General Assembly

Bill No. 6652

January Session, 2011

LCO No. **8413**

08413_____

Referred to Committee on No Committee

Introduced by:
REP. DONOVAN, 84th Dist.
SEN. WILLIAMS, 29th Dist.

AN ACT IMPLEMENTING THE REVENUE ITEMS IN THE BUDGET AND MAKING BUDGET ADJUSTMENTS, DEFICIENCY APPROPRIATIONS, CERTAIN REVISIONS TO BILLS OF THE CURRENT SESSION AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES.

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

Section 1. Section 12-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The present true and actual value of land classified as farm land pursuant to section 12-107c, as forest land pursuant to section 12-107d, as open space land pursuant to section 12-107e, or as maritime heritage land pursuant to section 12-107g shall be based upon its current use without regard to neighborhood land use of a more intensive nature, provided in no event shall the present true and actual value of open space land be less than it would be if such open space land comprised a part of a tract or tracts of land classified as farm land pursuant to section 12-107c. The present true and actual value of all other property shall be deemed by all assessors and boards of assessment appeals to

13 be the fair market value thereof and not its value at a forced or auction
14 sale.

15 (b) (1) For the purposes of this subsection, (A) "electronic data
16 processing equipment" means computers, printers, peripheral
17 computer equipment, bundled software and any computer-based
18 equipment acting as a computer, as defined in Section 168 of the
19 Internal Revenue Code of 1986, or any subsequent corresponding
20 internal revenue code of the United States, as from time to time
21 amended; (B) "leased personal property" means tangible personal
22 property which is the subject of a written or oral lease or loan on the
23 assessment date, or any such property which has been so leased or
24 loaned by the then current owner of such property for three or more of
25 the twelve months preceding such assessment date; and (C) "original
26 selling price" means the price at which tangible personal property is
27 most frequently sold in the year that it was manufactured.

28 (2) Any municipality may, by ordinance, adopt the provisions of
29 this subsection to be applicable for the assessment year commencing
30 October first of the assessment year in which a revaluation of all real
31 property required pursuant to section 12-62 is performed in such
32 municipality, and for each assessment year thereafter. If so adopted,
33 the present true and actual value of tangible personal property, other
34 than motor vehicles, shall be determined in accordance with the
35 provisions of this subsection. If such property is purchased, its true
36 and actual value shall be established in relation to the cost of its
37 acquisition, including transportation and installation, and shall reflect
38 depreciation in accordance with the schedules set forth in subdivisions
39 (3) to (6), inclusive, of this subsection. If such property is developed
40 and produced by the owner of such property for a purpose other than
41 wholesale or retail sale or lease, its true and actual value shall be
42 established in relation to its cost of development, production and
43 installation and shall reflect depreciation in accordance with the
44 schedules provided in subdivisions (3) to (6), inclusive, of this
45 subsection. The provisions of this subsection shall not apply to

46 property owned by a public service company, as defined in section 16-
47 1.

48 (3) The following schedule of depreciation shall be applicable with
49 respect to electronic data processing equipment:

50 (A) Group I: Computer and peripheral hardware, including, but not
51 limited to, personal computers, workstations, terminals, storage
52 devices, printers, scanners, computer peripherals and networking
53 equipment:

T1		Depreciated Value
T2		As Percentage
T3	Assessment Year	Of Acquisition
T4	Following Acquisition	Cost Basis
T5	First year	Seventy per cent
T6	Second year	Forty per cent
T7	Third year	Twenty per cent
T8	Fourth year and thereafter	Ten per cent

54 (B) Group II: Other hardware, including, but not limited to, mini-
55 frame and main-frame systems with an acquisition cost of more than
56 twenty-five thousand dollars:

T9		Depreciated Value
T10		As Percentage
T11	Assessment Year	Of Acquisition
T12	Following Acquisition	Cost Basis
T13	First year	Ninety per cent
T14	Second year	Sixty per cent
T15	Third year	Forty per cent
T16	Fourth year	Twenty per cent
T17	Fifth year and thereafter	Ten per cent

57 (4) The following schedule of depreciation shall be applicable with
58 respect to copiers, facsimile machines, medical testing equipment, and
59 any similar type of equipment that is not specifically defined as
60 electronic data processing equipment, but is considered by the assessor
61 to be technologically advanced:

T18		Depreciated Value
T19		As Percentage
T20	Assessment Year	Of Acquisition
T21	Following Acquisition	Cost Basis
T22	First year	Ninety-five per cent
T23	Second year	Eighty per cent
T24	Third year	Sixty per cent
T25	Fourth year	Forty per cent
T26	Fifth year and thereafter	Twenty per cent

62 (5) The following schedule of depreciation shall be applicable with
63 respect to machinery and equipment used in the manufacturing
64 process:

T27		Depreciated Value
T28		As Percentage
T29	Assessment Year	Of Acquisition
T30	Following Acquisition	Cost Basis
T31	First year	Ninety per cent
T32	Second year	Eighty per cent
T33	Third year	Seventy per cent
T34	Fourth year	Sixty per cent
T35	Fifth year	Fifty per cent
T36	Sixth year	Forty per cent
T37	Seventh year	Thirty per cent
T38	Eighth year and thereafter	Twenty per cent

65 (6) The following schedule of depreciation shall be applicable with
66 respect to all tangible personal property other than that described in
67 subdivisions (3) to (5), inclusive, of this subsection:

	Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
T39		
T40		
T41		
T42		
T43	First year	Ninety-five per cent
T44	Second year	Ninety per cent
T45	Third year	Eighty per cent
T46	Fourth year	Seventy per cent
T47	Fifth year	Sixty per cent
T48	Sixth year	Fifty per cent
T49	Seventh year	Forty per cent
T50	Eighth year and thereafter	Thirty per cent

68 (7) The present true and actual value of leased personal property
69 shall be determined in accordance with the provisions of this
70 subdivision. Such value for any assessment year shall be established in
71 relation to the original selling price for self-manufactured property or
72 acquisition cost for acquired property and shall reflect depreciation in
73 accordance with the schedules provided in subdivisions (3) to (6),
74 inclusive, of this subsection. If the assessor is unable to determine the
75 original selling price of leased personal property, the present true and
76 actual value thereof shall be its current selling price.

77 (8) With respect to any personal property which is prohibited by
78 law from being sold, the present true and actual value of such property
79 shall be established with respect to such property's original
80 manufactured cost increased by a ratio the numerator of which is the
81 total proceeds from the manufacturer's salable equipment sold and the
82 denominator of which is the total cost of the manufacturer's salable
83 equipment sold. Such value shall then be depreciated in accordance

84 with the appropriate schedule in this subsection.

85 (9) The schedules of depreciation set forth in subdivisions (3) to (6),
86 inclusive, of this subsection shall not be used with respect to
87 videotapes, horses or other taxable livestock or electric cogenerating
88 equipment.

89 (10) If the assessor determines that the value of any item of personal
90 property produced by the application of the schedules set forth in this
91 subsection does not accurately reflect the present true and actual value
92 of such item, the assessor shall adjust such value to reflect the present
93 true and actual value of such item.

94 (11) Nothing in this subsection shall prevent any taxpayer from
95 appealing any assessment made pursuant to this subsection if such
96 assessment does not accurately reflect the present true and actual
97 value of any item of such taxpayer's personal property.

98 [(c) (1) For the assessment years commencing October 1, 2006,
99 October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and
100 October 1, 2011, the annual declaration of tangible personal property
101 that a taxpayer files with the assessor of the town, shall be
102 accompanied by a supplement to said declaration on which the
103 taxpayer shall provide the following information for machinery and
104 equipment eligible for a grant pursuant to section 12-94b or 12-94f: (A)
105 The assessment year during which such property was acquired and
106 installed; (B) the original cost of acquisition for such property,
107 including charges for such property's transportation and installation;
108 (C) the value of such property depreciated in accordance with the
109 schedule provided by the assessor; (D) the total of the original cost of
110 acquisition for all such property; and (E) the total depreciated value of
111 such property for all such property. The assessor shall provide a
112 declaration of tangible personal property, together with such
113 supplement, to the owner of each manufacturing facility, as defined in
114 subparagraph (A) of subdivision (72) of section 12-81, and to the owner
115 of each facility engaged in biotechnology, as defined in said

116 subparagraph.

117 (2) For the assessment years commencing October 1, 2006, October
118 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and October
119 1, 2011, the assessor of each town shall determine the depreciated
120 value of machinery and equipment, for the purposes of this section,
121 section 12-94b and section 12-94f, in accordance with the method said
122 assessor used to determine the depreciated value of the same or similar
123 machinery and equipment for the assessment year commencing
124 October 1, 2005. The supplement to the declaration of tangible personal
125 property the assessor provides, pursuant to subdivision (1) of this
126 subsection, for the assessment year commencing October 1, 2006, shall
127 not reflect an alteration of the depreciation schedule that would result
128 in an assessment increase for any such property, over the assessment
129 of such property for the assessment year commencing October 1, 2005,
130 and the supplement to such declaration the assessor provides for the
131 assessment years commencing October 1, 2007, October 1, 2008,
132 October 1, 2009, October 1, 2010, and October 1, 2011, shall not reflect
133 an alteration of the depreciation schedule that would result in an
134 assessment increase for any such property, over the assessment of such
135 property for the preceding assessment year.**]**

136 Sec. 2. Subdivision (72) of section 12-81 of the general statutes is
137 repealed and the following is substituted in lieu thereof (*Effective July*
138 *1, 2011*):

139 (72) (A) Effective for assessment years commencing on or after
140 October 1, 2002, but prior to assessment years commencing on or after
141 October 1, 2011, new machinery and equipment, as defined in this
142 subdivision, acquired after October 1, 1990, and prior to October 1,
143 2011, and newly-acquired machinery and equipment, as defined in this
144 subdivision, acquired on or after July 1, 1992, and prior to October 1,
145 2011, by the person claiming exemption under this subdivision,
146 provided this exemption shall only be applicable in the five full
147 assessment years following the assessment year in which such

148 machinery or equipment is acquired, subject to the provisions of
149 subparagraph (B) of this subdivision. Machinery and equipment
150 acquired on or after July 1, 1996, and prior to October 1, 2011, and used
151 in connection with biotechnology shall qualify for the exemption
152 under this subdivision. Machinery and equipment acquired on or after
153 July 1, 2006, and used in connection with recycling shall qualify for the
154 exemption under this subdivision. For the purposes of this
155 subdivision: (i) "Machinery" and "equipment" means tangible personal
156 property which is installed in a manufacturing facility and claimed on
157 the owner's federal income tax return as either five-year property or
158 seven-year property, as those terms are defined in Section 168(e) of the
159 Internal Revenue Code of 1986, or any subsequent corresponding
160 internal revenue code of the United States, as from time to time
161 amended, and the predominant use of which is for manufacturing,
162 processing or fabricating; for research and development, including
163 experimental or laboratory research and development, design or
164 engineering directly related to manufacturing; for the significant
165 servicing, overhauling or rebuilding of machinery and equipment for
166 industrial use or the significant overhauling or rebuilding of other
167 products on a factory basis; for measuring or testing or for metal
168 finishing; or used in the production of motion pictures, video and
169 sound recordings. "Machinery" means the basic machine itself,
170 including all of its component parts and contrivances such as belts,
171 pulleys, shafts, moving parts, operating structures and all equipment
172 or devices used or required to control, regulate or operate the
173 machinery, including, without limitation, computers and data
174 processing equipment, together with all replacement and repair parts
175 therefor, whether purchased separately or in conjunction with a
176 complete machine, and regardless of whether the machine or
177 component parts thereof are assembled by the taxpayer or another
178 party. "Equipment" means any device separate from machinery but
179 essential to a manufacturing, processing or fabricating process. (ii)
180 "Manufacturing facility" means that portion of a plant, building or
181 other real property improvement used for manufacturing, processing

182 or fabricating, for research and development, including experimental
183 or laboratory research and development, design or engineering
184 directly related to manufacturing, for the significant servicing,
185 overhauling or rebuilding of machinery and equipment for industrial
186 use or the significant overhauling or rebuilding of other products on a
187 factory basis, for measuring or testing or for metal finishing. (iii)
188 "Manufacturing" means the activity of converting or conditioning
189 tangible personal property by changing the form, composition, quality
190 or character of the property for ultimate sale at retail or use in the
191 manufacturing of a product to be ultimately sold at retail. Changing
192 the quality of property shall include any substantial overhaul of the
193 property that results in a significantly greater service life than such
194 property would have had in the absence of such overhaul or with
195 significantly greater functionality within the original service life of the
196 property, beyond merely restoring the original functionality for the
197 balance of the original service life. (iv) "Fabricating" means to make,
198 build, create, produce or assemble components or tangible personal
199 property work in a new or different manner, but does not include the
200 presorting, sorting, coding, folding, stuffing or delivery of direct or
201 indirect mail distribution services. (v) "Processing" means the physical
202 application of the materials and labor in a manufacturing process
203 necessary to modify or change the characteristics of tangible personal
204 property. (vi) "Measuring or testing" includes both nondestructive and
205 destructive measuring or testing, and the alignment and calibration of
206 machinery, equipment and tools, in the furtherance of the
207 manufacturing, processing or fabricating of tangible personal property.
208 (vii) "Biotechnology" means the application of technologies, including
209 recombinant DNA techniques, biochemistry, molecular and cellular
210 biology, genetics and genetic engineering, biological cell fusion
211 techniques, and new bioprocesses, using living organisms, or parts of
212 organisms, to produce or modify products, to improve plants or
213 animals, to develop microorganisms for specific uses, to identify
214 targets for small molecule pharmaceutical development, or to
215 transform biological systems into useful processes and products. (viii)

216 "Recycling" means the processing of solid waste to reclaim material, as
217 defined in section 22a-260;

218 (B) Any person who on October first in any year holds title to
219 machinery and equipment for which such person desires to claim the
220 exemption provided in this subdivision shall file with the assessor or
221 board of assessors in the municipality in which the machinery or
222 equipment is located, on or before the first day of November in such
223 year, a list of such machinery or equipment together with written
224 application claiming such exemption. [on a form prescribed by the
225 Secretary of the Office of Policy and Management.] Such application
226 shall include the taxpayer identification number assigned to the
227 claimant by the Commissioner of Revenue Services and the federal
228 employer identification number assigned to the claimant by the
229 Secretary of the Treasury. If title to such equipment is held by a person
230 other than the person claiming the exemption, the claimant shall
231 include on such person's application information as to the portion of
232 the total acquisition cost incurred by such person, and on or before the
233 first day of November in such year, the person holding title to such
234 machinery and equipment shall file a list of such machinery with the
235 assessor of the municipality in which the manufacturing facility of the
236 claimant is located. Such person shall include on the list information as
237 to the portion of the total acquisition cost incurred by such person.
238 Commercial or financial information in any application or list filed
239 under this section shall not be open for public inspection, provided
240 such information is given in confidence and is not available to the
241 public from any other source. The provisions of this subdivision
242 regarding the filing of lists and information shall not supersede the
243 requirements to file tax lists under sections 12-41, 12-42 and 12-57a. In
244 substantiation of such claim, the claimant and the person holding title
245 to machinery and equipment for which exemption is claimed shall
246 present to the assessor or board of assessors such supporting
247 documentation as [said secretary] the assessor or board of assessors
248 may require, including, but not limited to, invoices, bills of sale,
249 contracts for lease and bills of lading and shall, upon request, present

250 to [the secretary or the secretary's designee] the assessor or board of
251 assessors a copy of each applicable federal income tax return and
252 accompanying schedules. In lieu of submitting each applicable federal
253 income tax return and accompanying schedules, a claimant and person
254 holding title to machinery and equipment for which an exemption is
255 claimed may, upon approval of [said secretary] the assessor or board
256 of assessors, submit copies of applicable schedules accompanied by a
257 sworn affidavit stating that such schedules were filed as part of such
258 claimant's or person's federal income tax return. Failure to file such
259 application in this manner and form within the time limit prescribed
260 shall constitute a waiver of the right to such exemption for such
261 assessment year, unless an extension of time is allowed pursuant to
262 section 12-81k. If title to exempt machinery is conveyed subsequent to
263 October first in any assessment year, entitlement to such exemption
264 shall terminate for the next assessment year and there shall be no pro
265 rata application of the exemption unless such machinery or equipment
266 continues to be leased by the manufacturer who claimed and was
267 approved for the exemption in the previous assessment year.
268 Machinery or equipment shall not be eligible for exemption upon
269 transfer from a seller to a related business or from a lessor to a lessee
270 except to the extent it would have been eligible for exemption by the
271 seller or the lessor, as the case may be. For the purposes of this
272 subdivision, "related business" means: (i) A corporation, limited
273 liability company, partnership, association or trust controlled by the
274 taxpayer; (ii) an individual, corporation, limited liability company,
275 partnership, association or trust that is in control of the taxpayer; (iii) a
276 corporation, limited liability company, partnership, association or trust
277 controlled by an individual, corporation, limited liability company,
278 partnership, association or trust that is in control of the taxpayer; or
279 (iv) a member of the same controlled group as the taxpayer. For
280 purposes of this subdivision, "control", with respect to a corporation,
281 means ownership, directly or indirectly, of stock possessing fifty per
282 cent or more of the total combined voting power of all classes of the
283 stock of such corporation entitled to vote. "Control", with respect to a

284 trust, means ownership, directly or indirectly, of fifty per cent or more
285 of the beneficial interest in the principal or income of such trust. The
286 ownership of stock in a corporation, of a capital or profits interest in a
287 partnership or association or of a beneficial interest in a trust shall be
288 determined in accordance with the rules for constructive ownership of
289 stock provided in Section 267(c) of the Internal Revenue Code of 1986,
290 or any subsequent corresponding internal revenue code of the United
291 States, as from time to time amended, other than paragraph (3) of said
292 Section 267(c);

293 (C) Any person claiming the exemption provided under this
294 subdivision for machinery or equipment shall not be eligible to claim
295 the exemption provided under subdivision (60) of this section or
296 subdivision (70) of this section for the same machinery or equipment.
297 The state and the municipality and district shall hold a security
298 interest, as defined in subdivision (35) of subsection (b) of section 42a-
299 1-201, in any machinery or equipment which is exempt from taxation
300 pursuant to this subdivision, in an amount equal to the tax revenue
301 reimbursed or lost, as the case may be, which shall be subordinate to
302 any purchase money security interest, as defined in section 42a-9-103a.
303 Such security interest shall be enforceable against the claimant for a
304 period of five years after the last assessment year in which such
305 exemption was received in any case in which such person ceases all
306 manufacturing or biotechnology operations or moves such
307 manufacturing or biotechnology operations entirely out of this state.
308 Any assessor who has granted an exemption under this subdivision
309 shall provide written notification to the secretary of the cessation of
310 such operations or the move of such operations entirely out of this
311 state. Such notification may be made at any time after the October first
312 of the last assessment year in which such exemption is granted and
313 before the September thirtieth that is five years after the conclusion of
314 said assessment year. Upon receiving such notification and complying
315 with the provisions of section 12-35a, the state shall have a lien upon
316 the machinery or equipment situated in this state and owned by the
317 person that ceased all business operations or moved such operations

318 entirely out of this state. Notwithstanding the provisions of section 12-
319 35a, the total amount of the reimbursement made by the state for the
320 property tax exemptions granted to the person under the provisions of
321 this subdivision, shall be deemed to be the amount of the tax which
322 such person failed to pay. Notwithstanding said section 12-35a, the
323 information required to be included in the notice of lien for such tax
324 shall be as follows: (i) The owner of the property upon which the lien
325 is claimed, (ii) the business address or residence address of such
326 owner, (iii) the specific property claimed to be subject to such lien, (iv)
327 the location of such property at the time it was last made tax-exempt
328 pursuant to this subdivision, (v) the total amount of the
329 reimbursement made by the state for the property tax exemptions
330 granted to such owner under the provisions of this subdivision, and
331 (vi) the tax period or periods for which such lien is claimed. If more
332 than one agency of the state perfects such a notice of lien on the same
333 day, the priority of such liens shall be determined by the time of day
334 such liens were perfected, and if perfected at the same time, the lien for
335 the highest amount shall have priority. In addition to the other
336 remedies provided in this subdivision, the Attorney General, upon
337 request of the secretary, may bring a civil action in a court of
338 competent jurisdiction to recover the amount of tax revenue
339 reimbursed by the state from any person who received an exemption
340 under this subdivision. The following shall not be eligible for the
341 exemption provided under this subdivision: (I) A public service
342 company, as defined in section 16-1; and (II) any provider, directly or
343 indirectly, of electricity, oil, water or gas;

344 (D) A claim for property tax exemption under this subdivision may
345 be denied by the assessor or board of assessors of a town, consolidated
346 town and city or consolidated town and borough, with the consent of
347 the chief executive officer thereof, if the claimant is delinquent in a
348 property tax payment to such town, consolidated town and city or
349 consolidated town and borough, pursuant to section 12-146, for
350 property owned by such claimant. Before any such claim is denied, the
351 assessor or board of assessors shall send written notice to the claimant,

352 stating that the claimant may pay the amount of such delinquent tax or
353 enter into an agreement with such town, consolidated town and city or
354 consolidated town and borough for the payment thereof, by the date
355 set forth in such notice, provided, such date shall not be less than thirty
356 days after the date of such notice. Failure on the part of the claimant to
357 pay the amount of the delinquent tax or enter into an agreement to pay
358 the amount thereof by said date shall result in a disallowance of the
359 exemption being claimed;

360 **[**(E) The secretary, in the secretary's discretion, may deny any claim
361 for exemption under the provisions of this subdivision for new
362 machinery and equipment by a claimant who is delinquent in the
363 payment of corporation business tax imposed under chapter 208, as
364 reported on the list provided by the Commissioner of Revenue
365 Services pursuant to subsection (b) of section 12-7a and who qualified
366 for exemption under this subdivision in the preceding year. On or
367 before September first annually, commencing September 1, 1998, the
368 secretary shall send a written notice to any claimant identified on said
369 list and to the assessor of the town in which the property is subject to
370 taxation, stating that the property tax exemption allowed by this
371 subdivision for the assessment date following the date on which such
372 notice is sent, shall be denied by the assessor of the town in which the
373 property of the taxpayer is subject to taxation unless the taxpayer
374 provides written documentation from the Department of Revenue
375 Services that the delinquency has been cleared. Such written
376 documentation shall substantiate that the delinquency was cleared on
377 or before the statutory date for the filing of an application for
378 exemption under this subdivision, provided, if a taxpayer receives an
379 extension of the filing date pursuant to section 12-81k, the date by
380 which the taxpayer shall be required to clear such tax delinquency
381 shall be extended for a like period of time. No assessor shall approve
382 an application for the exemption under this subdivision that is not
383 accompanied by the written documentation required from a claimant
384 who was sent a notification by the Secretary of the Office of Policy and
385 Management;**]**

386 Sec. 3. Subdivision (76) of section 12-81 of the general statutes is
387 repealed and the following is substituted in lieu thereof (*Effective July*
388 *1, 2011*):

389 (76) Effective for assessment years commencing on or after October
390 1, 2011, **[**new**]** machinery and equipment, **[**or newly-acquired
391 machinery and equipment,**]** including machinery and equipment used
392 in connection with biotechnology. For purposes of this subdivision,
393 "machinery" and "equipment", and "biotechnology" shall have the
394 same meaning as in subdivision (72) of this section. Any person
395 claiming the exemption provided under this subdivision shall not be
396 eligible to claim the exemption provided under subdivision (60) or (70)
397 of this section for the same machinery and equipment;

398 Sec. 4. Subsection (b) of section 15-144 of the general statutes, as
399 amended by section 133 of public act 11-6, is repealed and the
400 following is substituted in lieu thereof (*Effective July 1, 2011*):

401 (b) (1) The owner shall pay a fee to the Commissioner of Motor
402 Vehicles for deposit with the State Treasurer for each vessel so
403 numbered or registered in accordance with the following schedule and
404 subdivisions of this subsection:

T51	Overall Length			Overall Length		
T52	at least	less than	fee	at least	less than	fee
T53	(feet)	(feet)		(feet)	(feet)	
T54		12	$ 7.50	40	41	$270.00
T55	12	13	11.25	41	42	292.50
T56	13	14	15.00	42	43	315.00
T57	14	15	18.75	43	44	322.50
T58	15	16	22.50	44	45	330.00
T59	16	17	30.00	45	46	337.50
T60	17	18	37.50	46	47	345.00
T61	18	19	45.00	47	48	352.50
T62	19	20	52.50	48	49	360.00

T63	20	21	60.00	49	50	367.50
T64	21	22	67.50	50	51	375.00
T65	22	23	75.00	51	52	382.50
T66	23	24	82.50	52	53	390.00
T67	24	25	90.00	53	54	397.50
T68	25	26	97.50	54	55	405.00
T69	26	27	105.00	55	56	412.50
T70	27	28	112.50	56	57	420.00
T71	28	29	120.00	57	58	427.50
T72	29	30	127.50	58	59	435.00
T73	30	31	135.00	59	60	442.50
T74	31	32	142.50	60	61	450.00
T75	32	33	150.00	61	62	457.50
T76	33	34	157.50	62	63	465.00
T77	34	35	165.00	63	64	472.50
T78	35	36	172.50	64	65	480.00
T79	36	37	180.00	65 and over		525.00
T80	37	38	202.50			
T81	38	39	225.00			
T82	39	40	247.50			

405 For purposes of this schedule "overall length" is the horizontal distance
406 between the foremost part of the stem and the aftermost part of the
407 stern, excluding bowsprits, bumpkins, rudders, outboard motor
408 brackets and similar fittings or attachments. (2) The fee payable under
409 this subsection with respect to any vessel used primarily for purposes
410 of commercial fishing shall not exceed twenty-five dollars, provided in
411 the tax year of the owner of such vessel ending immediately preceding
412 the date of registration, not less than fifty per cent of the adjusted gross
413 income of such owner as determined for purposes of the federal
414 income tax is derived from commercial fishing, subject to proof
415 satisfactory to the Commissioner of Motor Vehicles. (3) The fee payable
416 under this subsection with respect to any vessel constructed primarily
417 of wood, the construction of which is completed not less than fifteen

418 years prior to the date such fee is paid, shall be in an amount equal to
419 fifty per cent of the fee otherwise payable, or if such construction is
420 completed not less than twenty-five years prior to the date such fee is
421 paid, such fee shall be in an amount equal to twenty-five per cent of
422 the fee otherwise payable. (4) Fees payable under this subsection shall
423 not be required with respect to (A) any vessel owned by a flotilla of the
424 United States Coast Guard Auxiliary or owned by a nonprofit
425 corporation acting on behalf of such a flotilla, provided no more than
426 two vessels from any such flotilla or nonprofit corporation shall be
427 granted such an exemption and (B) any vessel built by students in an
428 educational institution and used for the purposes of such institution,
429 including such research as may require the use of such vessel. (5) The
430 fee payable under this subsection with respect to any pontoon boat,
431 exclusive of any houseboat, shall be forty dollars. (6) The fee payable
432 under this subsection with respect to any canoe with a motor or any
433 vessel owned by a nonprofit organization shall be seven dollars and
434 fifty cents. (7) The fee payable under this subsection with respect to
435 any vessel less than fifteen feet in length equipped with a motor the
436 horsepower of which is less than fifteen, shall be seven dollars and
437 fifty cents. (8) The owner of any vessel used actively, as required under
438 this subdivision, in operational activities of the United States Coast
439 Guard Auxiliary shall not be required to pay the applicable fee in
440 accordance with the schedule in this subsection, provided (A) if the
441 applicable fee under the schedule for such vessel is greater than one
442 hundred eighty dollars, the owner shall be required to pay the amount
443 of fee in excess of one hundred eighty dollars and (B) the owner shall
444 not be entitled to exemption from the applicable fee as allowed in this
445 subdivision for any vessel registration year unless the application for
446 registration of such vessel includes a statement, certified by an officer
447 of the United States Coast Guard, that in the preceding year such
448 vessel was used actively in not less than three separate operational
449 activities of the United States Coast Guard Auxiliary. (9) Beginning
450 **[**October 1**]** May 4, 2011, **[**and annually thereafter,**]** all revenue received
451 by the state **[**for the twelve-month period from November first to

452 October thirty-first, inclusive,] in fees for the numbering and
453 registration of vessels under this section shall be deposited with the
454 Treasurer who shall deposit such revenue in the General Fund.

455 Sec. 5. Section 4-124s of the general statutes is repealed and the
456 following is substituted in lieu thereof (*Effective July 1, 2011*):

457 (a) For purposes of this section:

458 (1) "Regional council of governments" means any such council
459 organized under the provisions of sections 4-124i to 4-124p, inclusive;

460 (2) "Regional council of elected officials" means any such council
461 organized under the provisions of sections 4-124c to 4-124h, inclusive;

462 (3) "Regional planning agency" means an agency defined in chapter
463 127;

464 (4) "Municipality" means a town, city or consolidated town and
465 borough;

466 (5) "Legislative body" means the board of selectmen, town council,
467 city council, board of alderman, board of directors, board of
468 representatives or board of the mayor and burgesses of a municipality;
469 and

470 (6) "Secretary" means the Secretary of the Office of Policy and
471 Management or the designee of the secretary.

472 (b) There is established a regional performance incentive program
473 that shall be administered by the Secretary of the Office of Policy and
474 Management. On or before December 1, [2007] 2011, any regional
475 planning agency, any regional council of elected officials, any regional
476 council of governments, any two or more municipalities, any economic
477 development district or any combination thereof, may submit to said
478 secretary a proposal for joint provision of a service or services that are
479 currently provided by municipalities within the region of such agency

480 or council or contiguous thereto, but not currently provided on a
481 regional basis. On or before December 31, [2008] 2011, and annually
482 thereafter, any such entity may submit a proposal to the secretary for:
483 (1) The joint provision of any service that one or more participating
484 municipalities of such council or agency currently provide but which is
485 not provided on a regional basis, or (2) a planning study regarding the
486 joint provision of any service on a regional basis. A copy of said
487 proposal shall be sent to the legislators representing said participating
488 municipalities.

489 (c) (1) An entity specified in subsection (a) of this section shall
490 submit each proposal in the form and manner the secretary prescribes
491 and shall, at a minimum, provide the following information for each
492 proposal: (A) Service description; (B) the explanation of the need for
493 such service; (C) the method of delivering such service on a regional
494 basis; (D) the organization that would be responsible for regional
495 service delivery; (E) a description of the population that would be
496 served; (F) the manner in which regional service delivery will achieve
497 economies of scale; (G) the amount by which participating
498 municipalities will reduce their mill rates as a result of savings
499 realized; (H) a cost benefit analysis for the provision of the service by
500 each participating municipality and by the entity submitting the
501 proposal; (I) a plan of implementation for delivery of the service on a
502 regional basis; (J) a resolution endorsing such proposal approved by
503 the legislative body of each participating municipality; and (K) an
504 explanation of the potential legal obstacles, if any, to the regional
505 provision of the service.

506 (2) The secretary shall review each proposal and shall award grants
507 for proposals the secretary determines best meet the requirements of
508 this section. In awarding such grants, the secretary shall give priority
509 to a proposal submitted by (A) any entity specified in subsection (a) of
510 this section that includes participation of all of the member
511 municipalities of such entity, and which may increase the purchasing
512 power of [such member] participating municipalities or provide a cost

513 savings initiative resulting in a decrease in expenses of such
514 municipalities, allowing such municipalities to lower property taxes,
515 and (B) any economic development district.

516 (d) The secretary shall submit to the Governor and the joint
517 standing committee of the General Assembly having cognizance of
518 matters relating to finance, revenue and bonding a report on the grants
519 provided pursuant to this section. Each such report shall include
520 information on the amount of each grant, and the potential of each
521 grant for leveraging other public and private investments. The
522 secretary shall submit a report for the fiscal year commencing July 1,
523 [2007] 2011, not later than February 1, [2008] 2012, and shall submit a
524 report for each subsequent fiscal year not later than the first day of
525 March in such fiscal year. Such reports shall include the property tax
526 reductions achieved by means of the program established pursuant to
527 this section.

528 Sec. 6. Subsection (a) of section 16-19 of the general statutes is
529 repealed and the following is substituted in lieu thereof (*Effective from*
530 *passage*):

531 (a) No public service company may charge rates in excess of those
532 previously approved by the authority or the Department of Public
533 Utility Control except that any rate approved by the Public Utilities
534 Commission or the authority shall be permitted until amended by the
535 authority or the department, that rates not approved by the authority
536 or the department may be charged pursuant to subsection (b) of this
537 section, and that the hearing requirements with respect to adjustment
538 clauses are as set forth in section 16-19b. For water companies, existing
539 rates shall include the amount of any adjustments approved pursuant
540 to section 16-262w since the company's most recent general rate case,
541 provided any adjustment amount shall be separately identified in any
542 customer bill. Each public service company shall file any proposed
543 amendment of its existing rates with the department in such form and
544 in accordance with such reasonable regulations as the department may

545 prescribe. Each electric, electric distribution, gas or telephone company
546 filing a proposed amendment shall also file with the department an
547 estimate of the effects of the amendment, for various levels of
548 consumption, on the household budgets of high and moderate income
549 customers and customers having household incomes not more than
550 one hundred fifty per cent of the federal poverty level. Each electric
551 and electric distribution company shall also file such an estimate for
552 space heating customers. Each water company, except a water
553 company that provides water to its customers less than six consecutive
554 months in a calendar year, filing a proposed amendment, shall also file
555 with the department a plan for promoting water conservation by
556 customers in such form and in accordance with a memorandum of
557 understanding entered into by the department pursuant to section 4-
558 67e. Each public service company shall notify each customer who
559 would be affected by the proposed amendment, by mail, at least one
560 week prior to the public hearing thereon, that an amendment has been
561 or will be requested. Such notice shall also indicate (1) the Department
562 of Public Utility Control telephone number for obtaining information
563 concerning the schedule for public hearings on the proposed
564 amendment, and (2) whether the proposed amendment would, in the
565 company's best estimate, increase any rate or charge by twenty per
566 cent or more, and, if so, describe in general terms any such rate or
567 charge and the amount of the proposed increase, provided no such
568 company shall be required to provide more than one form of the notice
569 to each class of its customers. In the case of a proposed amendment to
570 the rates of any public service company, the department shall hold a
571 public hearing thereon, except as permitted with respect to interim rate
572 amendments by **[**subsection (d) and subsection**]** subsections (d) and (g)
573 of this section, and shall make such investigation of such proposed
574 amendment of rates as is necessary to determine whether such rates
575 conform to the principles and guidelines set forth in section 16-19e, or
576 are unreasonably discriminatory or more or less than just, reasonable
577 and adequate, or that the service furnished by such company is
578 inadequate to or in excess of public necessity and convenience. The

579 department, if in its opinion such action appears necessary or suitable
580 in the public interest may, and, upon written petition or complaint of
581 the state, under direction of the Governor, shall, make the aforesaid
582 investigation of any such proposed amendment which does not
583 involve an alteration in rates. If the department finds any proposed
584 amendment of rates to not conform to the principles and guidelines set
585 forth in section 16-19e, or to be unreasonably discriminatory or more
586 or less than just, reasonable and adequate to enable such company to
587 provide properly for the public convenience, necessity and welfare, or
588 the service to be inadequate or excessive, it shall determine and
589 prescribe, as appropriate, an adequate service to be furnished or just
590 and reasonable maximum rates and charges to be made by such
591 company. In the case of a proposed amendment filed by an electric,
592 electric distribution, gas or telephone company, the department shall
593 also adjust the estimate filed under this subsection of the effects of the
594 amendment on the household budgets of the company's customers, in
595 accordance with the rates and charges approved by the department.
596 The department shall issue a final decision on each rate filing within
597 one hundred fifty days from the proposed effective date thereof,
598 provided it may, before the end of such period and upon notifying all
599 parties and intervenors to the proceedings, extend the period by thirty
600 days.

601 Sec. 7. Section 7-326 of the general statutes is repealed and the
602 following is substituted in lieu thereof (*Effective from passage*):

603 At such meeting, the voters may establish a district for any or all of
604 the following purposes: To extinguish fires, to light streets, to plant
605 and care for shade and ornamental trees, to construct and maintain
606 roads, sidewalks, crosswalks, drains and sewers, to appoint and
607 employ watchmen or police officers, to acquire, construct, maintain
608 and regulate the use of recreational facilities, to plan, lay out, acquire,
609 construct, reconstruct, repair, maintain, supervise and manage a flood
610 or erosion control system, to plan, lay out, acquire, construct, maintain,
611 operate and regulate the use of a community water system, to collect

612 garbage, ashes and all other refuse matter in any portion of such
613 district and provide for the disposal of such matter, to implement tick
614 control measures, to install highway sound barriers, to maintain water
615 quality in lakes that are located solely in one town in this state, to
616 establish a zoning commission and a zoning board of appeals or a
617 planning commission, or both, by adoption of chapter 124 or chapter
618 126, excluding section 8-29, or both chapters, as the case may be, which
619 commissions or board shall be dissolved upon adoption by the town of
620 subdivision or zoning regulations by the town planning or zoning
621 commission, **[**and**]** to adopt building regulations, which regulations
622 shall be superseded upon adoption by the town of building
623 regulations, and to provide ferry service. Any district may contract
624 with a town, city, borough or other district for carrying out any of the
625 purposes for which such district was established.

626 Sec. 8. (NEW) (*Effective from passage*) (a) Notwithstanding the
627 provisions of section 7-374c of the general statutes, the city of
628 Bridgeport, having previously issued pension deficit funding bonds
629 pursuant to section 7-374c of the general statutes, shall not be obligated
630 to make any appropriation to fund, or make any contribution to, any
631 pension plan funded with the proceeds of such bonds, unless
632 otherwise required pursuant to the provisions of subsection (b) of this
633 section.

634 (b) (1) The city of Bridgeport shall make a minimum required
635 contribution of seven million dollars to such pension plan for the fiscal
636 year ending June 30, 2012.

637 (2) In each subsequent fiscal year, the city of Bridgeport shall make a
638 contribution to such pension plan as follows: (A) At the beginning of
639 each fiscal year, the city's actuary shall determine the unfunded
640 actuarial accrued liability for such pension plan using actuarial
641 methods and assumptions based on actuarial standards of practice,
642 and a level per cent amortization of the unfunded actuarial accrued
643 liability using a five per cent growth rate; (B) the amortization period

644 shall be twenty-four years for the fiscal year ending June 30, 2013, and
645 shall decline by one year annually for each subsequent fiscal year; and
646 (C) the amount of contribution shall be recalculated each fiscal year, so
647 any gains and losses experienced by such pension plan are taken into
648 account in the determination of unfunded actuarial accrued liability
649 for a particular fiscal year and are amortized over the remaining
650 period.

651 Sec. 9. Section 13b-78m of the general statutes is repealed and the
652 following is substituted in lieu thereof (*Effective July 1, 2011*):

653 (a) (1) Effective January 1, **[**2010**]** 2012, each New Haven Line rail
654 fare originating or terminating in the state shall be increased by one
655 and one-quarter per cent over the existing fare on all rail fares on the
656 New Haven Line. **[**and the proceeds of such increase shall be deposited
657 in the account established by subsection (b) of this section.**]**

658 (2) Effective January 1, **[**2011**]** 2013, each New Haven Line rail fare
659 originating or terminating in the state shall be increased by one per
660 cent over the existing fare. **[**and the proceeds of such increase shall be
661 deposited in the account established by subsection (b) of this section.**]**

662 (3) Effective January 1, **[**2012**]** 2014, each New Haven Line rail fare
663 originating or terminating in the state shall be increased by one per
664 cent over the existing fare. **[**and the proceeds of such increase shall be
665 deposited in the account established by subsection (b) of this section.**]**

666 (4) Effective January 1, **[**2013**]** 2015, each New Haven Line rail fare
667 originating or terminating in the state shall be increased by one per
668 cent over the existing fare. **[**and the proceeds of such increase shall be
669 deposited in the account established by subsection (b) of this section.**]**

670 (5) Effective January 1, **[**2014**]** 2016, each New Haven Line rail fare
671 originating or terminating in the state shall be increased by one per
672 cent over the existing fare. **[**and the proceeds of such increase shall be
673 deposited in the account established by subsection (b) of this section.**]**

674 (6) Effective January 1, **[**2015**]** 2017, each New Haven Line rail fare
675 originating or terminating in the state shall be increased by one per
676 cent over the existing fare. **[**and the proceeds of such increase shall be
677 deposited in the account established by subsection (b) of this section.**]**

678 (7) Effective January 1, **[**2016**]** 2018, each New Haven Line rail fare
679 originating or terminating in the state shall be increased by one per
680 cent over the existing fare. **[**and the proceeds of such increase shall be
681 deposited in the account established by subsection (b) of this section.**]**

682 **[**(b) There is hereby created a restricted capital project account to be
683 known as the New Haven Line revitalization account which shall be a
684 nonlapsing account within the Special Transportation Fund. The
685 following funds shall be deposited into the account: (1) The proceeds
686 of the fare increases required by subsection (a) of this section, and (2)
687 any other funds required by law to be deposited in the account. Funds
688 in the account shall be used solely for capital costs and debt service
689 incurred as part of the New Haven Line revitalization program
690 undertaken pursuant to public act 05-4 of the June special session,
691 except that such funds may be used for the purchase of rail cars for the
692 New Haven Line in addition to those specified in subdivision (1) of
693 section 13b-78*l*.

694 (c) The Secretary of the Office of Policy and Management shall, in
695 consultation with the Commissioner of Transportation, annually
696 prepare a budget detailing how funds in the New Haven Line
697 revitalization account shall be spent during the next fiscal year. On the
698 approval of such budget by the Governor, the Commissioner of
699 Transportation may expend funds from such account for the purposes
700 stated therein.**]**

701 **[**(d)**]** (b) The Commissioner of Transportation shall, by regulations
702 adopted in accordance with chapter 54, determine the method by
703 which the increase shall be applied to daily, multiple-ride, weekly and
704 monthly commutation tickets.

705 Sec. 10. Section 13b-57f of the general statutes is repealed and the
706 following is substituted in lieu thereof (*Effective July 1, 2011*):

707 (a) There are created the following transportation investment areas:
708 The coastal corridor TIA, I-84 corridor TIA, I-91 corridor TIA, I-395
709 corridor TIA and the southeast corridor TIA.

710 (b) The local planning agencies in each TIA shall select the
711 participants in the TIA, including, but not limited to, businesses, labor
712 unions, trade associations, environmental interest groups and other
713 interest groups whose participation the local planning agency believes
714 would be valuable to the TIA in the development of a transportation
715 plan for the TIA.

716 (c) The local planning agencies in each TIA shall determine the
717 processes used by such TIA in carrying out its responsibilities under
718 **[**sections**]** section 13b-57d, as amended by this act, **[**to 13b-57g,
719 inclusive**]** and this section. For the purposes of carrying out such
720 responsibilities, each TIA shall report to the chief executive officers of
721 such local planning agencies. **[**Upon request of the local planning
722 agencies, the board shall assist such agencies.**]**

723 **[**(d) On or before November 15, 2001, the participants in each TIA
724 shall prepare an initial TIA corridor plan and deliver such plan to the
725 Connecticut Transportation Strategy Board, established pursuant to
726 section 13b-57e. Such participants shall deliver full TIA corridor plans
727 biennially thereafter, beginning on November 15, 2002. The absence of
728 a TIA corridor plan submitted by any TIA shall not prohibit said board
729 from proposing a strategy as required by section 13b-57g.

730 (e) On or before August 1, 2001, the chief executive officers of the
731 local planning agencies in each TIA shall issue notice of an
732 organizational meeting of the participants in the TIA to commence the
733 process of creating a transportation plan for such TIA and to make
734 recommendations for nominations of the board member from such
735 TIA, as provided in subdivision (2) of subsection (a) of section 13b-

736 57e.**]**

737 Sec. 11. Subsection (a) of section 13b-57h of the general statutes is
738 repealed and the following is substituted in lieu thereof (*Effective*
739 *July 1, 2011*):

740 (a) **[**The General Assembly approves the principles set forth in
741 section I of the report specified in subdivision (4) of subsection (a) of
742 section 13b-57d, provided no**]** No funds from the Transportation
743 Strategy Board projects account, established under section 13b-57r,
744 shall be authorized for any transportation project except those
745 specified in subsection (b) of this section, provided nothing in this
746 subsection shall preclude any TSB project from being funded, in whole
747 or in part, by other state or federal funds. Funds authorized for any
748 TSB project shall be used only for said project. TSB projects shall be
749 funded from **[**funds authorized for**]** the Transportation Strategy Board
750 projects account only to the extent such funding is not provided from
751 other funds in the Special Transportation Fund or the Infrastructure
752 Improvement Fund created by the senior indenture for special tax
753 obligation bonds.

754 Sec. 12. Subparagraph (A) of subdivision (1) of subsection (b) of
755 section 13b-57h of the general statutes is repealed and the following is
756 substituted in lieu thereof (*Effective July 1, 2011*):

757 (A) Acquire rolling rail stock **[**, as deemed appropriate by the
758 board,**]** sufficient to add no fewer than two thousand seats for the
759 Metro North-New Haven Line for use in both interstate and intrastate
760 service. All payments received by the state pursuant to any agreement
761 entered into in accordance with subsection (h) of section 13b-34
762 involving rolling rail stock used on the Metro North-New Haven Line
763 shall be used exclusively for refurbishing rolling rail stock on and
764 other capital improvements to the Metro North-New Haven Line;

765 Sec. 13. Section 13b-57m of the general statutes is repealed and the
766 following is substituted in lieu thereof (*Effective July 1, 2011*):

767 The purpose of sections 13b-57m to 13b-57q, inclusive, as amended
768 by this act, and subdivision (16) of subsection (b) of section 13b-61, as
769 amended by this act, is to promote the welfare and prosperity of the
770 people of this state by enabling the state to implement and fund certain
771 transportation related projects, purposes and strategies **[**, as the same
772 may be revised by the Transportation Strategy Board pursuant to
773 section 13b-57g,**]** in order to: (1) Improve personal mobility within and
774 through this state; (2) improve the movement of goods and freight
775 within and through this state; (3) integrate transportation with
776 economic, land use, environmental and quality of life issues; (4)
777 develop policies and procedures that will integrate the state economy
778 with regional, national and global economies; and (5) identify policies
779 and sources that provide an adequate and reliable flow of funding
780 necessary for a quality multimodal transportation system.

781 Sec. 14. Section 13b-57q of the general statutes is repealed and the
782 following is substituted in lieu thereof (*Effective July 1, 2011*):

783 (a) On or before August first of each year, the Department of
784 Transportation, in consultation with the Secretary of the Office of
785 Policy and Management **[**,**]** and the State Treasurer, **[**and the
786 Transportation Strategy Board,**]** shall prepare a financing plan for the
787 annual funding and financing of the projects and purposes described
788 in section 13b-57h, as amended by this act. Such annual financing plan
789 shall be based upon the funding available or anticipated to be available
790 in the Transportation Strategy Board projects account, as well as the
791 use of any federal revenue, grants or other transportation-related
792 financial assistance which may be available in such fiscal year. The
793 annual financing plan shall include funding mandated by sections 13b-
794 57s and 13b-57t. Upon the approval of such annual financing plan by
795 the Governor, funding identified in the annual financing plan shall be
796 paid within the fiscal year of such annual financing plan into the
797 Transportation Strategy Board projects account, established under
798 section 13b-57r, of the Special Transportation Fund and shall be
799 available to fund those projects and purposes identified in such annual

800 financing plan.

801 (b) In addition to the preparation of the annual financing plans, the
802 Department of Transportation shall prepare a five-year financing plan
803 that shall project for a period of five years the funds to be credited to
804 the Transportation Strategy Board projects account, established under
805 section 13b-57r, of the Special Transportation Fund, the anticipated use
806 of cash funding, including funding mandated by sections 13b-57s and
807 13b-57t, and federal revenue, grants or other transportation related
808 financial assistance to fund or finance the projects and purposes
809 described in section 13b-57h, as amended by this act. Such five-year
810 financing plan shall be updated on or before August first of each year
811 at the same time as the preparation of the annual financing plan and
812 shall be provided by the Commissioner of Transportation to the
813 [Transportation Strategy Board, the] State Treasurer, the Secretary of
814 the Office of Policy and Management and the joint standing
815 committees of the General Assembly having cognizance of matters
816 relating to transportation and finance, revenue and bonding.

817 Sec. 15. Section 13b-79p of the general statutes is repealed and the
818 following is substituted in lieu thereof (*Effective July 1, 2011*):

819 (a) The Commissioner of Transportation shall implement the
820 following strategic transportation projects and initiatives:

821 (1) Restoring commuter rail service on the New Haven-Hartford-
822 Springfield line, including providing shuttle bus service between the
823 rail line and Bradley International Airport;

824 (2) Implementing the New Britain-Hartford busway, subject to the
825 availability of federal funds;

826 (3) Rehabilitating rail passenger coaches for use on Shore Line East,
827 the New Haven-Hartford-Springfield line and the branch lines;

828 (4) Developing a new commuter rail station in West Haven;

829 (5) Meeting the costs of capital improvements on the branch lines,
830 not to exceed forty-five million dollars;

831 (6) Meeting the capital costs of parking and rail station
832 improvements on the New Haven Line, Shore Line East and the
833 branch lines, not to exceed sixty million dollars;

834 (7) Funding the local share of the Southeast Area Transit federal
835 pilot project;

836 (8) Completing the Norwich Intermodal Transit Hub Roadway
837 improvements;

838 (9) Conducting environmental planning and assessment for the
839 expansion of Interstate 95 between Branford and the Rhode Island
840 border;

841 (10) Completing preliminary design and engineering for Interstate
842 84 widening between Waterbury and Danbury;

843 (11) Funding the Commercial Vehicle Information System Network,
844 including weigh-in motion and electronic preclearance of safe truck
845 operators for fixed scale operations on Interstate 91 and Interstate 95,
846 not to exceed four million dollars;

847 (12) Funding the capital costs of the greater Hartford highway
848 infrastructure improvements in support of economic development;

849 (13) Completing a rail link to the port of New Haven;

850 (14) Purchasing not more than thirty-eight electric rail cars for use
851 on the New Haven Line and Shore Line East commuter rail services;

852 (15) Purchasing of equipment and facilities to support Shore Line
853 East commuter rail expansion, including implementation of phases I
854 and II, as recommended in the report submitted pursuant to
855 subsection (d) of this section;

856 (16) Improving bicycle access to and storage facilities at
857 transportation centers;

858 (17) Developing a new commuter rail station in Orange;

859 (18) Funding the Waterbury Intermodal Transportation Center, not
860 to exceed eighteen million dollars;

861 (19) Improving bus connectivity and service, not to exceed twenty
862 million dollars for capital costs for the fiscal year ending June 30, 2008.
863 The funds shall be used to (A) construct bus maintenance and storage
864 facilities for the Windham and Torrington regional transit districts, not
865 to exceed fourteen million dollars, (B) purchase vehicles for the Buses
866 for 21st Century Mobility program, not to exceed five million dollars,
867 and (C) purchase vehicles for elderly and disabled demand responsive
868 transportation programs for use by municipalities that participate in
869 the state matching grant program established under section 13b-38bb,
870 not to exceed one million dollars;

871 (20) Funding the state share of Tweed Airport's runway safety area,
872 not to exceed one million fifty-five thousand dollars;

873 (21) Evaluating the purchase of rolling stock for direct commuter
874 rail service connecting Connecticut to New Jersey via Pennsylvania
875 Station in New York, New York by the initiation of ongoing formal
876 discussions by the state of Connecticut, acting through the Governor or
877 the Governor's designee, with the states of New York and New Jersey
878 and the Metropolitan Transportation Authority and Amtrak regarding
879 the extension of rail service from Pennsylvania Station to points in this
880 state; and

881 (22) Improving bicycle and pedestrian access throughout the state
882 transportation system.

883 (b) The commissioner shall evaluate and plan the implementation of
884 the following projects:

885 (1) Improving Routes 2 and 2A in the towns of Preston, North
886 Stonington and Montville, including conducting the first phase of a
887 study examining construction of a Route 2A bypass alternative that
888 would begin in Preston, proceed in a northerly direction toward
889 downtown Norwich, and end at Route 2 in Preston. The first phase of
890 the study shall include, but need not be limited to, an analysis of the
891 feasibility, local economic impact and cost of constructing that portion
892 of the bypass alternative that would pass through the Hinkley Hill
893 area of Norwich. The first phase of the study shall be conducted by an
894 independent entity pursuant to a contract with the Department of
895 Transportation, the value of which shall not exceed three hundred
896 thousand dollars. The results of the first phase of the study shall be
897 submitted not later than September 30, 2008, to said department and
898 the joint standing committee having cognizance of matters relating to
899 transportation;

900 (2) Upgrading the Pequot Bridge in Montville;

901 (3) Evaluating rail links to other ports;

902 (4) Supporting and encouraging the dredging of the state's
903 commercial ports;

904 (5) Developing a second rail passenger station between New Haven
905 and Milford;

906 (6) Expanding Route 9; and

907 (7) Completing the Day Hill Corridor environmental assessment
908 study, not to exceed five hundred thousand dollars.

909 (c) The commissioner shall **[**, in consultation with the board,**]**
910 recommend the implementation of additional transportation
911 improvement projects. Upon the approval of the Governor and
912 allocation by the State Bond Commission, the proceeds of bonds issued
913 pursuant to section 13b-79q may be used to support such projects.

914 (d) The commissioner shall identify obstacles to improved rail
915 service on Shore Line East, including, but not limited to, increased
916 frequency of service, reverse commute service and weekend service.
917 The commissioner shall report his findings and recommendations to
918 the General Assembly not later than January 1, 2007.

919 **[**(e) The commissioner shall ensure that the state's transportation
920 plans, including, but not limited to, the master transportation plan, are
921 consistent with the strategy adopted pursuant to section 13b-57g.**]**

922 **[**(f)**]** (e) The rail station and parking initiative identified in
923 subsection (a) of this section shall include at least four Shore Line East
924 stations east of New Haven.

925 **[**(g)**]** (f) The commissioner is authorized to enter into grant and cost-
926 sharing agreements with local governments, transit districts, regional
927 planning agencies and councils of governments in connection with the
928 implementation of projects funded pursuant to subsections (a) and (c)
929 of this section.

930 **[**(h)**]** (g) If, within two years of July 1, 2006, the Department of
931 Transportation is unable to implement the intermodal connection
932 between port and rail facilities at the port of New Haven pursuant to
933 subdivision (13) of subsection (a) of this section, the commissioner
934 shall submit a report, pursuant to section 11-4a, to the joint standing
935 committees of the General Assembly having cognizance of matters
936 relating to transportation and finance, revenue and bonding. Such
937 report shall describe (1) the reasons the connection cannot be
938 completed, and (2) alternative ways to facilitate intermodal shipping at
939 the port.

940 Sec. 16. Section 13b-79o of the general statutes is repealed and the
941 following is substituted in lieu thereof (*Effective July 1, 2011*):

942 As used in sections 13b-79o to 13b-79q, inclusive, as amended by
943 this act, section 13b-79s, as amended by this act, and section 24 of

944 public act 06-136:

945 (1) "Commissioner" means the Commissioner of Transportation;

946 (2) "Department" means the Department of Transportation;

947 (3) "Secretary" means the Secretary of the Office of Policy and
948 Management;

949 (4) "Treasurer" means the Treasurer of the state of Connecticut;

950 **[**(5) "Transportation Strategy Board" means the board created by
951 section 13b-57e;**]**

952 **[**(6)**]** (5) "New Haven Line" means the rail passenger service
953 operated between New Haven and intermediate points and Grand
954 Central Station, including the Danbury, Waterbury and New Canaan
955 branch lines;

956 **[**(7)**]** (6) "Branch lines" means the Danbury, Waterbury and New
957 Canaan branches of the New Haven Line;

958 **[**(8)**]** (7) "Shore Line East" means the rail service operating between
959 New Haven and New London;

960 **[**(9)**]** (8) "Transit-oriented development" means the development of
961 residential, commercial and employment centers within one-half mile
962 or walking distance of public transportation facilities, including rail
963 and bus rapid transit and services, that meet transit supportive
964 standards for land uses, built environment densities and walkable
965 environments, in order to facilitate and encourage the use of those
966 services; and

967 **[**(10)**]** (9) "Transportation improvement project" means
968 improvements to the state's transportation system, including, but not
969 limited to, (A) projects included in the state-wide transportation
970 improvement program, (B) projects included in regional transportation
971 improvement plans, and (C) projects identified in section 13b-57h, as

972 amended by this act.

973 Sec. 17. Subsection (b) of section 13b-61 of the general statutes is
974 repealed and the following is substituted in lieu thereof (*Effective July*
975 *1, 2011*):

976 (b) Notwithstanding any provision of subsection (a) of this section,
977 **[**to the contrary,**]** there shall be paid promptly to the State Treasurer
978 and thereupon, unless required to be applied by the terms of any lien,
979 pledge or obligation created by or pursuant to the 1954 declaration,
980 part III (C) of chapter 240, credited to the Special Transportation Fund:

981 (1) On and after July 1, 1984, all moneys received or collected by the
982 state or any officer thereof on account of, or derived from, sections 12-
983 458 and 12-479, provided the State Comptroller is authorized to record
984 as revenue to the General Fund for the fiscal year ending June 30, 1984,
985 the amount of tax levied in accordance with said sections 12-458 and
986 12-479, on all fuel sold or used prior to the end of said fiscal year and
987 which tax is received no later than July 31, 1984;

988 (2) On and after July 1, 1984, all moneys received or collected by the
989 state or any officer thereof on account of, or derived from, motor
990 vehicle receipts;

991 (3) On and after July 1, 1984, all moneys received or collected by the
992 state or any officer thereof on account of, or derived from, (A)
993 subsection (a) of section 14-192, and (B) royalty payments for retail
994 sales of gasoline pursuant to section 13a-80;

995 (4) On and after July 1, 1985, all moneys received or collected by the
996 state or any officer thereof on account of, or derived from, license,
997 permit and fee revenues as defined in section 13b-59, except as
998 provided under subdivision (3) of this subsection;

999 (5) On or after July 1, 1989, all moneys received or collected by the
1000 state or any officer thereof on account of, or derived from, section 13b-
1001 70;

1002 (6) On and after July 1, 1984, all transportation-related federal
1003 revenues of the state;

1004 (7) On and after July 1, 1997, all moneys received or collected by the
1005 state or any officer thereof on account of, or derived from, fees for the
1006 relocation of a gasoline station under section 14-320;

1007 (8) On and after July 1, 1997, all moneys received or collected by the
1008 state or any officer thereof on account of, or derived from, section 14-
1009 319;

1010 (9) On and after July 1, 1997, all moneys received or collected by the
1011 state or any officer thereof on account of, or derived from, fees
1012 collected pursuant to section 14-327b for motor fuel quality registration
1013 of distributors;

1014 (10) On and after July 1, 1997, all moneys received or collected by
1015 the state or any officer thereof on account of, or derived from, annual
1016 registration fees for motor fuel dispensers and weighing or measuring
1017 devices pursuant to section 43-3;

1018 (11) On and after July 1, 1997, all moneys received or collected by
1019 the state or any officer thereof on account of, or derived from, fees for
1020 the issuance of identity cards pursuant to section 1-1h;

1021 (12) On and after July 1, 1997, all moneys received or collected by
1022 the state or any officer thereof on account of, or derived from, safety
1023 fees pursuant to subsection (w) of section 14-49;

1024 (13) On and after July 1, 1997, all moneys received or collected by
1025 the state or any officer thereof on account of, or derived from, late fees
1026 for the emissions inspection of motor vehicles pursuant to subsection
1027 (k) of section 14-164c;

1028 (14) On and after July 1, 1997, all moneys received or collected by
1029 the state or any officer thereof on account of, or derived from, the sale
1030 of information by the Commissioner of Motor Vehicles pursuant to

1031 subsection (b) of section 14-50a;

1032 (15) On and after October 1, 1998, all moneys received by the state
1033 or any officer thereof on account of, or derived from, section 14-212b;
1034 **[**and**]**

1035 (16) On and after July 1, 2009, all moneys received or collected by
1036 the state or any officer thereof on account of, or derived from, any
1037 direct federal subsidy pursuant to Section 6431 of the Internal Revenue
1038 Code of 1986, or any subsequent corresponding internal revenue code
1039 of the United States, as amended from time to time, and relating to
1040 bonds or bond anticipation notes issued by the state pursuant to
1041 sections 13b-74 to 13b-77, inclusive;

1042 (17) On and after July 1, 2011, all moneys received or collected by
1043 the state or any officer thereof on account of, or derived from, sections
1044 13b-61a to 13b-61c, inclusive, as amended by this act; and

1045 (18) On and after July 1, 2011, any other funds, moneys and receipts
1046 of the state required by law to be deposited, transferred or paid into
1047 the Special Transportation Fund other than proceeds of bonds or other
1048 securities of the state or of federal grants under the provisions of
1049 federal law.

1050 Sec. 18. Subsections (a) and (b) of section 13b-61a of the general
1051 statutes, as amended by section 121 of public act 11-6, are repealed and
1052 the following is substituted in lieu thereof (*Effective July 1, 2011*):

1053 (a) Notwithstanding the provisions of subsection (a) of section 13b-
1054 61: (1) For calendar quarters ending on or after September 30, 1998,
1055 and prior to September 30, 1999, the Commissioner of Revenue
1056 Services shall deposit into the Special Transportation Fund established
1057 under section 13b-68 five million dollars of the amount of funds
1058 received by the state from the tax imposed under section 12-587 on the
1059 gross earnings from the sales of petroleum products attributable to
1060 sales of motor vehicle fuel; (2) for calendar quarters ending September

1061 30, 1999, and prior to September 30, 2000, the commissioner shall
1062 deposit into the Special Transportation Fund nine million dollars of the
1063 amount of such funds received by the state from the tax imposed
1064 under said section 12-587 on the gross earnings from the sales of
1065 petroleum products attributable to sales of motor vehicle fuel; (3) for
1066 calendar quarters ending September 30, 2000, and prior to September
1067 30, 2002, the commissioner shall deposit into the Special
1068 Transportation Fund eleven million five hundred thousand dollars of
1069 the amount of such funds received by the state from the tax imposed
1070 under said section 12-587 on the gross earnings from the sales of
1071 petroleum products attributable to sales of motor vehicle fuel; (4) for
1072 the calendar quarters ending September 30, 2002, and prior to
1073 September 30, 2003, the commissioner shall deposit into the Special
1074 Transportation Fund, five million dollars of the amount of such funds
1075 received by the state from the tax imposed under said section 12-587
1076 on the gross earnings from the sales of petroleum products attributable
1077 to sales of motor vehicle fuel; (5) for the calendar quarter ending
1078 September 30, 2003, and prior to September 30, 2005, the commissioner
1079 shall deposit into the Special Transportation Fund, five million two
1080 hundred fifty thousand dollars of the amount of such funds received
1081 by the state from the tax imposed under said section 12-587 on the
1082 gross earnings from the sales of petroleum products attributable to
1083 sales of motor vehicle fuel; and (6) for the calendar quarters ending
1084 September 30, 2005, and prior to September 30, 2006, the commissioner
1085 shall deposit into the Special Transportation Fund ten million eight
1086 hundred and seventy-five thousand dollars of the amount of such
1087 funds received by the state from the tax imposed under said section 12-
1088 587 on the gross earnings from the sales of petroleum products
1089 attributable to sales of motor vehicle fuel.

1090 (b) Notwithstanding the provisions of subsection (a) of section 13b-
1091 61, for calendar quarters ending on or after September 30, 2006, the
1092 Comptroller shall deposit into the Special Transportation Fund an
1093 annual amount in accordance with the following schedule, from such
1094 funds received by the state from the tax imposed under said section 12-

1095 587 on the gross earnings from the sales of petroleum products. Such
1096 transfers shall be made in quarterly installments.

T83	Fiscal Year	Annual Transfer
T84	2007	$141,000,000
T85	2008	$127,800,000
T86	2009	$141,900,000
T87	2010	$141,900,000
T88	2011	$165,300,000
T89	2012	$226,900,000
T90	2013	$199,400,000
T91	2014	$222,700,000
T92	2015	$226,800,000
T93	2016 and thereafter	$231,400,000

1097 Sec. 19. Section 13b-61b of the general statutes is repealed and the
1098 following is substituted in lieu thereof (*Effective July 1, 2011*):

1099 Notwithstanding the provisions of subsection (a) of section 13b-61,
1100 the Commissioner of Motor Vehicles shall deposit into the Special
1101 Transportation Fund established under section 13b-68, funds received
1102 by the state from the tax imposed under section 12-431, as amended by
1103 this act, attributable to motor vehicles under said section 12-431, in
1104 accordance with the following schedule: (1) Ten million dollars of the
1105 amount received by the state for the fiscal year ending June 30, 2000;
1106 and (2) for the fiscal year ending June 30, 2001, and each fiscal year
1107 thereafter, the total amount of funds received by the state from the tax
1108 imposed under section 12-431, as amended by this act, attributable to
1109 motor vehicles under said section 12-431. Such funds shall be
1110 deposited into the Special Transportation Fund on a monthly basis.

1111 Sec. 20. Subsection (e) of section 13b-11a of the general statutes is

1112 repealed and the following is substituted in lieu thereof (*Effective July*
1113 *1, 2011*):

1114 (e) On or before January first, annually, the commission shall submit
1115 in writing to the commissioner **[**,**]** and the Governor **[**and the
1116 Connecticut Transportation Strategy Board, established pursuant to
1117 section 13b-57e,**]** (1) a list of public transportation projects, which, if
1118 undertaken by the state, would further the policy set forth in section
1119 13b-32, including projects specifically for elderly and disabled users;
1120 (2) recommendations for improvements to existing public
1121 transportation service and projects, incorporating transportation
1122 service and projects relative to the needs of elderly and disabled
1123 persons and including proposals for legislation and regulations; (3)
1124 recommendations for disincentives to free parking, including urban
1125 and suburban employment centers; (4) off-peak transit services; and (5)
1126 the establishment of urban center loop shuttles. The commissioner
1127 shall notify members of the joint standing committees of the General
1128 Assembly having cognizance of matters relating to transportation and
1129 finance, revenue and bonding, on or before January first, annually, of
1130 the availability of the commissioner's comments and analysis of
1131 priorities. A written copy or electronic storage media of such
1132 comments and analysis shall be distributed to members of such
1133 committee who request them. The commissioner shall meet with the
1134 commission at least once during each calendar quarter.

1135 Sec. 21. Subsection (a) of section 13b-51a of the general statutes is
1136 repealed and the following is substituted in lieu thereof (*Effective July*
1137 *1, 2011*):

1138 (a) There shall be in the Department of Transportation a Connecticut
1139 Maritime Commission which shall consist of **[**fifteen**]** fourteen
1140 members, as follows: (1) The Commissioners of Transportation,
1141 Economic and Community Development and Environmental
1142 Protection **[**,**]** and the Secretary of the Office of Policy and
1143 Management, **[**and the chairman of the Transportation Strategy Board,

1144 established pursuant to section 13b-57e,**]** or their respective designees;
1145 (2) four members appointed by the Governor; and (3) one member
1146 each appointed by the president pro tempore of the Senate, the speaker
1147 of the House of Representatives, the majority leader of the Senate, the
1148 minority leader of the Senate, the majority leader of the House of
1149 Representatives and the minority leader of the House of
1150 Representatives. All appointed members shall serve for terms
1151 coterminous with their appointing authority and until their successor
1152 is appointed and has qualified. Vacancies on said commission shall be
1153 filled for the remainder of the term in the same manner as original
1154 appointments.

1155 Sec. 22. Section 13b-57d of the general statutes is repealed and the
1156 following is substituted in lieu thereof (*Effective July 1, 2011*):

1157 (a) As used in subsection (e) of section 13b-11a, as amended by this
1158 act, this section and sections **[**13b-57e to 13b-57k, inclusive**]** 13b-57f, as
1159 amended by this act, 13b-57h, as amended by this act, 13b-212d and 14-
1160 270e:

1161 **[**(1) "Board" means the Connecticut Transportation Strategy Board;**]**

1162 **[**(2)**]** (1) "Department" means the Department of Transportation;

1163 **[**(3)**]** (2) "Commissioner" means the Commissioner of
1164 Transportation;

1165 **[**(4) "Strategy" means the transportation projects and supporting
1166 documentation contained in the report submitted by the board in
1167 accordance with section 13b-57g, and any updates or revisions to such
1168 transportation projects;**]**

1169 **[**(5)**]** (3) "TIA corridor plan" means a twenty-year strategic plan for
1170 transportation in a corridor and any updates or other revisions to such
1171 plan;

1172 **[**(6)**]** (4) "Transportation project" means any planning, capital or

1173 operating project with regard to transportation undertaken by the
1174 state; [, provided nothing contained in sections 13b-57d to 13b-57g,
1175 inclusive, shall be deemed to authorize the board to undertake any
1176 project other than strategic planning;]

1177 [(7)] (5) "Local planning agency" means a metropolitan planning
1178 organization, as provided in 23 USC 134, a regional planning agency,
1179 as provided in section 8-31a, a regional council of elected officials, as
1180 defined in subdivision (2) of section 4-124i or a council, as defined in
1181 subsection (f) of section 4-124c;

1182 [(8)] (6) "TIA" means transportation investment area;

1183 [(9)] (7) "Coastal corridor" and "coastal corridor TIA" means the
1184 following towns and the roads, highways, bridges, waterways, ports
1185 and airports in such towns: Ansonia, Beacon Falls, Bethany, Bethel,
1186 Bethlehem, Branford, Bridgeport, Bridgewater, Brookfield, Cheshire,
1187 Danbury, Darien, Derby, East Haven, Easton, Fairfield, Greenwich,
1188 Guilford, Hamden, Madison, Meriden, Middlebury, Milford, Monroe,
1189 Naugatuck, New Canaan, New Fairfield, New Haven, New Milford,
1190 Newtown, North Branford, North Haven, Norwalk, Orange, Oxford,
1191 Prospect, Redding, Ridgefield, Seymour, Shelton, Sherman, Southbury,
1192 Stamford, Stratford, Thomaston, Trumbull, Wallingford, Waterbury,
1193 Watertown, West Haven, Weston, Westport, Wilton, Wolcott,
1194 Woodbridge and Woodbury;

1195 [(10)] (8) "I-84 corridor" and "I-84 TIA" means the following towns
1196 and the roads, highways, bridges, waterways, ports and airports in
1197 such towns: Andover, Ansonia, Avon, Barkhamsted, Beacon Falls,
1198 Berlin, Bethel, Bethlehem, Bloomfield, Bolton, Bridgewater, Bristol,
1199 Brookfield, Burlington, Canaan, Canton, Cheshire, Colebrook,
1200 Cornwall, Danbury, Derby, East Granby, East Hartford, East Windsor,
1201 Ellington, Enfield, Farmington, Glastonbury, Goshen, Granby,
1202 Hartford, Hartland, Harwinton, Hebron, Kent, Litchfield, Manchester,
1203 Marlborough, Middlebury, Morris, Naugatuck, New Britain, New
1204 Fairfield, New Hartford, New Milford, Newington, Newtown,

1205 Norfolk, North Canaan, Oxford, Plainville, Plymouth, Prospect,
1206 Redding, Ridgefield, Rocky Hill, Roxbury, Salisbury, Seymour, Sharon,
1207 Shelton, Sherman, Simsbury, Somers, South Windsor, Southbury,
1208 Southington, Stafford, Suffield, Thomaston, Tolland, Torrington,
1209 Union, Vernon, Warren, Washington, Waterbury, Watertown, West
1210 Hartford, Wethersfield, Winchester, Windsor, Windsor Locks, Wolcott
1211 and Woodbury;

1212 **[**(11)**]** (9) "I-91 corridor" and "I-91 TIA" means the following towns
1213 and the roads, highways, bridges, waterways, ports and airports in
1214 such towns: Andover, Avon, Berlin, Bethany, Bloomfield, Bolton,
1215 Branford, Bristol, Burlington, Canton, Chester, Clinton, Cromwell,
1216 Deep River, Durham, East Granby, East Haddam, East Hampton, East
1217 Hartford, East Haven, East Windsor, Ellington, Enfield, Essex,
1218 Farmington, Glastonbury, Granby, Guilford, Haddam, Hamden,
1219 Hartford, Hebron, Killingworth, Lyme, Madison, Manchester,
1220 Marlborough, Meriden, Middlefield, Middletown, Milford, New
1221 Britain, New Haven, Newington, North Branford, North Haven, Old
1222 Lyme, Old Saybrook, Orange, Plainville, Plymouth, Portland, Rocky
1223 Hill, Simsbury, Somers, South Windsor, Southington, Suffield, Tolland,
1224 Vernon, Wallingford, West Hartford, West Haven, Westbrook,
1225 Wethersfield, Windsor, Windsor Locks and Woodbridge;

1226 **[**(12)**]** (10) "I-395 corridor" and "I-395 TIA" means the following
1227 towns and the roads, highways, bridges, waterways, ports and airports
1228 in such towns: Ashford, Bozrah, Brooklyn, Canterbury, Chaplin,
1229 Colchester, Columbia, Coventry, East Lyme, Eastford, Franklin,
1230 Griswold, Groton, Hampton, Killingly, Lebanon, Ledyard, Lisbon,
1231 Mansfield, Montville, New London, North Stonington, Norwich,
1232 Plainfield, Pomfret, Preston, Putnam, Salem, Scotland, Sprague,
1233 Stafford, Sterling, Stonington, Thompson, Union, Voluntown,
1234 Waterford, Willington, Windham and Woodstock;

1235 **[**(13)**]** (11) "Southeast corridor" and "Southeast corridor TIA" means
1236 the following towns and the roads, highways, bridges, waterways,

1237 ports and airports in such towns: Bozrah, Chester, Clinton, Colchester,
1238 Deep River, East Lyme, Essex, Franklin, Griswold, Groton,
1239 Killingworth, Ledyard, Lisbon, Lyme, Montville, New London, North
1240 Stonington, Norwich, Old Lyme, Old Saybrook, Preston, Salem,
1241 Sprague, Stonington, Voluntown, Waterford and Westbrook; and

1242 **[**(14)**]** (12) "Modal" means a mode of transportation, and
1243 "multimodal" means two or more modes of transportation.

1244 (b) As used in this subsection and sections 13b-57h, as amended by
1245 this act, **[**to 13b-57k, inclusive,**]** 13b-212d and 14-270e:

1246 (1) "TSB project" means any planning, capital or operating project
1247 recommended by the **[**board in its strategy**]** Transportation Strategy
1248 Board prior to its repeal by public act 11-6;

1249 (2) "Economic development plan" means a comprehensive plan
1250 describing (A) existing economic development projects, and (B)
1251 proposed economic development projects for which a letter of
1252 commitment has been issued by the Department of Economic and
1253 Community Development; and

1254 (3) "Economic development project" means any project, as defined
1255 in subsection (d) of section 32-23d, which is to be used or occupied by
1256 any person for (A) manufacturing, industrial, research, office or
1257 product warehousing or distribution purposes or hydroponic or
1258 aquaponic food production purposes and which the authority
1259 determines will tend to maintain or provide gainful employment,
1260 maintain or increase the tax base of the economy, or maintain, expand
1261 or diversify industry in the state, or (B) controlling, abating, preventing
1262 or disposing land, water, air or other environmental pollution,
1263 including without limitation thermal, radiation, sewage, wastewater,
1264 solid waste, toxic waste, noise or particulate pollution, except
1265 resources recovery facilities, as defined in section 22a-219a, used for
1266 the principal purpose of processing municipal solid waste and which
1267 are not expansions or additions to resources recovery facilities

1268 operating on July 1, 1990, or (C) the conservation of energy or the
1269 utilization of cogeneration technology or solar, wind, hydro, biomass
1270 or other renewable sources to produce energy for any industrial or
1271 commercial application, or (D) any other purpose which the authority
1272 determines will materially contribute to the economic base of the state
1273 by creating or retaining jobs, promoting the export of products or
1274 services beyond state boundaries, encouraging innovation in products
1275 or services, or otherwise contributing to, supporting or enhancing
1276 existing activities that are important to the economic base of the state.

1277 Sec. 23. Section 13b-78k of the general statutes is repealed and the
1278 following is substituted in lieu thereof (*Effective July 1, 2011*):

1279 As used in this section, sections 13b-57m, as amended by this act,
1280 and 13b-57q to 13b-57s, inclusive, as amended by this act, subsections
1281 (a), (b) and (c) of section 13b-57t, sections 13b-74 and 13b-78*l* to 13b-
1282 78o, inclusive, as amended by this act, and section 46 of public act 05-3
1283 of the June special session:

1284 (1) "New Haven Line" means the rail passenger service operated
1285 between New Haven and intermediate points and Grand Central
1286 station, including the Danbury, Waterbury and New Canaan branch
1287 lines.

1288 **[**(2) "New Haven Line revitalization account" means the account
1289 established by subsection (b) of section 13b-78m.**]**

1290 **[**(3)**]** (2) "New Haven Line revitalization program" means the design,
1291 development, construction and acquisition of maintenance facilities,
1292 rail cars and related equipment for use on the New Haven Line, as
1293 specified in subdivisions (1) and (2) of section 13b-78*l*, as amended by
1294 this act.

1295 **[**(4)**]** (3) "Transportation Strategy Board projects account" means the
1296 account created by subsection (a) of section 13b-57r.

1297 **[**(5)**]** (4) "Transportation system improvement" means: (1) Projects

1298 included in the state-wide transportation improvement program, (2)
1299 funded and unfunded projects included in regional transportation
1300 improvement plans, or (3) projects identified in subsection (h) of
1301 section 13b-57.

1302 Sec. 24. Section 13b-79t of the general statutes is repealed and the
1303 following is substituted in lieu thereof (*Effective July 1, 2011*):

1304 The Department of Transportation may solicit bids or qualifications
1305 for equipment, materials or services for a project funded pursuant to
1306 subsection (a) of section 3-20a, subsection (c) of section 4-66c,
1307 subdivision (4) of subsection (a) of section 13b-57d, as amended by this
1308 act, **[**sections 13b-57e and 13b-57g, subsection (a) of section 13b-57j,
1309 subsection (b) of section 13b-57*l*,**]** section 13b-61a, as amended by this
1310 act, subdivision (3) of section 13b-78k, as amended by this act, section
1311 13b-78n, subsection (a) of section 13b-78p, sections 13b-79o to 13b-79z,
1312 inclusive, **[**or 32-6k,**]** or sections 19, 24, 25 or 33 to 35, inclusive, of
1313 public act 06-136 at any time in the fiscal year, notwithstanding the fact
1314 that all required funds may not be available for the expenditure until
1315 later in the same or succeeding fiscal year.

1316 Sec. 25. Subsection (a) of section 13b-79z of the general statutes is
1317 repealed and the following is substituted in lieu thereof (*Effective July*
1318 *1, 2011*):

1319 (a) On or before December 1, 2007, and annually thereafter, the
1320 Secretary of the Office of Policy and Management, after consultation
1321 with the Commissioner of Transportation, **[**and the board,**]** shall
1322 submit a report to the Governor and to the General Assembly on the
1323 implementation status of the projects funded under subsection (a) of
1324 section 3-20a, subsection (c) of section 4-66c, subdivision (4) of
1325 subsection (a) of section 13b-57d, as amended by this act, **[**sections 13b-
1326 57e and 13b-57g, subsection (a) of section 13b-57j, subsection (b) of
1327 section 13b-57*l*,**]** section 13b-61a, as amended by this act, subdivision
1328 (3) of section 13b-78k, as amended by this act, section 13b-78n,
1329 subsection (a) of section 13b-78p, sections 13b-79o to 13b-79z, inclusive,

1330 as amended by this act, or [32-6k,] sections 19, 24, 25 or 33 to 35,
1331 inclusive, of public act 06-136 or special act 05-4 of the June special
1332 session. Such report shall include the status, including the financial
1333 status, of each project, the project schedules and anticipated
1334 completion dates, an explanation of any obstacles to completing such
1335 projects and any planned revisions to such projects.

1336 Sec. 26. Subsection (b) of section 15-101mm of the general statutes is
1337 repealed and the following is substituted in lieu thereof (*Effective July*
1338 *1, 2011*):

1339 (b) The Bradley Board of Directors shall consist of seven members,
1340 appointed as follows: The Commissioner of Transportation and the
1341 Commissioner of Economic and Community Development, each
1342 serving ex-officio, a representative appointed by the speaker of the
1343 House of Representatives, [from the Connecticut Transportation
1344 Strategy Board, created by section 13b-57e,] a representative appointed
1345 by the minority leader of the House of Representatives from among
1346 the members of the Bradley International Community Advisory Board,
1347 as created by section 15-101pp and three private sector members
1348 appointed as follows: (A) The Governor shall appoint one member,
1349 who shall be the chairperson, and whose first term shall expire on June
1350 30, 2005, (B) the president pro tempore of the Senate shall appoint one
1351 member whose first term shall expire on June 30, 2005, (C) the minority
1352 leader of the Senate shall appoint one member whose first term shall
1353 expire on June 30, 2005. The term of office of each successor shall be
1354 four years.

1355 Sec. 27. Section 15-101nn of the general statutes is repealed and the
1356 following is substituted in lieu thereof (*Effective July 1, 2011*):

1357 The Bradley Board of Directors shall have the duty and authority to:
1358 (1) In consultation with the Commissioner of Transportation, develop
1359 an organizational and management structure that will best accomplish
1360 the goals of Bradley International Airport; (2) approve the annual
1361 capital and operating budget of Bradley International Airport; [(3) act

1362 in cooperation with the Connecticut Transportation Strategy Board,
1363 created pursuant to section 13b-57e; (4)**]** (3) advocate for Bradley
1364 International Airport's interests and ensure that Bradley International
1365 Airport's potential as an economic development resource for the state
1366 and region are fully realized; **[**(5)**]** (4) ensure that an appropriate
1367 mission statement and set of strategic goals for Bradley International
1368 Airport are established and that progress toward accomplishing the
1369 mission and strategic goals is regularly assessed; **[**(6)**]** (5) approve
1370 Bradley International Airport's master plan; **[**(7)**]** (6) establish and
1371 review policies and plans for marketing the airport and for
1372 determining the best use of airport property; **[**(8)**]** (7) ensure
1373 appropriate independent expertise is available to advise the Bradley
1374 Board of Directors, particularly in the areas of strategy and marketing
1375 and select consultants as necessary, for purposes related to strategy
1376 and marketing, pursuant to procedures established by the board; **[**(9)**]**
1377 (8) ensure customer service standards, performance targets and
1378 performance assessment systems are established for the airport
1379 enterprise; **[**(10)**]** (9) approve community relations policies and ensure
1380 that the community advisory board, created pursuant to section 15-
1381 101pp, operates effectively to ensure that community comment and
1382 information is regularly and fully considered in decisions related to
1383 Bradley International Airport; **[**(11)**]** (10) create a code of conduct for
1384 the Bradley Board of Directors consistent with part I of chapter 10;
1385 **[**(12)**]** (11) report to the Governor and the General Assembly on an
1386 annual basis; **[**(13)**]** (12) establish procedures to review significant
1387 contracts, other than collective bargaining agreements, relating to the
1388 operation of Bradley International Airport prior to approval, which
1389 procedures shall require completion of each such review no later than
1390 ten business days after the board receives the contract; and **[**(14)**]** (13)
1391 adopt rules for the conduct of its business which shall not be
1392 considered regulations, as defined in subdivision (13) of section 4-166.

1393 Sec. 28. Subsection (b) of section 32-1o of the general statutes is
1394 repealed and the following is substituted in lieu thereof (*Effective July*
1395 *1, 2011*):

1396 (b) In developing the plan, the Commissioner of Economic and
1397 Community Development shall:

1398 (1) Ensure that the plan is consistent with (A) the text and locational
1399 guide map of the state plan of conservation and development adopted
1400 pursuant to chapter 297, and (B) the long-range state housing plan
1401 adopted pursuant to section 8-37t; **[**, and (C) the transportation
1402 strategy adopted pursuant to section 13b-57g;**]**

1403 (2) Consult regional councils of governments, regional planning
1404 organizations, regional economic development agencies, interested
1405 state and local officials, entities involved in economic and community
1406 development, stakeholders and business, economic, labor, community
1407 and housing organizations;

1408 (3) Consider (A) regional economic, community and housing
1409 development plans, and (B) applicable state and local workforce
1410 investment strategies;

1411 (4) Assess and evaluate the economic development challenges and
1412 opportunities of the state and against the economic development
1413 competitiveness of other states and regions; and

1414 (5) Host regional forums to provide for public involvement in the
1415 planning process.

1416 Sec. 29. Section 13b-78*l* of the general statutes is repealed and the
1417 following is substituted in lieu thereof (*Effective July 1, 2011*):

1418 The Commissioner of Transportation shall:

1419 (1) Acquire not less than three hundred forty-two self-propelled rail
1420 cars for use on the New Haven Line;

1421 (2) Design and construct rail maintenance facilities to support the
1422 self-propelled rail cars;

1423 (3) Design and construct operational improvements to Interstate 95

1424 between Greenwich and North Stonington;

1425 (4) Purchase twenty-five transit buses; and

1426 (5) In consultation with **[**the Transportation Strategy Board and**]**
1427 cognizant metropolitan planning organizations, regional planning
1428 agencies, regional councils of elected officials and regional councils of
1429 governments, evaluate, design and construct transportation system
1430 improvements other than projects on Interstate 95.

1431 Sec. 30. Section 13b-78o of the general statutes is repealed and the
1432 following is substituted in lieu thereof (*Effective July 1, 2011*):

1433 Not later than September first of each year, the Commissioner of
1434 Transportation shall report to the Governor **[**, the Transportation
1435 Strategy Board**]** and, in accordance with section 11-4a, the joint
1436 standing committees of the General Assembly having cognizance of
1437 matters relating to transportation and to finance, revenue and bonding
1438 concerning (1) the status, including the financial status, of the New
1439 Haven Line revitalization program defined in section 13b-78k, as
1440 amended by this act; (2) the capital needs of the passenger rail services
1441 in the state; and (3) the status, including the financial status, of the
1442 projects specified in section 13b-78*l*, as amended by this act.

1443 Sec. 31. Section 13b-79s of the general statutes is repealed and the
1444 following is substituted in lieu thereof (*Effective July 1, 2011*):

1445 The Secretary of the Office of Policy and Management shall (1) in
1446 consultation with the Commissioners of Transportation, Economic and
1447 Community Development and Environmental Protection, ensure the
1448 coordination of state and regional transportation planning with other
1449 state planning efforts, including, but not limited to, economic
1450 development and housing plans; (2) coordinate interagency policy and
1451 initiatives concerning transportation; and (3) in consultation with the
1452 Commissioner of Transportation, evaluate transportation initiatives
1453 and proposed expenditures. **[**; and (4) coordinate staff and consultant

1454 services for the Transportation Strategy Board.]

1455 Sec. 32. Subsection (b) of section 16a-35c of the general statutes is
1456 repealed and the following is substituted in lieu thereof (*Effective July*
1457 *1, 2011*):

1458 (b) The Secretary of the Office of Policy and Management, in
1459 consultation with the Commissioners of Economic and Community
1460 Development, Environmental Protection, Public Works, Agriculture,
1461 Transportation, [the chairman of the Transportation Strategy Board,]
1462 the regional planning agencies in the state and any other persons or
1463 entities the secretary deems necessary shall develop recommendations
1464 for delineation of the boundaries of priority funding areas in the state
1465 and for revisions thereafter. In making such recommendations the
1466 secretary shall consider areas designated as regional centers, growth
1467 areas, neighborhood conservation areas and rural community centers
1468 on the state plan of conservation and development, redevelopment
1469 areas, distressed municipalities, as defined in section 32-9p; targeted
1470 investment communities, as defined in section 32-222; public
1471 investment communities, as defined in section 7-545, enterprise zones,
1472 designated by the Commissioner of Economic and Community
1473 Development under section 32-70, and corridor management areas
1474 identified in the state plan of conservation and development. [and the
1475 principles of the Transportation Strategy Board approved under
1476 section 13b-57h.] The secretary shall submit the recommendations to
1477 the Continuing Legislative Committee on State Planning and
1478 Development established pursuant to section 4-60d for review when
1479 the state plan of conservation and development is submitted to such
1480 committee in accordance with section 16a-29. The committee shall
1481 report its recommendations to the General Assembly at the time said
1482 state plan is submitted to the General Assembly under section 16a-30.
1483 The boundaries shall become effective upon approval of the General
1484 Assembly.

1485 Sec. 33. Section 38a-277 of the general statutes is repealed and the

1486 following is substituted in lieu thereof (*Effective from passage and*
1487 *applicable to nonadmitted insurance coverage procured, continued or renewed*
1488 *on or after July 1, 2011*):

1489 (a) Every insured who in this state procures or causes to be
1490 procured or continues or renews insurance with any unauthorized
1491 insurer, or any insured or self-insurer who so procures or continues
1492 excess loss, catastrophe or other insurance, upon a subject of insurance
1493 resident, located or to be performed within this state, other than
1494 insurance procured through a surplus lines broker pursuant to the
1495 surplus lines law of this state, shall, within sixty days after the date
1496 such insurance was so procured, continued or renewed, file a report of
1497 the same with the Commissioner of Revenue Services in writing and
1498 upon forms designated by the Commissioner of Revenue Services and
1499 furnished to such insured upon request. The report shall show the
1500 name and address of the insured or insureds, the name and address of
1501 the insurer, the subject of the insurance, a general description of the
1502 coverage, the amount of premium currently charged therefor and such
1503 additional pertinent information as is reasonably requested by the
1504 Commissioner of Revenue Services. <u>The provisions of this subsection</u>
1505 <u>shall not apply to nonadmitted insurance, as defined in subsection (f)</u>
1506 <u>of this section, that is procured, continued or renewed on or after July</u>
1507 <u>1, 2011.</u>

1508 (b) Any insurance by an unauthorized insurer of a subject of
1509 insurance resident, located or to be performed within this state
1510 procured through negotiations or an application, in whole or in part
1511 occurring or made within or from within or outside of this state, or for
1512 which premiums in whole or in part are remitted directly or indirectly
1513 from within or outside of this state, shall be deemed to be insurance
1514 procured, or continued or renewed in this state within the intent of
1515 subsection (a) of this section.

1516 (c) There is **[**hereby**]** levied upon the obligation, chose in action or
1517 right represented by the premium charged for such insurance a

1518 premium receipts tax of four per cent of gross premiums charged for
1519 such insurance other than wet marine and transportation insurance.
1520 The term "premium" shall include all premiums, membership fees,
1521 assessments, dues and any other consideration for insurance. Such tax
1522 shall be in lieu of all other taxes. The insured shall, on or before March
1523 first next succeeding the calendar year in which the insurance was so
1524 procured, continued or renewed, pay the amount of the tax to the
1525 Commissioner of Revenue Services in accordance with procedures
1526 established and on forms provided by said Commissioner of Revenue
1527 Services. In the event of cancellation and rewriting of any such
1528 insurance contract the premium for premium receipts tax purposes
1529 shall be the premium in excess of the unearned premium of the
1530 cancelled insurance contract. The provisions of this subsection shall
1531 not apply to nonadmitted insurance, as defined in subsection (f) of this
1532 section, that is procured, continued or renewed on or after July 1, 2011.

1533 (d) If a policy covers risks or exposures only partially in this state,
1534 the tax payable shall be computed on the portions of the premium
1535 which are properly allocable to the risks or exposures located in this
1536 state. The provisions of this subsection shall not apply to nonadmitted
1537 insurance, as defined in subsection (f) of this section, that is procured,
1538 continued or renewed on or after July 1, 2011.

1539 (e) If the insured fails to withhold from the premium the amount of
1540 tax herein levied, the insured shall be liable for the amount thereof and
1541 shall pay the same to the Commissioner of Revenue Services within
1542 the time stated in subsection (c) of this section. Any person who fails to
1543 pay the tax within the time stated in subsection (c) of this section shall
1544 pay a penalty of ten per cent thereof or seventy-five dollars, whichever
1545 is greater, which penalty shall be paid at the time of paying such tax.
1546 Interest shall be added to the tax at the rate of one per cent per month
1547 or fraction thereof from the date such payment was due to the date
1548 paid. Subject to the provisions of section 12-3a, the Commissioner of
1549 Revenue Services may waive all or part of the penalties provided
1550 under this section when it is proven to said commissioner's satisfaction

1551 that the failure to pay any tax was due to reasonable cause and was not
1552 intentional or due to neglect. The provisions of this subsection shall
1553 not apply to nonadmitted insurance, as defined in subsection (f) of this
1554 section, that is procured, continued or renewed on or after July 1, 2011.

1555 (f) For purposes of this subsection and subsections (g) to (l),
1556 inclusive, of this section:

1557 (1) "Home state" means home state, as defined in Section 527 of the
1558 Nonadmitted and Reinsurance Reform Act of 2010;

1559 (2) "Independently procured insurance" means independently
1560 procured insurance, as defined in Section 527 of the Nonadmitted and
1561 Reinsurance Reform Act of 2010;

1562 (3) "Nonadmitted and Reinsurance Reform Act of 2010" means
1563 Sections 511 to 542, inclusive, of the Dodd-Frank Wall Street Reform
1564 and Consumer Protection Act, P.L. 111-203, as amended from time to
1565 time;

1566 (4) "Nonadmitted insurance" means nonadmitted insurance, as
1567 defined in Section 527 of the Nonadmitted and Reinsurance Reform
1568 Act of 2010; and

1569 (5) "Nonadmitted insurer" means a nonadmitted insurer, as defined
1570 in Section 527 of the Nonadmitted and Reinsurance Reform Act of
1571 2010.

1572 (g) (1) With respect to independently procured insurance, where
1573 such coverage is procured, continued or renewed on or after July 1,
1574 2011, and where this state is an insured's home state, there is levied
1575 upon the obligation, chose in action or right represented by the
1576 premium charged for independently procured insurance an
1577 independently procured insurance premiums tax of four per cent of
1578 the gross premiums charged for such insurance, irrespective of the fact
1579 that the independently procured insurance policy may cover
1580 properties, risks or exposures located or to be performed both within

1581 and without this state. The term "premium" shall include all
1582 premiums, membership fees, assessments, dues and any other
1583 consideration for insurance. Such tax shall be due and payable to this
1584 state by the insured and shall be in lieu of all other taxes on such
1585 nonadmitted insurance.

1586 (2) (A) With respect to independently procured insurance, for the
1587 period beginning on July 1, 2011, and ending September 30, 2011, the
1588 insured shall pay to the Commissioner of Revenue Services, on or
1589 before November 15, 2011, in accordance with procedures established
1590 and on forms provided by said commissioner, a sum equal to four per
1591 cent of the gross premiums charged the insured by a nonadmitted
1592 insurer during such period.

1593 (B) With respect to independently procured insurance, for the
1594 period beginning on October 1, 2011, and ending December 31, 2011,
1595 the insured shall pay to the Commissioner of Revenue Services, on or
1596 before February 15, 2012, in accordance with procedures established
1597 and on forms provided by said commissioner, a sum equal to four per
1598 cent of the gross premiums charged the insured by a nonadmitted
1599 insurer during such period.

1600 (3) For calendar years beginning on or after January 1, 2012, the
1601 insured shall pay to the Commissioner of Revenue Services, on
1602 independently procured insurance, in accordance with procedures
1603 established and on forms provided by said commissioner, (A) on or
1604 before May fifteenth of each year in which nonadmitted insurance was
1605 procured, continued or renewed, a sum equal to four per cent of the
1606 gross premiums charged the insured by a nonadmitted insurer during
1607 the period from January first to March thirty-first of that year; (B) on or
1608 before August fifteenth of each year in which nonadmitted insurance
1609 was procured, continued or renewed, a sum equal to four per cent of
1610 the gross premiums charged the insured by a nonadmitted insurer
1611 during the period from April first to June thirtieth of that year; (C) on
1612 or before November fifteenth of each year in which nonadmitted

1613 insurance was procured, continued or renewed, a sum equal to four
1614 per cent of the gross premiums charged the insured by a nonadmitted
1615 insurer during the period from July first to September thirtieth of that
1616 year; and (D) on or before February fifteenth of each year succeeding a
1617 year in which nonadmitted insurance was procured, continued or
1618 renewed, a sum equal to four per cent of the gross premiums charged
1619 the insured by a nonadmitted insurer during the period from October
1620 first to December thirty-first of the preceding year.

1621 (4) In the event of cancellation and rewriting of any nonadmitted
1622 insurance contract, the premium for purposes of this section shall be
1623 the premium in excess of the unearned premium of the cancelled
1624 insurance contract.

1625 (5) If, pursuant to subsection (l) of this section, the Commissioner of
1626 Revenue Services enters into a cooperative or reciprocal agreement
1627 with another state or states, and if the provisions set forth in such
1628 agreement are different from provisions prescribed by this subsection,
1629 then the provisions set forth in such agreement shall prevail.

1630 (h) Any insured, who fails to pay the tax within the time stated in
1631 subsection (g) of this section, shall pay a penalty of ten per cent of the
1632 tax not paid within the time so stated. Interest shall be added to the tax
1633 at the rate of one per cent per month or fraction of such month from
1634 the date such tax was due to the date paid. Subject to the provisions of
1635 section 12-3a, the Commissioner of Revenue Services may waive all or
1636 part of the penalties provided under this section if it is proven to said
1637 commissioner's satisfaction that the failure to pay any tax was due to
1638 reasonable cause and was not intentional or due to neglect.

1639 **[**(f)**]** (i) The Attorney General, upon request of the Commissioner of
1640 Revenue Services, shall proceed in the courts of this or any other state
1641 or in any federal court or agency to recover such tax not paid within
1642 the time prescribed in this section, and any interest and penalty related
1643 to such tax.

1644 [(g)] (j) This section shall not be construed or deemed to abrogate or
1645 modify any provision of section 38a-27 or 38a-271 to [38a-278,
1646 inclusive] 38a-276, inclusive, as amended by this act, or section 38a-
1647 278, but shall be construed in such a manner as to avoid preemption
1648 under the Nonadmitted and Reinsurance Reform Act of 2010. This
1649 section does not apply to individual life or individual disability
1650 insurance or to wet marine or transportation insurance.

1651 [(h)] (k) The provisions of sections 12-548 to 12-554, inclusive, and
1652 section 12-555a shall apply to the provisions of this section in the same
1653 manner and with the same force and effect as if the language of said
1654 sections had been incorporated in full into this section and had
1655 expressly referred to the tax under this section, except to the extent
1656 that any such provision is inconsistent with a provision in this section.

1657 (l) (1) The Commissioner of Revenue Services may enter into a
1658 cooperative or reciprocal agreement with another state or states to
1659 allocate among the states the nonadmitted insurance premiums taxes
1660 paid to an insured's home state, as provided by Section 521 of the
1661 Nonadmitted and Reinsurance Reform Act of 2010.

1662 (2) The agreement that the Commissioner of Revenue Services is
1663 authorized to enter into under this subsection shall include, but shall
1664 not be limited to, the National Association of Insurance
1665 Commissioners' Nonadmitted Insurance Multistate Agreement.

1666 (3) The agreement that the Commissioner of Revenue Services is
1667 authorized to enter into under this subsection may provide that, where
1668 this state is an insured's home state and where the independently
1669 procured insurance covers properties, risks or exposures located or to
1670 be performed both within and without this state, (A) the sum payable
1671 by the insured to this state under subsection (g) of this section shall be
1672 computed based on that portion of the gross premiums allocated to
1673 this state, based on a standardized premium allocation adopted by the
1674 states under such agreement, multiplied by four per cent, (B) the sum
1675 payable by the insured to another state shall be computed based on

1676 that portion of the gross premiums allocated to such state, based on a
1677 standardized premium allocation adopted by the states under such
1678 agreement, multiplied by such state's tax rate, and (C) to the extent
1679 that another state where properties, risks or exposures are located has
1680 failed to enter into an agreement with this state, the portion of the
1681 gross premiums otherwise allocable to such other state shall be
1682 allocated to this state.

1683 (4) The agreement that the Commissioner of Revenue Services is
1684 authorized to enter into under this subsection may provide for (A)
1685 recordkeeping requirements, (B) audit procedures, (C) exchange of
1686 information, (D) collection of taxes not paid by insureds within the
1687 time required under subsection (g) of this section, (E) disbursements of
1688 funds to other states that are parties to such agreement, and (F) any
1689 additional provisions which will facilitate the administration of the
1690 agreement.

1691 (5) Notwithstanding the provisions of section 12-15, the
1692 Commissioner of Revenue Services may, under the terms of the
1693 agreement entered into under this subsection, disclose return
1694 information, as defined in section 12-15, relating to insureds to any
1695 official of another state that is a party to such agreement whose official
1696 duties require such disclosure.

1697 (6) The Commissioner of Revenue Services may enter into
1698 cooperative agreements with processing entities located in this state or
1699 other states related to the capturing and processing of nonadmitted
1700 insurance premiums and nonadmitted insurance premiums tax data.
1701 Notwithstanding the provisions of section 12-15, the Commissioner of
1702 Revenue Services may, under the terms of any such cooperative
1703 agreement, disclose return information, as defined in section 12-15,
1704 relating to insureds to any official of the processing entity whose
1705 duties require such disclosure.

1706 Sec. 34. Section 38a-743 of the general statutes is repealed and the
1707 following is substituted in lieu thereof (*Effective from passage and*

1708 *applicable to nonadmitted insurance coverage procured, continued or renewed*
1709 *on or after July 1, 2011*):

1710 (a) Every person, firm, association or corporation licensed pursuant
1711 to the provisions of sections 38a-741 to 38a-744, inclusive, as amended
1712 by this act, 38a-777 and 38a-794 shall pay to the commissioner on May
1713 first of each year a sum equal to four per cent of the gross premiums
1714 charged the insureds by the insurers during the period from January
1715 first to March thirty-first of that year, and on August first of each year
1716 a sum equal to four per cent of the gross premiums charged the
1717 insured by the insurers during the period from April first to June
1718 thirtieth of that year, on November first of each year a sum equal to
1719 four per cent of the gross premiums charged the insureds by the
1720 insurers during the period from July first to September thirtieth of that
1721 year and on February first of each year a sum equal to four per cent of
1722 the gross premiums charged the insureds by the insurers during the
1723 period from October first to December thirty-first of the preceding
1724 year, for insurance procured by such licensee pursuant to such license,
1725 less the amount of such premiums returned to such insureds, except
1726 that the premium tax shall not apply to any policy issued to the state of
1727 Connecticut or any agency **[**thereof**]** of the state or to any policy issued
1728 to any town, or agency of such town or special taxing district when
1729 said town, agency or department thereof or special taxing district
1730 appears in the policy as the named insured and as such is responsible
1731 for the payment of premiums shown on said policy. Each licensee shall
1732 also file on May first, August first, November first, and February first a
1733 return, in the form described by the commissioner, showing such
1734 information as the commissioner deems necessary. The provisions of
1735 this subsection shall not apply to nonadmitted insurance, as defined in
1736 subsection (b) of this section, that is procured, continued or renewed
1737 on or after July 1, 2011.

1738 (b) For purposes of this subsection and subsections (c) to (g),
1739 inclusive, of this section:

1740 (1) "Home state" means home state, as defined in Section 527 of the
1741 Nonadmitted and Reinsurance Reform Act of 2010;

1742 (2) "Licensee" means a person, firm, association or corporation that
1743 is licensed pursuant to the provisions of sections 38a-741 to 38a-744,
1744 inclusive, as amended by this act, 38a-777 and 38a-794 and that is a
1745 surplus lines broker, as defined in Section 527 of the Nonadmitted and
1746 Reinsurance Reform Act of 2010;

1747 (3) "Nonadmitted and Reinsurance Reform Act of 2010" means
1748 Sections 511 to 542, inclusive, of the Dodd-Frank Wall Street Reform
1749 and Consumer Protection Act, P.L. 111-203, as amended from time to
1750 time;

1751 (4) "Nonadmitted insurance" means nonadmitted insurance, as
1752 defined in Section 527 of the Nonadmitted and Reinsurance Reform
1753 Act of 2010; and

1754 (5) "Nonadmitted insurer" means a nonadmitted insurer, as defined
1755 in Section 527 of the Nonadmitted and Reinsurance Reform Act of
1756 2010.

1757 (c) (1) With respect to nonadmitted insurance, where such coverage
1758 is procured, continued or renewed for an insured by a licensee on or
1759 after July 1, 2011, and where this state is an insured's home state, such
1760 licensee shall pay a tax equal to the sum of four per cent of the gross
1761 premiums charged such insureds by nonadmitted insurers,
1762 irrespective of the fact that the insurance policy may cover properties,
1763 risks or exposures located or to be performed both within and without
1764 this state.

1765 (2) (A) For the period beginning on July 1, 2011, and ending
1766 September 30, 2011, each licensee shall pay to the Insurance
1767 Commissioner, on or before November 15, 2011, in accordance with
1768 procedures established and on forms provided by said commissioner,
1769 a tax on nonadmitted insurance equal to the sum of four per cent of the

1770 gross premiums charged insureds by nonadmitted insurers during
1771 such period.

1772 (B) For the period beginning on October 1, 2011, and ending
1773 December 31, 2011, each licensee shall pay to the Insurance
1774 Commissioner, on or before February 15, 2012, in accordance with
1775 procedures established and on forms provided by said commissioner,
1776 a tax on nonadmitted insurance equal to the sum of four per cent of the
1777 gross premiums charged insureds by nonadmitted insurers during
1778 such period.

1779 (3) For calendar years beginning on or after January 1, 2012, each
1780 licensee shall pay to the Insurance Commissioner, in accordance with
1781 procedures established and on forms provided by said commissioner,
1782 (A) on or before May fifteenth of each year in which nonadmitted
1783 insurance was procured, continued or renewed, a tax on such
1784 insurance equal to the sum of four per cent of the gross premiums
1785 charged insureds by nonadmitted insurers during the period from
1786 January first to March thirty-first of that year; (B) on or before August
1787 fifteenth of each year in which nonadmitted insurance was procured,
1788 continued or renewed, a tax on such insurance equal to the sum of four
1789 per cent of the gross premiums charged insureds by nonadmitted
1790 insurers during the period from April first to June thirtieth of that year;
1791 (C) on or before November fifteenth of each year in which
1792 nonadmitted insurance was procured, continued or renewed, a tax on
1793 such insurance equal to the sum of four per cent of the gross premiums
1794 charged insureds by nonadmitted insurers during the period from July
1795 first to September thirtieth of that year; and (D) on or before February
1796 fifteenth of each year succeeding a year in which nonadmitted
1797 insurance was procured, continued or renewed, a tax on such
1798 insurance equal to the sum of four per cent of the gross premiums
1799 charged insureds by nonadmitted insurers during the period from
1800 October first to December thirty-first of the preceding year.

1801 (4) In the event of cancellation and rewriting of any nonadmitted

1802 insurance contract, the premium for purposes of this subsection shall
1803 be the premium in excess of the unearned premium of the cancelled
1804 insurance contract.

1805 (5) If, pursuant to subsection (g) of this section, the Insurance
1806 Commissioner enters into a cooperative or reciprocal agreement with
1807 another state or states, and if the provisions set forth in such
1808 agreement are different from provisions prescribed by this subsection,
1809 then the provisions set forth in such agreement shall prevail.

1810 **[**(b)**]** (d) Upon failure of any person to pay the premium tax due the
1811 commissioner on its due date, there shall be added thereto a penalty
1812 and interest, which interest shall **[**not be less than**]** be at the rate of one
1813 per cent per month or fraction of a month which elapses from the due
1814 date of such premium tax to the date of payment, and which penalty
1815 shall be in the amount of ten per cent of the whole or such part of the
1816 principal of the premium tax as is unpaid.

1817 (e) This section shall be construed in such a manner as to avoid
1818 preemption under the Nonadmitted and Reinsurance Reform Act of
1819 2010.

1820 (f) This section shall not apply to any policy issued to the state of
1821 Connecticut or any agency of the state, or to any policy issued to any
1822 Connecticut town, or agency of such town or special taxing district
1823 when said town, agency or department thereof or special taxing
1824 district appears in the policy as the named insured and as such is
1825 responsible for the payment of premiums shown on said policy.

1826 (g) (1) The Insurance Commissioner may enter into a cooperative or
1827 reciprocal agreement with another state or states to allocate among the
1828 states the nonadmitted insurance premiums taxes paid to an insured's
1829 home state, as provided by Section 521 of the Nonadmitted and
1830 Reinsurance Reform Act of 2010.

1831 (2) The agreement that the Insurance Commissioner is authorized to

1832 enter into under this subsection shall include, but shall not be limited
1833 to, the National Association of Insurance Commissioners'
1834 Nonadmitted Insurance Multistate Agreement.

1835 (3) The agreement that the Insurance Commissioner is authorized to
1836 enter into under this subsection may provide that, where this state is
1837 an insured's home state and where the nonadmitted insurance covers
1838 properties, risks or exposures located or to be performed both within
1839 and without this state, (A) the sum payable by a licensee to this state
1840 under this section shall be computed based on that portion of the gross
1841 premiums allocated to this state, based on a standardized premium
1842 allocation adopted by the states under such agreement, multiplied by
1843 four per cent, (B) the sum payable by the licensee to another state shall
1844 be computed based on that portion of the gross premiums allocated to
1845 such state, based on a standardized premium allocation adopted by
1846 the states under such agreement, multiplied by such state's tax rate,
1847 and (C) to the extent that another state where properties, risks or
1848 exposures are located has failed to enter into an agreement with this
1849 state, the portion of the gross premiums otherwise allocable to such
1850 other state shall be allocated to this state.

1851 (4) The agreement that the Insurance Commissioner is authorized to
1852 enter into under this subsection may provide for (A) recordkeeping
1853 requirements, (B) audit procedures, (C) exchange of information, (D)
1854 collection of taxes not paid by licensees within the time required under
1855 subsection (c) of this section, (E) disbursements of funds to other states
1856 that are parties to such agreement, and (F) any additional provisions
1857 that will facilitate the administration of the agreement.

1858 (5) Notwithstanding any provision of section 12-15, the Insurance
1859 Commissioner may, under the terms of the agreement entered into
1860 under this subsection, disclose information relating to surplus lines
1861 brokers or nonadmitted insurance permitted to be placed through
1862 surplus lines brokers to any official of another state that is a party to
1863 such agreement whose official duties require such disclosure.

1864 (6) The Insurance Commissioner may enter into cooperative
1865 agreements with processing entities located in this state or other states
1866 related to the capturing and processing of nonadmitted insurance
1867 premiums and nonadmitted insurance premiums tax data.
1868 Notwithstanding any provision of section 12-15, the Insurance
1869 Commissioner may, under the terms of any such cooperative
1870 agreement, disclose information relating to surplus lines brokers or
1871 nonadmitted insurance permitted to be placed through surplus lines
1872 brokers to any official of the processing entity whose duties require
1873 such disclosure.

1874 Sec. 35. Subsections (b) and (c) of section 38a-271 of the general
1875 statutes are repealed and the following is substituted in lieu thereof
1876 (*Effective from passage*):

1877 (b) The provisions of sections 38a-271 to 38a-278, inclusive, as
1878 amended by this act, other than section 38a-277, as amended by this
1879 act, do not apply to: (1) The lawful transaction of surplus lines
1880 insurance; (2) the lawful transaction of reinsurance by insurers; (3)
1881 transactions, in this state, involving a policy lawfully solicited, written
1882 and delivered outside of this state covering only subjects of insurance
1883 not resident, located or expressly to be performed in this state at the
1884 time of issuance, and which transactions are subsequent to the
1885 issuance of such policy; (4) transactions involving contracts of
1886 insurance independently procured pursuant to the unsolicited
1887 application of the insured or his or her agent which are reported and
1888 on which a premium tax is paid in accordance with section 38a-277, as
1889 amended by this act; (5) attorneys acting in the ordinary relation of
1890 attorney-client in the adjustment of claims or losses; (6) transactions, in
1891 this state, involving contracts of insurance issued to one or more
1892 industrial insureds, provided nothing [herein] in this section shall
1893 relieve an industrial insured from the taxation imposed upon
1894 independently procured insurance in [subsection (c) of] section 38a-
1895 277, as amended by this act. For the purpose of this subdivision, an
1896 "industrial insured" shall mean an insured (i) which procures the

1897 insurance of any risk by the use of the services of a full-time employee
1898 acting as an insurance manager or buyer, or the services of a regularly
1899 and continuously retained qualified insurance consultant and (ii)
1900 whose aggregate annual premiums for insurance, excluding life,
1901 accident and health insurance, total at least fifty thousand dollars; (7)
1902 transactions involving contracts issued by a life insurance or annuity
1903 company, organized and operated without profit, to any private
1904 shareholder or individual exclusively for the purpose of aiding and
1905 strengthening educational institutions or charitable, health and welfare
1906 organizations by issuing insurance and annuity contracts only to or for
1907 the benefit of such institutions or organizations and individuals
1908 engaged in the service of such institutions or organizations; (8)
1909 transactions in this state involving group life and group sickness and
1910 accident or franchise sickness and accident insurance or group
1911 annuities where the master policy of such groups was lawfully issued
1912 and delivered in and pursuant to the laws of a state in which the
1913 insurer was authorized to do an insurance business to a group
1914 organized for purposes other than the procurement of insurance, and
1915 where the policyholder is domiciled or otherwise has a bona fide situs;
1916 (9) transactions in this state involving any policy of insurance or
1917 annuity contract issued prior to January 1, 1970.

1918 (c) The provisions of section 38a-27 do not apply to: (1) The lawful
1919 transaction of surplus lines insurance; (2) transactions, in this state,
1920 involving a policy lawfully solicited, written and delivered outside of
1921 this state covering only subjects of insurance not resident, located or
1922 expressly to be performed in this state at the time of issuance, and
1923 which transactions are subsequent to the issuance of such policy; (3)
1924 transactions involving contracts of insurance independently procured
1925 pursuant to the unsolicited application of the insured or his <u>or her</u>
1926 agent which are reported and on which a premium tax is paid in
1927 accordance with section 38a-277<u>, as amended by this act</u>; (4) attorneys
1928 acting in the ordinary relation of attorney-client in the adjustment of
1929 claims or losses; (5) transactions, in this state, involving contracts of
1930 insurance issued to one or more industrial insureds, provided nothing

1931 in this section shall relieve an industrial insured from the taxation
1932 imposed upon independently procured insurance in [subsection (c) of]
1933 section 38a-277, as amended by this act; (6) transactions involving
1934 contracts issued by a life insurance or annuity company, organized
1935 and operated without profit, to any private shareholder or individual
1936 exclusively for the purpose of aiding and strengthening educational
1937 institutions or charitable, health and welfare organizations by issuing
1938 insurance and annuity contracts only to or for the benefit of such
1939 institutions or organizations and individuals engaged in the service of
1940 such institutions or organizations; (7) transactions in this state
1941 involving group life and group sickness and accident or franchise
1942 sickness and accident insurance or group annuities where the master
1943 policy of such group was lawfully issued and delivered in and
1944 pursuant to the laws of a state in which the insurer was authorized to
1945 do an insurance business to a group organized for purposes other than
1946 the procurement of insurance, and where the policyholder is domiciled
1947 or otherwise has a bona fide situs; (8) transactions in this state
1948 involving any policy of insurance or annuity contract, other than a
1949 reinsurance contract, issued prior to January 1, 1970. For the purposes
1950 of subdivision (5) of this subsection, an "industrial insured" means an
1951 insured (A) which procures the insurance of any risk by the use of the
1952 services of a full-time employee acting as an insurance manager or
1953 buyer, or the services of a regularly and continuously retained
1954 qualified insurance consultant, and (B) whose aggregate annual
1955 premiums for insurance, excluding life, accident and health insurance,
1956 total at least fifty thousand dollars.

1957 Sec. 36. Section 38a-741 of the general statutes is repealed and the
1958 following is substituted in lieu thereof (*Effective from passage*):

1959 (a) The commissioner shall maintain on a current basis a list of those
1960 lines of insurance or their components for which coverages are
1961 believed by the commissioner to be generally unavailable from
1962 licensed insurers. The commissioner shall republish the list and make
1963 it available to all licensees every six months. Any person may request

1964 in writing that the commissioner add or remove a line of insurance or
1965 its component from the current list at the next publication of the list.
1966 The commissioner's determinations of lines of insurance or their
1967 components to be added to or removed from the list shall not be
1968 subject to chapter 54 provided prior to making determinations, the
1969 commissioner shall provide opportunity for comments from interested
1970 persons.

1971 (b) (1) When any policy of insurance is procured under the authority
1972 of such license providing a line of insurance or its component [which]
1973 that does not, on the effective date of coverage, appear on the current
1974 published list, [there shall be executed, both by] both the licensee and
1975 [by] the insured [,] shall execute affidavits setting forth facts showing
1976 that such [insured] licensee and such [licensee] insured were unable
1977 after diligent effort to procure, from any authorized insurer or
1978 insurers, the full amount of insurance required to protect the interest of
1979 such insured, and further showing that the amount of insurance
1980 procured from an unauthorized insurer or insurers is only the excess
1981 over the amount so procurable from authorized insurers. Such
1982 [affidavits shall be filed by such] licensee shall file such affidavits with
1983 the commissioner [within] not later than forty-five days after such
1984 policies have been procured.

1985 (2) The provisions of subdivision (1) of this subsection shall not
1986 apply to any policy of insurance procured under the authority of such
1987 license for an insured that is an exempt commercial purchaser, as
1988 defined in Section 527 of the Dodd-Frank Wall Street Reform and
1989 Consumer Protection Act, P.L. 111-203, as amended from time to time,
1990 provided (A) the surplus lines broker has disclosed to such exempt
1991 commercial purchaser that such insurance may or may not be available
1992 from an authorized insurer, that may provide greater protection with
1993 more regulatory oversight, and (B) such exempt commercial purchaser
1994 has subsequently requested such broker, in writing, to procure such
1995 policy from an unauthorized insurer.

1996 Sec. 37. Subsection (e) of section 12-217jj of the general statutes, as
1997 amended by section 77 of public act 11-6, is repealed and the following
1998 is substituted in lieu thereof (*Effective July 1, 2011*):

1999 (e) (1) On and after July 1, 2006, and for income years commencing
2000 on or after January 1, 2006, any credit allowed pursuant to this section
2001 may be sold, assigned or otherwise transferred, in whole or in part, to
2002 one or more taxpayers, provided (A) no credit, after issuance, may be
2003 sold, assigned or otherwise transferred, in whole or in part, more than
2004 three times, (B) in the case of a credit allowed for the income year
2005 commencing on or after January 1, 2011, and prior to January 1, 2012,
2006 any entity that is not subject to tax under chapter 207 or this chapter
2007 may transfer not more than fifty per cent of such credit in any one
2008 income year, and (C) in the case of a credit allowed for an income year
2009 commencing on or after January 1, 2012, any entity that is not subject
2010 to tax under chapter 207 or this chapter may transfer not more than
2011 twenty-five per cent of such credit in any one income year.

2012 (2) Notwithstanding the provisions of subdivision (1) of this
2013 subsection, any entity that is not subject to tax under this chapter or
2014 chapter 207 shall not be subject to the limitations on the transfer of
2015 credits provided in subparagraphs (B) and (C) of subdivision (1),
2016 provided such entity owns not less than fifty per cent, directly or
2017 indirectly, of a business entity subject to tax under section 12-284b.

2018 **[**(2)**]** (3) Notwithstanding the provisions of subdivision (1) of this
2019 subsection, any qualified production that is created in whole or in
2020 significant part, as determined by the Commissioner of Economic and
2021 Community Development, at a qualified production facility shall not
2022 be subject to the limitations of subparagraph (B) or (C) of said
2023 subdivision (1). For purposes of this subdivision, "qualified production
2024 facility" means a facility (A) located in this state, (B) intended for film,
2025 television or digital media production, and (C) that has had a
2026 minimum investment of three million dollars, or less if the
2027 **[**commissioner**]** Commissioner of Economic and Community

2028 Development determines such facility otherwise qualifies.

2029 Sec. 38. Subsection (a) of section 12-330c of the general statutes, as
2030 amended by section 83 of public act 11-6, is repealed and the following
2031 is substituted in lieu thereof (*Effective July 1, 2011, and applicable to sales*
2032 *occurring on or after said date*):

2033 (a) (1) A tax is imposed on all untaxed tobacco products held in this
2034 state by any person. Except as otherwise provided in subdivision (2)
2035 with respect to the tax on cigars, or (3) of this subsection with respect
2036 to the rate of tax on snuff tobacco products, the tax shall be imposed at
2037 the rate of fifty per cent of the wholesale sales price of such products.

2038 (2) Notwithstanding the provisions of subdivision (1) of this
2039 subsection, in the case of cigars the tax shall not exceed fifty cents per
2040 cigar.

2041 **[**(2)**]** (3) The tax shall be imposed on snuff tobacco products, on the
2042 net weight as listed by the manufacturer, as follows: One dollar per
2043 ounce of snuff and a proportionate tax at the like rate on all fractional
2044 parts of an ounce of snuff.

2045 Sec. 39. Subsection (e) of section 12-398 of the general statutes, as
2046 amended by section 86 of public act 11-6, is repealed and the following
2047 is substituted in lieu thereof (*Effective from passage and applicable to*
2048 *estates of decedents dying on or after January 1, 2011*):

2049 (e) Any person shall be entitled to a certificate of release of lien with
2050 respect to the interest of the decedent in such real property, if either
2051 the court of probate for the district within which the decedent resided
2052 at the date of his death or, if the decedent died a nonresident of this
2053 state, for the district within which real estate or tangible personal
2054 property of the decedent is situated, or the Commissioner of Revenue
2055 Services finds, upon evidence satisfactory to said court or said
2056 commissioner, as the case may be, that payment of the tax imposed
2057 under this chapter with respect to the interest of the decedent in such

2058 real property is adequately assured, or that no tax imposed under this
2059 chapter is due. If the decedent died prior to January 1, 2010, and such
2060 decedent's Connecticut taxable estate is two million dollars or less, or if
2061 the decedent died on or after January 1, 2010, but prior to January 1,
2062 2011, and such decedent's Connecticut taxable estate is three million
2063 five hundred thousand dollars or less, or if the decedent died on or
2064 after January 1, 2011, and such decedent's Connecticut taxable estate is
2065 two million dollars or less, the certificate of release of lien shall be
2066 issued by the court of probate. Any certificate of release of lien shall be
2067 valid if issued by a probate court prior to May 4, 2011, and recorded in
2068 the office of the town clerk of the town in which such real property is
2069 situated prior to May 4, 2011, for the estate of a decedent who died on
2070 or after January 1, 2011, and whose Connecticut taxable estate is more
2071 than two million dollars but equal to or less than three million five
2072 hundred thousand dollars. Such certificate may be recorded in the
2073 office of the town clerk of the town within which such real property is
2074 situated, and it shall be conclusive proof that such real property has
2075 been released from the operation of such lien. The commissioner may
2076 adopt regulations in accordance with the provisions of chapter 54 that
2077 establish procedures to be followed by a court of probate or by said
2078 commissioner, as the case may be, for issuing certificates of release of
2079 lien, and that establish the requirements and conditions that must be
2080 satisfied in order for a court of probate or for the commissioner, as the
2081 case may be, to find that the payment of such tax is adequately assured
2082 or that no tax imposed under this chapter is due.

2083 Sec. 40. Subparagraph (S) of subdivision (37) of subsection (a) of
2084 section 12-407 of the general statutes, as amended by section 90 of
2085 public act 11-6, is repealed and the following is substituted in lieu
2086 thereof (*Effective July 1, 2011, and applicable to sales occurring on or after*
2087 *said date*):

2088 (S) Services of the agent of any person in relation to the sale of any
2089 item of tangible personal property for such person, **[**under
2090 consignment,**]** exclusive of the services of a consignee selling works of

2091 art, as defined in subsection (b) of section 12-376c, or articles of
2092 clothing or footwear intended to be worn on or about the human body
2093 other than (i) any special clothing or footwear primarily designed for
2094 athletic activity or protective use and which is not normally worn
2095 except when used for the athletic activity or protective use for which it
2096 was designed, and (ii) jewelry, handbags, luggage, umbrellas, wallets,
2097 watches and similar items carried on or about the human body but not
2098 worn on the body, under consignment, exclusive of services provided
2099 by an auctioneer;

2100 Sec. 41. Subparagraph (JJ) of subdivision (37) of subsection (a) of
2101 section 12-407 of the general statutes, as amended by section 92 of
2102 public act 11-6, is repealed and the following is substituted in lieu
2103 thereof (*Effective July 1, 2011, and applicable to sales occurring on or after*
2104 *said date*):

2105 (JJ) Intrastate transportation services provided by livery services,
2106 including limousines, community cars or vans, with a driver. Intrastate
2107 transportation services shall not include transportation by taxicab,
2108 motor bus, ambulance or ambulette, scheduled public transportation,
2109 nonemergency medical transportation provided under the Medicaid
2110 program, paratransit services provided by agreement or arrangement
2111 with the state or any political subdivision of the state, dial-a-ride
2112 services or services provided in connection with funerals;

2113 Sec. 42. Subparagraph (J) of subdivision (1) of section 12-408 of the
2114 general statutes, as amended by section 93 of public act 11-6, is
2115 repealed and the following is substituted in lieu thereof (*Effective July*
2116 *1, 2011, and applicable to sales occurring on or after said date*):

2117 (J) For calendar quarters ending on or after September 30, 2011, the
2118 commissioner shall deposit into the municipal revenue sharing
2119 account established pursuant to section 96 of **[**this act**]** public act 11-6,
2120 one and fifty-seven-hundredths per cent of the amounts received by
2121 the state from the tax imposed under subparagraph (A) of this
2122 subdivision, and one and forty-three-hundredths per cent of the

2123 amounts received by the state from the tax imposed under
2124 subparagraph (H) of this subdivision; and

2125 Sec. 43. Subdivision (3) of section 12-408 of the general statutes, as
2126 amended by section 94 of public act 11-6, is repealed and the following
2127 is substituted in lieu thereof (*Effective July 1, 2011*):

2128 (3) For the purpose of adding and collecting the tax imposed by this
2129 chapter, or an amount equal as nearly as possible or practicable to the
2130 average equivalent thereof, by the retailer from the consumer the
2131 following bracket system shall be in force and effect as follows:

	Amount of Sale	Amount of Tax
T94		
T95	$0.00 to **[**$0.08**]** $0.07 inclusive	**[**1 cent**]** No Tax
T96	**[**.09 to .24**]** .08 to .23 inclusive	**[**2 cents**]** 1 cent
T97	**[**.25 to .41**]** .24 to .39 inclusive	**[**3 cents**]** 2 cents
T98	**[**.42 to .58**]** .40 to .55 inclusive	**[**4 cents**]** 3 cents
T99	**[**.59 to .74**]** .56 to .70 inclusive	**[**5 cents**]** 4 cents
T100	**[**.75 to .91**]** .71 to .86 inclusive	**[**6 cents**]** 5 cents
T101	**[**.92 to 1.08**]** .87 to 1.02 inclusive	**[**7 cents**]** 6 cents
T102	1.03 to 1.18 inclusive	7 cents

2132 On all sales above **[**$1.08**]** $1.18, the tax shall be computed at the rate
2133 of six and thirty-five-hundredths per cent.

2134 Sec. 44. Section 96 of public act 11-6 is repealed and the following is
2135 substituted in lieu thereof (*Effective July 1, 2011*):

2136 (a) There is established an account to be known as the "municipal
2137 revenue sharing account" which shall be a separate, nonlapsing
2138 account within the General Fund. The account shall contain any
2139 moneys required by law to be deposited in the account. Moneys in the
2140 account shall be expended by the Secretary of the Office of Policy and

2141 Management for the purposes of grants established pursuant to
2142 subsections (b) and (c) of this section.

2143 (b) (1) The secretary shall provide manufacturing transition grants
2144 to municipalities in an amount equal to the amount each municipality
2145 received from the state as payments in lieu of taxes pursuant to
2146 sections 12-94b, 12-94c, 12-94f [,] and 12-94g [and 32-9s] of the general
2147 statutes, revision of 1958, revised to January 1, 2011, for the fiscal year
2148 ending June 30, 2011. [Any town that, due to a filing error, did not
2149 receive such payments in the fiscal year ending June 30, 2011, shall
2150 receive an amount equal to the amount estimated to be due to such
2151 town in the fiscal year ending June 30, 2012.] Such grant payments
2152 shall be made in quarterly allotments, payable on November fifteenth,
2153 February fifteenth, May fifteenth and August fifteenth. The total
2154 amount of the grant payment is as follows:

	Municipality	Grant Amounts
T103		
T104		
T105	Andover	$2,929
T106	Ansonia	70,732
T107	Ashford	2,843
T108	Avon	213,211
T109	Barkhamsted	33,100
T110	Beacon Falls	38,585
T111	Berlin	646,080
T112	Bethany	54,901
T113	Bethel	229,948
T114	Bethlehem	6,305
T115	Bloomfield	1,446,585
T116	Bolton	19,812

T117	Bozrah	110,715
T118	Branford	304,496
T119	Bridgeport	839,881
T120	Bridgewater	491
T121	Bristol	2,066,321
T122	Brookfield	97,245
T123	Brooklyn	8,509
T124	Burlington	14,368
T125	Canaan	17,075
T126	Canterbury	1,610
T127	Canton	6,344
T128	Chaplin	554
T129	Cheshire	598,668
T130	Chester	71,130
T131	Clinton	168,444
T132	Colchester	31,069
T133	Colebrook	436
T134	Columbia	21,534
T135	Cornwall	0
T136	Coventry	8,359
T137	Cromwell	27,780
T138	Danbury	1,534,876
T139	Darien	0
T140	Deep River	86,478
T141	Derby	12,218
T142	Durham	122,637
T143	Eastford	43,436

T144	East Granby	430,285
T145	East Haddam	1,392
T146	East Hampton	15,087
T147	East Hartford	3,576,349
T148	East Haven	62,435
T149	East Lyme	17,837
T150	Easton	2,111
T151	East Windsor	237,311
T152	Ellington	181,426
T153	Enfield	219,004
T154	Essex	80,826
T155	Fairfield	82,908
T156	Farmington	440,541
T157	Franklin	413,545
T158	Glastonbury	202,935
T159	Goshen	2,101
T160	Granby	28,727
T161	Greenwich	70,905
T162	Griswold	35,790
T163	Groton	1,373,459
T164	Guilford	55,611
T165	Haddam	2,840
T166	Hamden	230,771
T167	Hampton	0
T168	Hartford	1,184,209
T169	Hartland	758
T170	Harwinton	17,272

T171	Hebron	1,793
T172	Kent	0
T173	Killingly	567,638
T174	Killingworth	4,149
T175	Lebanon	24,520
T176	Ledyard	296,297
T177	Lisbon	2,923
T178	Litchfield	2,771
T179	Lyme	0
T180	Madison	6,880
T181	Manchester	861,979
T182	Mansfield	5,502
T183	Marlborough	5,890
T184	Meriden	721,037
T185	Middlebury	67,184
T186	Middlefield	198,671
T187	Middletown	1,594,059
T188	Milford	1,110,891
T189	Monroe	151,649
T190	Montville	356,761
T191	Morris	2,926
T192	Naugatuck	274,100
T193	New Britain	1,182,061
T194	New Canaan	159
T195	New Fairfield	912
T196	New Hartford	110,586
T197	New Haven	1,175,481

T198	Newington	758,790
T199	New London	30,182
T200	New Milford	628,728
T201	Newtown	192,643
T202	Norfolk	5,854
T203	North Branford	243,540
T204	North Canaan	304,560
T205	North Haven	1,194,569
T206	North Stonington	0
T207	Norwalk	328,472
T208	Norwich	161,111
T209	Old Lyme	1,528
T210	Old Saybrook	38,321
T211	Orange	85,980
T212	Oxford	72,596
T213	Plainfield	120,563
T214	Plainville	443,937
T215	Plymouth	124,508
T216	Pomfret	22,677
T217	Portland	73,590
T218	Preston	0
T219	Prospect	56,300
T220	Putnam	139,075
T221	Redding	1,055
T222	Ridgefield	452,270
T223	Rocky Hill	192,142
T224	Roxbury	478

T225	Salem	3,740
T226	Salisbury	66
T227	Scotland	6,096
T228	Seymour	255,384
T229	Sharon	0
T230	Shelton	483,928
T231	Sherman	0
T232	Simsbury	62,846
T233	Somers	72,769
T234	Southbury	16,678
T235	Southington	658,809
T236	South Windsor	1,084,232
T237	Sprague	334,376
T238	Stafford	355,770
T239	Stamford	407,895
T240	Sterling	19,506
T241	Stonington	80,628
T242	Stratford	2,838,621
T243	Suffield	152,561
T244	Thomaston	315,229
T245	Thompson	62,329
T246	Tolland	75,056
T247	Torrington	486,957
T248	Trumbull	163,740
T249	Union	0
T250	Vernon	121,917
T251	Voluntown	1,589

T252	Wallingford	1,589,756
T253	Warren	235
T254	Washington	231
T255	Waterbury	2,076,795
T256	Waterford	27,197
T257	Watertown	521,334
T258	Westbrook	214,436
T259	West Hartford	648,560
T260	West Haven	137,765
T261	Weston	366
T262	Westport	0
T263	Wethersfield	17,343
T264	Willington	15,891
T265	Wilton	247,801
T266	Winchester	249,336
T267	Windham	369,559
T268	Windsor	1,078,969
T269	Windsor Locks	1,567,628
T270	Wolcott	189,485
T271	Woodbridge	27,108
T272	Woodbury	45,172
T273	Woodstock	55,097
T274		
T275	Borough of Danielson	0
T276	Borough Jewett City	3,329
T277	Borough Stonington	0
T278		

T279	Barkhamsted F.D.	1,996
T280	Berlin - Kensington F.D.	9,430
T281	Berlin - Worthington F.D.	747
T282	Bloomfield Center Fire	3,371
T283	Bloomfield Blue Hills	88,142
T284	Canaan F.D. (no fire district)	0
T285	Cromwell F.D.	1,662
T286	Enfield F.D.(1)	12,688
T287	Enfield Thompsonville(2)	2,814
T288	Enfield Haz'dv'l F.D.(3)	1,089
T289	Enfield N.Thmps'nv'l F.D.(4)	55
T290	Enfield Shaker Pines (5)	5,096
T291	Groton - City	241,680
T292	Groton Sewer	1,388
T293	Groton Mystic F.D. #3	19
T294	Groton Noank F.D. #4	0
T295	Groton Old Mystic F.D. #5	1,610
T296	Groton Poquonnock Br. #2	17,967
T297	Groton W. Pleasant Valley	0
T298	Killingly Attawaugan F.D.	1,457
T299	Killingly Dayville F.D.	33,885
T300	Killingly Dyer Manor	1,157
T301	E. Killingly F.D.	75
T302	So. Killingly F.D.	150
T303	Killingly Williamsville F.D.	5,325
T304	Manchester Eighth Util.	55,013
T305	Middletown South F. D.	165,713

T306	Middletown Westfield F.D.	8,805
T307	Middletown City Fire	27,038
T308	New Htfd. Village F.D. #1	5,664
T309	New Htfd Pine Meadow #3	104
T310	New Htfd South End F.D.	8
T311	Plainfield Central Village F.D.	1,167
T312	Plainfield Moosup F.D.	1,752
T313	Plainfield F.D. #255	1,658
T314	Plainfield Wauregan F.D.	4,360
T315	Pomfret F.D.	841
T316	Putnam E. Putnam F.D.	8,196
T317	Putnam W. Putnam F.D.	0
T318	Simsbury F.D.	2,135
T319	Stafford Springs Service Dist.	12,400
T320	Sterling F.D.	1,034
T321	Stonington Mystic F.D.	478
T322	Stonington Old Mystic F.D.	1,999
T323	Stonington Pawcatuck F.D.	4,424
T324	Stonington Quiambaug F.D.	65
T325	Stonington F.D.	0
T326	Stonington Wequetequock F.D.	58
T327	Trumbull Center	461
T328	Trumbull Long Hill F.D.	889
T329	Trumbull Nichols F.D.	3,102
T330	Watertown F.D.	0
T331	West Haven Allingtown F.D.(3)	17,230
T332	W.Haven First Ctr Fire Taxn (1)	7,410

T333	West Haven West Shore F.D.(2)	29,445
T334	Windsor Wilson F.D.	170
T335	Windsor F.D.	38
T336	Windham First	7,096
T337		
T338	GRAND TOTAL	$50,271,099

2155 (2) The amount of the grant payable to each municipality in any
2156 year in accordance with this subsection shall be reduced
2157 proportionately in the event that the total of such grants in such year
2158 exceeds the amount available in the municipal revenue sharing
2159 account established pursuant to subsection (a) of this section with
2160 respect to such year.

2161 (3) Notwithstanding any provision of the general statutes, any
2162 municipality that, prior to June 30, 2011, was overpaid under the
2163 program set forth in section 12-94b of the general statutes, as amended
2164 by this act, shall have such overpayments deducted from any grant
2165 payable pursuant to this section.

2166 (c) If there are moneys available in the municipal revenue sharing
2167 account after all grants are made pursuant to subsection (b) of this
2168 section, the secretary shall distribute the remaining funds as follows:
2169 (1) Fifty per cent of such funds shall be distributed to municipalities on
2170 a per capita basis, as determined by the most recent federal decennial
2171 census, and (2) fifty per cent shall be distributed in accordance with the
2172 formula in subsection (e) of section 3-55j of the general statutes using
2173 population information from the most recent federal decennial census,
2174 the 2007 equalized net grand list and 1999 per capita income.

2175 Sec. 45. Subsection (e) of section 104 of public act 11-6 is repealed
2176 and the following is substituted in lieu thereof (*Effective July 1, 2011*):

2177 (e) The tax imposed by this section shall not apply to any net

2178 kilowatt hours of electricity generated at (1) an electric generation
2179 facility in this state exclusively through the use of fuel cells or an
2180 alternative energy system, or (2) a resources recovery facility, as
2181 defined in section 22a-260 of the general statutes.

2182 Sec. 46. Subdivision (12) of subsection (a) of section 12-407 of the
2183 general statutes, as amended by section 128 of public act 11-6, is
2184 repealed and the following is substituted in lieu thereof (*Effective from*
2185 *passage and applicable to sales occurring on or after May 4, 2011*):

2186 (12) "Retailer" includes: (A) Every person engaged in the business of
2187 making sales at retail or in the business of making retail sales at
2188 auction of tangible personal property owned by the person or others;
2189 (B) every person engaged in the business of making sales for storage,
2190 use or other consumption or in the business of making sales at auction
2191 of tangible personal property owned by the person or others for
2192 storage, use or other consumption; (C) every operator, as defined in
2193 subdivision (18) of this subsection; (D) every seller rendering any
2194 service described in subdivision (2) of this subsection; (E) every person
2195 under whom any salesman, representative, peddler or canvasser
2196 operates in this state, or from whom such salesman, representative,
2197 peddler or canvasser obtains the tangible personal property that is
2198 sold; (F) every person with whose assistance any seller is enabled to
2199 solicit orders within this state; (G) every person making retail sales
2200 from outside this state to a destination within this state and not
2201 maintaining a place of business in this state who engages in regular or
2202 systematic solicitation of sales of tangible personal property in this
2203 state (i) by the display of advertisements on billboards or other
2204 outdoor advertising in this state, (ii) by the distribution of catalogs,
2205 periodicals, advertising flyers or other advertising by means of print,
2206 radio or television media, or (iii) by mail, telegraphy, telephone,
2207 computer data base, cable, optic, microwave or other communication
2208 system, for the purpose of effecting retail sales of tangible personal
2209 property, provided such person has made one hundred or more retail
2210 sales from outside this state to destinations within this state during the

2211 twelve-month period ended on the September thirtieth immediately
2212 preceding the monthly or quarterly period with respect to which such
2213 person's liability for tax under this chapter is determined; (H) any
2214 person owned or controlled, either directly or indirectly, by a retailer
2215 engaged in business in this state which is the same as or similar to the
2216 line of business in which such person so owned or controlled is
2217 engaged; (I) any person owned or controlled, either directly or
2218 indirectly, by the same interests that own or control, either directly or
2219 indirectly, a retailer engaged in business in this state which is the same
2220 as or similar to the line of business in which such person so owned or
2221 controlled is engaged; (J) any assignee of a person engaged in the
2222 business of leasing tangible personal property to others, where leased
2223 property of such person which is subject to taxation under this chapter
2224 is situated within this state and such assignee has a security interest, as
2225 defined in subdivision (35) of subsection (b) of section 42a-1-201, in
2226 such property; (K) every person making retail sales of items of tangible
2227 personal property from outside this state to a destination within this
2228 state and not maintaining a place of business in this state who repairs
2229 or services such items, under a warranty, in this state, either directly or
2230 indirectly through an agent, independent contractor or subsidiary; and
2231 (L) every person making sales of tangible personal property or services
2232 through an **[**independent contractor or other representative who is a
2233 resident of this state, if the retailer enters into an agreement with the
2234 resident, under which the resident, for a commission or other
2235 consideration**]** <u>agreement with another person located in this state</u>
2236 <u>under which such person located in this state, for a commission or</u>
2237 <u>other consideration that is based upon the sale of tangible personal</u>
2238 <u>property or services by the retailer</u>, directly or indirectly refers
2239 potential customers, whether by a link on an Internet web site or
2240 otherwise, to the retailer, provided the cumulative gross receipts from
2241 sales by the retailer to customers in the state who are referred to the
2242 retailer by all **[**residents**]** <u>such persons</u> with this type of an agreement
2243 with the retailer, is in excess of two thousand dollars during the
2244 preceding four quarterly periods ending on the last day of March,

2245 June, September and December. **[**Such retailer shall be presumed to be
2246 soliciting business through such resident independent contractor or
2247 other representative, which presumption may be rebutted by proof
2248 that the resident with whom the retailer has an agreement did not
2249 engage in any solicitation in the state on behalf of the retailer that
2250 would satisfy the nexus requirement of the United States Constitution
2251 during such four quarterly periods.**]**

2252 Sec. 47. Subparagraph (A) of subdivision (15) of subsection (a) of
2253 section 12-407 of the general statutes is repealed and the following is
2254 substituted in lieu thereof (*Effective from passage and applicable to sales*
2255 *occurring on and after May 4, 2011*):

2256 (15) (A) "Engaged in business in the state" means and includes but
2257 shall not be limited to the following acts or methods of transacting
2258 business: (i) Selling in this state, or any activity in this state in
2259 connection with selling in this state, tangible personal property for use,
2260 storage or consumption within the state; (ii) engaging in the transfer
2261 for a consideration of the occupancy of any room or rooms in a hotel or
2262 lodging house for a period of thirty consecutive calendar days or less;
2263 (iii) rendering in this state any service described in any of the
2264 subparagraphs of subdivision (2) of this subsection; (iv) maintaining,
2265 occupying or using, permanently or temporarily, directly or indirectly,
2266 through a subsidiary or agent, by whatever name called, any office,
2267 place of distribution, sales or sample room or place, warehouse or
2268 storage point or other place of business or having any representative,
2269 agent, salesman, canvasser or solicitor operating in this state for the
2270 purpose of selling, delivering or taking orders; (v) notwithstanding the
2271 fact that retail sales are made from outside this state to a destination
2272 within this state and that a place of business is not maintained in this
2273 state, engaging in regular or systematic solicitation of sales of tangible
2274 personal property in this state by the display of advertisements on
2275 billboards or other outdoor advertising in this state, by the distribution
2276 of catalogs, periodicals, advertising flyers or other advertising by
2277 means of print, radio or television media, or by mail, telegraphy,

2278 telephone, computer data base, cable, optic, microwave or other
2279 communication system, for the purpose of effecting retail sales of
2280 tangible personal property, provided one hundred or more retail sales
2281 from outside this state to destinations within this state are made
2282 during the twelve-month period ended on the September thirtieth
2283 immediately preceding the monthly or quarterly period with respect to
2284 which liability for tax under this chapter is determined; (vi) being
2285 owned or controlled, either directly or indirectly, by a retailer engaged
2286 in business in this state which is the same as or similar to the line of
2287 business in which the retailer so owned or controlled is engaged; (vii)
2288 being owned or controlled, either directly or indirectly, by the same
2289 interests that own or control, either directly or indirectly, a retailer
2290 engaged in business in this state which is the same as or similar to the
2291 line of business in which the retailer so owned or controlled is
2292 engaged; (viii) being the assignee of a person engaged in the business
2293 of leasing tangible personal property to others, where leased property
2294 of such person is situated within this state and such assignee has a
2295 security interest, as defined in subdivision (35) of subsection (b) of
2296 section 42a-1-201, in such property; **[**and**]** (ix) notwithstanding the fact
2297 that retail sales of items of tangible personal property are made from
2298 outside this state to a destination within this state and that a place of
2299 business is not maintained in this state, repairing or servicing such
2300 items, under a warranty, in this state, either directly or indirectly
2301 through an agent, independent contractor or subsidiary; and (x) selling
2302 tangible personal property or services through an agreement with a
2303 person located in this state, under which such person located in this
2304 state, for a commission or other consideration that is based upon the
2305 sale of tangible personal property or services by the retailer, directly or
2306 indirectly refers potential customers, whether by a link on an Internet
2307 web site or otherwise, to the retailer, provided the cumulative gross
2308 receipts from sales by the retailer to customers in the state who are
2309 referred to the retailer by all such persons with this type of agreement
2310 with the retailer is in excess of two thousand dollars during the four
2311 preceding four quarterly periods ending on the last day of March,

2312 June, September and December.

2313 Sec. 48. Section 12-211a of the general statutes, as amended by
2314 section 75 of public act 11-6, is repealed and the following is
2315 substituted in lieu thereof (*Effective from passage and applicable to*
2316 *calendar years commencing on or after January 1, 2011*):

2317 (a) (1) Notwithstanding any provision of the general statutes, and
2318 except as otherwise provided in subdivision (3) of this subsection or in
2319 subsection (b) of this section, the amount of tax credit or credits
2320 otherwise allowable against the tax imposed under this chapter for any
2321 calendar year shall not exceed seventy per cent of the amount of tax
2322 due from such taxpayer under this chapter with respect to such
2323 calendar year of the taxpayer prior to the application of such credit or
2324 credits.

2325 (2) **[**Notwithstanding the provisions of subdivision (1) of this
2326 subsection, and except as provided in section 38a-88a and subsection
2327 (b) of this section**]** For purposes of this subsection, "type one tax
2328 credits" mean tax credits allowable under section 12-217*ll*; "type two
2329 tax credits" mean tax credits allowable under section 38a-88a; "type
2330 three tax credits" mean tax credits that are not type one tax credits or
2331 type two tax credits"; "thirty per cent threshold" means thirty per cent
2332 of the amount of tax due from a taxpayer under this chapter prior to
2333 the application of tax credits; "fifty-five per cent threshold" means fifty-
2334 five per cent of the amount of tax due from a taxpayer under this
2335 chapter prior to the application of tax credits; and "seventy per cent
2336 threshold" means seventy per cent of the amount of tax due from a
2337 taxpayer under this chapter prior to the application of tax credits.

2338 (3) For calendar years commencing on or after January 1, 2011, and
2339 prior to January 1, 2013, the amount of tax credit or credits otherwise
2340 allowable against the tax imposed under this chapter **[**for the calendar
2341 years commencing on or after January 1, 2011, and prior to January 1,
2342 2013,**]** shall not exceed:

2343 (A) If the tax credit or credits being claimed by a taxpayer are type
2344 three tax credits only, thirty per cent of the amount of tax due from
2345 such taxpayer under this chapter with respect to said calendar years of
2346 the taxpayer prior to the application of such credit or credits.

2347 (B) If the tax credit or credits being claimed by a taxpayer are type
2348 one tax credits and type three tax credits, but not type two tax credits,
2349 fifty-five per cent of the amount of tax due from such taxpayer under
2350 this chapter with respect to said calendar years of the taxpayer prior to
2351 the application of such credit or credits, provided (i) type three tax
2352 credits shall be claimed before type one tax credits are claimed, (ii) the
2353 type three tax credits being claimed may not exceed the thirty per cent
2354 threshold, and (iii) the sum of the type one tax credits and the type
2355 three tax credits being claimed may not exceed the fifty-five per cent
2356 threshold.

2357 (C) If the tax credit or credits being claimed by a taxpayer are type
2358 two tax credits and type three tax credits, but not type one tax credits,
2359 seventy per cent of the amount of tax due from such taxpayer under
2360 this chapter with respect to said calendar years of the taxpayer prior to
2361 the application of such credit or credits, provided (i) type three tax
2362 credits shall be claimed before type two tax credits are claimed, (ii) the
2363 type three tax credits being claimed may not exceed the thirty per cent
2364 threshold, and (iii) the sum of the type two tax credits and the type
2365 three tax credits being claimed may not exceed the seventy per cent
2366 threshold.

2367 (D) If the tax credit or credits being claimed by a taxpayer are type
2368 one tax credits, type two tax credits and type three tax credits, seventy
2369 per cent of the amount of tax due from such taxpayer under this
2370 chapter with respect to said calendar years of the taxpayer prior to the
2371 application of such credits, provided (i) type three tax credits shall be
2372 claimed before type one tax credits or type two tax credits are claimed,
2373 and the type one tax credits shall be claimed before the type two tax
2374 credits are claimed, (ii) the type three tax credits being claimed may

2375 not exceed the thirty per cent threshold, (iii) the sum of the type one
2376 tax credits and the type three tax credits being claimed may not exceed
2377 the fifty-five per cent threshold, and (iv) the sum of the type one tax
2378 credits, the type two tax credits and the type three tax credits being
2379 claimed may not exceed the seventy per cent threshold.

2380 (E) If the tax credit or credits being claimed by a taxpayer are type
2381 one tax credits and type two tax credits only, but not type three tax
2382 credits, seventy per cent of the amount of tax due from such taxpayer
2383 under this chapter with respect to said calendar years of the taxpayer
2384 prior to the application of such credits, provided (i) the type one tax
2385 credits shall be claimed before type two tax credits are claimed, (ii) the
2386 type one tax credits being claimed may not exceed the fifty-five per
2387 cent threshold, and (iii) the sum of the type one tax credits and the
2388 type two tax credits being claimed may not exceed the seventy per cent
2389 threshold.

2390 (b) (1) For a calendar year commencing on or after January 1, 2011,
2391 and prior to January 1, 2013, the amount of tax credit or credits
2392 otherwise allowable against the tax imposed under this chapter for
2393 such calendar year may exceed the amount specified in subsection (a)
2394 of this section only by the amount computed under subparagraph (A)
2395 of subdivision (2) of this subsection, provided in no event may the
2396 amount of tax credit or credits otherwise allowable against the tax
2397 imposed under this chapter for such calendar year exceed one hundred
2398 per cent of the amount of tax due from such taxpayer under this
2399 chapter with respect to such calendar year of the taxpayer prior to the
2400 application of such credit or credits.

2401 (2) (A) The taxpayer's average monthly net employee gain for a
2402 calendar year shall be multiplied by six thousand dollars.

2403 (B) The taxpayer's average monthly net employee gain for a
2404 calendar year shall be computed as follows: For each month in the
2405 calendar year, the taxpayer shall subtract from the number of its
2406 employees in this state on the last day of such month the number of its

2407 employees in this state on the first day of the calendar year. The
2408 taxpayer shall total the differences for the twelve months in the
2409 calendar year, and such total, when divided by twelve, shall be the
2410 taxpayer's average monthly net employee gain for the calendar year.
2411 For purposes of this computation, only employees who are required to
2412 work at least thirty-five hours per week and only employees who were
2413 not employed in this state by a related person, as defined in section 12-
2414 217ii, as amended by this act, within the twelve months prior to the
2415 first day of the calendar year may be taken into account in computing
2416 the number of employees.

2417 (C) If the taxpayer's average monthly net employee gain is zero or
2418 less than zero, the taxpayer may not exceed the **[**thirty per cent limit
2419 imposed under**]** amount specified in subsection (a) of this section.

2420 Sec. 49. Subsection (a) of section 16-245j of the general statutes is
2421 repealed and the following is substituted in lieu thereof (*Effective from*
2422 *passage*):

2423 (a) **[**A**]** (1) Except as provided in subdivision (2) of this subsection, a
2424 financing entity may issue rate reduction bonds upon approval by the
2425 department in the pertinent financing order. Rate reduction bonds
2426 shall be nonrecourse to the credit or any assets of the electric company,
2427 electric distribution company or the finance authority, other than the
2428 transition property as specified in the pertinent financing order.

2429 (2) Notwithstanding the provisions of subdivision (1) of this
2430 subsection, on and after the effective date of this section, no financing
2431 entity has the power or is authorized to issue economic recovery
2432 revenue bonds. No competitive transition assessment shall be assessed
2433 to secure and pay economic recovery revenue bonds.

2434 Sec. 50. Subsection (b) of section 16-245h of the general statutes is
2435 repealed and the following is substituted in lieu thereof (*Effective from*
2436 *passage*):

2437 (b) Any surplus competitive transition assessment described in
2438 subparagraph (A) of subdivision (2) of subsection (a) of section 16-245e
2439 in excess of the amounts necessary to pay principal, premium, if any,
2440 interest and expenses of the issuance of the rate reduction bonds
2441 **[**issued prior to January 1, 2002, after such bonds have been defeased
2442 or paid in full, shall be remitted to the finance authority who shall
2443 apply such charges to the payment of economic recovery revenue
2444 bonds and cause such charges to be credited against the payment
2445 obligation in respect to the economic recovery revenue bonds of the
2446 customers making such excess payments. If the economic recovery
2447 revenue bonds are not issued, the finance authority shall transfer such
2448 excess charges to the General Fund. Any surplus competitive transition
2449 assessment described in subparagraph (A) of subdivision (2) of
2450 subsection (a) of section 16-245e in excess of the amounts necessary to
2451 pay principal, premium, if any, interest and expenses of the issuance of
2452 the rate reduction bonds issued on or after May 1, 2010,**]** shall be
2453 remitted to the financing entity and may be used to benefit customers
2454 **[**. No funds shall be remitted, applied or used in accordance with the
2455 terms of this subsection if such remittance, application or use would**]** <u>if</u>
2456 <u>this would not</u> result in a recharacterization of the tax, accounting, and
2457 other intended characteristics of the financing, including, but not
2458 limited to, the following:

2459 (1) Avoiding the recognition of debt on the electric company's or the
2460 electric distribution company's balance sheet for financial accounting
2461 and regulatory purposes;

2462 (2) Treating the rate reduction bonds as debt of the electric company
2463 or electric distribution company or its affiliates for federal income tax
2464 purposes;

2465 (3) Treating the transfer of the transition property by the electric
2466 company or electric distribution company as a true sale for bankruptcy
2467 purposes; or

2468 (4) Avoiding any adverse impact of the financing on the credit

2469 rating of the rate reduction bonds or the electric company or electric
2470 distribution company.

2471 Sec. 51. (NEW) (*Effective July 1, 2011*) (a) The Department of
2472 Transportation shall provide for changes in fares for mass
2473 transportation by land in accordance with the provisions of this section
2474 and shall not be required to conform to the procedures in chapter 54 of
2475 the general statutes.

2476 (b) Prior to adopting any change in fares for mass transportation by
2477 land, the department shall (1) give notice of the proposed fare change,
2478 its amount and the date it is proposed to take effect by advertising, at
2479 least once, in one or more newspapers having general circulation in all
2480 areas of the state that may be affected by such change in fares, and (2)
2481 in such notice, provide information on the time and place a public
2482 hearing is to be held on such proposed change. Such notice shall be
2483 posted at least fifteen days prior to such public hearing. The
2484 department shall send a copy of such notice to the chairpersons and
2485 ranking members of the joint standing committees of the General
2486 Assembly having cognizance of matters relating to transportation and
2487 to finance. A public hearing on the proposed fare change shall be held
2488 at such time and place as will be convenient for public attendance.

2489 Sec. 52. Subparagraph (D) of subdivision (74) of section 12-81 of the
2490 general statutes is repealed and the following is substituted in lieu
2491 thereof (*Effective July 1, 2011*):

2492 (D) Notwithstanding the provisions of section 12-71d, the assessor
2493 or board of assessors shall determine the value for each vehicle with
2494 respect to which a claim for exemption under this subdivision is
2495 approved, based on the vehicle's cost of acquisition, including costs
2496 related to the modification of such vehicle, adjusted for depreciation;
2497 **[**in accordance with the schedule set forth in section 12-94c;**]**

2498 Sec. 53. Subsection (e) of section 32-56 of the general statutes is
2499 repealed and the following is substituted in lieu thereof (*Effective from*

2500 *passage*):

2501 (e) Any business facility located in a municipality declared by the
2502 commissioner to be severely impacted by a prime defense contract
2503 cutback or major aerospace or defense plant closure pursuant to
2504 subsection (c) of this section, which facility would be a "manufacturing
2505 facility", as defined in subsection (d) of section 32-9p, but for the fact
2506 that the facility is not in a "distressed municipality", as defined in
2507 subsection (b) of section 32-9p, will be deemed a manufacturing facility
2508 for the purposes of sections 32-9p to 32-9s, inclusive, section 12-217e,
2509 and subdivisions (59) and (60) of section 12-81, if the purpose of the
2510 construction, expansion, renovation or acquisition of such facility is
2511 not dependent on prime defense contracts or related subcontracts. The
2512 provisions of this section shall apply to a business facility located in a
2513 building that was vacant (1) on July 1, 1998, and was formerly used for
2514 defense manufacturing, or **[**as**]** (2) on or after the effective date of this
2515 section and was formerly a major aerospace or defense plant with not
2516 less than eight hundred employees.

2517 Sec. 54. Subsection (b) of section 12-35f of the general statutes is
2518 repealed and the following is substituted in lieu thereof (*Effective from*
2519 *passage*):

2520 (b) (1) Upon the request and certification of the tax officer of a
2521 claimant state to the Commissioner of Revenue Services that a
2522 taxpayer owes taxes to such claimant state, the commissioner may
2523 withhold all or a portion of any refund to which such taxpayer would
2524 otherwise be entitled and pay over such withheld amount to the
2525 claimant state in accordance with the provisions of this section. The
2526 commissioner shall not withhold a refund unless the laws of the
2527 claimant state allow the Commissioner of Revenue Services to certify
2528 that a taxpayer owes taxes to this state and to request the tax officer of
2529 the claimant state to withhold all or a portion of any refund to which
2530 such taxpayer would otherwise be entitled, and provide for the
2531 payment over of such withheld amount to this state.

2532 (2) Such certification shall include the full name and address of the
2533 taxpayer; the taxpayer's Social Security number or federal employer
2534 identification number; the amount of taxes owed to such state; **[**,
2535 including a detailed statement for each taxable period showing tax,
2536 interest and penalty;**]** and a statement that any administrative or
2537 judicial remedies, or both, have been exhausted or have lapsed and
2538 that the amount of taxes is legally enforceable under the laws of such
2539 state.

2540 (3) Upon receipt by the commissioner of the required certification,
2541 **[**he**]** the commissioner shall notify the taxpayer, if the taxpayer is
2542 otherwise entitled to a tax refund from this state, that **[**he**]** the
2543 commissioner has received a request from the claimant state to
2544 withhold all or a portion of any refund, that the taxpayer has the right
2545 to protest the withholding of the refund, that failure to file a protest in
2546 accordance with subdivision (4) of this subsection shall constitute a
2547 waiver of any demand against this state on account of such withheld
2548 amount and that the withheld amount will be paid over to the claimant
2549 state. **[**The notice shall include a copy of the certification by the tax
2550 officer of such claimant state.**]** Thirty days after the date on which **[**it is
2551 mailed, a notice under this subdivision**]** a notice under this subdivision
2552 is mailed, such notice shall be final except only for such amounts as to
2553 which the taxpayer has filed, as provided in subdivision (4) of this
2554 subsection, a written protest with the Commissioner of Revenue
2555 Services.

2556 (4) Any taxpayer notified in accordance with subdivision (3) of this
2557 subsection may, on or before the thirtieth day after the mailing of such
2558 notice by the Commissioner of Revenue Services, protest the
2559 withholding of all or a portion of a refund by filing with the
2560 commissioner a written protest in which the taxpayer shall set forth
2561 the grounds on which the protest is based. If a timely protest is filed,
2562 the commissioner shall impound the claimed amount of the refund,
2563 pay to the taxpayer the unclaimed amount, if any, of the refund, send a
2564 copy of the protest to the claimant state for determination of the

2565 protest on its merits in accordance with the laws of that state, and pay
2566 over to the taxpayer the impounded amount if the claimant state shall
2567 fail on or before the forty-fifth day after the sending of the copy of the
2568 protest by the commissioner to such claimant state to recertify to the
2569 commissioner that the claimant state has reviewed the stated grounds
2570 on which the protest is based, and to recertify the amount of taxes
2571 which is finally due and payable to the claimant state, which is legally
2572 enforceable under the laws of the claimant state against the taxpayer,
2573 and with respect to which any administrative or judicial remedies, or
2574 both, have been exhausted or have lapsed.

2575 (5) Where the amount withheld in accordance with this subsection is
2576 a refund of any tax imposed upon the income of individuals and in
2577 connection with which the taxpayer filed a joint return with his or her
2578 spouse, and the spouse is not a taxpayer, the spouse shall have the
2579 right to be paid his or her portion of the refund by establishing his or
2580 her share of such refund. The amount of such spouse's share of such
2581 refund shall be established by recomputing the spouse's share of the
2582 joint liability and subtracting that amount from the taxpayer's
2583 contribution toward the joint liability, provided the amount of the
2584 overpayment refunded to the spouse shall not exceed the amount of
2585 the joint overpayment.

2586 (6) Subject to the provisions of subdivisions (3), (4) and (5) of this
2587 subsection, the commissioner shall pay over to the claimant state the
2588 entire amount withheld or the amount certified, whichever is less; pay
2589 any refund in excess of the certified amount to the taxpayer; and, if the
2590 amount certified exceeds the amount withheld, withhold amounts
2591 from subsequent refunds due to the taxpayer, provided the claimant
2592 state agrees to withhold subsequent refunds due to taxpayers certified
2593 to the claimant state by the commissioner.

2594 Sec. 55. Section 12-216a of the general statutes is repealed and the
2595 following is substituted in lieu thereof (*Effective from passage and*
2596 *applicable to income years commencing on or after January 1, 2011*):

2597 (a) Any company that derives income from sources within this state
2598 **[**, or**]** and that has a substantial economic presence within this state,
2599 evidenced by a purposeful direction of business toward this state,
2600 examined in light of the frequency, quantity and systematic nature of a
2601 company's economic contacts with this state, without regard to
2602 physical presence, and to the extent permitted by the Constitution of
2603 the United States, shall be liable for the tax imposed under this
2604 chapter. Such company shall apportion its net income under the
2605 provisions of this chapter.

2606 (b) The provisions of subsection (a) of this section shall not apply to
2607 any company that is treated as a foreign corporation under the Internal
2608 Revenue Code and has no income effectively connected with a United
2609 States trade or business. To the extent that a company that is treated as
2610 a foreign corporation under the Internal Revenue Code has income
2611 effectively connected with a United States trade or business, such
2612 company's gross income, notwithstanding any provision of this
2613 chapter, shall be its income effectively connected with its United States
2614 trade or business. For net income tax apportionment purposes, only
2615 property used in, payroll attributable to and receipts effectively
2616 connected with such company's United States trade or business shall
2617 be considered for purposes of calculating such company's
2618 apportionment fraction. "Income effectively connected with a United
2619 States trade or business" shall be determined in accordance with the
2620 provisions of the Internal Revenue Code.

2621 Sec. 56. Section 12-242g of the general statutes is repealed and the
2622 following is substituted in lieu thereof (*Effective October 1, 2011, and*
2623 *applicable to estimated corporation business tax payments for income years*
2624 *commencing on or after January 1, 2012*):

2625 (a) If a company has paid as an installment of estimated tax an
2626 amount in excess of the amount determined to be the correct amount
2627 of such installment, such amount shall be credited against any unpaid
2628 installment or against the tax. If the amount already paid, whether or

2629 not on the basis of installments, exceeds the amount determined to be
2630 the correct amount of the tax, the company shall be paid by the State
2631 Treasurer, upon order of the Comptroller, the amount of such
2632 overpayment. **[**The commissioner may prescribe regulations providing
2633 for the crediting against the estimated tax for any taxable year of the
2634 amount determined to be an overpayment of the corporation business
2635 tax for a preceding taxable year.**]**

2636 (b) If a company has filed its tax return under this chapter for the
2637 income year on or before the due date of such return or, if an extension
2638 of time to file has been requested and granted, the extended due date
2639 of such return, any overpayment reported on such return, if the
2640 company has elected to credit such overpayment against the
2641 company's estimated tax for the succeeding income year, shall be
2642 treated as if paid on the due date of the first required installment of
2643 estimated tax for such succeeding income year. Such reported
2644 overpayment shall be credited against otherwise unpaid required
2645 installments in the order in which such installments are required to be
2646 paid under section 12-242d.

2647 Sec. 57. Subdivision (3) of subsection (a) of section 12-686 of the
2648 general statutes is repealed and the following is substituted in lieu
2649 thereof (*Effective July 1, 2011, and applicable to tax periods ending on or*
2650 *after said date*):

2651 (3) (A) Except as otherwise provided in subsections (b) and (c) of
2652 this section, the commissioner may require every employer who is
2653 deducting and withholding Connecticut income tax from employee
2654 wages to pay such tax during the twelve-month period following a
2655 determination of liability under this subdivision, by one of the means
2656 of electronic funds transfer approved by the department, if the
2657 commissioner determines that the amount of Connecticut income tax
2658 deducted and withheld from employee wages by such employer was
2659 more than two thousand dollars for the twelve-month period ending
2660 on the June thirtieth immediately preceding the quarterly period with

2661 respect to which the requirement to pay over tax by electronic funds
2662 transfer is established. The commissioner, in determining whether tax
2663 liability is more than two thousand dollars, shall base such
2664 determination on the taxes reported to be due on the quarterly
2665 withholding tax returns of such employer related to the period under
2666 examination. If any such tax return of such [person] employer for such
2667 period has not been filed, the commissioner may base such
2668 determination on any information available to the commissioner.

2669 (B) Except as otherwise provided in subsections (b) and (c) of this
2670 section, the commissioner may require every payer, as defined in
2671 section 12-707, as amended by this act, who is deducting and
2672 withholding Connecticut income tax from nonpayroll amounts, as
2673 defined in section 12-707, as amended by this act, to pay such tax for
2674 the calendar year, following a determination of liability under this
2675 subdivision, by one of the means of electronic funds transfer approved
2676 by the department, if the commissioner determines that the amount of
2677 Connecticut income tax deducted and withheld from nonpayroll
2678 amounts by such payer for the look-back calendar year, as defined in
2679 section 12-707, as amended by this act, was more than two thousand
2680 dollars. The commissioner, in determining whether the amount of
2681 Connecticut income tax deducted and withheld for the look-back
2682 calendar year, is more than two thousand dollars, shall base such
2683 determination on the tax reported to be due on the withholding tax
2684 return of such payer for such look-back calendar year. If any such tax
2685 return of such payer for such period has not been filed, the
2686 commissioner may base such determination on any information
2687 available to the commissioner.

2688 Sec. 58. Section 12-707 of the general statutes is repealed and the
2689 following is substituted in lieu thereof (*Effective July 1, 2011, and*
2690 *applicable to sales of a business or stock of goods occurring on or after said*
2691 *date*):

2692 (a) (1) Each employer required to deduct and withhold tax under

2693 this chapter from the wages of employees shall be liable for such tax
2694 and shall file a withholding return as prescribed by the Commissioner
2695 of Revenue Services and pay over to the commissioner, or to a
2696 depositary designated by the commissioner, the taxes so required to be
2697 deducted and withheld at the times specified in subsection (b) of this
2698 section.

2699 (2) Each payer of nonpayroll amounts shall deduct and withhold tax
2700 under this chapter from the nonpayroll amounts of payees, shall be
2701 liable for such tax, and shall file a withholding return as prescribed by
2702 the commissioner and pay over to the commissioner, or to a depository
2703 designated by the commissioner, the taxes so required to be deducted
2704 and withheld at the times specified in subsection (b) of this section.

2705 (b) (1) (A) With respect to the tax required to be deducted and
2706 withheld under this chapter from wages paid during any calendar year
2707 beginning on or after January 1, 2005, and in accordance with an
2708 annual determination described in subdivision (2) of this subsection,
2709 each employer shall be either a weekly remitter, monthly remitter or
2710 quarterly remitter for the calendar year. If an employer is a weekly
2711 remitter, the employer shall pay over to the commissioner the tax
2712 required to be deducted and withheld under this chapter in
2713 accordance with subdivision (3) of this subsection. If an employer is a
2714 monthly remitter, the employer shall pay over to the commissioner the
2715 tax required to be deducted and withheld under this chapter in
2716 accordance with subdivision (4) of this subsection. If an employer is a
2717 quarterly remitter, the employer shall pay over to the commissioner
2718 the tax required to be deducted and withheld under this chapter in
2719 accordance with subdivision (5) of this subsection. Notwithstanding
2720 any provision of this subsection, if an employer is a household
2721 employer, the employer shall pay over to the commissioner the tax
2722 required to be deducted and withheld under this chapter in
2723 accordance with subdivision (6) of this subsection.

2724 (B) With respect to the tax required to be deducted and withheld

2725 under this chapter from nonpayroll amounts paid during any calendar
2726 year beginning on or after January 1, 2005, and in accordance with an
2727 annual determination described in subdivision (2) of this subsection,
2728 each payer shall be either a weekly remitter, monthly remitter or
2729 quarterly remitter for the calendar year. If a payer is a weekly remitter,
2730 the payer shall pay over to the commissioner the tax required to be
2731 deducted and withheld under this chapter in accordance with
2732 subdivision (3) of this subsection. If a payer is a monthly remitter, the
2733 payer shall pay over to the commissioner the tax required to be
2734 deducted and withheld under this chapter in accordance with
2735 subdivision (4) of this subsection. If a payer is a quarterly remitter, the
2736 payer shall pay over to the commissioner the tax required to be
2737 deducted and withheld under this chapter in accordance with
2738 subdivision (5) of this subsection.

2739 (2) (A) The annual determination for an employer required to
2740 deduct and withhold tax under this chapter shall be based on the
2741 employer's reported liability for the tax required to be deducted and
2742 withheld under this chapter during the twelve-month look-back
2743 period, provided, if any employer fails timely to file one or more
2744 required withholding tax returns for the four quarterly periods within
2745 the twelve-month look-back period, the commissioner may base the
2746 annual determination for the employer on any information available to
2747 the commissioner. If an employer's reported liability for the tax
2748 required to be deducted and withheld under this chapter during the
2749 twelve-month look-back period was more than ten thousand dollars,
2750 the employer is a weekly remitter for the calendar year next
2751 succeeding such twelve-month period. If an employer's reported
2752 liability for the tax required to be deducted and withheld under this
2753 chapter during the twelve-month look-back period was more than two
2754 thousand dollars but not more than ten thousand dollars, the employer
2755 is a monthly remitter for the calendar year next succeeding such
2756 twelve-month period. If an employer's reported liability for the tax
2757 required to be deducted and withheld under this chapter during the
2758 twelve-month look-back period was two thousand dollars or less, the

2759 employer is a quarterly remitter for the calendar year next succeeding
2760 such twelve-month period. Notwithstanding any provision of this
2761 section, if an employer is a seasonal employer, the annual
2762 determination shall be based on the seasonal employer's reported
2763 liability for the tax required to be deducted and withheld under this
2764 chapter during the twelve-month look-back period multiplied by a
2765 fraction, the numerator of which is four, and the denominator of which
2766 is the number of quarterly periods during such twelve-month period
2767 that the employer paid wages to employees.

2768 (B) The annual determination for a payer required to deduct and
2769 withhold tax under this chapter shall be based on the payer's reported
2770 liability for the tax required to be deducted and withheld under this
2771 chapter during the look-back calendar year, provided, if any payer
2772 fails timely to file the required withholding tax return for the look-back
2773 calendar year, the commissioner may base the annual determination
2774 for the payer on any information available to the commissioner. If a
2775 payer's reported liability for the tax required to be deducted and
2776 withheld under this chapter during the look-back calendar year was
2777 more than ten thousand dollars, the payer is a weekly remitter for the
2778 calendar year for which the annual determination is being made. If a
2779 payer's reported liability for the tax required to be deducted and
2780 withheld under this chapter during the look-back calendar year was
2781 more than two thousand dollars but not more than ten thousand
2782 dollars, the payer is a monthly remitter for the calendar year for which
2783 the annual determination is being made. If a payer's reported liability
2784 for the tax required to be deducted and withheld under this chapter
2785 during the look-back calendar year was two thousand dollars or less,
2786 the payer is a quarterly remitter for the calendar year for which the
2787 annual determination is being made.

2788 (3) (A) An employer that is a weekly remitter shall pay over to the
2789 department the tax required to be deducted and withheld from wages
2790 under this chapter on or before the Wednesday next succeeding the
2791 weekly period during which the wages from which the tax was

2792 required to be deducted and withheld were paid to employees.

2793 (B) A payer that is a weekly remitter shall pay over to the
2794 department the tax required to be deducted and withheld from
2795 nonpayroll amounts under this chapter on or before the Wednesday
2796 next succeeding the weekly period during which the nonpayroll
2797 amounts from which the tax was required to be deducted and
2798 withheld were paid to payees.

2799 (4) (A) An employer that is a monthly remitter shall pay over to the
2800 department the tax required to be deducted and withheld from wages
2801 under this chapter on or before the fifteenth day of the month next
2802 succeeding the month during which the wages from which the tax was
2803 required to be deducted and withheld were paid to employees.

2804 (B) A payer that is a monthly remitter shall pay over to the
2805 department the tax required to be deducted and withheld from
2806 nonpayroll amounts under this chapter on or before the fifteenth day
2807 of the month next succeeding the month during which the nonpayroll
2808 amounts from which the tax was required to be deducted and
2809 withheld were paid to payees.

2810 (5) (A) An employer that is a quarterly remitter shall pay over to the
2811 department the tax required to be deducted and withheld from wages
2812 under this chapter on or before the last day of the month next
2813 succeeding the quarterly period during which the wages from which
2814 the tax was required to be deducted and withheld were paid to
2815 employees.

2816 (B) A payer that is a quarterly remitter shall pay over to the
2817 department the tax required to be deducted and withheld from
2818 nonpayroll amounts under this chapter on or before the last day of the
2819 month next succeeding the quarterly period during which the
2820 nonpayroll amounts from which the tax was required to be deducted
2821 and withheld were paid to payees.

2822 (6) An employer that is a household employer shall pay over to the
2823 department the tax required to be deducted and withheld under this
2824 chapter on or before the April fifteenth next succeeding the calendar
2825 year during which the wages from which the tax was required to be
2826 deducted and withheld were paid to household employees.

2827 (c) In the case of an overpayment of tax under this chapter by an
2828 employer, refund or credit shall be made to the employer only to the
2829 extent that the amount of such overpayment was not deducted and
2830 withheld by the employer.

2831 (d) The amount of tax required to be deducted and withheld and
2832 paid over to the commissioner under this chapter, when so deducted
2833 and withheld, shall be held to be a special fund in trust for the state.
2834 No employee or other person shall have any right of action against the
2835 employer in respect to any moneys deducted and withheld from
2836 wages and paid over to the commissioner in compliance or in intended
2837 compliance with this chapter.

2838 (e) (1) If an employer required to deduct and withhold tax under
2839 this chapter from the wages of employees and to pay over to the
2840 commissioner the taxes so required to be deducted and withheld sells
2841 out the employer's business or stock of goods or quits the employer's
2842 business, such employer's successors or assigns shall withhold a
2843 sufficient portion of the purchase price to cover the amount of such
2844 taxes, and any interest and penalties thereon, due and unpaid, as of the
2845 time of such sale or quitting of the business, until the employer
2846 produces a receipt from the commissioner showing that the taxes,
2847 interest and penalties have been paid or a certificate indicating that no
2848 such taxes are due.

2849 (2) If the purchaser of a business or stock of goods fails to withhold
2850 a portion of the purchase price as required, the purchaser shall be
2851 personally liable for the payment of the amount required to be
2852 withheld by the purchaser, to the extent of the purchase price, valued
2853 in money. Not later than sixty days after the latest of the dates

2854 specified in subdivision (3) of this subsection, the commissioner shall
2855 either issue a certificate indicating that no taxes are due or mail notice
2856 to the purchaser in the manner provided in section 12-728 of the
2857 amount that must be paid as a condition of issuing the certificate.
2858 Failure of the commissioner to mail the notice shall release the
2859 purchaser from any further obligation to withhold a portion of the
2860 purchase price as provided in this subsection. The period within which
2861 the obligation of the successor may be enforced shall begin when the
2862 employer sells out the employer's business or stock of goods or quits
2863 the business or when the assessment against the employer becomes
2864 final, whichever event occurs later.

2865 (3) For purposes of subdivision (2) of this subsection, the latest of
2866 the following dates shall apply:

2867 (A) The date that the commissioner receives a written request from
2868 the purchaser for a certificate;

2869 (B) The date of the sale or quitting of the business; or

2870 (C) The date that the employer's records are made available to the
2871 commissioner for audit.

2872 **[**(e)**]** (f) As used in this section:

2873 (1) "Employer" means an employer, as defined in Section 3401 of the
2874 Internal Revenue Code;

2875 (2) "Payer" means a person making a payment of nonpayroll
2876 amounts to one or more payees;

2877 (3) "Payee" means a person receiving a payment of nonpayroll
2878 amounts from a payer;

2879 (4) "Nonpayroll amounts" includes (A) gambling winnings, other
2880 than Connecticut lottery winnings, that are paid to a resident, or to a
2881 person receiving payment on behalf of a resident, and that are subject

2882 to federal income tax withholding; (B) Connecticut lottery winnings
2883 that are required to be reported by the Connecticut Lottery
2884 Corporation to the Internal Revenue Service, whether or not subject to
2885 federal income tax withholding, whether paid to a resident,
2886 nonresident or a part-year resident, and whether paid to an individual,
2887 trust or estate; (C) pension and annuity distributions, where the
2888 recipient is a resident individual and has requested that tax be
2889 deducted and withheld under this chapter; (D) military retired pay,
2890 where the payee is a resident individual and has requested that tax be
2891 deducted and withheld under this chapter; (E) unemployment
2892 compensation, where the recipient has requested that tax be deducted
2893 and withheld under this chapter; and (F) payments made to an athlete
2894 or entertainer, where the payments are not wages for federal income
2895 tax withholding purposes and where the commissioner requires the
2896 payer to deduct and withhold tax under this chapter;

2897 (5) "Reported liability" means, in the case of an employer, the
2898 liability for the tax required to be deducted and withheld under this
2899 chapter, as shown on the employer's withholding tax returns for the
2900 four quarterly periods within the twelve-month look-back period, and,
2901 in the case of a payer, the liability for the tax required to be deducted
2902 and withheld under this chapter, as shown on the payer's withholding
2903 tax return for the look-back calendar year;

2904 (6) "Twelve-month look-back period" means the twelve-month
2905 period that ended on the June thirtieth next preceding the calendar
2906 year for which the annual determination for an employer is made by
2907 the commissioner;

2908 (7) "Look-back calendar year" means the calendar year preceding by
2909 two years the calendar year for which the annual determination for a
2910 payer is made by the commissioner;

2911 (8) "Seasonal employer" means an employer that regularly in the
2912 same one or more quarterly periods of each calendar year pays no
2913 wages to employees;

2914 (9) "Household employee" means an employee whose services of a
2915 household nature in or about a private home of an employer constitute
2916 domestic service in a private home of the employer, as the phrase is
2917 used in Section 3121(a)(7) of the Internal Revenue Code or in
2918 regulations adopted thereunder;

2919 (10) "Household employer" means an employer of a household
2920 employee;

2921 (11) "Weekly period" means the seven-day period beginning on a
2922 Saturday and ending on the following Friday; and

2923 (12) "Quarterly period" means the period of three full months
2924 beginning on the first day of January, April, July or October.

2925 Sec. 59. Subsection (b) of section 12-733 of the general statutes is
2926 repealed and the following is substituted in lieu thereof (*Effective from*
2927 *passage and applicable to taxable years commencing on or after January 1,*
2928 *2011*):

2929 (b) (1) If the taxpayer omits from Connecticut adjusted gross
2930 income, in the case of an individual, or from Connecticut taxable
2931 income, in the case of a trust or estate, an amount properly includable
2932 therein which is in excess of twenty-five per cent of the amount of
2933 Connecticut adjusted gross income or Connecticut taxable income, as
2934 the case may be, stated in the return, a notice of a proposed deficiency
2935 assessment may be mailed to the taxpayer **[**within**]** <u>not later than</u> six
2936 years after the <u>date on which the</u> return is filed. For purposes of this
2937 **[**subsection**]** <u>subdivision</u>, there shall not be taken into account any
2938 amount which is omitted in the return if such amount is disclosed in
2939 the return, or in a statement attached to the return, in a manner
2940 adequate to apprise the Commissioner of Revenue Services of the
2941 nature and the amount of such item.

2942 (2) If the taxpayer omits from the Connecticut adjusted gross income
2943 derived from or connected with sources within this state, in the case of

2944 a nonresident individual or part-year resident individual, or from
2945 Connecticut taxable income derived from or connected with sources
2946 within this state, in the case of a nonresident trust or estate of part-year
2947 resident trust, an amount properly includable therein which is in
2948 excess of twenty-five per cent of the amount of Connecticut adjusted
2949 gross income derived from or connected with sources within this state
2950 or Connecticut taxable income derived from or connected with sources
2951 within this state, as the case may be, stated in the return, a notice of a
2952 proposed deficiency assessment may be mailed to the taxpayer
2953 **[**within**]** not later than six years after the date on which the return is
2954 filed. For purposes of this **[**subsection**]** subdivision, there shall not be
2955 taken into account any amount which is omitted in the return if such
2956 amount is disclosed in the return, or in a statement attached to the
2957 return, in a manner adequate to apprise the **[**Commissioner of Revenue
2958 Services**]** commissioner of the nature and the amount of such item.

2959 (3) If an employer, as defined in section 12-707, as amended by this
2960 act, omits from Connecticut wages an amount properly includable that
2961 is in excess of twenty-five per cent of the amount of Connecticut wages
2962 stated in the Connecticut withholding tax return required under
2963 section 12-707, as amended by this act, a notice of a proposed
2964 deficiency assessment may be mailed to the employer not later than six
2965 years after the date on which the return is filed. For purposes of this
2966 subdivision, there shall not be taken into account any amount which is
2967 omitted in the return if such amount is disclosed in the return, or in a
2968 statement attached to the return, in a manner adequate to apprise the
2969 commissioner of the nature and the amount of such item.

2970 (4) If a pass-through entity, as defined in subparagraph (D) of
2971 subdivision (2) of subsection (b) of section 12-719, omits from the
2972 Connecticut adjusted gross income derived from or connected with
2973 sources within Connecticut of any nonresident individual who is a
2974 member of such pass-through entity an amount properly includable
2975 therein which is in excess of twenty-five per cent of the amount of
2976 Connecticut adjusted gross income derived from or connected with

2977 sources within Connecticut stated in the return, a notice of a proposed
2978 deficiency assessment may be mailed to the taxpayer not later than six
2979 years after the date on which the return is filed. For purposes of this
2980 subdivision, there shall not be taken into account any amount which is
2981 omitted in the return if such amount is disclosed in the return, or in a
2982 statement attached to the return, in a manner adequate to apprise the
2983 commissioner of the nature and the amount of such item.

2984 Sec. 60. Subdivision (80) of section 12-412 of the general statutes is
2985 repealed and the following is substituted in lieu thereof (*Effective from*
2986 *passage and applicable to all open tax periods*):

2987 (80) (A) Sales and the storage, use or other consumption of special
2988 equipment installed in a motor vehicle for the exclusive use of a person
2989 with physical disabilities and repair or replacement parts for such
2990 equipment, whether such repair or replacement parts are purchased
2991 separately or in conjunction with such equipment, and whether such
2992 parts continue the original function or enhance the functionality of
2993 such equipment.

2994 (B) When a motor vehicle in which special equipment exclusively
2995 for the use of a person with physical disabilities has previously been
2996 installed is sold by a licensed motor vehicle dealer for use by a person
2997 with physical disabilities, the taxes imposed by this chapter shall not
2998 apply to the portion of the sales price attributable to such equipment.
2999 Unless established otherwise, the portion of the sales price attributable
3000 to the motor vehicle shall be deemed to be the value determined
3001 pursuant to subsection (b) of section 12-431, as amended by this act.

3002 Sec. 61. Section 12-431 of the general statutes is repealed and the
3003 following is substituted in lieu thereof (*Effective from passage and*
3004 *applicable to all open tax periods*):

3005 (a) (1) Except as otherwise provided in subdivision (2) or (3) of this
3006 subsection, in case of the purchase of any motor vehicle, snowmobile,
3007 vessel or aircraft other than from a licensed motor vehicle dealer or

3008 licensed motor vehicle lessor, a snowmobile dealer, a licensed marine
3009 dealer or a retailer of aircraft, respectively, the receipts therefrom shall
3010 not be included in the measure of the sales tax, but the purchaser
3011 thereof shall pay a use tax on the total purchase price thereof to the
3012 Commissioner of Revenue Services, as provided in section 12-411, in
3013 the case of tangible personal property purchased from a retailer, and,
3014 in the case of motor vehicles, vessels and snowmobiles, before
3015 obtaining an original or transferal registration, in accordance with
3016 regulations prescribed by the Commissioner of Revenue Services and
3017 on forms approved by the Commissioner of Revenue Services and the
3018 Commissioner of Motor Vehicles, and, in the case of aircraft, before
3019 obtaining an original or transferal registration, in accordance with
3020 regulations prescribed by the Commissioner of Revenue Services and
3021 on forms approved by the Commissioner of Revenue Services and the
3022 Commissioner of Transportation.

3023 (2) No use tax shall be payable in cases of purchase (A) when the
3024 purchaser is the spouse, mother, father, brother, sister or child of the
3025 seller, (B) when a motor vehicle or vessel is sold in connection with the
3026 organization, reorganization or liquidation of an incorporated
3027 business, provided the last taxable sale or use of the motor vehicle or
3028 vessel was subjected to a tax imposed by this chapter and the
3029 purchaser is the incorporated business or a stockholder thereof, (C)
3030 when a motor vehicle is sold in connection with the organization or
3031 termination of a partnership or limited liability company, provided the
3032 last taxable sale or use of the motor vehicle was subjected to a tax
3033 imposed by this chapter and the purchaser is the partnership or
3034 limited liability company, as the case may be, or a partner or member,
3035 thereof, as the case may be, or (D) when a motor vehicle which has
3036 been declared a total loss pursuant to the provisions of section 14-16c is
3037 rebuilt for sale or use, provided the purchaser was subjected to the tax
3038 imposed by this chapter for the last taxable sale of said vehicle.

3039 <u>(3) When a motor vehicle in which special equipment has</u>
3040 <u>previously been installed exclusively for the use of a person with</u>

3041 physical disabilities is sold for use by a person with physical
3042 disabilities, the purchaser shall pay a use tax on the total purchase
3043 price of the vehicle, less the portion of such price attributable to such
3044 special equipment. Unless established otherwise, the portion of the
3045 purchase price attributable to the motor vehicle shall be deemed to be
3046 the value determined pursuant to subsection (b) of this section.

3047 (b) In order to determine the total purchase price of a motor vehicle
3048 for the purposes of this section, the commissioner shall, by regulation,
3049 adopt by reference a book of valuations, for various purposes, of motor
3050 vehicles published by a nationally recognized organization. The
3051 commissioner shall, by regulation, determine which of the various
3052 valuations of motor vehicles contained in any such book is appropriate
3053 for the purposes of this section and such value shall, regardless of the
3054 value placed on the motor vehicle at the time of the purchase by the
3055 parties to such transaction, be presumed to be the total purchase price
3056 of such motor vehicle for the purposes of this section unless the
3057 purchaser can prove to the satisfaction of the commissioner that such
3058 value is incorrect.

3059 Sec. 62. Subsection (e) of section 12-286 of the general statutes is
3060 repealed and the following is substituted in lieu thereof (*Effective July*
3061 *1, 2011*):

3062 (e) (1) Any person who knowingly sells, offers for sale or possesses
3063 with intent to sell any cigarettes, without a license as provided in this
3064 chapter, shall be fined not more than five hundred dollars or
3065 imprisoned for not more than three months, or both, for each offense.
3066 Each day of such unauthorized operation may be deemed a separate
3067 offense. The provisions of this subdivision shall not apply to any
3068 person whose dealer's license has expired, provided the period of
3069 operation without such license is not more than ninety days after the
3070 date of expiration.

3071 (2) Any person who knowingly sells at retail, offers for sale at retail
3072 or possesses with intent to sell at retail any taxed tobacco products, as

3073 defined in section 12-330a, without a dealer's license as provided in
3074 this chapter, shall be fined not more than five hundred dollars or
3075 imprisoned for not more than three months, or both, for each offense.
3076 Each day of such unauthorized operation may be deemed a separate
3077 offense. The provisions of this subdivision shall not apply to any
3078 person whose dealer's license has expired, provided the period of
3079 operation without such license is not more than ninety days from the
3080 date of expiration.

3081 (3) Any person whose dealer's license has expired and who
3082 knowingly sells at retail, offers for sale at retail or possesses with intent
3083 to sell at retail any cigarettes or taxed tobacco products, as defined in
3084 section 12-330a, where such person's period of operation without such
3085 license is not more than ninety days from the date of expiration of such
3086 license, shall have committed an infraction and shall be fined ninety
3087 dollars.

3088 Sec. 63. Subsection (a) of section 12-304 of the general statutes is
3089 repealed and the following is substituted in lieu thereof (*Effective July*
3090 *1, 2011*):

3091 (a) (1) No distributor shall sell, and no other person shall sell, offer
3092 for sale, display for sale or possess with intent to sell, any cigarettes
3093 **[**(1)**]** (A) which do not bear stamps evidencing the payment of the tax
3094 imposed by this chapter, or **[**(2)**]** (B) the stamping of which is
3095 prohibited by subsection (b) of section 12-302 or subsection (b) of
3096 section 12-303, provided a licensed dealer may keep on hand, at the
3097 location for which such dealer's license is issued, unstamped cigarettes,
3098 other than cigarettes, the stamping of which is prohibited by
3099 subsection (b) of section 12-303, for a period not exceeding twenty-four
3100 hours. Any unstamped cigarettes in the possession of a dealer shall be
3101 presumed to have been held by such dealer for more than twenty-four
3102 hours unless proof is shown to the contrary.

3103 (2) **[**Any**]** Except as provided in subdivision (3) of this subsection,
3104 any person who knowingly violates any provision of subdivision (1) of

3105 this subsection shall be fined not more than one thousand dollars or
3106 imprisoned not more than one year or both.

3107 (3) Any licensed dealer who knowingly violates any provision of
3108 subdivision (1) of this subsection shall have committed an infraction
3109 and shall be fined ninety dollars, provided (A) the quantity of
3110 unstamped cigarettes in the possession of such dealer does not exceed
3111 six hundred cigarettes, and (B) it is such dealer's first violation of the
3112 provisions of this subsection.

3113 Sec. 64. Section 12-487 of the general statutes is repealed and the
3114 following is substituted in lieu thereof (*Effective July 1, 2011*):

3115 (a) Each motor carrier operating or causing to be operated on any
3116 highway in this state any qualified motor vehicle, as defined in section
3117 12-478, solely and exclusively in intrastate commerce shall register
3118 each such vehicle with the Commissioner of Revenue Services, for a fee
3119 of ten dollars per vehicle, which registration shall be renewable
3120 annually. On the registration of any such vehicle, said commissioner
3121 shall provide identification markers for such vehicle to be affixed to
3122 the lower rear portion of the exterior side of the vehicle's doors. Such
3123 marker shall remain the property of the state and may be recalled for
3124 any violation of the provisions of this chapter or of the regulations
3125 promulgated hereunder.

3126 (b) (1) Each motor carrier operating or causing to be operated on
3127 any highway in this state any qualified motor vehicle, as defined in
3128 section 12-478, in interstate commerce shall, if such carrier's base
3129 jurisdiction is this state, for purposes of any agreement entered into by
3130 the commissioner under subsection (c) of section 12-486, register each
3131 such vehicle with the Commissioner of Revenue Services, for a fee of
3132 ten dollars per vehicle, which registration shall be renewable annually.
3133 On the registration of any such vehicle, the commissioner shall provide
3134 identification markers for such vehicle to be affixed as required by
3135 such agreement. Such marker shall remain the property of the state
3136 and may be recalled for any violation of the provisions of this chapter

3137 or of the regulations adopted thereunder.

3138 (2) Each motor carrier operating or causing to be operated on any
3139 highway in this state any qualified motor vehicle, as defined in section
3140 12-478, in interstate commerce shall, if such carrier's base jurisdiction is
3141 other than this state, for purposes of any agreement entered into by the
3142 commissioner under subsection (c) of section 12-486, affix, in the
3143 manner required by such agreement, identification markers to such
3144 vehicle.

3145 (c) No person shall operate or cause to be operated any such vehicle
3146 in this state unless such vehicle bears the identification markers
3147 required by this section, provided the commissioner by letter or
3148 telegram may authorize the operation, for a period not to exceed ten
3149 days as to any one motor carrier, of a vehicle or vehicles without such
3150 identification marker when the enforcement of this section would
3151 cause undue delay and hardship in the operation of such vehicle or
3152 vehicles and when the enforcement of this chapter will not be
3153 adversely affected. Any person operating or causing to be operated in
3154 this state any qualified motor vehicle, as defined in section 12-478, to
3155 which the identification markers required by this section or any
3156 regulations adopted in accordance with the provisions of chapter 54
3157 are not properly affixed shall have committed an infraction, the fine for
3158 which shall be ninety dollars. Any **[**provision of the general statutes to
3159 the contrary notwithstanding, any**]** person who is alleged to have
3160 committed such an infraction shall follow the procedures set forth in
3161 section 51-164n <u>or section 51-164o, as applicable</u>.

3162 <u>(d) (1) For purposes of this subsection, "dyed diesel fuel" means</u>
3163 <u>diesel fuel that has been dyed in compliance with, or in intended</u>
3164 <u>compliance with, regulations adopted under Section 4082 of the</u>
3165 <u>Internal Revenue Code of 1986, or any subsequent corresponding</u>
3166 <u>internal revenue code of the United States, as amended from time to</u>
3167 <u>time; "highway" has the same meaning as provided in section 14-1; and</u>
3168 <u>"motor vehicle" has the same meaning as provided in section 14-1, but</u>

3169 does not include any passenger motor vehicle, as defined in section 14-
3170 1, or any passenger and commercial motor vehicle, as defined in
3171 section 14-1.

3172 (2) Any person operating or causing to be operated on any highway
3173 any motor vehicle that contains dyed diesel fuel in the fuel supply tank
3174 of the propulsion engine of such vehicle, unless permitted to do so
3175 under a federal law or regulation relating to the use of dyed diesel fuel
3176 on the public highways, shall be fined not more than one thousand
3177 dollars.

3178 (3) Any person who, upon request by an authorized official of the
3179 Department of Revenue Services or another state agency, refuses to
3180 allow an inspection of the fuel supply tank of the propulsion engine of
3181 a motor vehicle shall be fined not more than one thousand dollars.

3182 (4) Any person who is alleged to have violated a provision of this
3183 subsection shall follow the procedures set forth in section 51-164n or
3184 section 51-164o, as applicable.

3185 Sec. 65. Section 12-687 of the general statutes is repealed and the
3186 following is substituted in lieu thereof (*Effective from passage and*
3187 *applicable to tax periods commencing on or after January 1, 2012*):

3188 **[**(a) Any electronic funds transfer shall be initiated in a timely
3189 fashion in order to ensure that the bank account designated by the
3190 department is credited by electronic funds transfer for the amount of
3191 the tax payment required to be made by such method on or before the
3192 due date thereof, or, in the case of the payment over by an employer of
3193 income tax deducted and withheld from employee wages, the next
3194 succeeding day that is not a Saturday, Sunday or legal holiday, as
3195 defined in section 12-39a.**]**

3196 **[**(b) (1)**]** (a) Where a tax payment is required to be made by
3197 electronic funds transfer, any payment made by other than electronic
3198 funds transfer shall be treated as a tax payment not made in a timely

3199 manner, and [any payment made by electronic funds transfer, where
3200 the bank account designated by the department is not credited for the
3201 amount of the tax payment on or before the due date thereof, or in the
3202 case of the payment over by an employer of income tax deducted and
3203 withheld from employee wages, the next succeeding day that is not a
3204 Saturday, Sunday or legal holiday, as defined in section 12-39a, shall
3205 be treated as a tax payment not made in a timely manner. Any tax
3206 payment treated under this subsection as a tax payment not made in a
3207 timely manner] shall be subject to penalty and interest in accordance
3208 with the applicable provisions of the general statutes, except that (1)
3209 for the first imposition of a penalty under this section relating to a tax
3210 period beginning on or after January 1, 2012, the penalty shall be equal
3211 to ten per cent of the tax payment required to be made by electronic
3212 funds transfer or two thousand five hundred dollars, whichever is less;
3213 (2) for the second imposition of a penalty under this section relating to
3214 a tax period beginning on or after January 1, 2012, the penalty shall be
3215 equal to ten per cent of the tax payment required to be made by
3216 electronic funds transfer or ten thousand dollars, whichever is less; and
3217 (3) for the third or any subsequent imposition of a penalty under this
3218 section relating to a tax period beginning on or after January 1, 2012,
3219 the penalty shall be equal to ten per cent of the tax payment required
3220 to be made by electronic funds transfer.

3221 [(2)] (b) Where any tax payment is required to be made by electronic
3222 funds transfer, such payment shall be treated as a tax payment not
3223 made in a timely manner if the electronic funds transfer for the amount
3224 of the tax payment is not initiated on or before the due date thereof.
3225 Any tax payment treated under this subsection as a tax payment not
3226 made in a timely manner [because it is made by other than electronic
3227 funds transfer, there shall be imposed a penalty equal to ten per cent of
3228 the tax payment required to be made by electronic funds transfer.
3229 Where any tax payment made by electronic funds transfer is treated
3230 under this subsection as a tax payment not made in a timely manner
3231 because the bank account designated by the department is not credited
3232 by electronic funds transfer for the amount of the tax payment on or

3233 before the due date thereof, there shall be imposed a penalty**]** shall be
3234 subject to interest in accordance with the applicable provisions of the
3235 general statutes, and a penalty that shall be equal to two per cent of the
3236 tax payment required to be made by electronic funds transfer, if such
3237 failure to pay by electronic funds transfer is for not more than five
3238 days, five per cent of the tax payment required to be made by
3239 electronic funds transfer, if such failure to pay by electronic funds
3240 transfer is for more than five days but not more than fifteen days, and
3241 ten per cent of the tax payment required to be made by electronic
3242 funds transfer, if such failure to pay by electronic funds transfer is for
3243 more than fifteen days.

3244 Sec. 66. Subdivision (7) of section 12-430 of the general statutes is
3245 repealed and the following is substituted in lieu thereof (*Effective*
3246 *October 1, 2011*):

3247 **[**(7) (A) As used in this section, (i) "nonresident contractor" means a
3248 contractor who does not maintain a regular place of business in this
3249 state; (ii) "regular place of business" means any bona fide office,
3250 factory, warehouse or other space in this state at which a
3251 contractor is doing business in its own name in a regular and
3252 systematic manner, and which place is continuously maintained,
3253 occupied, and used by the contractor in carrying on its business
3254 through its employees regularly in attendance to carry on the
3255 contractor's business in the contractor's own name, except that
3256 "regular place of business" does not include a place of business for a
3257 statutory agent for service of process, or a temporary office or
3258 location used by the contractor only for the duration of the contract,
3259 whether or not at the site of construction, or an office maintained,
3260 occupied and used by a person affiliated with the contractor; (iii)
3261 "contract price" means the total contract price, including deposits,
3262 amounts held as retainage, costs for any change orders, or charges for
3263 add-ons; and (iv) "person doing business with a nonresident
3264 contractor" does not include an owner or tenant of real property used
3265 exclusively for residential purposes and consisting of three or fewer

3266 dwelling units, in one of which the owner or tenant resides, provided
3267 each nonresident contractor doing business with such owner or
3268 tenant shall be required to comply with the bond requirements under
3269 subparagraph (F) of this subdivision.

3270 (B) Any person doing business with a nonresident contractor and
3271 making payments of the contract price to such nonresident contractor
3272 shall deduct and withhold from such payments an amount of five per
3273 cent of such payments, unless such nonresident contractor has
3274 furnished a certificate of compliance as described in subparagraph (E)
3275 of this subdivision. The amounts so required to be deducted and
3276 withheld shall be paid over to the commissioner by the last day of the
3277 month following the calendar quarter following the calendar quarter in
3278 which the first payment to the nonresident contractor is made, and
3279 every calendar quarter thereafter. Each such payment to the
3280 commissioner shall be accompanied by a form prescribed by the
3281 commissioner. The amount required to be deducted and withheld
3282 from the nonresident contractor, when so deducted and withheld, shall
3283 be held to be a special fund in trust for the state. No nonresident
3284 contractor shall have any right of action against a person deducting
3285 and withholding under this subdivision with respect to any moneys
3286 deducted and withheld and paid over to the commissioner in
3287 compliance with or intended compliance with this subdivision.

3288 (C) A nonresident contractor shall request, in writing, that the
3289 Commissioner of Revenue Services audit the records of such
3290 contractor for a project for which amounts were deducted and
3291 withheld from such contractor under subparagraph (B) of this
3292 subdivision. If such request is not made within three years after the
3293 date the final payment of such amounts was made to the
3294 commissioner, such contractor waives the right to request such audit
3295 and claim a refund of such amounts. The commissioner shall, after
3296 receipt of such request, conduct an audit and issue to the nonresident
3297 contractor a certificate of no tax due or a certificate of tax due from
3298 the nonresident contractor. Not later than ninety days after the

3299 issuance of a certificate of no tax due, the commissioner shall
3300 return to the nonresident contractor the amounts deducted and
3301 withheld from such contractor and paid over to the commissioner.
3302 Upon issuance of a certificate of taxes due, the commissioner may
3303 return to the nonresident contractor the amount by which the
3304 amounts deducted and withheld and paid over to the
3305 commissioner under subparagraph (B) of this subdivision exceed
3306 the amount of taxes set forth in the certificate, together with the
3307 interest and penalties then assessed.

3308 (D) When a person doing business with the nonresident contractor
3309 pays over to the Commissioner of Revenue Services amounts deducted
3310 and withheld pursuant to subparagraph (B) of this subdivision, such
3311 person shall not be liable for any claim of the nonresident contractor
3312 for such amounts or for any claim of the commissioner for any taxes
3313 of the nonresident contractor arising from the activities of the
3314 nonresident contractor on the project for which the amounts were
3315 paid over. Such payment shall not relieve the person doing business
3316 with the nonresident contractor of such person's liability for use
3317 taxes due on purchases of services from such nonresident contractor.

3318 (E) When a nonresident contractor enters into a contract with the
3319 state, said contractor shall provide the Labor Department with
3320 evidence demonstrating compliance with the provisions of chapters
3321 567 and 568, the prevailing wage requirements of chapter 557 and any
3322 other provisions of the general statutes related to conditions of
3323 employment.

3324 (F) Not later than one hundred twenty days after the
3325 commencement of the contract**,** or thirty days after the completion of
3326 the contract, whichever is earlier, a nonresident contractor may (i)
3327 furnish a guarantee bond in a sum equivalent to five per cent of the
3328 contract price, or (ii) deposit with the commissioner a cash bond in a
3329 sum equal to five per cent of the contract price, in lieu of the
3330 requirements contained in subparagraph (B) of this subdivision. The

3331 commissioner may accept such bond on such terms and conditions as
3332 the commissioner may require, and upon acceptance of such bond,
3333 shall issue a certificate of compliance to the contractor. The provisions
3334 of subparagraph (C) of this subdivision shall apply to such bond, upon
3335 completion of the contract, in the same manner as such provisions
3336 apply to amounts paid over under subparagraph (B) of this
3337 subdivision.

3338 (G) Upon the furnishing of a certificate of compliance by the
3339 nonresident contractor to the person doing business with a
3340 nonresident contractor, such person shall not be liable for any claim of
3341 the commissioner for any taxes of the nonresident contractor arising
3342 from the activities of such contractor on the project for which the bond
3343 was provided. Such certificate of compliance shall not relieve the
3344 person doing business with the nonresident contractor of such person's
3345 liability for use taxes due on purchases of services from such
3346 nonresident contractor.

3347 (H) If any person doing business with a nonresident contractor fails
3348 to deduct and withhold and pay over to the commissioner amounts
3349 under subparagraph (B) of this subdivision, or fails to obtain a
3350 certificate of compliance from the nonresident contractor pursuant to
3351 subparagraph (G) of this subdivision, such person shall be personally
3352 liable for payment of any taxes of the nonresident contractor arising
3353 from the activities of such contractor on the project for which such
3354 amounts or certificate were required.**]**

3355 <u>(7) (A) As used in this subdivision:</u>

3356 <u>(i) "Nonresident contractor" means a contractor or subcontractor</u>
3357 <u>who does not maintain a regular place of business in this state;</u>

3358 <u>(ii) "Resident contractor" means a contractor or subcontractor who</u>
3359 <u>maintains a regular place of business in this state;</u>

3360 <u>(iii) "Verified contractor" means a nonresident contractor or</u>

3361 subcontractor who (I) is registered for all applicable taxes with the
3362 department, (II) has filed all required tax returns with the department,
3363 (III) has no outstanding tax liabilities to the department, and (IV) is
3364 treated as a verified contractor by the commissioner pursuant to
3365 subparagraph (H) of this subdivision and whose status as such is
3366 verified by the commissioner pursuant to subparagraph (I) of this
3367 subdivision;

3368 (iv) "Unverified contractor" means a nonresident contractor or
3369 subcontractor who is not a verified contractor;

3370 (v) "Subcontractor" means a person who is engaged in contracting
3371 real property work and who contracts with a prime or general
3372 contractor to perform all or any part of the contract of the prime or
3373 general contractor, or who contracts with a subcontractor who has
3374 contracted to perform any part of the contract entered into by the
3375 prime or general contractor;

3376 (vi) "Prime or general contractor" includes (I) any person who
3377 contracts with the owner, lessee or other person having authority to
3378 enter into a contract involving the premises or property that is the
3379 subject matter of the contract, to perform services or furnish materials,
3380 or both, for the construction, alteration or improvement of any real
3381 property or project, or (II) any person who owns or leases real estate
3382 for the purpose of developing the real estate other than for his or her
3383 own occupancy, and who, in the development of the real estate,
3384 contracts, alters or makes improvements on it;

3385 (vii) "Regular place of business" means any bona fide office, factory,
3386 warehouse or other space in this state at which a contractor is doing
3387 business in its own name in a regular and systematic manner, and
3388 which place is continuously maintained, occupied and used by the
3389 contractor in carrying on its business through its employees regularly
3390 in attendance to carry on the contractor's business in the contractor's
3391 own name, except that "regular place of business" does not include a
3392 place of business for a statutory agent for service of process, or a

3393 temporary office or location used by the contractor only for the
3394 duration of the contract, whether or not at the site of construction, or
3395 an office maintained, occupied and used by a person affiliated with the
3396 contractor;

3397 (viii) "Contract price" means the total contract price, including
3398 deposits, amounts held as retainage, costs for any change orders or
3399 charges for add-ons;

3400 (ix) "Person doing business with an unverified contractor" does not
3401 include an owner or tenant of real property used exclusively for
3402 residential purposes and consisting of three or fewer dwelling units, in
3403 one of which the owner or tenant resides;

3404 (x) "Commissioner" means the Commissioner of Revenue Services;

3405 (xi) "Department" means the Department of Revenue Services; and

3406 (xii) "Certificate of compliance" means a certificate issued to an
3407 unverified subcontractor by the commissioner, exonerating such
3408 subcontractor from sales or use taxes owed by such subcontractor
3409 under this chapter and any income tax withholding owed by such
3410 subcontractor pursuant to chapter 229, but only to the extent that such
3411 taxes arise from the activities of such subcontractor on the project for
3412 which such certificate was required.

3413 (B) Any person doing business with a prime or general contractor
3414 who is an unverified contractor shall obtain proof that such contractor
3415 has posted with the commissioner a good and valid bond with a surety
3416 company authorized to do business in this state in an amount equal to
3417 five per cent of the contract price, to secure the payment of any sums
3418 due under this chapter either from such contractor or from any
3419 subcontractor who enters into a contract with such contractor or any
3420 subcontractor thereto to perform any part of the contract entered into
3421 by such contractor or subcontractor thereto.

3422 (C) (i) Every prime or general contractor who is an unverified

3423 contractor shall post with the commissioner a good and valid bond
3424 with a surety company authorized to do business in this state in an
3425 amount equal to five per cent of the contract price, to secure the
3426 payment of any sums due under this chapter either from such
3427 contractor or from any subcontractor who enters into a contract with
3428 such contractor to perform any part of the contract entered into by
3429 such contractor. The commissioner shall release such contractor from
3430 its obligations under such bond if it has been established, to the
3431 commissioner's satisfaction, that such contractor has met the
3432 requirements of either clause (ii) or (iii) of this subparagraph.

3433 (ii) If a prime or general contractor who is an unverified contractor
3434 establishes, to the satisfaction of the commissioner by submitting such
3435 documentation, including any forms prescribed by the commissioner,
3436 as the commissioner deems necessary, that such contractor has paid all
3437 of the taxes that it owes in connection with the contract and that its
3438 subcontractors who are unverified contractors have paid all of the
3439 taxes that they owe in connection with the contract, the commissioner
3440 shall release such contractor from its obligations under the bond.

3441 (iii) (I) If a prime or general contractor who is an unverified
3442 contractor establishes, to the satisfaction of the commissioner by
3443 submitting such documentation, including any forms prescribed by the
3444 commissioner, as the commissioner deems necessary, that such
3445 contractor has paid all of the taxes that it owes in connection with the
3446 contract, has held back an amount equal to five per cent of the
3447 payments being made by such contractor in connection with the
3448 contract to its subcontractors who are unverified contractors, and has
3449 complied with the provisions of either subclause (V) or (VI) of this
3450 clause, as the case may be, the commissioner shall release such
3451 contractor from its obligations under the bond.

3452 (II) Every prime or general contractor who is an unverified
3453 contractor and doing business with a subcontractor who is an
3454 unverified contractor shall hold back an amount equal to five per cent

3455 of such payments otherwise required to be made to such subcontractor
3456 until such subcontractor furnishes such contractor with a certificate of
3457 compliance, as described in this clause, authorizing the full or partial
3458 release of the amount held back from such payments to such
3459 subcontractor. Such contractor shall provide written notice of the
3460 requirement to hold back to each subcontractor who is an unverified
3461 contractor not later than the time of commencement of work under the
3462 contract by such subcontractor.

3463 (III) The amount required to be held back from a subcontractor who
3464 is an unverified contractor, when so held back, shall be held to be a
3465 special fund in trust for the state. No such subcontractor shall have any
3466 right of action against a prime or general contractor holding back
3467 under this clause with respect to any amount held back in compliance
3468 with or intended compliance with this clause.

3469 (IV) Any subcontractor who is an unverified contractor shall, upon
3470 the completion of its work under the contract, request the
3471 commissioner, in writing, for the issuance of a certificate of compliance
3472 to such subcontractor. Such subcontractor shall submit, with such
3473 request, such documentation, including any forms prescribed by the
3474 commissioner, as the commissioner deems necessary. The
3475 commissioner shall, after receipt of such request and such required
3476 documentation, review the documentation in the context of generally
3477 accepted construction industry cost guidelines for the scope and type
3478 of construction project. Not later than one hundred twenty days after
3479 the receipt by the commissioner of the required documentation, the
3480 commissioner shall either issue a certificate of compliance authorizing
3481 the full or partial release of an amount held back from payments being
3482 made to such subcontractor, or shall be deemed to have issued such
3483 certificate.

3484 (V) If the commissioner issues a certificate of compliance
3485 authorizing a full release of the amount held back from a subcontractor
3486 who is an unverified contractor, the prime or general contractor

3487 holding back such amount shall pay over such amount to such
3488 subcontractor. Such contractor shall not be liable for any claim of the
3489 commissioner for any taxes of such subcontractor arising from the
3490 activities of such subcontractor on the project.

3491 (VI) If the commissioner issues a certificate of compliance
3492 authorizing a partial release of the amount held back from a
3493 subcontractor who is an unverified contractor, the prime or general
3494 contractor holding back such amount shall pay over the released
3495 amount to such subcontractor and shall pay over the unreleased
3496 amount to the commissioner. When such contractor pays over to the
3497 commissioner an amount held back in accordance with this subclause,
3498 such contractor shall not be liable for any claim of such subcontractor
3499 for such amount or for any claim of the commissioner for any taxes of
3500 such subcontractor arising from the activities of such subcontractor on
3501 the project for which the amount was paid over. If the amount that
3502 such contractor is required to pay over to the commissioner is not paid
3503 over on or before the thirtieth day after the date of mailing of such
3504 certificate of compliance, such contractor shall be liable for a penalty
3505 equal to ten per cent of such amount. The amount that such contractor
3506 is required to pay over to the commissioner, and the penalty thereon,
3507 may be collected under the provisions of section 12-35.

3508 (VII) The commissioner shall treat the issuance to a subcontractor
3509 who is an unverified contractor of a certificate of compliance
3510 authorizing a partial release of an amount held back in the same
3511 manner as the issuance to such subcontractor of a notice of assessment
3512 under section 12-415.

3513 (VIII) The issuance to a subcontractor who is an unverified
3514 contractor of a certificate of compliance shall not preclude the
3515 commissioner, in the exercise of the commissioner's authority under
3516 this chapter, from examining the tax returns and books and records of
3517 such subcontractor and, if appropriate and other than in connection
3518 with the project for which the certificate of compliance was issued,

3519 from making an assessment against such subcontractor.

3520 (D) (i) Every prime or general contractor who is either a resident
3521 contractor or a verified contractor and doing business with a
3522 subcontractor who is an unverified contractor shall hold back an
3523 amount equal to five per cent of such payments otherwise required to
3524 be made to such subcontractor until such subcontractor furnishes such
3525 contractor with a certificate of compliance, as described in this
3526 subparagraph, authorizing the full or partial release of the amount
3527 held back from such payments to such subcontractor. Such contractor
3528 shall provide written notice of the requirement to hold back to each
3529 subcontractor who is an unverified contractor not later than the time of
3530 commencement of work under the contract by such subcontractor.

3531 (ii) The amount required to be held back from a subcontractor who
3532 is an unverified contractor, when so held back, shall be held to be a
3533 special fund in trust for the state. No such subcontractor shall have any
3534 right of action against a prime or general contractor holding back
3535 under this subparagraph with respect to any amount held back in
3536 compliance with or intended compliance with this subparagraph.

3537 (iii) A subcontractor who is an unverified contractor shall, upon the
3538 completion of its work under the contract, request the commissioner,
3539 in writing, for the issuance of a certificate of compliance to such
3540 subcontractor. Such subcontractor shall submit, with such request,
3541 such documentation, including any forms prescribed by the
3542 commissioner, as the commissioner deems necessary. The
3543 commissioner shall, after receipt of such request and such required
3544 documentation, review the documentation in the context of generally
3545 accepted construction industry cost guidelines for the scope and type
3546 of construction project. Not later than one hundred twenty days after
3547 the receipt by the commissioner of the required documentation, the
3548 commissioner shall either issue a certificate of compliance authorizing
3549 the full or partial release of an amount held back from payments being
3550 made to such subcontractor or shall be deemed to have issued such

3551 certificate.

3552 (iv) If the commissioner issues a certificate of compliance
3553 authorizing a full release of the amount held back from a subcontractor
3554 who is an unverified contractor, the prime or general contractor
3555 holding back such amount shall pay over such amount to such
3556 subcontractor. Such contractor shall not be liable for any claim of the
3557 commissioner for any taxes of such subcontractor arising from the
3558 activities of such subcontractor on the project.

3559 (v) If the commissioner issues a certificate of compliance authorizing
3560 a partial release of the amount held back from a subcontractor who is
3561 an unverified contractor, the prime or general contractor holding back
3562 such amount shall pay over the released amount to such subcontractor
3563 and shall pay over the unreleased amount to the commissioner. When
3564 such contractor pays over to the commissioner an amount held back in
3565 accordance with this clause, such contractor shall not be liable for any
3566 claim of such subcontractor for such amount or for any claim of the
3567 commissioner for any taxes of such subcontractor arising from the
3568 activities of such subcontractor on the project for which the amount
3569 was paid over. If the amount that such contractor is required to pay
3570 over to the commissioner is not paid over on or before the thirtieth day
3571 after the date of mailing of such certificate of compliance, such
3572 contractor shall be liable for a penalty equal to ten per cent of such
3573 amount. The amount that such contractor is required to pay over to the
3574 commissioner, and the penalty thereon, may be collected under the
3575 provisions of section 12-35.

3576 (vi) The commissioner shall treat the issuance to a subcontractor
3577 who is an unverified contractor of a certificate of compliance
3578 authorizing a partial release of an amount held back in the same
3579 manner as the issuance to such subcontractor of a notice of assessment
3580 under section 12-415.

3581 (vii) The issuance to a subcontractor who is an unverified contractor
3582 of a certificate of compliance shall not preclude the commissioner, in

3583 the exercise of the commissioner's authority under this chapter, from
3584 examining the tax returns and books and records of such subcontractor
3585 and, if appropriate and other than in connection with the project for
3586 which the certificate of compliance was issued, from making an
3587 assessment against such subcontractor.

3588 (E) When a nonresident contractor enters into a contract with the
3589 state, such contractor shall provide the Labor Department with
3590 evidence demonstrating compliance with the provisions of chapters
3591 567 and 568, the prevailing wage requirements of chapter 557 and any
3592 other provisions of the general statutes related to conditions of
3593 employment.

3594 (F) (i) If any person doing business with an unverified prime or
3595 general contractor fails to comply with the provisions of this
3596 subdivision, such person shall, except as otherwise provided by clause
3597 (ii) of this subparagraph, be personally liable for payment of any taxes
3598 of the unverified contractor arising from the activities of such
3599 contractor on the project. For purposes of this clause, "taxes of the
3600 unverified contractor" means any sales or use taxes owed by the
3601 unverified contractor under this chapter and any income tax
3602 withholding owed by the unverified contractor pursuant to chapter
3603 229.

3604 (ii) Except as otherwise provided in clause (iii) of this subparagraph,
3605 the personal liability of any person doing business with an unverified
3606 prime or general contractor for payment of any taxes of such
3607 unverified contractor arising from the activities of such contractor on
3608 the project shall not exceed an amount equal to five per cent of the
3609 contract price required to be paid to such unverified contractor.

3610 (iii) Notwithstanding the provisions of clause (ii) of this
3611 subparagraph, any person doing business with an unverified prime or
3612 general contractor shall, in addition to such person's personal liability
3613 under clause (ii) of this subparagraph, remain liable for use taxes due
3614 on purchases of services from such unverified contractor in connection

3615 with the project.

3616 (G) The provisions of this subdivision shall not apply to any
3617 contract in which the contract price for the entire project is less than
3618 two hundred fifty thousand dollars.

3619 (H) (i) The commissioner shall treat as a verified contractor or
3620 subcontractor every nonresident contractor or subcontractor who (I)
3621 has been registered for all applicable taxes with the department for at
3622 least three years preceding the contract; and (II) has filed all required
3623 tax returns with the department and has no outstanding tax liabilities
3624 to the department.

3625 (ii) The commissioner shall treat as a verified contractor or
3626 subcontractor every nonresident contractor or subcontractor not
3627 otherwise eligible to be treated as a verified contractor or
3628 subcontractor pursuant to clause (i) of this subparagraph who (I) is
3629 registered for all applicable taxes with the department; (II) has filed all
3630 required tax returns with the department and has no outstanding tax
3631 liabilities to the department; and (III) posts with the commissioner a
3632 good and valid bond with a surety company authorized to do business
3633 in this state in an amount determined by the commissioner, as
3634 provided in subdivision (1) of this section.

3635 (I) Notwithstanding the provisions of section 12-15, the
3636 commissioner shall, upon request, verify whether or not a nonresident
3637 contractor or subcontractor is a verified contractor.

3638 (J) Notwithstanding the provisions of section 12-15, the
3639 commissioner shall, upon request, disclose to a person doing business
3640 with a subcontractor who is an unverified contractor and otherwise
3641 required by this subdivision to hold back an amount from payments
3642 being made to such subcontractor, whether a certificate of compliance
3643 has been requested by, or issued to, such subcontractor by the
3644 commissioner, and the commissioner may disclose a copy of such
3645 certificate to such person doing business with such subcontractor.

3646 (K) Notwithstanding the provisions of section 12-15, the
3647 commissioner shall, upon request, disclose to a person doing business
3648 with a prime or general contractor who is an unverified contractor
3649 whether a good and valid bond with a surety company authorized to
3650 do business in this state has been posted with the commissioner by
3651 such prime or general contractor.

3652 (L) Notwithstanding the provisions of section 12-15, the
3653 commissioner shall, upon request, verify whether or not any contractor
3654 or subcontractor is a resident contractor.

3655 Sec. 67. (*Effective July 1, 2011*) The following sums are appropriated
3656 from the GENERAL FUND for the annual periods indicated for the
3657 purposes described.

T339		2011-2012	2012-2013
T340	LEGISLATIVE		
T341			
T342	LEGISLATIVE MANAGEMENT		
T343	Personal Services	$46,767,963	$48,753,708
T344	Other Expenses	14,867,587	17,611,168
T345	Equipment	208,000	316,000
T346	Flag Restoration	75,000	75,000
T347	Minor Capital Improvements	200,000	265,000
T348	Interim Salary/Caucus Offices	585,000	464,100
T349	Redistricting	1,325,000	0
T350	Connecticut Academy of Science and Engineering	100,000	100,000
T351	Old State House	597,985	616,523
T352	Interstate Conference Fund	365,946	380,584
T353	New England Board of Higher Education	188,344	194,183
T354	AGENCY TOTAL	65,280,825	68,776,266
T355			
T356	AUDITORS OF PUBLIC ACCOUNTS		
T357	Personal Services	11,852,086	11,742,921
T358	Other Expenses	894,009	856,702
T359	Equipment	10,000	10,000
T360	AGENCY TOTAL	12,756,095	12,609,623
T361			

T362	COMMISSION ON AGING		
T363	Personal Services	259,376	271,048
T364	Other Expenses	7,864	8,021
T365	Equipment	1,500	1,500
T366	AGENCY TOTAL	268,740	280,569
T367			
T368	PERMANENT COMMISSION ON THE STATUS OF WOMEN		
T369	Personal Services	461,072	481,820
T370	Other Expenses	64,203	67,092
T371	Equipment	1,500	1,500
T372	AGENCY TOTAL	526,775	550,412
T373			
T374	COMMISSION ON CHILDREN		
T375	Personal Services	517,714	541,011
T376	Other Expenses	35,000	35,700
T377	AGENCY TOTAL	552,714	576,711
T378			
T379	LATINO AND PUERTO RICAN AFFAIRS COMMISSION		
T380	Personal Services	293,433	306,637
T381	Other Expenses	38,994	40,748
T382	AGENCY TOTAL	332,427	347,385
T383			
T384	AFRICAN-AMERICAN AFFAIRS COMMISSION		
T385	Personal Services	193,095	201,784
T386	Other Expenses	27,456	28,005
T387	AGENCY TOTAL	220,551	229,789
T388			
T389	ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION		
T390	Personal Services	151,672	158,491
T391	Other Expenses	5,000	5,000
T392	Equipment	1,500	1,500
T393	AGENCY TOTAL	158,172	164,991
T394			
T395	GENERAL GOVERNMENT		
T396			
T397	GOVERNOR'S OFFICE		

T398	Personal Services	2,365,992	2,284,648
T399	Other Expenses	236,995	236,995
T400	Equipment	1	1
T401	New England Governors' Conference	106,734	113,138
T402	National Governors' Association	127,094	134,720
T403	AGENCY TOTAL	2,836,816	2,769,502
T404			
T405	SECRETARY OF THE STATE		
T406	Personal Services	1,410,000	1,350,000
T407	Other Expenses	1,030,923	1,030,923
T408	Equipment	1	1
T409	Commercial Recording Division	6,313,689	6,299,728
T410	Board of Accountancy	350,000	350,000
T411	AGENCY TOTAL	9,104,613	9,030,652
T412			
T413	LIEUTENANT GOVERNOR'S OFFICE		
T414	Personal Services	859,454	840,350
T415	Other Expenses	69,201	69,201
T416	Equipment	1	1
T417	AGENCY TOTAL	928,656	909,552
T418			
T419	OFFICE OF GOVERNMENTAL ACCOUNTABILITY		
T420	Personal Services	842,844	838,060
T421	Other Expenses	510,902	462,378
T422	Equipment	6,866	24,905
T423	Information Technology Initiatives	35,000	35,000
T424	Citizens' Election Fund Admin	1,802,898	1,667,549
T425	Child Fatality Review Panel	98,335	95,010
T426	Elections Enforcement Commission	1,369,103	1,384,317
T427	Office of State Ethics	1,401,305	1,355,145
T428	Freedom of Information Commission	1,792,690	1,757,403
T429	Contracting Standards Board	175,000	175,000
T430	Judicial Review Council	156,196	155,682
T431	Judicial Selection Commission	93,314	90,620
T432	Office of the Child Advocate	594,027	578,480
T433	Office of the Victim Advocate	336,593	327,606
T434	Board of Firearms Permit Examiners	83,779	81,086
T435	AGENCY TOTAL	9,298,852	9,028,241
T436			

T437	STATE TREASURER		
T438	Personal Services	3,856,675	3,684,877
T439	Other Expenses	273,656	273,656
T440	Equipment	1	1
T441	AGENCY TOTAL	4,130,332	3,958,534
T442			
T443	STATE COMPTROLLER		
T444	Personal Services	24,394,124	23,417,739
T445	Other Expenses	4,082,632	4,020,735
T446	Equipment	1	1
T447	Governmental Accounting Standards Board	19,570	19,570
T448	AGENCY TOTAL	28,496,327	27,458,045
T449			
T450	DEPARTMENT OF REVENUE SERVICES		
T451	Personal Services	64,422,569	62,059,477
T452	Other Expenses	9,270,033	8,516,033
T453	Equipment	1	1
T454	Collection and Litigation Contingency Fund	104,479	104,479
T455	AGENCY TOTAL	73,797,082	70,679,990
T456			
T457	OFFICE OF POLICY AND MANAGEMENT		
T458	Personal Services	13,499,420	12,853,684
T459	Other Expenses	2,589,252	2,589,252
T460	Equipment	1	1
T461	Automated Budget System and Data Base Link	55,075	55,075
T462	Cash Management Improvement Act	95	95
T463	Justice Assistance Grants	1,133,469	1,131,353
T464	Connecticut Impaired Driving Records Information System	902,857	925,428
T465	Revenue Maximization	250,000	0
T466	Tax Relief for Elderly Renters	26,160,000	29,168,400
T467	Regional Planning Agencies	500,000	500,000
T468	Reimbursement to Towns for Loss of Taxes on State Property	73,519,215	73,519,215
T469	Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	115,431,737	115,431,737
T470	Reimbursement Property Tax - Disability Exemption	400,000	400,000
T471	Distressed Municipalities	5,800,000	5,800,000

T472	Property Tax Relief Elderly Circuit Breaker	20,505,900	20,505,900
T473	Property Tax Relief Elderly Freeze Program	390,000	390,000
T474	Property Tax Relief for Veterans	2,970,098	2,970,098
T475	Capital City Economic Development	6,300,000	6,300,000
T476	AGENCY TOTAL	270,407,119	272,540,238
T477			
T478	DEPARTMENT OF VETERANS' AFFAIRS		
T479	Personal Services	25,109,887	24,410,802
T480	Other Expenses	6,152,405	6,067,405
T481	Equipment	1	1
T482	Support Services for Veterans	190,000	190,000
T483	Burial Expenses	7,200	7,200
T484	Headstones	350,000	350,000
T485	AGENCY TOTAL	31,809,493	31,025,408
T486			
T487	DEPARTMENT OF ADMINISTRATIVE SERVICES		
T488	Personal Services	43,295,101	41,807,080
T489	Other Expenses	34,876,197	34,871,197
T490	Equipment	1	1
T491	Tuition Reimbursement - Training and Travel	382,000	0
T492	Labor - Management Fund	75,000	0
T493	Management Services	5,062,697	5,030,792
T494	Loss Control Risk Management	143,051	143,050
T495	Employees' Review Board	25,135	25,135
T496	Surety Bonds for State Officials and Employees	12,000	82,000
T497	Quality of Work-Life	350,000	0
T498	Refunds of Collections	28,500	28,500
T499	Rents and Moving	12,367,289	12,724,000
T500	Capitol Day Care Center	127,250	127,250
T501	W. C. Administrator	5,250,000	5,250,000
T502	Hospital Billing System	114,950	114,951
T503	Connecticut Education Network	3,291,493	3,291,493
T504	Claims Commissioner Operations	281,424	273,651
T505	State Insurance and Risk Mgmt Operations	13,000,000	13,000,000
T506	IT Services	13,558,587	13,416,019
T507	AGENCY TOTAL	132,240,675	130,185,119
T508			

T509	DEPARTMENT OF CONSTRUCTION SERVICES		
T510	Personal Services	7,073,978	6,842,802
T511	Other Expenses	2,655,818	2,647,132
T512	AGENCY TOTAL	9,729,796	9,489,934
T513			
T514	ATTORNEY GENERAL		
T515	Personal Services	29,740,544	28,623,386
T516	Other Expenses	1,017,272	1,015,272
T517	Equipment	1	1
T518	AGENCY TOTAL	30,757,817	29,638,659
T519			
T520	DIVISION OF CRIMINAL JUSTICE		
T521	Personal Services	48,741,668	47,245,107
T522	Other Expenses	2,100,000	2,100,000
T523	Equipment	1	1
T524	Witness Protection	220,000	220,000
T525	Training and Education	70,000	70,000
T526	Expert Witnesses	380,000	380,000
T527	Medicaid Fraud Control	887,159	841,457
T528	Criminal Justice Commission	400	415
T529	AGENCY TOTAL	52,399,228	50,856,980
T530			
T531	REGULATION AND PROTECTION		
T532			
T533	DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION		
T534	Personal Services	130,871,752	126,034,999
T535	Other Expenses	29,062,969	28,856,075
T536	Equipment	4	4
T537	Stress Reduction	23,354	23,354
T538	Fleet Purchase	7,035,596	7,035,596
T539	Workers' Compensation Claims	4,336,550	4,238,787
T540	COLLECT	48,925	48,925
T541	Fire Training School - Willimantic	161,798	161,798
T542	Maintenance of County Base Fire Radio	25,176	25,176
T543	Payments to Volunteer Fire Companies	0	0
T544	Firefighter Training I	0	0
T545	Maint of State-Wide Fire Radio Network	16,756	16,756
T546	Police Association of Connecticut	190,000	190,000

T547	Connecticut State Firefighter's Assoc	194,711	194,711
T548	Fire Training School - Torrington	81,367	81,367
T549	Fire Training School - New Haven	48,364	48,364
T550	Fire Training School - Derby	37,139	37,139
T551	Fire Training School - Wolcott	100,162	100,162
T552	Fire Training School - Fairfield	70,395	70,395
T553	Fire Training School - Hartford	169,336	169,336
T554	Fire Training School - Middletown	59,053	59,053
T555	Fire Training School - Stamford	55,432	55,432
T556	AGENCY TOTAL	172,588,839	167,447,429
T557			
T558	DEPARTMENT OF MOTOR VEHICLES		
T559	Personal Services	285,000	274,449
T560	Other Expenses	216,404	216,404
T561	AGENCY TOTAL	501,404	490,853
T562			
T563	MILITARY DEPARTMENT		
T564	Personal Services	3,335,585	3,242,611
T565	Other Expenses	3,141,993	3,228,762
T566	Equipment	1	1
T567	Firing Squads	319,500	319,500
T568	Veteran's Service Bonuses	182,500	160,000
T569	AGENCY TOTAL	6,979,579	6,950,874
T570			
T571	DEPARTMENT OF CONSUMER PROTECTION		
T572	Personal Services	14,491,783	13,534,627
T573	Other Expenses	1,690,096	1,690,096
T574	Equipment	1	1
T575	Gaming Policy Board	2,758	2,758
T576	AGENCY TOTAL	16,184,638	15,227,482
T577			
T578	LABOR DEPARTMENT		
T579	Personal Services	9,095,403	8,741,719
T580	Other Expenses	1,094,210	1,094,210
T581	Equipment	2	2
T582	CETC Workforce	850,000	850,000
T583	Workforce Investment Act	27,387,262	27,387,262
T584	Job Funnels Projects	425,000	425,000
T585	Connecticut's Youth Employment Program	3,500,000	3,500,000

T586	Jobs First Employment Services	17,741,841	17,657,471
T587	Opportunity Industrial Centers	500,000	500,000
T588	Individual Development Accounts	95,000	95,000
T589	STRIDE	770,000	770,000
T590	Apprenticeship Program	621,281	595,867
T591	Spanish-American Merchants Association	600,000	600,000
T592	Connecticut Career Resource Network	164,883	157,880
T593	21st Century Jobs	453,635	447,955
T594	Incumbent Worker Training	450,000	450,000
T595	STRIVE	270,000	270,000
T596	Film Industry Training Program	237,500	237,500
T597	AGENCY TOTAL	64,256,017	63,779,866
T598			
T599	COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES		
T600	Personal Services	6,146,769	5,950,016
T601	Other Expenses	903,891	903,891
T602	Equipment	1	1
T603	Martin Luther King, Jr. Commission	6,650	6,650
T604	AGENCY TOTAL	7,057,311	6,860,558
T605			
T606	OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES		
T607	Personal Services	2,465,321	2,366,933
T608	Other Expenses	216,038	216,038
T609	Equipment	1	1
T610	AGENCY TOTAL	2,681,360	2,582,972
T611			
T612	CONSERVATION AND DEVELOPMENT		
T613			
T614	DEPARTMENT OF AGRICULTURE		
T615	Personal Services	3,895,000	3,750,000
T616	Other Expenses	716,168	700,668
T617	Equipment	1	1
T618	Vibrio Bacterium Program	1	1
T619	Senior Food Vouchers	404,500	404,500
T620	Collection of Agricultural Statistics	1,026	1,026
T621	Tuberculosis and Brucellosis Indemnity	900	900
T622	Fair Testing	4,040	4,040

T623	Connecticut Grown Product Promotion	10,000	10,000
T624	WIC Coupon Program for Fresh Produce	184,090	184,090
T625	AGENCY TOTAL	5,215,726	5,055,226
T626			
T627	DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION		
T628	Personal Services	34,945,655	33,677,502
T629	Other Expenses	4,327,027	4,376,632
T630	Equipment	1	1
T631	Stream Gaging	199,561	199,561
T632	Mosquito Control	272,144	268,518
T633	State Superfund Site Maintenance	241,100	241,100
T634	Laboratory Fees	170,309	170,309
T635	Dam Maintenance	130,164	126,016
T636	Emergency Spill Response	7,301,292	7,074,509
T637	Solid Waste Management	2,868,088	2,781,459
T638	Underground Storage Tank	1,303,410	1,279,716
T639	Clean Air	5,131,094	5,014,450
T640	Environmental Conservation	9,158,452	9,008,720
T641	Environmental Quality	10,414,994	10,155,679
T642	Interstate Environmental Commission	48,783	48,783
T643	Agreement USGS - Hydrological Study	155,456	155,456
T644	New England Interstate Water Pollution Commission	28,827	28,827
T645	Northeast Interstate Forest Fire Compact	3,295	3,295
T646	Connecticut River Valley Flood Control Commission	32,395	32,395
T647	Thames River Valley Flood Control Commission	48,281	48,281
T648	Agreement USGS-Water Quality Stream Monitoring	215,412	215,412
T649	Operation Fuel	1,100,000	1,100,000
T650	Lobster Restoration	200,000	200,000
T651	AGENCY TOTAL	78,295,740	76,206,621
T652			
T653	COUNCIL ON ENVIRONMENTAL QUALITY		
T654	Personal Services	167,792	163,640
T655	Other Expenses	3,634	3,634
T656	Equipment	1	1
T657	AGENCY TOTAL	171,427	167,275

T658			
T659	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT		
T660	Personal Services	9,506,280	9,138,901
T661	Other Expenses	1,618,799	1,618,799
T662	Equipment	1	1
T663	Elderly Rental Registry and Counselors	1,098,171	1,098,171
T664	Statewide Marketing	15,000,001	15,000,001
T665	Nanotechnology Study	119,000	119,000
T666	Small Business Incubator Program	425,000	0
T667	CT Asso Performing Arts/Schubert Theater	378,712	378,712
T668	Hartford Urban Arts Grant	378,712	378,712
T669	New Britain Arts Council	75,743	75,743
T670	Fair Housing	308,750	308,750
T671	Main Street Initiatives	171,000	171,000
T672	Office of Military Affairs	153,508	153,508
T673	Hydrogen/Fuel Cell Economy	191,781	0
T674	Southeast CT Incubator	148,750	0
T675	SBIR Matching Grants	95,625	95,625
T676	Ivoryton Playhouse	150,000	150,000
T677	CCAT-CT Manufacturing Supply Chain	255,000	0
T678	Economic Development Grants	0	1,817,937
T679	Innovation Challenge Grant Program	500,000	500,000
T680	Garde Arts Theatre	300,000	300,000
T681	Subsidized Assisted Living Demonstration	1,730,000	2,272,000
T682	Congregate Facilities Operation Costs	6,884,547	6,884,547
T683	Housing Assistance and Counseling Program	438,500	438,500
T684	Elderly Congregate Rent Subsidy	2,389,796	2,389,796
T685	Discovery Museum	378,712	378,712
T686	National Theatre for the Deaf	151,484	151,484
T687	CONNSTEP	646,000	0
T688	Development Research and Economic Assistance	151,406	0
T689	Culture, Tourism and Art Grant	1,979,165	1,979,165
T690	CT Trust for Historic Preservation	210,396	210,396
T691	Connecticut Science Center	630,603	630,603
T692	Tax Abatement	1,704,890	1,704,890
T693	Payment in Lieu of Taxes	2,204,000	2,204,000
T694	Greater Hartford Arts Council	94,677	94,677

T695	Stamford Center for the Arts	378,712	378,712
T696	Stepping Stones Museum for Children	44,294	44,294
T697	Maritime Center Authority	531,525	531,525
T698	Basic Cultural Resources Grant	1,601,204	1,601,204
T699	Tourism Districts	1,495,596	1,495,596
T700	Connecticut Humanities Council	2,157,633	2,157,633
T701	Amistad Committee for the Freedom Trail	44,294	44,294
T702	Amistad Vessel	378,712	378,712
T703	New Haven Festival of Arts and Ideas	797,287	797,287
T704	New Haven Arts Council	94,677	94,677
T705	Palace Theater	378,712	378,712
T706	Beardsley Zoo	354,350	354,350
T707	Mystic Aquarium	620,112	620,112
T708	Quinebaug Tourism	41,101	41,101
T709	Northwestern Tourism	41,101	41,101
T710	Eastern Tourism	41,101	41,101
T711	Central Tourism	41,101	41,101
T712	Twain/Stowe Homes	95,674	95,674
T713	AGENCY TOTAL	59,606,195	59,780,816
T714			
T715	AGRICULTURAL EXPERIMENT STATION		
T716	Personal Services	6,125,000	5,910,000
T717	Other Expenses	923,511	923,511
T718	Equipment	1	1
T719	Mosquito Control	232,979	231,173
T720	Wildlife Disease Prevention	90,474	89,571
T721	AGENCY TOTAL	7,371,965	7,154,256
T722			
T723	HEALTH AND HOSPITALS		
T724			
T725	DEPARTMENT OF PUBLIC HEALTH		
T726	Personal Services	35,633,513	34,626,728
T727	Other Expenses	7,183,505	8,433,505
T728	Equipment	15,001	1
T729	Needle and Syringe Exchange Program	455,072	455,072
T730	Children's Health Initiatives	2,442,813	2,435,161
T731	Childhood Lead Poisoning	75,000	75,000
T732	AIDS Services	4,802,098	4,952,098
T733	Breast and Cervical Cancer Detection and	2,183,669	2,181,483

	Treatment		
T734	Children with Special Health Care Needs	1,271,627	1,271,627
T735	Medicaid Administration	4,276,747	4,201,595
T736	Fetal and Infant Mortality Review	299,250	299,250
T737	Community Health Services	6,300,500	6,300,500
T738	Rape Crisis	439,684	439,684
T739	X-Ray Screening and Tuberculosis Care	1,200,000	1,200,000
T740	Genetic Diseases Programs	828,744	828,744
T741	Immunization Services	9,044,950	9,044,950
T742	Local and District Departments of Health	4,563,700	4,563,700
T743	Venereal Disease Control	195,210	195,210
T744	School Based Health Clinics	10,440,646	10,440,646
T745	AGENCY TOTAL	91,651,729	91,944,954
T746			
T747	OFFICE OF THE CHIEF MEDICAL EXAMINER		
T748	Personal Services	5,223,625	5,050,652
T749	Other Expenses	906,282	906,282
T750	Equipment	15,500	15,500
T751	Medicolegal Investigations	54,441	58,828
T752	AGENCY TOTAL	6,199,848	6,031,262
T753			
T754	DEPARTMENT OF DEVELOPMENTAL SERVICES		
T755	Personal Services	286,909,798	275,149,434
T756	Other Expenses	22,102,780	21,990,274
T757	Equipment	1	1
T758	Human Resource Development	219,790	219,790
T759	Family Support Grants	3,280,095	3,280,095
T760	Cooperative Placements Program	21,928,521	22,576,043
T761	Clinical Services	4,639,522	4,585,370
T762	Early Intervention	36,288,242	34,688,242
T763	Community Temporary Support Services	67,315	67,315
T764	Community Respite Care Programs	330,345	330,345
T765	Workers' Compensation Claims	15,544,371	15,246,035
T766	Pilot Program for Autism Services	1,185,176	1,185,176
T767	Voluntary Services	31,256,734	31,225,026
T768	Supplemental Payments for Medical Services	13,100,000	13,400,000
T769	Rent Subsidy Program	4,537,554	4,537,554

T770	Family Reunion Program	134,900	134,900
T771	Employment Opportunities and Day Services	186,574,466	197,101,167
T772	Community Residential Services	419,597,573	431,913,391
T773	AGENCY TOTAL	1,047,697,183	1,057,630,158
T774			
T775	DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES		
T776	Personal Services	219,207,637	211,068,124
T777	Other Expenses	29,200,732	28,599,021
T778	Equipment	1	1
T779	Housing Supports and Services	14,424,867	14,987,367
T780	Managed Service System	38,760,066	38,736,053
T781	Legal Services	639,269	639,269
T782	Connecticut Mental Health Center	8,540,721	8,540,721
T783	Professional Services	11,822,615	11,788,898
T784	General Assistance Managed Care	182,485,221	195,756,101
T785	Workers' Compensation Claims	10,833,085	10,594,566
T786	Nursing Home Screening	622,784	622,784
T787	Young Adult Services	60,807,178	64,771,066
T788	TBI Community Services	11,215,956	12,711,421
T789	Jail Diversion	4,625,185	4,569,358
T790	Behavioral Health Medications	6,169,095	6,169,095
T791	Prison Overcrowding	6,440,176	6,416,668
T792	Medicaid Adult Rehabilitation Option	3,963,349	3,963,349
T793	Discharge and Diversion Services	10,330,847	12,586,680
T794	Home and Community Based Services	7,660,683	10,252,082
T795	Persistent Violent Felony Offenders Act	703,333	703,333
T796	Grants for Substance Abuse Services	25,027,766	25,027,766
T797	Grants for Mental Health Services	76,394,230	76,394,230
T798	Employment Opportunities	10,417,746	10,417,746
T799	AGENCY TOTAL	740,292,542	755,315,699
T800			
T801	PSYCHIATRIC SECURITY REVIEW BOARD		
T802	Personal Services	332,091	320,081
T803	Other Expenses	31,469	31,469
T804	Equipment	1	1
T805	AGENCY TOTAL	363,561	351,551
T806			

T807	HUMAN SERVICES		
T808			
T809	DEPARTMENT OF SOCIAL SERVICES		
T810	Personal Services	120,436,042	116,581,562
T811	Other Expenses	89,316,801	88,800,670
T812	Equipment	1	1
T813	Children's Trust Fund	12,267,430	13,067,430
T814	Children's Health Council	218,317	218,317
T815	HUSKY Outreach	335,564	335,564
T816	Genetic Tests in Paternity Actions	191,142	191,142
T817	State Food Stamp Supplement	1,414,090	2,025,966
T818	HUSKY Program	37,700,000	42,600,000
T819	Charter Oak Health Plan	8,770,000	7,760,000
T820	Medicaid	4,632,073,500	4,755,161,500
T821	Old Age Assistance	35,599,937	36,063,774
T822	Aid to the Blind	771,201	766,494
T823	Aid to the Disabled	61,785,351	61,977,284
T824	Temporary Assistance to Families - TANF	120,551,266	122,160,034
T825	Emergency Assistance	1	1
T826	Food Stamp Training Expenses	12,000	12,000
T827	Connecticut Pharmaceutical Assistance Contract to the Elderly	789,900	380,000
T828	Healthy Start	1,490,220	1,490,220
T829	DMHAS-Disproportionate Share	105,935,000	105,935,000
T830	Connecticut Home Care Program	62,612,500	65,086,100
T831	Human Resource Development-Hispanic Programs	936,329	936,329
T832	Services to the Elderly	3,911,369	3,911,369
T833	Safety Net Services	1,890,807	1,890,807
T834	Transportation for Employment Independence Program	3,155,532	3,155,532
T835	Refunds of Collections	177,792	177,792
T836	Services for Persons With Disabilities	627,227	627,227
T837	Child Care Services-TANF/CCDBG	97,598,443	104,304,819
T838	Nutrition Assistance	447,663	447,663
T839	Housing/Homeless Services	55,311,780	59,824,050
T840	Disproportionate Share-Medical Emergency Assistance	268,486,847	268,486,847
T841	State Administered General Assistance	14,550,817	14,723,163
T842	Child Care Quality Enhancements	3,745,687	3,745,687

T843	Connecticut Children's Medical Center	10,579,200	10,579,200
T844	Community Services	1,847,615	1,798,865
T845	Alzheimer Respite Care	2,294,388	2,294,388
T846	Human Service Infrastructure Community Action Program	3,418,970	3,418,970
T847	Teen Pregnancy Prevention	1,914,339	1,914,339
T848	Human Resource Development-Hispanic Programs - Municipality	5,310	5,310
T849	Teen Pregnancy Prevention - Municipality	143,600	143,600
T850	Services to the Elderly - Municipality	44,405	44,405
T851	Housing/Homeless Services - Municipality	634,026	634,026
T852	Community Services - Municipality	87,268	87,268
T853	AGENCY TOTAL	5,764,079,677	5,903,764,715
T854			
T855	BUREAU OF REHABILITATIVE SERVICES		
T856	Personal Services	4,733,062	4,599,638
T857	Other Expenses	991,631	991,631
T858	Equipment	2	2
T859	Part-Time Interpreters	195,241	191,633
T860	Educational Aid for Blind and Visually Handicapped Children	4,839,899	4,821,904
T861	Enhanced Employment Opportunities	673,000	673,000
T862	Supplementary Relief and Services	103,925	103,925
T863	Vocational Rehabilitation - Blind	890,454	890,454
T864	Special Training for the Deaf Blind	298,585	298,585
T865	Connecticut Radio Information Service	87,640	87,640
T866	Employment Opportunities	1,052,829	1,052,829
T867	Independent Living Centers	547,338	547,338
T868	Vocational Rehabilitation - Disabled	7,386,668	7,386,668
T869	AGENCY TOTAL	21,800,274	21,645,247
T870			
T871	EDUCATION, MUSEUMS, LIBRARIES		
T872			
T873	DEPARTMENT OF EDUCATION		
T874	Personal Services	24,598,200	23,833,611
T875	Other Expenses	3,324,506	3,124,506
T876	Equipment	1	1
T877	Basic Skills Exam Teachers in Training	1,291,314	1,270,775
T878	Teachers' Standards Implementation Program	3,296,508	3,096,508

T879	Early Childhood Program	5,024,906	5,022,489
T880	Development of Mastery Exams Grades 4, 6, and 8	19,106,711	19,050,559
T881	Primary Mental Health	507,294	507,294
T882	Leadership,Educ, Athletics-Partnership	765,000	765,000
T883	Adult Education Action	240,687	240,687
T884	Connecticut Pre-Engineering Program	262,500	262,500
T885	Connecticut Writing Project	50,000	50,000
T886	Resource Equity Assessments	301,980	299,683
T887	Neighborhood Youth Centers	1,338,300	1,338,300
T888	Longitudinal Data Systems	1,500,000	1,500,000
T889	School Accountability	2,186,318	2,201,405
T890	Sheff Settlement	9,265,012	10,293,799
T891	CommPACT Schools	712,500	712,500
T892	Community Plans for Early Childhood	450,000	450,000
T893	Improving Early Literacy	150,000	150,000
T894	Parent Trust Fund Program	500,000	500,000
T895	Regional Vocational-Technical School System	149,618,414	143,702,045
T896	Child Care Services	18,422,653	18,419,752
T897	American School for the Deaf	9,768,242	10,264,242
T898	Regional Education Services	1,434,613	1,384,613
T899	Head Start Services	2,748,150	2,748,150
T900	Head Start Enhancement	1,773,000	1,773,000
T901	Family Resource Centers	6,041,488	6,041,488
T902	Charter Schools	57,067,400	59,839,400
T903	Youth Service Bureau Enhancement	620,300	620,300
T904	Head Start - Early Childhood Link	2,090,000	2,090,000
T905	Institutional Student Aid	882,000	882,000
T906	Child Nutrition State Match	2,354,000	2,354,000
T907	Health Foods Initiative	3,613,997	3,613,997
T908	EvenStart	500,000	500,000
T909	Vocational Agriculture	5,060,565	5,060,565
T910	Transportation of School Children	25,784,748	24,884,748
T911	Adult Education	21,032,980	21,025,690
T912	Health and Welfare Services Pupils Private Schools	4,297,500	4,297,500
T913	Education Equalization Grants	1,889,609,057	1,889,609,057
T914	Bilingual Education	1,916,130	1,916,130
T915	Priority School Districts	116,626,966	116,100,581

T916	Young Parents Program	229,330	229,330
T917	Interdistrict Cooperation	11,136,173	11,131,935
T918	School Breakfast Program	2,220,303	2,220,303
T919	Excess Cost - Student Based	139,805,731	139,805,731
T920	Non-Public School Transportation	3,595,500	3,595,500
T921	School to Work Opportunities	213,750	213,750
T922	Youth Service Bureaus	2,947,268	2,947,268
T923	OPEN Choice Program	19,839,066	22,090,956
T924	Magnet Schools	215,855,338	235,364,251
T925	After School Program	4,500,000	4,500,000
T926	School Readiness Quality Enhancement	1,100,678	1,100,678
T927	AGENCY TOTAL	2,797,577,077	2,814,996,577
T928			
T929	STATE LIBRARY		
T930	Personal Services	5,747,837	5,560,728
T931	Other Expenses	767,111	767,111
T932	Equipment	1	1
T933	State-Wide Digital Library	1,630,136	1,630,136
T934	Interlibrary Loan Delivery Service	282,342	275,751
T935	Legal/Legislative Library Materials	1,000,000	1,000,000
T936	State-Wide Data Base Program	574,696	574,696
T937	Computer Access	190,000	190,000
T938	Support Cooperating Library Service Units	350,000	350,000
T939	Grants to Public Libraries	207,692	214,283
T940	Connecticard Payments	1,000,000	1,000,000
T941	AGENCY TOTAL	11,749,815	11,562,706
T942			
T943	OFFICE OF FINANCIAL AND ACADEMIC AFFAIRS FOR HIGHER EDUCATION		
T944	Personal Services	1,240,000	1,240,000
T945	Other Expenses	300,000	110,180
T946	Equipment	1	1
T947	Minority Advancement Program	2,405,666	2,405,666
T948	Alternate Route to Certification	100,000	100,000
T949	International Initiatives	66,500	66,500
T950	Minority Teacher Incentive Program	471,374	471,374
T951	Education and Health Initiatives	522,500	522,500
T952	Capitol Scholarship Program	4,451,390	4,451,390
T953	Awards to Children of Deceased/ Disabled	4,000	4,000

	Veterans		
T954	Connecticut Independent College Student Grant	18,072,474	16,158,319
T955	Connecticut Aid for Public College Students	29,808,469	29,808,469
T956	Connecticut Aid to Charter Oak	59,393	59,393
T957	Kirklyn M. Kerr Grant Program	400,000	400,000
T958	AGENCY TOTAL	57,901,767	55,797,792
T959			
T960	BOARD OF REGENTS FOR HIGHER EDUCATION		
T961	National Service Act	328,365	328,365
T962	Charter Oak State College	2,742,725	2,696,543
T963	Community Technical College System	153,831,652	150,084,931
T964	Connecticut State University	157,363,860	153,522,741
T965	Board of Regents	1,410,954	1,316,603
T966	AGENCY TOTAL	315,677,556	307,949,183
T967			
T968	UNIVERSITY OF CONNECTICUT		
T969	Operating Expenses	213,457,963	210,445,208
T970	Tuition Freeze	4,267,696	4,267,696
T971	Regional Campus Enhancement	7,538,003	7,538,003
T972	Veterinary Diagnostic Laboratory	90,000	90,000
T973	AGENCY TOTAL	225,353,662	222,340,907
T974			
T975	UNIVERSITY OF CONNECTICUT HEALTH CENTER		
T976	Operating Expenses	121,009,693	109,156,742
T977	AHEC	505,707	505,707
T978	AGENCY TOTAL	121,515,400	109,662,449
T979			
T980	TEACHERS' RETIREMENT BOARD		
T981	Personal Services	1,785,698	1,731,184
T982	Other Expenses	664,470	685,068
T983	Equipment	1	1
T984	Retirement Contributions	757,246,000	787,536,000
T985	Retirees Health Service Cost	24,958,272	26,500,836
T986	Municipal Retiree Health Insurance Costs	7,372,720	7,887,480
T987	AGENCY TOTAL	792,027,161	824,340,569
T988			
T989	CORRECTIONS		

T990			
T991	DEPARTMENT OF CORRECTION		
T992	Personal Services	440,501,363	397,466,166
T993	Other Expenses	78,932,503	75,245,412
T994	Equipment	1	1
T995	Workers' Compensation Claims	30,623,609	29,936,219
T996	Inmate Medical Services	97,025,952	94,747,339
T997	Board of Pardons and Paroles	6,280,668	6,082,447
T998	Mental Health AIC	300,000	300,000
T999	Distance Learning	100,000	100,000
T1000	Aid to Paroled and Discharged Inmates	9,500	9,500
T1001	Legal Services to Prisoners	870,595	870,595
T1002	Volunteer Services	170,758	170,758
T1003	Community Support Services	40,370,121	40,370,121
T1004	AGENCY TOTAL	695,185,070	645,298,558
T1005			
T1006	DEPARTMENT OF CHILDREN AND FAMILIES		
T1007	Personal Services	300,803,182	293,558,016
T1008	Other Expenses	37,534,834	37,513,645
T1009	Equipment	1	1
T1010	Short-Term Residential Treatment	713,129	713,129
T1011	Substance Abuse Screening	1,745,896	1,745,896
T1012	Workers' Compensation Claims	10,391,768	10,322,750
T1013	Local Systems of Care	2,176,906	2,136,393
T1014	Family Support Services	8,728,303	8,728,303
T1015	Emergency Needs	1,710,000	1,710,000
T1016	Differential Response System	4,000,000	4,000,000
T1017	Health Assessment and Consultation	965,667	965,667
T1018	Grants for Psychiatric Clinics for Children	14,120,807	14,120,807
T1019	Day Treatment Centers for Children	5,497,630	5,497,630
T1020	Juvenile Justice Outreach Services	12,575,467	13,376,467
T1021	Child Abuse and Neglect Intervention	5,379,261	5,379,261
T1022	Community Based Prevention Programs	4,850,529	4,850,529
T1023	Family Violence Outreach and Counseling	1,751,427	1,751,427
T1024	Support for Recovering Families	14,505,485	16,773,485
T1025	No Nexus Special Education	8,682,808	8,682,808
T1026	Family Preservation Services	5,385,396	5,385,396
T1027	Substance Abuse Treatment	4,228,046	4,228,046
T1028	Child Welfare Support Services	3,371,072	3,221,072

T1029	Board and Care for Children - Adoption	87,100,506	92,875,380
T1030	Board and Care for Children - Foster	115,485,935	120,055,232
T1031	Board and Care for Children - Residential	189,186,108	196,913,618
T1032	Individualized Family Supports	16,424,785	16,424,785
T1033	Community KidCare	23,575,167	23,575,167
T1034	Covenant to Care	166,516	166,516
T1035	Neighborhood Center	261,010	261,010
T1036	AGENCY TOTAL	881,317,641	894,932,436
T1037			
T1038	JUDICIAL		
T1039			
T1040	JUDICIAL DEPARTMENT		
T1041	Personal Services	331,983,792	324,964,531
T1042	Other Expenses	68,451,443	69,762,607
T1043	Equipment	100,000	305,000
T1044	Forensic Sex Evidence Exams	909,060	909,060
T1045	Alternative Incarceration Program	56,747,318	56,634,818
T1046	Justice Education Center, Inc.	293,111	293,110
T1047	Juvenile Alternative Incarceration	30,169,861	30,169,864
T1048	Juvenile Justice Centers	3,104,877	3,104,877
T1049	Probate Court	8,200,000	7,300,000
T1050	Youthful Offender Services	9,512,151	13,793,708
T1051	Victim Security Account	48,000	48,000
T1052	Children of Incarcerated Parents	350,000	350,000
T1053	Legal Aid	1,500,000	1,500,000
T1054	Juvenile Jurisdiction Policy and Operations Coordinating Council	50,000	50,000
T1055	AGENCY TOTAL	511,419,613	509,185,575
T1056			
T1057	PUBLIC DEFENDER SERVICES COMMISSION		
T1058	Personal Services	40,367,054	39,204,811
T1059	Other Expenses	1,648,454	1,654,345
T1060	Special Public Defenders - Contractual	3,097,000	3,097,000
T1061	Special Public Defenders - Non-Contractual	5,590,250	5,590,250
T1062	Expert Witnesses	2,100,000	2,200,000
T1063	Training and Education	100,000	125,000
T1064	Contracted Attorneys	10,816,407	10,825,552
T1065	Contracted Attorneys Related Expenses	200,000	200,000
T1066	Family Contracted Attorneys/AMC	736,310	736,310

T1067	AGENCY TOTAL	64,655,475	63,633,268
T1068			
T1069	NON-FUNCTIONAL		
T1070			
T1071	MISCELLANEOUS APPROPRIATION TO THE GOVERNOR		
T1072	Governor's Contingency Account	1	1
T1073			
T1074	DEBT SERVICE - STATE TREASURER		
T1075	Debt Service	1,697,397,515	1,678,331,881
T1076	UConn 2000 - Debt Service	110,289,293	130,029,220
T1077	CHEFA Day Care Security	5,500,000	5,500,000
T1078	Pension Obligation Bonds - TRB	80,894,031	121,386,576
T1079	AGENCY TOTAL	1,894,080,839	1,935,247,677
T1080			
T1081	STATE COMPTROLLER - MISCELLANEOUS		
T1082	Adjudicated Claims	4,000,000	4,000,000
T1083			
T1084	STATE COMPTROLLER - FRINGE BENEFITS		
T1085	Unemployment Compensation	12,481,748	8,901,932
T1086	State Employees Retirement Contributions	722,137,072	715,503,022
T1087	Higher Education Alternative Retirement System	37,959,646	37,737,659
T1088	Pensions and Retirements - Other Statutory	1,822,697	1,842,652
T1089	Judges and Compensation Commissioners Retirement	15,095,489	16,005,904
T1090	Insurance - Group Life	8,586,000	8,758,000
T1091	Employers Social Security Tax	244,896,847	245,850,448
T1092	State Employees Health Service Cost	602,409,060	663,840,320
T1093	Retired State Employees Health Service Cost	565,145,867	614,094,650
T1094	Tuition Reimbursement - Training and Travel	3,327,500	0
T1095	AGENCY TOTAL	2,213,861,926	2,312,534,587
T1096			
T1097	RESERVE FOR SALARY ADJUSTMENTS		
T1098	Reserve for Salary Adjustments	42,568,534	200,090,187
T1099			
T1100	WORKERS' COMPENSATION CLAIMS -		

	DEPARTMENT OF ADMINISTRATIVE SERVICES		
T1101	Workers' Compensation Claims	27,726,672	27,239,041
T1102			
T1103	TOTAL - GENERAL FUND	19,485,646,329	19,918,305,927
T1104			
T1105	LESS:		
T1106			
T1107	Unallocated Lapse	-92,006,562	-91,676,192
T1108	Unallocated Lapse - Legislative	-2,700,000	-3,028,105
T1109	Unallocated Lapse - Judicial	-3,545,000	-5,400,672
T1110	General Personal Services Reduction - Legislative	-476,000	-476,000
T1111	General Personal Services Reduction - Executive	-11,538,800	-11,538,800
T1112	General Other Expenses Reductions - Legislative	-374,000	-374,000
T1113	General Other Expenses Reductions - Executive	-9,066,200	-9,066,200
T1114	Labor-Management Savings - Legislative	-4,586,734	-6,671,872
T1115	Labor Management Savings - Executive	-625,947,354	-806,963,225
T1116	Labor Management Savings - Judicial	-27,670,929	-30,622,622
T1117			
T1118	NET - GENERAL FUND	18,707,734,750	18,952,488,239

Sec. 68. (*Effective July 1, 2011*) The following sums are appropriated from the SPECIAL TRANSPORTATION FUND for the annual periods indicated for the purposes described.

T1119		2011-2012	2012-2013
T1120	GENERAL GOVERNMENT		
T1121			
T1122	DEPARTMENT OF ADMINISTRATIVE SERVICES		
T1123	State Insurance and Risk Mgmt Operations	$7,157,557	$7,335,373
T1124			
T1125	REGULATION AND PROTECTION		
T1126			
T1127	DEPARTMENT OF MOTOR VEHICLES		
T1128	Personal Services	42,656,658	41,541,809

T1129	Other Expenses	13,255,626	13,255,626
T1130	Equipment	600,000	600,000
T1131	Commercial Vehicle Information Systems and Networks Project	239,818	296,289
T1132	AGENCY TOTAL	56,752,102	55,693,724
T1133			
T1134	TRANSPORTATION		
T1135			
T1136	DEPARTMENT OF TRANSPORTATION		
T1137	Personal Services	169,441,130	162,240,011
T1138	Other Expenses	49,396,497	49,228,630
T1139	Equipment	1,642,000	1,743,000
T1140	Minor Capital Projects	332,500	332,500
T1141	Highway and Bridge Renewal-Equipment	12,000,000	7,000,000
T1142	Highway Planning and Research	2,981,000	3,105,000
T1143	Rail Operations	144,997,567	155,715,305
T1144	Bus Operations	135,029,058	139,464,784
T1145	Tweed-New Haven Airport Grant	1,000,000	1,000,000
T1146	ADA Para-transit Program	27,175,000	28,880,000
T1147	Non-ADA Dial-A-Ride Program	576,361	576,361
T1148	Pay-As-You-Go Transportation Projects	27,718,098	22,687,740
T1149	Town Aid Road Grants - TF	30,000,000	30,000,000
T1150	AGENCY TOTAL	602,289,211	601,973,331
T1151			
T1152	HUMAN SERVICES		
T1153			
T1154	BUREAU OF REHABILITATIVE SERVICES		
T1155	Personal Services	116,274	116,274
T1156	Other Expenses	14,436	14,436
T1157	AGENCY TOTAL	130,710	130,710
T1158			
T1159	NON-FUNCTIONAL		
T1160			
T1161	DEBT SERVICE - STATE TREASURER		
T1162	Debt Service	478,835,373	492,217,529
T1163			
T1164	STATE COMPTROLLER - FRINGE BENEFITS		

T1165	Unemployment Compensation	459,165	644,928
T1166	State Employees Retirement Contributions	99,636,000	105,694,000
T1167	Insurance - Group Life	327,000	334,000
T1168	Employers Social Security Tax	18,632,021	18,545,161
T1169	State Employees Health Service Cost	42,129,085	42,504,880
T1170	AGENCY TOTAL	161,183,271	167,722,969
T1171			
T1172	RESERVE FOR SALARY ADJUSTMENTS		
T1173	Reserve for Salary Adjustments	2,363,787	14,081,949
T1174			
T1175	WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES		
T1176	Workers' Compensation Claims	6,756,577	6,626,481
T1177			
T1178	TOTAL - SPECIAL TRANSPORTATION FUND	1,315,468,588	1,345,782,066
T1179			
T1180	LESS:		
T1181			
T1182	Estimated Unallocated Lapses	-11,000,000	-11,000,000
T1183	Labor-Management Savings	-42,536,383	-56,949,138
T1184			
T1185	NET - SPECIAL TRANSPORTATION FUND	1,261,932,205	1,277,832,928

Sec. 69. (*Effective July 1, 2011*) The following sums are appropriated from the CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND for the annual periods indicated for the purposes described.

T1186		2011-2012	2012-2013
T1187	REGULATION AND PROTECTION		
T1188			
T1189	OFFICE OF CONSUMER COUNSEL		
T1190	Personal Services	$1,357,585	$1,309,791
T1191	Other Expenses	396,029	396,029
T1192	Equipment	5,850	5,600
T1193	Fringe Benefits	909,582	901,742
T1194	Indirect Overhead	364,667	375,972

T1195	AGENCY TOTAL	3,033,713	2,989,134
T1196			
T1197	CONSERVATION AND DEVELOPMENT		
T1198			
T1199	DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION		
T1200	Personal Services	12,392,338	11,989,348
T1201	Other Expenses	1,557,709	1,550,391
T1202	Equipment	21,850	26,000
T1203	Fringe Benefits	8,302,867	8,276,798
T1204	Indirect Overhead	1,120,343	1,155,074
T1205	AGENCY TOTAL	23,395,107	22,997,611
T1206			
T1207	TOTAL - CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND	26,428,820	25,986,745

3664 Sec. 70. (*Effective from passage*) The following sums are appropriated
3665 from the GENERAL FUND for the purposes herein specified for the
3666 fiscal year ending June 30, 2011:

T1208	OFFICE OF THE STATE COMPTROLLER	
T1209	Other Expenses	625,000
T1210		
T1211	DEPARTMENT OF PUBLIC WORKS	
T1212	Other Expenses	3,100,000
T1213	Management Services	1,400,000
T1214	Rents and Moving	1,800,000
T1215	Facilities Design	470,000
T1216	AGENCY TOTAL	6,770,000
T1217		
T1218	DEPARTMENT OF AGRICULTURE	
T1219	Other Expenses	180,000
T1220		
T1221	DEPARTMENT OF PUBLIC SAFETY	
T1222	Personal Services	1,000,000
T1223	Other Expenses	5,900,000
T1224	Fleet Purchase	2,100,000
T1225	AGENCY TOTAL	9,000,000
T1226		

T1227	DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
T1228	Other Expenses	5,300,000
T1229	General Assistance Managed Care	51,950,000
T1230	AGENCY TOTAL	57,250,000
T1231		
T1232	DEPARTMENT OF SOCIAL SERVICES	
T1233	Other Expenses	21,000,000
T1234	Medicaid	256,000,000
T1235	AGENCY TOTAL	277,000,000
T1236		
T1237	TEACHERS' RETIREMENT BOARD	
T1238	Other Expenses	70,000
T1239		
T1240	PUBLIC DEFENDER SERVICES COMMISSION	
T1241	Special Public Defenders - Non-Contractual	1,000,000
T1242	Expert Witnesses	600,000
T1243	AGENCY TOTAL	1,600,000
T1244		
T1245	CHILD PROTECTION COMMISSION	
T1246	Contracted Attorneys	2,400,000
T1247		
T1248	WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
T1249	Workers' Compensation Claims	300,000
T1250		
T1251	TOTAL - GENERAL FUND	355,195,000

Sec. 71. (*Effective from passage*) The amount appropriated to the following agency in section 11 of public act 09-3 of the June special session, as amended by section 1 of public act 10-179, is reduced by the following amount for the fiscal year ending June 30, 2011:

T1252	RESERVE FOR SALARY ADJUSTMENTS	
T1253	Reserve for Salary Adjustment	26,000,000
T1254		
T1255	TOTAL - GENERAL FUND	26,000,000

3671 Sec. 72. (*Effective from passage*) The amount appropriated to the
3672 following agency in section 12 of public act 09-3 of the June special
3673 session, as amended by section 4 of public act 09-7 of the September
3674 special session and section 2 of public act 10-179, is reduced by the
3675 following amount for the fiscal year ending June 30, 2011:

T1256	DEBT SERVICE - STATE TREASURER	
T1257	Debt Service	4,000,000
T1258		
T1259	TOTAL – SPECIAL TRANSPORTATION FUND	4,000,000

3676 Sec. 73. (*Effective from passage*) The following sum is appropriated
3677 from the SPECIAL TRANSPORTATION FUND for the purpose herein
3678 specified for the fiscal year ending June 30, 2011:

T1260	DEPARTMENT OF TRANSPORTATION	
T1261	Personal Services	4,000,000
T1262		
T1263	TOTAL – SPECIAL TRANSPORTATION FUND	4,000,000

3679 Sec. 74. Section 4-73 of the general statutes, as amended by section
3680 31 of house bill 6651 of the current session, is repealed and the
3681 following is substituted in lieu thereof (*Effective July 1, 2011*):

3682 (a) The budget document shall present in detail for each fiscal year
3683 of the ensuing biennium the Governor's recommendation for
3684 appropriations to meet the expenditure needs of the state from the
3685 General Fund and from all special and agency funds classified by
3686 budgeted agencies and showing for each budgeted agency and its
3687 subdivisions: (1) A narrative summary describing the agency, the
3688 Governor's recommendations for appropriations for the agency, <u>and a</u>
3689 <u>list of agency programs</u>, the actual expenditure for the last-completed
3690 fiscal year, the estimated expenditure for the current fiscal year, the
3691 amount requested by the agency and the Governor's recommendations
3692 for appropriations for each fiscal year of the ensuing biennium; (2) a

3693 summary of permanent full-time positions by fund, setting forth the
3694 number filled and the number vacant as of the end of the last-
3695 completed fiscal year, the total number intended to be funded by
3696 appropriations without reduction for turnover for the fiscal year in
3697 progress, the total number requested and the total number
3698 recommended for each fiscal year of the biennium to which the budget
3699 relates.

3700 (b) In addition, programs shall be supported by: (1) The statutory
3701 authorization for the program; (2) a statement of program objectives;
3702 (3) a description of the program, including a statement of need,
3703 eligibility requirements and any intergovernmental participation in the
3704 program; (4) a statement of performance measures by which the
3705 accomplishments toward the program objectives can be assessed,
3706 which shall include, but not be limited to, an analysis of the workload,
3707 quality or level of service and effectiveness of the program; (5)
3708 program budget data broken down by major object of expenditure,
3709 showing additional federal and private funds; (6) a summary of
3710 permanent full-time positions by fund, setting forth the number filled
3711 and the number vacant as of the end of the last-completed fiscal year,
3712 the total number intended to be funded by appropriations without
3713 reduction for turnover for the fiscal year in progress, the total number
3714 requested and the total number recommended for each fiscal year of
3715 the biennium to which the budget relates; (7) a statement of
3716 expenditures for the last-completed and current fiscal years, the
3717 agency request and the Governor's recommendation for each fiscal
3718 year of the ensuing biennium and, for any new or expanded program,
3719 estimated expenditure requirements for the fiscal year next succeeding
3720 the biennium to which the budget relates; and (8) an explanation of
3721 any significant program changes requested by the agency or
3722 recommended by the Governor.

3723 **[**(b)**]** (c) There shall be a supporting schedule of total agency
3724 expenditures including a line-item, minor object breakdown of
3725 personal services, energy costs, contractual services and commodities

3726 and a total of state aid grants and equipment, showing the actual
3727 expenditures for the last-completed fiscal year, estimated expenditures
3728 for the current fiscal year and requested and recommended
3729 appropriations for each fiscal year of the ensuing biennium, classified
3730 by objects according to a standard plan of classification.

3731 **[**(c)**]** (d) All federal funds expended or anticipated for any purpose
3732 shall be accounted for in the budget. The document shall set forth a
3733 listing of federal programs, showing the actual expenditures for the
3734 last-completed fiscal year, estimated expenditures for the current fiscal
3735 year and anticipated funds available for expenditure for each fiscal
3736 year of the ensuing biennium. Such federal funds shall be classified by
3737 each budgeted agency but shall not include research grants made to
3738 educational institutions.

3739 **[**(d)**]** (e) The budget document shall also set forth the budget
3740 recommendations for the capital program, to be supported by
3741 statements listing the agency's requests and the Governor's
3742 recommendations with the statements required by section 4-78.

3743 **[**(e)**]** (f) The appropriations recommended for the legislative branch
3744 of the state government shall be the estimates of expenditure
3745 requirements transmitted to the Secretary of the Office of Policy and
3746 Management by the Joint Committee on Legislative Management
3747 pursuant to section 4-77 and the recommended adjustments and
3748 revisions of such estimates shall be the recommended adjustments and
3749 revisions, if any, transmitted by said committee pursuant to said
3750 section 4-77.

3751 **[**(f)**]** (g) (1) The appropriations recommended for the Judicial
3752 Department shall be the estimates of expenditure requirements
3753 transmitted to the Secretary of the Office of Policy and Management by
3754 the Chief Court Administrator pursuant to section 4-77 and the
3755 recommended adjustments and revisions of such estimates shall be the
3756 recommended adjustments and revisions, if any, transmitted by said
3757 administrator pursuant to section 4-77.

3758 (2) The appropriations recommended for the Public Defenders
3759 Services Division shall be the estimates of expenditure requirements
3760 transmitted to the Secretary of the Office of Policy and Management by
3761 the Chief Public Defender pursuant to section 4-77 and the
3762 recommended adjustments and revisions of such estimates shall be the
3763 recommended adjustments and revisions, if any, transmitted by said
3764 administrator pursuant to section 4-77.

3765 Sec. 75. Section 4-74 of the general statutes, as amended by section
3766 32 of house bill 6651 of the current session, is repealed and the
3767 following is substituted in lieu thereof (*Effective July 1, 2011*):

3768 The budget document shall be based upon the consensus revenue
3769 estimate or revised consensus revenue estimate issued pursuant to
3770 section 2-36c, and shall include a draft or drafts of appropriation and
3771 revenue bills to carry out the recommendations of the Governor. Such
3772 appropriation bills shall indicate the funds, general or special, from
3773 which such appropriations shall be paid, but such appropriations need
3774 not be in greater detail than to indicate the total appropriation to be
3775 made to each budgeted agency and each independently organized
3776 division thereof for each major function or program, equipment, land
3777 and buildings and improvements.

3778 Sec. 76. (*Effective from passage*) Section 34 of house bill 6651 of the
3779 current session shall take effect from its passage.

3780 Sec. 77. Subsection (a) of section 31-71b of the general statutes, as
3781 amended by section 34 of house bill 6651 of the current session, is
3782 repealed and the following is substituted in lieu thereof (*Effective from*
3783 *passage*):

3784 (a) (1) Except as provided in subdivision (2) of this subsection, each
3785 employer, or the agent or representative of an employer, shall pay
3786 weekly all moneys due each employee on a regular pay day,
3787 designated in advance by the employer, in cash, by negotiable checks
3788 or, upon an employee's written request, by credit to such employee's

3789 account in any bank that has agreed with the employer to accept such
3790 wage deposits.

3791 (2) Unless otherwise requested by the recipient, the Comptroller
3792 shall, as soon as is practicable, pay all wages due each state employee,
3793 as defined in section 5-196, by electronic direct deposit to such
3794 employee's account in any bank, Connecticut credit union or federal
3795 credit union that has agreed with the Comptroller to accept such wage
3796 deposits.

3797 Sec. 78. Subsection (a) of section 4-9a of the general statutes, as
3798 amended by section 132 of house bill 6651 of the current session, is
3799 repealed and the following is substituted in lieu thereof (*Effective July*
3800 *1, 2011*):

3801 (a) The Governor shall appoint the chairperson and executive
3802 director, if any, of all boards and commissions within the Executive
3803 Department, except the State Properties Review Board, the State
3804 Elections Enforcement Commission, the Commission on Human
3805 Rights and Opportunities, and the Citizen's Ethics Advisory Board. **[**,
3806 and the Commission on Fire Prevention and Control.**]**

3807 Sec. 79. Section 12-263b of the general statutes, as amended by
3808 section 146 of public act 11-6 and section 103 of public act 11-44, is
3809 repealed and the following is substituted in lieu thereof (*Effective July*
3810 *1, 2011, and applicable to calendar quarters commencing on or after July 1,*
3811 *2011*):

3812 (a) For each calendar quarter commencing on or after July 1, 2011,
3813 there is hereby imposed a tax on the net patient revenue of each
3814 hospital in this state to be paid each calendar quarter. The rate of such
3815 tax shall be up to the maximum rate allowed under federal law. The
3816 Commissioner of Social Services shall determine the base year on
3817 which such tax shall be assessed. The Commissioner of Social Services
3818 may, in consultation with the Secretary of the Office of Policy and
3819 Management and in accordance with federal law, exempt a hospital

3820 from the tax on payment earned for the provision of outpatient
3821 services based on financial hardship.

3822 (b) Each hospital shall, on or before the last day of January, April,
3823 July and October of each year, render to the Commissioner of Revenue
3824 Services a return, on forms prescribed or furnished by the
3825 Commissioner of Revenue Services and signed by one of its principal
3826 officers, stating specifically the name and location of such hospital, and
3827 the amount of its net patient revenue **[**for the calendar quarter ending
3828 the last day of the preceding month**]** as determined by the
3829 Commissioner of Social Services. Payment shall be made with such
3830 return. Each hospital shall file such return electronically with the
3831 department and make such payment by electronic funds transfer in the
3832 manner provided by chapter 228g, irrespective of whether the hospital
3833 would otherwise have been required to file such return electronically
3834 or to make such payment by electronic funds transfer under the
3835 provisions of chapter 228g.

3836 Sec. 80. Section 134 of public act 11-6, as amended by section 11 of
3837 house bill 6651 of the current session, is repealed and the following is
3838 substituted in lieu thereof (*Effective July 1, 2011*):

3839 Any fines **[**,**]** or civil penalties **[**or restitution**]** imposed by the
3840 Banking Commissioner or ordered by a court of competent jurisdiction
3841 in accordance with section 36a-50, 36a-53, 36b-27 or 36b-72 of the
3842 general statutes and any late fees received by the commissioner
3843 pursuant to subsection (b) of section 36a-65 of the general statutes, as
3844 amended by **[**this act**]** house bill 6651 of the current session, shall be
3845 deposited into the General Fund.

3846 Sec. 81. Section 7-323o of the general statutes is repealed and the
3847 following is substituted in lieu thereof (*Effective July 1, 2011*):

3848 There is established the position of State Fire Administrator who
3849 shall be recommended by the Commission on Fire Prevention and
3850 Control and appointed by the **[**commission**]** Commissioner of

3851 Emergency Services and Public Protection and who shall: (1) Carry out
3852 the requirements of section 7-323n; (2) administer federal funds and
3853 grants allocated to the fire services of the state; (3) provide technical
3854 assistance and guidance to fire fighting forces of any state or municipal
3855 agency; (4) develop a centralized information and audiovisual library
3856 regarding fire prevention and control; (5) accumulate, disseminate and
3857 analyze fire prevention data; (6) recommend specifications of fire
3858 service materials and equipment and assist in the purchasing thereof;
3859 (7) assist in mutual aid coordination; (8) coordinate fire programs with
3860 those of the other states; (9) assist in communications coordination;
3861 (10) establish and maintain a fire service information program; **[,]** and
3862 (11) review the purchase of fire apparatus or equipment at state
3863 institutions, facilities and properties and, on and after July 1, 1985,
3864 coordinate the training and education of fire service personnel at such
3865 institutions, facilities and properties. The provisions of this section
3866 shall not be construed to apply to forest fire prevention and control
3867 programs administered by the Commissioner of Energy and
3868 Environmental Protection pursuant to sections 23-33 to 23-57,
3869 inclusive.

3870 Sec. 82. (NEW) (*Effective July 1, 2011*) The Commissioner of
3871 Consumer Protection may appoint a director to perform such functions
3872 as the commissioner shall delegate to implement and administer the
3873 provisions of sections 7-169 to 7-186, inclusive, of the general statutes,
3874 as amended by this act, and chapters 226, 226b and 229a of the general
3875 statutes. Such director shall be exempt from the classified service.

3876 Sec. 83. Subdivision (2) of subsection (b) of section 31-345 of the
3877 general statutes is repealed and the following is substituted in lieu
3878 thereof (*Effective July 1, 2011*):

3879 (2) The chairman of the Workers' Compensation Commission shall
3880 annually, on or after July first of each fiscal year, determine an amount
3881 sufficient in the chairman's judgment to meet the expenses **[**of**]**
3882 incurred by the Workers' Compensation Commission and the Bureau

3883 of Rehabilitative Services in providing rehabilitation services for
3884 employees suffering compensable injuries in accordance with section
3885 31-283a. Such expenses shall include (A) the costs of the Division of
3886 Workers' Rehabilitation and the programs established by its director,
3887 for fiscal years prior to the fiscal year beginning July 1, 2011, (B) the
3888 costs of the Division of Worker Education and the programs
3889 established by its director, and (C) funding for the occupational health
3890 clinic program created pursuant to sections 31-396 to 31-402, inclusive.
3891 The Treasurer shall thereupon assess upon and collect from each
3892 employer, other than the state and any municipality participating for
3893 purposes of its liability under this chapter as a member in an interlocal
3894 risk management agency pursuant to chapter 113a, the proportion of
3895 such expenses, based on the immediately preceding fiscal year, that the
3896 total compensation and payment for hospital, medical and nursing
3897 care made by such self-insured employer or private insurance carrier
3898 acting on behalf of any such employer bore to the total compensation
3899 and payments for the immediately preceding fiscal year for hospital,
3900 medical and nursing care made by such insurance carriers and
3901 self-insurers. For the fiscal years ending June 30, 2000, and June 30,
3902 2001, such assessments shall not exceed five per cent of such total
3903 compensation and payments made by such insurance carriers and self-
3904 insurers. For the fiscal years ending June 30, 2002, and June 30, 2003,
3905 such assessments shall not exceed four and one-half per cent of such
3906 total compensation and payments made by such insurance carriers and
3907 self-insurers. For any fiscal year ending on or after June 30, 2004, such
3908 assessment shall not exceed four per cent of such total compensation
3909 and payments made by such insurance carriers and self-insurers. Such
3910 assessments and expenses shall not exceed the budget estimates
3911 submitted in accordance with subsection (c) of section 31-280. For each
3912 fiscal year, such assessment shall be reduced pro rata by the amount of
3913 any surplus from the assessments of prior fiscal years. Said surplus
3914 shall be determined in accordance with subdivision (3) of this
3915 subsection. Such assessments shall be made in one annual assessment
3916 upon receipt of the chairman's expense determination by the

3917 Treasurer. All assessments shall be paid not later than sixty days
3918 following the date of the assessment by the Treasurer. Any employer
3919 who fails to pay such assessment to the Treasurer within the time
3920 prescribed by this subdivision shall pay interest to the Treasurer on the
3921 assessment at the rate of eight per cent per annum from the date the
3922 assessment is due until the date of payment. All assessments received
3923 by the Treasurer pursuant to this subdivision to meet the expenses of
3924 the Workers' Compensation Commission shall be deposited in the
3925 Workers' Compensation Administration Fund established under
3926 section 31-344a. All assessments received by the Treasurer pursuant to
3927 this subdivision to meet the expenses incurred by the Bureau of
3928 Rehabilitative Services in providing rehabilitation services for
3929 employees suffering compensable injuries in accordance with section
3930 31-283a shall be deposited in the Workers' Compensation
3931 Administration Fund. The Treasurer is hereby authorized to make
3932 credits or rebates for overpayments made under this subsection by any
3933 employer for any fiscal year.

3934 Sec. 84. Subdivision (8) of subsection (b) of section 31-280 of the
3935 general statutes is repealed and the following is substituted in lieu
3936 thereof (*Effective July 1, 2011*):

3937 (8) Establish policy for all matters over which the commission has
3938 jurisdiction, including **[**rehabilitation,**]** education, statistical support
3939 and administrative appeals;

3940 Sec. 85. Subsection (d) of section 31-280 of the general statutes is
3941 repealed and the following is substituted in lieu thereof (*Effective July*
3942 *1, 2011*):

3943 (d) The chairman and the Comptroller, as soon as practicable after
3944 August first in each year, shall ascertain the total amount of expenses
3945 incurred by the commission, including, in addition to the direct cost of
3946 personnel services, the cost of maintenance and operation, rentals for
3947 space occupied in state leased offices and all other direct and indirect
3948 costs, incurred by the commission and the expenses incurred by the

3949 Bureau of Rehabilitation Services in providing rehabilitation services
3950 for employees suffering compensable injuries in accordance with the
3951 provisions of section 31-283a, during the preceding fiscal year in
3952 connection with the administration of the Workers' Compensation Act
3953 and the total noncontributory payments required to be made to the
3954 Treasurer towards commissioners' retirement salaries as provided in
3955 sections 51-49, 51-50, 51-50a and 51-50b. An itemized statement of the
3956 expenses as so ascertained shall be available for public inspection in
3957 the office of the chairman of the Workers' Compensation Commission
3958 for thirty days after notice to all insurance carriers, and to all
3959 employers permitted to pay compensation directly affected thereby.

3960 Sec. 86. Subsection (a) of section 10-65 of the general statutes is
3961 repealed and the following is substituted in lieu thereof (*Effective July*
3962 *1, 2011*):

3963 (a) Each local or regional school district operating an agricultural
3964 science and technology education center approved by the State Board
3965 of Education for program, educational need, location and area to be
3966 served shall be eligible for the following grants: (1) In accordance with
3967 the provisions of chapter 173, through progress payments in
3968 accordance with the provisions of section 10-287i, (A) for projects for
3969 which an application was filed prior to July 1, 2011, ninety-five per
3970 cent, and (B) for projects for which an application was filed on or after
3971 July 1, 2011, eighty per cent of the net eligible costs of constructing,
3972 acquiring, renovating and equipping approved facilities to be used for
3973 such agricultural science and technology education center, for the
3974 expansion or improvement of existing facilities or for the replacement
3975 or improvement of equipment therein, and (2) subject to the provisions
3976 of section 10-65b, in an amount equal to one thousand three hundred
3977 fifty-five dollars per student for every secondary school student who
3978 was enrolled in such center on October first of the previous year.

3979 Sec. 87. Section 26 of public act 11-6 is repealed and the following is
3980 substituted in lieu thereof (*Effective July 1, 2011*):

3981 For all allowable expenditures made pursuant to a contract subject
3982 to cost settlement with the Department of Developmental Services by
3983 an organization in compliance with performance requirements of such
3984 contract, one hundred per cent of the difference between actual
3985 expenditures incurred and the amount received by the organization
3986 from the Department of Developmental Services per such contract
3987 shall be reimbursed to the Department of Developmental Services
3988 **[**during**]** for the fiscal year ending June 30, 2012, and the fiscal year
3989 ending June 30, 2013.

3990 Sec. 88. Subsection (o) of section 4b-23 of the general statutes, as
3991 amended by section 55 of house bill 6650 of the current session, is
3992 repealed and the following is substituted in lieu thereof (*Effective July*
3993 *1, 2011*):

3994 (o) The Commissioner of Administrative Services shall adopt
3995 regulations, in consultation with the Secretary of the Office of Policy
3996 and Management and the State Properties Review Board, and in
3997 accordance with the provisions of chapter 54, setting forth the
3998 procedures which the Department of Administrative Services and said
3999 office and board shall follow in carrying out their responsibilities
4000 concerning state leasing of offices, space or other facilities. Such
4001 regulations shall specify, for each step in the leasing process at which
4002 an approval is needed in order to proceed to the next step, what
4003 information shall be required, who shall provide the information and
4004 the criteria for granting the approval. Notwithstanding any other
4005 provision of the general statutes, such regulations shall provide that:
4006 (1) The Commissioner of Administrative Services shall (A) review all
4007 lease requests included in, and scheduled to begin during, the first
4008 year of each approved state-wide facility and capital plan and (B)
4009 provide the Secretary of the Office of Policy and Management with an
4010 estimate of the gross cost and total square footage need for each lease,
4011 (2) the secretary shall approve a gross cost and a total square footage
4012 for each such lease and transmit each decision to the requesting
4013 agency, the commissioner and the State Properties Review Board, (3)

4014 [any agency seeking to enter into a lease, lease renewal or hold over
4015 agreement] the commissioner shall submit [such lease, renewal or
4016 agreement] all leases, lease renewals and hold over agreements to the
4017 secretary for approval, and (4) the secretary shall approve or
4018 disapprove any such lease request or agreement not more than ten
4019 working days after the secretary receives the request or agreement.

4020 Sec. 89. Subdivision (1) of section 4b-24 of the general statutes, as
4021 amended by section 56 of house bill 6650 of the current session, is
4022 repealed and the following is substituted in lieu thereof (*Effective July*
4023 *1, 2011*):

4024 (1) The commissioner shall (A) compile and maintain a
4025 comprehensive and complete inventory of all the improved and
4026 unimproved real estate available to the state by virtue of lease. The
4027 actual mechanical compilation of such inventory [may] shall be
4028 handled [, at the request of the commissioner,] by the Secretary of the
4029 Office of Policy and Management; provided such compilation shall be
4030 available to the Commissioner of Administrative Services at all times.
4031 Such inventory shall be used by the commissioner as the primary
4032 source for meeting state needs; [, and shall be shared with the review
4033 board and with the Secretary of the Office of Policy and Management;
4034 and] (B) maintain an inventory of improved and unimproved real
4035 estate which is owned by the state and which is unused or
4036 underutilized and submit a status report on such inventory, with
4037 recommendations concerning the reuse or disposition of such real
4038 estate, to the joint standing committees of the General Assembly
4039 having cognizance of matters relating to appropriations and the
4040 budgets of state agencies and government administration and
4041 elections, in accordance with the provisions of section 11-4a, not later
4042 than January first, annually; and (C) identify in the inventory required
4043 under this subdivision existing buildings that (i) are of historic,
4044 architectural or cultural significance, including buildings listed or
4045 eligible to be listed in the national register established under the
4046 National Historic Preservation Act of 1966, 80 Stat. 915 (1966), 16 USC

4047 470a and (ii) would be suitable, whether or not in need of repair,
4048 alteration or addition, to meet the public building needs of the state or
4049 to meet the needs of the public in accordance with the provisions of
4050 subsection (m) of section 4b-23.

4051 Sec. 90. Subsection (i) of section 7-169 of the general statutes, as
4052 amended by section 206 of house bill 6650 of the current session, is
4053 repealed and the following is substituted in lieu thereof (*Effective July*
4054 *1, 2011*):

4055 (i) Prizes offered for the winning of bingo games may consist of
4056 cash, merchandise, tickets for any lottery conducted under chapter 226,
4057 the value of which shall be the purchase price printed on such tickets,
4058 or other personal property. No permittee may offer a prize which
4059 exceeds two hundred <u>fifty</u> dollars in value, except that (1) a permittee
4060 may offer a prize or prizes on any one day of not less than two
4061 hundred fifty-one dollars or more than seven hundred fifty dollars in
4062 value, provided the total value of such prizes on any one day does not
4063 exceed twenty-five hundred dollars, (2) a permittee may offer one or
4064 two winner-take-all games or series of games played on any day on
4065 which the permittee is allowed to conduct bingo, provided ninety per
4066 cent of all receipts from the sale of bingo cards for such winner-take-all
4067 game or series of games shall be awarded as prizes for such games or
4068 series of games and provided each prize awarded does not exceed one
4069 thousand dollars in value, (3) the holder of a Class A permit may offer
4070 two additional prizes on a weekly basis not to exceed five hundred
4071 dollars each as a special grand prize and in the event such a special
4072 grand prize is not won, the money reserved for such prize shall be
4073 added to the money reserved for the next week's special grand prize,
4074 provided no such special grand prize may accumulate for more than
4075 sixteen weeks or exceed a total of five thousand dollars, and (4) a
4076 permittee may award door prizes the aggregate value of which shall
4077 not exceed five hundred dollars in value. When more than one player
4078 wins on the call of the same number, the designated prize shall be
4079 divided equally to the next nearest dollar. If a permittee elects, no

4080 winner may receive a prize which amounts to less than ten per cent of
4081 the announced prize and in such case the total of such multiple prizes
4082 may exceed the statutory limit of such game.

4083 Sec. 91. Section 29-310 of the general statutes, as amended by section
4084 108 of house bill 6650 of the current session, is repealed and the
4085 following is substituted in lieu thereof (*Effective July 1, 2011*):

4086 (a) The **[**State Fire Marshal**]** Commissioner of Emergency Services
4087 and Public Protection shall thoroughly investigate the cause,
4088 circumstances and origin of all fires or explosions to which his
4089 attention has been called, in accordance with the provisions of this
4090 part, by reason of which any property has been destroyed or damaged,
4091 or any person injured or killed, and shall especially examine and
4092 decide as to whether such fire was the result of carelessness, design, an
4093 incendiary device or any other criminal act. He may take the testimony
4094 under oath of any person supposed to be cognizant of or to have
4095 means of knowledge in relation to the matters as to which an
4096 examination is being made, and shall cause the same to be reduced to
4097 writing and filed in his office; and if, in his opinion, there is sufficient
4098 evidence to warrant that any person should be charged with the crime
4099 of arson or any other crime, he shall forthwith submit such evidence,
4100 together with the names of the witnesses and all other information
4101 obtained by him, to the proper prosecuting officer. He may, in any
4102 investigation, issue subpoenas for the purposes of summoning and
4103 compelling the attendance of witnesses before him to testify. He may
4104 administer oaths or affirmations to witnesses before him, and false
4105 swearing therein shall be perjury. He may, in the performance of his
4106 duties, enter, by himself or his assistants, into and upon the premises
4107 or building where any fire or explosion has occurred and premises
4108 thereto adjacent in accordance with the provisions of section 29-311, as
4109 amended by house bill 6650 of the current session and this act.

4110 (b) Whenever it comes to his knowledge or to the knowledge of any
4111 local fire marshal that there exists in any building or upon any

4112 premises combustible material or flammable conditions dangerous to
4113 the safety of such building or premises or dangerous to any other
4114 building or property, or conditions that present a fire hazard to the
4115 occupants thereof, the State Fire Marshal, or any local fire marshal,
4116 obtaining such knowledge, shall order such material to be forthwith
4117 removed or such conditions remedied by the owner or occupant of
4118 such building or premises, and such owner or occupant shall be subject
4119 to the penalties prescribed by section 29-295 and, in addition thereto,
4120 shall suffer a penalty of one hundred dollars a day for each day of
4121 neglect, to be recovered in a proper action in the name of the state.

4122 Sec. 92. Subsection (b) of section 29-311 of the general statutes, as
4123 amended by section 109 of house bill 6650 of the current session, is
4124 repealed and the following is substituted in lieu thereof (*Effective July*
4125 *1, 2011*):

4126 (b) The **[**State Fire Marshal**]** Commissioner of Emergency Services
4127 and Public Protection shall, within available appropriations, provide
4128 quarterly reports to the Insurance Commissioner detailing all cases in
4129 which it has been determined that a fire or explosion was the result of
4130 arson.

4131 Sec. 93. Subsection (a) of section 10-283 of the general statutes, as
4132 amended by section 116 of house bill 6650 of the current session, is
4133 repealed and the following is substituted in lieu thereof (*Effective July*
4134 *1, 2011*):

4135 (a) (1) Each town or regional school district shall be eligible to apply
4136 for and accept grants for a school building project as provided in this
4137 chapter. Any town desiring a grant for a public school building project
4138 may, by vote of its legislative body, authorize the board of education of
4139 such town to apply to the Commissioner of Education and to accept or
4140 reject such grant for the town. Any regional school board may vote to
4141 authorize the supervising agent of the regional school district to apply
4142 to the Commissioner of Education for and to accept or reject such grant
4143 for the district. Applications for such grants under this chapter shall be

4144 made by the superintendent of schools of such town or regional school
4145 district on the form provided and in the manner prescribed by the
4146 [Commissioner of Education, in consultation with the] Commissioner
4147 of Construction Services. The application form shall require the
4148 superintendent of schools to affirm that the school district considered
4149 the maximization of natural light and the use and feasibility of wireless
4150 connectivity technology in projects for new construction and alteration
4151 or renovation of a school building. The Commissioner of Education
4152 shall review each grant application for a school building project for
4153 compliance with educational requirements and on the basis of
4154 categories for building projects established by the State Board of
4155 Education in accordance with this section, and shall evaluate, if
4156 appropriate, whether the project will assist the state in meeting the
4157 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William
4158 A. O'Neill, et al., provided grant applications submitted for purposes
4159 of subsection (a) of section 10-65, as amended by this act, or section 10-
4160 76e shall be reviewed annually by the commissioner on the basis of the
4161 educational needs of the applicant. [After reviewing each such
4162 application, the] The Commissioner of Education shall forward each
4163 application and the category that the Commissioner of Education has
4164 assigned to each such project in accordance with subdivision (2) of this
4165 subsection to the Commissioner of Construction Services not later than
4166 August thirty-first of each fiscal year. The Commissioner of
4167 Construction Services shall review all grant applications for school
4168 building projects on the basis of standards for school construction,
4169 established in regulation in accordance with section 10-287c, as
4170 amended by [this act] house bill 6650 of the current session.
4171 Notwithstanding the provisions of this chapter, the Board of Trustees
4172 of the Community-Technical Colleges on behalf of Quinebaug Valley
4173 Community College and the following entities that will operate an
4174 interdistrict magnet school that will assist the state in meeting the
4175 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William
4176 A. O'Neill, et al., as determined by the Commissioner of Education,
4177 may apply for and shall be eligible to receive grants for school building

4178 projects pursuant to section 10-264h, as amended by [this act] house
4179 bill 6650 of the current session, for such a school: (A) The Board of
4180 Trustees of the Community-Technical Colleges on behalf of a regional
4181 community-technical college, (B) the Board of Trustees of the
4182 Connecticut State University System on behalf of a state university, (C)
4183 the Board of Trustees for The University of Connecticut on behalf of
4184 the university, (D) the board of governors for an independent college
4185 or university, as defined in section 10a-37, or the equivalent of such a
4186 board, on behalf of the independent college or university, (E)
4187 cooperative arrangements pursuant to section 10-158a, and (F) any
4188 other third-party not-for-profit corporation approved by the
4189 Commissioner of Education.

4190 (2) The Commissioner of Education shall assign each school
4191 building project to a category on the basis of whether such project is
4192 primarily required to: (A) Create new facilities or alter existing
4193 facilities to provide for mandatory instructional programs pursuant to
4194 this chapter, for physical education facilities in compliance with Title
4195 IX of the Elementary and Secondary Education Act of 1972 where such
4196 programs or such compliance cannot be provided within existing
4197 facilities or for the correction of code violations which cannot be
4198 reasonably addressed within existing program space; (B) create new
4199 facilities or alter existing facilities to enhance mandatory instructional
4200 programs pursuant to this chapter or provide comparable facilities
4201 among schools to all students at the same grade level or levels within
4202 the school district unless such project is otherwise explicitly included
4203 in another category pursuant to this section; and (C) create new
4204 facilities or alter existing facilities to provide supportive services,
4205 provided in no event shall such supportive services include swimming
4206 pools, auditoriums, outdoor athletic facilities, tennis courts,
4207 elementary school playgrounds, site improvement or garages or
4208 storage, parking or general recreation areas. All applications submitted
4209 prior to July first shall be reviewed promptly by the Commissioner of
4210 Education, [prior to forwarding] who shall forward such application to
4211 the Commissioner of Construction Services. The Commissioner of

4212 Construction Services shall estimate the amount of the grant for which
4213 such project is eligible, in accordance with the provisions of section 10-
4214 285a, as amended by [this act] house bill 6650 of the current session,
4215 provided an application for a school building project determined by
4216 the Commissioner of Education to be a project that will assist the state
4217 in meeting the goals of the 2008 stipulation and order for Milo Sheff, et
4218 al. v. William A. O'Neill, et al., shall have until September first to
4219 submit an application for such a project and may have until December
4220 first of the same year to secure and report all local and state approvals
4221 required to complete the grant application. The Commissioner of
4222 Construction Services shall annually prepare a listing of all such
4223 eligible school building projects listed by category together with the
4224 amount of the estimated grants for such projects and shall submit the
4225 same to the Governor, the Secretary of the Office of Policy and
4226 Management and the General Assembly on or before the fifteenth day
4227 of December, except as provided in section 10-283a as amended by
4228 house bill 6650 of the current session, with a request for authorization
4229 to enter into grant commitments. On or before December thirty-first
4230 annually, the Secretary of the Office of Policy and Management shall
4231 submit comments and recommendations regarding each eligible
4232 project on such listing of eligible school building projects to the school
4233 construction committee, established pursuant to section 10-283a, as
4234 amended by [this act] house bill 6650 of the current session. Each such
4235 listing submitted after December 15, 2005, until December 15, 2010,
4236 inclusive, shall include a separate schedule of authorized projects
4237 which have changed in scope or cost to a degree determined by the
4238 Commissioner of Education once, and a separate schedule of
4239 authorized projects which have changed in scope or cost to a degree
4240 determined by said commissioner twice. Any such listing submitted
4241 after December 15, 2010, until December 15, 2011, inclusive, shall
4242 include a separate schedule of authorized projects which have changed
4243 in scope or cost to a degree determined by the Commissioner of
4244 Construction Services once, and a separate schedule of authorized
4245 projects which have changed in scope or cost to a degree determined

4246 by said commissioner twice. On and after July 1, 2011, each such listing
4247 shall include a report on the review conducted by the Commissioner of
4248 Education of the enrollment projections for each such eligible project.
4249 For the period beginning July 1, 2006, and ending June 30, 2012, no
4250 project, other than a project for a regional vocational-technical school,
4251 may appear on the separate schedule of authorized projects which
4252 have changed in cost more than twice. On and after July 1, 2012, no
4253 project, other than a project for a regional vocational-technical school,
4254 may appear on the separate schedule of authorized projects which
4255 have changed in cost more than once, except the Commissioner of
4256 Construction Services may allow a project to appear on such separate
4257 schedule of authorized projects a second time if the town or regional
4258 school district for such project can demonstrate that exigent
4259 circumstances require such project to appear a second time on such
4260 separate schedule of authorized projects. Notwithstanding any
4261 provision of this chapter, no projects which have change in scope or
4262 cost to the degree determined by the Commissioner of Construction
4263 Services, in consultation with the Commissioner of Education, shall be
4264 eligible for reimbursement under this chapter unless it appears on such
4265 list. The percentage determined pursuant to section 10-285a, as
4266 amended by **[**this act**]** house bill 6650 of the current session, at the time
4267 a school building project on such schedule was originally authorized
4268 shall be used for purposes of the grant for such project. On and after
4269 July 1, 2006, a project that was not previously authorized as an
4270 interdistrict magnet school shall not receive a higher percentage for
4271 reimbursement than that determined pursuant to section 10-285a, as
4272 amended by **[**this act**]** house bill 6650 of the current session, at the time
4273 a school building project on such schedule was originally authorized.
4274 The General Assembly shall annually authorize the Commissioner of
4275 Construction Services to enter into grant commitments on behalf of the
4276 state in accordance with the commissioner's categorized listing for
4277 such projects as the General Assembly shall determine. The
4278 Commissioner of Construction Services may not enter into any such
4279 grant commitments except pursuant to such legislative authorization.

4280 Any regional school district which assumes the responsibility for
4281 completion of a public school building project shall be eligible for a
4282 grant pursuant to subdivision (5) or (6), as the case may be, of
4283 subsection (a) of section 10-286, as amended by **[**this act**]** house bill
4284 6650 of the current session, when such project is completed and
4285 accepted by such regional school district.

4286 Sec. 94. Section 10-285e of the general statutes, as amended by
4287 section 122 of house bill 6650 of the current session, is repealed and the
4288 following is substituted in lieu thereof (*Effective July 1, 2011*):

4289 (a) The **[**State Board of Education**]** Department of Construction
4290 Services shall include reimbursement for reasonable lease costs that are
4291 determined by the Commissioner of Construction Services to be
4292 required as part of a school building project grant under this chapter.

4293 (b) The Department of Construction Services shall require
4294 renovation projects under this chapter to meet the same state and
4295 federal codes and regulations as are required for alteration projects.

4296 Sec. 95. Subsection (b) of section 137 of house bill 6650 of the current
4297 session is repealed and the following is substituted in lieu thereof
4298 (*Effective July 1, 2011*):

4299 (b) The Commissioner of Emergency Services and Public Protection,
4300 or said commissioner's designee, shall serve as the chair of the
4301 Coordinating Advisory Board. The board shall consist of: (1) The
4302 president of the Connecticut State Firefighters Association or a
4303 designee, representing volunteer firefighters; (2) the president of the
4304 Uniformed Professional Firefighters Association or a designee,
4305 representing professional firefighters; (3) the president of the American
4306 Federation of State County and Municipal Employees, Council 15, or a
4307 designee, representing municipal police officers; (4) the executive
4308 director of the Connecticut Conference of Municipalities or a designee;
4309 (5) a member of the Police Officer Standards Training Council,
4310 designated by the chairperson of said council; (6) a member of the

4311 Commission on Fire Prevention and Control, designated by the
4312 chairperson of said commission; (7) the president of the Connecticut
4313 Emergency Management Association or a designee; (8) the president of
4314 the Connecticut Police Chiefs Association or a designee; (9) the
4315 president of the Connecticut Fire Chiefs Association or a designee; (10)
4316 the president of the Connecticut Career Fire Chiefs Association or a
4317 designee; (11) the Commissioner of Public Health; and **[**(8)**]** (12) one
4318 representative, designated by the Commissioner of Emergency
4319 Services and Public Protection, from the Office of State-Wide
4320 Emergency Telecommunications and from each of the divisions of
4321 Emergency Management and Homeland Security, State Police and
4322 Scientific Services within the Department of Emergency Services and
4323 Public Protection. Said board shall convene quarterly and at such other
4324 times as the chair deems necessary.

4325 Sec. 96. Subsection (a) of section 7-294b of the general statutes, as
4326 amended by section 146 of house bill 6650 of the current session, is
4327 repealed and the following is substituted in lieu thereof (*Effective July*
4328 *1, 2011*):

4329 (a) There shall be a Police Officer Standards and Training Council
4330 which shall be within the **[**Division of State Police of the**]** Department
4331 of Emergency Services and Public Protection and which shall consist of
4332 the following members appointed by the Governor: (1) A chief
4333 administrative officer of a town or city in Connecticut; (2) the chief
4334 elected official or chief executive officer of a town or city in
4335 Connecticut with a population under twelve thousand which does not
4336 have an organized police department; (3) a member of the faculty of
4337 The University of Connecticut; (4) eight members of the Connecticut
4338 Police Chiefs Association who are holding office or employed as chief
4339 of police or the highest ranking professional police officer of an
4340 organized police department of a municipality within the state; (5) the
4341 Chief State's Attorney; (6) a sworn municipal police officer whose rank
4342 is sergeant or lower; and (7) five public members. The Commissioner
4343 of Emergency Services and Public Protection and the Federal Bureau of

4344 Investigation special agent-in-charge in Connecticut or their designees
4345 shall be voting ex-officio members of the council. Any nonpublic
4346 member of the council shall immediately, upon the termination of such
4347 member's holding the office or employment that qualified such
4348 member for appointment, cease to be a member of the council. A
4349 member appointed to fill a vacancy shall be appointed for the
4350 unexpired term of the member whom such member is to succeed in the
4351 same manner as the original appointment. The Governor shall appoint
4352 a chairperson and the council shall appoint a vice-chairperson and a
4353 secretary from among the members. The members of the council shall
4354 serve without compensation but shall be entitled to actual expenses
4355 involved in the performance of their duties.

4356 Sec. 97. Section 7-294p of the general statutes, as amended by
4357 section 149 of house bill 6650 of the current session, is repealed and the
4358 following is substituted in lieu thereof (*Effective July 1, 2011*):

4359 (a) The Department of Emergency Services and Public Protection
4360 shall, in consultation with the Police Officer Standards and Training
4361 Council, maintain and operate the Connecticut Police Academy to
4362 offer training for municipal police officers. The department, in
4363 consultation with the Police Officer Standards and Training Council,
4364 shall fix tuition and fees for training, education programs and sessions
4365 and for such other purposes as the Commissioner of Emergency
4366 Services and Public Protection deems necessary for the operation and
4367 support of the academy. **[**, subject to the approval of the Office of
4368 Policy and Management.**]** Such fees shall be used solely for training
4369 and educational purposes.

4370 (b) The department may establish and maintain a municipal police
4371 officer training and education extension account, which shall be a
4372 separate, nonlapsing account within the General Fund. The account
4373 shall contain any moneys required by law to be deposited in the
4374 account. The account shall be used for the operation of such training
4375 and education programs and sessions as the Department of Emergency

4376 Services and Public Protection, in consultation with the Police Officer
4377 Standards and Training Council, may establish. All proceeds derived
4378 from the operation of the training and education programs and
4379 sessions shall be deposited in the General Fund and shall be credited
4380 to and become a part of the resources of the account. All direct
4381 expenses incurred in the conduct of the training and education
4382 programs and sessions shall be charged and any payments of interest
4383 and principal of bonds or any sums transferable to any fund for the
4384 payment of interest and principal of bonds and any cost of equipment
4385 for such operations may be charged, against the account on order of
4386 the State Comptroller. Any balance of receipts above expenditures
4387 shall remain in the account to be used for training and education
4388 programs and sessions.

4389 Sec. 98. Section 12-806b of the general statutes, as amended by
4390 section 198 of house bill 6650 of the current session, is repealed and the
4391 following is substituted in lieu thereof (*Effective July 1, 2011*):

4392 (a) Commencing **[**April 1, 2012**]** July 1, 2011, and annually
4393 thereafter, the Office of Policy and Management shall assess the
4394 Connecticut Lottery Corporation in an amount sufficient to
4395 compensate the Department of Consumer Protection for the reasonable
4396 and necessary costs incurred by the department for the regulatory
4397 activities specified in subdivision (13) of subsection (b) of section 12-
4398 806 for the preceding fiscal year ending June thirtieth.

4399 (b) **[**On or before May first of each year**]** For the assessment year
4400 ending June 30, 2012, the Office of Policy and Management shall, on or
4401 before August 1, 2012, submit the total of the assessment made in
4402 accordance with subsection (a) of this section, together with a
4403 proposed assessment for the succeeding fiscal year based on the
4404 preceding fiscal year cost, to the Connecticut Lottery Corporation. The
4405 assessment for the preceding fiscal year shall be determined not later
4406 than **[**June fifteenth of each year**]** September 15, 2011, after receiving
4407 any objections to the proposed assessments and making such changes

4408 or adjustments as the Secretary of the Office of Policy and
4409 Management determines to be warranted. The corporation shall pay
4410 the total assessment in quarterly payments to the Office of Policy and
4411 Management, with the first payment commencing on **[**July first of each
4412 year**]** October 1, 2011, and with the remaining payments to be made on
4413 **[**October first, January first, and April first annually**]** January 1, 2012,
4414 April 1, 2012, and June 1, 2012. The office shall deposit any such
4415 payment in the lottery assessment account established under
4416 subsection **[**(c)**]** (d) of this section.

4417 (c) For the assessment year ending June 30, 2013, and each
4418 assessment year thereafter, the Office of Policy and Management shall,
4419 on or before May first of each year, submit the total of the assessment
4420 made in accordance with subsection (a) of this section, together with a
4421 proposed assessment for the succeeding fiscal year based on the
4422 preceding fiscal year cost, to the Connecticut Lottery Corporation. The
4423 assessment for the preceding fiscal year shall be determined not later
4424 than June fifteenth of each year, after receiving any objections to the
4425 proposed assessments and making such changes or adjustments as the
4426 Secretary of the Office of Policy and Management determines to be
4427 warranted. The corporation shall pay the total assessment in quarterly
4428 payments to the Office of Policy and Management, with the first
4429 payment commencing on July first of each year, and with the
4430 remaining payments to be made on October first, January first and
4431 April first annually. The office shall deposit any such payment in the
4432 lottery assessment account established under subsection (d) of this
4433 section.

4434 **[**(c)**]** (d) There is established an account to be known as the "lottery
4435 assessment account" which shall be a separate, nonlapsing account
4436 within the General Fund. The account shall contain any moneys
4437 required by law to be deposited in the account. Moneys in the account
4438 shall be expended by the Department of Consumer Protection.

4439 (e) Notwithstanding any provision of this section, the final quarterly

4440 payment for the assessment for the fiscal year ending June 30, 2011,
4441 shall be paid on July 1, 2011.

4442 Sec. 99. Subsection (e) of section 20-280 of the general statutes, as
4443 amended by section 37 of house bill 6651 of the current session, is
4444 repealed and the following is substituted in lieu thereof (*Effective July*
4445 *1, 2011*):

4446 (e) The board may recommend and the Secretary of the State may
4447 employ, subject to the provisions of chapter 67, **[**may employ an
4448 executive director and such other**]** such personnel as may be necessary
4449 to carry out the provisions of sections 20-279b to 20-281m, inclusive.
4450 The board may enter into such contractual agreements as may be
4451 necessary for the discharge of its duties, within the limit of its
4452 appropriated funds and in accordance with established procedures, as
4453 it deems necessary in its administration and enforcement of said
4454 sections. It may appoint committees or persons to advise or assist the
4455 board in such administration and enforcement as it may see fit. Said
4456 board shall be within the office of the Secretary of the State.

4457 Sec. 100. Section 50 of public act 11-6, as amended by section 42 of
4458 house bill 6651 of the current session, is repealed and the following is
4459 substituted in lieu thereof (*Effective from passage*):

4460 (a) Notwithstanding the provisions of subsection (j) of section 45a-
4461 82 of the general statutes, on June 30, 2011, (1) the sum of $500,000
4462 shall be transferred from the surplus funds in the Probate Court
4463 Administration Fund to the Court Support Services Division of the
4464 Judicial Department for a male youth leadership pilot program to
4465 provide services in targeted communities to high-risk males with low
4466 academic achievement, (2) the sum of $1,000,000 shall be transferred
4467 from said surplus funds to the Kinship Fund and Grandparents and
4468 Relatives Respite Fund administered by the Children's Trust Fund
4469 Council and the Department of Social Services through the Probate
4470 Court, (3) the sum of $50,000 shall be transferred from said surplus
4471 funds to the Judicial Department, for Other Expenses, to support the

4472 expansion of the Children in Placement, Inc. program in Danbury, (4)
4473 the sum of $800,000 shall be transferred from said surplus funds to the
4474 Children's Trust Fund administered by the Children's Trust Fund
4475 Council and the Department of Social Services, **[**and**]** (5) the sum of
4476 $50,000 shall be transferred from said surplus funds to the Judicial
4477 Department, for Other Expenses, for a grant to the Child Advocates of
4478 Connecticut to provide child advocacy services in **[**Stamford and
4479 Danbury**]** the Stamford/Norwalk and Danbury Judicial Districts, and
4480 (6) the sum of $150,000 shall be transferred from said surplus funds to
4481 the Judicial Department, for Other Expenses, for a grant to the
4482 Ralphola Taylor Community Center YMCA in Bridgeport.

4483 (b) Notwithstanding the provisions of subsection (j) of section 45a-
4484 82 of the general statutes, on June 30, 2012, (1) the sum of $1,000,000
4485 shall be transferred from the surplus funds in the Probate Court
4486 Administration Fund to the Kinship Fund and Grandparents and
4487 Relatives Respite Fund administered by the Children's Trust Fund
4488 Council and the Department of Social Services through the Probate
4489 Court, (2) the sum of $50,000 shall be transferred from said surplus
4490 funds to the Judicial Department, for Other Expenses, to support the
4491 expansion of the Children in Placement, Inc. program in Danbury, (3)
4492 the sum of $50,000 shall be transferred from said surplus funds to the
4493 Judicial Department, for Other Expenses, for a grant to the Child
4494 Advocates of Connecticut to provide child advocacy services in
4495 **[**Stamford and Danbury, and (4) any surplus funds remaining in the
4496 Probate Court Administration Fund after the transfers in subdivisions
4497 (1), (2) and (3) of this subsection are made shall be transferred to the
4498 General Fund**]** the Stamford/Norwalk and Danbury Judicial Districts,
4499 and (4) the sum of $150,000 shall be transferred from said surplus
4500 funds to the Judicial Department, for Other Expenses, for a grant to the
4501 Ralphola Taylor Community Center YMCA in Bridgeport.

4502 Sec. 101. Subdivision (7) of subsection (b) of section 9-601a of the
4503 general statutes, as amended by section 286 of house bill 6651 of the
4504 current session, is repealed and the following is substituted in lieu

4505 thereof (*Effective January 1, 2012, and applicable to primaries and elections*
4506 *held on or after said date*):

4507 (7) The display of a lawn sign by a human being or on real property;

4508 Sec. 102. Section 29 of house bill 6651 of the current session is
4509 repealed and the following is substituted in lieu thereof (*Effective*
4510 *January 1, 2012*):

4511 The Commercial Recording Division of the office of the Secretary of
4512 the State shall establish an electronic business portal as a single point
4513 of entry for business entities for purposes of business registration
4514 pursuant to title 33 or 34 of the general statutes. Such portal shall
4515 provide explanatory information and electronic links provided by state
4516 agencies and quasi-public agencies, including, but not limited to, the
4517 Labor Department, the Workers' Compensation Commission, the
4518 Departments of Economic and Community Development,
4519 Administrative Services, Consumer Protection, Environmental
4520 Protection and Revenue Services, the Connecticut Development
4521 Authority, Connecticut Innovations, Incorporated, Connecticut
4522 Licensing Info Center, The United States Small Business
4523 Administration, the Connecticut Small Business Development Center,
4524 **[**and**]** the Connecticut Economic Resource Center and the Connecticut
4525 Center for Advanced Technology, for the purposes of assisting such
4526 business entities in determining permitting and licensure
4527 requirements, identifying state revenue responsibilities and benefits,
4528 and finding available state financial incentives and programs related to
4529 such entities' businesses. The information provided for purposes of
4530 business registration with the office of the Secretary of the State may be
4531 made available to state agencies and quasi-public agencies for
4532 economic development, state revenue collection and statistical
4533 purposes as provided by law.

4534 Sec. 103. Subsection (b) of section 20 of house bill 6651 of the current
4535 session is repealed and the following is substituted in lieu thereof
4536 (*Effective from passage*):

4537 (b) Not later than January 1, **[**2012**]** 2013, the executive director of
4538 the Commission on Human Rights and Opportunities shall submit
4539 findings concerning such study and any recommendations for
4540 legislative action concerning such study, in accordance with the
4541 provisions of section 11-4a of the general statutes, to the joint standing
4542 committee of the General Assembly having cognizance of matters
4543 relating to government administration.

4544 Sec. 104. Subdivision (5) of subsection (b) of section 191 of house bill
4545 6651 of the current session is repealed and the following is substituted
4546 in lieu thereof (*Effective from passage*):

4547 (5) **[**One**]** Two appointed by the Governor, **[**who**]** one of whom shall
4548 be a representative from a regional workforce investment board and
4549 one of whom shall be the parent of a student enrolled in the regional
4550 vocational-technical school system;

4551 Sec. 105. Subsection (x) of section 5-198 of the general statutes is
4552 repealed and the following is substituted in lieu thereof (*Effective July*
4553 *1, 2011*):

4554 (x) Lieutenant colonels in the Division of State Police within the
4555 Department of Public Safety appointed on or after June 6, 1990; **[**, and
4556 majors in the Division of State Police within the Department of Public
4557 Safety appointed on or after July 1, 1999;**]**

4558 Sec. 106. Subsection (a) of section 211 of house bill 6651 of the
4559 current session is repealed and the following is substituted in lieu
4560 thereof (*Effective July 1, 2011*):

4561 (a) There shall be a Board of Regents for Higher Education who
4562 shall serve as the governing body for the regional community-technical
4563 college system, the Connecticut State University System and Charter
4564 Oak State College. The board shall consist of nineteen members who
4565 shall be distinguished leaders of the community in Connecticut. The
4566 board shall reflect the state's geographic, racial and ethnic diversity.

4567 The voting members shall not be employed by or be a member of a
4568 board of trustees for any independent institution of higher education
4569 in this state or the Board of Trustees for The University of Connecticut
4570 nor shall they be employed by or be elected officials of any public
4571 agency as defined in subdivision (1) of section 1-200 of the general
4572 statutes, during their term of membership on the Board of Regents for
4573 Higher Education. The Governor shall appoint nine members to the
4574 board as follows: Three members for a term of two years; three
4575 members for a term of four years; and three members for a term of six
4576 years. Thereafter, the Governor shall appoint members of the board to
4577 succeed such appointees whose terms expire and each member so
4578 appointed shall hold office for a period of six years from the first day
4579 of July in the year of his or her appointment. Four members of the
4580 board shall be appointed as follows: One appointment by the president
4581 pro tempore of the Senate, who shall be an alumnus of the regional
4582 community-technical college system, for a term of four years; one
4583 appointment by the minority leader of the Senate, who shall be **[**an
4584 alumnus of the Connecticut State University System**]** a specialist in the
4585 education of children in grades kindergarten to twelve, inclusive, for a
4586 term of three years; one appointment by the speaker of the House of
4587 Representatives, who shall be **[**a specialist in the education of children
4588 in grades kindergarten to twelve, inclusive**]** an alumnus of the
4589 Connecticut State University System, for a term of four years; and one
4590 appointment by the minority leader of the House of Representatives,
4591 who shall be an alumnus of Charter Oak State College, for a term of
4592 three years. Thereafter, such members of the General Assembly shall
4593 appoint members of the board to succeed such appointees whose
4594 terms expire and each member so appointed shall hold office for a
4595 period of four years from the first day of July in the year of his or her
4596 appointment. The chairperson and vice-chairperson of the student
4597 advisory committee created under section 10a-3 of the general statutes,
4598 as amended by this act, shall serve as members of the board. The
4599 Commissioners of Education, Economic and Community Development
4600 and Public Health and the Labor Commissioner shall serve as ex-

4601 officio, nonvoting members of the board.

4602 Sec. 107. Subsection (a) of section 10a-6a of the general statutes, as
4603 amended by section 228 of house bill 6651 of the current session, is
4604 repealed and the following is substituted in lieu thereof (*Effective July*
4605 *1, 2011*):

4606 (a) There is established a Higher Education Coordinating Council
4607 composed of: The **[**chief executive officers of each constituent unit of
4608 the state system of higher education**]** vice president for each
4609 constituent unit appointed pursuant to subsection (c) of section 212 of
4610 house bill 6651 of the current session, as amended by this act, the
4611 Secretary of the Office of Policy and Management, the Commissioner
4612 of Education, the president of The University of Connecticut, the
4613 chairperson of the Board of Trustees for The University of Connecticut,
4614 the chairperson of the Board of Regents for Higher Education and the
4615 president of the Board of Regents for Higher Education. The Secretary
4616 of the Office of Policy and Management shall call an annual meeting of
4617 the council.

4618 Sec. 108. Section 253 of house bill 6651 of the current session is
4619 repealed and the following is substituted in lieu thereof (*Effective July*
4620 *1, 2011*):

4621 Notwithstanding sections 10a-34 to 10a-35, inclusive, of the general
4622 statutes, as amended by this act, the Board of Regents for Higher
4623 Education shall have the authority, in accordance with the provisions
4624 of said sections 10a-34 to 10a-35, inclusive, as amended by this act,
4625 over academic degrees awarded by public institutions of higher
4626 education in this state, including the (1) operation of public institutions
4627 of higher education and the programs offered by such public
4628 institutions of higher education, (2) licensure and accreditation of
4629 public institutions of higher education and programs offered by such
4630 public institutions of higher education, (3) evaluation and approval of
4631 applications to confer academic degrees made by public institutions of
4632 higher education, and (4) assessment of any violation by a public

4633 institution of higher education of the authority of said board as
4634 described in subdivisions (1) to (3), inclusive, of this section and the
4635 imposition of a penalty for such violation.

4636 Sec. 109. Section 10a-168a of the general statutes, as amended by
4637 section 268 of house bill 6651 of the current session, is repealed and the
4638 following is substituted in lieu thereof (*Effective July 1, 2011*):

4639 (a) There is established a Connecticut minority teacher incentive
4640 program administered by the Office of Financial and Academic Affairs
4641 for Higher Education.

4642 (b) Within available appropriations, the program shall provide
4643 grants to minority students (1) in teacher education programs for their
4644 junior or senior year, or both such years, at any four-year institution of
4645 higher education, (2) completing the requirements of such a teacher
4646 education program as a graduate student, provided such student
4647 received a grant pursuant to this section for one year at the
4648 undergraduate level, or (3) enrolled in the alternate route to
4649 certification program administered through the Office of Financial and
4650 Academic Affairs for Higher Education. No student shall receive a
4651 grant under the program for more than two years. Maximum grants
4652 shall not exceed five thousand dollars per year. The office shall ensure
4653 that at least ten per cent of the grant recipients are minority students
4654 who transfer from a Connecticut regional community-technical college.

4655 (c) A minority student who received grants under subsection (b) of
4656 this section, and who teaches in a Connecticut public school upon
4657 graduation, shall be eligible for reimbursement of federal or state
4658 educational loans up to a maximum of two thousand five hundred
4659 dollars per year for up to four years of teaching service.

4660 (d) Notwithstanding the provisions of subsections (b) and (c) of this
4661 section, the combined dollar value of grants and loan reimbursements
4662 shall not exceed twenty thousand dollars per student.

4663 **[**(e) For the fiscal years ending June 30, 2001, and June 30, 2002, the
4664 Office of Financial and Academic Affairs for Higher Education may
4665 use up to two per cent of the funds appropriated for purposes of this
4666 section for program administration, promotion, recruitment and
4667 retention activities that are designed to increase the number of
4668 minority students pursuing teaching careers at Connecticut institutions
4669 of higher education.**]**

4670 Sec. 110. Subsection (a) of section 10-236a of the general statutes, as
4671 amended by section 279 of house bill 6651 of the current session, is
4672 repealed and the following is substituted in lieu thereof (*Effective July*
4673 *1, 2011*):

4674 (a) Each board of education, **[**shall protect and save harmless any
4675 member of such board or any teacher or other employee thereof or any
4676 member of its supervisory or administrative staff, and**]** the State Board
4677 of Education, the Board of Regents for Higher Education, the Board of
4678 Trustees for The University of Connecticut, and each state agency
4679 which employs any teacher, and the managing board of any public
4680 school, as defined in section 10-183b, as amended by **[**this act**]** house
4681 bill 6651 of the current session, shall protect and save harmless any
4682 member of such boards, or any teacher or other employee **[**thereof or
4683 any member of its supervisory or administrative staff employed by it**]**
4684 of such boards, from financial loss and expense, including payment of
4685 expenses reasonably incurred for medical or other service necessary as
4686 a result of an assault upon such member, teacher or other employee
4687 while such person was acting in the discharge of his or her duties
4688 within the scope of his or her employment or under the direction of
4689 such **[**board of education, Board of Regents for Higher Education,
4690 Board of Regents for Higher Education, board of trustees**]** boards, state
4691 agency, department or managing board, which expenses are not paid
4692 by the individual teacher's or employee's insurance, workers'
4693 compensation or any other source not involving an expenditure by
4694 such teacher or employee.

4695 Sec. 111. (*Effective July 1, 2011*) On and before December 31, 2011, the
4696 Board of Governors of Higher Education and the Board of Trustees of
4697 the Connecticut State University System and Community-Technical
4698 Colleges and the Board of State Academic Awards shall protect and
4699 save harmless any member of such boards, or any teacher or other
4700 employee of such boards, from financial loss and expense, including
4701 payment of expenses reasonably incurred for medical or other service
4702 necessary as a result of an assault upon such member, teacher or other
4703 employee while such person was acting in the discharge of his or her
4704 duties within the scope of his or her employment or under the
4705 direction of such board, which expenses are not paid by the individual
4706 teacher's or employee's insurance, workers' compensation or any other
4707 source not involving an expenditure by such teacher or employee.

4708 Sec. 112. Section 10a-17d of the general statutes, as amended by
4709 section 259 of house bill 6651 of the current session, is repealed and the
4710 following is substituted in lieu thereof (*Effective July 1, 2011*):

4711 The **[**Office of Financial and Academic Affairs**]** Board of Regents for
4712 Higher Education may, within the limits of available appropriations,
4713 federal funds available under the National Service Act and any other
4714 funds available, assist in providing tutors for eligible students. Such
4715 tutors may be members of the National Service Corps, as designated
4716 by the **[**Office of Financial and Academic Affairs**]** Board of Regents for
4717 Higher Education, or students at a public or independent institution of
4718 higher education in Connecticut. Any student assigned as a tutor
4719 pursuant to sections 10a-17b to 10a-17d, inclusive, shall receive
4720 academic credit pursuant to section 10a-149b.

4721 Sec. 113. Subsection (c) of section 46a-68 of the general statutes, as
4722 amended by section 73 of house bill 6650 of the current session, is
4723 repealed and the following is substituted in lieu thereof (*Effective from*
4724 *passage*):

4725 (c) Each state agency, department, board and commission that
4726 employs two hundred fifty or more full-time employees shall file an

4727 affirmative action plan developed in accordance with subsection (a) of
4728 this section, with the Commission on Human Rights and
4729 Opportunities, semiannually, except that any state agency,
4730 department, board or commission which has an affirmative action plan
4731 approved by the commission may be permitted to file its plan on an
4732 annual basis in a manner prescribed by the commission and any state
4733 agency, department, board or commission that employs twenty-five or
4734 more employees but fewer than two hundred fifty full-time employees
4735 shall file its affirmative action plan biennially, unless the commission
4736 disapproves the most recent submission of the plan, in which case the
4737 commission may require the resubmission of such plan by a time
4738 chosen by the commission, until the plan is approved. All affirmative
4739 action plans shall be filed electronically, if practicable.

4740 Sec. 114. Section 244 of house bill 6651 of the current session is
4741 repealed and the following is substituted in lieu thereof (*Effective July*
4742 *1, 2011*):

4743 (a) There is established an Office of Financial and Academic Affairs
4744 for Higher Education. Such office shall be within the Board of Regents
4745 for Higher Education for administrative purposes only. The Office of
4746 Financial and Academic Affairs for Higher Education shall administer
4747 the programs set forth in sections 10-19g, 10-155d, 10a-10a, 10a-11, 10a-
4748 11a, 10a-17d, 10a-34 to 10a-34f, inclusive, as amended by **[**this act**]**
4749 house bill 6651 of the current session, 10a-35, as amended by **[**this act**]**
4750 house bill 6651 of the current session, 10a-36 to 10a-42g, inclusive, **[**10a-
4751 48 to 10a-48a, inclusive,**]** 10a-164a, 10a-166 and 10a-168a to 10a-170,
4752 inclusive, of the general statutes, as amended by house bill 6651 of the
4753 current session and this act. The State Board of Education shall be
4754 responsible for approving any action taken pursuant to sections 10a-34
4755 to 10a-34f, inclusive, of the general statutes, as amended by **[**this act**]**
4756 house bill 6651 of the current session.

4757 Sec. 115. Subsection (a) of section 75 of house bill 6650 of the current
4758 session is repealed and the following is substituted in lieu thereof

4759 (*Effective from passage*):

4760 (a) Not later than July 1, 2011, the executive director of the
4761 Commission on Human Rights and Opportunities shall convene a
4762 working group to review the commission's existing regulations
4763 governing affirmative action plans adopted in accordance with section
4764 46a-68 of the general statutes, as amended by this act, and to
4765 recommend amendments to such regulations. Such working group
4766 shall consist of the executive director, <u>or a designee,</u> the Secretary of
4767 the Office of Policy and Management, or a designee, the Commissioner
4768 of Administrative Services, or a designee, and eight other members
4769 selected by the executive director who have experience in one or more
4770 of the following: (1) Drafting affirmative action plans for state
4771 agencies, (2) affirmative action law, (3) affirmative action education, or
4772 (4) the impact of affirmative action on minority communities. Such
4773 eight members shall include at least one representative of each of the
4774 following: (A) A regulation and protection agency, (B) a conservation
4775 and development agency, (C) a human services agency, (D) a
4776 transportation agency, and (E) an education agency. The executive
4777 director <u>or said executive director's designee</u> shall serve as chairperson
4778 of the working group.

4779 Sec. 116. Section 12-559 of the general statutes is repealed and the
4780 following is substituted in lieu thereof (*Effective July 1, 2011*):

4781 **[**Notwithstanding the provisions of section 4-8, the executive
4782 director shall, with the advice and consent of the board, appoint unit
4783 heads for each of the units created within the division, who shall be
4784 exempt from classified service. Each unit head shall be qualified and
4785 experienced in the functions to be performed by such unit head. The
4786 executive director**]** <u>The commissioner</u> may employ **[**division**]** stewards
4787 for thoroughbred racing, **[**division**]** judges for harness racing,
4788 greyhound racing and jai alai, and **[**division**]** veterinarians who shall
4789 be exempt from classified service, and may employ, subject to the
4790 provisions of chapter 67, such **[**clerks, stenographers, inspectors,

4791 agents and] other employees [,] as may be necessary to carry out the
4792 provisions of this chapter. The [executive director] commissioner shall
4793 require such persons to submit to state and national criminal history
4794 records checks before being employed. The criminal history records
4795 checks required pursuant to this section shall be conducted in
4796 accordance with section 29-17a. All persons employed pursuant to this
4797 section, with the exception of any steward, judge or veterinarian, shall
4798 be residents of the state at the time of and during the full term of their
4799 employment.

4800 Sec. 117. Section 12-561 of the general statutes is repealed and the
4801 following is substituted in lieu thereof (*Effective July 1, 2011*):

4802 No [executive director] commissioner or unit head or employee of
4803 the [division or member or employee] department or member of the
4804 Gaming Policy Board shall directly or indirectly, individually or as a
4805 member of a partnership or as a shareholder of a corporation, have any
4806 interest whatsoever in dealing in any lottery, racing, fronton or betting
4807 enterprise or in the ownership or leasing of any property or premises
4808 used by or for any lottery, racing, fronton or betting enterprise. No
4809 [executive director] commissioner, unit head or member of the Gaming
4810 Policy Board shall, directly or indirectly, wager at any off-track betting
4811 facility, race track or fronton authorized under this chapter or purchase
4812 lottery tickets issued under this chapter. [No employee of the division
4813 or the board shall, directly or indirectly, purchase lottery tickets issued
4814 under this chapter. The executive director] The commissioner may, by
4815 regulation adopted [with the advice and consent of] in consultation
4816 with the board, prohibit any employee of the [division] department
4817 from engaging, directly or indirectly, in any [other] form of legalized
4818 gambling activity in which such employee is involved because of his
4819 employment with the [division] department. For purposes of this
4820 section, "unit head" means a managerial employee with direct
4821 oversight of a legalized gambling activity.

4822 Sec. 118. Section 12-565 of the general statutes is repealed and the

4823 following is substituted in lieu thereof (*Effective July 1, 2011*):

4824 The **[**executive director**]** commissioner or the board may conduct
4825 any inquiry, investigation or hearing necessary to carry out the
4826 provisions of this chapter. The **[**executive director**]** commissioner or
4827 any board member shall have power to administer oaths and take
4828 testimony under oath concerning the matter of inquiry or
4829 investigation. At any hearing ordered, the **[**executive director**]**
4830 commissioner, the board or an agent authorized by law to issue such
4831 process may subpoena witnesses and require the production of
4832 records, papers and documents pertinent to such inquiry. No witness
4833 under subpoena issued under the provisions of this section shall be
4834 excused from testifying or from producing records, papers or
4835 documents on the ground that such testimony or the production of
4836 such records or other documentary evidence would tend to
4837 incriminate him, but such evidence or the records or papers so
4838 produced shall not be used in any criminal proceeding against him. If
4839 any person disobeys such process or, having appeared in obedience
4840 thereto, refuses to answer any pertinent question put to him or to
4841 produce any records and papers pursuant thereto, the executive
4842 director or board may apply to the superior court for the judicial
4843 district of Hartford or for the judicial district wherein the person
4844 resides or wherein the business has been conducted, or to any judge of
4845 said court if the same is not in session, setting forth such disobedience
4846 to process or refusal to answer. Said court or such judge shall cite such
4847 person to appear before said court or such judge to answer such
4848 question or to produce such records and papers and, upon his refusal
4849 to do so, shall commit such person to a community correctional center
4850 until he testifies, but not for a longer period than sixty days.
4851 Notwithstanding the serving of the term of such commitment by any
4852 person, the executive director or board may proceed with such inquiry
4853 and examination as if the witness had not previously been called upon
4854 to testify. Officers who serve subpoenas issued by the executive
4855 director or the board or under his or its authority and witnesses
4856 attending hearings conducted hereunder shall receive the same fees

4857 and compensation as officers and witnesses in the courts of this state to
4858 be paid on vouchers of the division on order of the Comptroller. The
4859 [executive director] commissioner may delegate the powers granted to
4860 him under this section. [to each or any one of the unit heads appointed
4861 by him in accordance with section 12-559, to any assistant unit head or
4862 the deputy or executive assistant to the executive director.]

4863 Sec. 119. Section 17b-301k of the general statutes, as amended by
4864 section 158 of public act 11-44, is repealed and the following is
4865 substituted in lieu thereof (*Effective from passage*):

4866 (a) Any employee, contractor or agent who is discharged, demoted,
4867 suspended, threatened, harassed or in any other manner discriminated
4868 against in the terms and conditions of employment because of lawful
4869 acts done by the employee, contractor, [or] agent or associated others,
4870 in furtherance of an action under sections 17b-301c to 17b-301g,
4871 inclusive, as amended by [this act] public act 11-44, including
4872 investigation for, initiation of, testimony for or assistance in an action
4873 filed or to be filed under sections 17b-301c to 17b-301g, inclusive, or
4874 efforts to stop a violation of sections 17b-301a to 17b-301p, inclusive, as
4875 amended by [this act] public act 11-44, shall be entitled to all relief
4876 necessary to make the employee, contractor or agent whole. Such relief
4877 shall include reinstatement with the same seniority status such
4878 employee would have had but for the discrimination, two times the
4879 amount of any back pay, interest on any back pay and compensation
4880 for any special damages sustained as a result of the discrimination,
4881 including litigation costs and reasonable attorneys' fees. An employee
4882 may bring an action in the Superior Court for the relief provided in
4883 this section.

4884 (b) A civil action or claim under this section may not be brought
4885 more than three years after the date on which the retaliation occurred.

4886 Sec. 120. Section 14-11b of the general statutes, as amended by
4887 section 46 of public act 11-44, is repealed and the following is
4888 substituted in lieu thereof (*Effective July 1, 2011*):

4889 (a) There shall be within the Bureau of Rehabilitative Services a unit
4890 for the purpose of evaluating and training persons with disabilities in
4891 the operation of motor vehicles. There [shall be assigned to such unit a
4892 driver consultant for persons with disabilities who shall be under the
4893 direction of the director and who shall be responsible for overseeing
4894 the driver training program for persons with disabilities. In addition to
4895 such consultant there] shall be assigned to the driver training unit for
4896 persons with disabilities such staff as is necessary for the orderly
4897 administration of the driver training program for persons with
4898 disabilities. The [driver consultant for persons with disabilities and
4899 such other] personnel [as are] assigned to the driver training unit for
4900 persons with disabilities shall, while engaged in the evaluation,
4901 instruction or examination of a person with disabilities, have the
4902 authority and immunities with respect to such activities as are granted
4903 under the general statutes to motor vehicle inspectors.

4904 (b) Any resident of this state who has a serious physical or mental
4905 disability which does not render the resident incapable of operating a
4906 motor vehicle and who must utilize special equipment in order to
4907 operate a motor vehicle and who cannot obtain instruction in the
4908 operation of a motor vehicle through any alternate program, including,
4909 but not limited to, other state, federal or privately operated drivers'
4910 schools shall be eligible for instruction under the Bureau of
4911 Rehabilitative Services driver training program for persons with
4912 disabilities.

4913 Sec. 121. Section 112 of public act 11-44 is repealed and the
4914 following is substituted in lieu thereof (*Effective July 1, 2011*):

4915 (a) On or before January 1, 2012, the Commissioner of Social
4916 Services, in consultation with the Commissioners of Public Health and
4917 Mental Health and Addiction Services and the Secretary of the Office
4918 of Policy and Management, shall submit to the joint standing
4919 committees of the General Assembly having cognizance of matters
4920 relating to human services and appropriations and the budgets of state

4921 agencies a plan concerning the implementation of a cost neutral acuity-
4922 based method for establishing rates to be paid to hospitals that is
4923 phased in over a period of time.

4924 (b) The commissioner may establish a blended in-patient hospital
4925 case rate that includes services provided to all Medicaid recipients and
4926 may exclude certain diagnoses as determined by the commissioner if
4927 the establishment of such rates is needed to ensure that the conversion
4928 to an administrative services organization is cost neutral to hospitals in
4929 the aggregate and ensures patient access. Utilization shall not be a
4930 factor in determining cost neutrality.

4931 Sec. 122. Subsection (d) of section 17b-239 of the general statutes, as
4932 amended by section 113 of public act 11-44, is repealed and the
4933 following is substituted in lieu thereof (*Effective July 1, 2011*):

4934 (d) The state shall also pay to such hospitals for each outpatient
4935 clinic and emergency room visit a reasonable rate to be established
4936 annually by the commissioner for each hospital, such rate to be
4937 determined by the reasonable cost of such services. The emergency
4938 room visit rates in effect June 30, 1991, shall remain in effect through
4939 June 30, 1993, except those which would have been decreased effective
4940 July 1, 1991, or July 1, 1992, shall be decreased. Nothing contained
4941 herein shall authorize a payment by the state for such services to any
4942 hospital in excess of the charges made by such hospital for comparable
4943 services to the general public. For those outpatient hospital services
4944 paid on the basis of a ratio of cost to charges, the ratios in effect June
4945 30, 1991, shall be reduced effective July 1, 1991, by the most recent
4946 annual increase in the consumer price index for medical care. For those
4947 outpatient hospital services paid on the basis of a ratio of cost to
4948 charges, the ratios computed to be effective July 1, 1994, shall be
4949 reduced by the most recent annual increase in the consumer price
4950 index for medical care. The emergency room visit rates in effect June
4951 30, 1994, shall remain in effect through December 31, 1994. The
4952 Commissioner of Social Services shall establish a fee schedule for

4953 outpatient hospital services to be effective on and after January 1, 1995,
4954 and may annually modify such fee schedule if such modification is
4955 needed to ensure that the conversion to an administrative services
4956 organization is cost neutral to hospitals in the aggregate and ensures
4957 patient access. Utilization shall not be a factor in determining cost
4958 neutrality. Except with respect to the rate periods beginning July 1,
4959 1999, and July 1, 2000, such fee schedule shall be adjusted annually
4960 beginning July 1, 1996, to reflect necessary increases in the cost of
4961 services. Notwithstanding the provisions of this subsection, the fee
4962 schedule for the rate period beginning July 1, 2000, shall be increased
4963 by ten and one-half per cent, effective June 1, 2001. Notwithstanding
4964 the provisions of this subsection, outpatient rates in effect as of June 30,
4965 2003, shall remain in effect through June 30, 2005. Effective July 1, 2006,
4966 subject to available appropriations, the commissioner shall increase
4967 outpatient service fees for services that may include clinic, emergency
4968 room, magnetic resonance imaging, and computerized axial
4969 tomography.

4970 Sec. 123. Subsection (a) of section 17b-242 of the general statutes, as
4971 amended by section 114 of public act 11-44, is repealed and the
4972 following is substituted in lieu thereof (*Effective July 1, 2011*):

4973 (a) The Department of Social Services shall determine the rates to be
4974 paid to home health care agencies and homemaker-home health aide
4975 agencies by the state or any town in the state for persons aided or
4976 cared for by the state or any such town. For the period from February
4977 1, 1991, to January 31, 1992, inclusive, payment for each service to the
4978 state shall be based upon the rate for such service as determined by the
4979 Office of Health Care Access, except that for those providers whose
4980 Medicaid rates for the year ending January 31, 1991, exceed the median
4981 rate, no increase shall be allowed. For those providers whose rates for
4982 the year ending January 31, 1991, are below the median rate, increases
4983 shall not exceed the lower of the prior rate increased by the most
4984 recent annual increase in the consumer price index for urban
4985 consumers or the median rate. In no case shall any such rate exceed the

4986 eightieth percentile of rates in effect January 31, 1991, nor shall any rate
4987 exceed the charge to the general public for similar services. Rates
4988 effective February 1, 1992, shall be based upon rates as determined by
4989 the Office of Health Care Access, except that increases shall not exceed
4990 the prior year's rate increased by the most recent annual increase in the
4991 consumer price index for urban consumers and rates effective
4992 February 1, 1992, shall remain in effect through June 30, 1993. Rates
4993 effective July 1, 1993, shall be based upon rates as determined by the
4994 Office of Health Care Access except if the Medicaid rates for any
4995 service for the period ending June 30, 1993, exceed the median rate for
4996 such service, the increase effective July 1, 1993, shall not exceed one
4997 per cent. If the Medicaid rate for any service for the period ending June
4998 30, 1993, is below the median rate, the increase effective July 1, 1993,
4999 shall not exceed the lower of the prior rate increased by one and one-
5000 half times the most recent annual increase in the consumer price index
5001 for urban consumers or the median rate plus one per cent. The
5002 Commissioner of Social Services shall establish a fee schedule for home
5003 health services to be effective on and after July 1, 1994. The
5004 commissioner may annually modify such fee schedule if such
5005 modification is needed to ensure that the conversion to an
5006 administrative services organization is cost neutral to home health care
5007 agencies and homemaker-home health aide agencies in the aggregate
5008 and ensures patient access. <u>Utilization shall not be a factor in</u>
5009 <u>determining cost neutrality.</u> The commissioner shall increase the fee
5010 schedule for home health services provided under the Connecticut
5011 home-care program for the elderly established under section 17b-342,
5012 effective July 1, 2000, by two per cent over the fee schedule for home
5013 health services for the previous year. The commissioner may increase
5014 any fee payable to a home health care agency or homemaker-home
5015 health aide agency upon the application of such an agency evidencing
5016 extraordinary costs related to (1) serving persons with AIDS; (2) high-
5017 risk maternal and child health care; (3) escort services; or (4) extended
5018 hour services. In no case shall any rate or fee exceed the charge to the
5019 general public for similar services. A home health care agency or

5020 homemaker-home health aide agency which, due to any material
5021 change in circumstances, is aggrieved by a rate determined pursuant
5022 to this subsection may, within ten days of receipt of written notice of
5023 such rate from the Commissioner of Social Services, request in writing
5024 a hearing on all items of aggrievement. The commissioner shall, upon
5025 the receipt of all documentation necessary to evaluate the request,
5026 determine whether there has been such a change in circumstances and
5027 shall conduct a hearing if appropriate. The Commissioner of Social
5028 Services shall adopt regulations, in accordance with chapter 54, to
5029 implement the provisions of this subsection. The commissioner may
5030 implement policies and procedures to carry out the provisions of this
5031 subsection while in the process of adopting regulations, provided
5032 notice of intent to adopt the regulations is published in the Connecticut
5033 Law Journal within twenty days of implementing the policies and
5034 procedures. Such policies and procedures shall be valid for not longer
5035 than nine months.

5036 Sec. 124. Section 17b-261m of the general statutes, as amended by
5037 section 115 of public act 11-44, is repealed and the following is
5038 substituted in lieu thereof (*Effective July 1, 2011*):

5039 (a) The Commissioner of Social Services may contract with one or
5040 more administrative services organizations to provide care
5041 coordination, utilization management, disease management, customer
5042 service and review of grievances for recipients of assistance under
5043 Medicaid, HUSKY Plan, Parts A and B, and the Charter Oak Health
5044 Plan. Such organization may also provide network management,
5045 credentialing of providers, monitoring of copayments and premiums
5046 and other services as required by the commissioner. Subject to
5047 approval by applicable federal authority, the Department of Social
5048 Services shall utilize the contracted organization's provider network
5049 and billing systems in the administration of the program. In order to
5050 implement the provisions of this section, the commissioner may
5051 establish rates of payment to providers of medical services under this
5052 section if the establishment of such rates is required to ensure that any

5053 contract entered into with an administrative services organization
5054 pursuant to this section is cost neutral to such providers in the
5055 aggregate and ensures patient access. Utilization shall not be a factor in
5056 determining cost neutrality.

5057 (b) Any contract entered into with an administrative services
5058 organization, pursuant to subsection (a) of this section, shall include a
5059 provision to reduce inappropriate use of hospital emergency
5060 department services. Such provision may include intensive case
5061 management services and a cost-sharing requirement.

5062 Sec. 125. Subsection (b) of section 17b-276 of the general statutes, as
5063 amended by section 130 of public act 11-44, is repealed and the
5064 following is substituted in lieu thereof (*Effective July 1, 2011*):

5065 (b) Notwithstanding any other provision of the general statutes, for
5066 purposes of administering medical assistance programs, including, but
5067 not limited to, programs administered pursuant to Title XIX or Title
5068 XXI of the Social Security Act, the Department of Social Services shall
5069 be the sole state agency that sets emergency and nonemergency
5070 medical transportation fees or fee schedules for any transportation
5071 services that are reimbursed by the department for said medical
5072 assistance programs. Effective July 1, 2011, the Commissioner of Social
5073 Services shall reduce, by not more than ten per cent, the rates in effect
5074 on December 31, 2010, for emergency ambulance transportation fees
5075 that are directly reimbursed by the Department of Social Services,
5076 provided the commissioner may increase such rates at such time when
5077 the commissioner determines there are sufficient funds and a
5078 reasonable need for such rate increase.

5079 Sec. 126. Subsection (d) of section 17b-265 of the general statutes, as
5080 amended by section 84 of public act 11-44, is repealed and the
5081 following is substituted in lieu thereof (*Effective July 1, 2011*):

5082 (d) When a recipient of medical assistance has personal health
5083 insurance in force covering care or other benefits provided under such

5084 program, payment or part-payment of the premium for such insurance
5085 may be made when deemed appropriate by the Commissioner of
5086 Social Services. Effective January 1, 1992, the commissioner shall limit
5087 reimbursement to medical assistance providers, except those providers
5088 whose rates are established by the Commissioner of Public Health
5089 pursuant to chapter 368d, for coinsurance and deductible payments
5090 under Title XVIII of the Social Security Act to assure that the combined
5091 Medicare and Medicaid payment to the provider shall not exceed the
5092 maximum allowable under the Medicaid program fee schedules. **[**For
5093 those providers whose rates are established by the Commissioner of
5094 Public Health pursuant to chapter 368d, the Commissioner of Social
5095 Services shall limit reimbursement for coinsurance and deductible
5096 payments under Title XVIII of the Social Security Act to assure that the
5097 combined Medicare and Medicaid payment to the provider does not
5098 exceed the maximum allowable under the Medicaid program fee
5099 schedules plus a percentage established by the Commissioner of Social
5100 Services.**]**

5101 Sec. 127. Subsection (e) of section 17b-499a of the general statutes, as
5102 amended by section 143 of public act 11-44, is repealed and the
5103 following is substituted in lieu thereof (*Effective July 1, 2011*):

5104 (e) The Commissioner of Social Services shall contract with a
5105 patient-centered medical home, health home or a pharmacy
5106 organization, which may include a school of pharmacy, to provide
5107 Medicaid therapy management services, including, but not limited to,
5108 (1) a review of the medical and prescription history of recipients of
5109 benefits under the Medicaid program, and (2) the development of
5110 patient medication action plans to reduce adverse medication
5111 interaction and related health problems.

5112 Sec. 128. Section 10-286e of the general statutes is repealed and the
5113 following is substituted in lieu thereof (*Effective July 1, 2011*):

5114 (a) If the Department of **[**Education**]** Construction Services does not
5115 complete an audit of a school building project during the five-year

5116 period from the date the school district files a notice of project
5117 completion with the department, the department shall conduct a
5118 limited scope audit of such project. The limited scope audit shall
5119 review (1) the total amount of expenditures reported, (2) any off-site
5120 improvements, (3) adherence to authorized space specifications, (4)
5121 interest costs on temporary notes and bonds, and (5) any other matter
5122 the Commissioner of [Education] Construction Services deems
5123 appropriate.

5124 (b) The department shall not make any adjustment to a school
5125 construction grant based on the result of an audit finding that a change
5126 order was not publicly bid.

5127 (c) Notwithstanding the provisions of this section, the
5128 Commissioner of Construction Services may waive any audit
5129 deficiencies found during an audit of a school building project
5130 conducted pursuant to this section if the commissioner determines that
5131 granting such waiver is in the best interest of the state.

5132 Sec. 129. Section 10-264h of the general statutes, as amended by
5133 section 125 of house bill 6650 of the current session, is repealed and the
5134 following is substituted in lieu thereof (*Effective July 1, 2011*):

5135 (a) For the fiscal year ending June 30, 1996, until the fiscal year
5136 ending June 30, 2003, a local or regional board of education, regional
5137 educational service center or a cooperative arrangement pursuant to
5138 section 10-158a for purposes of an interdistrict magnet school may be
5139 eligible for reimbursement up to the full reasonable cost of any capital
5140 expenditure for the purchase, construction, extension, replacement,
5141 leasing or major alteration of interdistrict magnet school facilities,
5142 including any expenditure for the purchase of equipment, in
5143 accordance with this section. For the fiscal year ending June 30, 2004,
5144 until the fiscal year ending June 30, 2011, the following entities that
5145 operate an interdistrict magnet school that assists the state in meeting
5146 the goals of the 2008 stipulation and order for Milo Sheff, et al. v.
5147 William A. O'Neill, et al., as determined by the Commissioner of

5148 Education may be eligible for reimbursement up to ninety-five per cent
5149 of such cost: (1) The Board of Trustees of the Community-Technical
5150 Colleges on behalf of a regional community-technical college, (2) the
5151 Board of Trustees of the Connecticut State University System on behalf
5152 of a state university, (3) the Board of Trustees for The University of
5153 Connecticut on behalf of the university, (4) the board of governors for
5154 an independent college or university, as defined in section 10a-37, or
5155 the equivalent of such a board, on behalf of the independent college or
5156 university, and (5) any other third-party not-for-profit corporation
5157 approved by the Commissioner of Education. For the fiscal year
5158 ending June 30, 2012, and each fiscal year thereafter, a project eligible
5159 for reimbursement under this section, except as otherwise provided
5160 for, may be eligible for reimbursement up to eighty per cent of the
5161 eligible cost of such project. To be eligible for reimbursement under
5162 this section a magnet school construction project shall meet the
5163 requirements for a school building project established in chapter 173,
5164 except that the Commissioner of Construction Services, in consultation
5165 with the Commissioner of Education, may waive any requirement in
5166 such chapter for good cause. On and after July 1, 2011, **[**the**]** the
5167 Commissioner of Construction Services shall approve only
5168 applications for reimbursement under this section that the
5169 Commissioner of Education finds will reduce racial, ethnic and
5170 economic isolation. Applications for reimbursement under this section
5171 for the construction of new interdistrict magnet schools shall not be
5172 accepted until the Commissioner of Education develops a
5173 comprehensive state-wide interdistrict magnet school plan, in
5174 accordance with the provisions of subdivision (1) of subsection (b) of
5175 section 10-264*l*, unless the Commissioner of Education determines that
5176 such construction will assist the state in meeting the goals of the 2008
5177 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

5178 (b) Subject to the provisions of subsection (a) of this section, the
5179 applicant shall receive current payments of scheduled estimated
5180 eligible project costs for the facility, provided (1) the applicant files an
5181 application for a school building project, in accordance with section 10-

5182 283, as amended by [this act] house bill 6650 of the current session, by
5183 the date prescribed by the Commissioner of Education, (2) final plans
5184 and specifications for the project are approved pursuant to sections 10-
5185 291 and 10-292, and (3) such district submits to the Commissioner of
5186 Education, in such form as the commissioner prescribes, and the
5187 commissioner approves a plan for the operation of the facility which
5188 includes, but need not be limited to: A description of the educational
5189 programs to be offered, the completion date for the project, an
5190 estimated budget for the operation of the facility, written commitments
5191 for participation from the districts that will participate in the school
5192 and an analysis of the effect of the program on the reduction of racial,
5193 ethnic and economic isolation. The Commissioner of Education shall
5194 notify the Commissioner of Construction Services and the secretary of
5195 the State Bond Commission when the provisions of subdivisions (1)
5196 and (3) of this subsection have been met. Upon application to the
5197 Commissioner of Education, compliance with the provisions of
5198 subdivisions (1) and (3) of this subsection and after authorization by
5199 the General Assembly pursuant to section 10-283, as amended by [this
5200 act] house bill 6650 of the current session, the applicant shall be eligible
5201 to receive progress payments in accordance with the provisions of
5202 section 10-287i.

5203 (c) (1) If the school building ceases to be used as an interdistrict
5204 magnet school facility and the grant was provided for the purchase or
5205 construction of the facility, the Commissioner of Construction Services,
5206 in consultation with the Commissioner of Education, shall determine
5207 whether (A) title to the building and any legal interest in appurtenant
5208 land shall revert to the state, or (B) the school district shall reimburse
5209 the state an amount equal to the difference between the amount
5210 received pursuant to this section and the amount the district would
5211 have been eligible to receive based on the percentage determined
5212 pursuant to section 10-285a, as amended by [this act] house bill 6650 of
5213 the current session, multiplied by the estimated eligible project costs.

5214 (2) If the school building ceases to be used as an interdistrict magnet

5215 school facility and the grant was provided for the extension or major
5216 alteration of the facility, the school district shall reimburse the state the
5217 amount determined in accordance with subparagraph (B) of
5218 subdivision (1) of this subsection. A school district receiving a request
5219 for reimbursement pursuant to this subdivision shall reimburse the
5220 state not later than the close of the fiscal year following the year in
5221 which the request is made. If the school district fails to so reimburse
5222 the state, the Department of Construction Services may request the
5223 Department of Education to withhold such amount from the total sum
5224 which is paid from the State Treasury to such school district or the
5225 town in which it is located or, in the case of a regional school district,
5226 the towns which comprise the school district. If the amount paid from
5227 the State Treasury is less than the amount due, the Department of
5228 Construction Services may refer the matter to the Department of
5229 Administrative Services for collection.

5230 (d) The Commissioner of Construction Services shall provide for a
5231 final audit of all project expenditures pursuant to this section and may
5232 require repayment of any ineligible expenditures<u>, except that the</u>
5233 <u>Commissioner of Construction Services may waive any audit</u>
5234 <u>deficiencies found during a final audit of all project expenditures</u>
5235 <u>pursuant to this section if the Commissioner of Construction Services</u>
5236 <u>determines that granting such waiver is in the best interest of the state</u>.

5237 Sec. 130. (NEW) (*Effective July 1, 2011*) Notwithstanding the
5238 provisions of chapter 173 of the general statutes, the Commissioner of
5239 Construction Services may waive any audit deficiencies found during
5240 an audit of a school building project conducted pursuant to said
5241 chapter 173 of the general statutes if the Commissioner of Construction
5242 Services determines that granting such waiver is in the best interest of
5243 the state.

5244 Sec. 131. Subsection (a) of section 2-61 of the general statutes, as
5245 amended by section 10 of substitute house bill 6600 of the current
5246 session, is repealed and the following is substituted in lieu thereof

5247 (*Effective July 1, 2011*):

5248 (a) The Secretary of the State shall deliver copies of the revised
5249 statutes, of each supplement to the general statutes and of each revised
5250 volume thereof and of each volume of the public acts and special acts
5251 to the State Library for its general purposes and for exchange with
5252 other states and libraries, and copies of the revised statutes, of each
5253 supplement, of each revised volume and of each volume of the public
5254 acts, and such additional number of each as the executive secretary of
5255 the Judicial Department certifies as necessary, for the use of any of the
5256 state-maintained courts, and copies of each volume of the special acts
5257 to said executive secretary for distribution to state-maintained courts,
5258 and, to the several departments, agencies and institutions of the
5259 executive branch of the state government, as many copies of the
5260 revised statutes, of each supplement, of each revised volume and of
5261 each of the volumes of public acts and special acts as they require for
5262 the performance of their duties. **[**The number of copies the Secretary
5263 provides pursuant to this subsection shall be determined by the Joint
5264 Committee on Legislative Management.**]**

5265 Sec. 132. Subsection (a) of section 76 of house bill 6650 of the current
5266 session is repealed and the following is substituted in lieu thereof
5267 (*Effective July 1, 2011*):

5268 (a) (1) Wherever the term "Chief Information Officer of the
5269 Department of Information Technology" is used in the following
5270 general statutes, the term "Commissioner of Administrative Services"
5271 shall be substituted in lieu thereof; (2) wherever the term "Chief
5272 Information Officer" is used in the following general statutes, the term
5273 "commissioner" shall be substituted in lieu thereof; and (3) wherever
5274 the term "Department of Information Technology" is used in the
5275 following general statutes, the term "Department of Administrative
5276 Services" shall be substituted in lieu thereof: 1-205, 1-211, 1-212, 1-283,
5277 <u>3-117,</u> 4d-3, 4d-5, 4d-10, 4d-11, 4d-13, 4d-14, 4d-38, 4d-41, 4d-42, 4d-43,
5278 4d-81a, 4d-82a, 4d-83, 4d-84, 10-5b, 10-10a, 18-81x, 19a-110, 19a-750, 32-

5279 6i, 54-105a, 54-142q, 54-142r and 54-142s.

5280 Sec. 133. Section 17a-485c of the general statutes is repealed and the
5281 following is substituted in lieu thereof (*Effective from passage*):

5282 (a) The Commissioner of Mental Health and Addiction Services, in
5283 collaboration with the Commissioners of Social Services, Correction,
5284 Children and Families and Economic and Community Development,
5285 [and] the Connecticut Housing Finance Authority and the Court
5286 Support Services Division of the Judicial Branch, shall establish [a
5287 Supportive Housing Initiative] permanent supportive housing
5288 initiatives to provide additional units of affordable housing and
5289 support services to eligible persons. [The Supportive Housing
5290 Initiative shall be implemented in two phases with the first phase to be
5291 known as the Supportive Housing Pilots Initiative and the second
5292 phase to be known as the Next Steps Initiative.] Individuals and
5293 families with special needs and individuals and families at risk for
5294 homelessness shall be eligible for such permanent supportive housing
5295 initiatives.

5296 [(b) The Supportive Housing Pilots Initiative shall provide up to six
5297 hundred fifty additional units of affordable housing and support
5298 services to eligible households, as defined in section 17a-484a, and to
5299 persons with serious mental health needs who are community-
5300 supervised offenders supervised by the executive or judicial branch.
5301 Such housing shall be permanent supportive housing or transitional
5302 living programs, and the permanent supportive housing may include
5303 both individuals and families with special needs and individuals and
5304 families without such needs.]

5305 [(c) The Next Steps Initiative shall provide up to one thousand
5306 additional units of affordable housing and support services]

5307 (b) Permanent housing initiatives and support services shall be
5308 provided to: (1) Eligible households, as defined in section 17a-484a; (2)
5309 families who are eligible under the [state plan for the federal]

5310 temporary assistance for needy families program; (3) adults who are
5311 eighteen to twenty-three years of age, inclusive, and who are homeless,
5312 or at risk for becoming homeless because they are transitioning from
5313 foster care or other residential programs; and (4) persons with serious
5314 mental health needs who are community-supervised offenders
5315 supervised by the executive or judicial branch. **[**Such housing shall be
5316 permanent supportive housing and may include both individuals and
5317 families with special needs and individuals and families without such
5318 needs.**]**

5319 **[**(d)**]** (c) The Connecticut Housing Finance Authority shall issue one
5320 or more requests for proposals by persons or entities interested in
5321 participating in such **[**initiative with priority given**]** permanent
5322 supportive housing initiatives to applicants that include organizations
5323 deemed qualified to provide services by the Departments of Mental
5324 Health and Addiction Services, Social Services and Children and
5325 Families. The Connecticut Housing Finance Authority shall review and
5326 underwrite development projects **[**developed under the Supportive
5327 Housing Initiative. For purposes of this subsection, "state assistance"
5328 means a payment by the state of actual debt service, comprised of
5329 principal, interest, interest rate swap payments, liquidity fees, letter of
5330 credit fees, trustee fees, and other similar bond-related expenses**]**
5331 undertaken pursuant to such permanent supportive housing
5332 initiatives.

5333 (d) The Departments of Mental Health and Addiction Services and
5334 Social Services shall issue, within available appropriations, one or
5335 more requests for proposals in a scattered site model for homeless
5336 individuals with psychiatric disabilities and substance use disorders.

5337 Sec. 134. Subsection (h) of section 8-395 of the general statutes is
5338 repealed and the following is substituted in lieu thereof (*Effective from*
5339 *passage*):

5340 (h) In no event shall the total amount of all tax credits allowed to all
5341 business firms pursuant to the provisions of this section exceed ten

5342 million dollars in any one fiscal year, provided, each year until the date
5343 sixty days after the date the Connecticut Housing Finance Authority
5344 publishes the list of housing programs that will receive tax credit
5345 reservations, two million dollars of the total amount of all tax credits
5346 under this section shall be set aside for **[**the Supportive Housing Pilots
5347 Initiative, the Next Steps Initiative established pursuant to section 17a-
5348 485c or any other supportive housing initiative**]** permanent supportive
5349 housing initiatives established pursuant to section 17a-485c, as
5350 amended by this act, and one million dollars of the total amount of all
5351 tax credits under this section shall be set aside for workforce housing,
5352 as defined by the Connecticut Housing Finance Authority through
5353 written procedures adopted pursuant to subsection (k) of this section.
5354 Each year, on or after the date sixty days after the date the Connecticut
5355 Housing Finance Authority publishes the list of housing programs that
5356 will receive tax credit reservations, any unused portion of such tax
5357 credits shall become available for any housing program eligible for tax
5358 credits pursuant to this section.

5359 Sec. 135. Subsection (b) of section 17a-485e of the general statutes is
5360 repealed and the following is substituted in lieu thereof (*Effective from*
5361 *passage*):

5362 (b) The State Bond Commission may authorize the State Treasurer
5363 and the Secretary of the Office of Policy and Management to enter into
5364 a contract or contracts to provide state assistance on bonds issued by
5365 the Connecticut Housing Finance Authority as provided in this
5366 section. If so authorized by the State Bond Commission, the state,
5367 acting by and through the Secretary of the Office of Policy and
5368 Management and State Treasurer, shall enter into a contract or
5369 contracts with the Connecticut Housing Finance Authority that
5370 provide the state shall pay to said authority state assistance on bonds
5371 issued by said authority for purposes of providing funds for mortgage
5372 loans made by said authority pursuant to the provisions of section 17a-
5373 485c, as amended by this act, funds for reasonable repair and
5374 replacement reserves and costs of issuance in an aggregate principal

5375 amount not to exceed one hundred five million dollars. Any provision
5376 of such a contract entered into providing for payments equal to annual
5377 debt service shall constitute a full faith and credit obligation of the
5378 state and as part of the contract of the state with the holders of any
5379 bonds or refunding bonds, as applicable, appropriation of all amounts
5380 necessary to meet punctually the terms of such contract is hereby made
5381 and the State Treasurer shall pay such amounts as the same become
5382 due. The Connecticut Housing Finance Authority may pledge such
5383 state assistance as security for the payment of such bonds or refunding
5384 bonds issued by said authority. Any bonds so issued for **[**the
5385 Supportive Housing Initiative**]** permanent supportive housing
5386 initiatives by the Connecticut Housing Finance Authority and at any
5387 time outstanding may, at any time or from time to time, be refunded,
5388 in whole or in part, by the Connecticut Housing Finance Authority by
5389 the issuance of its refunding bonds in such amounts as the authority
5390 may deem necessary or appropriate but not exceeding an amount
5391 sufficient to refund the principal amount of the bonds to be so
5392 refunded, any unpaid interest thereon, and any premiums,
5393 commissions and costs of issuance necessary to be paid in connection
5394 therewith. The state, acting by and through the Office of Policy and
5395 Management and the State Treasurer and without further
5396 authorization, may execute an amendment to any contract providing
5397 state assistance as required in connection with such refunding bonds.

5398 Sec. 136. Subsection (c) of section 211 of house bill 6651 of the
5399 current session is repealed and the following is substituted in lieu
5400 thereof (*Effective July 1, 2011*):

5401 (c) The Governor shall appoint the chairperson of the board, who
5402 shall serve for a term of three years. The board shall elect from its
5403 members a vice-chairperson and such other officers as it deems
5404 necessary. Vacancies among any officers shall be filled within thirty
5405 days following the occurrence of such vacancy in the same manner as
5406 the original selection. Said board shall establish policies and adopt
5407 bylaws to govern its procedures and shall appoint such committees

5408 and advisory boards as may be convenient or necessary in the
5409 transaction of its business.

5410 Sec. 137. Subsection (c) of section 212 of house bill 6651 of the
5411 current session is repealed and the following is substituted in lieu
5412 thereof (*Effective July 1, 2011*):

5413 (c) Upon recommendation of the president, the Board of Regents
5414 shall appoint **[**two vice presidents who shall serve as liaisons for the
5415 Board of Regents with respect to the Connecticut State University
5416 System and the regional community-technical colleges**]** a vice-
5417 president for each constituent unit with such duties and
5418 responsibilities as the board and president shall prescribe, so that each
5419 constituent unit fulfills its mission. Such duties shall include, but not
5420 be limited to, oversight of academic programs, student support
5421 services and institutional support.

5422 Sec. 138. (*Effective from passage*) (a) The State Board of Education
5423 shall assign a special master to administer the educational operations
5424 for the town of Windham to assist the school district in making
5425 adequate yearly progress for whole district performance in both
5426 reading and mathematics under the No Child Left Behind Act, P.L.
5427 107-110. Such special master shall (1) work collaboratively with the
5428 local board of education for Windham and the Windham
5429 superintendent of schools to implement the provisions of the
5430 improvement plan for the school district, developed pursuant to
5431 subsection (a) of section 10-223e of the general statutes; (2) implement
5432 the provisions of subparagraphs (A), (C), (D), (E), (F), (H), (I), (J), (L)
5433 and (M) of subdivision (2) of subsection (c) of section 10-223e of the
5434 general statutes; (3) manage and allocate any federal, state and local
5435 education funds of the school district; and (4) report regularly to the
5436 State Board of Education on matters relating to the progress of
5437 implementing the improvement plan for the school district and the
5438 effectiveness of the local board of education and the superintendent of
5439 schools. The special master shall serve at the pleasure of the State

5440 Board of Education for a period not to exceed one school year
5441 following the school year that the Windham school district makes
5442 adequate yearly progress for whole district performance in both
5443 reading and mathematics under the No Child Left Behind Act, P.L.
5444 107-110.

5445 (b) Notwithstanding the provisions of sections 1-210 and 10-151c of
5446 the general statutes, the special master and the State Board of
5447 Education shall have access to all records, facilities, communications
5448 and meetings, including, but not limited to, executive sessions of the
5449 local board of education, that may be relevant to implementing the
5450 provisions of this section.

5451 (c) (1) The State Board of Education may require the Windham
5452 board of education to request to the exclusive representative of a
5453 bargaining unit to reopen the negotiation process and present a
5454 proposed revision to the existing collective bargaining agreement for
5455 the sole purpose of implementing the improvement plan for the school
5456 district, developed pursuant to subsection (a) of section 10-223e of the
5457 general statutes, and relevant salary, hours and other conditions of
5458 employment. Such exclusive representative shall have five days to
5459 respond to such request and if the exclusive representative fails to
5460 respond the exclusive representative shall be deemed to have denied
5461 such request.

5462 (2) If the exclusive representative agrees to the request to reopen
5463 negotiations, the parties shall enter into negotiations. Such negotiations
5464 shall be limited to the implementation of the improvement plan for the
5465 school district, developed pursuant to subsection (a) of section 10-223e
5466 of the general statutes, and relevant salary, hours and other conditions
5467 of employment. Such negotiations shall be completed not later than
5468 thirty days from the date when the exclusive representative agrees to
5469 the request to reopen negotiations.

5470 (3) Any agreement reached by the parties, pursuant to subdivision
5471 (2) of this subsection, shall be submitted for approval by the members

5472 of the exclusive bargaining representative employed by the Windham
5473 board of education. Such agreement shall be ratified upon a majority
5474 vote of the members of such exclusive bargaining representative.

5475 (4) If the parties reach an impasse on one or more issues following
5476 negotiations or if the members of the exclusive bargaining
5477 representative fail to ratify the agreement, in accordance with the
5478 provisions of subdivision (3) of this subsection, then the parties shall
5479 proceed to the expedited arbitration process described in subdivision
5480 (5) of this subsection.

5481 (5) Not later than five days after the date the parties reach impasse
5482 on one or more issues or the members of the exclusive bargaining
5483 representative fail to ratify the agreement, in accordance with the
5484 provisions of subdivision (3) of this subsection, the parties shall select a
5485 single impartial arbitrator in accordance with the provisions of
5486 subsection (c) of section 10-153f of the general statutes. Not later than
5487 ten days after the selection of the single impartial arbitrator, such
5488 arbitrator shall conduct a hearing in the town of Windham. At such
5489 hearing the parties shall submit to such arbitrator their respective
5490 positions on each individual issue in dispute between them in the form
5491 of a last best offer. Not later than twenty days following the close of
5492 such hearing, such arbitrator shall render a decision, in writing, signed
5493 by such arbitrator, which states in detail the nature of the decision and
5494 the disposition of the issues by such arbitrator. Such arbitrators shall
5495 give the highest priority to the educational interests of the state
5496 pursuant to section 10-4a of the general statutes, as such interests relate
5497 to the children of Windham in arriving at a decision and shall consider
5498 other factors pursuant to subdivision (4) of subsection (c) of section
5499 10-153f of the general statutes, in light of such educational interests.
5500 Such decision shall be final and binding.

5501 Sec. 139. Section 52-557f of the general statutes, as amended by
5502 section 19 of substitute house bill 6526 of the current session, is
5503 repealed and the following is substituted in lieu thereof (*Effective*

5504 *October 1, 2011*):

5505 As used in sections 52-557f to 52-557i, inclusive:

5506 (1) "Charge" means the admission price or fee asked in return for
5507 invitation or permission to enter or go upon the land; **[**, except that
5508 "charge" does not include tax revenue collected pursuant to title 12 by
5509 any owner;**]**

5510 (2) "Land" means land, roads, water, watercourses, private ways
5511 and buildings, structures, and machinery or equipment when attached
5512 to the realty;

5513 (3) "Owner" means the possessor of a fee interest, a tenant, lessee,
5514 occupant or person in control of the premises; **[**and includes any
5515 municipality, as defined in section 7-148, any district, as defined in
5516 section 7-324, any metropolitan district created by special act or
5517 pursuant to sections 7-333 to 7-339, inclusive, and any railroad
5518 company;**]**

5519 (4) "Recreational purpose" includes, but is not limited to, any of the
5520 following, or any combination thereof: Hunting, fishing, swimming,
5521 boating, camping, picnicking, hiking, pleasure driving, nature study,
5522 water skiing, snow skiing, ice skating, sledding, hang gliding, sport
5523 parachuting, hot air ballooning and viewing or enjoying historical,
5524 archaeological, scenic or scientific sites.

5525 Sec. 140. Subsection (a) of section 20 of substitute house bill 6526 of
5526 the current session is repealed and the following is substituted in lieu
5527 thereof (*Effective October 1, 2011*):

5528 (a) For purposes of this section, "charge" has the same meaning as
5529 provided in section 52-557f of the general statutes, as amended by **[**this
5530 act**]** <u>substitute house bill 6526 of the current session, as amended by</u>
5531 <u>this act, except that "charge" does not include tax revenue collected</u>
5532 <u>pursuant to title 12 of the general statutes by any owner, as defined in</u>
5533 <u>said section 52-557f of the general statutes</u>, "hazardous waste" has the

5534 same meaning as provided in section 22a-115 of the general statutes,
5535 and "pollution" has the same meaning as provided in section 22a-423
5536 of the general statutes.

5537 Sec. 141. Subsection (b) of section 8 of house bill 6308 of the current
5538 session, as amended by house amendment schedules "A" and "D", is
5539 repealed and the following is substituted in lieu thereof (*Effective from*
5540 *passage*):

5541 (b) Nothing in this section or sections 1 to **[**7**]** 14, inclusive, of **[**this
5542 act**]** house bill 6308 of the current session shall modify the state
5543 employee plan in any way without the written consent of the State
5544 Employee Bargaining Agent Coalition and the Secretary of the Office
5545 of Policy and Management.

5546 Sec. 142. Subsection (e) of section 2 of senate bill 921 of the current
5547 session is repealed and the following is substituted in lieu thereof
5548 (*Effective from passage*):

5549 (e) (1) No employee of the exchange shall be a member, a member of
5550 the board or an employee of a trade association of (A) insurers, (B)
5551 insurance producers or brokers, (C) health care providers, or (D) health
5552 care facilities or health or medical clinics while serving on the board or
5553 on the staff of the exchange.

5554 (2) No employee of the exchange shall be a health care provider
5555 unless (A) (i) such employee receives no compensation for rendering
5556 services as a health care provider, or (ii) the chief executive officer
5557 approves the hiring of such provider as an employee on the basis that
5558 such provider fills an area of need of expertise for the exchange, and
5559 (B) such employee does not have an ownership interest in a
5560 professional health care practice.

5561 (3) No employee of the exchange shall, for one year after
5562 terminating employment with the exchange, accept employment with
5563 any health carrier that offers a qualified health benefit plan through

5564 the exchange.

5565 (4) Any employee of the exchange [who sells, solicits or negotiates
5566 insurance or will sell, solicit or negotiate insurance to individuals and
5567 small employers shall be licensed, not later than one year after such
5568 employee begins employment with the exchange, as an insurance
5569 producer under chapter 701a of the general statutes] whose primary
5570 purpose is to assist individuals or small employers in selecting health
5571 insurance plans offered on the exchange to purchase shall be licensed
5572 as an insurance producer under chapter 701a of the general statutes
5573 not later than eighteen months after such employee begins
5574 employment with the exchange.

5575 Sec. 143. Section 19a-654 of the general statutes, as amended by
5576 section 12 of house bill 6308 of the current session, is repealed and the
5577 following is substituted in lieu thereof (*Effective July 1, 2011*):

5578 (a) As used in this section:

5579 (1) "Patient-identifiable data" means any information that identifies
5580 or may reasonably be used as a basis to identify an individual patient;
5581 and

5582 (2) "De-identified patient data" means any information that meets
5583 the requirements for de-identification of protected health information
5584 as set forth in 45 CFR 164.514.

5585 (b) Each short-term acute care general or children's hospital shall
5586 submit patient identifiable inpatient discharge data and emergency
5587 department data to the Office of Health Care Access division of the
5588 Department of Public Health to fulfill the responsibilities of the office.
5589 Such data shall include data taken from patient medical record
5590 abstracts and bills. The office shall specify the timing and format of
5591 such submissions. [including submissions by outpatient surgical
5592 facilities as provided for in subsection (c) of this section. If a hospital or
5593 outpatient surgical facility submits data through an intermediary, the

5594 hospital or the outpatient surgical facility shall] Data submitted
5595 pursuant to this section may be submitted through a contractual
5596 arrangement with an intermediary and such contractual arrangement
5597 shall (1) comply with the provisions of the Health Insurance Portability
5598 and Accountability Act of 1996 P.L. 104-191 (HIPAA), and (2) ensure
5599 that such submission of data is timely and accurate. The office may
5600 conduct an audit of the data submitted through such intermediary in
5601 order to verify its accuracy.

5602 (c) [With respect to the submission of outpatient data, an] An
5603 outpatient surgical facility, as defined in section 19a-493b, a short-term
5604 acute care general or children's hospital, or a facility that provides
5605 outpatient surgical services as part of the outpatient surgery
5606 department of a short-term acute care hospital shall submit to the
5607 office the data identified in subsection (c) of section 19a-634. The office
5608 shall convene a working group consisting of representatives of
5609 outpatient surgical facilities, hospitals and other individuals necessary
5610 to develop recommendations that address current obstacles to, and
5611 proposed requirements for, patient-identifiable data reporting in the
5612 outpatient setting. On or before February 1, 2012, the working group
5613 shall report, in accordance with the provisions of section 11-4a, on its
5614 findings and recommendations to the joint standing committees of the
5615 General Assembly having cognizance of matters relating to public
5616 health and insurance and real estate. Additional reporting of
5617 outpatient data as the office deems necessary shall begin not later than
5618 July 1, 2015. On or before July 1, 2012, and annually thereafter, the
5619 Connecticut Association of Ambulatory Surgery Centers shall provide
5620 a progress report to the Department of Public Health, until such time
5621 as all ambulatory surgery centers are in full compliance with the
5622 implementation of systems that allow for the reporting of outpatient
5623 data as required by the commissioner. Until such additional reporting
5624 requirements take effect on July 1, 2015, the department may work
5625 with the Connecticut Association of Ambulatory Surgery Centers and
5626 the Connecticut Hospital Association on specific data reporting
5627 initiatives provided that no penalties shall be assessed under this

5628 chapter or any other provision of law with respect to the failure to
5629 submit such data.

5630 (d) Except as otherwise provided in this subsection, patient-
5631 identifiable data received by the office shall be kept confidential and
5632 shall not be considered public records or files subject to disclosure
5633 under the Freedom of Information Act, as defined in section 1-200. The
5634 office may release de-identified patient data or aggregate patient data
5635 to the public in a manner consistent with the provisions of 45 CFR
5636 164.514. Any de-identified patient data released by the office shall
5637 exclude provider, physician and payer organization names or codes
5638 and shall be kept confidential by the recipient. The office may not
5639 release patient-identifiable data except as provided for in section 19a-
5640 25 and regulations adopted pursuant to said section. No individual or
5641 entity receiving patient-identifiable data may release such data in any
5642 manner that may result in an individual patient, physician, provider or
5643 payer being identified. The office shall impose a reasonable, cost-based
5644 fee for any patient data provided to a nongovernmental entity.

5645 (e) Not later than October 1, 2011, the Office of Health Care Access
5646 shall enter into a memorandum of understanding with the
5647 Comptroller that shall permit the Comptroller to access the data set
5648 forth in subsections (b) and (c) of this section, provided the
5649 Comptroller agrees, in writing, to keep individual patient and
5650 **[**physician**]** provider data identified by proper name or personal
5651 identification code and submitted pursuant to this section confidential.

5652 (f) The Commissioner of Public Health shall adopt regulations, in
5653 accordance with the provisions of chapter 54, to carry out the
5654 provisions of this section.

5655 (g) The duties assigned to the Department of Public Health under
5656 the provisions of this section shall be implemented within available
5657 appropriations.

5658 Sec. 144. Section 186 of house bill 6651 of the current session is

5659 repealed and the following is substituted in lieu thereof (*Effective July*
5660 *1, 2011*):

5661 The Commissioner of Education, in consultation with the
5662 Commissioner of Social Services, shall develop a plan to **[**integrate**]**
5663 coordinate child day care services administered by the Department of
5664 Social Services **[**offered as part of a school readiness program into**]** and
5665 the school readiness programs administered by the Department of
5666 Education into a coordinated early care and education program. Such
5667 plan shall address program eligibility, slot rates and program
5668 requirements and make recommendations to maintain the mission and
5669 integrity of child care services pursuant to section 8-210b of the general
5670 statutes. The Departments of Education and Social Services shall
5671 report, not later than January 1, 2012, to the joint standing committees
5672 of the General Assembly having cognizance of matters relating to
5673 education and human services and to the Governor. **[**Not later than
5674 July 1, 2012, the Commissioner of Education shall submit such plan,
5675 with any findings and recommendations, to the Governor.**]**

5676 Sec. 145. Subsection (b) of section 40 of public act 11-6 is repealed
5677 and the following is substituted in lieu thereof (*Effective from passage*):

5678 (b) The **[**Commissioner of Higher Education**]** executive director of
5679 the Office of Financial and Academic Affairs for Higher Education, in
5680 consultation with financial aid and institutional research staff from the
5681 participating independent colleges and universities, shall review the
5682 Connecticut Independent College Student Grant Program
5683 administered pursuant to sections 10a-36 to 10a-42a, inclusive, of the
5684 general statutes, as amended by this act, in order to evaluate **[**the cost-
5685 effectiveness and benefits of**]** (1) the formula used to derive the annual
5686 appropriation requested by the **[**Board of Governors of Higher
5687 Education**]** Office of Financial and Academic Affairs for Higher
5688 Education, (2) the manner by which allocations of the annual
5689 appropriation are made to each independent college or university,
5690 **[**and**]** (3) **[**the system used to determine**]** how the amount of aid given

5691 to individual students under the program is determined, and (4) what
5692 additional data, if any, may be necessary to demonstrate the level of
5693 need of the recipient. The [commissioner] executive director shall
5694 require that all institutions participating in the Connecticut
5695 Independent College Student Grant program provide the following:
5696 (A) The number of students receiving awards and the average award
5697 tendered; (B) student family income; (C) the number of first-year
5698 recipients retained over the years of eligibility; (D) the percentage of
5699 recipients graduating in four years; (E) the percentage of recipients
5700 graduating in six years; and shall submit, in accordance with section
5701 11-4a of the general statutes, [findings and recommendations, if any,
5702 for modifying the program] recommendations regarding the collection
5703 of further data to demonstrate the results of the program, to the joint
5704 standing committees of the General Assembly having cognizance of
5705 matters relating to higher education and appropriations and the
5706 budgets of state agencies not later than January 1, 2012.

5707 Sec. 146. Section 51-49a of the general statutes is repealed and the
5708 following is substituted in lieu thereof (*Effective upon approval by the*
5709 *General Assembly of the agreement between the state and the State Employees*
5710 *Bargaining Agent Coalition, signed by both parties on May 27, 2011,*
5711 *pursuant to section 165 of this act*):

5712 (a) The right to a retirement salary, in accordance with the
5713 provisions of this section, of any judge, family support magistrate or
5714 compensation commissioner who is not eligible to retire under the
5715 provisions of section 51-50a, which judge, family support magistrate or
5716 commissioner has completed ten years of service as such, shall be
5717 vested and nonforfeitable.

5718 (b) Any such judge or commissioner who first commenced service
5719 as a judge or compensation commissioner prior to January 1, 1981, and
5720 who resigns (1) prior to September 2, 2011, (2) prior to becoming
5721 eligible to retire under section 51-50a, and (3) after at least ten years of
5722 service, shall receive, at such time as he would have been eligible to so

5723 retire if he had continued in such service, as retirement salary,
5724 annually, fifty per cent of the retirement salary he would have received
5725 had he served until he was so eligible, plus ten per cent of such
5726 retirement salary for each year of service beyond ten years but for not
5727 more than five years of additional service.

5728 (c) Any such judge, family support magistrate or commissioner who
5729 first commenced service as a judge, family support magistrate or
5730 compensation commissioner on or after January 1, 1981, and who
5731 resigns (1) prior to September 2, 2011, (2) prior to becoming eligible to
5732 retire under section 51-50a, and (3) after at least ten years of service,
5733 shall receive, at such time as he would have been eligible to so retire if
5734 he had continued in such service, annually, an amount equal to the
5735 fraction of the retirement salary he would have received had he served
5736 until he was so eligible which corresponds to the ratio which the
5737 number of years of his completed service bears to the number of years
5738 of service which would have been completed at age sixty-five or
5739 twenty years, whichever is less.

5740 (d) Any such judge or commissioner who first commenced service
5741 as a judge or compensation commissioner prior to January 1, 1981, and
5742 who resigns (1) prior to July 1, 2022, (2) prior to becoming eligible to
5743 retire under section 51-50a, and (3) after at least ten years of service,
5744 shall receive, at such time as he would have been eligible to so retire,
5745 annually, an amount equal to the fraction of the retirement salary he
5746 would have received had he been eligible to retire on the date of his
5747 resignation and shall begin collecting such retirement salary not earlier
5748 than at sixty-two years of age.

5749 (e) Any such judge, family support magistrate or commissioner who
5750 first commenced service as a judge, family support magistrate or
5751 compensation commissioner on or after January 1, 1981, and who
5752 resigns (1) prior to July 1, 2022, (2) prior to becoming eligible to retire
5753 under section 51-50a, and (3) after at least ten years of service, shall
5754 receive, at such time as he would have been eligible to so retire,

5755 annually, an amount equal to the fraction of the retirement salary he
5756 would have received had he been eligible to retire on the date of his
5757 resignation and shall begin collecting such retirement salary not earlier
5758 than at sixty-five years of age.

5759 **[**(d)**]** (f) In determining the amount of retirement payments to be
5760 made pursuant to subsections (b) **[**and (c)**]** to (e), inclusive, of this
5761 section, longevity payments which would have been made if the judge,
5762 family support magistrate or commissioner had continued to serve as a
5763 judge, family support magistrate or commissioner from the date of
5764 resignation with a vested right to a retirement salary shall not be
5765 included in the computation.

5766 (g) Any such judge, family support magistrate or commissioner who
5767 first commenced service as a judge, family support magistrate or
5768 compensation commissioner on or after July 1, 2011, and who resigns
5769 prior to becoming eligible to retire under section 51-50a and after at
5770 least ten years of service, shall receive, at such time as he would have
5771 been eligible to so retire, annually, an amount equal to the fraction of
5772 the retirement salary he would have received had he been eligible to
5773 retire on the date of his resignation and shall begin collecting such
5774 retirement salary not earlier than at sixty-five years of age.

5775 Sec. 147. Section 51-49b of the general statutes is repealed and the
5776 following is substituted in lieu thereof (*Effective upon approval by the*
5777 *General Assembly of the agreement between the state and the State Employees*
5778 *Bargaining Agent Coalition, signed by both parties on May 27, 2011,*
5779 *pursuant to section 165 of this act*):

5780 (a) On January 1, 1982, and January first of each subsequent year,
5781 each judge, family support magistrate or compensation commissioner
5782 who first commenced service as a judge, family support magistrate or
5783 compensation commissioner on or after January 1, 1981, and retired on
5784 or before **[**the December thirty-first immediately preceding**]** September
5785 2, 2011, shall be entitled, in addition to the retirement salary to which
5786 such judge, family support magistrate or commissioner was entitled

5787 under the provisions of section 51-49a, 51-50 or 51-50a, as of the
5788 December thirty-first immediately preceding, to an additional
5789 percentage which reflects the increase, if any, in the National
5790 Consumer Price Index for Urban Wage Earners and Clerical Workers
5791 for the previous twelve-month period, provided such cost of living
5792 allowance shall not exceed three per cent. Such cost of living allowance
5793 shall be computed on the basis of the combined retirement salary and
5794 cost of living allowances, if any, to which such judge, family support
5795 magistrate or commissioner was entitled as of the December thirty-first
5796 immediately preceding.

5797 (b) On January 1, 2012, and January first of each subsequent year,
5798 each judge, family support magistrate or compensation commissioner
5799 who was in service as a judge, family support magistrate or
5800 compensation commissioner on or after September 1, 2011, and retired
5801 on or before the December thirty-first immediately preceding, shall be
5802 entitled, in addition to the retirement salary to which such judge,
5803 family support magistrate or compensation commissioner was entitled
5804 under the provisions of section 51-49a, 51-50 or 51-50a, as of the
5805 December thirty-first immediately preceding, to an additional
5806 percentage which reflects the increase, if any, in the National
5807 Consumer Price Index for Urban Wage Earners and Clerical Workers
5808 for the previous twelve-month period, provided such cost of living
5809 allowance shall not exceed two per cent. Such cost of living allowance
5810 shall be computed on the basis of the combined retirement salary and
5811 cost of living allowances, if any, to which such judge, family support
5812 magistrate or compensation commissioner was entitled as of the
5813 December thirty-first immediately preceding.

5814 Sec. 148. Section 51-49f of the general statutes is repealed and the
5815 following is substituted in lieu thereof (*Effective upon approval by the*
5816 *General Assembly of the agreement between the state and the State Employees*
5817 *Bargaining Agent Coalition, signed by both parties on May 27, 2011,*
5818 *pursuant to section 165 of this act*):

5819 (a) For purposes of determining both the retirement salary of judges
5820 who first commenced service as judges prior to January 1, 1981, and
5821 the allowance payable to their surviving spouses under subsection (a)
5822 of section 51-51, "salary for the office" shall be composed of the total of
5823 the following amounts: The annual salary payable pursuant to
5824 subsection (a) of section 51-47, as such salary may change from time to
5825 time; and for judges to whom a longevity payment has been made or is
5826 due and payable, in each instance under subsection (d) of section 51-
5827 47, (1) one and one-half per cent of annual salary, as such salary may
5828 change from time to time, for those who have completed ten or more
5829 but less than fifteen years of service as a judge or other state service or
5830 service as an elected official of the state or any combination of such
5831 service, (2) three per cent of annual salary, as such salary may change
5832 from time to time, for those who have completed fifteen or more but
5833 less than twenty years of service as a judge or other state service or
5834 service as an elected official of the state or any combination of such
5835 service, (3) four and one-half per cent of annual salary, as such salary
5836 may change from time to time, for those who have completed twenty
5837 or more but less than twenty-five years of service as a judge or other
5838 state service or service as an elected official of the state or any
5839 combination of such service, and (4) six per cent of annual salary, as
5840 such salary may change from time to time, for those who have
5841 completed twenty-five or more years of service as a judge or other
5842 state service or service as an elected official of the state or any
5843 combination of such service.

5844 (b) For purposes of determining both the retirement salary of judges
5845 who first commenced service as judges on or after January 1, 1981, and
5846 the allowance payable to their surviving spouses, under subsection (b)
5847 of section 51-51, "salary" shall be composed of the total of the following
5848 amounts: The annual salary payable at the time of retirement or death,
5849 fixed in accordance with subsection (a) of section 51-47; and for judges
5850 to whom a longevity payment has been made or is due and payable, in
5851 each case under subsection (d) of section 51-47, (1) one and one-half
5852 per cent of the annual salary the judge was receiving at the time of

5853 retirement or death, for those who have completed ten or more but less
5854 than fifteen years of service as a judge or other state service or service
5855 as an elected official of the state or any combination of such service, (2)
5856 three per cent of the annual salary the judge was receiving at the time
5857 of retirement or death, for those who have completed fifteen or more
5858 but less than twenty years of service as a judge or other state service or
5859 service as an elected official of the state or any combination of such
5860 service, (3) four and one-half per cent of the annual salary the judge
5861 was receiving at the time of retirement or death, for those who have
5862 completed twenty or more but less than twenty-five years of service as
5863 a judge or other state service or service as an elected official of the state
5864 or any combination of such service, and (4) six per cent of the annual
5865 salary the judge was receiving at the time of retirement or death, for
5866 those who have completed twenty-five or more years of service as a
5867 judge or other state service or service as an elected official of the state
5868 or any combination of such service.

5869 (c) For purposes of determining both the retirement salary of judges
5870 who first commenced service as judges on or after July 1, 2011, and the
5871 allowance payable to their surviving spouses, under subsection (b) of
5872 section 51-51, "salary" shall be composed of the total of the following
5873 amounts: The average annual salary for the five years next preceding
5874 his or her retirement payable at the time of retirement or death, fixed
5875 in accordance with subsection (a) of section 51-47; and for judges to
5876 whom a longevity payment has been made or is due and payable, in
5877 each case under subsection (d) of section 51-47, (1) one and one-half
5878 per cent of the annual salary the judge was receiving at the time of
5879 retirement or death, for those who have completed ten or more but less
5880 than fifteen years of service as a judge or other state service or service
5881 as an elected official of the state or any combination of such service, (2)
5882 three per cent of the annual salary the judge was receiving at the time
5883 of retirement or death, for those who have completed fifteen or more
5884 but less than twenty years of service as a judge or other state service or
5885 service as an elected official of the state or any combination of such
5886 service, (3) four and one-half per cent of the annual salary the judge

5887 was receiving at the time of retirement or death, for those who have
5888 completed twenty or more but less than twenty-five years of service as
5889 a judge or other state service or service as an elected official of the state
5890 or any combination of such service, and (4) six per cent of the annual
5891 salary the judge was receiving at the time of retirement or death, for
5892 those who have completed twenty-five or more years of service as a
5893 judge or other state service or service as an elected official of the state
5894 or any combination of such service.

5895 (d) Notwithstanding any provision of the general statutes, on or
5896 after September 2, 2011, the retirement salary of such judge, family
5897 support magistrate or compensation commissioner shall not exceed the
5898 limits of Section 415 of the Internal Revenue Code of 1986, or any
5899 subsequent corresponding internal revenue code of the United States,
5900 as amended from time to time.

5901 Sec. 149. (NEW) (*Effective upon approval by the General Assembly of the*
5902 *agreement between the state and the State Employees Bargaining Agent*
5903 *Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of*
5904 *this act*) (a) For any judge, family support magistrate or compensation
5905 commissioner retiring on or after July 1, 2022 the right to a retirement
5906 salary in accordance with the provisions of this section shall vest and
5907 be nonforfeitable when the judge, family support magistrate or
5908 commissioner has attained the age of sixty-three years and twenty-five
5909 years of service as a judge, family support magistrate or compensation
5910 commissioner, or sixty-two years and has served ten years as a judge,
5911 family support magistrate or compensation commissioner or has thirty
5912 years of state service credit under the provisions of chapter 66 of the
5913 general statutes, provided not less than ten years of such state service
5914 was served as a judge, family support magistrate or compensation
5915 commissioner, and provided such state service shall not be used for
5916 retirement credit under said chapter 66. Any contributions made under
5917 said chapter 66 shall be transferred to the Judges, Family Support
5918 Magistrates and Compensation Commissioners Retirement Fund.

5919 (b) Any judge, family support magistrate or compensation
5920 commissioner who has been refunded contributions from the State
5921 Employees Retirement Fund for any prior period of state service may
5922 receive credit for such service upon repayment of such refunded
5923 contributions with interest thereon at the rate of five per cent per year
5924 from the date of refund to the date of payment. The amount of such
5925 payment shall be transferred to the judges, family support magistrates
5926 and compensation commissioners retirement system. A judge, family
5927 support magistrate or commissioner may elect to retire at any time
5928 thereafter.

5929 (c) Notwithstanding any provision of the general statutes, any judge
5930 who has served for at least sixteen years as a judge and was nominated
5931 by the Governor for a subsequent term but was not reappointed and
5932 who has attained sixty-three years of age, shall be eligible to receive a
5933 retirement salary effective upon the expiration of his term as a judge.

5934 Sec. 150. Section 46b-233a of the general statutes is repealed and the
5935 following is substituted in lieu thereof (*Effective upon approval by the*
5936 *General Assembly of the agreement between the state and the State Employees*
5937 *Bargaining Agent Coalition, signed by both parties on May 27, 2011,*
5938 *pursuant to section 165 of this act*):

5939 (a) Each family support magistrate who had elected under the
5940 provisions of subdivision (2) of subsection (i) of section 46b-231 shall,
5941 for retirement purposes, be entitled to credit for any or all the prior
5942 years of service accrued by him on June 22, 1992, while serving in the
5943 office of family support magistrate, provided such magistrate shall pay
5944 to the Comptroller five per cent of the salary for his office for each
5945 prior year of service he claims for retirement credit. Each such
5946 magistrate shall be entitled to have his retirement contributions to the
5947 state employees retirement system under chapter 66 credited toward
5948 the payment due for the prior year or years of service he claims for
5949 retirement credit under this section.

5950 (b) For purposes of determining both the retirement salary of family

5951 support magistrates and the allowance payable to their surviving
5952 spouses under subsection (b) of section 51-51, "salary" shall be
5953 composed of the total of the following amounts: The **[**annual salary**]**
5954 average annual salary for the five years next preceding his or her
5955 retirement payable at the time of retirement or death, fixed in
5956 accordance with subsection (h) of section 46b-231; and for family
5957 support magistrates to whom a longevity payment has been made or is
5958 due and payable, in each case under section 51-51 (1) one and one-half
5959 per cent of the annual salary the family support magistrate was
5960 receiving at the time of retirement or death, for those who have
5961 completed ten or more but less than fifteen years of service as a family
5962 support magistrate, (2) three per cent of the annual salary the family
5963 support magistrate was receiving at the time of retirement or death, for
5964 those who have completed fifteen or more but less than twenty years
5965 of service as a family support magistrate, (3) four and one-half per cent
5966 of the annual salary the family support magistrate was receiving at the
5967 time of retirement or death, for those who have completed twenty or
5968 more but less than twenty-five years of service as a family support
5969 magistrate, and (4) six per cent of the annual salary the family support
5970 magistrate was receiving at the time of retirement or death, for those
5971 who have completed twenty-five or more years of service as a family
5972 support magistrate.

5973 (c) Notwithstanding any provision of the general statutes, on or
5974 after September 2, 2011, the retirement salary of such judge, family
5975 support magistrate or compensation commissioner shall not exceed the
5976 limits of Section 415 of the Internal Revenue Code of 1986, or any
5977 subsequent corresponding internal revenue code of the United States,
5978 as amended from time to time.

5979 Sec. 151. Section 51-49c of the general statutes is repealed and the
5980 following is substituted in lieu thereof (*Effective upon approval by the*
5981 *General Assembly of the agreement between the state and the State Employees*
5982 *Bargaining Agent Coalition, signed by both parties on May 27, 2011,*
5983 *pursuant to section 165 of this act*):

5984 (a) On January 1, 1982, and January first of each subsequent year
5985 until January 1, 2011, each surviving spouse of a deceased judge,
5986 family support magistrate or of a compensation commissioner who
5987 first commenced service as a judge, family support magistrate or
5988 compensation commissioner on or after January 1, 1981, receiving an
5989 allowance under the provisions of section 51-51, shall be entitled to an
5990 additional cost of living allowance equal to the percentage which
5991 reflects the increase, if any, in the National Consumer Price Index for
5992 Urban Wage Earners and Clerical Workers for the previous twelve-
5993 month period, provided such cost of living increase shall not exceed
5994 three per cent. Such cost of living allowance shall be computed on the
5995 basis of the combined retirement allowance and cost of living
5996 allowance, if any, to which such surviving spouse was entitled as of
5997 the December thirty-first immediately preceding.

5998 (b) On January 1, 2012, and January first of each subsequent year,
5999 each surviving spouse of a deceased judge, family support magistrate
6000 or compensation commissioner who first commenced service as a
6001 judge, family support magistrate or compensation commissioner on or
6002 after January 1, 1981, receiving an allowance under the provisions of
6003 section 51-51, shall be entitled to an additional cost of living allowance
6004 equal to the percentage which reflects the increase, if any, in the
6005 National Consumer Price Index for Urban Wage Earners and Clerical
6006 Workers for the previous twelve-month period, provided such cost of
6007 living increase shall not exceed two per cent. Such cost of living
6008 allowance shall be computed on the basis of the combined retirement
6009 allowance and cost of living allowance, if any, to which such surviving
6010 spouse was entitled as of the December thirty-first immediately
6011 preceding.

6012 Sec. 152. (NEW) (*Effective from passage*) A stock corporation
6013 organized before January 1, 1920, and having a certificate of
6014 incorporation providing that each member of the corporation shall be
6015 entitled to one vote, irrespective of the number of shares the member
6016 may hold in the same, may convert to a nonstock corporation under

6017 chapter 602 of the general statutes by filing with the Secretary of the
6018 State a certificate of conversion (1) stating the terms of the
6019 corporation's plan of conversion and the classes of membership to
6020 which shareholders of the stock corporation, including any current
6021 classes of shareholders, will or may elect to belong following
6022 conversion and any amendment, restatement or amendment and
6023 restatement of the corporation's certificate of incorporation to be
6024 effected as a result of such conversion, and (2) certifying that the board
6025 of directors adopted the plan of conversion and such amendment,
6026 restatement or amendment and restatement of the certificate of
6027 incorporation and that a majority of the members or shares who were
6028 present or represented by proxy and voting at a duly noticed meeting
6029 of its shareholders or members voted in favor of the plan of conversion
6030 and to effect such amendment, restatement or amendment and
6031 restatement of the certificate of incorporation. After the filing of such
6032 certificate of conversion, (A) the corporation shall be deemed to have
6033 continued in existence with all the same corporate powers, except
6034 those that may not be exercised by a nonstock corporation under said
6035 chapter 602, and to continue to own all its assets and properties and to
6036 be liable for all its debts and liabilities; (B) the actions taken by a
6037 majority vote of shares present and voting at each past meeting of the
6038 shareholders of the corporation as recorded in the minutes of such
6039 meetings are valid without regard to any defect in notice or whether a
6040 quorum was present, unless an action was commenced alleging such
6041 facts prior to the effective date of this act; and (C) the corporation shall
6042 not be required until after January 1, 2015, to comply with the
6043 provisions of chapter 32 of the general statutes relating to ownership
6044 interests in the corporation deemed abandoned.

6045 Sec. 153. Subsection (a) of section 4b-136 of the general statutes, as
6046 amended by section 143 of house bill 6650 of the current session, is
6047 repealed and the following is substituted in lieu thereof (*Effective July*
6048 *1, 2011*):

6049 (a) There is established a State-Wide Security Management Council.

6050 The council shall consist of the following members or their designees:
6051 The Commissioner of Emergency Services and Public Protection, the
6052 Commissioner of Administrative Services, the Commissioner of
6053 Mental Health and Addiction Services, the Commissioner of Public
6054 Works, the Secretary of the Office of Policy and Management, the
6055 Chief Court Administrator, the executive director of the Joint
6056 Committee on Legislative Management, a representative of the
6057 Governor, a representative of the State Employees Bargaining Agent
6058 Coalition, the president of the Connecticut State Police Union, the
6059 president of the Connecticut Police Chiefs Association and the
6060 president of the Uniformed Professional Fire Fighters Association. The
6061 Commissioner of Public Works shall serve as chairperson of the
6062 council. Each council member shall provide technical assistance in the
6063 member's area of expertise, as required by the council.

6064 Sec. 154. Subsection (a) of section 7-294d of the general statutes, as
6065 amended by section 147 of house bill 6650 of the current session, is
6066 repealed and the following is substituted in lieu thereof (*Effective July*
6067 *1, 2011*):

6068 (a) The Police Officer Standards and Training Council shall have the
6069 following powers:

6070 (1) To develop and periodically update and revise a comprehensive
6071 municipal police training plan;

6072 (2) To approve, or revoke the approval of, any police training school
6073 and to issue certification to such schools and to revoke such
6074 certification;

6075 (3) To set the minimum courses of study and attendance required
6076 and the equipment and facilities to be required of approved police
6077 training schools;

6078 (4) To set the minimum qualifications for law enforcement
6079 instructors and to issue appropriate certification to such instructors;

6080 (5) To require that all probationary candidates receive the hours of
6081 basic training deemed necessary before being eligible for certification,
6082 such basic training to be completed within one year following the
6083 appointment as a probationary candidate, unless the candidate is
6084 granted additional time to complete such basic training by the council;

6085 (6) To require the registration of probationary candidates with the
6086 academy within ten days of hiring for the purpose of scheduling
6087 training;

6088 (7) To issue appropriate certification to police officers who have
6089 satisfactorily completed minimum basic training programs;

6090 (8) To require that each police officer satisfactorily complete at least
6091 forty hours of certified review training every three years in order to
6092 maintain certification, unless the officer is granted additional time not
6093 to exceed one year to complete such training by the council;

6094 (9) To renew the certification of those police officers who have
6095 satisfactorily completed review training programs;

6096 (10) To establish uniform minimum educational and training
6097 standards for employment as a police officer in full-time positions,
6098 temporary or probationary positions and part-time or voluntary
6099 positions;

6100 (11) To develop, in consultation with the Commissioner of
6101 Emergency Services and Public Protection, a schedule to visit and
6102 inspect police basic training schools and to inspect each school at least
6103 once each year;

6104 (12) To consult with and cooperate with universities, colleges and
6105 institutes for the development of specialized courses of study for
6106 police officers in police science and police administration;

6107 (13) To work with the Commissioner of Emergency Services and
6108 Public Protection and with departments and agencies of this state and

6109 other states and the federal government concerned with police
6110 training;

6111 (14) To make recommendations to the Commissioner of Emergency
6112 Services and Public Protection concerning the hiring of staff, within
6113 available appropriations, that may be necessary in the performance of
6114 its functions;

6115 (15) To perform any other acts that may be necessary and
6116 appropriate to carry out the functions of the council as set forth in
6117 sections 7-294a to 7-294e, inclusive, as amended by **[**this act**]** house bill
6118 6650 of the current session;

6119 (16) To accept, with the approval of the Commissioner of
6120 Emergency Services and Public Protection, contributions, grants, gifts,
6121 donations, services or other financial assistance from any
6122 governmental unit, public agency or the private sector;

6123 (17) To conduct any inspection and evaluation that may be
6124 necessary to determine if a law enforcement unit is complying with the
6125 provisions of this section;

6126 (18) At the request and expense of any law enforcement unit, to
6127 conduct general or specific management surveys;

6128 (19) To develop objective and uniform criteria for recommending
6129 any waiver of regulations or granting a waiver of procedures
6130 established by the council;

6131 (20) To recruit, select and appoint candidates to the position of
6132 probationary candidate, as defined in section 7-294a, as amended by
6133 **[**this act**]** house bill 6650 of the current session, and provide recruit
6134 training for candidates of the Connecticut Police Corps program in
6135 accordance with the Police Corps Act, 42 USC 14091 et seq., as
6136 amended from time to time; **[**and**]**

6137 (21) To develop, adopt and revise, as necessary, comprehensive

6138 accreditation standards for the administration and management of law
6139 enforcement units, to grant accreditation to those law enforcement
6140 units that demonstrate their compliance with such standards and, at
6141 the request and expense of any law enforcement unit, to conduct such
6142 surveys as may be necessary to determine such unit's compliance with
6143 such standards; **[**.**]** and

6144 (22) To recommend to the commissioner the appointment of any
6145 council training instructor, or such other person as determined by the
6146 council, to act as a special police officer throughout the state as such
6147 instructor or other person's official duties may require, provided any
6148 such instructor or other person so appointed shall be a certified police
6149 officer. Each such special police officer shall be sworn and may arrest
6150 and present before a competent authority any person for any offense
6151 committed within the officer's precinct.

6152 Sec. 155. Subsection (b) of section 165 of public act 11-44 is repealed
6153 and the following is substituted in lieu thereof (*Effective July 1, 2011*):

6154 (b) Notwithstanding the provisions of subsections (a) and (c) of
6155 section 17b-112 of the general statutes, the Commissioner of Social
6156 Services shall, within available appropriations, grant **[**extensions**]** a six-
6157 month extension of time-limited cash assistance benefits to any person
6158 who (1) has made a good-faith effort to comply with the requirements
6159 of the pilot program, (2) has not exceeded the sixty-month limit,
6160 described in subsection (c) of section 17b-112 of the general statutes,
6161 and (3) has not been granted more than two extensions.

6162 Sec. 156. Section 17b-340 of the general statutes is repealed and the
6163 following is substituted in lieu thereof (*Effective from passage*):

6164 (a) The rates to be paid by or for persons aided or cared for by the
6165 state or any town in this state to licensed chronic and convalescent
6166 nursing homes, to chronic disease hospitals associated with chronic
6167 and convalescent nursing homes, to rest homes with nursing
6168 supervision, to licensed residential care homes, as defined by section

6169 19a-490, and to residential facilities for the mentally retarded which are
6170 licensed pursuant to section 17a-227 and certified to participate in the
6171 Title XIX Medicaid program as intermediate care facilities for the
6172 mentally retarded, for room, board and services specified in licensing
6173 regulations issued by the licensing agency shall be determined
6174 annually, except as otherwise provided in this subsection, after a
6175 public hearing, by the Commissioner of Social Services, to be effective
6176 July first of each year except as otherwise provided in this subsection.
6177 Such rates shall be determined on a basis of a reasonable payment for
6178 such necessary services, which basis shall take into account as a factor
6179 the costs of such services. Cost of such services shall include
6180 reasonable costs mandated by collective bargaining agreements with
6181 certified collective bargaining agents or other agreements between the
6182 employer and employees, provided "employees" shall not include
6183 persons employed as managers or chief administrators or required to
6184 be licensed as nursing home administrators, and compensation for
6185 services rendered by proprietors at prevailing wage rates, as
6186 determined by application of principles of accounting as prescribed by
6187 said commissioner. Cost of such services shall not include amounts
6188 paid by the facilities to employees as salary, or to attorneys or
6189 consultants as fees, where the responsibility of the employees,
6190 attorneys, or consultants is to persuade or seek to persuade the other
6191 employees of the facility to support or oppose unionization. Nothing
6192 in this subsection shall prohibit inclusion of amounts paid for legal
6193 counsel related to the negotiation of collective bargaining agreements,
6194 the settlement of grievances or normal administration of labor
6195 relations. The commissioner may, in his discretion, allow the inclusion
6196 of extraordinary and unanticipated costs of providing services which
6197 were incurred to avoid an immediate negative impact on the health
6198 and safety of patients. The commissioner may, in his discretion, based
6199 upon review of a facility's costs, direct care staff to patient ratio and
6200 any other related information, revise a facility's rate for any increases
6201 or decreases to total licensed capacity of more than ten beds or changes
6202 to its number of licensed rest home with nursing supervision beds and

6203 chronic and convalescent nursing home beds. The commissioner may
6204 so revise a facility's rate established for the fiscal year ending June 30,
6205 1993, and thereafter for any bed increases, decreases or changes in
6206 licensure effective after October 1, 1989. Effective July 1, 1991, in
6207 facilities which have both a chronic and convalescent nursing home
6208 and a rest home with nursing supervision, the rate for the rest home
6209 with nursing supervision shall not exceed such facility's rate for its
6210 chronic and convalescent nursing home. All such facilities for which
6211 rates are determined under this subsection shall report on a fiscal year
6212 basis ending on the thirtieth day of September. Such report shall be
6213 submitted to the commissioner by the thirty-first day of December. The
6214 commissioner may reduce the rate in effect for a facility which fails to
6215 report on or before such date by an amount not to exceed ten per cent
6216 of such rate. The commissioner shall annually, on or before the
6217 fifteenth day of February, report the data contained in the reports of
6218 such facilities to the joint standing committee of the General Assembly
6219 having cognizance of matters relating to appropriations. For the cost
6220 reporting year commencing October 1, 1985, and for subsequent cost
6221 reporting years, facilities shall report the cost of using the services of
6222 any nursing pool employee by separating said cost into two categories,
6223 the portion of the cost equal to the salary of the employee for whom
6224 the nursing pool employee is substituting shall be considered a
6225 nursing cost and any cost in excess of such salary shall be further
6226 divided so that seventy-five per cent of the excess cost shall be
6227 considered an administrative or general cost and twenty-five per cent
6228 of the excess cost shall be considered a nursing cost, provided if the
6229 total nursing pool costs of a facility for any cost year are equal to or
6230 exceed fifteen per cent of the total nursing expenditures of the facility
6231 for such cost year, no portion of nursing pool costs in excess of fifteen
6232 per cent shall be classified as administrative or general costs. The
6233 commissioner, in determining such rates, shall also take into account
6234 the classification of patients or boarders according to special care
6235 requirements or classification of the facility according to such factors
6236 as facilities and services and such other factors as he deems reasonable,

6237 including anticipated fluctuations in the cost of providing such
6238 services. The commissioner may establish a separate rate for a facility
6239 or a portion of a facility for traumatic brain injury patients who require
6240 extensive care but not acute general hospital care. Such separate rate
6241 shall reflect the special care requirements of such patients. If changes
6242 in federal or state laws, regulations or standards adopted subsequent
6243 to June 30, 1985, result in increased costs or expenditures in an amount
6244 exceeding one-half of one per cent of allowable costs for the most
6245 recent cost reporting year, the commissioner shall adjust rates and
6246 provide payment for any such increased reasonable costs or
6247 expenditures within a reasonable period of time retroactive to the date
6248 of enforcement. Nothing in this section shall be construed to require
6249 the Department of Social Services to adjust rates and provide payment
6250 for any increases in costs resulting from an inspection of a facility by
6251 the Department of Public Health. Such assistance as the commissioner
6252 requires from other state agencies or departments in determining rates
6253 shall be made available to him at his request. Payment of the rates
6254 established hereunder shall be conditioned on the establishment by
6255 such facilities of admissions procedures which conform with this
6256 section, section 19a-533 and all other applicable provisions of the law
6257 and the provision of equality of treatment to all persons in such
6258 facilities. The established rates shall be the maximum amount
6259 chargeable by such facilities for care of such beneficiaries, and the
6260 acceptance by or on behalf of any such facility of any additional
6261 compensation for care of any such beneficiary from any other person
6262 or source shall constitute the offense of aiding a beneficiary to obtain
6263 aid to which he is not entitled and shall be punishable in the same
6264 manner as is provided in subsection (b) of section 17b-97. For the fiscal
6265 year ending June 30, 1992, rates for licensed residential care homes and
6266 intermediate care facilities for the mentally retarded may receive an
6267 increase not to exceed the most recent annual increase in the Regional
6268 Data Resources Incorporated McGraw-Hill Health Care Costs:
6269 Consumer Price Index (all urban)-All Items. Rates for newly certified
6270 intermediate care facilities for the mentally retarded shall not exceed

6271 one hundred fifty per cent of the median rate of rates in effect on
6272 January 31, 1991, for intermediate care facilities for the mentally
6273 retarded certified prior to February 1, 1991. Notwithstanding any
6274 provision of this section, the Commissioner of Social Services may,
6275 within available appropriations, provide an interim rate increase for a
6276 licensed chronic and convalescent nursing home or a rest home with
6277 nursing supervision for rate periods no earlier than April 1, 2004, only
6278 if the commissioner determines that the increase is necessary to avoid
6279 the filing of a petition for relief under Title 11 of the United States
6280 Code; imposition of receivership pursuant to sections 19a-541 to 19a-
6281 549, inclusive; or substantial deterioration of the facility's financial
6282 condition that may be expected to adversely affect resident care and
6283 the continued operation of the facility, and the commissioner
6284 determines that the continued operation of the facility is in the best
6285 interest of the state. The commissioner shall consider any requests for
6286 interim rate increases on file with the department from March 30, 2004,
6287 and those submitted subsequently for rate periods no earlier than
6288 April 1, 2004. When reviewing a rate increase request the
6289 commissioner shall, at a minimum, consider: (1) Existing chronic and
6290 convalescent nursing home or rest home with nursing supervision
6291 utilization in the area and projected bed need; (2) physical plant long-
6292 term viability and the ability of the owner or purchaser to implement
6293 any necessary property improvements; (3) licensure and certification
6294 compliance history; (4) reasonableness of actual and projected
6295 expenses; and (5) the ability of the facility to meet wage and benefit
6296 costs. No rate shall be increased pursuant to this subsection in excess
6297 of one hundred fifteen per cent of the median rate for the facility's peer
6298 grouping, established pursuant to subdivision (2) of subsection (f) of
6299 this section, unless recommended by the commissioner and approved
6300 by the Secretary of the Office of Policy and Management after
6301 consultation with the commissioner. Such median rates shall be
6302 published by the Department of Social Services not later than April
6303 first of each year. In the event that a facility granted an interim rate
6304 increase pursuant to this section is sold or otherwise conveyed for

6305 value to an unrelated entity less than five years after the effective date
6306 of such rate increase, the rate increase shall be deemed rescinded and
6307 the department shall recover an amount equal to the difference
6308 between payments made for all affected rate periods and payments
6309 that would have been made if the interim rate increase was not
6310 granted. The commissioner may seek recovery from payments made to
6311 any facility with common ownership. With the approval of the
6312 Secretary of the Office of Policy and Management, the commissioner
6313 may waive recovery and rescission of the interim rate for good cause
6314 shown that is not inconsistent with this section, including, but not
6315 limited to, transfers to family members that were made for no value.
6316 The commissioner shall provide written quarterly reports to the joint
6317 standing committees of the General Assembly having cognizance of
6318 matters relating to human services and appropriations and the budgets
6319 of state agencies and to the select committee of the General Assembly
6320 having cognizance of matters relating to aging, that identify each
6321 facility requesting an interim rate increase, the amount of the
6322 requested rate increase for each facility, the action taken by the
6323 commissioner and the secretary pursuant to this subsection, and
6324 estimates of the additional cost to the state for each approved interim
6325 rate increase. Nothing in this subsection shall prohibit the
6326 commissioner from increasing the rate of a licensed chronic and
6327 convalescent nursing home or a rest home with nursing supervision
6328 for allowable costs associated with facility capital improvements or
6329 increasing the rate in case of a sale of a licensed chronic and
6330 convalescent nursing home or a rest home with nursing supervision,
6331 pursuant to subdivision **[**(16)**]** (15) of subsection (f) of this section, if
6332 receivership has been imposed on such home.

6333 (b) The Commissioner of Social Services shall adopt regulations in
6334 accordance with the provisions of chapter 54 to specify other allowable
6335 services. For purposes of this section, other allowable services means
6336 those services required by any medical assistance beneficiary residing
6337 in such home or hospital which are not already covered in the rate set
6338 by the commissioner in accordance with the provisions of subsection

6339 (a) of this section.

6340 (c) No facility subject to the requirements of this section shall accept
6341 payment in excess of the rate set by the commissioner pursuant to
6342 subsection (a) of this section for any medical assistance patient from
6343 this or any other state. No facility shall accept payment in excess of the
6344 reasonable and necessary costs of other allowable services as specified
6345 by the commissioner pursuant to the regulations adopted under
6346 subsection (b) of this section for any public assistance patient from this
6347 or any other state. Notwithstanding the provisions of this subsection,
6348 the commissioner may authorize a facility to accept payment in excess
6349 of the rate paid for a medical assistance patient in this state for a
6350 patient who receives medical assistance from another state.

6351 (d) In any instance where the Commissioner of Social Services finds
6352 that a facility subject to the requirements of this section is accepting
6353 payment for a medical assistance beneficiary in violation of subsection
6354 (c) of this section, the commissioner shall proceed to recover through
6355 the rate set for the facility any sum in excess of the stipulated per diem
6356 and other allowable costs, as provided for in regulations adopted
6357 pursuant to subsections (a) and (b) of this section. The commissioner
6358 shall make the recovery prospectively at the time of the next annual
6359 rate redetermination.

6360 (e) Except as provided in this subsection, the provisions of
6361 subsections (c) and (d) of this section shall not apply to any facility
6362 subject to the requirements of this section, which on October 1, 1981,
6363 (1) was accepting payments from the commissioner in accordance with
6364 the provisions of subsection (a) of this section, (2) was accepting
6365 medical assistance payments from another state for at least twenty per
6366 cent of its patients, and (3) had not notified the commissioner of any
6367 intent to terminate its provider agreement, in accordance with section
6368 17b-271, provided no patient residing in any such facility on May 22,
6369 1984, shall be removed from such facility for purposes of meeting the
6370 requirements of this subsection. If the commissioner finds that the

6371 number of beds available to medical assistance patients from this state
6372 in any such facility is less than fifteen per cent the provisions of
6373 subsections (c) and (d) of this section shall apply to that number of
6374 beds which is less than said percentage.

6375 (f) For the fiscal year ending June 30, 1992, the rates paid by or for
6376 persons aided or cared for by the state or any town in this state to
6377 facilities for room, board and services specified in licensing regulations
6378 issued by the licensing agency, except intermediate care facilities for
6379 the mentally retarded and residential care homes, shall be based on the
6380 cost year ending September 30, 1989. For the fiscal years ending June
6381 30, 1993, and June 30, 1994, such rates shall be based on the cost year
6382 ending September 30, 1990. Such rates shall be determined by the
6383 Commissioner of Social Services in accordance with this section and
6384 the regulations of Connecticut state agencies promulgated by the
6385 commissioner and in effect on April 1, 1991, except that:

6386 (1) Allowable costs shall be divided into the following five cost
6387 components: Direct costs, which shall include salaries for nursing
6388 personnel, related fringe benefits and nursing pool costs; indirect costs,
6389 which shall include professional fees, dietary expenses, housekeeping
6390 expenses, laundry expenses, supplies related to patient care, salaries
6391 for indirect care personnel and related fringe benefits; fair rent, which
6392 shall be defined in accordance with subsection (f) of section 17-311-52
6393 of the regulations of Connecticut state agencies; capital-related costs,
6394 which shall include property taxes, insurance expenses, equipment
6395 leases and equipment depreciation; and administrative and general
6396 costs, which shall include maintenance and operation of plant
6397 expenses, salaries for administrative and maintenance personnel and
6398 related fringe benefits. The commissioner may provide a rate
6399 adjustment for nonemergency transportation services required by
6400 nursing facility residents. Such adjustment shall be a fixed amount
6401 determined annually by the commissioner based upon a review of
6402 costs and other associated information. Allowable costs shall not
6403 include costs for ancillary services payable under Part B of the

6404 Medicare program.

6405 (2) Two geographic peer groupings of facilities shall be established
6406 for each level of care, as defined by the Department of Social Services
6407 for the determination of rates, for the purpose of determining
6408 allowable direct costs. One peer grouping shall be comprised of those
6409 facilities located in Fairfield County. The other peer grouping shall be
6410 comprised of facilities located in all other counties.

6411 (3) For the fiscal year ending June 30, 1992, per diem maximum
6412 allowable costs for each cost component shall be as follows: For direct
6413 costs, the maximum shall be equal to one hundred forty per cent of the
6414 median allowable cost of that peer grouping; for indirect costs, the
6415 maximum shall be equal to one hundred thirty per cent of the state-
6416 wide median allowable cost; for fair rent, the amount shall be
6417 calculated utilizing the amount approved by the Office of Health Care
6418 Access pursuant to section 19a-638; for capital-related costs, there shall
6419 be no maximum; and for administrative and general costs, the
6420 maximum shall be equal to one hundred twenty-five per cent of the
6421 state-wide median allowable cost. For the fiscal year ending June 30,
6422 1993, per diem maximum allowable costs for each cost component
6423 shall be as follows: For direct costs, the maximum shall be equal to one
6424 hundred forty per cent of the median allowable cost of that peer
6425 grouping; for indirect costs, the maximum shall be equal to one
6426 hundred twenty-five per cent of the state-wide median allowable cost;
6427 for fair rent, the amount shall be calculated utilizing the amount
6428 approved by the Office of Health Care Access pursuant to section 19a-
6429 638; for capital-related costs, there shall be no maximum; and for
6430 administrative and general costs the maximum shall be equal to one
6431 hundred fifteen per cent of the state-wide median allowable cost. For
6432 the fiscal year ending June 30, 1994, per diem maximum allowable
6433 costs for each cost component shall be as follows: For direct costs, the
6434 maximum shall be equal to one hundred thirty-five per cent of the
6435 median allowable cost of that peer grouping; for indirect costs, the
6436 maximum shall be equal to one hundred twenty per cent of the state-

6437 wide median allowable cost; for fair rent, the amount shall be
6438 calculated utilizing the amount approved by the Office of Health Care
6439 Access pursuant to section 19a-638; for capital-related costs, there shall
6440 be no maximum; and for administrative and general costs the
6441 maximum shall be equal to one hundred ten per cent of the state-wide
6442 median allowable cost. For the fiscal year ending June 30, 1995, per
6443 diem maximum allowable costs for each cost component shall be as
6444 follows: For direct costs, the maximum shall be equal to one hundred
6445 thirty-five per cent of the median allowable cost of that peer grouping;
6446 for indirect costs, the maximum shall be equal to one hundred twenty
6447 per cent of the state-wide median allowable cost; for fair rent, the
6448 amount shall be calculated utilizing the amount approved by the
6449 Office of Health Care Access pursuant to section 19a-638; for capital-
6450 related costs, there shall be no maximum; and for administrative and
6451 general costs the maximum shall be equal to one hundred five per cent
6452 of the state-wide median allowable cost. For the fiscal year ending June
6453 30, 1996, and any succeeding fiscal year, except for the fiscal years
6454 ending June 30, 2000, and June 30, 2001, for facilities with an interim
6455 rate in one or both periods, per diem maximum allowable costs for
6456 each cost component shall be as follows: For direct costs, the maximum
6457 shall be equal to one hundred thirty-five per cent of the median
6458 allowable cost of that peer grouping; for indirect costs, the maximum
6459 shall be equal to one hundred fifteen per cent of the state-wide median
6460 allowable cost; for fair rent, the amount shall be calculated utilizing the
6461 amount approved pursuant to section 19a-638; for capital-related costs,
6462 there shall be no maximum; and for administrative and general costs
6463 the maximum shall be equal to the state-wide median allowable cost.
6464 For the fiscal years ending June 30, 2000, and June 30, 2001, for
6465 facilities with an interim rate in one or both periods, per diem
6466 maximum allowable costs for each cost component shall be as follows:
6467 For direct costs, the maximum shall be equal to one hundred forty-five
6468 per cent of the median allowable cost of that peer grouping; for
6469 indirect costs, the maximum shall be equal to one hundred twenty-five
6470 per cent of the state-wide median allowable cost; for fair rent, the

6471 amount shall be calculated utilizing the amount approved pursuant to
6472 section 19a-638; for capital-related costs, there shall be no maximum;
6473 and for administrative and general costs, the maximum shall be equal
6474 to the state-wide median allowable cost and such medians shall be
6475 based upon the same cost year used to set rates for facilities with
6476 prospective rates. Costs in excess of the maximum amounts established
6477 under this subsection shall not be recognized as allowable costs, except
6478 that the Commissioner of Social Services (A) may allow costs in excess
6479 of maximum amounts for any facility with patient days covered by
6480 Medicare, including days requiring coinsurance, in excess of twelve
6481 per cent of annual patient days which also has patient days covered by
6482 Medicaid in excess of fifty per cent of annual patient days; (B) may
6483 establish a pilot program whereby costs in excess of maximum
6484 amounts shall be allowed for beds in a nursing home which has a
6485 managed care program and is affiliated with a hospital licensed under
6486 chapter 368v; and (C) may establish rates whereby allowable costs may
6487 exceed such maximum amounts for beds approved on or after July 1,
6488 1991, which are restricted to use by patients with acquired immune
6489 deficiency syndrome or traumatic brain injury.

6490 (4) For the fiscal year ending June 30, 1992, (A) no facility shall
6491 receive a rate that is less than the rate it received for the rate year
6492 ending June 30, 1991; (B) no facility whose rate, if determined pursuant
6493 to this subsection, would exceed one hundred twenty per cent of the
6494 state-wide median rate, as determined pursuant to this subsection,
6495 shall receive a rate which is five and one-half per cent more than the
6496 rate it received for the rate year ending June 30, 1991; and (C) no
6497 facility whose rate, if determined pursuant to this subsection, would be
6498 less than one hundred twenty per cent of the state-wide median rate,
6499 as determined pursuant to this subsection, shall receive a rate which is
6500 six and one-half per cent more than the rate it received for the rate year
6501 ending June 30, 1991. For the fiscal year ending June 30, 1993, no
6502 facility shall receive a rate that is less than the rate it received for the
6503 rate year ending June 30, 1992, or six per cent more than the rate it
6504 received for the rate year ending June 30, 1992. For the fiscal year

6505 ending June 30, 1994, no facility shall receive a rate that is less than the
6506 rate it received for the rate year ending June 30, 1993, or six per cent
6507 more than the rate it received for the rate year ending June 30, 1993.
6508 For the fiscal year ending June 30, 1995, no facility shall receive a rate
6509 that is more than five per cent less than the rate it received for the rate
6510 year ending June 30, 1994, or six per cent more than the rate it received
6511 for the rate year ending June 30, 1994. For the fiscal years ending June
6512 30, 1996, and June 30, 1997, no facility shall receive a rate that is more
6513 than three per cent more than the rate it received for the prior rate
6514 year. For the fiscal year ending June 30, 1998, a facility shall receive a
6515 rate increase that is not more than two per cent more than the rate that
6516 the facility received in the prior year. For the fiscal year ending June
6517 30, 1999, a facility shall receive a rate increase that is not more than
6518 three per cent more than the rate that the facility received in the prior
6519 year and that is not less than one per cent more than the rate that the
6520 facility received in the prior year, exclusive of rate increases associated
6521 with a wage, benefit and staffing enhancement rate adjustment added
6522 for the period from April 1, 1999, to June 30, 1999, inclusive. For the
6523 fiscal year ending June 30, 2000, each facility, except a facility with an
6524 interim rate or replaced interim rate for the fiscal year ending June 30,
6525 1999, and a facility having a certificate of need or other agreement
6526 specifying rate adjustments for the fiscal year ending June 30, 2000,
6527 shall receive a rate increase equal to one per cent applied to the rate the
6528 facility received for the fiscal year ending June 30, 1999, exclusive of
6529 the facility's wage, benefit and staffing enhancement rate adjustment.
6530 For the fiscal year ending June 30, 2000, no facility with an interim rate,
6531 replaced interim rate or scheduled rate adjustment specified in a
6532 certificate of need or other agreement for the fiscal year ending June
6533 30, 2000, shall receive a rate increase that is more than one per cent
6534 more than the rate the facility received in the fiscal year ending June
6535 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a
6536 facility with an interim rate or replaced interim rate for the fiscal year
6537 ending June 30, 2000, and a facility having a certificate of need or other
6538 agreement specifying rate adjustments for the fiscal year ending June

6539 30, 2001, shall receive a rate increase equal to two per cent applied to
6540 the rate the facility received for the fiscal year ending June 30, 2000,
6541 subject to verification of wage enhancement adjustments pursuant to
6542 subdivision **[**(15)**]** (14) of this subsection. For the fiscal year ending
6543 June 30, 2001, no facility with an interim rate, replaced interim rate or
6544 scheduled rate adjustment specified in a certificate of need or other
6545 agreement for the fiscal year ending June 30, 2001, shall receive a rate
6546 increase that is more than two per cent more than the rate the facility
6547 received for the fiscal year ending June 30, 2000. For the fiscal year
6548 ending June 30, 2002, each facility shall receive a rate that is two and
6549 one-half per cent more than the rate the facility received in the prior
6550 fiscal year. For the fiscal year ending June 30, 2003, each facility shall
6551 receive a rate that is two per cent more than the rate the facility
6552 received in the prior fiscal year, except that such increase shall be
6553 effective January 1, 2003, and such facility rate in effect for the fiscal
6554 year ending June 30, 2002, shall be paid for services provided until
6555 December 31, 2002, except any facility that would have been issued a
6556 lower rate effective July 1, 2002, than for the fiscal year ending June 30,
6557 2002, due to interim rate status or agreement with the department shall
6558 be issued such lower rate effective July 1, 2002, and have such rate
6559 increased two per cent effective June 1, 2003. For the fiscal year ending
6560 June 30, 2004, rates in effect for the period ending June 30, 2003, shall
6561 remain in effect, except any facility that would have been issued a
6562 lower rate effective July 1, 2003, than for the fiscal year ending June 30,
6563 2003, due to interim rate status or agreement with the department shall
6564 be issued such lower rate effective July 1, 2003. For the fiscal year
6565 ending June 30, 2005, rates in effect for the period ending June 30, 2004,
6566 shall remain in effect until December 31, 2004, except any facility that
6567 would have been issued a lower rate effective July 1, 2004, than for the
6568 fiscal year ending June 30, 2004, due to interim rate status or
6569 agreement with the department shall be issued such lower rate
6570 effective July 1, 2004. Effective January 1, 2005, each facility shall
6571 receive a rate that is one per cent greater than the rate in effect
6572 December 31, 2004. Effective upon receipt of all the necessary federal

6573 approvals to secure federal financial participation matching funds
6574 associated with the rate increase provided in this subdivision, but in
6575 no event earlier than July 1, 2005, and provided the user fee imposed
6576 under section 17b-320 is required to be collected, for the fiscal year
6577 ending June 30, 2006, the department shall compute the rate for each
6578 facility based upon its 2003 cost report filing or a subsequent cost year
6579 filing for facilities having an interim rate for the period ending June 30,
6580 2005, as provided under section 17-311-55 of the regulations of
6581 Connecticut state agencies. For each facility not having an interim rate
6582 for the period ending June 30, 2005, the rate for the period ending June
6583 30, 2006, shall be determined beginning with the higher of the
6584 computed rate based upon its 2003 cost report filing or the rate in
6585 effect for the period ending June 30, 2005. Such rate shall then be
6586 increased by eleven dollars and eighty cents per day except that in no
6587 event shall the rate for the period ending June 30, 2006, be thirty-two
6588 dollars more than the rate in effect for the period ending June 30, 2005,
6589 and for any facility with a rate below one hundred ninety-five dollars
6590 per day for the period ending June 30, 2005, such rate for the period
6591 ending June 30, 2006, shall not be greater than two hundred seventeen
6592 dollars and forty-three cents per day and for any facility with a rate
6593 equal to or greater than one hundred ninety-five dollars per day for
6594 the period ending June 30, 2005, such rate for the period ending June
6595 30, 2006, shall not exceed the rate in effect for the period ending June
6596 30, 2005, increased by eleven and one-half per cent. For each facility
6597 with an interim rate for the period ending June 30, 2005, the interim
6598 replacement rate for the period ending June 30, 2006, shall not exceed
6599 the rate in effect for the period ending June 30, 2005, increased by
6600 eleven dollars and eighty cents per day plus the per day cost of the
6601 user fee payments made pursuant to section 17b-320 divided by
6602 annual resident service days, except for any facility with an interim
6603 rate below one hundred ninety-five dollars per day for the period
6604 ending June 30, 2005, the interim replacement rate for the period
6605 ending June 30, 2006, shall not be greater than two hundred seventeen
6606 dollars and forty-three cents per day and for any facility with an

6607 interim rate equal to or greater than one hundred ninety-five dollars
6608 per day for the period ending June 30, 2005, the interim replacement
6609 rate for the period ending June 30, 2006, shall not exceed the rate in
6610 effect for the period ending June 30, 2005, increased by eleven and one-
6611 half per cent. Such July 1, 2005, rate adjustments shall remain in effect
6612 unless (i) the federal financial participation matching funds associated
6613 with the rate increase are no longer available; or (ii) the user fee
6614 created pursuant to section 17b-320 is not in effect. For the fiscal year
6615 ending June 30, 2007, each facility shall receive a rate that is three per
6616 cent greater than the rate in effect for the period ending June 30, 2006,
6617 except any facility that would have been issued a lower rate effective
6618 July 1, 2006, than for the rate period ending June 30, 2006, due to
6619 interim rate status or agreement with the department, shall be issued
6620 such lower rate effective July 1, 2006. For the fiscal year ending June
6621 30, 2008, each facility shall receive a rate that is two and nine-tenths
6622 per cent greater than the rate in effect for the period ending June 30,
6623 2007, except any facility that would have been issued a lower rate
6624 effective July 1, 2007, than for the rate period ending June 30, 2007, due
6625 to interim rate status or agreement with the department, shall be
6626 issued such lower rate effective July 1, 2007. For the fiscal year ending
6627 June 30, 2009, rates in effect for the period ending June 30, 2008, shall
6628 remain in effect until June 30, 2009, except any facility that would have
6629 been issued a lower rate for the fiscal year ending June 30, 2009, due to
6630 interim rate status or agreement with the department shall be issued
6631 such lower rate. For the fiscal years ending June 30, 2010, and June 30,
6632 2011, rates in effect for the period ending June 30, 2009, shall remain in
6633 effect until June 30, 2011, except any facility that would have been
6634 issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal
6635 year ending June 30, 2011, due to interim rate status or agreement with
6636 the department, shall be issued such lower rate. The Commissioner of
6637 Social Services shall add fair rent increases to any other rate increases
6638 established pursuant to this subdivision for a facility which has
6639 undergone a material change in circumstances related to fair rent,
6640 except for the fiscal year ending June 30, 2010, and the fiscal year

6641 ending June 30, 2011, such fair rent increases shall only be provided to
6642 facilities with an approved certificate of need pursuant to section 17b-
6643 352, 17b-353, 17b-354 or 17b-355. Interim rates may take into account
6644 reasonable costs incurred by a facility, including wages and benefits.

6645 (5) For the purpose of determining allowable fair rent, a facility with
6646 allowable fair rent less than the twenty-fifth percentile of the state-
6647 wide allowable fair rent shall be reimbursed as having allowable fair
6648 rent equal to the twenty-fifth percentile of the state-wide allowable fair
6649 rent, provided for the fiscal years ending June 30, 1996, and June 30,
6650 1997, the reimbursement may not exceed the twenty-fifth percentile of
6651 the state-wide allowable fair rent for the fiscal year ending June 30,
6652 1995. On and after July 1, 1998, the Commissioner of Social Services
6653 may allow minimum fair rent as the basis upon which reimbursement
6654 associated with improvements to real property is added. Beginning
6655 with the fiscal year ending June 30, 1996, any facility with a rate of
6656 return on real property other than land in excess of eleven per cent
6657 shall have such allowance revised to eleven per cent. Any facility or its
6658 related realty affiliate which finances or refinances debt through bonds
6659 issued by the State of Connecticut Health and Education Facilities
6660 Authority shall report the terms and conditions of such financing or
6661 refinancing to the Commissioner of Social Services within thirty days
6662 of completing such financing or refinancing. The Commissioner of
6663 Social Services may revise the facility's fair rent component of its rate
6664 to reflect any financial benefit the facility or its related realty affiliate
6665 received as a result of such financing or refinancing, including but not
6666 limited to, reductions in the amount of debt service payments or
6667 period of debt repayment. The commissioner shall allow actual debt
6668 service costs for bonds issued by the State of Connecticut Health and
6669 Educational Facilities Authority if such costs do not exceed property
6670 costs allowed pursuant to subsection (f) of section 17-311-52 of the
6671 regulations of Connecticut state agencies, provided the commissioner
6672 may allow higher debt service costs for such bonds for good cause. For
6673 facilities which first open on or after October 1, 1992, the commissioner
6674 shall determine allowable fair rent for real property other than land

6675 based on the rate of return for the cost year in which such bonds were
6676 issued. The financial benefit resulting from a facility financing or
6677 refinancing debt through such bonds shall be shared between the state
6678 and the facility to an extent determined by the commissioner on a case-
6679 by-case basis and shall be reflected in an adjustment to the facility's
6680 allowable fair rent.

6681 (6) A facility shall receive cost efficiency adjustments for indirect
6682 costs and for administrative and general costs if such costs are below
6683 the state-wide median costs. The cost efficiency adjustments shall
6684 equal twenty-five per cent of the difference between allowable
6685 reported costs and the applicable median allowable cost established
6686 pursuant to this subdivision.

6687 (7) For the fiscal year ending June 30, 1992, allowable operating
6688 costs, excluding fair rent, shall be inflated using the Regional Data
6689 Resources Incorporated McGraw-Hill Health Care Costs: Consumer
6690 Price Index (all urban)-All Items minus one and one-half per cent. For
6691 the fiscal year ending June 30, 1993, allowable operating costs,
6692 excluding fair rent, shall be inflated using the Regional Data Resources
6693 Incorporated McGraw-Hill Health Care Costs: Consumer Price Index
6694 (all urban)-All Items minus one and three-quarters per cent. For the
6695 fiscal years ending June 30, 1994, and June 30, 1995, allowable
6696 operating costs, excluding fair rent, shall be inflated using the Regional
6697 Data Resources Incorporated McGraw-Hill Health Care Costs:
6698 Consumer Price Index (all urban)-All Items minus two per cent. For
6699 the fiscal year ending June 30, 1996, allowable operating costs,
6700 excluding fair rent, shall be inflated using the Regional Data Resources
6701 Incorporated McGraw-Hill Health Care Costs: Consumer Price Index
6702 (all urban)-All Items minus two and one-half per cent. For the fiscal
6703 year ending June 30, 1997, allowable operating costs, excluding fair
6704 rent, shall be inflated using the Regional Data Resources Incorporated
6705 McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All
6706 Items minus three and one-half per cent. For the fiscal year ending
6707 June 30, 1992, and any succeeding fiscal year, allowable fair rent shall

6708 be those reported in the annual report of long-term care facilities for
6709 the cost year ending the immediately preceding September thirtieth.
6710 The inflation index to be used pursuant to this subsection shall be
6711 computed to reflect inflation between the midpoint of the cost year
6712 through the midpoint of the rate year. The Department of Social
6713 Services shall study methods of reimbursement for fair rent and shall
6714 report its findings and recommendations to the joint standing
6715 committee of the General Assembly having cognizance of matters
6716 relating to human services on or before January 15, 1993.

6717 (8) On and after July 1, 1994, costs shall be rebased no more
6718 frequently than every two years and no less frequently than every four
6719 years, as determined by the commissioner. The commissioner shall
6720 determine whether and to what extent a change in ownership of a
6721 facility shall occasion the rebasing of the facility's costs.

6722 (9) The method of establishing rates for new facilities shall be
6723 determined by the commissioner in accordance with the provisions of
6724 this subsection.

6725 (10) Rates determined under this section shall comply with federal
6726 laws and regulations.

6727 **[**(11) For the fiscal year ending June 30, 2011, and any succeeding
6728 fiscal year, one-half of the initial amount payable in June by the state to
6729 a facility pursuant to this subsection shall be paid to the facility in June
6730 and the balance of such amount shall be paid in July.**]**

6731 **[**(12)**]** (11) Notwithstanding the provisions of this subsection,
6732 interim rates issued for facilities on and after July 1, 1991, shall be
6733 subject to applicable fiscal year cost component limitations established
6734 pursuant to subdivision (3) of this subsection.

6735 **[**(13)**]** (12) A chronic and convalescent nursing home having an
6736 ownership affiliation with and operated at the same location as a
6737 chronic disease hospital may request that the commissioner approve

6738 an exception to applicable rate-setting provisions for chronic and
6739 convalescent nursing homes and establish a rate for the fiscal years
6740 ending June 30, 1992, and June 30, 1993, in accordance with regulations
6741 in effect June 30, 1991. Any such rate shall not exceed one hundred
6742 sixty-five per cent of the median rate established for chronic and
6743 convalescent nursing homes established under this section for the
6744 applicable fiscal year.

6745 **[**(14)**]** (13) For the fiscal year ending June 30, 1994, and any
6746 succeeding fiscal year, for purposes of computing minimum allowable
6747 patient days, utilization of a facility's certified beds shall be
6748 determined at a minimum of ninety-five per cent of capacity, except
6749 for new facilities and facilities which are certified for additional beds
6750 which may be permitted a lower occupancy rate for the first three
6751 months of operation after the effective date of licensure.

6752 **[**(15)**]** (14) The Commissioner of Social Services shall adjust facility
6753 rates from April 1, 1999, to June 30, 1999, inclusive, by a per diem
6754 amount representing each facility's allocation of funds appropriated
6755 for the purpose of wage, benefit and staffing enhancement. A facility's
6756 per diem allocation of such funding shall be computed as follows: (A)
6757 The facility's direct and indirect component salary, wage, nursing pool
6758 and allocated fringe benefit costs as filed for the 1998 cost report
6759 period deemed allowable in accordance with this section and
6760 applicable regulations without application of cost component
6761 maximums specified in subdivision (3) of this subsection shall be
6762 totalled; (B) such total shall be multiplied by the facility's Medicaid
6763 utilization based on the 1998 cost report; (C) the resulting amount for
6764 the facility shall be divided by the sum of the calculations specified in
6765 subparagraphs (A) and (B) of this subdivision for all facilities to
6766 determine the facility's percentage share of appropriated wage, benefit
6767 and staffing enhancement funding; (D) the facility's percentage share
6768 shall be multiplied by the amount of appropriated wage, benefit and
6769 staffing enhancement funding to determine the facility's allocated
6770 amount; and (E) such allocated amount shall be divided by the number

6771 of days of care paid for by Medicaid on an annual basis including days
6772 for reserved beds specified in the 1998 cost report to determine the per
6773 diem wage and benefit rate adjustment amount. The commissioner
6774 may adjust a facility's reported 1998 cost and utilization data for the
6775 purposes of determining a facility's share of wage, benefit and staffing
6776 enhancement funding when reported 1998 information is not
6777 substantially representative of estimated cost and utilization data for
6778 the fiscal year ending June 30, 2000, due to special circumstances
6779 during the 1998 cost report period including change of ownership with
6780 a part year cost filing or reductions in facility capacity due to facility
6781 renovation projects. Upon completion of the calculation of the
6782 allocation of wage, benefit and staffing enhancement funding, the
6783 commissioner shall not adjust the allocations due to revisions
6784 submitted to previously filed 1998 annual cost reports. In the event
6785 that a facility's rate for the fiscal year ending June 30, 1999, is an
6786 interim rate or the rate includes an increase adjustment due to a rate
6787 request to the commissioner or other reasons, the commissioner may
6788 reduce or withhold the per diem wage, benefit and staffing
6789 enhancement allocation computed for the facility. Any enhancement
6790 allocations not applied to facility rates shall not be reallocated to other
6791 facilities and such unallocated amounts shall be available for the costs
6792 associated with interim rates and other Medicaid expenditures. The
6793 wage, benefit and staffing enhancement per diem adjustment for the
6794 period from April 1, 1999, to June 30, 1999, inclusive, shall also be
6795 applied to rates for the fiscal years ending June 30, 2000, and June 30,
6796 2001, except that the commissioner may increase or decrease the
6797 adjustment to account for changes in facility capacity or operations.
6798 Any facility accepting a rate adjustment for wage, benefit and staffing
6799 enhancements shall apply payments made as a result of such rate
6800 adjustment for increased allowable employee wage rates and benefits
6801 and additional direct and indirect component staffing. Adjustment
6802 funding shall not be applied to wage and salary increases provided to
6803 the administrator, assistant administrator, owners or related party
6804 employees. Enhancement payments may be applied to increases in

6805 costs associated with staffing purchased from staffing agencies
6806 provided such costs are deemed necessary and reasonable by the
6807 commissioner. The commissioner shall compare expenditures for
6808 wages, benefits and staffing for the 1998 cost report period to such
6809 expenditures in the 1999, 2000 and 2001 cost report periods to verify
6810 whether a facility has applied additional payments to specified
6811 enhancements. In the event that the commissioner determines that a
6812 facility did not apply additional payments to specified enhancements,
6813 the commissioner shall recover such amounts from the facility through
6814 rate adjustments or other means. The commissioner may require
6815 facilities to file cost reporting forms, in addition to the annual cost
6816 report, as may be necessary, to verify the appropriate application of
6817 wage, benefit and staffing enhancement rate adjustment payments. For
6818 the purposes of this subdivision, "Medicaid utilization" means the
6819 number of days of care paid for by Medicaid on an annual basis
6820 including days for reserved beds as a percentage of total resident days.

6821 **[**(16)**]** (15) The interim rate established to become effective upon sale
6822 of any licensed chronic and convalescent home or rest home with
6823 nursing supervision for which a receivership has been imposed
6824 pursuant to sections 19a-541 to 19a-549, inclusive, shall not exceed the
6825 rate in effect for the facility at the time of the imposition of the
6826 receivership, subject to any annual increases permitted by this section;
6827 provided the Commissioner of Social Services may, in the
6828 commissioner's discretion, and after consultation with the receiver,
6829 establish an increased rate for the facility if the commissioner with
6830 approval of the Secretary of the Office of Policy and Management
6831 determines that such higher rate is needed to keep the facility open
6832 and to ensure the health, safety and welfare of the residents at such
6833 facility.

6834 (g) For the fiscal year ending June 30, 1993, any intermediate care
6835 facility for the mentally retarded with an operating cost component of
6836 its rate in excess of one hundred forty per cent of the median of
6837 operating cost components of rates in effect January 1, 1992, shall not

6838 receive an operating cost component increase. For the fiscal year
6839 ending June 30, 1993, any intermediate care facility for the mentally
6840 retarded with an operating cost component of its rate that is less than
6841 one hundred forty per cent of the median of operating cost
6842 components of rates in effect January 1, 1992, shall have an allowance
6843 for real wage growth equal to thirty per cent of the increase
6844 determined in accordance with subsection (q) of section 17-311-52 of
6845 the regulations of Connecticut state agencies, provided such operating
6846 cost component shall not exceed one hundred forty per cent of the
6847 median of operating cost components in effect January 1, 1992. Any
6848 facility with real property other than land placed in service prior to
6849 October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a
6850 rate of return on real property equal to the average of the rates of
6851 return applied to real property other than land placed in service for the
6852 five years preceding October 1, 1993. For the fiscal year ending June 30,
6853 1996, and any succeeding fiscal year, the rate of return on real property
6854 for property items shall be revised every five years. The commissioner
6855 shall, upon submission of a request, allow actual debt service,
6856 comprised of principal and interest, in excess of property costs allowed
6857 pursuant to section 17-311-52 of the regulations of Connecticut state
6858 agencies, provided such debt service terms and amounts are
6859 reasonable in relation to the useful life and the base value of the
6860 property. For the fiscal year ending June 30, 1995, and any succeeding
6861 fiscal year, the inflation adjustment made in accordance with
6862 subsection (p) of section 17-311-52 of the regulations of Connecticut
6863 state agencies shall not be applied to real property costs. For the fiscal
6864 year ending June 30, 1996, and any succeeding fiscal year, the
6865 allowance for real wage growth, as determined in accordance with
6866 subsection (q) of section 17-311-52 of the regulations of Connecticut
6867 state agencies, shall not be applied. For the fiscal year ending June 30,
6868 1996, and any succeeding fiscal year, no rate shall exceed three
6869 hundred seventy-five dollars per day unless the commissioner, in
6870 consultation with the Commissioner of Developmental Services,
6871 determines after a review of program and management costs, that a

6872 rate in excess of this amount is necessary for care and treatment of
6873 facility residents. For the fiscal year ending June 30, 2002, rate period,
6874 the Commissioner of Social Services shall increase the inflation
6875 adjustment for rates made in accordance with subsection (p) of section
6876 17-311-52 of the regulations of Connecticut state agencies to update
6877 allowable fiscal year 2000 costs to include a three and one-half per cent
6878 inflation factor. For the fiscal year ending June 30, 2003, rate period, the
6879 commissioner shall increase the inflation adjustment for rates made in
6880 accordance with subsection (p) of section 17-311-52 of the regulations
6881 of Connecticut state agencies to update allowable fiscal year 2001 costs
6882 to include a one and one-half per cent inflation factor, except that such
6883 increase shall be effective November 1, 2002, and such facility rate in
6884 effect for the fiscal year ending June 30, 2002, shall be paid for services
6885 provided until October 31, 2002, except any facility that would have
6886 been issued a lower rate effective July 1, 2002, than for the fiscal year
6887 ending June 30, 2002, due to interim rate status or agreement with the
6888 department shall be issued such lower rate effective July 1, 2002, and
6889 have such rate updated effective November 1, 2002, in accordance with
6890 applicable statutes and regulations. For the fiscal year ending June 30,
6891 2004, rates in effect for the period ending June 30, 2003, shall remain in
6892 effect, except any facility that would have been issued a lower rate
6893 effective July 1, 2003, than for the fiscal year ending June 30, 2003, due
6894 to interim rate status or agreement with the department shall be issued
6895 such lower rate effective July 1, 2003. For the fiscal year ending June
6896 30, 2005, rates in effect for the period ending June 30, 2004, shall
6897 remain in effect until September 30, 2004. Effective October 1, 2004,
6898 each facility shall receive a rate that is five per cent greater than the
6899 rate in effect September 30, 2004. Effective upon receipt of all the
6900 necessary federal approvals to secure federal financial participation
6901 matching funds associated with the rate increase provided in
6902 subdivision (4) of subsection (f) of this section, but in no event earlier
6903 than October 1, 2005, and provided the user fee imposed under section
6904 17b-320 is required to be collected, each facility shall receive a rate that
6905 is four per cent more than the rate the facility received in the prior

6906 fiscal year, except any facility that would have been issued a lower rate
6907 effective October 1, 2005, than for the fiscal year ending June 30, 2005,
6908 due to interim rate status or agreement with the department, shall be
6909 issued such lower rate effective October 1, 2005. Such rate increase
6910 shall remain in effect unless: (A) The federal financial participation
6911 matching funds associated with the rate increase are no longer
6912 available; or (B) the user fee created pursuant to section 17b-320 is not
6913 in effect. For the fiscal year ending June 30, 2007, rates in effect for the
6914 period ending June 30, 2006, shall remain in effect until September 30,
6915 2006, except any facility that would have been issued a lower rate
6916 effective July 1, 2006, than for the fiscal year ending June 30, 2006, due
6917 to interim rate status or agreement with the department, shall be
6918 issued such lower rate effective July 1, 2006. Effective October 1, 2006,
6919 no facility shall receive a rate that is more than three per cent greater
6920 than the rate in effect for the facility on September 30, 2006, except any
6921 facility that would have been issued a lower rate effective October 1,
6922 2006, due to interim rate status or agreement with the department,
6923 shall be issued such lower rate effective October 1, 2006. For the fiscal
6924 year ending June 30, 2008, each facility shall receive a rate that is two
6925 and nine-tenths per cent greater than the rate in effect for the period
6926 ending June 30, 2007, except any facility that would have been issued a
6927 lower rate effective July 1, 2007, than for the rate period ending June
6928 30, 2007, due to interim rate status, or agreement with the department,
6929 shall be issued such lower rate effective July 1, 2007. For the fiscal year
6930 ending June 30, 2009, rates in effect for the period ending June 30, 2008,
6931 shall remain in effect until June 30, 2009, except any facility that would
6932 have been issued a lower rate for the fiscal year ending June 30, 2009,
6933 due to interim rate status or agreement with the department, shall be
6934 issued such lower rate. For the fiscal years ending June 30, 2010, and
6935 June 30, 2011, rates in effect for the period ending June 30, 2009, shall
6936 remain in effect until June 30, 2011, except any facility that would have
6937 been issued a lower rate for the fiscal year ending June 30, 2010, or the
6938 fiscal year ending June 30, 2011, due to interim rate status or
6939 agreement with the department, shall be issued such lower rate.

6940 (h) (1) For the fiscal year ending June 30, 1993, any residential care
6941 home with an operating cost component of its rate in excess of one
6942 hundred thirty per cent of the median of operating cost components of
6943 rates in effect January 1, 1992, shall not receive an operating cost
6944 component increase. For the fiscal year ending June 30, 1993, any
6945 residential care home with an operating cost component of its rate that
6946 is less than one hundred thirty per cent of the median of operating cost
6947 components of rates in effect January 1, 1992, shall have an allowance
6948 for real wage growth equal to sixty-five per cent of the increase
6949 determined in accordance with subsection (q) of section 17-311-52 of
6950 the regulations of Connecticut state agencies, provided such operating
6951 cost component shall not exceed one hundred thirty per cent of the
6952 median of operating cost components in effect January 1, 1992.
6953 Beginning with the fiscal year ending June 30, 1993, for the purpose of
6954 determining allowable fair rent, a residential care home with allowable
6955 fair rent less than the twenty-fifth percentile of the state-wide
6956 allowable fair rent shall be reimbursed as having allowable fair rent
6957 equal to the twenty-fifth percentile of the state-wide allowable fair
6958 rent. Beginning with the fiscal year ending June 30, 1997, a residential
6959 care home with allowable fair rent less than three dollars and ten cents
6960 per day shall be reimbursed as having allowable fair rent equal to
6961 three dollars and ten cents per day. Property additions placed in
6962 service during the cost year ending September 30, 1996, or any
6963 succeeding cost year shall receive a fair rent allowance for such
6964 additions as an addition to three dollars and ten cents per day if the
6965 fair rent for the facility for property placed in service prior to
6966 September 30, 1995, is less than or equal to three dollars and ten cents
6967 per day. For the fiscal year ending June 30, 1996, and any succeeding
6968 fiscal year, the allowance for real wage growth, as determined in
6969 accordance with subsection (q) of section 17-311-52 of the regulations
6970 of Connecticut state agencies, shall not be applied. For the fiscal year
6971 ending June 30, 1996, and any succeeding fiscal year, the inflation
6972 adjustment made in accordance with subsection (p) of section
6973 17-311-52 of the regulations of Connecticut state agencies shall not be

6974 applied to real property costs. Beginning with the fiscal year ending
6975 June 30, 1997, minimum allowable patient days for rate computation
6976 purposes for a residential care home with twenty-five beds or less shall
6977 be eighty-five per cent of licensed capacity. Beginning with the fiscal
6978 year ending June 30, 2002, for the purposes of determining the
6979 allowable salary of an administrator of a residential care home with
6980 sixty beds or less the department shall revise the allowable base salary
6981 to thirty-seven thousand dollars to be annually inflated thereafter in
6982 accordance with section 17-311-52 of the regulations of Connecticut
6983 state agencies. The rates for the fiscal year ending June 30, 2002, shall
6984 be based upon the increased allowable salary of an administrator,
6985 regardless of whether such amount was expended in the 2000 cost
6986 report period upon which the rates are based. Beginning with the fiscal
6987 year ending June 30, 2000, the inflation adjustment for rates made in
6988 accordance with subsection (p) of section 17-311-52 of the regulations
6989 of Connecticut state agencies shall be increased by two per cent, and
6990 beginning with the fiscal year ending June 30, 2002, the inflation
6991 adjustment for rates made in accordance with subsection (c) of said
6992 section shall be increased by one per cent. Beginning with the fiscal
6993 year ending June 30, 1999, for the purpose of determining the
6994 allowable salary of a related party, the department shall revise the
6995 maximum salary to twenty-seven thousand eight hundred fifty-six
6996 dollars to be annually inflated thereafter in accordance with section
6997 17-311-52 of the regulations of Connecticut state agencies and
6998 beginning with the fiscal year ending June 30, 2001, such allowable
6999 salary shall be computed on an hourly basis and the maximum
7000 number of hours allowed for a related party other than the proprietor
7001 shall be increased from forty hours to forty-eight hours per work week.
7002 For the fiscal year ending June 30, 2005, each facility shall receive a rate
7003 that is two and one-quarter per cent more than the rate the facility
7004 received in the prior fiscal year, except any facility that would have
7005 been issued a lower rate effective July 1, 2004, than for the fiscal year
7006 ending June 30, 2004, due to interim rate status or agreement with the
7007 department shall be issued such lower rate effective July 1, 2004.

7008 Effective upon receipt of all the necessary federal approvals to secure
7009 federal financial participation matching funds associated with the rate
7010 increase provided in subdivision (4) of subsection (f) of this section,
7011 but in no event earlier than October 1, 2005, and provided the user fee
7012 imposed under section 17b-320 is required to be collected, each facility
7013 shall receive a rate that is determined in accordance with applicable
7014 law and subject to appropriations, except any facility that would have
7015 been issued a lower rate effective October 1, 2005, than for the fiscal
7016 year ending June 30, 2005, due to interim rate status or agreement with
7017 the department, shall be issued such lower rate effective October 1,
7018 2005. Such rate increase shall remain in effect unless: (A) The federal
7019 financial participation matching funds associated with the rate increase
7020 are no longer available; or (B) the user fee created pursuant to section
7021 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in
7022 effect for the period ending June 30, 2006, shall remain in effect until
7023 September 30, 2006, except any facility that would have been issued a
7024 lower rate effective July 1, 2006, than for the fiscal year ending June 30,
7025 2006, due to interim rate status or agreement with the department,
7026 shall be issued such lower rate effective July 1, 2006. Effective October
7027 1, 2006, no facility shall receive a rate that is more than four per cent
7028 greater than the rate in effect for the facility on September 30, 2006,
7029 except for any facility that would have been issued a lower rate
7030 effective October 1, 2006, due to interim rate status or agreement with
7031 the department, shall be issued such lower rate effective October 1,
7032 2006. For the fiscal years ending June 30, 2010, and June 30, 2011, rates
7033 in effect for the period ending June 30, 2009, shall remain in effect until
7034 June 30, 2011, except any facility that would have been issued a lower
7035 rate for the fiscal year ending June 30, 2010, or the fiscal year ending
7036 June 30, 2011, due to interim rate status or agreement with the
7037 department, shall be issued such lower rate, except (i) any facility that
7038 would have been issued a lower rate for the fiscal year ending June 30,
7039 2010, or the fiscal year ending June 30, 2011, due to interim rate status
7040 or agreement with the Commissioner of Social Services shall be issued
7041 such lower rate; and (ii) the commissioner may increase a facility's rate

7042 for reasonable costs associated with such facility's compliance with the
7043 provisions of section 19a-495a concerning the administration of
7044 medication by unlicensed personnel.

7045 (2) The commissioner shall, upon determining that a loan to be
7046 issued to a residential care home by the Connecticut Housing Finance
7047 Authority is reasonable in relation to the useful life and property cost
7048 allowance pursuant to section 17-311-52 of the regulations of
7049 Connecticut state agencies, allow actual debt service, comprised of
7050 principal, interest and a repair and replacement reserve on the loan, in
7051 lieu of allowed property costs whether actual debt service is higher or
7052 lower than such allowed property costs.

7053 (i) Notwithstanding the provisions of this section, the
7054 Commissioner of Social Services shall establish a fee schedule for
7055 payments to be made to chronic disease hospitals associated with
7056 chronic and convalescent nursing homes to be effective on and after
7057 July 1, 1995. The fee schedule may be adjusted annually beginning July
7058 1, 1997, to reflect necessary increases in the cost of services.

7059 Sec. 157. Subdivision (4) of subsection (b) of section 10-399 of the
7060 general statutes, as amended by section 104 of house bill 6651 of the
7061 current session, is repealed and the following is substituted in lieu
7062 thereof (*Effective July 1, 2011*):

7063 (4) The Department of Economic and Community Development
7064 shall place a full-time year-round supervisor and a part-time assistant
7065 supervisor at the Danbury, Darien **[**,**]** <u>and</u> North Stonington **[**and West
7066 Willington**]** centers. The responsibilities of each supervisor shall
7067 include, but not be limited to: (A) Maintaining a sufficient inventory of
7068 up-to-date brochures for dissemination to visitors, (B) scheduling staff
7069 so as to assure coverage at all times, (C) training staff, (D) compiling
7070 and maintaining statistics on center usage, (E) serving as liaison
7071 between the department, the Department of Transportation, the
7072 tourism district in which the center is located and businesses in such
7073 district, (F) maintaining quality tourism services, (G) rotating displays,

7074 (H) evaluating staff, (I) problem-solving, and (J) computing travel
7075 reimbursements for volunteer staff;

7076 Sec. 158. Subsection (a) of section 81 of public act 11-44 is repealed
7077 and the following is substituted in lieu thereof (*Effective July 1, 2011*):

7078 (a) The Commissioner of Social Services shall modify the extent of
7079 nonemergency adult dental services provided under the Medicaid
7080 program. Such modifications shall include, but are not limited to,
7081 providing one periodic dental exam, one dental cleaning and one set of
7082 bitewing x-rays each year for a healthy adult. For purposes of this
7083 section, "healthy adult" means a person **[**over**]** twenty-one years of age
7084 <u>or older</u> for whom there is no evidence indicating that dental disease is
7085 an aggravating factor for the person's overall health condition.

7086 Sec. 159. Subsection (c) of section 204 of house bill 6651 of the
7087 current session is repealed and the following is substituted in lieu
7088 thereof (*Effective July 1, 2011*):

7089 (c) Not later than October **[**1, 2012**]** <u>first of each of the years 2012 and</u>
7090 <u>2013</u>, the Commissioners of Education and Higher Education shall
7091 report to the joint standing committees of the General Assembly
7092 having cognizance of matters relating to higher education and
7093 education, in accordance with the provisions of section 11-4a of the
7094 general statutes, concerning the results of the pilot program. The
7095 report shall include, but not be limited to: (1) The number, ages and
7096 educational history of the adults who participated in the pilot
7097 program; (2) the dates each adult participated in such pilot program;
7098 (3) the subject matter in which each such adult required postsecondary
7099 developmental education; (4) a description of the college preparatory
7100 classes that were offered through such pilot program; (5) the level of
7101 improvement of each such adult in each subject matter in which such
7102 adult required postsecondary developmental education; (6) the results
7103 of any college placement examinations taken by each such adult and
7104 the dates of such examinations; (7) whether any adults who
7105 participated in such pilot program applied for acceptance to, enrolled

7106 in or registered for a program of higher learning at an institution of
7107 higher education prior to or upon completion of such pilot program
7108 and, if so, a description of such program of higher learning; and (8) the
7109 cost of offering college preparatory classes through such pilot program
7110 in comparison to the cost of offering the equivalent or similar
7111 postsecondary developmental education classes at an institution of
7112 higher education in this state.

7113 Sec. 160. Subsection (c) of section 205 of house bill 6651 of the
7114 current session is repealed and the following is substituted in lieu
7115 thereof (*Effective July 1, 2011*):

7116 (c) Not later than October **[**1, 2012**]** first of each of the years 2012 and
7117 2013, the Commissioners of Education and Higher Education shall
7118 report to the joint standing committees of the General Assembly
7119 having cognizance of matters relating to higher education and
7120 education, in accordance with the provisions of section 11-4a of the
7121 general statutes, concerning the results of the pilot program. The
7122 report shall include, but not be limited to: (1) The number, ages and
7123 educational history of the students who participated in the pilot
7124 program; (2) the dates each student participated in such pilot program;
7125 (3) the subject matter in which each such student required
7126 developmental education; (4) a description of the college preparatory
7127 classes that were offered through such pilot program; (5) the level of
7128 improvement of each such student in each subject matter in which
7129 such student required developmental education; (6) the results of any
7130 college placement examinations taken by each such student and the
7131 dates of such examinations; (7) whether any students who participated
7132 in such pilot program applied for acceptance to, enrolled in or
7133 registered for a program of higher learning at an institution of higher
7134 education prior to or upon completion of such pilot program and, if so,
7135 a description of such program of higher learning; and (8) the cost of
7136 offering college preparatory classes through such pilot program in
7137 comparison to the cost of offering the equivalent or similar
7138 developmental education classes at an institution of higher education

7139 in this state.

7140 Sec. 161. Subsection (c) of section 13b-61c of the general statutes is
7141 repealed and the following is substituted in lieu thereof (*Effective July*
7142 *1, 2011*):

7143 (c) For the fiscal year ending June 30, 2012, the Comptroller shall
7144 transfer the sum of **[**one hundred twenty-four million fifty thousand**]**
7145 eighty-one million five hundred fifty thousand dollars from the
7146 resources of the General Fund to the Special Transportation Fund.

7147 Sec. 162. (NEW) (*Effective July 1, 2012*) (a) The Commissioner of
7148 Economic and Community Development shall establish an economic
7149 development grants program to provide grants for the following
7150 programs and purposes:

7151 (1) To develop a small business incubator program to entities
7152 operating incubator facilities, as defined in section 32-34 of the general
7153 statutes;

7154 (2) To promote, retain and expand hydrogen and fuel cell industries
7155 in Connecticut;

7156 (3) To promote supply chain integration and encourage the
7157 adoption of digital manufacturing and information technologies;

7158 (4) To provide training for small and medium-sized businesses in
7159 high-performance work practices;

7160 (5) To support the development of marine science, maritime and
7161 homeland security defense industries;

7162 (6) To promote research innovation and nanotechnology; and

7163 (7) To provide technical assistance to small business owners.

7164 (b) The Department of Economic and Community Development
7165 may enter into an agreement, pursuant to chapter 55a of the general

7166 statutes, with a person, firm, corporation or other entity to operate the
7167 grants program developed pursuant to subsection (a) of this section.

7168 (c) The commissioner shall prescribe the manner in which an entity
7169 shall submit an application for a grant awarded as part of the grants
7170 program developed pursuant to this section, provided such
7171 application procedure includes (1) a request for proposal, or (2) a
7172 competitive award process.

7173 Sec. 163. Subsection (b) of section 32-235 of the general statutes is
7174 repealed and the following is substituted in lieu thereof (*Effective July*
7175 *1, 2011*):

7176 (b) The proceeds of the sale of said bonds, to the extent of the
7177 amount stated in subsection (a) of this section, shall be used by the
7178 Department of Economic and Community Development (1) for the
7179 purposes of sections 32-220 to 32-234, inclusive, including economic
7180 cluster-related programs and activities, and for the Connecticut job
7181 training finance demonstration program pursuant to sections 32-23uu
7182 and 32-23vv provided, (A) three million dollars shall be used by said
7183 department solely for the purposes of section 32-23uu and not more
7184 than five million two hundred fifty thousand dollars of the amount
7185 stated in said subsection (a) may be used by said department for the
7186 purposes of section 31-3u, (B) not less than one million dollars shall be
7187 used for an educational technology grant to the deployment center
7188 program and the nonprofit business consortium deployment center
7189 approved pursuant to section 32-41*l*, (C) not less than two million
7190 dollars shall be used by said department for the establishment of a
7191 pilot program to make grants to businesses in designated areas of the
7192 state for construction, renovation or improvement of small
7193 manufacturing facilities provided such grants are matched by the
7194 business, a municipality or another financing entity. The
7195 Commissioner of Economic and Community Development shall
7196 designate areas of the state where manufacturing is a substantial part
7197 of the local economy and shall make grants under such pilot program

7198 which are likely to produce a significant economic development
7199 benefit for the designated area, (D) five million dollars may be used by
7200 said department for the manufacturing competitiveness grants
7201 program, (E) one million dollars shall be used by said department for
7202 the purpose of a grant to the Connecticut Center for Advanced
7203 Technology, for the purposes of **[**section 32-237**]** subdivision (5) of
7204 subsection (a) of section 162 of this act, (F) fifty million dollars shall be
7205 used by said department for the purpose of grants to the United States
7206 Department of the Navy, the United States Department of Defense or
7207 eligible applicants for projects related to the enhancement of
7208 infrastructure for long-term, on-going naval operations at the United
7209 States Naval Submarine Base-New London, located in Groton, which
7210 will increase the military value of said base. Such projects shall not be
7211 subject to the provisions of sections 4a-60 and 4a-60a, (G) two million
7212 dollars shall be used by said department for the purpose of a grant to
7213 the Connecticut Center for Advanced Technology, Inc., for
7214 manufacturing initiatives, including aerospace and defense, and (H)
7215 two million dollars shall be used by said department for the purpose of
7216 a grant to companies adversely impacted by the construction at the
7217 Quinnipiac Bridge, where such grant may be used to offset the increase
7218 in costs of commercial overland transportation of goods or materials
7219 brought to the port of New Haven by ship or vessel, and (2) for the
7220 purposes of the small business assistance program established
7221 pursuant to section 32-9yy, provided fifteen million dollars shall be
7222 deposited in the small business assistance account established
7223 pursuant to said section 32-9yy. The provisions of sections 32-220 to
7224 32-234, inclusive, shall not apply to such funds authorized pursuant to
7225 this subdivision.

7226 Sec. 164. Section 32-356 of the general statutes is repealed and the
7227 following is substituted in lieu thereof (*Effective July 1, 2011*):

7228 **[**(a) For purposes of this section, "incubator facilities" shall have the
7229 same meaning as incubator facilities in section 32-34.

7230 (b) The Commissioner of Economic and Community Development
7231 shall establish the small business incubator program to provide grants
7232 to entities operating incubator facilities, as defined in section 32-34.
7233 The Department of Economic and Community Development may
7234 enter into an agreement, pursuant to chapter 55a, with a person, firm,
7235 corporation or other entity to operate such program. The department,
7236 or a program operator selected pursuant to this subsection, shall,
7237 subject to the availability of funds, operate a technology-based small
7238 business incubator program. In accordance with the written guidelines
7239 developed by the department, the department or program operator, if
7240 any, may provide grants to assist small businesses operating within
7241 incubator facilities. Grants made pursuant to this section shall be used
7242 by such entities to provide operating funds and related services,
7243 including business plan preparation, assistance in acquiring financing
7244 and management counseling.

7245 (c) An entity shall submit an application for a grant pursuant to this
7246 section in the manner prescribed by the Commissioner of Economic
7247 and Community Development.**]**

7248 **[**(d)**]** There is established an account to be known as the small
7249 business incubator account, which shall be a separate, nonlapsing
7250 account within the General Fund. The commissioner may use funds
7251 from the account to provide administrative expenses and grants
7252 **[**pursuant to this section**]** <u>for the purposes of subdivision (1) of</u>
7253 <u>subsection (a) of section 162 of this act</u>.

7254 **[**(e) (1) There is established a Small Business Incubator Advisory
7255 Board. Said board shall consist of: (A) The Commissioner of Economic
7256 and Community Development; (B) the president of the Connecticut
7257 Development Authority and the executive director of Connecticut
7258 Innovations, Incorporated, as ex-officio nonvoting members, or their
7259 designees; (C) one member to be appointed by the Governor; (D) two
7260 members with experience in the field of technology transfer and
7261 commercialization, to be appointed by the speaker of the House of

7262 Representatives; (E) two members with experience in new product and
7263 market development, to be appointed by the president pro tempore of
7264 the Senate; (F) one member to be appointed by the majority leader of
7265 the Senate; (G) one member to be appointed by the majority leader of
7266 the House of Representatives; (H) one member with experience in seed
7267 and early stage capital investment, to be appointed by the minority
7268 leader of the House of Representatives; and (I) one member with
7269 experience in seed and early stage capital investment, to be appointed
7270 by the minority leader of the Senate. All initial appointments to said
7271 board shall be made not later than September 1, 2007.

7272 (2) The Commissioner of Economic and Community Development
7273 shall schedule the first meeting of said board not later than October 15,
7274 2007. Thereafter, the board shall meet at least once annually to evaluate
7275 and recommend changes to the guidelines adopted pursuant to this
7276 section.**]**

7277 Sec. 165. (*Effective from passage*) (a) Not later than five calendar days
7278 after the agreement between the state and the State Employees
7279 Bargaining Agent Coalition, signed by both parties on May 27, 2011, is
7280 filed with the clerks of the Senate and House of Representatives, or
7281 June 30, 2011, whichever occurs first, the General Assembly may call
7282 itself into special session for the purpose of approving said agreement.
7283 Notwithstanding the provisions of section 12 of public act 11-6, section
7284 5-278 of the general statutes and joint rule 31 of the Joint Rules of the
7285 Senate and House of Representatives for the 2011-12 legislative term, if
7286 the General Assembly does not call itself into special session in
7287 accordance with this subsection, said agreement and any appendices
7288 filed with said agreement shall be deemed approved by the General
7289 Assembly.

7290 (b) Notwithstanding any other provision of the general statutes and
7291 except as provided in subsections (c), (d) and (e) of this section, the
7292 Commissioner of Administrative Services and the Secretary of the
7293 Office of Policy and Management shall apply terms comparable to

7294 those contained in the agreement described in subsection (a) of this
7295 section to all nonrepresented classified and unclassified officers and
7296 employees upon approval of said agreement in accordance with
7297 subsection (a) of this section, except that terms concerning wages for
7298 employees of the legislative branch shall be applied by the Joint
7299 Committee on Legislative Management in accordance with subsection
7300 (e) of this section. On or before June 30, 2011, the Secretary of the Office
7301 of Policy and Management shall submit a plan to the joint standing
7302 committee of the General Assembly having cognizance of matters
7303 relating to appropriations and the budgets of state agencies detailing
7304 how the terms of said agreement will apply to nonrepresented
7305 classified and unclassified officers and employees. On or before June
7306 30, 2011, the Chief Court Administrator and the Executive Director of
7307 Legislative Management shall submit a plan to the joint standing
7308 committee of the General Assembly having cognizance of matters
7309 relating to appropriations and the budgets of state agencies detailing
7310 how the terms of said agreement will apply to nonrepresented
7311 classified and unclassified officers and employees of the Judicial
7312 Department and the legislative branch.

7313 (c) On or before August 1, 2011, and notwithstanding the provisions
7314 of sections 5-213, 31-277, 51-279, 51-287a and 51-295b of the general
7315 statutes, for nonrepresented classified and unclassified officers and
7316 employees of the executive branch, the constituent units of higher
7317 education and the Board of Regents for Higher Education, the
7318 Commissioner of Administrative Services and the Secretary of the
7319 Office of Policy and Management shall implement changes to
7320 longevity payments for such officers and employees comparable to the
7321 longevity payment provisions of the agreement described in
7322 subsection (a) of this section.

7323 (d) On or before August 1, 2011, and notwithstanding the provisions
7324 of sections 45a-75, 46b-233, 51-12 and 51-47, the Chief Court
7325 Administrator or the judges of the Supreme Court shall consider and
7326 implement changes to longevity payments and wages for officers and

7327 employees of the Judicial Department comparable to the longevity and
7328 wage payment provisions of the agreement described in subsection (a)
7329 of this section. Nothing in this subsection shall apply said wage
7330 provisions to any such officers or employees whose wages are
7331 established by statute.

7332 (e) On or before August 1, 2011, and notwithstanding any
7333 provisions of the general statutes, the Joint Committee on Legislative
7334 Management shall consider and implement changes to longevity
7335 payments and wages for employees of the legislative branch
7336 comparable to the longevity and wage payment provisions of the
7337 agreement described in subsection (a) of this section. Nothing in this
7338 subsection shall grant longevity payments to elected officials of the
7339 legislative branch.

7340 Sec. 166. Sections 32-9ww, 32-237 and 32-348 of the general statutes
7341 are repealed. (*Effective July 1, 2012*)

7342 Sec. 167. Sections 1, 2, 8 and 74 of public act 11-6 are repealed.
7343 (*Effective from passage*)

7344 Sec. 168. Section 20 of house bill 6600 of the current session is
7345 repealed. (*Effective from passage*)

7346 Sec. 169. (*Effective from passage*) Sections 93 and 97 of public act 11-6
7347 shall take effect July 1, 2011, and be applicable to sales occurring on or
7348 after said date, and to sales of services that are billed to customers for a
7349 period that includes said date.

7350 Sec. 170. Section 166 of public act 11-6 is amended to read as follows
7351 (*Effective from passage*):

7352 Subdivisions (47), (48), (52), **[**(95),**]** (97) and (111) of section 12-412
7353 and section 12-412b of the general statutes are repealed.

7354 Sec. 171. (*Effective from passage*) Section 128 of public act 11-6 shall
7355 take effect from its passage, and be applicable to sales occurring on or

7356 after such date.

7357 Sec. 172. Section 106 of public act 11-6 is repealed. (*Effective from*
7358 *passage*)

7359 Sec. 173. Subdivision (3) of subsection (a) of section 16-245m of the
7360 general statutes is repealed. (*Effective from passage*)

7361 Sec. 174. Subdivision (28) of subsection (d) of section 2c-2b and
7362 sections 13b-39h, 13b-57e, 13b-57g, 13b-57j to 13b-57*l*, inclusive, and 32-
7363 6k of the general statutes are repealed. (*Effective July 1, 2011*)

7364 Sec. 175. Sections 12-94b, 12-94c, 12-94f and 12-94g of the general
7365 statutes are repealed. (*Effective July 1, 2011, and applicable to assessment*
7366 *years commencing on or after October 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2011*	12-63
Sec. 2	*July 1, 2011*	12-81(72)
Sec. 3	*July 1, 2011*	12-81(76)
Sec. 4	*July 1, 2011*	15-144(b)
Sec. 5	*July 1, 2011*	4-124s
Sec. 6	*from passage*	16-19(a)
Sec. 7	*from passage*	7-326
Sec. 8	*from passage*	New section
Sec. 9	*July 1, 2011*	13b-78m
Sec. 10	*July 1, 2011*	13b-57f
Sec. 11	*July 1, 2011*	13b-57h(a)
Sec. 12	*July 1, 2011*	13b-57h(b)(1)(A)
Sec. 13	*July 1, 2011*	13b-57m
Sec. 14	*July 1, 2011*	13b-57q
Sec. 15	*July 1, 2011*	13b-79p
Sec. 16	*July 1, 2011*	13b-79o
Sec. 17	*July 1, 2011*	13b-61(b)
Sec. 18	*July 1, 2011*	13b-61a(a) and (b)
Sec. 19	*July 1, 2011*	13b-61b
Sec. 20	*July 1, 2011*	13b-11a(e)

Sec. 21	*July 1, 2011*	13b-51a(a)
Sec. 22	*July 1, 2011*	13b-57d
Sec. 23	*July 1, 2011*	13b-78k
Sec. 24	*July 1, 2011*	13b-79t
Sec. 25	*July 1, 2011*	13b-79z(a)
Sec. 26	*July 1, 2011*	15-101mm(b)
Sec. 27	*July 1, 2011*	15-101nn
Sec. 28	*July 1, 2011*	32-1o(b)
Sec. 29	*July 1, 2011*	13b-78*l*
Sec. 30	*July 1, 2011*	13b-78o
Sec. 31	*July 1, 2011*	13b-79s
Sec. 32	*July 1, 2011*	16a-35c(b)
Sec. 33	*from passage and applicable to nonadmitted insurance coverage procured, continued or renewed on or after July 1, 2011*	38a-277
Sec. 34	*from passage and applicable to nonadmitted insurance coverage procured, continued or renewed on or after July 1, 2011*	38a-743
Sec. 35	*from passage*	38a-271(b) and (c)
Sec. 36	*from passage*	38a-741
Sec. 37	*July 1, 2011*	12-217jj(e)
Sec. 38	*July 1, 2011, and applicable to sales occurring on or after said date*	12-330c(a)
Sec. 39	*from passage and applicable to estates of decedents dying on or after January 1, 2011*	12-398(e)
Sec. 40	*July 1, 2011, and applicable to sales occurring on or after said date*	12-407(a)(37)(S)

Sec. 41	*July 1, 2011, and applicable to sales occurring on or after said date*	12-407(a)(37)(JJ)
Sec. 42	*July 1, 2011, and applicable to sales occurring on or after said date*	12-408(1)(J)
Sec. 43	*July 1, 2011*	12-408(3)
Sec. 44	*July 1, 2011*	PA 11-6, Sec. 96
Sec. 45	*July 1, 2011*	PA 11-6, Sec. 104(e)
Sec. 46	*from passage and applicable to sales occurring on or after May 4, 2011*	12-407(a)(12)
Sec. 47	*from passage and applicable to sales occurring on and after May 4, 2011*	12-407(a)(15)(A)
Sec. 48	*from passage and applicable to calendar years commencing on or after January 1, 2011*	12-211a
Sec. 49	*from passage*	16-245j(a)
Sec. 50	*from passage*	16-245h(b)
Sec. 51	*July 1, 2011*	New section
Sec. 52	*July 1, 2011*	12-81(74)(D)
Sec. 53	*from passage*	32-56(e)
Sec. 54	*from passage*	12-35f(b)
Sec. 55	*from passage and applicable to income years commencing on or after January 1, 2011*	12-216a
Sec. 56	*October 1, 2011, and applicable to estimated corporation business tax payments for income years commencing on or after January 1, 2012*	12-242g

Sec. 57	*July 1, 2011, and applicable to tax periods ending on or after said date*	12-686(a)(3)
Sec. 58	*July 1, 2011, and applicable to sales of a business or stock of goods occurring on or after said date*	12-707
Sec. 59	*from passage and applicable to taxable years commencing on or after January 1, 2011*	12-733(b)
Sec. 60	*from passage and applicable to all open tax periods*	12-412(80)
Sec. 61	*from passage and applicable to all open tax periods*	12-431
Sec. 62	*July 1, 2011*	12-286(e)
Sec. 63	*July 1, 2011*	12-304(a)
Sec. 64	*July 1, 2011*	12-487
Sec. 65	*from passage and applicable to tax periods commencing on or after January 1, 2012*	12-687
Sec. 66	*October 1, 2011*	12-430(7)
Sec. 67	*July 1, 2011*	New section
Sec. 68	*July 1, 2011*	New section
Sec. 69	*July 1, 2011*	New section
Sec. 70	*from passage*	New section
Sec. 71	*from passage*	New section
Sec. 72	*from passage*	New section
Sec. 73	*from passage*	New section
Sec. 74	*July 1, 2011*	4-73
Sec. 75	*July 1, 2011*	4-74
Sec. 76	*from passage*	New section
Sec. 77	*from passage*	31-71b(a)
Sec. 78	*July 1, 2011*	4-9a(a)

Sec. 79	*July 1, 2011, and applicable to calendar quarters commencing on or after July 1, 2011*	12-263b
Sec. 80	*July 1, 2011*	PA 11-6, Sec. 134
Sec. 81	*July 1, 2011*	7-323o
Sec. 82	*July 1, 2011*	New section
Sec. 83	*July 1, 2011*	31-345(b)(2)
Sec. 84	*July 1, 2011*	31-280(b)(8)
Sec. 85	*July 1, 2011*	31-280(d)
Sec. 86	*July 1, 2011*	10-65(a)
Sec. 87	*July 1, 2011*	PA 11-6, Sec. 26
Sec. 88	*July 1, 2011*	4b-23(o)
Sec. 89	*July 1, 2011*	4b-24(1)
Sec. 90	*July 1, 2011*	7-169(i)
Sec. 91	*July 1, 2011*	29-310
Sec. 92	*July 1, 2011*	29-311(b)
Sec. 93	*July 1, 2011*	10-283(a)
Sec. 94	*July 1, 2011*	10-285e
Sec. 95	*July 1, 2011*	HB 6650 (current session), Sec. 137(b)
Sec. 96	*July 1, 2011*	7-294b(a)
Sec. 97	*July 1, 2011*	7-294p
Sec. 98	*July 1, 2011*	12-806b
Sec. 99	*July 1, 2011*	20-280(e)
Sec. 100	*from passage*	PA 11-6, Sec. 50
Sec. 101	*January 1, 2012, and applicable to primaries and elections held on or after said date*	9-601a(b)(7)
Sec. 102	*January 1, 2012*	HB 6651 (current session), Sec. 29
Sec. 103	*from passage*	HB 6651 (current session), Sec. 20(b)
Sec. 104	*from passage*	HB 6651 (current session), Sec. 191 (b)(5)
Sec. 105	*July 1, 2011*	5-198(x)
Sec. 106	*July 1, 2011*	HB 6651 (current session), Sec. 211(a)
Sec. 107	*July 1, 2011*	10a-6a(a)

Sec. 108	*July 1, 2011*	HB 6651 (current session), Sec. 253
Sec. 109	*July 1, 2011*	10a-168a
Sec. 110	*July 1, 2011*	10-236a(a)
Sec. 111	*July 1, 2011*	New section
Sec. 112	*July 1, 2011*	10a-17d
Sec. 113	*from passage*	46a-68(c)
Sec. 114	*July 1, 2011*	HB 6651 (current session), Sec. 244
Sec. 115	*from passage*	HB 6650 (current session), Sec. 75(a)
Sec. 116	*July 1, 2011*	12-559
Sec. 117	*July 1, 2011*	12-561
Sec. 118	*July 1, 2011*	12-565
Sec. 119	*from passage*	17b-301k
Sec. 120	*July 1, 2011*	14-11b
Sec. 121	*July 1, 2011*	PA 11-44, Sec. 112
Sec. 122	*July 1, 2011*	17b-239(d)
Sec. 123	*July 1, 2011*	17b-242(a)
Sec. 124	*July 1, 2011*	17b-261m
Sec. 125	*July 1, 2011*	17b-276(b)
Sec. 126	*July 1, 2011*	17b-265(d)
Sec. 127	*July 1, 2011*	17b-499a(e)
Sec. 128	*July 1, 2011*	10-286e
Sec. 129	*July 1, 2011*	10-264h
Sec. 130	*July 1, 2011*	New section
Sec. 131	*July 1, 2011*	2-61(a)
Sec. 132	*July 1, 2011*	HB 6650 (current session), Sec. 76(a)
Sec. 133	*from passage*	17a-485c
Sec. 134	*from passage*	8-395(h)
Sec. 135	*from passage*	17a-485e(b)
Sec. 136	*July 1, 2011*	HB 6651 (current session), Sec. 211(c)
Sec. 137	*July 1, 2011*	HB 6651 (current session), Sec. 212(c)
Sec. 138	*from passage*	New section
Sec. 139	*October 1, 2011*	52-557f
Sec. 140	*October 1, 2011*	HB 6526 (current session), Sec. 20(a)

Sec. 141	*from passage*	HB 6308 (current session), Sec. 8(b)
Sec. 142	*from passage*	SB 921 (current session), Sec. 2(e)
Sec. 143	*July 1, 2011*	19a-654
Sec. 144	*July 1, 2011*	HB 6651 (current session), Sec. 186
Sec. 145	*from passage*	PA 11-6, Sec. 40(b)
Sec. 146	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	51-49a
Sec. 147	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	51-49b
Sec. 148	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	51-49f

Sec. 149	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	New section
Sec. 150	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	46b-233a
Sec. 151	*upon approval by the General Assembly of the agreement between the state and the State Employees Bargaining Agent Coalition, signed by both parties on May 27, 2011, pursuant to section 165 of this act*	51-49c
Sec. 152	*from passage*	New section
Sec. 153	*July 1, 2011*	4b-136(a)
Sec. 154	*July 1, 2011*	7-294d(a)
Sec. 155	*July 1, 2011*	PA 11-44, Sec. 165(b)
Sec. 156	*from passage*	17b-340
Sec. 157	*July 1, 2011*	10-399(b)(4)
Sec. 158	*July 1, 2011*	PA 11-44, Sec. 81(a)
Sec. 159	*July 1, 2011*	HB 6651 (current session), Sec. 204(c)
Sec. 160	*July 1, 2011*	HB 6651 (current session), Sec. 205(c)
Sec. 161	*July 1, 2011*	13b-61c(c)
Sec. 162	*July 1, 2012*	New section
Sec. 163	*July 1, 2011*	32-235(b)

Sec. 164	*July 1, 2011*	32-356
Sec. 165	*from passage*	New section
Sec. 166	*July 1, 2012*	Repealer section
Sec. 167	*from passage*	Repealer section
Sec. 168	*from passage*	Repealer section
Sec. 169	*from passage*	New section
Sec. 170	*from passage*	PA 11-6, Sec. 166
Sec. 171	*from passage*	New section
Sec. 172	*from passage*	Repealer section
Sec. 173	*from passage*	Repealer section
Sec. 174	*July 1, 2011*	Repealer section
Sec. 175	*July 1, 2011, and applicable to assessment years commencing on or after October 1, 2011*	Repealer section