construction options;

5132 (3) If any school building project described in subdivisions (1) and  
5133 (2) of this subsection includes the construction, extension or major  
5134 alteration of outdoor athletic facilities, tennis courts or a natatorium,  
5135 gymnasium or auditorium, the grant for the construction of such  
5136 outdoor athletic facilities, tennis courts and natatorium shall be limited  
5137 to one-half of the eligible percentage for subdivisions (1) and (2) of the  
5138 net eligible cost of construction thereof; the grant for the construction  
5139 of an area of spectator seating in a gymnasium shall be one-half of the  
5140 eligible percentage for subdivisions (1) and (2) of the net eligible cost of  
5141 construction thereof; and the grant for the construction of the seating  
5142 area in an auditorium shall be limited to one-half of the eligible  
5143 percentage for subdivisions (1) and (2) of the net eligible cost of  
5144 construction of the portion of such area that seats one-half of the  
5145 projected enrollment of the building, as defined in subdivision (1) of  
5146 this subsection, which it serves;

5147 (4) In the case of a regional agricultural science and technology  
5148 education center or the purchase of equipment pursuant to subsection

5149 (a) of section 10-65 or a regional special education facility pursuant to  
5150 section 10-76e, an amount equal to the eligible cost of such project, as  
5151 determined by the Commissioner of [Education] Construction  
5152 Services;

5153 (5) In the case of a public school administrative or service facility,  
5154 one-half of the eligible percentage for subdivisions (1) and (2) of this  
5155 subsection of the eligible project cost as determined by the  
5156 Commissioner of [Education] Construction Services, or in the case of a  
5157 regional educational service center administrative or service facility,  
5158 the eligible percentage, as determined pursuant to subsection (c) of  
5159 section 10-285a, as amended by this act, of the eligible project cost as  
5160 determined by the commissioner;

5161 (6) In the case of the total replacement of a roof or the total  
5162 replacement of a portion of a roof which has existed for at least twenty  
5163 years, or in the case of the total replacement of a roof or the total  
5164 replacement of a portion of a roof which has existed for fewer than  
5165 twenty years when it is determined by a registered architect or  
5166 registered engineer that such roof was improperly designed or  
5167 improperly constructed and the town is prohibited from recovery of  
5168 damages or has no other recourse at law or in equity, the eligible  
5169 percentage for subdivisions (1) and (2) of this subsection, of the eligible  
5170 cost as determined by the Commissioner of [Education] Construction  
5171 Services. In the case of the total replacement of a roof or the total  
5172 replacement of a portion of a roof which has existed for fewer than  
5173 twenty years (A) when it is determined by a registered architect or  
5174 registered engineer that such roof was improperly designed or  
5175 improperly constructed and the town has recourse at law or in equity  
5176 and recovers less than such eligible cost, the eligible percentage for  
5177 subdivisions (1) and (2) of this subsection of the difference between  
5178 such recovery and such eligible cost, and (B) when the roof is at least  
5179 fifteen years old but less than twenty years old and it cannot be  
5180 determined by a registered architect or registered engineer that such  
5181 roof was improperly designed or improperly constructed, the eligible

5182 percentage for subdivisions (1) and (2) of this subsection of the eligible  
5183 project costs provided such costs are multiplied by the ratio of the age  
5184 of the roof to twenty years. For purposes of this subparagraph, the age  
5185 of the roof shall be determined in whole years to the nearest year based  
5186 on the time between the completed installation of the old roof and the  
5187 date of the grant application for the school construction project for the  
5188 new roof;

5189 (7) [For the fiscal year ending June 30, 1984, and for each fiscal year  
5190 thereafter, in] In the case of projects to correct code violations, the  
5191 eligible percentage, as determined in section 10-285a, as amended by  
5192 this act, of the eligible cost as determined by the Commissioner of  
5193 [Education] Construction Services;

5194 (8) In the case of a renovation project, [for which an application is  
5195 made on or after July 1, 1995,] the eligible percentage as determined in  
5196 subsection (b) of section 10-285a, as amended by this act, multiplied by  
5197 the eligible costs as determined by the [commissioner] Commissioner  
5198 of Construction Services, provided the project may be exempt from the  
5199 standard space specifications, and otherwise ineligible repairs and  
5200 replacements may be considered eligible for reimbursement as part of  
5201 such a project, if information is provided acceptable to the  
5202 [commissioner] Commissioner of Construction Services documenting  
5203 the need for such work and the cost savings to the state and the school  
5204 district of such renovation project in comparison to alternative  
5205 construction options;

5206 (9) In the case of projects approved to remedy certified school  
5207 indoor air quality emergencies, the eligible percentage, as determined  
5208 in section 10-285a, as amended by this act, of the eligible cost as  
5209 determined by the Commissioner of [Education] Construction  
5210 Services;

5211 (10) In the case of a project involving a turn-key purchase for a  
5212 facility to be used for school purposes, the eligible percentage, as  
5213 determined in section 10-285a, as amended by this act, of the net

5214 eligible cost as determined by the Commissioner of [Education]  
5215 Construction Services, except that for any project involving such a  
5216 purchase for which an application is made on or after July 1, [2006]  
5217 2011, (A) final plans for all construction work included in the turn-key  
5218 purchase agreement shall be approved by the Commissioner of  
5219 [Education] Construction Services in accordance with section 10-292,  
5220 as amended by this act, and (B) such project may be exempt from the  
5221 standard space specifications, and otherwise ineligible repairs and  
5222 replacements may be considered eligible for reimbursement as part of  
5223 such project, if information acceptable to the [commissioner]  
5224 Commissioner of Construction Services documents the need for such  
5225 work and that such a purchase will cost less than constructing the  
5226 facility in a different manner and will result in a facility taking on a  
5227 useful life comparable to that of a new facility.

5228 (b) (1) In the case of all grants computed under this section for a  
5229 project which constitutes a replacement, extension or major alteration  
5230 of a damaged or destroyed facility, no grant may be paid if a local or  
5231 regional board of education has failed to insure its facilities and capital  
5232 equipment in accordance with the provisions of section 10-220. The  
5233 amount of financial loss due to any damage or destruction to any such  
5234 facility, as determined by ascertaining the replacement value of such  
5235 damage or destruction, shall be deducted from project cost estimates  
5236 prior to computation of the grant.

5237 (2) In the case of any grants computed under this section for a  
5238 school building project authorized pursuant to section 10-283, as  
5239 amended by this act, after July 1, 1979, any federal funds or other state  
5240 funds received for such school building project shall be deducted from  
5241 project costs prior to computation of the grant.

5242 [(3) The limitation on grants for new outdoor athletic facilities,  
5243 tennis courts, natatorium, gymnasium and auditorium shall not apply  
5244 to school building projects for which applications for review of  
5245 preliminary plans and specifications on Form 2A were submitted prior

5246 to October 1, 1975, in the case of towns and prior to October 15, 1975,  
5247 in the case of regional school districts.]

5248 [(4)] (3) [Commencing with the school construction projects  
5249 authorized by the General Assembly during the fiscal year ending June  
5250 30, 1985, and for all such projects so authorized thereafter, the] The  
5251 calculation of grants pursuant to this section shall be made in  
5252 accordance with the state standard space specifications in effect at the  
5253 time of the final grant calculation, except that on and after July 1, 2005,  
5254 in the case of a school district with an enrollment of less than one  
5255 hundred fifty students in grades kindergarten to grade eight, inclusive,  
5256 state standard space specifications shall not apply in the calculation of  
5257 grants pursuant to this section and the Commissioner of [Education]  
5258 Construction Services, in consultation with the Commissioner of  
5259 Education, may modify the standard space specifications for a project  
5260 in such district.

5261 (c) In the computation of grants pursuant to this section for any  
5262 school building project authorized by the General Assembly pursuant  
5263 to section 10-283, as amended by this act, (1) after January 1, 1993, any  
5264 maximum square footage per pupil limit established pursuant to this  
5265 chapter or any regulation adopted by the State Board of Education  
5266 pursuant to this chapter shall be increased by twenty-five per cent for a  
5267 building constructed prior to 1950; (2) after January 1, 2004, any  
5268 maximum square footage per pupil limit established pursuant to this  
5269 chapter or any regulation adopted by the [State Board of Education]  
5270 Department of Construction Services pursuant to this chapter shall be  
5271 increased by up to one per cent to accommodate a heating, ventilation  
5272 or air conditioning system, if needed; (3) for the period from July 1,  
5273 2006, to June 30, 2009, inclusive, for projects with total authorized  
5274 project costs greater than ten million dollars, if total construction  
5275 change orders or other change directives otherwise eligible for grant  
5276 assistance under this chapter exceed five per cent of the authorized  
5277 total project cost, only fifty per cent of the amount of such change  
5278 order or other change directives in excess of five per cent shall be

5279 eligible for grant assistance; and (4) after July 1, 2009, for projects with  
5280 total authorized project costs greater than ten million dollars, if total  
5281 construction change orders or other change directives otherwise  
5282 eligible for grant assistance exceed five per cent of the total authorized  
5283 project cost, such change order or other change directives in excess of  
5284 five per cent shall be ineligible for grant assistance.

5285 (d) For any school building project receiving state grant assistance  
5286 under this chapter, all change orders or other change directives issued  
5287 for such project (1) on or after July 1, 2008, until June 30, 2011, shall be  
5288 submitted, not later than six months after the date of such issuance, to  
5289 the Commissioner of Education, and (2) on or after July 1, 2011, shall  
5290 be submitted, not later than six months after the date of such issuance,  
5291 to the Commissioner of Construction Services, in a manner prescribed  
5292 by the [commissioner] Commissioner of Construction Services. Only  
5293 change orders or other change directives submitted to the  
5294 [commissioner] Commissioner of Education or Commissioner of  
5295 Construction Services, as applicable, in accordance with this subsection  
5296 shall be eligible for state grant assistance.

5297 Sec. 124. Section 10-287c of the general statutes is repealed and the  
5298 following is substituted in lieu thereof (*Effective July 1, 2011*):

5299 (a) The State Board of Education is authorized to prescribe such  
5300 rules and regulations as may be necessary to implement the provisions  
5301 of this chapter, provided any rules or regulations to implement the  
5302 provisions of sections 10-283, as amended by this act, 10-287, 10-287a,  
5303 10-292d and subsection (d) of section 10-292m shall be prescribed in  
5304 consultation with the Secretary of the Office of Policy and  
5305 Management. Whenever the Commissioner of Education has made a  
5306 commitment for a grant on or before June 30, 2011, prior to the  
5307 completion of a project as provided in section 10-287a, and said  
5308 commissioner has made advances thereon as provided in said section,  
5309 any such [rules or] regulations prescribed in accordance with this  
5310 section which were in effect at the time of such commitment and

5311 advances shall be applicable to any additional commitment and  
5312 subsequent advances with respect to [said] such project.

5313 (b) Not later than June 30, 2013, the Commissioner of Construction  
5314 Services, in consultation with the Commissioner of Education, shall  
5315 adopt regulations in accordance with the provisions of chapter 54 in  
5316 order to implement the provisions of this chapter. Such regulations  
5317 shall apply to any project for which a grant application is filed with the  
5318 Department of Education on or after July 1, 2013.

5319 Sec. 125. Section 10-264h of the general statutes is repealed and the  
5320 following is substituted in lieu thereof (*Effective July 1, 2011*):

5321 (a) [(1)] For the fiscal year ending June 30, 1996, until the fiscal year  
5322 ending June 30, 2003, a local or regional board of education, regional  
5323 educational service center or a cooperative arrangement pursuant to  
5324 section 10-158a for purposes of an interdistrict magnet school may be  
5325 eligible for reimbursement up to the full reasonable cost of any capital  
5326 expenditure for the purchase, construction, extension, replacement,  
5327 leasing or major alteration of interdistrict magnet school facilities,  
5328 including any expenditure for the purchase of equipment, in  
5329 accordance with this section. [(A)] For the fiscal year ending June 30,  
5330 2004, [and each fiscal year thereafter, such entities, and (B) for the fiscal  
5331 year ending June 30, 2008, and each fiscal year thereafter] until the  
5332 fiscal year ending June 30, 2011, the following entities that operate an  
5333 interdistrict magnet school that assists the state in meeting the goals of  
5334 the 2008 stipulation and order for Milo Sheff, et al. v. William A.  
5335 O'Neill, et al., as determined by the [commissioner] Commissioner of  
5336 Education may be eligible for reimbursement up to ninety-five per cent  
5337 of such cost: [(i)] (1) The Board of Trustees of the Community-  
5338 Technical Colleges on behalf of a regional community-technical  
5339 college, [(ii)] (2) the Board of Trustees of the Connecticut State  
5340 University System on behalf of a state university, [(iii)] (3) the Board of  
5341 Trustees for The University of Connecticut on behalf of the university,  
5342 [(iv)] (4) the board of governors for an independent college or

5343 university, as defined in section 10a-37, or the equivalent of such a  
5344 board, on behalf of the independent college or university, and [(v)] (5)  
5345 any other third-party not-for-profit corporation approved by the  
5346 [commissioner may be eligible for reimbursement up to ninety-five per  
5347 cent of such cost.] Commissioner of Education. For the fiscal year  
5348 ending June 30, 2012, and each fiscal year thereafter, a project eligible  
5349 for reimbursement under this section, except as otherwise provided  
5350 for, may be eligible for reimbursement up to eighty per cent of the  
5351 eligible cost of such project. To be eligible for reimbursement under  
5352 this section a magnet school construction project shall meet the  
5353 requirements for a school building project established in chapter 173,  
5354 except that the Commissioner of [Education] Construction Services, in  
5355 consultation with the Commissioner of Education, may waive any  
5356 requirement in such chapter for good cause. On and after July 1, [1997]  
5357 2011, the [commissioner] the Commissioner of Construction Services  
5358 shall approve only applications for reimbursement under this section  
5359 that [he] the Commissioner of Education finds will reduce racial,  
5360 ethnic and economic isolation. [On and after July 1, 2009, applications]  
5361 Applications for reimbursement under this section for the construction  
5362 of new interdistrict magnet schools shall not be accepted until the  
5363 [commissioner] Commissioner of Education develops a comprehensive  
5364 state-wide interdistrict magnet school plan, in accordance with the  
5365 provisions of subdivision (1) of subsection (b) of section 10-264l, unless  
5366 the [commissioner] Commissioner of Education determines that such  
5367 construction will assist the state in meeting the goals of the 2008  
5368 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

5369 [(2) (A) Not later than July 1, 2007, the Commissioner of Education  
5370 and the president of the Connecticut Science Center, Inc. shall enter  
5371 into a memorandum of understanding establishing the parameters  
5372 within which the center shall operate as and be given the status of a  
5373 state-wide magnet science learning center. Upon achieving such status,  
5374 the Connecticut Science Center, Inc. shall be eligible to apply for, in  
5375 accordance with the provisions of subparagraph (B) of this  
5376 subdivision, a grant of reimbursement of ninety-five per cent of any

5377 expenditures for the construction, replacement, alteration or repair of  
5378 its facilities, including the reasonable and necessary costs for major  
5379 exhibits. The Connecticut Science Center, Inc. may fund its five per  
5380 cent share of expenditures from private contributions.

5381 (B) To be eligible to receive a grant pursuant to this subdivision, the  
5382 Connecticut Science Center, Inc. shall file an application with the  
5383 Commissioner of Education in such form and manner as the  
5384 commissioner prescribes. Construction projects at the magnet science  
5385 learning center shall meet the requirements of chapter 173, except that  
5386 the commissioner may waive any requirements in such chapter for  
5387 good cause.]

5388 (b) Subject to the provisions of subsection (a) of this section, the  
5389 applicant shall receive current payments of scheduled estimated  
5390 eligible project costs for the facility, provided (1) the applicant files an  
5391 application for a school building project, in accordance with section 10-  
5392 283, as amended by this act, by the date prescribed by the  
5393 [commissioner] Commissioner of Education, (2) final plans and  
5394 specifications for the project are approved pursuant to sections 10-291  
5395 and 10-292, and (3) such district submits to the [commissioner]  
5396 Commissioner of Education, in such form as the commissioner  
5397 prescribes, and the commissioner approves a plan for the operation of  
5398 the facility which includes, but need not be limited to: A description of  
5399 the educational programs to be offered, the completion date for the  
5400 project, an estimated budget for the operation of the facility, written  
5401 commitments for participation from the districts that will participate in  
5402 the school and an analysis of the effect of the program on the reduction  
5403 of racial, ethnic and economic isolation. The [commissioner]  
5404 Commissioner of Education shall notify the Commissioner of  
5405 Construction Services and the secretary of the State Bond Commission  
5406 when the provisions of subdivisions (1) and (3) of this subsection have  
5407 been met. Upon application to the Commissioner of Education,  
5408 compliance with the provisions of subdivisions (1) and (3) of this  
5409 subsection and after authorization by the General Assembly pursuant

5410 to section 10-283, as amended by this act, the applicant shall be eligible  
5411 to receive progress payments in accordance with the provisions of  
5412 section 10-287i.

5413 (c) (1) If the school building ceases to be used as an interdistrict  
5414 magnet school facility and the grant was provided for the purchase or  
5415 construction of the facility, the [commissioner] Commissioner of  
5416 Construction Services, in consultation with the Commissioner of  
5417 Education, shall determine whether (A) title to the building and any  
5418 legal interest in appurtenant land shall revert to the state, or (B) the  
5419 school district shall reimburse the state an amount equal to the  
5420 difference between the amount received pursuant to this section and  
5421 the amount the district would have been eligible to receive based on  
5422 the percentage determined pursuant to section 10-285a, as amended by  
5423 this act, multiplied by the estimated eligible project costs. (2) If the  
5424 school building ceases to be used as an interdistrict magnet school  
5425 facility and the grant was provided for the extension or major  
5426 alteration of the facility, the school district shall reimburse the state the  
5427 amount determined in accordance with subparagraph (B) of  
5428 subdivision (1) of this subsection. A school district receiving a request  
5429 for reimbursement pursuant to this subdivision shall reimburse the  
5430 state not later than the close of the fiscal year following the year in  
5431 which the request is made. If the school district fails to so reimburse  
5432 the state, the Department of [Education] Construction Services may  
5433 request the Department of Education to withhold such amount from  
5434 the total sum which is paid from the State Treasury to such school  
5435 district or the town in which it is located or, in the case of a regional  
5436 school district, the towns which comprise the school district. If the  
5437 amount paid from the State Treasury is less than the amount due, the  
5438 [department] Department of Construction Services may refer the  
5439 matter to the Department of Administrative Services for collection.

5440 (d) The [commissioner] Commissioner of Construction Services  
5441 shall provide for a final audit of all project expenditures pursuant to  
5442 this section and may require repayment of any ineligible expenditures.

5443 Sec. 126. Section 10-290a of the general statutes is repealed and the  
5444 following is substituted in lieu thereof (*Effective July 1, 2011*):

5445 The Commissioner of [Education] Construction Services, in  
5446 consultation with the Commissioner of Education, shall provide  
5447 advisory services to local officials and agencies on long range school  
5448 plant planning and educational specifications and review the sketches  
5449 and preliminary plans and outline specifications for any school  
5450 building project and the educational program which it is designed to  
5451 house and advise boards of education and school building committees  
5452 regarding the suitability of such plans on the basis of educational  
5453 effectiveness, sound construction and reasonable economy of cost,  
5454 including energy economy and efficiency.

5455 Sec. 127. Section 10-290b of the general statutes is repealed and the  
5456 following is substituted in lieu thereof (*Effective July 1, 2011*):

5457 The Commissioner of [Education] Construction Services, in  
5458 consultation with the Commissioner of Education, shall arrange for the  
5459 collection, publication and distribution of information on procedures  
5460 for school building committees, building methods and materials  
5461 suitable for school construction and on relevant educational methods,  
5462 requirements and materials, and shall furnish such information to  
5463 towns or regional school districts planning school construction. [Said  
5464 commissioner] The Commissioner of Construction Services, through  
5465 the school construction economy service, shall from time to time  
5466 inform local officials and agencies involved in school construction of  
5467 the services available under sections 10-290a to 10-290d, inclusive.

5468 Sec. 128. Section 10-291a of the general statutes is repealed and the  
5469 following is substituted in lieu thereof (*Effective July 1, 2011*):

5470 Notwithstanding the provisions of this chapter, in the case of a  
5471 school building project to expand an existing school building, the  
5472 [State Board of Education] Commissioner of Construction Services  
5473 shall not require code compliance improvements to the existing part of

5474 the building not affected by the project as a condition of  
5475 reimbursement for the project under this chapter.

5476 Sec. 129. Subsection (a) of section 10-292 of the general statutes is  
5477 repealed and the following is substituted in lieu thereof (*Effective July*  
5478 *1, 2011*):

5479 (a) Upon receipt by the Commissioner of Education of the final  
5480 plans for any phase of a school building project as provided in section  
5481 10-291, as amended by this act, said commissioner shall promptly  
5482 review such plans and check them to the extent appropriate for the  
5483 phase of development or construction for which final plans have been  
5484 submitted to determine whether they conform with the requirements  
5485 of the State Fire Safety Code, the Department of Public Health, the life-  
5486 cycle cost analysis approved by the Commissioner of [Public Works]  
5487 Construction Services, the State Building Code and the state and  
5488 federal standards for design and construction of public buildings to  
5489 meet the needs of disabled persons, and if acceptable a final written  
5490 approval of such phase shall be sent to the town or regional board of  
5491 education and the school building committee. No phase of a school  
5492 building project, subject to the provisions of subsection (c) or (d) of this  
5493 section, shall go out for bidding purposes prior to such written  
5494 approval.

5495 Sec. 130. Subsection (d) of section 10-292 of the general statutes is  
5496 repealed and the following is substituted in lieu thereof (*Effective July*  
5497 *1, 2011*):

5498 (d) If the Department of Administrative Services or the Department  
5499 of [Public Works] Construction Services makes a state contract  
5500 available for use by towns or regional school districts, a town or  
5501 regional school district may use such contract, provided the actual  
5502 estimate for the school building project under the state contract is not  
5503 given until receipt by the town or regional school district of approval  
5504 of the plan pursuant to this section.

5505       Sec. 131. (*Effective July 1, 2011*) Not later than January 2, 2012, the  
5506 Commissioner of Construction Services shall submit a plan for  
5507 providing school building project grants pursuant to chapter 173 of the  
5508 general statutes for the purchase or replacement of a heating,  
5509 ventilation or air conditioning system that would provide greater  
5510 energy efficiency or reduce heating fuel costs for a town or district to  
5511 the joint standing committees of the General Assembly having  
5512 cognizance of matters relating to appropriations, education and  
5513 finance, revenue and bonding, in accordance with the provisions of  
5514 section 11-4a of the general statutes. Such plan shall include, but not be  
5515 limited to, (1) the criteria and conditions for state reimbursement for  
5516 such projects, (2) recommendations for reimbursement rates for such  
5517 projects, (3) an estimate of the potential cost to the state for  
5518 reimbursing such projects, (4) an estimate of potential savings to towns  
5519 or districts for such projects, and (5) various methods of sharing any  
5520 realized savings from such projects between the towns or districts and  
5521 the state.

5522       Sec. 132. (NEW) (*Effective July 1, 2011*) (a) There is established a  
5523 School Building Projects Advisory Council. The council shall consist of:  
5524 (1) The Secretary of the Office of Policy and Management, or the  
5525 secretary's designee, (2) the Commissioner of Construction Services, or  
5526 the commissioner's designee, and (3) three members appointed by the  
5527 Governor, one of whom shall be a person with experience in school  
5528 building project matters, one of whom shall be a person with  
5529 experience in architecture and one of whom shall be a person with  
5530 experience in engineering. The chairperson of the council shall be the  
5531 Commissioner of Construction Services, or the commissioner's  
5532 designee. A person employed by the Department of Construction  
5533 Services who is responsible for school building projects shall serve as  
5534 the administrative staff of the council. The council shall meet at least  
5535 quarterly to discuss matters relating to school building projects.

5536       (b) The School Building Projects Advisory Council shall (1) develop  
5537 model blueprints for new school building projects, (2) conduct studies,

5538 research and analyses, and (3) make recommendations for  
5539 improvements to the school building projects processes to the  
5540 Governor and the joint standing committee of the General Assembly  
5541 having cognizance of matters relating to appropriations and the  
5542 budgets of state agencies, education and finance, revenue and  
5543 bonding.

5544       Sec. 133. (NEW) (*Effective July 1, 2011*) (a) There is established a  
5545 Department of Emergency Services and Public Protection. Said  
5546 department shall be the designated emergency management and  
5547 homeland security agency for the state. The department head shall be  
5548 the Commissioner of Emergency Services and Public Protection, who  
5549 shall be appointed by the Governor in accordance with sections 4-5 to  
5550 4-8, inclusive, of the general statutes, as amended by this act, with the  
5551 powers and duties prescribed in said sections. The commissioner shall  
5552 be responsible for providing a coordinated, integrated program for the  
5553 protection of life and property and for state-wide emergency  
5554 management and homeland security. The commissioner shall appoint  
5555 not more than two deputy commissioners who shall, under the  
5556 direction of the commissioner, assist in the administration of the  
5557 department. The commissioner may do all things necessary to apply  
5558 for, qualify for and accept any federal funds made available or allotted  
5559 under any federal act for emergency management or homeland  
5560 security.

5561       (b) The Department of Emergency Services and Public Protection  
5562 shall constitute a successor agency to the Department of Emergency  
5563 Management and Homeland Security in accordance with the  
5564 provisions of sections 4-38d, 4-38e and 4-39 of the general statutes.

5565       (c) The Department of Emergency Services and Public Protection  
5566 shall constitute a successor agency to the Department of Public Safety,  
5567 except as to chapters 531, 532 and 538 to 541a, inclusive, of the general  
5568 statutes, in accordance with the provisions of sections 4-38d, 4-38e and  
5569 4-39 of the general statutes.

5570 (d) Any order or regulation of the Department of Public Safety,  
5571 which is in force on July 1, 2011, except those orders or regulations  
5572 pertaining to chapters 531, 532 and 538 to 541a, inclusive, of the  
5573 general statutes, shall continue in force and effect as an order or  
5574 regulation of the Department of Emergency Services and Public  
5575 Protection until amended, repealed or superseded pursuant to law.  
5576 Where any order or regulation of said departments or the Department  
5577 of Emergency Management and Homeland Security conflict, the  
5578 Commissioner of Emergency Services and Public Protection may  
5579 implement policies and procedures consistent with the provisions of  
5580 this section, sections 2, 3, 5 and 50 of this act, and sections 29-1b, 3-122,  
5581 3-123, 3-123e, 4-5, 4-38c, 4b-136, 4d-90, 5-182, 7-294b, 7-294d, 7-294e, 7-  
5582 294p, 7-323k, 7-323l, 7-323p, 7-521, 10a-55a, 14-283a, 16a-13b, 16a-106,  
5583 19a-487, 21a-274a, 22a-601, 28-1, 28-1a, 28-1i, 28-24, 28-29a, 29-1p, 29-4,  
5584 29-5, 29-36l, 29-179i, 53-202d, 54-1m, 54-64g and 54-142q of the general  
5585 statutes, as amended by this act, while in the process of adopting the  
5586 policy or procedure in regulation form, provided notice of intention to  
5587 adopt regulations is printed in the Connecticut Law Journal within  
5588 twenty days of implementation. The policy or procedure shall be valid  
5589 until the time final regulations are effective.

5590 Sec. 134. (*Effective July 1, 2011*) (a) (1) Wherever the term  
5591 "Department of Public Safety" is used in the following general statutes,  
5592 the term "Department of Emergency Services and Public Protection"  
5593 shall be substituted in lieu thereof; and (2) wherever the term  
5594 "Commissioner of Public Safety" is used in the following general  
5595 statutes, the term "Commissioner of Emergency Services and Public  
5596 Protection" shall be substituted in lieu thereof: 1-24, 1-84b, 1-217, 2-90b,  
5597 3-2b, 4-68m, 4a-2a, 4a-18, 4a-67d, 4b-1, 4b-130, 5-142, 5-146, 5-149, 5-  
5598 150, 5-169, 5-173, 5-192f, 5-192t, 5-246, 6-32g, 7-169, 7-285, 7-294f to 7-  
5599 294h, inclusive, 7-294l, 7-294n, 7-294y, 7-425, 9-7a, 10-233h, 12-562, 12-  
5600 564a, 12-586f, 12-586g, 13a-123, 13b-69, 13b-376, 14-10, 14-64, 14-67j, 14-  
5601 67m, 14-67w, 14-103, 14-108a, 14-138, 14-152, 14-163c, 14-211a, 14-212a,  
5602 14-212f, 14-219c, 14-227a, 14-227c, 14-267a, 14-270c to 14-270f, inclusive,  
5603 14-283, 14-291, 14-298, 14-315, 15-98, 15-140r, 15-140u, 16-256g, 16a-103,

5604 17a-105a, 17a-106a, 17a-500, 17b-90, 17b-137, 17b-192, 17b-225, 17b-279,  
5605 17b-490, 18-87k, 19a-112a, 19a-112f, 19a-179b, 19a-409, 19a-904, 20-12c,  
5606 20-327b, 21a-36, 21a-283, 22a-2, 23-8b, 23-18, 26-5, 26-67b, 27-19a, 27-  
5607 107, 28-25b, 28-27, 28-27a, 28-30a, 29-1c, 29-1e to 29-1h, inclusive, 29-1q,  
5608 29-1zz, 29-2, 29-2a, 29-2b, 29-3a, 29-3b, 29-4a, 29-6a, 29-7, 29-7b, 29-7c,  
5609 29-7h, 29-7m, 29-7n, 29-8, 29-9, 29-10, 29-10a, 29-10c, 29-11, 29-12, 29-  
5610 17a, 29-17b, 29-17c, 29-18 to 29-23a, inclusive, 29-25, 29-26, 29-28, 29-  
5611 28a, 29-30 to 29-32, inclusive, 29-32b, 29-33, 29-36f to 29-36i, inclusive,  
5612 29-36k, 29-36m, 29-36n, 29-37a, 29-37f, 29-38b, 29-38e, 29-38f, 29-108b,  
5613 29-143i, 29-143j, 29-145 to 29-151, inclusive, 29-152f to 29-152j,  
5614 inclusive, 29-152m, 29-152o, 29-152u, 29-153, 29-155d, 29-156a, 29-161g  
5615 to 29-161i, inclusive, 29-161k to 29-161m, inclusive, 29-161o to 29-161t,  
5616 inclusive, 29-161v to 29-161z, inclusive, 29-163, 29-164g, 29-166, 29-176  
5617 to 29-179, inclusive, 29-179f to 29-179h, 31-275, 38a-18, 38a-356, 45a-63,  
5618 46a-4b, 46a-170, 46b-15a, 46b-38d, 46b-38f, 51-5c, 51-10c, 51-51o, 51-  
5619 277a, 52-11, 53-39a, 53-134, 53-199, 53-202, 53-202b, 53-202c, 53-202g,  
5620 53-202l, 53-202n, 53-202o, 53-278c, 53-341b, 53a-3, 53a-30, 53a-54b, 53a-  
5621 130, 53a-130a, 54-1f, 54-1l, 54-36e, 54-36i, 54-36n, 54-47aa, 54-63c, 54-76l,  
5622 54-86k, 54-102g to 54-102j, inclusive, 54-102m, 54-102pp, 54-142j, 54-  
5623 222a, 54-240, 54-240m, 54-250 to 54-258, inclusive, 54-259a, 54-260b, and  
5624 54-300.

5625 (b) (1) Wherever the term "Department of Emergency Management  
5626 and Homeland Security" is used in the following general statutes, the  
5627 term "Department of Emergency Services and Public Protection" shall  
5628 be substituted in lieu thereof; and (2) wherever the term  
5629 "Commissioner of Emergency Management and Homeland Security" is  
5630 used in the following general statutes, the term "Commissioner of  
5631 Emergency Services and Public Protection" shall be substituted in lieu  
5632 thereof: 1-210, 4-66f, 5-213, 16-32e, 16-245n, 16-245aa, 19a-131g, 21a-70c,  
5633 22a-603, 28-1j to 28-1k, inclusive, 28-14a, 28-22a, 28-28a, and 28-31.

5634 (c) Wherever the term "Department of Emergency Management and  
5635 Homeland Security" is used in any special or public act of 2011, the  
5636 term "Department of Emergency Services and Public Protection" shall

5637 be substituted in lieu thereof. Wherever the term "Commissioner of  
5638 Emergency Management and Homeland Security" is used in any  
5639 special or public act of 2011, the term "Commissioner of Emergency  
5640 Services and Public Protection" shall be substituted in lieu thereof.

5641 (d) Wherever the term "Division of State Police within the  
5642 Department of Public Safety" is used in any special or public act of  
5643 2011, the term "Division of State Police within the Department of  
5644 Emergency Services and Public Protection" shall be substituted in lieu  
5645 thereof.

5646 (e) The Legislative Commissioners' Office shall, in codifying the  
5647 provisions of this section, make such technical, grammatical and  
5648 punctuation changes as are necessary to carry out the purposes of this  
5649 section.

5650 Sec. 135. (*Effective July 1, 2011*) Not later than November 1, 2011, and  
5651 January 2, 2012, the Commissioner of Emergency Services and Public  
5652 Protection shall submit a report, in accordance with the provisions of  
5653 section 11-4a of the general statutes, to the joint standing committees of  
5654 the General Assembly having cognizance of matters relating to  
5655 appropriations and the budgets of state agencies and public safety  
5656 concerning (1) the status of the merger of the Departments of Public  
5657 Safety and Emergency Management and Homeland Security, the  
5658 Commission on Fire Prevention and Control, the Police Officer  
5659 Standards and Training Council and the Office of State-Wide  
5660 Emergency Telecommunications in accordance with the provisions of  
5661 this section, sections 1, 3, 5 and 50 of this act, and sections 29-1b, 3-122,  
5662 3-123, 3-123e, 4-5, 4-38c, 4b-136, 4d-90, 5-182, 7-294b, 7-294d, 7-294e, 7-  
5663 294p, 7-323k, 7-323l, 7-323p, 7-521, 10a-55a, 14-283a, 16a-13b, 16a-106,  
5664 19a-487, 21a-274a, 22a-601, 28-1, 28-1a, 28-1i, 28-24, 28-29a, 29-1p, 29-4,  
5665 29-5, 29-36l, 29-179i, 53-202d, 54-1m, 54-64g and 54-142q of the general  
5666 statutes, as amended by this act, and (2) any recommendations for  
5667 further legislative action concerning such merger.

5668 Sec. 136. Section 29-1b of the general statutes is repealed and the

5669 following is substituted in lieu thereof (*Effective July 1, 2011*):

5670 [(a) There shall be a Department of Public Safety. The department  
5671 head shall be the Commissioner of Public Safety, who shall be  
5672 appointed by the Governor in accordance with the provisions of  
5673 sections 4-5, 4-6, 4-7 and 4-8 with the powers and duties therein  
5674 prescribed. The commissioner shall be the chief administrative officer  
5675 of the department and shall have the responsibility for providing a  
5676 coordinated, integrated program for the protection of life and  
5677 property. The commissioner may appoint not more than three deputy  
5678 commissioners of public safety, who shall, under the direction of the  
5679 commissioner, assist in the administration of the department.]

5680 [(b)] (a) There shall be within the Department of [Public Safety]  
5681 Emergency Services and Public Protection a Division of State Police.  
5682 The Commissioner of [Public Safety] Emergency Services and Public  
5683 Protection shall serve as administrative head and commanding officer  
5684 of the State Police Division. [In his capacity as] As administrative head,  
5685 said commanding officer of the Division of State Police [may] shall  
5686 delegate [his] said commanding officer's jurisdiction of the affairs of  
5687 the Division of State Police to a deputy commissioner who shall have  
5688 the powers and privileges conferred by statute upon a state policeman.

5689 [(c) Said department shall constitute a successor department to the  
5690 Department of State Police in accordance with the provisions of  
5691 sections 4-38d and 4-39.]

5692 (b) There shall be within said department a Division of Emergency  
5693 Management and Homeland Security. The commissioner shall serve as  
5694 administrative head of such division. As administrative head, said  
5695 commissioner shall delegate said commissioner's jurisdiction of the  
5696 Division of Emergency Management and Homeland Security to a  
5697 deputy commissioner. The deputy commissioner shall possess  
5698 professional training and knowledge consisting of not less than five  
5699 years of managerial or strategic planning experience in matters relating  
5700 to public safety, security, emergency services and emergency response.

5701 No person possessing a record of any criminal, unlawful or unethical  
5702 conduct shall be eligible for or hold such position. Any person with  
5703 any present or past political activities or financial interests that may  
5704 substantially conflict with the duties of the deputy commissioner or  
5705 expose such person to potential undue influence or compromise such  
5706 person's ability to be entrusted with necessary state or federal security  
5707 clearances or information shall be deemed unqualified for such  
5708 position and shall not be eligible to hold such position.

5709 Sec. 137. (NEW) (*Effective July 1, 2011*) (a) There is established a  
5710 Coordinating Advisory Board to advise the Department of Emergency  
5711 Services and Public Protection with respect to: (1) Strategies to  
5712 improve internal and external communication and cooperation in the  
5713 provision of emergency response services on the state and local level;  
5714 (2) strategies to improve emergency response and incident  
5715 management in areas including, but not limited to, communications  
5716 and use of technology and the coordination and implementation of  
5717 state and federally required emergency response plans; (3)  
5718 improvements in the state's use of regional management structures;  
5719 and (4) strengthening cooperation and communication among federal,  
5720 state and local governments, the Connecticut National Guard, police,  
5721 fire, emergency medical and other first responders, emergency  
5722 managers and public health officials.

5723 (b) The Commissioner of Emergency Services and Public Protection,  
5724 or said commissioner's designee, shall serve as the chair of the  
5725 Coordinating Advisory Board. The board shall consist of: (1) The  
5726 president of the Connecticut State Firefighters Association or a  
5727 designee, representing volunteer firefighters; (2) the president of the  
5728 Uniformed Professional Firefighters Association or a designee,  
5729 representing professional firefighters; (3) the president of the American  
5730 Federation of State County and Municipal Employees, Council 15, or a  
5731 designee, representing municipal police officers; (4) the executive  
5732 director of the Connecticut Conference of Municipalities or a designee;  
5733 (5) a member of the Police Officer Standards Training Council,

5734 designated by the chairperson of said council; (6) a member of the  
5735 Commission on Fire Prevention and Control, designated by the  
5736 chairperson of said commission; (7) the president of the Connecticut  
5737 Emergency Management Association or a designee; and (8) one  
5738 representative, designated by the Commissioner of Emergency  
5739 Services and Public Protection, from the Office of State-Wide  
5740 Emergency Telecommunications and from each of the divisions of  
5741 Emergency Management and Homeland Security, State Police and  
5742 Scientific Services within the Department of Emergency Services and  
5743 Public Protection. Said board shall convene quarterly and at such other  
5744 times as the chair deems necessary.

5745 (c) Not later than January 2, 2012, and annually thereafter, the board  
5746 shall submit a report, in accordance with section 11-4a of the general  
5747 statutes, to the Governor and to the joint standing committee of the  
5748 General Assembly having cognizance of matters relating to public  
5749 safety concerning its findings and recommendations with respect to  
5750 any communication and cooperation necessary to enhance state and  
5751 local government emergency response and the protection of the  
5752 citizens of the state.

5753 Sec. 138. Section 3-122 of the general statutes is repealed and the  
5754 following is substituted in lieu thereof (*Effective July 1, 2011*):

5755 When any person, under the provisions of the constitution and  
5756 bylaws of the Police Association of Connecticut, is entitled to relief  
5757 from said association as a police officer injured in the line of duty, or  
5758 rendered sick by disease contracted while in the line of duty, or as the  
5759 widow, child or dependent mother of a police officer killed in the line  
5760 of duty, the [Comptroller] Commissioner of Emergency Services and  
5761 Public Protection shall, upon the delivery to [him] said commissioner  
5762 of adequate proof from said association of the right of such person to  
5763 such relief as aforesaid, [draw his order upon the Treasurer in favor of  
5764 the] process payment for such person or persons entitled to such relief,  
5765 or their legal representatives, for the amount to which such person or

5766 persons may be entitled as relief as aforesaid, provided such orders  
5767 shall be limited to available appropriations.

5768 Sec. 139. Section 3-123 of the general statutes is repealed and the  
5769 following is substituted in lieu thereof (*Effective July 1, 2011*):

5770 Whenever a person, under the provisions of the constitution and  
5771 bylaws of The Connecticut State Firefighters Association, is entitled to  
5772 relief from said association, as a firefighter injured in the line of duty,  
5773 or rendered sick by disease contracted while in the line of duty, or as  
5774 the widow or child of a firefighter killed in the line of duty, the  
5775 [Comptroller] Commissioner of Emergency Services and Public  
5776 Protection shall, upon the delivery to [him] said commissioner of  
5777 proper proofs from said association of the right of such person to relief  
5778 as aforesaid, [draw his order upon the Treasurer in favor of the]  
5779 process payment for such person or persons entitled to such relief, or  
5780 their legal representative, for the amount to which such person or  
5781 persons are entitled as relief as aforesaid, provided such orders shall  
5782 be limited to available appropriations.

5783 Sec. 140. Section 3-123e of the general statutes is repealed and the  
5784 following is substituted in lieu thereof (*Effective July 1, 2011*):

5785 The [Comptroller] Commissioner of Emergency Services and Public  
5786 Protection shall disburse to any regional fire school, regional  
5787 emergency dispatch center or any state or county-wide fire radio base  
5788 network, in the form of a grant, such funds as may be appropriated to  
5789 the [Comptroller] Department of Emergency Services and Public  
5790 Protection for the purposes of such fire school, emergency dispatch  
5791 center or fire radio base network. Each such grant shall be disbursed in  
5792 equal quarterly amounts at the beginning of each quarter of the state  
5793 fiscal year. After the close of each fiscal year, each such fire school,  
5794 emergency dispatch center or fire radio base network shall submit to  
5795 the [Comptroller] Commissioner of Emergency Services and Public  
5796 Protection, through the Connecticut State Firemen's Association, an  
5797 audited report concerning the disbursement of such grant funds.

5798 Sec. 141. Section 4-5 of the general statutes is repealed and the  
5799 following is substituted in lieu thereof (*Effective July 1, 2011*):

5800 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
5801 means Secretary of the Office of Policy and Management,  
5802 Commissioner of Administrative Services, Commissioner of Revenue  
5803 Services, Banking Commissioner, Commissioner of Children and  
5804 Families, Commissioner of Consumer Protection, Commissioner of  
5805 Correction, Commissioner of Economic and Community Development,  
5806 State Board of Education, Commissioner of Emergency [Management  
5807 and Homeland Security] Services and Public Protection, Commissioner  
5808 of Environmental Protection, Commissioner of Agriculture,  
5809 Commissioner of Public Health, Insurance Commissioner, Labor  
5810 Commissioner, Liquor Control Commission, Commissioner of Mental  
5811 Health and Addiction Services, [Commissioner of Public Safety,]  
5812 Commissioner of Social Services, Commissioner of Developmental  
5813 Services, Commissioner of Motor Vehicles, Commissioner of  
5814 Transportation, Commissioner of Public Works, Commissioner of  
5815 Veterans' Affairs, Chief Information Officer, the chairperson of the  
5816 Public Utilities Control Authority, the executive director of the Board  
5817 of Education and Services for the Blind, the executive director of the  
5818 Connecticut Commission on Culture and Tourism, and the executive  
5819 director of the Office of Military Affairs. As used in sections 4-6 and 4-  
5820 7, "department head" also means the Commissioner of Education.

5821 Sec. 142. Section 4-38c of the general statutes is repealed and the  
5822 following is substituted in lieu thereof (*Effective July 1, 2011*):

5823 There shall be within the executive branch of state government the  
5824 following departments: Office of Policy and Management, Department  
5825 of Administrative Services, Department of Revenue Services,  
5826 Department of Banking, Department of Agriculture, Department of  
5827 Children and Families, Department of Consumer Protection,  
5828 Department of Correction, Department of Economic and Community  
5829 Development, State Board of Education, Department of Emergency

5830 [Management and Homeland Security] Services and Public Protection,  
5831 Department of Environmental Protection, Department of Public  
5832 Health, Board of Governors of Higher Education, Insurance  
5833 Department, Labor Department, Department of Mental Health and  
5834 Addiction Services, Department of Developmental Services,  
5835 [Department of Public Safety,] Department of Social Services,  
5836 Department of Transportation, Department of Motor Vehicles,  
5837 Department of Veterans' Affairs, Department of Public Works and  
5838 Department of Public Utility Control.

5839 Sec. 143. Subsection (a) of section 4b-136 of the general statutes is  
5840 repealed and the following is substituted in lieu thereof (*Effective July*  
5841 *1, 2011*):

5842 (a) There is established a State-Wide Security Management Council.  
5843 The council shall consist of the following members or their designees:  
5844 The Commissioner of [Public Safety] Emergency Services and Public  
5845 Protection, the Commissioner of Administrative Services, the  
5846 Commissioner of Mental Health and Addiction Services, the  
5847 Commissioner of Public Works, [the Commissioner of Emergency  
5848 Management and Homeland Security,] the Secretary of the Office of  
5849 Policy and Management, the Chief Court Administrator, [an attorney  
5850 appointed by the Commissioner of Public Works,] the executive  
5851 director of the Joint Committee on Legislative Management, a  
5852 representative of the Governor, a representative of the State Employees  
5853 Bargaining Agent Coalition, [and] the president of the Connecticut  
5854 State Police Union [or the president's designee] and the president of  
5855 the Uniformed Professional Fire Fighters Association. The  
5856 Commissioner of Public Works shall serve as chairperson of the  
5857 council. Each council member shall provide technical assistance in the  
5858 member's area of expertise, as required by the council.

5859 Sec. 144. Subsection (a) of section 4d-90 of the general statutes is  
5860 repealed and the following is substituted in lieu thereof (*Effective July*  
5861 *1, 2011*):

5862 (a) There is established a Geospatial Information Systems Council  
5863 consisting of the following members, or their designees: (1) The  
5864 Secretary of the Office of Policy and Management; (2) the  
5865 Commissioners of Environmental Protection, Economic and  
5866 Community Development, Transportation, [Public Safety,] Public  
5867 Health, Public Works, Agriculture, Emergency [Management and  
5868 Homeland Security] Services and Public Protection and Social Services;  
5869 (3) the Chief Information Officer of the Department of Information  
5870 Technology; (4) the Chancellor of the Connecticut State University  
5871 System; (5) the president of The University of Connecticut; (6) the  
5872 Executive Director of the Connecticut Siting Council; (7) one member  
5873 who is a user of geospatial information systems appointed by the  
5874 president pro tempore of the Senate representing a municipality with a  
5875 population of more than sixty thousand; (8) one member who is a user  
5876 of geospatial information systems appointed by the minority leader of  
5877 the Senate representing a regional planning agency; (9) one member  
5878 who is a user of geospatial information systems appointed by the  
5879 Governor representing a municipality with a population of less than  
5880 sixty thousand but more than thirty thousand; (10) one member who is  
5881 a user of geospatial information systems appointed by the speaker of  
5882 the House of Representatives representing a municipality with a  
5883 population of less than thirty thousand; (11) one member appointed by  
5884 the minority leader of the House of Representatives who is a user of  
5885 geospatial information systems; (12) the chairperson of the Public  
5886 Utilities Control Authority; (13) the Adjutant General of the Military  
5887 Department; and (14) any other persons the council deems necessary  
5888 appointed by the council. The Governor shall select the chairperson  
5889 from among the members. The chairperson shall administer the affairs  
5890 of the council. Vacancies shall be filled by appointment by the  
5891 authority making the appointment. Members shall receive no  
5892 compensation for their services on said council, but shall be  
5893 reimbursed for necessary expenses incurred in the performance of  
5894 their duties. Said council shall hold one meeting each calendar quarter  
5895 and such additional meetings as may be prescribed by council rules. In

5896 addition, special meetings may be called by the chairperson or by any  
5897 three members upon delivery of forty-eight hours written notice to  
5898 each member.

5899 Sec. 145. Subsection (d) of section 5-182 of the general statutes is  
5900 repealed and the following is substituted in lieu thereof (*Effective July*  
5901 *1, 2011*):

5902 (d) Any employee of the radiological maintenance and calibration  
5903 facility shall be credited for retirement purposes under this chapter  
5904 with [his] such employee's period of full-time service commencing  
5905 with the date upon which such employee began work at said facility  
5906 under individual contract with the Commissioner of Emergency  
5907 [Management and Homeland Security] Services and Public Protection  
5908 upon payment into the State Employees Retirement Fund of such  
5909 contributions as [he] such employee would have paid if [he] such  
5910 employee had been a state employee during the period of such service  
5911 and [his] such employee's salary for such service had been paid by the  
5912 state, with five per cent interest on such contribution from the date of  
5913 [his] such employee's entry into such service to the date of payment.

5914 Sec. 146. Subsection (a) of section 7-294b of the general statutes is  
5915 repealed and the following is substituted in lieu thereof (*Effective July*  
5916 *1, 2011*):

5917 (a) There shall be a Police Officer Standards and Training Council  
5918 which shall be within the Division of State Police of the Department of  
5919 [Public Safety for administrative purposes only] Emergency Services  
5920 and Public Protection and which shall consist of the following  
5921 members appointed by the Governor: (1) A chief administrative officer  
5922 of a town or city in Connecticut; (2) the chief elected official or chief  
5923 executive officer of a town or city in Connecticut with a population  
5924 under twelve thousand which does not have an organized police  
5925 department; (3) a member of the faculty of The University of  
5926 Connecticut; (4) eight members of the Connecticut Police Chiefs  
5927 Association who are holding office or employed as chief of police or

5928 the highest ranking professional police officer of an organized police  
5929 department of a municipality within the state; (5) the Chief State's  
5930 Attorney; (6) a sworn municipal police officer whose rank is sergeant  
5931 or lower; and (7) five public members. The Commissioner of [Public  
5932 Safety] Emergency Services and Public Protection and the Federal  
5933 Bureau of Investigation special agent-in-charge in Connecticut or their  
5934 designees shall be voting ex-officio members of the council. Any  
5935 nonpublic member of the council shall immediately, upon the  
5936 termination of [his] such member's holding the office or employment  
5937 [which] that qualified [him] such member for appointment, cease to be  
5938 a member of the council. A member appointed to fill a vacancy shall be  
5939 appointed for the unexpired term of the member whom [he] such  
5940 member is to succeed in the same manner as the original appointment.  
5941 The Governor shall appoint a chairperson and the council shall  
5942 appoint a vice-chairperson and a secretary from among the members.  
5943 The members of the council shall serve without compensation but shall  
5944 be entitled to actual expenses involved in the performance of their  
5945 duties.

5946 Sec. 147. Section 7-294d of the general statutes is repealed and the  
5947 following is substituted in lieu thereof (*Effective July 1, 2011*):

5948 (a) The Police Officer Standards and Training Council shall have the  
5949 following powers:

5950 (1) To develop and periodically update and revise a comprehensive  
5951 municipal police training plan;

5952 (2) To approve, or revoke the approval of, any police training school  
5953 and to issue certification to such schools and to revoke such  
5954 certification;

5955 (3) To set the minimum courses of study and attendance required  
5956 and the equipment and facilities to be required of approved police  
5957 training schools;

5958 (4) To set the minimum qualifications for law enforcement  
5959 instructors and to issue appropriate certification to such instructors;

5960 (5) To require that all probationary candidates receive the hours of  
5961 basic training deemed necessary before being eligible for certification,  
5962 such basic training to be completed within one year following the  
5963 appointment as a probationary candidate, unless the candidate is  
5964 granted additional time to complete such basic training by the council;

5965 (6) To require the registration of probationary candidates with the  
5966 academy within ten days of hiring for the purpose of scheduling  
5967 training;

5968 (7) To issue appropriate certification to police officers who have  
5969 satisfactorily completed minimum basic training programs;

5970 (8) To require that each police officer satisfactorily complete at least  
5971 forty hours of certified review training every three years in order to  
5972 maintain certification, unless the officer is granted additional time not  
5973 to exceed one year to complete such training by the council;

5974 (9) To renew the certification of those police officers who have  
5975 satisfactorily completed review training programs;

5976 (10) To establish uniform minimum educational and training  
5977 standards for employment as a police officer in full-time positions,  
5978 temporary or probationary positions and part-time or voluntary  
5979 positions;

5980 (11) To develop, in consultation with the Commissioner of  
5981 Emergency Services and Public Protection, a schedule to visit and  
5982 inspect police basic training schools and to inspect each school at least  
5983 once each year;

5984 (12) To consult with and cooperate with universities, colleges and  
5985 institutes for the development of specialized courses of study for  
5986 police officers in police science and police administration;

5987 (13) To [consult with and cooperate] work with the Commissioner  
5988 of Emergency Services and Public Protection and with departments  
5989 and agencies of this state and other states and the federal government  
5990 concerned with police training;

5991 (14) To [employ an executive director and] make recommendations  
5992 to the Commissioner of Emergency Services and Public Protection  
5993 concerning the hiring of staff, within available appropriations, [to  
5994 employ any other personnel] that may be necessary in the performance  
5995 of its functions;

5996 (15) To perform any other acts that may be necessary and  
5997 appropriate to carry out the functions of the council as set forth in  
5998 sections 7-294a to 7-294e, inclusive, as amended by this act;

5999 (16) To accept, with the approval of the Commissioner of  
6000 Emergency Services and Public Protection, contributions, grants, gifts,  
6001 donations, services or other financial assistance from any  
6002 governmental unit, public agency or the private sector;

6003 (17) To conduct any inspection and evaluation that may be  
6004 necessary to determine if a law enforcement unit is complying with the  
6005 provisions of this section;

6006 (18) At the request and expense of any law enforcement unit, to  
6007 conduct general or specific management surveys;

6008 (19) To develop objective and uniform criteria for [granting]  
6009 recommending any waiver of regulations or granting a waiver of  
6010 procedures established by the council;

6011 (20) To recruit, select and appoint candidates to the position of  
6012 probationary candidate, as defined in section 7-294a, as amended by  
6013 this act, and provide recruit training for candidates of the Connecticut  
6014 Police Corps program in accordance with the Police Corps Act, 42 USC  
6015 14091 et seq., as amended from time to time; and

6016 (21) To develop, adopt and revise, as necessary, comprehensive  
6017 accreditation standards for the administration and management of law  
6018 enforcement units, to grant accreditation to those law enforcement  
6019 units that demonstrate their compliance with such standards and, at  
6020 the request and expense of any law enforcement unit, to conduct such  
6021 surveys as may be necessary to determine such unit's compliance with  
6022 such standards. [; and]

6023 [(22) To appoint any council training instructor, or such other  
6024 person as determined by the council, to act as a special police officer  
6025 throughout the state as such instructor or other person's official duties  
6026 may require, provided any such instructor or other person so  
6027 appointed shall be a certified police officer. Each such special police  
6028 officer shall be sworn and may arrest and present before a competent  
6029 authority any person for any offense committed within the officer's  
6030 precinct.]

6031 (b) No person may be employed as a police officer by any law  
6032 enforcement unit for a period exceeding one year unless [he] such  
6033 person has been certified under the provisions of subsection (a) of this  
6034 section or has been granted an extension by the council. No person  
6035 may serve as a police officer during any period when [his] such  
6036 person's certification has been cancelled or revoked pursuant to the  
6037 provisions of subsection (c) of this section. In addition to the  
6038 requirements of this subsection, the council may establish other  
6039 qualifications for the employment of police officers and require  
6040 evidence of fulfillment of these qualifications. The certification of any  
6041 police officer who is not employed by a law enforcement unit for a  
6042 period of time in excess of two years, unless such officer is on leave of  
6043 absence, shall be considered lapsed. Upon reemployment as a police  
6044 officer, such officer shall apply for recertification in a manner provided  
6045 by the council. The council shall certify any applicant who presents  
6046 evidence of satisfactory completion of a program or course of  
6047 instruction in another state equivalent in content and quality to that  
6048 required in this state, provided [he] such applicant passes an

6049 examination or evaluation as required by the council.

6050 (c) (1) The council may refuse to renew any certificate if the holder  
6051 fails to meet the requirements for renewal of his or her certification.

6052 (2) The council may cancel or revoke any certificate if: (A) The  
6053 certificate was issued by administrative error, (B) the certificate was  
6054 obtained through misrepresentation or fraud, (C) the holder falsified  
6055 any document in order to obtain or renew any certificate, (D) the  
6056 holder has been convicted of a felony, (E) the holder has been found  
6057 not guilty of a felony by reason of mental disease or defect pursuant to  
6058 section 53a-13, (F) the holder has been convicted of a violation of  
6059 subsection (c) of section 21a-279 or section 29-9, (G) the holder has  
6060 been refused issuance of a certificate or similar authorization or has  
6061 had his or her certificate or other authorization cancelled or revoked  
6062 by another jurisdiction on grounds which would authorize  
6063 cancellation or revocation under the provisions of this subdivision, (H)  
6064 the holder has been found by a law enforcement unit, pursuant to  
6065 procedures established by such unit, to have used a firearm in an  
6066 improper manner which resulted in the death or serious physical  
6067 injury of another person, or (I) the holder has been found by a law  
6068 enforcement unit, pursuant to procedures established by such unit, to  
6069 have committed any act that would constitute tampering with or  
6070 fabricating physical evidence in violation of section 53a-155, perjury in  
6071 violation of section 53a-156 or false statement in the second degree in  
6072 violation of section 53a-157b. Whenever the council believes there is a  
6073 reasonable basis for cancellation or revocation of the certification of a  
6074 police officer, police training school or law enforcement instructor, it  
6075 shall give notice and an adequate opportunity for a hearing prior to  
6076 such cancellation or revocation. The council may cancel or revoke any  
6077 certificate if, after a de novo review, it finds by clear and convincing  
6078 evidence (i) a basis set forth in subparagraphs (A) to (G), inclusive, of  
6079 this subdivision, or (ii) that the holder of the certificate committed an  
6080 act set forth in subparagraph (H) or (I) of this subdivision. Any police  
6081 officer or law enforcement instructor whose certification is cancelled or

6082 revoked pursuant to this section may reapply for certification no  
6083 sooner than two years after the date on which the cancellation or  
6084 revocation order becomes final. Any police training school whose  
6085 certification is cancelled or revoked pursuant to this section may  
6086 reapply for certification at any time after the date on which such order  
6087 becomes final.

6088 (d) Notwithstanding the provisions of subsection (b) of this section,  
6089 any police officer, except a probationary candidate, who is serving  
6090 under full-time appointment on July 1, 1982, shall be deemed to have  
6091 met all certification requirements and shall be automatically certified  
6092 by the council in accordance with the provisions of subsection (a) of  
6093 section 7-294e, as amended by this act.

6094 (e) The provisions of this section shall apply to any person who  
6095 performs police functions. As used in this subsection, "performs police  
6096 functions" for a person who is not a police officer, as defined in section  
6097 7-294a, means that in the course of [his] such person's official duties,  
6098 such person carries a firearm and exercises arrest powers pursuant to  
6099 section 54-1f or engages in the prevention, detection or investigation of  
6100 crime, as defined in section 53a-24. The council shall establish criteria  
6101 by which the certification process required by this section shall apply  
6102 to police officers.

6103 (f) The provisions of this section shall not apply to (1) any state  
6104 police training school or program, (2) any sworn member of the  
6105 Division of State Police within the Department of [Public Safety]  
6106 Emergency Services and Public Protection, (3) Connecticut National  
6107 Guard security personnel, when acting within the scope of their  
6108 National Guard duties, who have satisfactorily completed a program  
6109 of police training conducted by the United States Army or Air Force,  
6110 (4) employees of the Judicial Department, (5) municipal animal control  
6111 officers appointed pursuant to section 22-331, or (6) fire police  
6112 appointed pursuant to section 7-313a. The provisions of this section  
6113 with respect to renewal of certification upon satisfactory completion of

6114 review training programs shall not apply to any chief inspector or  
6115 inspector in the Division of Criminal Justice who has satisfactorily  
6116 completed a program of police training conducted by the division.

6117 Sec. 148. Section 7-294e of the general statutes is repealed and the  
6118 following is substituted in lieu thereof (*Effective July 1, 2011*):

6119 (a) Notwithstanding the provisions of any general statute or special  
6120 act or local law, ordinance or charter to the contrary, each police officer  
6121 shall forfeit [his] such officer's appointment and position unless  
6122 recertified by the council according to procedures and within the time  
6123 frame established by the council.

6124 (b) The Police Officer Standards and Training Council may [adopt]  
6125 recommend to the Commissioner of Emergency Services and Public  
6126 Protection any regulations it deems necessary to carry out the  
6127 provisions of section 7-294a, subsection (a) of section 7-294b, as  
6128 amended by this act, sections 7-294c, 7-294d, as amended by this act,  
6129 and this section, [in accordance with the provisions of chapter 54,]  
6130 giving due consideration to the varying factors and special  
6131 requirements of law enforcement units. [Such regulations shall be  
6132 binding upon all law enforcement units, except the Division of State  
6133 Police within the Department of Public Safety.]

6134 (c) The Commissioner of Emergency Services and Public Protection  
6135 may adopt regulations, in accordance with the provisions of chapter  
6136 54, as are necessary to implement the provisions of section 7-294a,  
6137 subsection (a) of section 7-294b, as amended by this act, sections 7-  
6138 294c, 7-294d, as amended by this act, and this section. Such regulations  
6139 shall be binding upon all law enforcement units, except the Division of  
6140 State Police within the Department of Emergency Services and Public  
6141 Protection.

6142 Sec. 149. Section 7-294p of the general statutes is repealed and the  
6143 following is substituted in lieu thereof (*Effective July 1, 2011*):

6144 [The Police Officer Standards and Training Council may recover  
6145 from any municipality that (1) operated a local police training school,  
6146 and (2) ceased the operation of such school on or after January 1, 2007,  
6147 the costs of providing law enforcement training at the Connecticut  
6148 Police Academy for such municipality's recruits.]

6149 (a) The Department of Emergency Services and Public Protection  
6150 shall maintain and operate the Connecticut Police Academy to offer  
6151 training for municipal police officers. The department shall fix tuition  
6152 and fees for training, education programs and sessions and for such  
6153 other purposes as the Commissioner of Emergency Services and Public  
6154 Protection deems necessary for the operation and support of the  
6155 academy, subject to the approval of the Office of Policy and  
6156 Management. Such fees shall be used solely for training and  
6157 educational purposes.

6158 (b) The department may establish and maintain a municipal police  
6159 officer training and education extension account, which shall be a  
6160 separate, nonlapsing account within the General Fund. The account  
6161 shall contain any moneys required by law to be deposited in the  
6162 account. The account shall be used for the operation of such training  
6163 and education programs and sessions as the Department of Emergency  
6164 Services and Public Protection may establish. All proceeds derived  
6165 from the operation of the training and education programs and  
6166 sessions shall be deposited in the General Fund and shall be credited  
6167 to and become a part of the resources of the account. All direct  
6168 expenses incurred in the conduct of the training and education  
6169 programs and sessions shall be charged and any payments of interest  
6170 and principal of bonds or any sums transferable to any fund for the  
6171 payment of interest and principal of bonds and any cost of equipment  
6172 for such operations may be charged, against the account on order of  
6173 the State Comptroller. Any balance of receipts above expenditures  
6174 shall remain in the account to be used for training and education  
6175 programs and sessions.

6176 Sec. 150. Section 7-323k of the general statutes is repealed and the  
6177 following is substituted in lieu thereof (*Effective July 1, 2011*):

6178 (a) There is established a Commission on Fire Prevention and  
6179 Control to consist of twelve members appointed by the Governor. The  
6180 State Fire Marshal or [his] such fire marshal's designee and the  
6181 chancellor of the community-technical colleges or [his] such  
6182 chancellor's designee shall serve as ex-officio, voting members of said  
6183 commission. Of the twelve members appointed by the Governor, two  
6184 shall represent The Connecticut State [Firemen's] Firefighter's  
6185 Association, two shall represent the Connecticut Fire Chiefs  
6186 Association, two shall represent the Uniformed Professional  
6187 Firefighters of the International Association of Firefighters, AFL-CIO,  
6188 two shall represent the Connecticut Fire Marshals Association, two  
6189 shall represent the Connecticut Fire Department Instructors  
6190 Association and two shall represent the Connecticut Conference of  
6191 Municipalities.

6192 (b) On or before July fifteenth, annually, each organization to be  
6193 represented on said commission shall submit to the Governor a list of  
6194 nominees for appointment to said commission, which list the Governor  
6195 may use when making [his] appointments to said commission. On or  
6196 before September 1, 1975, the Governor shall appoint eight members of  
6197 said commission to serve for a term of three years and on or before  
6198 September 1, 1976, he shall appoint four members for a term of one  
6199 year. Thereafter he shall appoint members to said commission, to  
6200 replace those whose terms have expired, to serve for three years.  
6201 Persons appointed to said commission shall be qualified, by experience  
6202 or education, in the fields of fire protection, fire prevention, fire  
6203 suppression, fire fighting and related fields.

6204 (c) The commission shall meet at such times and at such places as it  
6205 deems proper. Said commission shall elect from its membership a  
6206 chairman, vice chairman and secretary who shall serve a one year term  
6207 commencing on October first of the year in which they are elected,

6208 provided nothing contained herein shall prevent their reelection to  
6209 such office. No member of said commission shall receive compensation  
6210 for [his] such member's services.

6211 (d) Members of the commission shall not be considered as holding  
6212 public office solely by virtue of their membership on said commission.

6213 (e) The commission shall be within the Department of [Public Safety  
6214 for administrative purposes only] Emergency Services and Public  
6215 Protection.

6216 Sec. 151. Section 7-323l of the general statutes is repealed and the  
6217 following is substituted in lieu thereof (*Effective July 1, 2011*):

6218 (a) The commission shall:

6219 (1) Recommend minimum standards of education and physical  
6220 condition required of each candidate for any firefighter position;

6221 (2) Establish standards for a fire service training and education  
6222 program, on a voluntary basis, and develop and conduct an  
6223 examination program to certify those fire service personnel who  
6224 satisfactorily demonstrate their ability to meet the requirements of the  
6225 fire service training and education program standards;

6226 (3) Conduct fire fighting training and education programs designed  
6227 to assist firefighters in developing and maintaining their skills and  
6228 keeping abreast of technological advances in fire suppression, fire  
6229 protection, fire prevention and related fields;

6230 (4) Recommend standards for promotion to the various ranks of fire  
6231 departments;

6232 (5) Be authorized, with the approval of the Commissioner of  
6233 Emergency Services and Public Protection, to apply for, receive and  
6234 distribute any federal or private funds or contributions available for  
6235 training and education of fire fighting personnel; and

6236 (6) Submit to the Governor, [and] Joint Legislative Management  
6237 Committee of the General Assembly and the Commissioner of  
6238 Emergency Services and Public Protection an annual report relating to  
6239 the activities, recommendations and accomplishments of the  
6240 commission.

6241 (b) The commission may recommend, and the Commissioner of  
6242 Emergency Services and Public Protection may adopt, regulations [,] in  
6243 accordance with the provisions of chapter 54 [,] as [are] necessary to  
6244 implement the provisions of this section.

6245 Sec. 152. Section 7-323p of the general statutes is repealed and the  
6246 following is substituted in lieu thereof (*Effective July 1, 2011*):

6247 (a) The [Office of State Fire Administration] Department of  
6248 Emergency Services and Public Protection shall (1) maintain and  
6249 operate a state fire school [which] that shall serve as the training and  
6250 education [arm of] facility for the Commission on Fire Prevention and  
6251 Control, and (2) provide training and educational services in  
6252 accordance with the standards established pursuant to section 7-323l,  
6253 as amended by this act. The use of any hazardous material, as defined  
6254 in section 29-307a, except a virgin fuel, is prohibited in the simulation  
6255 of any fire. The [office] Department of Emergency Services and Public  
6256 Protection shall, in consultation with the commission, fix fees for  
6257 training and education programs and sessions and for such other  
6258 purposes deemed necessary for the operation and support of the  
6259 school. [, subject to the approval of the commission.] Such fees shall be  
6260 used solely for training and education purposes.

6261 (b) The [commission] department may establish and maintain a  
6262 state fire school training and education extension account, which shall  
6263 be a separate account within the General Fund. The account shall  
6264 contain any moneys required by law to be deposited in the account.  
6265 The account [may] shall be used for the operation of such training and  
6266 education [extension] programs and sessions as [the Office of State Fire  
6267 Administration] said department may establish, for the purchase of

6268 such equipment as is required for use in the operation of such  
6269 programs and sessions, and, within available funding, for (1)  
6270 reimbursement to municipalities and municipal fire departments for  
6271 one-half of the costs of Firefighter I certification and recruit training of  
6272 municipal volunteer and paid fire service personnel, and (2)  
6273 reimbursement to state agencies for one-half of the costs of Firefighter I  
6274 certification and recruit training of state agency fire service personnel.  
6275 All proceeds derived from the operation of the training and education  
6276 [extension] programs and sessions shall be deposited in the General  
6277 Fund and shall be credited to and become a part of the resources of the  
6278 account. All direct expenses incurred in the conduct of the training,  
6279 certification and education programs and sessions shall be charged,  
6280 and any payments of interest and principal of bonds or any sums  
6281 transferable to any fund for the payment of interest and principal of  
6282 bonds and any cost of equipment for such operations may be charged,  
6283 against the account on order of the State Comptroller. Any balance of  
6284 receipts above expenditures shall remain in the account to be used by  
6285 the department for [its] training and education programs and sessions,  
6286 and for the acquisition, as provided by section 4b-21, alteration and  
6287 repairs of real property for educational facilities, except such sums as  
6288 may be required to be transferred from time to time to any fund for the  
6289 redemption of bonds and payment of interest on bonds, provided  
6290 repairs, alterations or additions to educational facilities costing fifty  
6291 thousand dollars or less shall require the approval of the  
6292 Commissioner of Public Works, and capital projects costing over fifty  
6293 thousand dollars shall require the approval of the General Assembly  
6294 or, when the General Assembly is not in session, of the Finance  
6295 Advisory Committee.

6296 (c) The [commission] Department of Emergency Services and Public  
6297 Protection may establish and maintain a state fire school auxiliary  
6298 services account, which shall be a separate account within the General  
6299 Fund. The account shall be used for the operation, maintenance and  
6300 repair of auxiliary service facilities and for such other auxiliary  
6301 activities of the state fire school as [the Office of State Fire

6302 Administration] said department determines. The proceeds of such  
6303 activities shall be deposited in the General Fund and shall be credited  
6304 to and become a part of the resources of the account. All direct  
6305 expenses of operation, maintenance and repair of facilities, food  
6306 services and other auxiliary activities shall be charged, and any  
6307 payments of interest and principal of bonds or any sums transferable  
6308 to any fund for the payment of interest and principal of bonds and any  
6309 cost of equipment for such operations may be charged, against the  
6310 account on order of the State Comptroller. Any balance of receipts  
6311 above expenditures shall remain in the account to be used for the  
6312 improvement and extension of such activities, except such sums as  
6313 may be required to be transferred from time to time to any fund for the  
6314 redemption of bonds and payment of interest on bonds, provided  
6315 repairs, alterations or additions to auxiliary service facilities costing  
6316 fifty thousand dollars or less shall require the approval of the  
6317 Commissioner of Public Works, and capital projects costing over fifty  
6318 thousand dollars shall require the approval of the General Assembly  
6319 or, when the General Assembly is not in session, of the Finance  
6320 Advisory Committee. The [commission] department, with the  
6321 approval of the Secretary of the Office of Policy and Management and  
6322 the Finance Advisory Committee, may borrow from the resources of  
6323 the General Fund at any time such sum or sums as it deems advisable,  
6324 to establish or continue auxiliary services activities, such sums to be  
6325 repaid in accordance with such schedule as the Secretary of the Office  
6326 of Policy and Management shall establish.

6327 Sec. 153. Section 7-521 of the general statutes is repealed and the  
6328 following is substituted in lieu thereof (*Effective July 1, 2011*):

6329 (a) There is established a Local Emergency Relief Advisory  
6330 Committee comprised of: The Secretary of the Office of Policy and  
6331 Management, the Commissioner of Administrative Services, the  
6332 Commissioner of Transportation, the Commissioner of [Public Safety,]  
6333 Emergency Services and Public Protection and the Adjutant General of  
6334 the Military Department, [and the Commissioner of Emergency

6335 Management and Homeland Security,] or their designees; the  
6336 president pro tempore of the Senate, the minority leader of the Senate,  
6337 the speaker of the House of Representatives, and the minority leader of  
6338 the House of Representatives, or their designees; a member of the  
6339 Senate who shall be appointed by the president pro tempore of the  
6340 Senate and a member of the House of Representatives who shall be  
6341 appointed by the speaker of the House of Representatives.

6342 (b) The Commissioner of Emergency [Management and Homeland  
6343 Security] Services and Public Protection shall serve as the [chairman]  
6344 chairperson of the Local Emergency Relief Advisory Committee. The  
6345 committee may adopt such bylaws and guidelines and shall adopt  
6346 such eligibility standards as it deems advisable to carry out the  
6347 purposes of sections 7-520 to 7-522, inclusive. The Local Emergency  
6348 Relief Advisory Committee shall not be deemed to be an agency for  
6349 the purposes of chapter 54.

6350 Sec. 154. Subsection (c) of section 10a-55a of the general statutes is  
6351 repealed and the following is substituted in lieu thereof (*Effective July*  
6352 *1, 2011*):

6353 (c) On or before October 1, 2007, each institution of higher education  
6354 and private occupational school, as defined in section 10a-22a shall  
6355 have an emergency response plan. On or before October 1, 2007, and  
6356 annually thereafter, each institution of higher education and private  
6357 occupational school shall submit a copy of its emergency response plan  
6358 to (1) the [Commissioners of Public Safety and Emergency  
6359 Management and Homeland Security] Commissioner of Emergency  
6360 Services and Public Protection, and (2) local first responders. Such plan  
6361 shall be developed in consultation with such first responders and shall  
6362 include a strategy for notifying students and employees of the  
6363 institution or school and visitors to such institution or school of  
6364 emergency information.

6365 Sec. 155. Subsection (b) of section 14-283a of the general statutes is  
6366 repealed and the following is substituted in lieu thereof (*Effective July*

6367 1, 2011):

6368 (b) [Not later than January 1, 2000, the] The Commissioner of  
6369 [Public Safety] Emergency Services and Public Protection, in  
6370 conjunction with the Chief State's Attorney, the Police Officer  
6371 Standards and Training Council, the Connecticut Police Chiefs  
6372 Association and the Connecticut Coalition of Police and Correctional  
6373 Officers, shall adopt in accordance with chapter 54 a uniform, state-  
6374 wide policy for handling pursuits by police officers. Such policy shall  
6375 specify: (1) The conditions under which a police officer may engage in  
6376 a pursuit and discontinue a pursuit, (2) alternative measures to be  
6377 employed by any such police officer in order to apprehend any  
6378 occupant of the fleeing motor vehicle or to impede the movement of  
6379 such motor vehicle, (3) the coordination and responsibility, including  
6380 control over the pursuit, of supervisory personnel and the police  
6381 officer engaged in such pursuit, (4) in the case of a pursuit that may  
6382 proceed and continue into another municipality, (A) the requirement  
6383 to notify and the procedures to be used to notify the police department  
6384 in such other municipality or, if there is no organized police  
6385 department in such other municipality, the officers responsible for law  
6386 enforcement in such other municipality, that there is a pursuit in  
6387 progress, and (B) the coordination and responsibility of supervisory  
6388 personnel in each such municipality and the police officer engaged in  
6389 such pursuit, (5) the type and amount of training in pursuits, that each  
6390 police officer shall undergo, which may include training in vehicle  
6391 simulators, if vehicle simulator training is determined to be necessary,  
6392 and (6) that a police officer immediately notify supervisory personnel  
6393 or the officer in charge after the police officer begins a pursuit. The  
6394 chief of police or Commissioner of [Public Safety] Emergency Services  
6395 and Public Protection, as the case may be, shall inform each officer  
6396 within such chief's or said commissioner's department and each officer  
6397 responsible for law enforcement in a municipality in which there is no  
6398 such department of the existence of the policy of pursuit to be  
6399 employed by any such officer and shall take whatever measures that  
6400 are necessary to assure that each such officer understands the pursuit

6401 policy established.

6402 Sec. 156. Subsection (b) of section 16a-13b of the general statutes is  
6403 repealed and the following is substituted in lieu thereof (*Effective July*  
6404 *1, 2011*):

6405 (b) In exercising the responsibilities under subsection (a) of this  
6406 section, the secretary shall consult with the [Department of Emergency  
6407 Management and Homeland Security, the Department of Public  
6408 Safety] Department of Emergency Services and Public Protection, the  
6409 Department of Public Utility Control, the Department of  
6410 Transportation and such other state agencies as the secretary deems  
6411 appropriate. Each state agency shall assist the secretary in carrying out  
6412 the responsibilities assigned by sections 16a-9 to 16a-13d, inclusive.

6413 Sec. 157. Section 16a-106 of the general statutes is repealed and the  
6414 following is substituted in lieu thereof (*Effective July 1, 2011*):

6415 (a) No person shall transport into or through the state any of the  
6416 following materials: (1) Any quantity of radioactive material specified  
6417 as a "large quantity" by the Nuclear Regulatory Commission in 10 CFR,  
6418 Part 71, entitled "Packaging of Radioactive Material for Transport", (2)  
6419 any quantity of radioactive waste which has been produced as part of  
6420 the nuclear fuel cycle and which is being shipped from or through the  
6421 state to a waste disposal site or facility, or (3) any shipment of  
6422 radioactive material or waste which is carried by commercial carrier  
6423 and which is required in 10 CFR or 49 CFR to have a placard unless  
6424 such person has been granted a permit to transport such materials  
6425 from the Commissioner of Transportation.

6426 (b) Prior to the transporting of such materials, such person shall  
6427 apply to the Commissioner of Transportation for a permit and provide  
6428 said commissioner with the following information: (1) Name of  
6429 shipper, (2) name of carrier, (3) type and quantity of radioactive  
6430 material or waste, (4) proposed date and time of shipment, (5) starting  
6431 point, scheduled route, and destination, and (6) any other information

6432 required by the commissioner. Said commissioner shall grant such  
6433 permit upon a finding that the transporting of such material shall be  
6434 accomplished in a manner necessary to protect the public health and  
6435 safety of the citizens of the state. Such permit shall be granted or  
6436 denied not later than three days, Saturdays and Sundays excluded,  
6437 after such person has applied for such permit, except that if the  
6438 commissioner determines that additional time is required to evaluate  
6439 such application, the commissioner shall notify such person not later  
6440 than such three-day period that such additional time is required. Said  
6441 commissioner may require changes in dates, routes or time for the  
6442 transporting of such material or the use of escorts in the transporting  
6443 of such material or waste if necessary to protect the public health and  
6444 safety. The commissioner may consult with the Commissioner of  
6445 Environmental Protection and the Commissioner of [Public Safety]  
6446 Emergency Services and Public Protection prior to the granting of such  
6447 permit and shall immediately notify the Commissioner of [Public  
6448 Safety] Emergency Services and Public Protection of the granting of  
6449 any permit and of the terms and conditions of such permit. The  
6450 Commissioner of [Public Safety] Emergency Services and Public  
6451 Protection shall establish an inspection procedure along scheduled  
6452 routes to ensure compliance with permit conditions and with  
6453 regulations adopted by the Commissioner of Transportation pursuant  
6454 to subsection (c) of this section.

6455 (c) The Commissioner of Transportation shall, [not later than  
6456 November 1, 1976, and] after consultation with the Commissioners of  
6457 Environmental Protection, [Public Safety and Emergency Management  
6458 and Homeland Security] Emergency Management and Public  
6459 Protection, the Secretary of the Office of Policy and Management,  
6460 representatives of the federal Nuclear Regulatory Commission and the  
6461 United States Department of Transportation, adopt regulations  
6462 pursuant to chapter 54, to carry out the provisions of this section. The  
6463 Commissioner of Transportation shall, after consultation with the  
6464 Commissioner of [Public Safety] Emergency Management and Public  
6465 Protection, establish by regulations adopted pursuant to chapter 54 a

6466 permit fee schedule commensurate with the cost of administering the  
6467 provisions of this section.

6468 (d) This section shall not apply to radioactive materials shipped by  
6469 or for the United States government for military or national security  
6470 purposes or which are related to national defense. Nothing herein shall  
6471 be construed as requiring the disclosure of any defense information or  
6472 restricted data as defined in the Atomic Energy Act of 1954 and the  
6473 Energy Reorganization Act of 1974, as amended.

6474 (e) Notwithstanding the provisions of the Freedom of Information  
6475 Act, as defined in section 1-200, the Commissioner of Transportation  
6476 shall not disclose to any person other than the Commissioner of  
6477 Environmental Protection or the Commissioner of [Public Safety]  
6478 Emergency Management and Public Protection any information  
6479 provided the Commissioner of Transportation pursuant to subsection  
6480 (b) of this section prior to the completion of such shipment to which  
6481 such information relates.

6482 (f) Any person who violates any provision of this section shall be  
6483 fined not more than ten thousand dollars for each violation.

6484 Sec. 158. Subsection (b) of section 19a-487 of the general statutes is  
6485 repealed and the following is substituted in lieu thereof (*Effective July*  
6486 *1, 2011*):

6487 (b) There is established a board of directors to advise the  
6488 Department of Public Health on the operations of the mobile field  
6489 hospital. The board shall consist of the following members: The  
6490 Commissioners of Public Health, [Emergency Management and  
6491 Homeland Security, Public Safety] Emergency Services and Public  
6492 Protection and Social Services, or their designees, the Secretary of the  
6493 Office of Policy and Management, or the secretary's designee, the  
6494 Adjutant General, or the Adjutant General's designee, one  
6495 representative of a hospital in this state with more than five hundred  
6496 licensed beds and one representative of a hospital in this state with five

6497 hundred or fewer licensed beds, both appointed by the Commissioner  
6498 of Public Health. The Commissioner of Public Health shall be the  
6499 chairperson of the board. The board shall adopt bylaws and shall meet  
6500 at such times as specified in such bylaws and at such other times as the  
6501 Commissioner of Public Health deems necessary.

6502 Sec. 159. Section 21a-274a of the general statutes is repealed and the  
6503 following is substituted in lieu thereof (*Effective July 1, 2011*):

6504 (a) There is established a drug enforcement grant program which  
6505 shall be administered by the Office of Policy and Management. Grants  
6506 may be made to municipalities, the Department of [Public Safety]  
6507 Emergency Services and Public Protection and the Division of  
6508 Criminal Justice for the purpose of enforcing federal and state laws  
6509 concerning controlled substances, undertaking crime prevention  
6510 activities related to the enforcement of such laws, substance abuse  
6511 prevention education or training related to such enforcement or  
6512 education activities. The Secretary of the Office of Policy and  
6513 Management shall adopt regulations in accordance with chapter 54 for  
6514 the administration of this subsection, including the establishment of  
6515 priorities, program categories, eligibility requirements, funding  
6516 limitations and the application process. Such regulations shall provide  
6517 that the costs of a community-based police program, as defined in the  
6518 regulations, may be paid from a grant made under this section.

6519 (b) There is established a safe neighborhoods grant program which  
6520 shall be administered by the Office of Policy and Management. Grants  
6521 may be made, on a competitive basis, to the cities of Bridgeport,  
6522 Danbury, Hartford, Meriden, Middletown, New Britain, New Haven,  
6523 New London, Norwalk, Norwich, Stamford, Waterbury and  
6524 Windham, and to the Police Officer Standards and Training Council  
6525 within the Department of Emergency Services and Public Protection  
6526 for the purpose of (1) improving public safety in urban neighborhoods  
6527 through programs which increase police presence by hiring additional  
6528 police officers and establishing police substations for those

6529 neighborhoods, (2) involving residents in crime prevention activities,  
6530 including security enhancements to neighborhood residences and  
6531 business establishments, and (3) improving public safety in urban  
6532 neighborhoods through programs which increase police presence by  
6533 increasing the hours worked by police officers during times when such  
6534 increased presence is most needed to deter and control illegal use of  
6535 firearms in those neighborhoods where there has been a high incidence  
6536 of illegal use of firearms in the commission of crime. A grantee shall  
6537 use the grant to increase police presence within the grantee's safe  
6538 neighborhoods project area and, with the approval of the Office of  
6539 Policy and Management, a grantee may use such grant to temporarily  
6540 increase police presence in high crime areas outside such project area.  
6541 The Secretary of the Office of Policy and Management shall adopt  
6542 regulations in accordance with chapter 54 for the administration of this  
6543 section. Such regulations shall include provisions for the establishment  
6544 of programs, the allocation of funds and the application process. For  
6545 purposes of this subsection, the term "safe neighborhoods project area"  
6546 means a single neighborhood within a municipality selected by the  
6547 municipality to be eligible for a safe neighborhoods grant.

6548 Sec. 160. Subsection (a) of section 22a-601 of the general statutes is  
6549 repealed and the following is substituted in lieu thereof (*Effective July*  
6550 *1, 2011*):

6551 (a) There is established a Connecticut Emergency Response  
6552 Commission which shall be within the Department of Environmental  
6553 Protection. The commission shall consist of [~~nineteen~~] eighteen  
6554 members as follows: The Commissioners of Environmental Protection,  
6555 [~~Emergency Management and Homeland Security, Public Safety~~]  
6556 Emergency Services and Public Protection, Public Health and  
6557 Transportation, the Labor Commissioner, the Secretary of the Office of  
6558 Policy and Management, the Adjutant General of the Military  
6559 Department, the State Fire Marshal, and the State Fire Administrator,  
6560 or their designees or a designee, and nine members appointed by the  
6561 Governor, four of whom shall represent the public, three of whom

6562 shall represent owners or operators of facilities, one of whom shall be  
6563 the fire chief of a municipal fire department whose employees are  
6564 compensated for their services and one of whom shall be the fire chief  
6565 of a volunteer fire department. Members of the commission appointed  
6566 by the Governor shall serve for two years. The Governor shall fill any  
6567 vacancy in the office of an appointed member for the unexpired  
6568 portion of the term. Members of the commission shall serve without  
6569 compensation but shall be reimbursed for necessary expenses incurred  
6570 in the performance of their duties. The chairperson of the commission  
6571 shall be appointed by the Governor and shall serve at his pleasure.

6572 Sec. 161. Section 28-1 of the general statutes is repealed and the  
6573 following is substituted in lieu thereof (*Effective July 1, 2011*):

6574 As used in this chapter:

6575 (1) "Attack" means any attack or series of attacks by an enemy of the  
6576 United States causing, or which may cause, substantial damage or  
6577 injury to civilian property or persons in the United States in any  
6578 manner by sabotage or by the use of bombs, shellfire or atomic,  
6579 radiological, chemical, bacteriological or biological means or other  
6580 weapons or processes.

6581 (2) "Major disaster" means any catastrophe including, but not  
6582 limited to, any hurricane, tornado, storm, high water, wind-driven  
6583 water, tidal wave, tsunami, earthquake, volcanic eruption, landslide,  
6584 mudslide, snowstorm or drought, or, regardless of cause, any fire,  
6585 flood, explosion, or manmade disaster in any part of this state that, in  
6586 the determination of the President, causes damage of sufficient  
6587 severity and magnitude to warrant major disaster assistance under the  
6588 Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42  
6589 USC 5121 et seq., as amended from time to time, to supplement the  
6590 efforts and available resources of this state, local governments thereof,  
6591 and disaster relief organizations in alleviating the damage, loss,  
6592 hardship, or suffering caused thereby.

6593 (3) "Emergency" means any occasion or instance for which, in the  
6594 determination of the President, federal assistance is needed to  
6595 supplement state and local efforts and capabilities to save lives and  
6596 protect property, public health and safety or to avert or lessen the  
6597 threat of a disaster or catastrophe in any part of this state.

6598 (4) "Civil preparedness" means all those activities and measures  
6599 designed or undertaken (A) to minimize or control the effects upon the  
6600 civilian population of major disaster, (B) to minimize the effects upon  
6601 the civilian population caused or which would be caused by an attack  
6602 upon the United States, (C) to deal with the immediate emergency  
6603 conditions which would be created by any such attack, major disaster  
6604 or emergency, and (D) to effectuate emergency repairs to, or the  
6605 emergency restoration of, vital utilities and facilities destroyed or  
6606 damaged by any such attack, major disaster or emergency. Such term  
6607 shall include, but shall not be limited to, (i) measures to be taken in  
6608 preparation for anticipated attack, major disaster or emergency,  
6609 including the establishment of appropriate organizations, operational  
6610 plans and supporting agreements; the recruitment and training of  
6611 personnel; the conduct of research; the procurement and stockpiling of  
6612 necessary materials and supplies; the provision of suitable warning  
6613 systems; the construction and preparation of shelters, shelter areas and  
6614 control centers; and, when appropriate, the nonmilitary evacuation of  
6615 the civilian population, pets and service animals; (ii) measures to be  
6616 taken during attack, major disaster or emergency, including the  
6617 enforcement of passive defense regulations prescribed by duly  
6618 established military or civil authorities; the evacuation of personnel to  
6619 shelter areas; the control of traffic and panic; and the control and use of  
6620 lighting and civil communication; and (iii) measures to be taken  
6621 following attack, major disaster or emergency, including activities for  
6622 [fire fighting] firefighting; rescue, emergency medical, health and  
6623 sanitation services; monitoring for specific hazards of special weapons;  
6624 unexploded bomb reconnaissance; essential debris clearance;  
6625 emergency welfare measures; and immediately essential emergency  
6626 repair or restoration of damaged vital facilities.

6627 (5) "Civil preparedness forces" means any organized personnel  
6628 engaged in carrying out civil preparedness functions in accordance  
6629 with the provisions of this chapter or any regulation or order adopted  
6630 pursuant to this chapter. All the police and fire forces of the state or  
6631 any political subdivision of the state, or any part of any political  
6632 subdivision, including all the auxiliaries of these forces and emergency  
6633 medical service personnel licensed or certified pursuant to section 19a-  
6634 179, shall be construed to be a part of the civil preparedness forces. The  
6635 Connecticut Disaster Medical Assistance Team and the Medical  
6636 Reserve Corps, under the auspices of the Department of Public Health,  
6637 the Connecticut Urban Search and Rescue Team, under the auspices of  
6638 the Department of Emergency [Management and Homeland Security]  
6639 Services and Public Protection, and the Connecticut behavioral health  
6640 regional crisis response teams, under the auspices of the Department  
6641 of Mental Health and Addiction Services and the Department of  
6642 Children and Families, and their members, shall be construed to be a  
6643 part of the civil preparedness forces while engaging in authorized civil  
6644 preparedness duty or while assisting or engaging in authorized  
6645 training for the purpose of eligibility for immunity from liability as  
6646 provided in section 28-13 and for death, disability and injury benefits  
6647 as provided in section 28-14. Any member of the civil preparedness  
6648 forces who is called upon either by civil preparedness personnel or  
6649 state or municipal police personnel to assist in any emergency shall be  
6650 deemed to be engaging in civil preparedness duty while assisting in  
6651 such emergency or while engaging in training under the auspices of  
6652 the Department of Emergency [Management and Homeland Security,  
6653 the Department of Public Safety] Services and Public Protection, the  
6654 [Division] Divisions of State Police, and Emergency Management and  
6655 Homeland Security within the Department of [Public Safety]  
6656 Emergency Services and Public Protection or a municipal police  
6657 department, for the purpose of eligibility for death, disability and  
6658 injury benefits as provided in section 28-14.

6659 (6) "Mobile support unit" means an organization of civil  
6660 preparedness forces created in accordance with the provisions of this

6661 chapter to be dispatched by the Governor or Commissioner of  
6662 Emergency [Management and Homeland Security] Services and Public  
6663 Protection to supplement civil preparedness forces in a stricken or  
6664 threatened area.

6665 (7) "Civil preparedness emergency" or "disaster emergency" means  
6666 an emergency declared by the Governor under the provisions of this  
6667 chapter in the event of serious disaster or of enemy attack, sabotage or  
6668 other hostile action within the state or a neighboring state, or in the  
6669 event of the imminence thereof.

6670 (8) "Local civil preparedness emergency" or "disaster emergency"  
6671 means an emergency declared by the chief executive officer of any  
6672 town or city in the event of serious disaster affecting such town or city.

6673 (9) "Governor" means the Governor or anyone legally administering  
6674 the office of Governor.

6675 (10) "Commissioner" means the Commissioner of Emergency  
6676 [Management and Homeland Security] Services and Public Protection.

6677 (11) "Department" means the Department of Emergency  
6678 [Management and Homeland Security] Services and Public Protection.

6679 (12) "Political subdivision" means any city, town, municipality,  
6680 borough or other unit of local government.

6681 Sec. 162. Section 28-1a of the general statutes is repealed and the  
6682 following is substituted in lieu thereof (*Effective July 1, 2011*):

6683 [(a) There is established a Department of Emergency Management  
6684 and Homeland Security. Said department shall be the designated  
6685 emergency management and homeland security agency for the state.  
6686 The department head shall be the commissioner, who shall be  
6687 appointed by the Governor in accordance with the provisions of  
6688 sections 4-5, 4-6, 4-7 and 4-8 with the powers and duties prescribed in  
6689 said sections. The commissioner shall possess professional training and

6690 knowledge consisting of not less than five years of managerial or  
6691 strategic planning experience in matters relating to public safety,  
6692 security, emergency services and emergency response. No person  
6693 possessing a record of any criminal, unlawful or unethical conduct  
6694 shall be eligible for or hold such position. Any person with any present  
6695 or past political activities or financial interests that may substantially  
6696 conflict with the duties of the commissioner or expose such person to  
6697 potential undue influence or compromise such person's ability to be  
6698 entrusted with necessary state or federal security clearances or  
6699 information shall be deemed unqualified for such position and shall  
6700 not be eligible to hold such position. The commissioner shall be the  
6701 chief administrative officer of the department and shall have the  
6702 responsibility for providing a coordinated, integrated program for  
6703 state-wide emergency management and homeland security. The  
6704 commissioner may do all things necessary to apply for, qualify for and  
6705 accept any federal funds made available or allotted under any federal  
6706 act relative to emergency management or homeland security.]

6707 [(b)] (a) With reasonable conformance to applicable federal statutes  
6708 and administrative regulations of the Federal Emergency Management  
6709 Agency and the requirements of the Connecticut emergency  
6710 operations plan, the [commissioner] Commissioner of Emergency  
6711 Services and Public Protection shall organize the [department]  
6712 Division of Emergency Management and Homeland Security and the  
6713 personnel of [the department] said division as may be necessary for  
6714 the effective discharge of the authorized emergency management, civil  
6715 preparedness and homeland security missions, including, but not  
6716 limited to, the provisions of the Connecticut emergency operations  
6717 plan and the national plan for civil preparedness. Any [department]  
6718 personnel assigned to said division may be removed by the  
6719 commissioner for security reasons or for incompetence, subject to  
6720 reinstatement by the Employees' Review Board. [The commissioner  
6721 may enter into contracts for the furnishing by any person or agency,  
6722 public or private, of services necessary for the proper execution of the  
6723 duties of the department. Any such contract that has a cost of three

6724 thousand dollars or more shall be subject to the approval of the  
6725 Attorney General.]

6726 [(c)] (b) The commissioner shall be responsible for: (1) Coordinating  
6727 with state and local government personnel, agencies and authorities  
6728 and the private sector to ensure adequate planning, equipment,  
6729 training and exercise activities by such personnel, agencies and  
6730 authorities and the private sector with regard to homeland security; (2)  
6731 coordinating, and as may be necessary, consolidating homeland  
6732 security communications and communications systems of the state  
6733 government with state and local government personnel, agencies and  
6734 authorities, the general public and the private sector; (3) distributing  
6735 and, as may be appropriate, coordinating the distribution of  
6736 information and security warnings to state and local government  
6737 personnel, agencies and authorities and the general public; and (4)  
6738 establishing standards and security protocols for the use of any  
6739 intelligence information.

6740 [(d)] (c) The commissioner may adopt such regulations, in  
6741 accordance with the provisions of chapter 54, as necessary to  
6742 implement the duties of the department.

6743 [(e)] (d) The commissioner shall [, in consultation with the  
6744 bargaining unit representing state police,] enter into [an interagency] a  
6745 memorandum of understanding with the [Department of Public Safety  
6746 and the] Military Department to provide for (1) the temporary  
6747 assignment [and retrenchment rights of state police and] of employees  
6748 of the Military Department to work in the department, and (2)  
6749 interagency information sharing. Any such personnel temporarily  
6750 assigned shall act under the direction of the commissioner. The  
6751 Military Department [of Public Safety and the Military Department,  
6752 respectively,] shall retain administrative control over such personnel.

6753 [(f)] (e) The commissioner may request and may receive from any  
6754 federal, state or local agency, cooperation and assistance in the  
6755 performance of the duties of the department, including the temporary

6756 assignment of personnel necessary to perform the functions of the  
6757 department. Any such personnel temporarily assigned shall act under  
6758 the direction of the commissioner. The federal, state or local agency  
6759 shall retain administrative control over such personnel. For purposes  
6760 of section 5-141d, such personnel temporarily assigned shall be  
6761 deemed to be acting as state employees while assigned to, and  
6762 performing the duties of, the department.

6763 [(g) The functions, powers, duties and, as determined to be  
6764 necessary by the commissioner, personnel of the Division of Homeland  
6765 Security within the Department of Public Safety and the Office of  
6766 Emergency Management within the Military Department shall be  
6767 transferred to the Department of Emergency Management and  
6768 Homeland Security in accordance with the provisions of sections 4-  
6769 38d, 4-38e and 4-39.]

6770 Sec. 163. Section 28-1i of the general statutes is repealed and the  
6771 following is substituted in lieu thereof (*Effective July 1, 2011*):

6772 Not later than January [1, 2006, and annually thereafter] first,  
6773 annually, the Commissioner of Emergency [Management and  
6774 Homeland Security] Services and Public Protection shall submit a  
6775 report to the joint standing committee of the General Assembly having  
6776 cognizance of matters relating to public safety that specifies and  
6777 evaluates state-wide emergency management and homeland security  
6778 activities during the preceding calendar year.

6779 Sec. 164. Section 28-24 of the general statutes is repealed and the  
6780 following is substituted in lieu thereof (*Effective July 1, 2011*):

6781 (a) There is established an Office of State-Wide Emergency  
6782 Telecommunications which shall be [in the Division of Fire,  
6783 Emergency and Building Services] within the Department of [Public  
6784 Safety] Emergency Services and Public Protection. The Office of State-  
6785 Wide Emergency Telecommunications shall be responsible for  
6786 developing and maintaining a state-wide emergency service

6787 telecommunications policy. In connection with said policy the office  
6788 shall:

6789 (1) Develop a state-wide emergency service telecommunications  
6790 plan specifying emergency police, fire and medical service  
6791 telecommunications systems needed to provide coordinated  
6792 emergency service telecommunications to all state residents, including  
6793 the physically disabled;

6794 (2) Pursuant to the recommendations of the task force established by  
6795 public act 95-318 to study enhanced 9-1-1 telecommunications services,  
6796 and in accordance with regulations adopted by the Commissioner of  
6797 [Public Safety] Emergency Services and Public Protection pursuant to  
6798 subsection (b) of this section, develop and administer, by July 1, 1997,  
6799 an enhanced emergency 9-1-1 program, which shall provide for: (A)  
6800 The replacement of existing 9-1-1 terminal equipment for each public  
6801 safety answering point; (B) the subsidization of regional public safety  
6802 emergency telecommunications centers, with enhanced subsidization  
6803 for municipalities with a population in excess of forty thousand; (C)  
6804 the establishment of a transition grant program to encourage  
6805 regionalization of public safety telecommunications centers; and (D)  
6806 the establishment of a regional emergency telecommunications service  
6807 credit in order to support regional dispatch services;

6808 (3) Provide technical telecommunications assistance to state and  
6809 local police, fire and emergency medical service agencies;

6810 (4) Provide frequency coordination for such agencies;

6811 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-  
6812 1 systems;

6813 (6) Review and make recommendations concerning proposed  
6814 legislation affecting emergency service telecommunications; and

6815 (7) Review and make recommendations to the General Assembly  
6816 concerning emergency service telecommunications funding.

6817 (b) The Commissioner of [Public Safety] Emergency Services and  
6818 Public Protection shall adopt regulations, in accordance with chapter  
6819 54, establishing eligibility standards for state financial assistance to  
6820 local or regional police, fire and emergency medical service agencies  
6821 providing emergency service telecommunications. Not later than April  
6822 1, 1997, the commissioner shall adopt regulations, in accordance with  
6823 chapter 54, in order to carry out the provisions of subdivision (2) of  
6824 subsection (a) of this section.

6825 (c) Within a time period determined by the commissioner to ensure  
6826 the availability of funds for the fiscal year beginning July 1, 1997, to the  
6827 regional public safety emergency telecommunications centers within  
6828 the state, and not later than April first of each year thereafter, the  
6829 commissioner shall determine the amount of funding needed for the  
6830 development and administration of the enhanced emergency 9-1-1  
6831 program. The commissioner shall specify the expenses associated with  
6832 (1) the purchase, installation and maintenance of new public safety  
6833 answering point terminal equipment, (2) the implementation of the  
6834 subsidy program, as described in subdivision (2) of subsection (a) of  
6835 this section, (3) the implementation of the transition grant program,  
6836 described in subdivision (2) of subsection (a) of this section, (4) the  
6837 implementation of the regional emergency telecommunications service  
6838 credit, as described in subdivision (2) of subsection (a) of this section,  
6839 provided, for the fiscal year ending June 30, 2001, and each fiscal year  
6840 thereafter, such credit for coordinated medical emergency direction  
6841 services as provided in regulations adopted under this section shall be  
6842 based upon the factor of thirty cents per capita and shall not be  
6843 reduced each year, (5) the training of personnel, as necessary, (6)  
6844 recurring expenses and future capital costs associated with the  
6845 telecommunications network used to provide emergency 9-1-1 service  
6846 and the public safety services data networks, (7) for the fiscal year  
6847 ending June 30, 2001, and each fiscal year thereafter, the collection,  
6848 maintenance and reporting of emergency medical services data, as  
6849 required under subparagraphs (A) and (B) of subdivision (8) of section  
6850 19a-177, provided the amount of expenses specified under this

6851 subdivision shall not exceed two hundred fifty thousand dollars in any  
6852 fiscal year, (8) for the fiscal year ending June 30, 2001, and each fiscal  
6853 year thereafter, the initial training of emergency medical dispatch  
6854 personnel, the provision of an emergency medical dispatch priority  
6855 reference card set and emergency medical dispatch training and  
6856 continuing education pursuant to subdivisions (3) and (4) of  
6857 subsection (g) of section 28-25b, and (9) the administration of the  
6858 enhanced emergency 9-1-1 program by the Office of State-Wide  
6859 Emergency Telecommunications, as the commissioner determines to  
6860 be reasonably necessary. The commissioner shall communicate the  
6861 commissioner's findings to the chairperson of the Public Utilities  
6862 Control Authority not later than April first of each year.

6863 (d) The office may apply for, receive and distribute any federal  
6864 funds available for emergency service telecommunications. The office  
6865 shall deposit such federal funds in the Enhanced 9-1-1  
6866 Telecommunications Fund established by section 28-30a.

6867 (e) The office shall work in cooperation with the Department of  
6868 Public Utility Control to carry out the purposes of this section.

6869 Sec. 165. Section 28-29a of the general statutes is repealed and the  
6870 following is substituted in lieu thereof (*Effective July 1, 2011*):

6871 There is established an E 9-1-1 Commission to advise the office in  
6872 the planning, design, implementation and coordination of the  
6873 state-wide emergency 9-1-1 telephone system to be created pursuant to  
6874 sections 28-25, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,  
6875 28-28b, 28-29 and 28-29b. The commission shall be appointed by the  
6876 Governor on or before October 1, 1984, and shall consist of the  
6877 following members: (1) One representative [of] from the technical  
6878 support services unit of the Division of State Police within the  
6879 Department of [Public Safety] Emergency Services and Public  
6880 Protection; (2) the State Fire Administrator; (3) one representative from  
6881 the Office of Emergency Medical Services; (4) one representative from  
6882 the [Department] Division of Emergency Management and Homeland

6883 Security within the Department of Emergency Services and Public  
6884 Protection; (5) one municipal police chief; (6) one municipal fire chief;  
6885 (7) one volunteer fireman; (8) one representative of the Connecticut  
6886 Conference of Municipalities; (9) one representative of the Council of  
6887 Small Towns; (10) one manager or coordinator of 9-1-1 public safety  
6888 answering points serving areas of differing population concentration;  
6889 and (11) one representative of providers of commercial mobile radio  
6890 services, as defined in 47 Code of Federal Regulations 20.3, as  
6891 amended. Each member shall serve for a term of three years from July  
6892 1, 1984, or until a successor has been appointed and qualified. No  
6893 member of the commission shall receive compensation for such  
6894 member's services.

6895 Sec. 166. Section 29-1p of the general statutes is repealed and the  
6896 following is substituted in lieu thereof (*Effective July 1, 2011*):

6897 [(a)] The Commissioner of [Public Safety] Emergency Services and  
6898 Public Protection may assess threats to public safety to determine  
6899 when a threat qualifies as a genuine terrorist threat. The commissioner  
6900 may consult with whatever agencies or officials the commissioner  
6901 deems appropriate for such evaluation.

6902 [(b) When the Commissioner of Public Safety determines that there  
6903 is a genuine terrorist threat, the commissioner shall immediately notify  
6904 the Commissioner of Emergency Management and Homeland Security  
6905 of such threat.]

6906 Sec. 167. Section 29-4 of the general statutes is repealed and the  
6907 following is substituted in lieu thereof (*Effective July 1, 2011*):

6908 [On and after January 1, 2006, the] The Commissioner of [Public  
6909 Safety] Emergency Services and Public Protection shall appoint and  
6910 maintain a minimum of one thousand two hundred forty-eight sworn  
6911 state police personnel to efficiently maintain the operation of the  
6912 division. [On or after June 6, 1990, the] The commissioner shall appoint  
6913 from among such personnel not more than three lieutenant colonels

6914 who shall be in the unclassified service as provided in section 5-198.  
6915 Any permanent employee in the classified service who accepts  
6916 appointment to the position of lieutenant colonel in the unclassified  
6917 service may return to the classified service at such employee's former  
6918 rank. The position of major in the classified service shall be abolished  
6919 on July 1, 1999, but any existing position of major in the classified  
6920 service may continue until termination of service. The commissioner  
6921 shall appoint not more than seven majors who shall be in the  
6922 unclassified service as provided in section 5-198. Any permanent  
6923 employee in the classified service who accepts appointment to the  
6924 position of major in the unclassified service may return to the classified  
6925 service at such permanent employee's former rank. The commissioner,  
6926 subject to the provisions of chapter 67, shall appoint such numbers of  
6927 captains, lieutenants, sergeants, detectives and corporals as the  
6928 commissioner deems necessary to officer efficiently the state police  
6929 force. [The commissioner may appoint a Deputy State Fire Marshal  
6930 who shall be in the unclassified service as provided in section 5-198.  
6931 Any permanent employee in the classified service who accepts  
6932 appointment to the position of Deputy State Fire Marshal in the  
6933 unclassified service may return to the classified service at such  
6934 employee's former rank, class or grade, whichever is applicable.] The  
6935 commissioner shall establish such divisions as the commissioner  
6936 deems necessary for effective operation of the state police force and  
6937 consistent with budgetary allotments, a Criminal Intelligence Division  
6938 and a state-wide organized crime investigative task force to be  
6939 engaged throughout the state for the purpose of preventing and  
6940 detecting any violation of the criminal law. The head of the Criminal  
6941 Intelligence Division shall be of the rank of sergeant or above. The  
6942 head of the state-wide organized crime investigative task force shall be  
6943 a police officer. Salaries of the members of the Division of State Police  
6944 within the Department of [Public Safety] Emergency Services and  
6945 Public Protection shall be fixed by the Commissioner of Administrative  
6946 Services as provided in section 4-40. State police personnel may be  
6947 promoted, demoted, suspended or removed by the commissioner, but

6948 no final dismissal from the service shall be ordered until a hearing has  
6949 been had before said commissioner on charges preferred against such  
6950 officer. Each state police officer shall, before entering upon such  
6951 officer's duties, be sworn to the faithful performance of such duties.  
6952 The Commissioner of [Public Safety] Emergency Services and Public  
6953 Protection shall designate an adequate patrol force for motor patrol  
6954 work exclusively.

6955 Sec. 168. Section 29-5 of the general statutes is repealed and the  
6956 following is substituted in lieu thereof (*Effective July 1, 2011*):

6957 The Commissioner of [Public Safety] Emergency Services and Public  
6958 Protection may, within available appropriations, appoint suitable  
6959 persons from the regular state police force as resident state policemen  
6960 in addition to the regular state police force to be employed and  
6961 empowered as state policemen in any town or two or more adjoining  
6962 towns lacking an organized police force, and such officers may be  
6963 detailed by said commissioner as resident state policemen for regular  
6964 assignment to such towns, provided each town shall pay sixty per cent  
6965 of the cost of compensation, maintenance and other expenses of the  
6966 state policemen detailed to such town, and on and after July 1, [1992]  
6967 2011, each town shall pay seventy per cent of such regular cost and  
6968 other expenses and one hundred per cent of any overtime costs and  
6969 such portion of fringe benefits directly associated with such overtime  
6970 costs. Such town or towns and the Commissioner of [Public Safety]  
6971 Emergency Services and Public Protection are authorized to enter into  
6972 agreements and contracts for such police services, with the approval of  
6973 the Attorney General, for periods not exceeding two years. The  
6974 Commissioner of [Public Safety] Emergency Services and Public  
6975 Protection shall exercise such supervision and direction over any  
6976 resident policeman so appointed as [he] such commissioner deems  
6977 necessary, and each appointee shall be required to conform to the  
6978 requirements of chapter 67. Each resident state policeman shall have  
6979 the same powers as officers of the regular state police force and be  
6980 entitled to the same rights and subject to the same rules and

6981 regulations as the Division of State Police within the Department of  
6982 [Public Safety] Emergency Services and Public Protection.

6983 Sec. 169. Section 29-36l of the general statutes is repealed and the  
6984 following is substituted in lieu thereof (*Effective July 1, 2011*):

6985 (a) The Commissioner of [Public Safety] Emergency Services and  
6986 Public Protection shall establish a state database [within one year of  
6987 October 1, 1994,] that any person, firm or corporation who sells or  
6988 otherwise transfers pistols or revolvers may access, by telephone or  
6989 other electronic means in addition to the telephone, for information to  
6990 be supplied immediately, on whether a permit to carry a pistol or  
6991 revolver, issued pursuant to subsection (b) of section 29-28, a permit to  
6992 sell at retail a pistol or revolver, issued pursuant to subsection (a) of  
6993 section 29-28, or an eligibility certificate for a pistol or revolver, issued  
6994 pursuant to section 29-36f, is valid and has not been revoked or  
6995 suspended.

6996 (b) Upon establishment of the database, the commissioner shall  
6997 notify each person, firm or corporation holding a permit to sell at retail  
6998 pistols or revolvers issued pursuant to subsection (a) of section 29-28 of  
6999 the existence and purpose of the system and the means to be used to  
7000 access the database.

7001 (c) The Department of [Public Safety] Emergency Services and  
7002 Public Protection shall establish days and hours during which the  
7003 telephone number or other electronic means shall be operational for  
7004 purposes of responding to inquiries, taking into consideration the  
7005 normal business hours of retail firearm businesses.

7006 (d) (1) The Department of [Public Safety] Emergency Services and  
7007 Public Protection shall be the point of contact for initiating a  
7008 background check through the National Instant Criminal Background  
7009 Check System (NICS), established under section 103 of the Brady  
7010 Handgun Violence Prevention Act, on individuals purchasing  
7011 firearms.

7012 (2) The Department of [Public Safety] Emergency Services and  
7013 Public Protection, Department of Mental Health and Addiction  
7014 Services and Judicial Department shall, in accordance with state and  
7015 federal law regarding confidentiality, enter into a memorandum of  
7016 understanding with the Federal Bureau of Investigation for the  
7017 purpose of implementing the National Instant Criminal Background  
7018 Check System in the state. The Department of [Public Safety]  
7019 Emergency Services and Public Protection shall report the name, date  
7020 of birth and physical description of any person prohibited from  
7021 possessing a firearm pursuant to 18 USC 922(g) or (n) to the National  
7022 Instant Criminal Background Check System Index, Denied Persons  
7023 Files.

7024 (e) Any person, firm or corporation that contacts the Department of  
7025 [Public Safety] Emergency Services and Public Protection to access the  
7026 database established under this section and determine if a person is  
7027 eligible to receive or possess a firearm shall not be held civilly liable for  
7028 the sale or transfer of a firearm to a person whose receipt or possession  
7029 of such firearm is unlawful or for refusing to sell or transfer a firearm  
7030 to a person who may lawfully receive or possess such firearm if such  
7031 person, firm or corporation relied, in good faith, on the information  
7032 provided to such person, firm or corporation by said department,  
7033 unless the conduct of such person, firm or corporation was  
7034 unreasonable or reckless.

7035 (f) Any person, firm or corporation that sells, delivers or otherwise  
7036 transfers any firearm pursuant to section 29-33 or 29-37a, shall contact  
7037 the Department of [Public Safety] Emergency Services and Public  
7038 Protection to access the database established under this section and  
7039 receive an authorization number for such sale, delivery or transfer. The  
7040 provisions of this subsection shall not apply to: (1) Any sale, delivery  
7041 or transfer of an antique firearm manufactured in or before 1898,  
7042 including any firearm with a matchlock, flintlock, percussion cap or  
7043 similar type of ignition system manufactured in or before 1898; (2) any  
7044 sale, delivery or transfer of any replica of any firearm described in

7045 subdivision (1) of this subsection if such replica uses rimfire or  
7046 conventional centerfire fixed ammunition which is no longer  
7047 manufactured in the United States and which is not readily available in  
7048 the ordinary channels of commercial trade; (3) transactions between  
7049 persons who are licensed as firearms importers or collectors,  
7050 manufacturers or dealers pursuant to 18 USC 921 et seq.; (4) the  
7051 transfer of firearms to and from gunsmiths for purposes of repair only;  
7052 and (5) any sale, delivery or transfer of any firearm to any agency of  
7053 the United States, the state of Connecticut or any local government.

7054 Sec. 170. Subsections (a) to (c), inclusive, of section 53-202d of the  
7055 general statutes are repealed and the following is substituted in lieu  
7056 thereof (*Effective July 1, 2011*):

7057 (a) Any person who lawfully possesses an assault weapon, as  
7058 defined in section 53-202a, prior to October 1, 1993, shall apply by  
7059 October 1, 1994, or, if such person is a member of the military or naval  
7060 forces of this state or of the United States and is unable to apply by  
7061 October 1, 1994, because he or she is or was on official duty outside of  
7062 this state, shall apply within ninety days of returning to the state to the  
7063 Department of [Public Safety] Emergency Services and Public  
7064 Protection, for a certificate of possession with respect to such assault  
7065 weapon. The certificate shall contain a description of the firearm that  
7066 identifies it uniquely, including all identification marks, the full name,  
7067 address, date of birth and thumbprint of the owner, and any other  
7068 information as the department may deem appropriate. The department  
7069 shall adopt regulations in accordance with the provisions of chapter 54  
7070 [not later than January 1, 1994,] to establish procedures with respect to  
7071 the application for and issuance of certificates of possession pursuant  
7072 to this section. Notwithstanding the provisions of sections 1-210 and 1-  
7073 211, the name and address of a person issued a certificate of possession  
7074 shall be confidential and shall not be disclosed, except such records  
7075 may be disclosed to (1) law enforcement agencies, and (2) the  
7076 Commissioner of Mental Health and Addiction Services to carry out  
7077 the provisions of subsection (c) of section 17a-500.

7078 (b) No assault weapon possessed pursuant to this section may be  
7079 sold or transferred on or after January 1, 1994, to any person within  
7080 this state other than to a licensed gun dealer, as defined in subsection  
7081 (d) of section 53-202f, or as provided in section 53-202e, or by bequest  
7082 or intestate succession. Any person who obtains title to an assault  
7083 weapon for which a certificate of possession has been issued under this  
7084 section by bequest or intestate succession shall, within ninety days of  
7085 obtaining title, apply to the Department of [Public Safety] Emergency  
7086 Services and Public Protection for a certificate of possession as  
7087 provided in subsection (a) of this section, render the weapon  
7088 permanently inoperable, sell the weapon to a licensed gun dealer or  
7089 remove the weapon from the state. Any person who moves into the  
7090 state in lawful possession of an assault weapon, shall, within ninety  
7091 days, either render the weapon permanently inoperable, sell the  
7092 weapon to a licensed gun dealer or remove the weapon from this state,  
7093 except any person who is a member of the military or naval forces of  
7094 this state or of the United States, is in lawful possession of an assault  
7095 weapon and has been transferred into the state after October 1, 1994,  
7096 may, within ninety days of arriving in the state, apply to the  
7097 Department of [Public Safety] Emergency Services and Public  
7098 Protection for a certificate of possession with respect to such assault  
7099 weapon.

7100 (c) If an owner of an assault weapon sells or transfers the weapon to  
7101 a licensed gun dealer, he or she shall, at the time of delivery of the  
7102 weapon, execute a certificate of transfer and cause the certificate to be  
7103 mailed or delivered to the Commissioner of [Public Safety] Emergency  
7104 Services and Public Protection. The certificate shall contain: (1) The  
7105 date of sale or transfer; (2) the name and address of the seller or  
7106 transferor and the licensed gun dealer, their Social Security numbers or  
7107 motor vehicle operator license numbers, if applicable; (3) the licensed  
7108 gun dealer's federal firearms license number and seller's permit  
7109 number; (4) a description of the weapon, including the caliber of the  
7110 weapon and its make, model and serial number; and (5) any other  
7111 information the commissioner prescribes. The licensed gun dealer shall

7112 present his or her motor vehicle operator's license or Social Security  
7113 card, federal firearms license and seller's permit to the seller or  
7114 transferor for inspection at the time of purchase or transfer. The  
7115 Commissioner of [Public Safety] Emergency Services and Public  
7116 Protection shall maintain a file of all certificates of transfer at [his] such  
7117 commissioner's central office.

7118 Sec. 171. Section 54-1m of the general statutes is repealed and the  
7119 following is substituted in lieu thereof (*Effective July 1, 2011*):

7120 (a) [Not later than January 1, 2000, each] Each municipal police  
7121 department and the Department of [Public Safety] Emergency Services  
7122 and Public Protection shall adopt a written policy that prohibits the  
7123 stopping, detention or search of any person when such action is solely  
7124 motivated by considerations of race, color, ethnicity, age, gender or  
7125 sexual orientation, and the action would constitute a violation of the  
7126 civil rights of the person.

7127 (b) [Commencing on January 1, 2000, each] Each municipal police  
7128 department and the Department of [Public Safety] Emergency Services  
7129 and Public Protection shall, using the form developed and  
7130 promulgated pursuant to subsection (h) of this section, record and  
7131 retain the following information: (1) The number of persons stopped  
7132 for traffic violations; (2) characteristics of race, color, ethnicity, gender  
7133 and age of such persons, provided the identification of such  
7134 characteristics shall be based on the observation and perception of the  
7135 police officer responsible for reporting the stop and the information  
7136 shall not be required to be provided by the person stopped; (3) the  
7137 nature of the alleged traffic violation that resulted in the stop; (4)  
7138 whether a warning or citation was issued, an arrest made or a search  
7139 conducted as a result of the stop; and (5) any additional information  
7140 that such municipal police department or the Department of [Public  
7141 Safety] Emergency Services and Public Protection, as the case may be,  
7142 deems appropriate, provided such information does not include any  
7143 other identifying information about any person stopped for a traffic

7144 violation such as the person's operator's license number, name or  
7145 address.

7146 (c) Each municipal police department and the Department of [Public  
7147 Safety] Emergency Services and Public Protection shall provide to the  
7148 Chief State's Attorney and the African-American Affairs Commission  
7149 (1) a copy of each complaint received pursuant to this section, and (2)  
7150 written notification of the review and disposition of such complaint.  
7151 No such complaint shall contain any other identifying information  
7152 about the complainant such as his or her operator's license number,  
7153 name or address.

7154 (d) Any police officer who in good faith records traffic stop  
7155 information pursuant to the requirements of this section shall not be  
7156 held civilly liable for the act of recording such information unless the  
7157 officer's conduct was unreasonable or reckless.

7158 (e) If a municipal police department or the Department of [Public  
7159 Safety] Emergency Services and Public Protection fails to comply with  
7160 the provisions of this section, the Chief State's Attorney may  
7161 recommend and the Secretary of the Office of Policy and Management  
7162 may order an appropriate penalty in the form of the withholding of  
7163 state funds from such department or the Department of [Public Safety]  
7164 Emergency Services and Public Protection.

7165 (f) On or before October 1, 2000, and annually thereafter, each  
7166 municipal police department and the Department of [Public Safety]  
7167 Emergency Services and Public Protection shall provide to the Chief  
7168 State's Attorney and the African-American Affairs Commission, in  
7169 such form as the Chief State's Attorney shall prescribe, a summary  
7170 report of the information recorded pursuant to subsection (b) of this  
7171 section.

7172 (g) The African-American Affairs Commission shall review the  
7173 prevalence and disposition of traffic stops and complaints reported  
7174 pursuant to this section. Not later than January 1, 2004, and annually

7175 thereafter, the African-American Affairs Commission shall report to  
7176 the Governor, the General Assembly and to any other entity said  
7177 commission deems appropriate the results of such review, including  
7178 any recommendations.

7179 (h) [Not later than January 1, 2000, the] The Chief State's Attorney,  
7180 in conjunction with the Commissioner of [Public Safety] Emergency  
7181 Services and Public Protection, the Attorney General, the Chief Court  
7182 Administrator, the Police Officer Standards and Training Council, the  
7183 Connecticut Police Chiefs Association and the Connecticut Coalition of  
7184 Police and Correctional Officers, shall develop and promulgate: (1) A  
7185 form, in both printed and electronic format, to be used by police  
7186 officers when making a traffic stop to record the race, color, ethnicity,  
7187 gender and age of the operator of the motor vehicle that is stopped, the  
7188 location of the stop, the reason for the stop and other information that  
7189 is required to be recorded pursuant to subsection (b) of this section;  
7190 and (2) a form, in both printed and electronic format, to be used to  
7191 report complaints pursuant to this section by persons who believe they  
7192 have been subjected to a motor vehicle stop by a police officer solely  
7193 on the basis of their race, color, ethnicity, age, gender or sexual  
7194 orientation.

7195 Sec. 172. Section 54-64g of the general statutes is repealed and the  
7196 following is substituted in lieu thereof (*Effective July 1, 2011*):

7197 [Not later than January 1, 2000, the] The office of the Chief State's  
7198 Attorney shall, in consultation with the Commissioner of [Public  
7199 Safety] Emergency Services and Public Protection and the Connecticut  
7200 Police Chiefs Association, develop protocols for the surveillance by  
7201 state police officers or municipal police officers, or both, of persons  
7202 charged with the commission of a serious felony offense, as defined in  
7203 section 54-82t, who are released on bond.

7204 Sec. 173. Section 21a-1 of the general statutes is repealed and the  
7205 following is substituted in lieu thereof (*Effective July 1, 2011*):

7206        (a) There shall be a Department of Consumer Protection which shall  
7207 be under the direction and supervision of a Commissioner of  
7208 Consumer Protection, who shall be appointed by the Governor in  
7209 accordance with the provisions of sections 4-5 to 4-8, inclusive, as  
7210 amended by this act.

7211        (b) The Department of Consumer Protection shall constitute a  
7212 successor agency, in accordance with the provisions of sections 4-38d  
7213 and 4-39, to the Department of Public Safety with respect to all  
7214 functions, powers and duties of the Department of Public Safety under  
7215 chapter 532. Where any order or regulation of said departments  
7216 conflict, the Commissioner of Consumer Protection may implement  
7217 policies and procedures consistent with the provisions of chapter 532  
7218 while in the process of adopting the policy or procedure in regulation  
7219 form, provided notice of intention to adopt regulations is printed in  
7220 the Connecticut Law Journal within twenty days of implementation.  
7221 The policy or procedure shall be valid until the time final regulations  
7222 are effective.

7223        (c) The Department of Consumer Protection shall constitute a  
7224 successor agency to the Division of Special Revenue in accordance  
7225 with the provisions of sections 4-38d and 4-39. Where any order or  
7226 regulation of said division and department conflict, the Commissioner  
7227 of Consumer Protection may implement policies and procedures  
7228 consistent with chapters 98, 226, 438a, 529, 545, 557 and 946, while in  
7229 the process of adopting the policy or procedure in regulation form,  
7230 provided notice of intention to adopt regulations is printed in the  
7231 Connecticut Law Journal within twenty days of implementation. Any  
7232 such policy or procedure shall be valid until the time final regulations  
7233 are effective.

7234        Sec. 174. (*Effective July 1, 2011*) (a) Wherever the term "Department  
7235 of Public Safety" is used in the following general statutes, the term  
7236 "Department of Consumer Protection" shall be substituted in lieu  
7237 thereof; and (2) wherever the term "Commissioner of Public Safety" is

7238 used in the following general statutes, the term "Commissioner of  
7239 Consumer Protection" shall be substituted in lieu thereof: 29-133, 29-  
7240 134, 29-136 and 29-136a.

7241 (b) The Legislative Commissioners' Office shall, in codifying the  
7242 provisions of this section, make such technical, grammatical and  
7243 punctuation changes as are necessary to carry out the purposes of this  
7244 section.

7245 Sec. 175. (NEW) (*Effective July 1, 2011*) Not later than January 2, 2012,  
7246 the Commissioner of Consumer Protection shall submit a report, in  
7247 accordance with the provisions of section 11-4a of the general statutes,  
7248 to the joint standing committees of the General Assembly having  
7249 cognizance of matters relating to appropriations and the budgets of  
7250 state agencies and public safety concerning (1) the status of the merger  
7251 of the Department of Public Safety and the Department of Consumer  
7252 Protection, as it pertains to chapter 532 of the general statutes, in  
7253 accordance with the provisions of this section, section 42 of this act and  
7254 sections 21a-1, 29-129, 29-130, 29-132 and 29-143a of the general  
7255 statutes, as amended by this act, and (2) any recommendations for  
7256 further legislative action concerning such merger.

7257 Sec. 176. Section 29-129 of the general statutes is repealed and the  
7258 following is substituted in lieu thereof (*Effective July 1, 2011*):

7259 The Commissioner of [Public Safety] Consumer Protection, upon  
7260 application in writing of any person engaged in the conduct of any  
7261 place of amusement, entertainment, diversion or recreation to which  
7262 an admission fee is charged and so located in any area which, with  
7263 other places of amusement, entertainment, diversion or recreation,  
7264 constitutes a public amusement park, stating the name and address of  
7265 the applicant and the location and character of the amusement,  
7266 entertainment, diversion or recreation proposed to be conducted by  
7267 [him] such person, upon being satisfied that the same is not  
7268 inconsistent with the public welfare, morals and safety, shall, upon  
7269 payment to said commissioner of the license fee as prescribed by

7270 section 29-130, as amended by this act, and provision of proof of  
7271 financial responsibility as required by section 29-139, authorize such  
7272 applicant to conduct the place named in such application at such time  
7273 and reasonable hours daily as [he] commissioner limits and prescribes.

7274 Sec. 177. Section 29-130 of the general statutes is repealed and the  
7275 following is substituted in lieu thereof (*Effective July 1, 2011*):

7276 The Commissioner of [Public Safety] Consumer Protection shall  
7277 prescribe a form of application to be signed by each applicant and may  
7278 require such information respecting the business in which the  
7279 applicant proposes to engage as [he] said commissioner finds  
7280 necessary to safeguard the public from all forms of lascivious conduct,  
7281 immoral practices, vice or violations of the law. Said commissioner or  
7282 any employee of the Department of [Public Safety] Consumer  
7283 Protection authorized by [him] said commissioner for said purpose  
7284 may enter into any place so licensed or upon the premises where such  
7285 business is being conducted for the purpose of observing the conduct  
7286 of the same. Said commissioner shall issue to each applicant so  
7287 licensed a certificate to be designated "amusement park license", and  
7288 each certificate shall state the name of the applicant, the location of the  
7289 place where such amusement, entertainment, diversion or recreation  
7290 may be conducted and the hours each day during which the same may  
7291 be conducted. Each certificate shall be displayed conspicuously for  
7292 public view by the licensee at the place where the business so licensed  
7293 is conducted. Any such license may be suspended or revoked by said  
7294 commissioner whenever it appears that any of the conditions required  
7295 to be stated in such license have been violated. Such applications and  
7296 license certificates shall be printed at the expense of the state. The  
7297 annual license fee shall be one hundred dollars to be paid by the  
7298 applicant to the Commissioner of [Public Safety] Consumer Protection  
7299 with each application for such license. Such licenses shall not be  
7300 transferable and, if any licensee voluntarily discontinues operations  
7301 thereunder, all rights secured thereby shall terminate. On and after  
7302 January 1, 1986, the license year shall be from January first until

7303 December thirty-first following, inclusive. Each such license shall be  
7304 for a period of one license year.

7305 Sec. 178. Section 29-132 of the general statutes is repealed and the  
7306 following is substituted in lieu thereof (*Effective July 1, 2011*):

7307 All amusement rides and devices in the state shall be inspected at  
7308 least once in each calendar year, and as often as the Commissioner of  
7309 [Public Safety] Consumer Protection directs. The commissioner shall  
7310 approve one or more qualified inspectors or civil engineers familiar  
7311 with the construction and use of gravity and other amusement rides  
7312 and devices to conduct such inspections. Such inspectors shall be  
7313 certified to perform such inspections by a nationally recognized  
7314 professional or trade association of amusement ride safety officials  
7315 approved by the commissioner. A reasonable fee for such inspection,  
7316 to be determined by the commissioner, shall be paid to such inspector  
7317 or engineer by the owner, lessee or operator of such ride or device. No  
7318 amusement ride or device used for the carrying of passengers shall be  
7319 operated in the state unless the same has been inspected by such an  
7320 inspector or engineer and the inspector or engineer has certified to the  
7321 commissioner that, in [his] such inspector or engineer's judgment, the  
7322 same is reasonably safe for public use. Any person aggrieved by the  
7323 refusal of such inspector or engineer to grant such certificate of safety  
7324 shall have the right of appeal to the commissioner, who may, after due  
7325 hearing, if he is of the opinion that such ride or device is safe for public  
7326 use, issue a license therefor. Upon receipt of such certificate, if the  
7327 applicant has complied with the provisions of sections 29-129 to 29-  
7328 143a, inclusive, as amended by this act, a license shall be issued by the  
7329 commissioner, and [he] the commissioner may issue temporary  
7330 licenses to operate such rides or devices pending inspection or final  
7331 hearing upon the application when, in [his] the commissioner's  
7332 judgment, fairness and equity require it.

7333 Sec. 179. Section 29-143a of the general statutes is repealed and the  
7334 following is substituted in lieu thereof (*Effective July 1, 2011*):

7335 When fire protection is necessary or required at any place of public  
7336 amusement, sport contest, or any other exhibition or contest, which is  
7337 being held or is to be held in any municipality, the amount of such  
7338 protection shall be determined by the fire marshal of such municipality  
7339 and shall be furnished by the chief of the fire department, who may  
7340 utilize paid or volunteer firemen or both paid and volunteer firemen  
7341 for such purposes, and such protection shall be paid for by the person  
7342 or persons operating, conducting or promoting such game, exhibition  
7343 or contest. Nothing in this section shall affect the jurisdiction of the  
7344 Division of State Police within the Department of [Public Safety]  
7345 Emergency Services and Public Protection as may be applicable with  
7346 respect to such game, exhibition or contest or the jurisdiction of the  
7347 Commissioner of Motor Vehicles as may be applicable pursuant to the  
7348 provisions of section 14-164a.

7349 Sec. 180. Subsection (a) of section 29-179i of the general statutes is  
7350 repealed and the following is substituted in lieu thereof (*Effective July*  
7351 *1, 2011*):

7352 (a) There shall be a State-Wide Cooperative Crime Control Task  
7353 Force Policy Board which shall be in the Division of State Police within  
7354 the Department of [Public Safety for administrative purposes only]  
7355 Emergency Services and Public Protection. The policy board shall  
7356 consist of a state committee and municipal subcommittees  
7357 representing each municipality participating in the state-wide  
7358 cooperative crime control task force. The state committee shall consist  
7359 of the Commissioner of [Public Safety] Emergency Services and Public  
7360 Protection who shall be the chairperson, the Chief Court Administrator  
7361 or [his] such Chief Court Administrator's designee, the Chief State's  
7362 Attorney or [his] such Chief State's Attorney's designee, the  
7363 Commissioner of Correction or [his] such commissioner's designee,  
7364 [the director] a member of the Police Officer Standards and Training  
7365 Council [or his designee] designated by the chairperson, [the] a  
7366 Deputy Commissioner of the Department of [Public Safety] Emergency  
7367 Services and Public Protection, Division of State Police or [his] such

7368 deputy commissioner's designee, and the commanding officer of the  
7369 task force. The municipal subcommittees shall consist of the chief  
7370 executive officer of the participating municipality, the chief of police of  
7371 the participating municipality and three other members appointed by  
7372 such chief executive officer representing, but not limited to, the  
7373 interests of the business community, social and community services  
7374 and education.

7375 Sec. 181. Subsection (c) of section 54-142q of the general statutes is  
7376 repealed and the following is substituted in lieu thereof (*Effective July*  
7377 *1, 2011*):

7378 (c) The governing board shall be composed of the Chief Court  
7379 Administrator, the Commissioner of [Public Safety, the Commissioner  
7380 of Emergency Management and Homeland Security] Emergency  
7381 Services and Public Protection, the Secretary of the Office of Policy and  
7382 Management, the Commissioner of Correction, the chairperson of the  
7383 Board of Pardons and Paroles, the Chief State's Attorney, the Chief  
7384 Public Defender, the Chief Information Officer of the Department of  
7385 Information Technology, the Victim Advocate, the Commissioner of  
7386 Motor Vehicles, the chairpersons and ranking members of the joint  
7387 standing committee of the General Assembly on judiciary and the  
7388 president of the Connecticut Police Chiefs Association. The Chief  
7389 Court Administrator and a person appointed by the Governor from  
7390 among the membership shall serve as cochairpersons. Each member of  
7391 the governing board may appoint a designee who shall have the same  
7392 powers as such member.

7393 Sec. 182. (*Effective July 1, 2011*) (a) (1) Wherever the term "executive  
7394 director of the Division of Special Revenue" is used in the following  
7395 general statutes, the term "Commissioner of Consumer Protection"  
7396 shall be substituted in lieu thereof, (2) wherever the term "executive  
7397 director" is used in the following general statutes, the term  
7398 "commissioner" shall be substituted in lieu thereof, and (3) wherever  
7399 the term "division" is used in the following general statutes, the term

7400 "department" shall be substituted in lieu thereof: 7-173, 7-174, 7-177a,  
7401 7-178, 7-180 to 7-183, inclusive, 12-560, 12-561, 12-563, 12-563a, 12-564,  
7402 12-564a, 12-565, 12-566, 12-567, 12-568a, 12-571, 12-571a, 12-572, 12-573,  
7403 12-574, 12-575, 12-573a, 12-574a, 12-574c, 2-574d, 12-576, 12-578, 12-584,  
7404 12-585, 12-802a, 12-806, 12-806a, 12-807, 12-808, 12-813, 12-815, 12-815a,  
7405 17a-713, 29-18c, 30-20 and 53-278g.

7406 (b) Wherever the term "executive director of the Division of Special  
7407 Revenue" is used in the general statutes or in any special or public act  
7408 of 2011, the term "Commissioner of Consumer Protection" shall be  
7409 substituted in lieu thereof. Wherever the term "Division of Special  
7410 Revenue" is used in the general statutes or any public or special act of  
7411 2011, the term "Department of Consumer Protection" shall be  
7412 substituted in lieu thereof.

7413 (c) The Legislative Commissioners' Office shall, in codifying the  
7414 provisions of this section, make such technical, grammatical and  
7415 punctuation changes as are necessary to carry out the purposes of this  
7416 section.

7417 Sec. 183. Subsection (a) of section 1-83 of the general statutes is  
7418 repealed and the following is substituted in lieu thereof (*Effective July*  
7419 *1, 2011*):

7420 (a) (1) All state-wide elected officers, members of the General  
7421 Assembly, department heads and their deputies, members of the  
7422 Gaming Policy Board, [the executive director of the Division of Special  
7423 Revenue within the Department of Revenue Services,] members or  
7424 directors of each quasi-public agency, members of the Investment  
7425 Advisory Council, state marshals and such members of the Executive  
7426 Department and such employees of quasi-public agencies as the  
7427 Governor shall require, shall file, under penalty of false statement, a  
7428 statement of financial interests for the preceding calendar year with the  
7429 Office of State Ethics on or before the May first next in any year in  
7430 which they hold such a position. Any such individual who leaves his  
7431 or her office or position shall file a statement of financial interests

7432 covering that portion of the year during which such individual held  
7433 his or her office or position. The Office of State Ethics shall notify such  
7434 individuals of the requirements of this subsection not later than thirty  
7435 days after their departure from such office or position. Such  
7436 individuals shall file such statement within sixty days after receipt of  
7437 the notification.

7438 (2) Each state agency, department, board and commission shall  
7439 develop and implement, in cooperation with the Office of State Ethics,  
7440 an ethics statement as it relates to the mission of the agency,  
7441 department, board or commission. The executive head of each such  
7442 agency, department, board or commission shall be directly responsible  
7443 for the development and enforcement of such ethics statement and  
7444 shall file a copy of such ethics statement with the Department of  
7445 Administrative Services and the Office of State Ethics.

7446 Sec. 184. Subsection (d) of section 1-84 of the general statutes is  
7447 repealed and the following is substituted in lieu thereof (*Effective July*  
7448 *1, 2011*):

7449 (d) No public official or state employee or employee of such public  
7450 official or state employee shall agree to accept, or be a member or  
7451 employee of a partnership, association, professional corporation or  
7452 sole proprietorship which partnership, association, professional  
7453 corporation or sole proprietorship agrees to accept any employment,  
7454 fee or other thing of value, or portion thereof, for appearing, agreeing  
7455 to appear, or taking any other action on behalf of another person  
7456 before the Department of Banking, the Claims Commissioner, the  
7457 Office of Health Care Access division within the Department of Public  
7458 Health, the Insurance Department, [the office within] the Department  
7459 of Consumer Protection, [that carries out the duties and  
7460 responsibilities of sections 30-2 to 30-68m, inclusive,] the Department  
7461 of Motor Vehicles, the State Insurance and Risk Management Board,  
7462 the Department of Environmental Protection, the Department of Public  
7463 Utility Control, the Connecticut Siting Council, [the Division of Special

7464 Revenue within the Department of Revenue Services,] the Gaming  
7465 Policy Board within the [Division of Special Revenue] Department of  
7466 Consumer Protection or the Connecticut Real Estate Commission;  
7467 provided this shall not prohibit any such person from making inquiry  
7468 for information on behalf of another before any of said commissions or  
7469 commissioners if no fee or reward is given or promised in consequence  
7470 thereof. For the purpose of this subsection, partnerships, associations,  
7471 professional corporations or sole proprietorships refer only to such  
7472 partnerships, associations, professional corporations or sole  
7473 proprietorships which have been formed to carry on the business or  
7474 profession directly relating to the employment, appearing, agreeing to  
7475 appear or taking of action provided for in this subsection. Nothing in  
7476 this subsection shall prohibit any employment, appearing, agreeing to  
7477 appear or taking action before any municipal board, commission or  
7478 council. Nothing in this subsection shall be construed as applying (1)  
7479 to the actions of any teaching or research professional employee of a  
7480 public institution of higher education if such actions are not in  
7481 violation of any other provision of this chapter, (2) to the actions of any  
7482 other professional employee of a public institution of higher education  
7483 if such actions are not compensated and are not in violation of any  
7484 other provision of this chapter, (3) to any member of a board or  
7485 commission who receives no compensation other than per diem  
7486 payments or reimbursement for actual or necessary expenses, or both,  
7487 incurred in the performance of the member's duties, or (4) to any  
7488 member or director of a quasi-public agency. Notwithstanding the  
7489 provisions of this subsection to the contrary, a legislator, an officer of  
7490 the General Assembly or part-time legislative employee may be or  
7491 become a member or employee of a firm, partnership, association or  
7492 professional corporation which represents clients for compensation  
7493 before agencies listed in this subsection, provided the legislator, officer  
7494 of the General Assembly or part-time legislative employee shall take  
7495 no part in any matter involving the agency listed in this subsection and  
7496 shall not receive compensation from any such matter. Receipt of a  
7497 previously established salary, not based on the current or anticipated

7498 business of the firm, partnership, association or professional  
7499 corporation involving the agencies listed in this subsection, shall be  
7500 permitted.

7501 Sec. 185. Section 12-3b of the general statutes is repealed and the  
7502 following is substituted in lieu thereof (*Effective July 1, 2011*):

7503 (a) There is created an Abatement Review Committee which shall  
7504 consist of (1) the State Comptroller or an employee of the office of the  
7505 State Comptroller designated by said Comptroller, (2) the Secretary of  
7506 the Office of Policy and Management or an employee of the Office of  
7507 Policy and Management [designed] designated by said secretary, (3)  
7508 the Commissioner of Consumer Protection or an employee of the  
7509 Department of Consumer Protection designated by said commissioner,  
7510 and (4) the Commissioner of Revenue Services or an employee of the  
7511 Department of Revenue Services designated by said commissioner.  
7512 Said committee shall meet monthly or as often as necessary to approve  
7513 any abatement, in whole or in part, of tax, including any penalty or  
7514 interest payable in connection therewith, which the Commissioner of  
7515 Revenue Services or the [executive director of the Division of Special  
7516 Revenue] Commissioner of Consumer Protection is authorized to abate  
7517 pursuant to any provision of the general statutes. A majority vote of  
7518 the committee shall be required for approval of such abatement.

7519 (b) An itemized statement of all abatements approved under this  
7520 section shall be available to the public for inspection by any person.

7521 (c) The Abatement Review Committee, established pursuant to  
7522 subsection (a) of this section, may adopt regulations, in accordance  
7523 with chapter 54, establishing guidelines for the abatement of any tax.

7524 Sec. 186. Section 12-557b of the general statutes is repealed and the  
7525 following is substituted in lieu thereof (*Effective July 1, 2011*):

7526 As used in this chapter, and in sections 12-579, 12-580, and in  
7527 chapter 226b, unless the context otherwise requires:

7528 [(a)] (1) "Board" means the Gaming Policy Board established under  
7529 section 12-557d, as amended by this act;

7530 [(b) "Executive director" means the executive director of the Division  
7531 of Special Revenue within the Department of Revenue Services;]

7532 (2) "Commissioner" means the Commissioner of Consumer  
7533 Protection;

7534 [(c) "Division" means the Division of Special Revenue within the  
7535 Department of Revenue Services;]

7536 (3) "Department" means the Department of Consumer Protection;

7537 [(d)] (4) "Business organization" means a partnership, incorporated  
7538 or unincorporated association, firm, corporation, trust or other form of  
7539 business or legal entity, other than a financial institution regulated by a  
7540 state or federal agency which is not exercising control over an  
7541 association licensee; and

7542 [(e)] (5) "Control" means the power to exercise authority over or  
7543 direct the management and policies of a person or business  
7544 organization.

7545 Sec. 187. Section 12-557c of the general statutes is repealed and the  
7546 following is substituted in lieu thereof (*Effective July 1, 2011*):

7547 [(a) There shall be a Division of Special Revenue within the  
7548 Department of Revenue Services for administrative purposes only. The  
7549 Division of Special Revenue shall, in cooperation]

7550 The Department of Consumer Protection, shall work in cooperation  
7551 with the Gaming Policy Board, to implement and administer the  
7552 provisions of sections 7-169 to 7-186, inclusive, as amended by this act,  
7553 this chapter and chapters 226b and 229a, [under the supervision of an  
7554 executive director.]

7555 [(b) The Division of Special Revenue shall be under the direction

7556 and control of an executive director who shall be responsible for the  
7557 operation of his division. The executive director shall be appointed by  
7558 the Governor, with the approval of the General Assembly, and shall be  
7559 qualified and experienced in the functions performed by the Division  
7560 of Special Revenue. The executive director may appoint a deputy and  
7561 an executive assistant for the efficient conduct of the business of the  
7562 division. The deputy executive director shall, in the absence or  
7563 disqualification of the executive director or on his death, exercise the  
7564 powers and duties of the executive director until he resumes his duties  
7565 or the vacancy is filled. The deputy executive director and the  
7566 executive assistant shall serve at the pleasure of the executive director.  
7567 The executive director and the deputy executive director shall not  
7568 participate actively in political management and campaigns. Such  
7569 activity includes holding office in a political party, political  
7570 organization or political club, campaigning for a candidate in a  
7571 partisan election by making speeches, writing on behalf of a candidate,  
7572 soliciting votes in support of or in opposition to a candidate and  
7573 making contributions of time and money to political parties.

7574 (c) Whenever the term "Commission on Special Revenue" occurs or  
7575 is referred to in the public acts of the 1979 session of the General  
7576 Assembly, it shall be deemed to refer to the Division of Special  
7577 Revenue within the Department of Business Regulation.]

7578 Sec. 188. Section 12-557d of the general statutes is repealed and the  
7579 following is substituted in lieu thereof (*Effective July 1, 2011*):

7580 (a) There shall be a Gaming Policy Board within the [Division of  
7581 Special Revenue] Department of Consumer Protection. Said board  
7582 shall consist of five members appointed by the Governor with the  
7583 advice and consent of both houses of the General Assembly. Not more  
7584 than three members of said board in office at any one time shall be  
7585 members of the same political party. [On or before July 1, 1979, the  
7586 Governor shall nominate three members who shall serve until July 1,  
7587 1981, and two members who shall serve until July 1, 1983. The General

7588 Assembly shall confirm or reject such nominations in the manner  
7589 prescribed by section 4-7 before adjournment sine die of the 1979  
7590 regular session, except that if the nominations cannot be acted on by  
7591 both houses of the General Assembly during said regular session, the  
7592 General Assembly shall confirm or reject the nominations at a special  
7593 session which shall be called, notwithstanding sections 2-6 and 2-7,  
7594 immediately following adjournment sine die of the 1979 session  
7595 reconvened in accordance with article third of the amendments to the  
7596 Constitution of Connecticut, except that if no session is held pursuant  
7597 to said article, the General Assembly shall meet in special session,  
7598 notwithstanding sections 2-6 and 2-7, not later than August 1, 1979, to  
7599 confirm or reject such nominations. Any special session called  
7600 pursuant to this section shall be held for the sole purpose of  
7601 confirming or rejecting the initial nominations made by the Governor  
7602 to the board. Thereafter members] Members shall serve for a term of  
7603 four years and the procedure prescribed by section 4-7 shall apply to  
7604 such appointments, except that the Governor shall submit such  
7605 nominations on or before May first, and both houses shall confirm or  
7606 reject the nominations before adjournment sine die. Members shall  
7607 receive fifty dollars per day for each day they are engaged in the  
7608 business of the board and shall be reimbursed for necessary expenses  
7609 incurred in the performance of their duties. The [executive director]  
7610 commissioner shall serve on the board ex officio without voting rights.

7611 (b) To insure the highest standard of legalized gambling regulation  
7612 at least four of the board members shall have training or experience in  
7613 at least one of the following fields: Corporate finance, economics, law,  
7614 accounting, law enforcement, computer science or the pari-mutuel  
7615 industry. At least two of these fields shall be represented on the board  
7616 at any one time.

7617 (c) No board member shall accept any form of employment by a  
7618 business organization regulated under this chapter for a period of two  
7619 years following the termination of his service as a board member.

7620 (d) No board member shall engage in any oral ex parte  
7621 communications with any representative, agent, officer or employee of  
7622 any business organization regulated under this chapter concerning any  
7623 matter pending or impending before the board.

7624 (e) The members of the board shall not participate actively in  
7625 political management and campaigns. Such activity includes holding  
7626 office in a political party, political organization or political club,  
7627 campaigning for a candidate in a partisan election by making speeches,  
7628 writing on behalf of a candidate, soliciting votes in support of or in  
7629 opposition to a candidate and making contributions of time and  
7630 money to political parties.

7631 (f) The [Division of Special Revenue] Department of Consumer  
7632 Protection shall provide staff support for the board.

7633 Sec. 189. Section 12-557e of the general statutes is repealed and the  
7634 following is substituted in lieu thereof (*Effective July 1, 2011*):

7635 The Gaming Policy Board shall work in cooperation with the  
7636 [Division of Special Revenue] Department of Consumer Protection to  
7637 implement and administer the provisions of this chapter [,] and  
7638 chapters 226b and 229a and sections 7-169 to 7-186, inclusive, as  
7639 amended by this act. In carrying out its duties the board shall be  
7640 responsible for: (1) Approving, suspending or revoking licenses issued  
7641 under subsection (a) of section 12-574; (2) approving contracts for  
7642 facilities, goods, components or services necessary to carry out the  
7643 provisions of section 12-572; (3) setting racing and jai alai meeting  
7644 dates, except that the board may delegate to [the executive director]  
7645 designated staff the authority for setting make-up performance dates  
7646 within the period of a meeting set by the board; (4) imposing fines on  
7647 licensees under subsection (j) of section 12-574; (5) approving the types  
7648 of pari-mutuel betting to be permitted; (6) advising the [executive  
7649 director] commissioner concerning the conduct of off-track betting  
7650 facilities; (7) assisting the [executive director] commissioner in  
7651 developing regulations to carry out the provisions of this chapter,

7652 chapters 226b and 229a and sections 7-169 to 7-186, inclusive, as  
7653 amended by this act, and approving such regulations prior to their  
7654 adoption; (8) hearing all appeals taken under subsection (k) of section  
7655 7-169, as amended by this act, subsection (h) of section 7-169h,  
7656 subsection (c) of section 7-181, subsection (j) of section 12-574 and  
7657 section 12-815a, as amended by this act; and (9) advising the Governor  
7658 on state-wide plans and goals for legalized gambling.

7659 Sec. 190. Section 12-562 of the general statutes is repealed and the  
7660 following is substituted in lieu thereof (*Effective July 1, 2011*):

7661 (a) Except as provided in subsection (b) of this section, the  
7662 [executive director] commissioner shall have power to enforce the  
7663 provisions of this chapter and chapter 226b, and with the advice and  
7664 consent of the board, shall adopt all necessary regulations for that  
7665 purpose and for carrying out, enforcing and preventing violation of  
7666 any of the provisions of this chapter, for the inspection of licensed  
7667 premises or enterprises, for insuring proper, safe and orderly conduct  
7668 of licensed premises or enterprises and for protecting the public  
7669 against fraud or overcharge. The [executive director] commissioner  
7670 shall have power generally to do whatever is reasonably necessary for  
7671 the carrying out of the intent of this chapter; and may call upon other  
7672 administrative departments of the state government and of municipal  
7673 governments for such information and assistance as he or she deems  
7674 necessary to the performance of his or her duties.

7675 (b) The special policemen in the [Division of Special Revenue]  
7676 Department of Consumer Protection and the legalized gambling  
7677 investigative unit in the Division of State Police within the Department  
7678 of Public Safety shall be responsible for the criminal enforcement of the  
7679 provisions of sections 7-169 to 7-186, inclusive, as amended by this act,  
7680 this chapter and chapters 226b and 229a. They shall have the powers  
7681 and duties specified in section 29-7c, as amended by this act.

7682 Sec. 191. Section 12-569 of the general statutes is repealed and the  
7683 following is substituted in lieu thereof (*Effective July 1, 2011*):

7684 (a) If the president of the Connecticut Lottery Corporation  
7685 determines that any lottery sales agent has breached such agent's  
7686 fiduciary responsibility to the corporation in that the account of such  
7687 lottery sales agent with respect to moneys received from the sale of  
7688 lottery tickets has become delinquent in accordance with regulations  
7689 adopted as provided in section 12-568a, the president shall notify the  
7690 [executive director] commissioner of the breach of fiduciary duty and  
7691 the executive director shall impose a delinquency assessment upon  
7692 such account equal to ten per cent of the amount due or ten dollars,  
7693 whichever amount is greater, plus interest at the rate of one and one-  
7694 half per cent of such amount for each month or fraction of a month  
7695 from the date such amount is due to the date of payment. [Except as  
7696 provided in section 12-569b, and subject] Subject to the provisions of  
7697 section 12-3a, the [executive director] commissioner may waive all or  
7698 part of the penalties provided under this subsection when it is proven  
7699 to the [executive director's] commissioner's satisfaction that the failure  
7700 to pay such moneys to the state within the time allowed was due to  
7701 reasonable cause and was not intentional or due to neglect. Any such  
7702 delinquent lottery sales agent shall be notified of such delinquency  
7703 assessment and shall be afforded an opportunity to contest the validity  
7704 and amount of such assessment before the [executive director]  
7705 commissioner who may conduct such hearing. Upon request of the  
7706 president of the Connecticut Lottery Corporation, the [executive  
7707 director] commissioner may prepare and sign a warrant directed to  
7708 any state marshal, constable or any collection agent employed by the  
7709 Connecticut Lottery Corporation for distraint upon any property of  
7710 such delinquent lottery sales agent within the state, whether personal  
7711 or real property. An itemized bill shall be attached to the warrant  
7712 certified by the [executive director] commissioner as a true statement  
7713 of the amount due from such lottery sales agent. Such warrant shall  
7714 have the same force and effect as an execution issued in accordance  
7715 with chapter 906. Such warrant shall be levied on any real, personal,  
7716 tangible or intangible property of such agent and sale made pursuant  
7717 to such warrant in the same manner and with the same force and effect

7718 as a levy and sale pursuant to an execution.

7719 (b) The [executive director] commissioner, with the advice and  
7720 consent of the board, shall adopt regulations in accordance with  
7721 chapter 54 to carry out the purposes of this section.

7722 Sec. 192. Section 12-575c of the general statutes is repealed and the  
7723 following is substituted in lieu thereof (*Effective July 1, 2011*)

7724 (a) The [executive director] commissioner, as defined in [subsection  
7725 (b)] subdivision (2) of section 12-557b, as amended by this act, with the  
7726 approval of the board, as defined in [subsection (a)] subdivision (1) of  
7727 said section, may require all pari-mutuel betting conducted at any  
7728 facility conducting betting under a pari-mutuel system within the state  
7729 which is based on the results of any event which occurs at any place  
7730 other than the facility conducting such betting, whether such place is  
7731 within or without the state, to be combined into a single, state-wide  
7732 pool for each such event, or for any of them, as the [executive director]  
7733 commissioner may determine.

7734 (b) The [executive director] commissioner, as defined in [subsection  
7735 (b)] subdivision (2) of section 12-557b, as amended by this act, with the  
7736 approval of the board, as defined in [subsection (a)] subdivision (1) of  
7737 said section, may permit all pari-mutuel betting conducted at any  
7738 facility conducting betting under a pari-mutuel system within the state  
7739 which is based on the results of any event which occurs at such facility,  
7740 to be combined with the betting on such event at another facility where  
7741 pari-mutuel betting is conducted, whether such facility is within or  
7742 without the state, as a single pool for each event.

7743 Sec. 193. Section 12-577 of the general statutes is repealed and the  
7744 following is substituted in lieu thereof (*Effective July 1, 2011*):

7745 The [executive director] commissioner shall annually cause to be  
7746 made by some competent person or persons in the [executive director's  
7747 division] department a thorough audit of the books and records of

7748 each association licensee under this chapter and the [executive  
7749 director] commissioner may, from time to time, cause to be made by  
7750 some competent person in the [executive director's division]  
7751 department a thorough audit of the books and records of any other  
7752 person or business organization licensed under this chapter. All such  
7753 audit records shall be kept on file in the [executive director's]  
7754 commissioner's office at all times and copies shall be forwarded to the  
7755 board immediately upon completion thereof. Each licensee shall  
7756 permit access to its books and records for the purpose of having such  
7757 audit made, and shall produce, upon written order of the [executive  
7758 director] commissioner, any documents and information required for  
7759 such purpose.

7760 Sec. 194. Section 12-586f of the general statutes is repealed and the  
7761 following is substituted in lieu thereof (*Effective July 1, 2011*):

7762 (a) For the purposes of this section, "tribe" means the Mashantucket  
7763 Pequot Tribe and "compact" means the Tribal-State Compact between  
7764 the tribe and the state of Connecticut, as incorporated and amended in  
7765 the Final Mashantucket Pequot Gaming Procedures prescribed by the  
7766 Secretary of the United States Department of the Interior pursuant to  
7767 Section 2710(d)(7)(B)(vii) of Title 25 of the United States Code and  
7768 published in 56 Federal Register 24996 (May 31, 1991).

7769 (b) The expenses of administering the provisions of the compact  
7770 shall be financed as provided [herein] in this section. Assessments for  
7771 regulatory costs incurred by any state agency which are subject to  
7772 reimbursement by the tribe in accordance with the provisions of the  
7773 compact shall be made by the Commissioner of Revenue Services in  
7774 accordance with the provisions of the compact, including provisions  
7775 respecting adjustment of excess assessments. Any underassessment for  
7776 a prior fiscal year may be included in a subsequent assessment but  
7777 shall be specified as such. Payments made by the tribe in accordance  
7778 with the provisions of the compact shall be deposited in the General  
7779 Fund and shall be credited to the appropriation for the state agency

7780 incurring such costs.

7781 (c) Assessments for law enforcement costs incurred by any state  
7782 agency which are subject to reimbursement by the tribe in accordance  
7783 with the provisions of the compact shall be made by the Commissioner  
7784 of Public Safety in accordance with the provisions of the compact,  
7785 including provisions respecting adjustment of excess assessments. Any  
7786 underassessment for a prior fiscal year may be included in a  
7787 subsequent assessment but shall be specified as such. Payments made  
7788 by the tribe in accordance with the provisions of the compact shall be  
7789 deposited in the General Fund and shall be credited to the  
7790 appropriation for the state agency incurring such costs.

7791 (d) If the tribe is aggrieved due to any assessment levied pursuant to  
7792 such compact and this section or by any failure to adjust an excess  
7793 assessment in accordance with the provisions of the compact and this  
7794 section, it may, within one month from the time provided for the  
7795 payment of such assessment, appeal therefrom in accordance with the  
7796 terms of the compact, to the superior court for the judicial district of  
7797 Hartford, which appeal shall be accompanied by a citation to the  
7798 [executive director of the Division of Special Revenue] Commissioner  
7799 of Consumer Protection to appear before said court. Such citation shall  
7800 be signed by the same authority, and such appeal shall be returnable at  
7801 the same time and served and returned in the same manner as is  
7802 required in case of a summons in a civil action. Proceedings in such  
7803 matter shall be conducted in the same manner as provided for in  
7804 section 38a-52.

7805 (e) The [executive director] Commissioner of Consumer Protection  
7806 shall require each applicant for a casino gaming employee license,  
7807 casino gaming service license or casino gaming equipment license to  
7808 submit to state and national criminal history records checks before  
7809 such license is issued. The criminal history records checks required  
7810 pursuant to this subsection shall be conducted in accordance with  
7811 section 29-17a.

7812 Sec. 195. Section 12-586g of the general statutes is repealed and the  
7813 following is substituted in lieu thereof (*Effective July 1, 2011*):

7814 (a) For the purposes of this section, "tribe" means the Mohegan Tribe  
7815 of Indians of Connecticut and "compact" means the Tribal-State  
7816 Compact between the tribe and the state of Connecticut, dated May 17,  
7817 1994.

7818 (b) The expenses of administering the provisions of the compact  
7819 shall be financed as provided [herein] in this section. Assessments for  
7820 regulatory costs incurred by any state agency which are subject to  
7821 reimbursement by the tribe in accordance with the provisions of the  
7822 compact shall be made by the Commissioner of Revenue Services in  
7823 accordance with the provisions of the compact, including provisions  
7824 respecting adjustment of excess assessments. Any underassessment for  
7825 a prior fiscal year may be included in a subsequent assessment but  
7826 shall be specified as such. Payments made by the tribe in accordance  
7827 with the provisions of the compact shall be deposited in the General  
7828 Fund and shall be credited to the appropriation for the state agency  
7829 incurring such costs.

7830 (c) Assessments for law enforcement costs incurred by any state  
7831 agency which are subject to reimbursement by the tribe in accordance  
7832 with the provisions of the compact shall be made by the Commissioner  
7833 of Public Safety in accordance with the provisions of the compact,  
7834 including provisions respecting adjustment of excess assessments. Any  
7835 underassessment for a prior fiscal year may be included in a  
7836 subsequent assessment but shall be specified as such. Payments made  
7837 by the tribe in accordance with the provisions of the compact shall be  
7838 deposited in the General Fund and shall be credited to the  
7839 appropriation for the state agency incurring such costs.

7840 (d) If the tribe is aggrieved due to any assessment levied pursuant to  
7841 such compact and this section or by any failure to adjust an excess  
7842 assessment in accordance with the provisions of the compact and this  
7843 section, it may, within one month from the time provided for the

7844 payment of such assessment, appeal therefrom in accordance with the  
7845 terms of the compact, to the superior court for the judicial district of  
7846 New Britain, which appeal shall be accompanied by a citation to the  
7847 [executive director of the Division of Special Revenue] Commissioner  
7848 of Consumer Protection to appear before said court. Such citation shall  
7849 be signed by the same authority, and such appeal shall be returnable at  
7850 the same time and served and returned in the same manner as is  
7851 required in case of a summons in a civil action. Proceedings in such  
7852 matter shall be conducted in the same manner as provided for in  
7853 section 38a-52.

7854 (e) The [executive director] Commissioner of Consumer Protection  
7855 shall require each applicant for a casino gaming employee license,  
7856 casino gaming service license or casino gaming equipment license to  
7857 submit to state and national criminal history records checks before  
7858 such license is issued. The criminal history records checks required  
7859 pursuant to this subsection shall be conducted in accordance with  
7860 section 29-17a.

7861 Sec. 196. Section 12-801 of the general statutes is repealed and the  
7862 following is substituted in lieu thereof (*Effective July 1, 2011*):

7863 As used in sections 12-563a and 12-800 to 12-818, inclusive, the  
7864 following terms shall have the following meanings unless the context  
7865 clearly indicates another meaning:

7866 (1) "Board" or "board of directors" means the board of directors of  
7867 the corporation;

7868 (2) "Corporation" means the Connecticut Lottery Corporation as  
7869 created under section 12-802;

7870 (3) "Division" means the former Division of Special Revenue in the  
7871 Department of Revenue Services;

7872 [(3)] (4) "Lottery" means (A) the Connecticut state lottery conducted  
7873 prior to the transfer authorized under section 12-808 by the Division of

7874 Special Revenue, (B) after such transfer, the Connecticut state lottery  
7875 conducted by the corporation pursuant to sections 12-563a and 12-800  
7876 to 12-818, inclusive, and (C) the state lottery referred to in subsection  
7877 (a) of section 53-278g;

7878 [(4)] (5) "Lottery fund" means a fund or funds established by, and  
7879 under the management and control of, the corporation, into which all  
7880 lottery revenues of the corporation are deposited, from which all  
7881 payments and expenses of the corporation are paid and from which  
7882 transfers to the General Fund are made pursuant to section 12-812;

7883 [(5)] (6) "Operating revenue" means total revenue received from  
7884 lottery sales less all cancelled sales and amounts paid as prizes but  
7885 before payment or provision for payment of any other expenses.

7886 Sec. 197. Section 12-802 of the general statutes is repealed and the  
7887 following is substituted in lieu thereof (*Effective July 1, 2011*):

7888 (a) There is created a body politic and corporate, constituting a  
7889 public instrumentality and political subdivision of the state created for  
7890 the performance of an essential governmental revenue-raising  
7891 function, which shall be named the Connecticut Lottery Corporation,  
7892 and which may exercise the functions, powers and duties set forth in  
7893 sections 12-563a and 12-800 to 12-818, inclusive, to implement the  
7894 purposes set forth in said sections, which are public purposes for  
7895 which public funds may be expended. The Connecticut Lottery  
7896 Corporation shall not be construed to be a department, institution or  
7897 agency of the state with respect to budgeting, procurement or  
7898 personnel requirements, except as provided in sections 1-120, 1-121, 1-  
7899 125, 12-557e, as amended by this act, 12-563, 12-563a, 12-564, 12-566,  
7900 12-567, 12-568a and 12-569, subsection (d) of section 12-574 and  
7901 sections 12-800 to 12-818, inclusive.

7902 (b) The corporation shall be governed by a board of thirteen  
7903 directors. The Governor, with the advice and consent of the General  
7904 Assembly, shall appoint four directors who shall have skill, knowledge

7905 and experience in the fields of management, finance or operations in  
7906 the private sector. Three directors shall be the State Treasurer, the  
7907 Secretary of the Office of Policy and Management and the executive  
7908 director of the Division of Special Revenue, all of whom shall serve ex  
7909 officio and shall have all of the powers and privileges of a member of  
7910 the board of directors. Each ex-officio director may designate his or her  
7911 deputy or any member of his or her staff to represent him or her at  
7912 meetings of the corporation with full power to act and vote on his or  
7913 her behalf. The executive director of the Division of Special Revenue  
7914 shall cease to be a director one year from June 4, 1996, or earlier at the  
7915 discretion of the Governor. The Governor, with the advice and consent  
7916 of the General Assembly, shall fill the vacancy created by the removal  
7917 or departure of the executive director of the Division of Special  
7918 Revenue with a person who shall have skill, knowledge and  
7919 experience in the fields of management, finance or operations in the  
7920 private sector. The Governor shall thereafter have the power to  
7921 appoint a total of five members to the board. The procedures of section  
7922 4-7 shall apply to the confirmation of the Governor's appointments by  
7923 both houses of the General Assembly. Six directors shall be appointed  
7924 as follows: One by the president pro tempore of the Senate, one by the  
7925 majority leader of the Senate, one by the minority leader of the Senate,  
7926 one by the speaker of the House of Representatives, one by the  
7927 majority leader of the House of Representatives and one by the  
7928 minority leader of the House of Representatives. Each director  
7929 appointed by the Governor shall serve at the pleasure of the Governor  
7930 but no longer than the term of office of the Governor or until the  
7931 director's successor is appointed and qualified, whichever term is  
7932 longer. Each director appointed by a member of the General Assembly  
7933 shall serve in accordance with the provisions of section 4-1a. The  
7934 Governor shall fill any vacancy for the unexpired term of a member  
7935 appointed by the Governor. The appropriate legislative appointing  
7936 authority shall fill any vacancy for the unexpired term of a member  
7937 appointed by such authority. Any director, other than the executive  
7938 director of the Division of Special Revenue, shall be eligible for

7939 reappointment. The Commissioner of Consumer Protection shall not  
7940 serve as a director. Any director may be removed by order of the  
7941 Superior Court upon application of the Attorney General for  
7942 misfeasance, malfeasance or wilful neglect of duty. Such actions shall  
7943 be tried to the court without a jury and shall be privileged in  
7944 assignment for hearing. If the court, after hearing, finds there is clear  
7945 and convincing evidence of such misfeasance, malfeasance or wilful  
7946 neglect of duty it shall order the removal of such director. Any director  
7947 so removed shall not be reappointed to the board. Each appointing  
7948 authority shall make his initial appointment to the board no later than  
7949 six months following June 4, 1996.

7950 (c) The chairperson of the board shall be appointed by the Governor  
7951 from among the members of the board. The directors shall annually  
7952 elect one of their number as vice chairperson. The board may elect  
7953 such other officers of the board as it deems proper. Directors shall  
7954 receive no compensation for the performance of their duties under  
7955 sections 12-563a and 12-800 to 12-818, inclusive, but shall be  
7956 reimbursed for necessary expenses incurred in the performance of  
7957 their duties.

7958 (d) Meetings of the corporation shall be held at such times as shall  
7959 be specified in the bylaws adopted by the corporation and at such  
7960 other time or times as the chairperson deems necessary. The  
7961 corporation shall, within the first ninety days of the transfer to the  
7962 corporation of the lottery, pursuant to section 12-808, as amended by  
7963 this act, and on a fiscal quarterly basis thereafter, report on its  
7964 operations for the preceding fiscal quarter to the Governor and the  
7965 joint standing committees of the General Assembly having cognizance  
7966 of matters relating to finance, revenue and bonding, and public safety.  
7967 The report shall include a summary of the activities of the corporation,  
7968 a statement of operations and, if necessary, recommendations for  
7969 legislation to promote the purposes of the corporation. The accounts of  
7970 the corporation shall be subject to audit by the state Auditors of Public  
7971 Accounts. The corporation shall have independent certified public

7972 accountants audit its books and accounts at least once each fiscal year.  
7973 The books, records and financial statements of the corporation shall be  
7974 prepared in accordance with generally accepted accounting principles.

7975 (e) [(1)] Connecticut Lottery Corporation shall be a successor  
7976 employer to the state and shall recognize existing bargaining units and  
7977 collective bargaining agreements existing at the time of transfer of the  
7978 lottery to the corporation. The employees of the corporation shall be  
7979 considered state employees under the provisions of sections 5-270 to 5-  
7980 280, inclusive. The corporation shall not be required to comply with  
7981 personnel policies and procedures of the Department of  
7982 Administrative Services and the Office of Policy and Management  
7983 with regard to approval for the creation of new positions, the number  
7984 of such positions, the decision to fill such positions or the time for  
7985 filling such positions. The corporation, not the executive branch, shall  
7986 have the power to determine whether an individual is qualified to fill a  
7987 vacancy at the corporation. Nonmanagerial employees of the  
7988 corporation shall be members of the classified service. Managerial  
7989 employees shall be exempt from the classified service. The corporation  
7990 shall have the ability to determine the qualifications and set the terms  
7991 and conditions of employment of managerial employees including the  
7992 establishment of incentive plans.

7993 [(2) Existing lottery employees of the Division of Special Revenue in  
7994 collective bargaining units shall be offered the opportunity to transfer  
7995 with their position to the corporation. If the corporation elects to  
7996 employ a smaller number of persons in such positions at the  
7997 corporation than exist in the lottery at the Division of Special Revenue,  
7998 the opportunity to transfer to the corporation shall be offered on the  
7999 basis of seniority. Employees who are offered the opportunity to  
8000 transfer to the corporation may decline to do so. Any person who is  
8001 covered by a collective bargaining agreement as an employee of the  
8002 Division of Special Revenue who accepts employment with the  
8003 corporation shall transfer with his position and shall remain in the  
8004 same bargaining unit of which he was a member as an employee of the

8005 Division of Special Revenue.

8006 (3) No employee who is covered by a collective bargaining  
8007 agreement as an employee of the Division of Special Revenue shall be  
8008 laid off as a result of the creation of the corporation. Each employee of  
8009 the Division of Special Revenue who is not employed by the  
8010 corporation and by virtue of sections 12-563a and 12-800 to 12-818,  
8011 inclusive, is no longer employed by the Division of Special Revenue  
8012 shall be assigned with his position to another state agency. Such  
8013 opportunities shall be offered in the order of seniority. Seniority shall  
8014 be defined in the same way as cases of transfer under the appropriate  
8015 collective bargaining agreements. Such assignments shall be made  
8016 only with the approval of the Office of Policy and Management and  
8017 shall be reported at the end of the fiscal year to the Finance Advisory  
8018 Committee. Employees may choose to be laid off in lieu of accepting  
8019 any such assignment. In such case, they shall be entitled to all  
8020 collective bargaining rights under their respective collective bargaining  
8021 agreements including the State Employees Bargaining Agent Coalition  
8022 (SEBAC). Sections 1-120, 1-121, 1-125, 12-557e, 12-563, 12-563a, 12-564,  
8023 12-566, 12-567, 12-568a and 12-569, subsection (d) of section 12-574 and  
8024 sections 12-800 to 12-818, inclusive, shall in no way affect the collective  
8025 bargaining rights of employees of the Division of Special Revenue.

8026 (f) (1) In addition to the sales positions transferred to the  
8027 corporation under subdivision (2) of subsection (e) of this section, the]

8028 (f) (1) The corporation may create one or more new classifications of  
8029 entrepreneurial sales employees as determined by the board of  
8030 directors. Such classifications shall not be deemed comparable to other  
8031 classifications in state service.

8032 [(2) For the period commencing on June 4, 1996, until the expiration  
8033 of the collective bargaining agreement in effect for transferred sales  
8034 employees or the date of approval by the legislature of any interim  
8035 agreement, whichever is earlier, the corporation may hire employees  
8036 into a new entrepreneurial sales classification without regard to any

8037 collective bargaining agreement then in effect and may set the initial  
8038 terms and conditions of employment for all employees in a new  
8039 entrepreneurial sales classification.

8040 (3) Six months after the hiring of the first employee in any such new  
8041 entrepreneurial sales classification, the collective bargaining agent of  
8042 the transferred sales employees and the executive branch on behalf of  
8043 the corporation shall engage in midterm bargaining for such  
8044 classification at the request of either party. The scope of such midterm  
8045 bargaining shall include all terms of employment, except that  
8046 provisions relating to compensation shall not be subject to arbitration,  
8047 provided that the average annualized compensation for such  
8048 entrepreneurial sales classification shall not be less than the average  
8049 annualized compensation for transferred sales employees.]

8050 [(4)] (2) Upon the expiration of the collective bargaining agreement  
8051 covering transferred sales employees, all terms and conditions of  
8052 employment in a new entrepreneurial sales classification shall be  
8053 subject to collective bargaining as part of the negotiation of a common  
8054 successor agreement.

8055 (g) The executive branch [shall be authorized and empowered to]  
8056 may negotiate on behalf of the corporation for employees of the  
8057 corporation covered by collective bargaining and represent the  
8058 corporation in all other collective bargaining matters. The corporation  
8059 shall be entitled to have a representative present at all such bargaining.

8060 (h) In any interest arbitration regarding employees of the  
8061 corporation, the arbitrator shall take into account as a factor, in  
8062 addition to those factors specified in section 5-276a, the purposes of  
8063 sections 1-120, 1-121, 1-125, 12-557e, as amended by this act, 12-563, 12-  
8064 563a, 12-564, 12-566, 12-567, 12-568a and 12-569, subsection (d) of  
8065 section 12-574 and sections 12-800 to 12-818, inclusive, the  
8066 entrepreneurial mission of the corporation and the necessity to provide  
8067 flexibility and innovation to facilitate the success of the Connecticut  
8068 Lottery Corporation in the marketplace. In any arbitration regarding

8069 any classification of entrepreneurial sales employees, the arbitrator  
8070 shall include a term awarding incentive compensation for such  
8071 employees for the purpose of motivating employees to maximize  
8072 lottery sales.

8073 (i) The officers and all other employees of the corporation shall be  
8074 state employees for the purposes of group welfare benefits and  
8075 retirement, including, but not limited to, those provided under chapter  
8076 66 and sections 5-257 and 5-259. The corporation shall reimburse the  
8077 appropriate state agencies for all costs incurred by such designation.

8078 Sec. 198. Section 12-806b of the general statutes is repealed and the  
8079 following is substituted in lieu thereof (*Effective July 1, 2011*):

8080 (a) Commencing [July 1, 2010] April 1, 2012, and annually  
8081 thereafter, the Office of Policy and Management shall assess the  
8082 Connecticut Lottery Corporation in an amount sufficient to  
8083 compensate the [Division of Special Revenue] Department of  
8084 Consumer Protection for the reasonable and necessary costs incurred  
8085 by the [division] department for the regulatory activities specified in  
8086 subdivision (13) of subsection (b) of section 12-806 for the preceding  
8087 fiscal year ending June thirtieth.

8088 (b) On or before [August] May first of each year, the Office of Policy  
8089 and Management shall submit the total of the assessment made in  
8090 accordance with subsection (a) of this section, together with a  
8091 proposed assessment for the succeeding fiscal year based on the  
8092 preceding fiscal year cost, to the Connecticut Lottery Corporation. The  
8093 assessment for the preceding fiscal year shall be determined not later  
8094 than [September] June fifteenth of each year, after receiving any  
8095 objections to the proposed assessments and making such changes or  
8096 adjustments as the Secretary of the Office of Policy and Management  
8097 determines to be warranted. The corporation shall pay the total  
8098 assessment in quarterly payments to the Office of Policy and  
8099 Management, with the first payment commencing on [October] July  
8100 first of each year, and with the remaining payments to be made on

8101 [January] October first, [April] January first, and [July] April first  
8102 annually. The office shall deposit any such payment in the lottery  
8103 assessment account established under subsection (c) of this section.

8104 (c) There is established an account to be known as the "lottery  
8105 assessment account" which shall be a separate, nonlapsing account  
8106 within the General Fund. The account shall contain any moneys  
8107 required by law to be deposited in the account. Moneys in the account  
8108 shall be expended by the [Division of Special Revenue] Department of  
8109 Consumer Protection.

8110 Sec. 199. Section 22-410 of the general statutes is repealed and the  
8111 following is substituted in lieu thereof (*Effective July 1, 2011*):

8112 The Department of Agriculture and the [Division of Special  
8113 Revenue] Department of Consumer Protection, within the limitations  
8114 of funds available, may offer cash awards to the breeders of  
8115 Connecticut-bred horses which officially finish in first place in horse  
8116 races conducted in this state where pari-mutuel betting is permitted  
8117 and to those which finish first, second or third in horse races where  
8118 pari-mutuel betting is permitted and the total purse is twenty  
8119 thousand dollars or more, and to owners at the time of service of the  
8120 stallions which sired such horses. Such awards shall be paid from the  
8121 Connecticut Breeders' Fund to be administered by the [department and  
8122 the division] departments. Said fund shall consist of revenues derived  
8123 from pari-mutuel betting in such races in the state, both on and off-  
8124 track, consisting of twenty-five per cent of the tax derived from the  
8125 breakage of the state's share of the tax derived from such races,  
8126 pursuant to subdivision (2) of subsection (d) of section 12-575, with a  
8127 limit set for the fund not to exceed fifty thousand dollars in any fiscal  
8128 year.

8129 Sec. 200. Section 22-412 of the general statutes is repealed and the  
8130 following is substituted in lieu thereof (*Effective July 1, 2011*):

8131 The Department of Agriculture and the [Division of Special

8132 Revenue] Department of Consumer Protection shall use part of said  
8133 fund for programs to promote the equine industry in the state of  
8134 Connecticut, such as equine activities, facilities and research. The  
8135 Department of Agriculture and the [Division of Special Revenue]  
8136 Department of Consumer Protection may [promulgate] adopt  
8137 regulations, in accordance with the provisions of chapter 54, to carry  
8138 out the purposes of this section and sections 22-410, as amended by  
8139 this act, and 22-411.

8140 Sec. 201. Section 29-7c of the general statutes is repealed and the  
8141 following is substituted in lieu thereof (*Effective July 1, 2011*):

8142 There is established a unit in the Division of State Police within the  
8143 Department of Public Safety to be known as the legalized gambling  
8144 investigative unit. The unit, in conjunction with the special policemen  
8145 in the [Division of Special Revenue] Department of Consumer  
8146 Protection, shall be responsible for (1) the criminal enforcement of the  
8147 provisions of sections 7-169 to 7-186, inclusive, as amended by this act,  
8148 and chapters 226, 226b and 229a, and (2) the investigation, detection of  
8149 and assistance in the prosecution of any criminal matter or alleged  
8150 violation of criminal law with respect to legalized gambling, provided  
8151 the legalized gambling investigative unit shall be the primary criminal  
8152 enforcement agency. Nothing in this section shall limit the powers  
8153 granted to persons appointed to act as special policemen in accordance  
8154 with the provisions of section 29-18c.

8155 Sec. 202. Section 30-39 of the general statutes is repealed and the  
8156 following is substituted in lieu thereof (*Effective July 1, 2011*):

8157 (a) For the purposes of this section, the "filing date" of an application  
8158 means the date upon which the department, after approving the  
8159 application for processing, mails or otherwise delivers to the applicant  
8160 a placard containing such date.

8161 (b) (1) Any person desiring a liquor permit or a renewal of such a  
8162 permit shall make a sworn application therefor to the Department of

8163 Consumer Protection upon forms to be furnished by the department,  
8164 showing the name and address of the applicant and of the applicant's  
8165 backer, if any, the location of the club or place of business which is to  
8166 be operated under such permit and a financial statement setting forth  
8167 all elements and details of any business transactions connected with  
8168 the application. Such application shall include a detailed description of  
8169 the type of live entertainment that is to be provided. A club or place of  
8170 business shall be exempt from providing such detailed description if  
8171 the club or place of business (A) was issued a liquor permit prior to  
8172 October 1, 1993, and (B) has not altered the type of entertainment  
8173 provided. The application shall also indicate any crimes of which the  
8174 applicant or the applicant's backer may have been convicted.  
8175 Applicants shall submit documents sufficient to establish that state and  
8176 local building, fire and zoning requirements and local ordinances  
8177 concerning hours and days of sale will be met, except that local  
8178 building and zoning requirements and local ordinances concerning  
8179 hours and days of sale shall not apply to any class of airport permit.  
8180 The State Fire Marshal or the marshal's certified designee shall be  
8181 responsible for approving compliance with the State Fire Code at  
8182 Bradley International Airport. Any person desiring a permit provided  
8183 for in section 30-33b shall file a copy of such person's license [from the  
8184 Division of Special Revenue or the Gaming Policy Board] with such  
8185 application if such license was issued by the Gaming Policy Board. The  
8186 department may, at its discretion, conduct an investigation to  
8187 determine whether a permit shall be issued to an applicant.

8188 (2) The applicant shall pay to the department a nonrefundable  
8189 application fee, which fee shall be in addition to the fees prescribed in  
8190 this chapter for the permit sought. An application fee shall not be  
8191 charged for an application to renew a permit. The application fee shall  
8192 be in the amount of ten dollars for the filing of each application for a  
8193 permit by a charitable organization, including a nonprofit public  
8194 television corporation, a nonprofit golf tournament permit, a  
8195 temporary permit or a special club permit; and for all other permits in  
8196 the amount of one hundred dollars for the filing of an initial

8197 application. Any permit issued shall be valid only for the purposes and  
8198 activities described in the application.

8199 (3) The applicant, immediately after filing an application, shall give  
8200 notice thereof, with the name and residence of the permittee, the type  
8201 of permit applied for and the location of the place of business for  
8202 which such permit is to be issued and the type of live entertainment to  
8203 be provided, all in a form prescribed by the department, by publishing  
8204 the same in a newspaper having a circulation in the town in which the  
8205 place of business to be operated under such permit is to be located, at  
8206 least once a week for two successive weeks, the first publication to be  
8207 not more than seven days after the filing date of the application and  
8208 the last publication not more than fourteen days after the filing date of  
8209 the application. The applicant shall affix, and maintain in a legible  
8210 condition upon the outer door of the building wherein such place of  
8211 business is to be located and clearly visible from the public highway,  
8212 the placard provided by the department, not later than the day  
8213 following the receipt of the placard by the applicant. If such outer door  
8214 of such premises is so far from the public highway that such placard is  
8215 not clearly visible as provided, the department shall direct a suitable  
8216 method to notify the public of such application. When an application is  
8217 filed for any type of permit for a building that has not been  
8218 constructed, such applicant shall erect and maintain in a legible  
8219 condition a sign not less than six feet by four feet upon the site where  
8220 such place of business is to be located, instead of such placard upon  
8221 the outer door of the building. The sign shall set forth the type of  
8222 permit applied for and the name of the proposed permittee, shall be  
8223 clearly visible from the public highway and shall be so erected not  
8224 later than the day following the receipt of the placard. Such applicant  
8225 shall make a return to the department, under oath, of compliance with  
8226 the foregoing requirements, in such form as the department may  
8227 determine, but the department may require any additional proof of  
8228 such compliance. Upon receipt of evidence of such compliance, the  
8229 department may hold a hearing as to the suitability of the proposed  
8230 location. The provisions of this subdivision shall not apply to

8231 applications for airline permits, charitable organization permits,  
8232 temporary permits, special club permits, concession permits, military  
8233 permits, railroad permits, boat permits, warehouse permits, brokers'  
8234 permits, out-of-state shippers' permits for alcoholic liquor and out-of-  
8235 state shippers' permits for beer, coliseum permits, coliseum concession  
8236 permits, special sporting facility restaurant permits, special sporting  
8237 facility employee recreational permits, special sporting facility guest  
8238 permits, special sporting facility concession permits, special sporting  
8239 facility bar permits, nonprofit golf tournament permits, nonprofit  
8240 public television permits and renewals. The provisions of this  
8241 subdivision regarding publication and placard display shall also be  
8242 required of any applicant who seeks to amend the type of  
8243 entertainment upon filing of a renewal application.

8244 (4) In any case in which a permit has been issued to a partnership, if  
8245 one or more of the partners dies or retires, the remaining partner or  
8246 partners need not file a new application for the unexpired portion of  
8247 the current permit, and no additional fee for such unexpired portion  
8248 shall be required. Notice of any such change shall be given to the  
8249 department and the permit shall be endorsed to show correct  
8250 ownership. When any partnership changes by reason of the addition of  
8251 one or more persons, a new application with new fees shall be  
8252 required.

8253 (c) Any ten persons who are at least eighteen years of age, and are  
8254 residents of the town within which the business for which the permit  
8255 or renewal thereof has been applied for, is intended to be operated, or,  
8256 in the case of a manufacturer's or a wholesaler's permit, any ten  
8257 persons who are at least eighteen years of age and are residents of the  
8258 state, may file with the department, within three weeks from the last  
8259 date of publication of notice made pursuant to subdivision (3) of  
8260 subsection (b) of this section for an initial permit, and in the case of  
8261 renewal of an existing permit, at least twenty-one days before the  
8262 renewal date of such permit, a remonstrance containing any objection  
8263 to the suitability of such applicant or proposed place of business. Upon

8264 the filing of such remonstrance, the department, upon written  
8265 application, shall hold a hearing and shall give such notice as it deems  
8266 reasonable of the time and place at least five days before such hearing  
8267 is had. The remonstrants shall designate one or more agents for  
8268 service, who shall serve as the recipient or recipients of all notices  
8269 issued by the department. At any time prior to the issuance of a  
8270 decision by the department, a remonstrance may be withdrawn by the  
8271 remonstrants or by such agent or agents acting on behalf of such  
8272 remonstrants and the department may cancel the hearing or withdraw  
8273 the case. The decision of the department on such application shall be  
8274 final with respect to the remonstrance.

8275 (d) No new permit shall be issued until the foregoing provisions of  
8276 subsections (a) and (b) of this section have been complied with. Six  
8277 months' or seasonal permits may be renewed, provided the renewal  
8278 application and fee shall be filed at least twenty-one days before the  
8279 reopening of the business, there is no change in the permittee,  
8280 ownership or type of permit, and the permittee or backer did not  
8281 receive a rebate of the permit fee with respect to the permit issued for  
8282 the previous year.

8283 (e) The department may renew a permit that has expired if the  
8284 applicant pays to the department a nonrefundable late fee pursuant to  
8285 subsection (c) of section 21a-4, which fee shall be in addition to the fees  
8286 prescribed in this chapter for the permit applied for. The provisions of  
8287 this subsection shall not apply to one-day permits, to any permit which  
8288 is the subject of administrative or court proceedings, or where  
8289 otherwise provided by law.

8290 Sec. 203. Section 30-59a of the general statutes is repealed and the  
8291 following is substituted in lieu thereof (*Effective July 1, 2011*):

8292 The Department of Consumer Protection may [, upon notice from  
8293 the Division of Special Revenue of the name and address of any person  
8294 who] suspend any permit issued under this chapter if the permittee  
8295 has had a license suspended or revoked by the Gaming Policy Board or

8296 the [executive director of the Division of Special Revenue, suspend the  
8297 permit of such person] department until such license has been restored  
8298 to such person. [The Department of Consumer Protection shall notify  
8299 the Division of Special Revenue of the name and address of any  
8300 permittee or backer whose permit has been suspended or revoked.]

8301 Sec. 204. Section 31-51y of the general statutes is repealed and the  
8302 following is substituted in lieu thereof (*Effective July 1, 2011*):

8303 (a) Nothing in sections 31-51t to 31-51aa, inclusive, shall prevent an  
8304 employer from conducting medical screenings, with the express  
8305 written consent of the employees, to monitor exposure to toxic or other  
8306 unhealthy substances in the workplace or in the performance of their  
8307 job responsibilities. Any such screenings or tests shall be limited to the  
8308 specific substances expressly identified in the employee consent form.

8309 (b) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict an  
8310 employer's ability to prohibit the use of intoxicating substances during  
8311 work hours or restrict an employer's ability to discipline an employee  
8312 for being under the influence of intoxicating substances during work  
8313 hours.

8314 (c) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict or  
8315 prevent a urinalysis drug test program conducted under the  
8316 supervision of the [Division of Special Revenue within the Department  
8317 of Revenue Services] Department of Consumer Protection relative to  
8318 jai alai players, jai alai court judges, jockeys, harness drivers or  
8319 stewards participating in activities upon which pari-mutuel wagering  
8320 is authorized under chapter 226.

8321 Sec. 205. Subsection (d) of section 53-278c of the general statutes is  
8322 repealed and the following is substituted in lieu thereof (*Effective July*  
8323 *1, 2011*):

8324 (d) Except as provided in subsection (e), any person who knowingly  
8325 owns, manufactures, possesses, buys, sells, rents, leases, stores, repairs

8326 or transports any gambling device, or offers or solicits any interest  
8327 therein, except in connection with a permit under sections 7-169 to 7-  
8328 186, inclusive, as amended by this act, whether through an agent or  
8329 employee or otherwise shall be guilty of a class A misdemeanor.  
8330 Subsection (b) of this section shall have no application in the  
8331 enforcement of this subsection.

8332 Sec. 206. Section 7-169 of the general statutes is repealed and the  
8333 following is substituted in lieu thereof (*Effective July 1, 2011*):

8334 (a) The term "bingo" is defined as the name of a game in which each  
8335 player receives a card containing several rows of numbers and, as  
8336 numbers are drawn or otherwise obtained by chance and publicly  
8337 announced, the player first having a specified number of announced  
8338 numbers appearing on his card in a continuous straight line or  
8339 covering a previously designated arrangement of numbers on such  
8340 card is declared the winner. The word "person" or "applicant", as used  
8341 in this section, means the officer or representative of the sponsoring  
8342 organization or the organization itself. The term "session" means a  
8343 series of games played in one day. ["Executive director"]  
8344 "Commissioner" means the [executive director of the Division of  
8345 Special Revenue within the Department of Revenue Services]  
8346 Commissioner of Consumer Protection, who shall be responsible for  
8347 the administration and regulation of bingo in the state.

8348 (b) Upon a written petition of five per cent or more of the electors of  
8349 any municipality requesting the selectmen, common council or other  
8350 governing body of such municipality to vote upon the question of  
8351 permitting the playing of bingo within such municipality, such  
8352 governing body shall vote upon such question and, if the vote is in the  
8353 affirmative, it shall be permitted, subject to the restrictions herein set  
8354 forth, and if the vote is in the negative, bingo shall not be permitted to  
8355 be played in such municipality. When the selectmen, common council  
8356 or other governing body of any municipality have voted favorably  
8357 upon the question of permitting the playing of bingo within such

8358 municipality, the playing of such game shall be permitted in such  
8359 municipality indefinitely thereafter, without further petition or action  
8360 by such governing body, unless such governing body has forbidden  
8361 the playing of said game upon a similar written petition of five per  
8362 cent or more of the electors of such municipality, whereupon bingo  
8363 shall not be permitted to be played after such negative vote.

8364 (c) The [executive director of the Division of Special Revenue]  
8365 Commissioner of Consumer Protection, with the advice and consent of  
8366 the Gaming Policy Board, shall adopt, in accordance with the  
8367 provisions of chapter 54, such regulations as are necessary [effectively]  
8368 to effectively carry out the provisions of this section and section 7-169a,  
8369 as amended by this act, in order to prevent fraud and protect the  
8370 public, which regulations shall have the effect of law.

8371 (d) No bingo game or series of bingo games shall be promoted,  
8372 operated or played unless the same is sponsored and conducted  
8373 exclusively by a charitable, civic, educational, fraternal, veterans' or  
8374 religious organization, volunteer fire department or grange. Any such  
8375 organization or group shall have been organized for not less than two  
8376 years prior to its application for a bingo permit under the terms of this  
8377 section. The promotion and operation of said game or games shall be  
8378 confined solely to the qualified members of the sponsoring  
8379 organization, except that the [executive director of the Division of  
8380 Special Revenue] Commissioner of Consumer Protection may permit  
8381 any qualified member of a sponsoring organization who has registered  
8382 with the [executive director] said commissioner, on a form prepared by  
8383 him or her for such purpose, to assist in the operation of a game  
8384 sponsored by another organization. The [executive director]  
8385 commissioner may revoke such registration for cause.

8386 (e) Any eligible organization desiring to operate bingo games in any  
8387 municipality in which the governing body has voted to permit the  
8388 playing thereof shall [make application] apply to the [executive  
8389 director of the Division of Special Revenue] Commissioner of

8390 Consumer Protection, which application shall contain a statement of  
8391 the name and address of the applicant, the location of the place at  
8392 which the games are to be played and the seating capacity of such  
8393 place, the date or dates for which a permit is sought, the class of permit  
8394 sought and any other information which the [executive director]  
8395 commissioner reasonably requires for the protection of the public, and,  
8396 upon payment of the fee [hereinafter] provided for in this section, the  
8397 [executive director] commissioner is authorized to issue such permit,  
8398 provided such eligible organization has been registered [by him] as  
8399 provided in section 7-169a, as amended by this act.

8400 (f) Permits shall be known as "Class A" which shall be annual one-  
8401 day-per-week permits and shall permit the conduct of not more than  
8402 forty and not less than fifteen bingo games on such day, and "Class B"  
8403 which shall permit not more than forty and not less than fifteen bingo  
8404 games per day for a maximum of ten successive days, and "Class C"  
8405 which shall be annual one-day-per-month permits and shall permit the  
8406 conduct of not more than forty and not less than fifteen bingo games  
8407 on such day. "Class A" permits shall allow the playing of bingo no  
8408 more than one day weekly. Not more than two "Class B" permits shall  
8409 be issued to any one organization within any twelve-month period.  
8410 "Class C" permits shall allow the playing of bingo no more than one  
8411 day per month.

8412 (g) Permit fees shall be remitted to the state as follows: "Class A",  
8413 seventy-five dollars; "Class B", five dollars per day; "Class C", fifty  
8414 dollars.

8415 (h) Each person who operates bingo games shall keep accurate  
8416 records of receipts and disbursements, which shall be available for  
8417 inspection by the [executive director] commissioner and the chief law  
8418 enforcement official in the municipality in which such bingo games are  
8419 operated. Any information acquired by the [executive director]  
8420 commissioner pursuant to this subsection shall be available to the  
8421 Commissioner of Public Safety upon request.

8422 (i) Prizes offered for the winning of bingo games may consist of  
8423 cash, merchandise, tickets for any lottery conducted under chapter 226,  
8424 the value of which shall be the purchase price printed on such tickets,  
8425 or other personal property. No permittee may offer a prize which  
8426 exceeds [one] two hundred dollars in value, except that (1) a permittee  
8427 may offer a prize or prizes on any one day of not less than [one  
8428 hundred one] two hundred fifty-one dollars or more than [three  
8429 hundred] seven hundred fifty dollars in value, provided the total value  
8430 of such prizes on any one day does not exceed [twelve] twenty-five  
8431 hundred dollars, (2) a permittee may offer one or two winner-take-all  
8432 games or series of games played on any day on which the permittee is  
8433 allowed to conduct bingo, provided ninety per cent of all receipts from  
8434 the sale of bingo cards for such winner-take-all game or series of  
8435 games shall be awarded as prizes for such games or series of games  
8436 and provided each prize awarded does not exceed [five hundred] one  
8437 thousand dollars in value, (3) the holder of a Class A permit may offer  
8438 two additional prizes on a weekly basis not to exceed [one hundred  
8439 twenty-five] five hundred dollars each as a special grand prize and in  
8440 the event such a special grand prize is not won, the money reserved for  
8441 such prize shall be added to the money reserved for the next week's  
8442 special grand prize, provided no such special grand prize may  
8443 accumulate for more than sixteen weeks or exceed a total of [two] five  
8444 thousand dollars, and (4) a permittee may award door prizes the  
8445 aggregate value of which shall not exceed [two] five hundred dollars  
8446 in value. When more than one player wins on the call of the same  
8447 number, the designated prize shall be divided equally to the next  
8448 nearest dollar. If a permittee elects, no winner may receive a prize  
8449 which amounts to less than ten per cent of the announced prize and in  
8450 such case the total of such multiple prizes may exceed the statutory  
8451 limit of such game.

8452 (j) Any organization operating or conducting a bingo game shall file  
8453 a return with the [executive director] commissioner, on a form  
8454 prepared by him or her, within ten days after such game is held or  
8455 within such further time as the [executive director] commissioner may

8456 allow, and pay to the state a fee of five per cent of the gross receipts,  
8457 less the prizes awarded including prizes reserved for special grand  
8458 prize games, derived from such games at each bingo session. All such  
8459 returns shall be public records. The [executive director] commissioner  
8460 shall pay each municipality in which bingo games are conducted, one-  
8461 quarter of one per cent of the total money wagered less prizes awarded  
8462 on such games conducted. He or she shall make such payment at least  
8463 once a year and not more than four times a year from the fee imposed  
8464 pursuant to this subsection.

8465 (k) (1) Whenever it appears to the [executive director] commissioner  
8466 after an investigation that any person is violating or is about to violate  
8467 any provision of this section or section 7-169a, as amended by this act,  
8468 or administrative regulations issued pursuant thereto, the [executive  
8469 director] commissioner may in his or her discretion, to protect the  
8470 public welfare, order that any permit issued pursuant to this section be  
8471 immediately suspended or revoked and that the person cease and  
8472 desist from the actions constituting such violation or which would  
8473 constitute such violation. After such an order is issued, the person  
8474 named therein may, [within] not later than fourteen days after receipt  
8475 of the order, file a written request for a hearing. Such hearing shall be  
8476 held in accordance with the provisions of chapter 54.

8477 (2) Whenever the [executive director] commissioner finds as the  
8478 result of an investigation that any person has violated any provision of  
8479 this section or section 7-169a, as amended by this act, or administrative  
8480 regulations issued pursuant thereto or made any false statement in any  
8481 application for a permit or in any report required by this section or  
8482 section 7-169a, as amended by this act, or by the [executive director]  
8483 commissioner, the [executive director] commissioner may send a  
8484 notice to such person by certified mail, return receipt requested. Any  
8485 such notice shall include (A) a reference to the section or regulation  
8486 alleged to have been violated or the application or report in which an  
8487 alleged false statement was made, (B) a short and plain statement of  
8488 the matter asserted or charged, (C) the fact that any permit issued

8489 pursuant to this section may be suspended or revoked for such  
8490 violation or false statement and the maximum penalty that may be  
8491 imposed for such violation or false statement, and (D) the time and  
8492 place for the hearing. Such hearing shall be fixed for a date not earlier  
8493 than [fourteen] thirty days after the notice is mailed.

8494 (3) The [executive director] commissioner shall hold a hearing upon  
8495 the charges made unless such person fails to appear at the hearing.  
8496 Such hearing shall be held in accordance with the provisions of chapter  
8497 54. If such person fails to appear at the hearing or if, after the hearing,  
8498 the [executive director] commissioner finds that such person  
8499 committed such a violation or made such a false statement, the  
8500 [executive director] commissioner may, in his or her discretion,  
8501 suspend or revoke such permit and order that a civil penalty of not  
8502 more than two hundred dollars be imposed upon such person for such  
8503 violation or false statement. The [executive director] commissioner  
8504 shall send a copy of any order issued pursuant to this subdivision by  
8505 certified mail, return receipt requested, to any person named in such  
8506 order. Any person aggrieved by a decision of the [executive director]  
8507 commissioner under this subdivision shall have a right of appeal to the  
8508 Gaming Policy Board for a hearing. Any person aggrieved by a  
8509 decision of the Gaming Policy Board shall have a right of appeal  
8510 pursuant to section 4-183.

8511 (4) Whenever the [executive director] commissioner revokes a  
8512 permit issued pursuant to this section, he or she shall not issue any  
8513 permit to such permittee for one year after the date of such revocation.

8514 (5) Any person who promotes or operates any bingo game without  
8515 a permit therefor, or who violates any provision of this section or  
8516 section 7-169a, as amended by this act, or administrative regulations  
8517 issued pursuant thereto, or who makes any false statement in any  
8518 application for a permit or in any report required by this section or  
8519 section 7-169a, as amended by this act, or by the [executive director]  
8520 commissioner shall be fined not more than [two] five hundred dollars

8521 or imprisoned not more than sixty days or both.

8522 Sec. 207. Section 7-185a of the general statutes is repealed and the  
8523 following is substituted in lieu thereof (*Effective July 1, 2011*):

8524 (a) Notwithstanding the provisions of sections 7-170 to 7-186,  
8525 inclusive, and the regulations adopted thereunder, any organized  
8526 church, volunteer fire company or veterans organization or association  
8527 conducting a bazaar or raffle, (1) may have the actual drawing of the  
8528 raffle in a municipality other than the municipality which grants the  
8529 permit, provided the chief executive officer of the other municipality  
8530 has in writing approved such drawing; (2) may conduct the bazaar in a  
8531 municipality other than the municipality which grants the permit,  
8532 provided the municipality in which the bazaar is to be conducted has  
8533 adopted the provisions of sections 7-170 to 7-186, inclusive, and the  
8534 chief executive officer of such municipality has in writing approved  
8535 such bazaar; (3) may be permitted to redeem prizes in cash; (4) shall be  
8536 exempt from the requirement of preserving unsold raffle tickets  
8537 beyond ninety days after the conclusion of the holding, operating and  
8538 conducting of such bazaar or raffle and shall be permitted to dispose of  
8539 unclaimed prizes after such ninety days; and (5) may file a  
8540 reconciliation of expenditures and receipts signed by an officer in lieu  
8541 of an accountant.

8542 (b) Notwithstanding the provisions of sections 7-170 to 7-186,  
8543 inclusive, as amended by this act, and the regulations adopted  
8544 thereunder, any sponsoring organization qualified to conduct a bazaar  
8545 or raffle under the provisions of section 7-172 and recognized as a  
8546 nonprofit organization under the provisions of Section 501(c)(3) of the  
8547 federal Internal Revenue Code of 1986, or any subsequent  
8548 corresponding internal revenue code of the United States, as from time  
8549 to time amended, may have the actual drawing of the raffle in a  
8550 municipality other than the municipality which grants the permit,  
8551 provided the chief executive officer of the other municipality has in  
8552 writing approved such drawing.

8553 (c) Notwithstanding the provisions of section 7-177, any  
8554 organization conducting a bazaar may operate "fifty-fifty" coupon  
8555 games each day of a permitted bazaar event and may award cash  
8556 prizes of fifty per cent of "fifty-fifty" coupon game sales for each  
8557 coupon drawing conducted. Not more than three scheduled drawings  
8558 may be held on any day on which a bazaar is permitted. A "fifty-fifty"  
8559 coupon game shall be operated from an authorized bazaar booth,  
8560 subject to the regulation of the [executive director of the Division of  
8561 Special Revenue] commissioner and shall allow for the sale of "fifty-  
8562 fifty" coupons at a predetermined uniform price. Each "fifty-fifty"  
8563 coupon shall be consecutively numbered and shall have a  
8564 correspondingly numbered stub. Each sponsoring organization shall  
8565 provide different colored coupons for each drawing and shall award  
8566 one prize for each drawing held. Each organization conducting such  
8567 games shall conspicuously post, at each bazaar booth at which such  
8568 games are conducted, a notice or notices which shall include the dates,  
8569 times and places of any "fifty-fifty" coupon drawings, as well as the  
8570 prices and colors of coupons to be sold for each drawing. The  
8571 [executive director] commissioner shall prescribe the form of such  
8572 notice which shall contain the following statement: "Holders of  
8573 coupons must be present to claim a prize." Each such organization  
8574 shall account for each coupon printed and sold for each drawing and  
8575 shall announce the amount of sales and the prize to be awarded  
8576 immediately prior to each drawing. The sponsoring organization shall  
8577 preserve all sold and unsold coupons or stubs for a period of at least  
8578 one year from the date of the verified statement required pursuant to  
8579 section 7-182. [At the conclusion of a bazaar, each organization  
8580 conducting such games, and its members who were in charge thereof,  
8581 shall furnish to the chief of police of the municipality or to the first  
8582 selectman, as the case may be, a verified statement, prescribed by the  
8583 executive director of the Division of Special Revenue, in duplicate,  
8584 showing (1) the total number of coupons purchased and sold for each  
8585 "fifty-fifty" coupon game drawing, and (2) the total number and  
8586 amount of prizes awarded and the names and addresses of the persons

8587 to whom the prizes were awarded. Such report shall be furnished  
8588 during the next succeeding month. The chief of police or first  
8589 selectman, as the case may be, shall forward the original copy of such  
8590 report to the executive director, who shall keep it on file and available  
8591 for public inspection for a period of one year thereafter. Such report  
8592 shall be certified to under penalty of false statement by the three  
8593 persons designated in the permit application as being responsible for  
8594 the bazaar.]

8595 (d) Notwithstanding the provisions of section 7-177, any sponsoring  
8596 organization qualified to conduct a bazaar or raffle under the  
8597 provisions of section 7-172 may operate a cow-chip raffle once a  
8598 calendar year and [, pursuant to a "Class No. 1", "Class No. 2" or "Class  
8599 No. 4" permit,] may award cash prizes in connection with participation  
8600 in such a raffle, in addition to those prizes authorized pursuant to  
8601 section 7-177. Such raffles shall conform to the provisions of sections 7-  
8602 170 to 7-186, inclusive, and shall be subject to regulation by the  
8603 [executive director of the Division of Special Revenue] Commissioner  
8604 of Consumer Protection. A cow-chip raffle shall allow for the sale of  
8605 consecutively numbered tickets with correspondingly numbered stubs,  
8606 entitling the holders of such tickets to the temporary possession of a  
8607 plot of land for purposes of the conduct of the cow-chip raffle. [Each  
8608 organization intending to sponsor or conduct a cow-chip raffle shall  
8609 furnish with its application, required pursuant to section 7-173, a cow-  
8610 chip raffle plot plan displaying the land area to be utilized for such  
8611 raffle and the numbered plots, each corresponding to a numbered  
8612 cow-chip raffle ticket. Each such] Each organization conducting a cow-  
8613 chip raffle shall provide for a suitable land area on which the cow-chip  
8614 raffle activity is to be conducted. The area shall be sufficiently enclosed  
8615 so as to confine any animal utilized in the conduct of a cow-chip raffle  
8616 during the period in which the animal is so utilized. The area shall be  
8617 adequately marked so as to display the number of plots to be utilized,  
8618 which shall correspond to the number of cow-chip raffle tickets to be  
8619 sold. The manner in which winners in a cow-chip raffle are determined  
8620 shall be clearly stated prior to the commencement of a cow-chip raffle

8621 drawing and each sponsoring organization shall conspicuously post an  
8622 information board [, prescribed by the executive director of the  
8623 Division of Special Revenue,] which shall display the consecutively  
8624 numbered plots of the cow-chip raffle event. A cow-chip raffle  
8625 drawing shall commence at a designated time and shall continue until  
8626 all winners of authorized prizes have been determined. No person  
8627 may feed, lead or handle any animal utilized in a cow-chip raffle once  
8628 the animal has entered into the enclosed area from which winners will  
8629 be determined. Each organization conducting a cow-chip raffle shall  
8630 deposit all proceeds from the conduct of such raffle in a special  
8631 checking account established and maintained by such organization,  
8632 which shall be subject to audit by the [Division of Special Revenue]  
8633 Commissioner of Consumer Protection. Any expense incidental to the  
8634 conduct of such raffle shall be paid from the gross receipts of cow-chip  
8635 raffle tickets and only by checks drawn from such checking account.  
8636 All cash prizes awarded shall be paid from such checking account.

8637 (e) Notwithstanding the provisions of sections 7-170 to 7-186,  
8638 inclusive, and the regulations adopted pursuant to said sections, any  
8639 organization conducting a bazaar may operate a "teacup raffle" and  
8640 may, through the sale of chances, award prizes consisting of gift  
8641 certificates or merchandise, each not exceeding two hundred fifty  
8642 dollars in value. No such organization may conduct more than one  
8643 scheduled "teacup raffle" drawing for all prizes offered on any day on  
8644 which a bazaar is permitted. A "teacup raffle" shall be operated from  
8645 an authorized bazaar booth, and shall be subject to regulation by the  
8646 [executive director of the Division of Special Revenue] Commissioner  
8647 of Consumer Protection. Each "teacup raffle" ticket shall (1) be  
8648 consecutively numbered and have a correspondingly numbered stub  
8649 that shall include the name, address and telephone number of the  
8650 purchaser, or (2) be a sheet containing up to twenty-five coupons, each  
8651 bearing the same number, and including a "hold" stub for the  
8652 purchaser and a correspondingly numbered stub including the name,  
8653 address and telephone number of the purchaser. [The Division of  
8654 Special Revenue shall be the sole issuer of sheet] Sheet tickets [which]

8655 shall be made available for purchase by permittees as fund raising  
8656 items at a price not to exceed ten per cent above the [state] purchase  
8657 price. Each sponsoring organization conducting such raffle shall  
8658 conspicuously post, at each bazaar booth at which such raffle is  
8659 conducted, a notice or notices that include the date and time of any  
8660 "teacup raffle" drawing. The sponsoring organization shall preserve all  
8661 sold and unsold tickets or stubs for a period of at least one year from  
8662 the date of the verified statement required pursuant to section 7-182.

8663 (f) (1) Any sponsoring organization qualified to conduct a bazaar or  
8664 raffle under the provisions of section 7-172 may operate a duck-race  
8665 raffle once each calendar year. Such raffles shall conform to the  
8666 provisions of sections 7-170 to 7-186, inclusive, and shall be subject to  
8667 regulation by the [executive director] Commissioner of Consumer  
8668 Protection. For the purpose of this subsection, "duck-race raffle" means  
8669 a raffle in which artificial ducks, numbered consecutively to  
8670 correspond with the number of tickets sold for such raffle, are placed  
8671 in a naturally moving stream of water at a designated starting point  
8672 and in which the ticket corresponding to the number of the first duck  
8673 to pass a designated finishing point is the winning ticket. (2) The  
8674 [executive director of the Division of Special Revenue] Commissioner  
8675 of Consumer Protection, with the advice and consent of the Gaming  
8676 Policy Board, shall adopt regulations, in accordance with chapter 54,  
8677 that establish procedures for the operation of duck-race raffles.

8678 (g) (1) Any sponsoring organization qualified to conduct a bazaar or  
8679 raffle under the provisions of section 7-172 may operate a frog-race  
8680 raffle once each calendar year. Such raffles shall conform to the  
8681 provisions of sections 7-170 to 7-186, inclusive, and shall be subject to  
8682 regulation by the [executive director of the Division of Special  
8683 Revenue] Commissioner of Consumer Protection. For the purpose of  
8684 this subsection, "frog-race raffle" means a raffle in which artificial frogs  
8685 conforming to specifications approved by the [executive director]  
8686 commissioner and numbered consecutively to correspond with the  
8687 number of tickets sold for such raffle, are placed in a naturally moving

8688 stream of water at a designated starting point and in which the ticket  
8689 corresponding to the number of the first frog to pass a designated  
8690 finishing point is the winning ticket. (2) The [executive director]  
8691 commissioner, with the advice and consent of the Gaming Policy  
8692 Board, shall adopt regulations, in accordance with chapter 54, that  
8693 establish procedures for the operation of frog-race raffles.

8694 Sec. 208. Section 7-169a of the general statutes is repealed and the  
8695 following is substituted in lieu thereof (*Effective July 1, 2011*):

8696 Every organization desiring to apply for a permit under subsection  
8697 (e) of section 7-169, as amended by this act, to operate bingo games  
8698 shall, before making any such application, register with the [executive  
8699 director of the Division of Special Revenue] Commissioner of  
8700 Consumer Protection on forms furnished by [him] the commissioner  
8701 and secure an identification number. All applications for permits,  
8702 amendment of permits, reports and any other papers relating to games  
8703 of bingo shall bear the identification number of the organization  
8704 involved. Neither registration nor the assignment of an identification  
8705 number, which may be revoked for cause, shall constitute, or be any  
8706 evidence of, the eligibility of any organization to receive a permit for or  
8707 to conduct any game of bingo.

8708 Sec. 209. Section 7-169c of the general statutes is repealed and the  
8709 following is substituted in lieu thereof (*Effective July 1, 2011*):

8710 (a) Any organization whose membership consists of persons sixty  
8711 years of age or over may operate and conduct bingo games on and  
8712 after January 1, 1989, for the amusement and recreation of its members  
8713 without a permit as required by section 7-169, as amended by this act,  
8714 provided (1) such organization has registered with and applied for and  
8715 received an identification number from the [executive director of the  
8716 Division of Special Revenue] Commissioner of Consumer Protection,  
8717 (2) such organization does not charge an admission fee in excess of one  
8718 dollar, (3) the prize or prizes awarded do not exceed [twenty] fifty  
8719 dollars in value, either in cash or merchandise, and (4) only active

8720 members of such organization assist in the operation of the bingo  
8721 games without compensation. The [executive director] commissioner  
8722 may revoke any such registration for cause.

8723 (b) Each such organization which operates bingo games shall keep  
8724 accurate records of receipts and disbursements, which shall be  
8725 available for inspection by the [executive director] commissioner.

8726 (c) Each such organization shall be exempt from the provisions of  
8727 sections 7-169, as amended by this act, and 7-169a, as amended by this  
8728 act.

8729 (d) The [executive director of the Division of Special Revenue]  
8730 Commissioner of Consumer Protection, with the advice and consent of  
8731 the Gaming Policy Board, shall adopt, in accordance with the  
8732 provisions of chapter 54, such regulations as are necessary effectively  
8733 to carry out the provisions of this section in order to prevent fraud and  
8734 protect the public, which regulations shall have the effect of law.

8735 Sec. 210. Section 7-169d of the general statutes is repealed and the  
8736 following is substituted in lieu thereof (*Effective July 1, 2011*):

8737 (a) As used in this section (1) "bingo" has the same meaning as  
8738 provided in section 7-169, as amended by this act, and (2) "bingo  
8739 products" means bingo ball equipment, bingo cards or bingo paper.

8740 (b) Each group or organization authorized to operate or conduct a  
8741 bingo game or series of bingo games pursuant to sections 7-169, as  
8742 amended by this act, 7-169a, as amended by this act, and 7-169c, as  
8743 amended by this act, shall use bingo products that are (1) owned in full  
8744 by such group or organization, (2) used without compensation by such  
8745 group or organization, or (3) rented or purchased from a bingo  
8746 product manufacturer or equipment dealer who is registered with the  
8747 [Division of Special Revenue] Commissioner of Consumer Protection  
8748 in accordance with subsection (c) of this section.

8749 (c) Each applicant for registration as a bingo product manufacturer

8750 or equipment dealer shall apply to the [executive director of the  
8751 Division of Special Revenue] Commissioner of Consumer Protection  
8752 on such forms as the [executive director] commissioner prescribes. The  
8753 application shall be accompanied by an annual fee of [one thousand  
8754 seven hundred fifty] two thousand five hundred dollars payable to the  
8755 State Treasurer. Each applicant for an initial registration shall submit  
8756 to state and national criminal history records checks conducted in  
8757 accordance with section 29-17a before such registration is issued.

8758 (d) No registered bingo product manufacturer or equipment dealer  
8759 shall rent or sell any type of bingo product that has not been approved  
8760 by the [executive director of the Division of Special Revenue]  
8761 Commissioner of Consumer Protection.

8762 (e) The [Division of Special Revenue] Commissioner of Consumer  
8763 Protection may revoke for cause any registration issued in accordance  
8764 with subsection (c) of this section.

8765 (f) The [executive director of the Division of Special Revenue]  
8766 Commissioner of Consumer Protection may adopt regulations, in  
8767 accordance with chapter 54, to implement the provisions of this  
8768 section.

8769 Sec. 211. Section 7-169e of the general statutes is repealed and the  
8770 following is substituted in lieu thereof (*Effective July 1, 2011*):

8771 (a) Any parent teacher association or organization may operate and  
8772 conduct games of bingo, as defined in section 7-169, as amended by  
8773 this act, for the amusement and recreation of such association's or  
8774 organization's members and guests without a permit, as required by  
8775 said section, provided (1) such association or organization registers  
8776 annually with the [Division of Special Revenue] Department of  
8777 Consumer Protection and pays an annual registration fee of [forty]  
8778 eighty dollars, (2) such association or organization obtains an  
8779 identification number from the division, (3) such association or  
8780 organization charges an admission fee of not more than one dollar, (4)

8781 each individual prize of cash or merchandise offered does not exceed  
8782 [twenty] fifty dollars in value, and (5) only active members of such  
8783 association or organization assist in the operation of the games of  
8784 bingo and assist without compensation. The [executive director of the  
8785 Division of Special Revenue] Commissioner of Consumer Protection  
8786 may revoke any such registration for cause. Any registration fees  
8787 collected in accordance with this subsection shall be remitted to the  
8788 state.

8789 (b) Each such association or organization shall keep accurate records  
8790 of receipts and disbursements related to such games of bingo, and such  
8791 records shall be available for inspection by the [executive director]  
8792 Commissioner of Consumer Protection.

8793 (c) Each such association or organization shall be exempt from the  
8794 requirements of sections 7-169 and 7-169a, as amended by this act.

8795 (d) The [executive director of the Division of Special Revenue]  
8796 Commissioner of Consumer Protection, in consultation with the  
8797 Gaming Policy Board, shall adopt regulations, in accordance with  
8798 chapter 54, to implement the provisions of this section in order to  
8799 prevent fraud and protect the public.

8800 Sec. 212. Section 7-169h of the general statutes is repealed and the  
8801 following is substituted in lieu thereof (*Effective July 1, 2011*):

8802 (a) For the purposes of this section and section 7-169i, as amended  
8803 by this act:

8804 (1) ["Executive director"] "Commissioner" means the [executive  
8805 director of the Division of Special Revenue within the Department of  
8806 Revenue Services who shall be responsible for the regulation of the  
8807 distribution and sale of sealed tickets in the state] Commissioner of  
8808 Consumer Protection;

8809 (2) ["Division"] "Department" means the [Division of Special  
8810 Revenue within the Department of Revenue Services] Department of

8811 Consumer Protection;

8812 (3) "Sealed ticket" means a card with tabs which, when pulled,  
8813 expose pictures of various objects, symbols or numbers and which  
8814 entitles the holder of the ticket to receive a prize if the combination of  
8815 objects, symbols or numbers pictured matches what is determined to  
8816 be a winning combination;

8817 (4) "Distributor" means a person who is a resident of this state and is  
8818 registered with the department to provide services related to the sale  
8819 and distribution of sealed tickets to any organization permitted to sell  
8820 sealed tickets by the department; and

8821 (5) "Manufacturer" means a person who is registered with the  
8822 department and who manufactures or assembles sealed tickets from  
8823 raw materials, supplies or subparts.

8824 (b) No person shall sell, offer for sale or distribute a sealed ticket  
8825 who has not applied for and received a permit from the [division]  
8826 department to sell sealed tickets.

8827 (c) No organization permitted to sell sealed tickets in this state shall  
8828 purchase sealed tickets from anyone other than a distributor.

8829 (d) A distributor shall not purchase sealed tickets for sale or use in  
8830 this state from any person except a manufacturer. A distributor shall  
8831 have a physical office in this state and such office shall be subject to  
8832 inspection by the commissioner or the commissioner's duly designated  
8833 agent during normal business hours. No organization or group or any  
8834 person affiliated with an organization or group permitted to sell sealed  
8835 tickets under this section shall be permitted to be a distributor.

8836 (e) A manufacturer shall not sell sealed tickets to any person in this  
8837 state except a distributor.

8838 (f) All sealed tickets purchased by a distributor for sale or use in this  
8839 state shall be stored or warehoused in this state prior to their sale to

8840 any organization permitted to sell sealed tickets.

8841 (g) All sealed tickets sold in this state shall meet the standards on  
8842 pull-tabs adopted by the North American Gaming Regulators  
8843 Association.

8844 [(c) (1) On and after October 1, 1987, the division] (h) (1) The  
8845 department may issue a permit to sell sealed tickets to any  
8846 organization or group specified in subsection (d) of section 7-169, as  
8847 amended by this act, which holds a bingo permit issued in accordance  
8848 with the provisions of section 7-169, as amended by this act. Such  
8849 permit shall be renewed annually.

8850 (2) The [division] department may issue a permit to sell sealed  
8851 tickets to any organization or group specified in subsection (d) of  
8852 section 7-169, as amended by this act, which holds a club permit or  
8853 nonprofit club permit under the provisions of chapter 545. Such permit  
8854 shall be renewed annually.

8855 (3) The [division] department may issue a permit to sell sealed  
8856 tickets to any organization or group specified in section 7-172 which  
8857 holds a permit to operate a bazaar, issued in accordance with the  
8858 provisions of sections 7-170 to 7-186, inclusive.

8859 (4) The [division] department may issue a permit to sell sealed  
8860 tickets to any charitable, civic, educational, fraternal, veterans' or  
8861 religious organization, volunteer fire department or grange  
8862 authorizing such organization to sell sealed tickets in conjunction with  
8863 any social function or event sponsored or conducted by such  
8864 organization. Any such organization shall have been organized for not  
8865 less than two years prior to the date of its application for such permit.  
8866 Such permit shall be renewed annually.

8867 [(d) Permittees shall purchase sealed tickets from the division at a  
8868 cost which is equal to ten per cent of their resale value.] (i) On and  
8869 after July 1, 2011, the department may sell any sealed tickets it has in

8870 its possession as of said date, provided it does not purchase any new  
8871 sealed tickets after said date. Permittees shall purchase such sealed  
8872 tickets from the department at a cost which is equal to ten per cent of  
8873 their resale value, until the department's supply of sealed tickets has  
8874 been fully depleted. After the department's supply of sealed tickets has  
8875 been fully depleted, permittees shall purchase such sealed tickets from  
8876 a distributor at a cost which is equal to ten per cent of their resale  
8877 value. Each such distributor shall remit thirty per cent of its gross  
8878 revenue derived from such purchase fees to the State Treasurer on a  
8879 quarterly basis.

8880 (j) Each applicant for registration as a manufacturer or distributor  
8881 shall apply to the commissioner on such forms as the commissioner  
8882 prescribes. A distributor's application shall be accompanied by an  
8883 annual fee of two thousand five hundred dollars, payable to the State  
8884 Treasurer, and a manufacturer's application shall be accompanied by  
8885 an annual fee of five thousand dollars, payable to the State Treasurer.  
8886 Each applicant for an initial manufacturer or distributor registration  
8887 shall submit to state and national criminal history records checks  
8888 conducted in accordance with section 29-17a before such registration is  
8889 issued.

8890 [(e)] (k) Notwithstanding the provisions of subsection (b) of section  
8891 53-278b and subsection (d) of section 53-278c, sealed tickets may be  
8892 sold, offered for sale, displayed or open to public view only (1) during  
8893 the course of a bingo game conducted in accordance with the  
8894 provisions of section 7-169, as amended by this act, and only at the  
8895 location at which such bingo game is conducted, (2) on the premises of  
8896 any such organization or group specified in subdivision (2) of  
8897 subsection [(c)] (h) of this section, (3) during the conduct of a bazaar  
8898 under the provisions of sections 7-170 to 7-186, inclusive, or (4) in  
8899 conjunction with any social function or event sponsored or conducted  
8900 by any such organization specified in subdivision (4) of subsection [(c)]  
8901 (h) of this section. Subject to the provisions of section 7-169i, as  
8902 amended by this act, permittees may utilize a mechanical or electronic

8903 ticket dispensing machine approved by the division to sell sealed  
8904 tickets. Sealed tickets shall not be sold to any person less than eighteen  
8905 years of age. All proceeds from the sale of tickets shall be used for a  
8906 charitable purpose, as defined in section 21a-190a.

8907 [(f)] (l) The fee for a permit to sell sealed tickets (1) issued to an  
8908 organization authorized to conduct bingo under a "Class A" or "Class  
8909 C" permit or to an organization specified in subdivision (4) of  
8910 subsection [(c)] (h) of this section in conjunction with any social  
8911 function or event sponsored or conducted by such organization shall  
8912 be fifty dollars, (2) issued to an organization which holds a club permit  
8913 or nonprofit club permit under the provisions of chapter 545 shall be  
8914 seventy-five dollars, and (3) issued to an organization authorized to  
8915 conduct bingo under a "Class B" permit or an organization which  
8916 holds a permit to operate a bazaar shall be five dollars per day.

8917 [(g)] (m) The [executive director] commissioner, with the advice and  
8918 consent of the Gaming Policy Board, shall adopt regulations in  
8919 accordance with the provisions of chapter 54 to carry out the purposes  
8920 of this section including, but not limited to, regulations concerning (1)  
8921 qualifications of a charitable organization, (2) the price at which the  
8922 charitable organization shall resell tickets, (3) information required on  
8923 the ticket, including, but not limited to, the price per ticket, (4) the  
8924 percentage retained by the organization as profit, which shall be at  
8925 least ten per cent of the resale value of tickets sold, (5) the percentage  
8926 of the resale value of tickets to be awarded as prizes, which shall be at  
8927 least forty-five per cent, (6) apportionment of revenues received by the  
8928 division from the sale of tickets, and (7) investigations of any charitable  
8929 organization seeking a permit.

8930 [(h)] (n) (1) Whenever it appears to the [executive director of the  
8931 Division of Special Revenue] commissioner after an investigation that  
8932 any person is violating or is about to violate any provision of this  
8933 section or administrative regulations issued pursuant thereto, the  
8934 [executive director] commissioner may in his or her discretion, to

8935 protect the public welfare, order that any permit issued pursuant to  
8936 this section be immediately suspended or revoked and that the person  
8937 cease and desist from the actions constituting such violation or which  
8938 would constitute such violation. After such an order is issued, the  
8939 person named therein may, within fourteen days after receipt of the  
8940 order, file a written request for a hearing. Such hearing shall be held in  
8941 accordance with the provisions of chapter 54.

8942 (2) Whenever the [executive director] commissioner finds as the  
8943 result of an investigation that any person has violated any provision of  
8944 this section or administrative regulations issued pursuant thereto or  
8945 made any false statement in any application for a permit or in any  
8946 report required by the [executive director, the executive director]  
8947 commissioner, the commissioner may send a notice to such person by  
8948 certified mail, return receipt requested. Any such notice shall include  
8949 (A) a reference to the section or regulation alleged to have been  
8950 violated or the application or report in which an alleged false  
8951 statement was made, (B) a short and plain statement of the matter  
8952 asserted or charged, (C) the fact that any permit issued pursuant to this  
8953 section may be suspended or revoked for such violation or false  
8954 statement and the maximum penalty that may be imposed for such  
8955 violation or false statement, and (D) the time and place for the hearing.  
8956 Such hearing shall be fixed for a date not earlier than fourteen days  
8957 after the notice is mailed.

8958 (3) The [executive director] commissioner shall hold a hearing upon  
8959 the charges made unless such person fails to appear at the hearing.  
8960 Such hearing shall be held in accordance with the provisions of chapter  
8961 54. If such person fails to appear at the hearing or if, after the hearing,  
8962 the [executive director] commissioner finds that such person  
8963 committed such a violation or made such a false statement, the  
8964 [executive director] commissioner may, in his or her discretion,  
8965 suspend or revoke such permit and order that a civil penalty of not  
8966 more than [two] five hundred dollars be imposed upon such person  
8967 for such violation or false statement. The [executive director]

8968 commissioner shall send a copy of any order issued pursuant to this  
8969 subdivision by certified mail, return receipt requested, to any person  
8970 named in such order. Any person aggrieved by a decision of the  
8971 [executive director] commissioner under this subdivision shall have a  
8972 right of appeal to the Gaming Policy Board for a hearing. Any person  
8973 aggrieved by a decision of the Gaming Policy Board shall have a right  
8974 of appeal pursuant to section 4-183.

8975 (4) Whenever the [executive director] commissioner revokes a  
8976 permit issued pursuant to this section, he or she shall not issue any  
8977 permit to such permittee for one year after the date of such revocation.

8978 Sec. 213. Section 7-169i of the general statutes is repealed and the  
8979 following is substituted in lieu thereof (*Effective July 1, 2011*):

8980 (a) No permittee pursuant to section 7-169h, as amended by this act,  
8981 may use a mechanical or electronic ticket dispensing machine to sell  
8982 sealed tickets unless such machine is owned in full by the permittee or  
8983 is rented or purchased from a manufacturer or dealer who is registered  
8984 with the [Division of Special Revenue] Department of Consumer  
8985 Protection.

8986 (b) Each applicant for registration as a manufacturer or dealer in  
8987 sealed ticket dispensing machines shall apply to the [executive  
8988 director] commissioner on such forms as the [executive director]  
8989 commissioner prescribes. The application for manufacturer shall be  
8990 accompanied by an annual fee of [six hundred twenty-five] one  
8991 thousand two hundred fifty dollars payable to the State Treasurer. The  
8992 application for dealer shall be accompanied by an annual fee of six  
8993 hundred twenty-five dollars payable to the State Treasurer. Each  
8994 applicant for initial registration shall submit to state and national  
8995 criminal history records checks conducted in accordance with section  
8996 29-17a before such registration is issued.

8997 (c) The [Division of Special Revenue] Department of Consumer  
8998 Protection may revoke for cause any registration issued in accordance

8999 with subsection (a) of this section.

9000 (d) The [executive director of the Division of Special Revenue]  
9001 commissioner may adopt regulations, in accordance with chapter 54,  
9002 to implement the provisions of this section.

9003 Sec. 214. Section 7-185b of the general statutes is repealed and the  
9004 following is substituted in lieu thereof (*Effective July 1, 2011*):

9005 (a) As used in this section, "tuition raffle" means a raffle in which  
9006 the prize is payment of the tuition or part of the tuition at an  
9007 educational institution for a student recipient designated by the raffle  
9008 winner.

9009 (b) Notwithstanding the provisions of sections 7-170 to 7-186,  
9010 inclusive, any organization qualified to conduct a bazaar or raffle  
9011 under section 7-172 may conduct a special tuition raffle once each  
9012 calendar year. The [executive director] commissioner shall adopt such  
9013 regulations, in accordance with chapter 54, as are necessary to carry  
9014 out the provisions of this section. Said regulations shall allow (1) any  
9015 organization permitted to conduct a special tuition raffle to fund all or  
9016 a portion of a student recipient's education each year for a period not  
9017 to exceed four years, (2) permit the student recipient to be the actual  
9018 tuition raffle winner, a relative of the raffle winner or a student chosen  
9019 by the raffle winner, (3) give authority to the sponsoring organization  
9020 to permit the tuition prize to be divided among student recipients  
9021 designated by the raffle winner, (4) provide that the tuition prize be  
9022 paid each consecutive year, commencing with the first year of the  
9023 student recipient's education at an accredited private or parochial  
9024 school, or public or independent institution of higher education  
9025 selected by the student recipient, (5) provide that the tuition prize be  
9026 paid directly to the educational institution designated by the student  
9027 recipient, and no tuition prize shall be redeemed or redeemable for  
9028 cash, and (6) provide that the tuition raffle winner have a period not to  
9029 exceed four years to designate a student recipient.

9030 (c) All proceeds of the special tuition raffle shall be deposited in a  
9031 special dedicated bank account approved by the [executive director of  
9032 the Division of Special Revenue] Commissioner of Consumer  
9033 Protection, and all special tuition raffle expenses shall be paid from  
9034 such account. The [executive director] commissioner shall prescribe the  
9035 maintenance of tuition raffle accounts by any sponsoring organization  
9036 and such accounts shall be subject to audit by the [executive director]  
9037 commissioner or [his] a designee. The [executive director]  
9038 commissioner may require any organization conducting a tuition raffle  
9039 to post a performance bond in an amount sufficient to fully fund the  
9040 special tuition raffle prize to be awarded.

9041 (d) Any organization permitted to conduct a special tuition raffle  
9042 shall [, in addition to the verified financial statement required in  
9043 accordance with section 7-182,] file a tuition raffle financial report in a  
9044 manner prescribed by the [executive director] commissioner. Such  
9045 report shall detail the status of the tuition prize money or the raffle and  
9046 any other information that the [executive director] commissioner may  
9047 require, on a quarterly basis, during the months of January, April, July  
9048 and October, until all tuition payments for each special tuition raffle  
9049 have been paid.

9050 Sec. 215. (*Effective July 1, 2011*) Not later than January 2, 2012, the  
9051 Commissioner of Consumer Protection shall submit a report, in  
9052 accordance with the provisions of section 11-4a of the general statutes,  
9053 to the joint standing committee of the General Assembly having  
9054 cognizance of matters relating to appropriations and the budgets of  
9055 state agencies and the Department of Consumer Protection concerning  
9056 (1) the status of the merger of the Department of Consumer Protection  
9057 and the Division of Special Revenue in accordance with the provisions  
9058 of this act, and (2) any recommendations for further legislative action  
9059 concerning such merger.

9060 Sec. 216. Sections 4d-4, 4d-17, 17a-27c, 28-1b and 46b-123c to 46b-  
9061 123e, inclusive, of the general statutes are repealed. (*Effective July 1,*

9062 2011)

9063 Sec. 217. Sections 6 and 7 of public act 09-194 are repealed. (Effective  
 9064 from passage)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	51-289
Sec. 2	July 1, 2011	51-291
Sec. 3	July 1, 2011	51-296
Sec. 4	July 1, 2011	New section
Sec. 5	July 1, 2011	51-293
Sec. 6	July 1, 2011	51-297
Sec. 7	July 1, 2011	51-298
Sec. 8	July 1, 2011	51-299
Sec. 9	July 1, 2011	4-141
Sec. 10	July 1, 2011	4-165
Sec. 11	July 1, 2011	52-143
Sec. 12	July 1, 2011	New section
Sec. 13	July 1, 2011	17a-28(f)
Sec. 14	July 1, 2011	46b-62
Sec. 15	July 1, 2011	46b-124(b)
Sec. 16	July 1, 2011	46b-129(c) and (d)
Sec. 17	July 1, 2011	46b-129a
Sec. 18	July 1, 2011	46b-136
Sec. 19	July 1, 2011	New section
Sec. 20	July 1, 2011	New section
Sec. 21	from passage	New section
Sec. 22	July 1, 2011	New section
Sec. 23	July 1, 2011	18-100c
Sec. 24	July 1, 2011	18-100d
Sec. 25	July 1, 2011	54-125a
Sec. 26	July 1, 2011	New section
Sec. 27	July 1, 2011	New section
Sec. 28	July 1, 2011	10-253
Sec. 29	July 1, 2011	10-76d(e)(5)
Sec. 30	July 1, 2011	46b-122
Sec. 31	July 1, 2011	49-31l
Sec. 32	July 1, 2011	49-31n

Sec. 33	October 1, 2011	New section
Sec. 34	from passage	PA 07-4 of the June Sp. Sess., Sec. 88
Sec. 35	from passage	New section
Sec. 36	from passage	New section
Sec. 37	from passage	New section
Sec. 38	July 1, 2011	14-270c
Sec. 39	July 1, 2011	14-270d
Sec. 40	July 1, 2011	14-270e
Sec. 41	July 1, 2011	14-270f
Sec. 42	July 1, 2011	4a-1
Sec. 43	July 1, 2011	4a-2
Sec. 44	July 1, 2011	New section
Sec. 45	July 1, 2011	New section
Sec. 46	July 1, 2011	4-5
Sec. 47	July 1, 2011	4-38c
Sec. 48	July 1, 2011	4a-59a(b)
Sec. 49	July 1, 2011	4a-62(b)
Sec. 50	July 1, 2011	4a-100(k) and (l)
Sec. 51	July 1, 2011	4b-1
Sec. 52	July 1, 2011	4b-3
Sec. 53	July 1, 2011	4b-14
Sec. 54	July 1, 2011	4b-15(a)
Sec. 55	July 1, 2011	4b-23
Sec. 56	July 1, 2011	4b-24
Sec. 57	July 1, 2011	New section
Sec. 58	July 1, 2011	4b-26
Sec. 59	July 1, 2011	4b-36
Sec. 60	July 1, 2011	4b-62
Sec. 61	July 1, 2011	4b-66a
Sec. 62	July 1, 2011	4b-133
Sec. 63	July 1, 2011	4b-134
Sec. 64	July 1, 2011	4b-136(a)
Sec. 65	July 1, 2011	4d-90(a)
Sec. 66	July 1, 2011	4e-8
Sec. 67	July 1, 2011	13a-73(h)
Sec. 68	July 1, 2011	16a-35c(b)
Sec. 69	July 1, 2011	22a-26a
Sec. 70	July 1, 2011	22a-354i(b)
Sec. 71	July 1, 2011	31-57c(c)

Sec. 72	<i>July 1, 2011</i>	31-390
Sec. 73	<i>from passage</i>	46a-68
Sec. 74	<i>from passage</i>	10a-11
Sec. 75	<i>from passage</i>	New section
Sec. 76	<i>July 1, 2011</i>	New section
Sec. 77	<i>July 1, 2011</i>	4d-1
Sec. 78	<i>July 1, 2011</i>	4d-2
Sec. 79	<i>July 1, 2011</i>	4d-7
Sec. 80	<i>July 1, 2011</i>	4d-8
Sec. 81	<i>July 1, 2011</i>	4d-9
Sec. 82	<i>July 1, 2011</i>	4d-12
Sec. 83	<i>July 1, 2011</i>	4d-32
Sec. 84	<i>July 1, 2011</i>	4d-45(a)
Sec. 85	<i>July 1, 2011</i>	4d-80(a)
Sec. 86	<i>July 1, 2011</i>	4e-13(c)
Sec. 87	<i>July 1, 2011</i>	10a-151b(a)
Sec. 88	<i>July 1, 2011</i>	14-42a
Sec. 89	<i>July 1, 2011</i>	19a-25e
Sec. 90	<i>July 1, 2011</i>	New section
Sec. 91	<i>July 1, 2011</i>	4b-11
Sec. 92	<i>July 1, 2011</i>	4b-52
Sec. 93	<i>July 1, 2011</i>	20-330(10)
Sec. 94	<i>July 1, 2011</i>	29-250
Sec. 95	<i>July 1, 2011</i>	29-315a
Sec. 96	<i>July 1, 2011</i>	4-67g
Sec. 97	<i>July 1, 2011</i>	4-77b
Sec. 98	<i>July 1, 2011</i>	4-142b
Sec. 99	<i>July 1, 2011</i>	4b-76
Sec. 100	<i>July 1, 2011</i>	4b-101a
Sec. 101	<i>July 1, 2011</i>	4b-135
Sec. 102	<i>July 1, 2011</i>	10a-72(a)
Sec. 103	<i>July 1, 2011</i>	10a-90
Sec. 104	<i>July 1, 2011</i>	10a-91(a)
Sec. 105	<i>July 1, 2011</i>	28-24(a)
Sec. 106	<i>July 1, 2011</i>	29-291
Sec. 107	<i>July 1, 2011</i>	29-302
Sec. 108	<i>July 1, 2011</i>	29-310
Sec. 109	<i>July 1, 2011</i>	29-311
Sec. 110	<i>July 1, 2011</i>	29-312
Sec. 111	<i>July 1, 2011</i>	5-198(y)

Sec. 112	July 1, 2011	16a-38k
Sec. 113	July 1, 2011	4-212
Sec. 114	July 1, 2011	New section
Sec. 115	July 1, 2011	10-282(8)
Sec. 116	July 1, 2011	10-283
Sec. 117	July 1, 2011	10-283a
Sec. 118	July 1, 2011	10-283b
Sec. 119	July 1, 2011	10-284
Sec. 120	July 1, 2011	10-285a(a)
Sec. 121	July 1, 2011	10-285b
Sec. 122	July 1, 2011	10-285e
Sec. 123	July 1, 2011	10-286
Sec. 124	July 1, 2011	10-287c
Sec. 125	July 1, 2011	10-264h
Sec. 126	July 1, 2011	10-290a
Sec. 127	July 1, 2011	10-290b
Sec. 128	July 1, 2011	10-291a
Sec. 129	July 1, 2011	10-292(a)
Sec. 130	July 1, 2011	10-292(d)
Sec. 131	July 1, 2011	New section
Sec. 132	July 1, 2011	New section
Sec. 133	July 1, 2011	New section
Sec. 134	July 1, 2011	New section
Sec. 135	July 1, 2011	New section
Sec. 136	July 1, 2011	29-1b
Sec. 137	July 1, 2011	New section
Sec. 138	July 1, 2011	3-122
Sec. 139	July 1, 2011	3-123
Sec. 140	July 1, 2011	3-123e
Sec. 141	July 1, 2011	4-5
Sec. 142	July 1, 2011	4-38c
Sec. 143	July 1, 2011	4b-136(a)
Sec. 144	July 1, 2011	4d-90(a)
Sec. 145	July 1, 2011	5-182(d)
Sec. 146	July 1, 2011	7-294b(a)
Sec. 147	July 1, 2011	7-294d
Sec. 148	July 1, 2011	7-294e
Sec. 149	July 1, 2011	7-294p
Sec. 150	July 1, 2011	7-323k
Sec. 151	July 1, 2011	7-323l

Sec. 152	July 1, 2011	7-323p
Sec. 153	July 1, 2011	7-521
Sec. 154	July 1, 2011	10a-55a(c)
Sec. 155	July 1, 2011	14-283a(b)
Sec. 156	July 1, 2011	16a-13b(b)
Sec. 157	July 1, 2011	16a-106
Sec. 158	July 1, 2011	19a-487(b)
Sec. 159	July 1, 2011	21a-274a
Sec. 160	July 1, 2011	22a-601(a)
Sec. 161	July 1, 2011	28-1
Sec. 162	July 1, 2011	28-1a
Sec. 163	July 1, 2011	28-1i
Sec. 164	July 1, 2011	28-24
Sec. 165	July 1, 2011	28-29a
Sec. 166	July 1, 2011	29-1p
Sec. 167	July 1, 2011	29-4
Sec. 168	July 1, 2011	29-5
Sec. 169	July 1, 2011	29-36l
Sec. 170	July 1, 2011	53-202d(a) to (c)
Sec. 171	July 1, 2011	54-1m
Sec. 172	July 1, 2011	54-64g
Sec. 173	July 1, 2011	21a-1
Sec. 174	July 1, 2011	New section
Sec. 175	July 1, 2011	New section
Sec. 176	July 1, 2011	29-129
Sec. 177	July 1, 2011	29-130
Sec. 178	July 1, 2011	29-132
Sec. 179	July 1, 2011	29-143a
Sec. 180	July 1, 2011	29-179i(a)
Sec. 181	July 1, 2011	54-142q(c)
Sec. 182	July 1, 2011	New section
Sec. 183	July 1, 2011	1-83(a)
Sec. 184	July 1, 2011	1-84(d)
Sec. 185	July 1, 2011	12-3b
Sec. 186	July 1, 2011	12-557b
Sec. 187	July 1, 2011	12-557c
Sec. 188	July 1, 2011	12-557d
Sec. 189	July 1, 2011	12-557e
Sec. 190	July 1, 2011	12-562
Sec. 191	July 1, 2011	12-569

Sec. 192	<i>July 1, 2011</i>	12-575c
Sec. 193	<i>July 1, 2011</i>	12-577
Sec. 194	<i>July 1, 2011</i>	12-586f
Sec. 195	<i>July 1, 2011</i>	12-586g
Sec. 196	<i>July 1, 2011</i>	12-801
Sec. 197	<i>July 1, 2011</i>	12-802
Sec. 198	<i>July 1, 2011</i>	12-806b
Sec. 199	<i>July 1, 2011</i>	22-410
Sec. 200	<i>July 1, 2011</i>	22-412
Sec. 201	<i>July 1, 2011</i>	29-7c
Sec. 202	<i>July 1, 2011</i>	30-39
Sec. 203	<i>July 1, 2011</i>	30-59a
Sec. 204	<i>July 1, 2011</i>	31-51y
Sec. 205	<i>July 1, 2011</i>	53-278c(d)
Sec. 206	<i>July 1, 2011</i>	7-169
Sec. 207	<i>July 1, 2011</i>	7-185a
Sec. 208	<i>July 1, 2011</i>	7-169a
Sec. 209	<i>July 1, 2011</i>	7-169c
Sec. 210	<i>July 1, 2011</i>	7-169d
Sec. 211	<i>July 1, 2011</i>	7-169e
Sec. 212	<i>July 1, 2011</i>	7-169h
Sec. 213	<i>July 1, 2011</i>	7-169i
Sec. 214	<i>July 1, 2011</i>	7-185b
Sec. 215	<i>July 1, 2011</i>	New section
Sec. 216	<i>July 1, 2011</i>	Repealer section
Sec. 217	<i>from passage</i>	Repealer section