



General Assembly

January Session, 2011

Governor's Bill No. 1012

LCO No. 3578

*03578 _____ *

Referred to Committee on Human Services

Introduced by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

**AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING THE TRANSFER OF
FUNCTIONS FROM THE BOARD OF EDUCATION AND SERVICES
FOR THE BLIND AND THE COMMISSION ON THE DEAF AND
HEARING IMPAIRED TO THE DEPARTMENTS OF EDUCATION AND
SOCIAL SERVICES.**

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

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) All functions, powers and
2 duties of the Commission on the Deaf and Hearing Impaired,
3 established under the provisions of section 46a-27 of the general
4 statutes, as amended by this act, shall be transferred to the Department
5 of Social Services. The Department of Social Services shall constitute a
6 successor to the Commission on the Deaf and Hearing Impaired in
7 accordance with the provisions of sections 4-38d and 4-38e of the
8 general statutes.

9 (b) Any order or regulation of the Commission on the Deaf and

10 Hearing Impaired that is in force on July 1, 2011, shall continue in force
11 and effect as an order or regulation until amended, repealed or
12 superseded pursuant to law.

13 (c) The transfer of such functions, powers and duties of the
14 Commission on the Deaf and Hearing Impaired pursuant to the
15 provisions of this section shall not affect any action or proceeding,
16 pending on or before July 1, 2011, and the Department of Social
17 Services shall be deemed substituted in such action by operation of this
18 section without motion or order.

19 (d) Any contract, right of action or matter undertaken or
20 commenced by the Commission on the Deaf and Hearing Impaired,
21 the functions, powers and duties of which are transferred by this
22 section, may be conducted and completed by the Department of Social
23 Services in the same manner and under the same terms and conditions
24 and with the same effect as if undertaken or commenced and
25 conducted and completed by the Commission on the Deaf and
26 Hearing Impaired.

27 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The functions, powers and
28 duties, with respect to the vocational rehabilitation services program,
29 the business enterprise program, adult services and management
30 services, of the Board of Education and Services for the Blind,
31 established under the provisions of section 10-293 of the general
32 statutes, as amended by this act, shall be transferred to the Department
33 of Social Services. The Department of Social Services shall constitute a
34 successor to the Board of Education and Services for the Blind in
35 accordance with the provisions of sections 4-38d and 4-38e of the
36 general statutes.

37 (b) Any order or regulation of the Board of Education and Services
38 for the Blind that is in force on July 1, 2011, shall continue in force and
39 effect as an order or regulation until amended, repealed or superseded
40 pursuant to law.

41 (c) The transfer of such functions, powers and duties of the Board of
42 Education and Services for the Blind pursuant to the provisions of this
43 section shall not affect any action or proceeding, pending on or before
44 July 1, 2011, and the Department of Social Services shall be deemed
45 substituted in such action by operation of this section without motion
46 or order.

47 (d) Any contract, right of action or matter undertaken or
48 commenced by the Board of Education and Services for the Blind, the
49 functions, powers and duties of which are transferred by this section,
50 may be conducted and completed by the Department of Social Services
51 in the same manner and under the same terms and conditions and
52 with the same effect as if undertaken or commenced and conducted
53 and completed by the Board of Education and Services for the Blind.

54 Sec. 3. (NEW) (*Effective July 1, 2011*) (a) The functions, powers and
55 duties, with respect to the children's services program, of the Board of
56 Education and Services for the Blind, established under the provisions
57 of section 10-293 of the general statutes, as amended by this act, shall
58 be transferred to the Department of Education. The Department of
59 Education shall constitute a successor to the Board of Education and
60 Services for the Blind in accordance with the provisions of sections 4-
61 38d and 4-38e of the general statutes.

62 (b) Any order or regulation of the Board of Education and Services
63 for the Blind that is in force on July 1, 2011, shall continue in force and
64 effect as an order or regulation until amended, repealed or superseded
65 pursuant to law.

66 (c) The transfer of such functions, powers and duties of the Board of
67 Education and Services for the Blind pursuant to the provisions of this
68 section shall not affect any action or proceeding, pending on or before
69 July 1, 2011, and the Department of Education shall be deemed
70 substituted in such action by operation of this section without motion
71 or order.

72 (d) Any contract, right of action or matter undertaken or
73 commenced by the Board of Education and Services for the Blind, the
74 functions, powers and duties of which are transferred by this section,
75 may be conducted and completed by the Department of Education in
76 the same manner and under the same terms and conditions and with
77 the same effect as if undertaken or commenced and conducted and
78 completed by the Board of Education and Services for the Blind.

79 Sec. 4. Subsection (g) of section 4-89 of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective July*
81 *1, 2011*):

82 (g) The provisions of this section shall not apply to appropriations
83 to the [Commission on the Deaf and Hearing Impaired] Department of
84 Social Services in an amount not greater than the amount of
85 reimbursements of prior year expenditures for the services of
86 interpreters received by the [commission] department during the fiscal
87 year pursuant to section 46a-33b, as amended by this act, and such
88 appropriations shall not lapse until the end of the fiscal year
89 succeeding the fiscal year of the appropriation.

90 Sec. 5. Subsection (a) of section 5-175a of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective July*
92 *1, 2011*):

93 (a) Vending stand operators, operating stands under permits held
94 by the [State Board of Education and Services for the Blind]
95 Department of Social Services pursuant to section 10-303, as amended
96 by this act, shall be members of the state employees retirement system,
97 part A, exclusive of the Social Security option and benefits in the state
98 employees' retirement system dependent thereon. Each such person
99 shall annually, on or before June thirtieth, pay five per cent of his
100 adjusted gross income, arising out of the operation of such stand, as
101 determined under the Internal Revenue Code, during the calendar
102 year preceding to the [Board of Education and Services for the Blind]
103 Department of Social Services which shall, as the state administering

104 agency for such persons, certify such payment and pay it over to the
105 State Retirement Commission, provided membership of such persons
106 in said system shall be exclusive of disability retirement upon the
107 grounds of defects of vision.

108 Sec. 6. Subsection (c) of section 9-20 of the general statutes is
109 repealed and the following is substituted in lieu thereof (*Effective July*
110 *1, 2011*):

111 (c) The application for admission as an elector shall include a
112 statement that (1) specifies each eligibility requirement, (2) contains an
113 attestation that the applicant meets each such requirement and (3)
114 requires the signature of the applicant under penalty of perjury. Each
115 registrar of voters and town clerk shall maintain a copy of such
116 statement in braille, large print and audio form. The [Commission on
117 the Deaf and Hearing Impaired] Department of Social Services shall
118 produce a videotape presenting such statement in voice and sign
119 language and provide the videotape to the Secretary of the State who
120 shall make copies of the videotape and provide a copy to the registrars
121 of voters of any municipality, upon request and at a cost equal to the
122 cost of making the copy. If a person applies for admission as an elector
123 in person to an admitting official, such admitting official shall, upon
124 the request of the applicant, administer the elector's oath.

125 Sec. 7. Subsection (a) of section 10-76y of the general statutes is
126 repealed and the following is substituted in lieu thereof (*Effective July*
127 *1, 2011*):

128 (a) Notwithstanding any provision of the general statutes, school
129 districts, regional educational service centers, the [Board of Education
130 and Services for the Blind] Department of Education, and all other
131 state and local governmental agencies concerned with education may
132 loan, lease or transfer an assistive device for the use and benefit of a
133 student with a disability to such student or the parent or guardian of
134 such student or to any other public or private nonprofit agency
135 providing services to or on behalf of individuals with disabilities

136 including, but not limited to, an agency providing educational, health
137 or rehabilitative services. Such device may be sold or transferred
138 pursuant to this section regardless of whether the device was declared
139 surplus. The sale or transfer shall be recorded in an agreement
140 between the parties and based upon the depreciated value of the
141 device. For the purposes of this section, "assistive device" means any
142 item, piece of equipment or product system, whether acquired
143 commercially off-the-shelf, modified or customized, that is used to
144 increase, maintain or improve the functional capabilities of individuals
145 with disabilities.

146 Sec. 8. Section 10-293 of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective July 1, 2011*):

148 (a) There is established a Board of Education and Services for the
149 Blind that shall serve as [the central policy making authority in
150 providing] an advisor to the Department of Social Services and the
151 Department of Education in fulfilling their respective responsibilities
152 in providing services to the blind and visually impaired in the state.
153 [Prior to January 4, 2007, the Board of Education and Services for the
154 Blind shall consist of seven members, six of whom shall be appointed
155 by the Governor and shall be residents of this state. The Commissioner
156 of Social Services shall be a member, ex officio. One of the members
157 appointed by the Governor shall be the parent of a child who receives
158 services provided by the board, and not less than two of the members
159 appointed by the Governor shall be blind persons. One of the members
160 appointed by the Governor shall be designated by the Governor as the
161 chairperson of the board. The Governor may, for reasonable cause,
162 remove any appointed member and appoint another person to fill the
163 vacancy for the unexpired portion of the term. The board shall meet
164 annually in the month of September and may meet at any other time
165 upon the call of its chairperson; and the chairperson shall call a
166 meeting at the request of two members. Any appointed member who
167 fails to attend three consecutive meetings or fifty per cent of all
168 meetings held during any calendar year shall be deemed to have

169 resigned. A majority of the members in office shall constitute a
170 quorum. The terms of the members of the board serving on June 2,
171 2006, shall expire on January 3, 2007.]

172 (b) (1) [On and after January 4, 2007, the] The Board of Education
173 and Services for the Blind shall consist of members appointed as
174 follows: Six appointed by the Governor, one appointed by the
175 president pro tempore of the Senate, one appointed by the speaker of
176 the House of Representatives, one appointed by the majority leader of
177 the Senate, one appointed by the minority leader of the Senate, one
178 appointed by the majority leader of the House of Representatives and
179 one appointed by the minority leader of the House of Representatives
180 and all shall be residents of the state. The Commissioner of Social
181 Services shall be a member, ex officio. One of the members appointed
182 by the Governor shall be the parent of a child who receives services
183 provided by the board, and not less than two of the members
184 appointed by the Governor shall be blind persons.

185 (2) Three members appointed by the Governor shall serve a term of
186 four years. Three members appointed by the Governor shall serve a
187 term of two years. The three members appointed by the president pro
188 tempore of the Senate, the majority leader of the Senate and the
189 minority leader of the Senate shall serve a term of four years. The three
190 members appointed by the speaker of the House of Representatives,
191 the majority leader of the House of Representatives, and the minority
192 leader of the House of Representatives shall serve a term of two years.
193 Thereafter, all members shall be appointed for a term of four years,
194 commencing on January fourth of the year of the appointment.

195 (3) One of the members appointed by the Governor shall be
196 designated by the Governor as the chairperson of the board. The board
197 shall meet annually in the month of September and may meet at any
198 other time upon the call of its chairperson; and the chairperson shall
199 call a meeting at the request of two members. Any appointed member
200 who fails to attend three consecutive meetings or fifty per cent of all

201 meetings held during any calendar year shall be deemed to have
202 resigned. A majority of the members in office shall constitute a
203 quorum. The appointing authority may, for reasonable cause, remove
204 any appointed member and appoint another person to fill the vacancy
205 for the unexpired portion of the term. Any vacancy in the Board of
206 Education and Services for the Blind shall be filled by the appointing
207 authority for the unexpired portion of the term.

208 [(c) Members appointed to the Board of Education and Services for
209 the Blind shall monitor the activities of the agency in carrying out its
210 mission to provide educational and rehabilitative services to all state
211 residents who are legally blind or visually impaired. Members shall
212 also monitor the activities of the Board of Education and Services for
213 the Blind regarding the agency's compliance with the benchmarks and
214 recommendations set by the monitoring council established pursuant
215 to section 3 of public act 03-217* and offer recommended adjustments
216 to the benchmarks when deemed necessary. Not later than January 1,
217 2008, and annually thereafter, the members of the Board of Education
218 and Services for the Blind shall report in accordance with section 11-4a,
219 to the Governor, the Office of Policy and Management and to the joint
220 standing committees of the General Assembly having cognizance of
221 matters relating to human services and education on the agency's
222 compliance with the benchmarks established by said monitoring
223 council and on the activities of the agency in fulfilling its mission to
224 provide educational and rehabilitative services to state residents who
225 are legally blind or visually impaired.

226 (d) The Board of Education and Services for the Blind shall be
227 within the Department of Social Services for administrative purposes
228 only.]

229 Sec. 9. Section 10-295 of the general statutes is repealed and the
230 following is substituted in lieu thereof (*Effective July 1, 2011*):

231 (a) All residents of this state, regardless of age, who, because of
232 blindness or impaired vision, require specialized vision-related

233 educational programs, goods and services, on the signed
234 recommendation of the [director of the Board of Education and
235 Services for the Blind] Commissioner of Education, shall be entitled to
236 receive such instruction, programs, goods and services for such length
237 of time as is deemed expedient by [said director] the commissioner.
238 Upon the petition of any parent or guardian of a blind child or a child
239 with impaired vision, a local board of education may provide such
240 instruction within the town or it may provide for such instruction by
241 agreement with other towns as provided in subsection (d) of section
242 10-76d. All educational privileges prescribed in part V of chapter 164,
243 not inconsistent with the provisions of this chapter, shall apply to the
244 pupils covered by this subsection.

245 (b) The [Board of Education and Services for the Blind]
246 Commissioner of Education shall expend funds for the services made
247 available pursuant to subsection (a) of this section from the
248 educational aid for blind and visually handicapped children account in
249 accordance with the provisions of this subsection. The expense of such
250 services shall be paid by the state in an amount not to exceed six
251 thousand four hundred dollars in any one fiscal year for each child
252 who is blind or visually impaired. The [Board of Education and
253 Services for the Blind] Commissioner of Education may adopt such
254 regulations as [it] the commissioner deems necessary to carry out the
255 purpose and intent of this subsection.

256 (1) The [Board of Education and Services for the Blind]
257 Commissioner of Education shall provide, upon written request from
258 any interested school district, the services of teachers of the visually
259 impaired, based on the levels established in the individualized
260 education or service plan. The [agency] Commissioner of Education
261 shall also make available [its] resources, including, but not limited to,
262 the Braille and large print library, to all teachers of public and
263 nonpublic school children. The [agency] commissioner may also
264 provide vision-related professional development and training to all
265 school districts and cover the actual cost for paraprofessionals from

266 school districts to participate in agency-sponsored Braille training
267 programs. The [agency] commissioner shall utilize education
268 consultant positions, [authorized as of July 1, 2001,] funded by moneys
269 appropriated from the General Fund, to supplement new staffing that
270 will be made available through the educational aid for the blind and
271 visually handicapped children account, which shall be governed by
272 formal written policies established by the [agency] commissioner.

273 (2) The [Board of Education and Services for the Blind]
274 Commissioner of Education shall use funds appropriated to said
275 account, first to provide specialized books, materials, equipment,
276 supplies, adaptive technology services and devices, specialist
277 examinations and aids, preschool programs and vision-related
278 independent living services, excluding primary educational placement,
279 for eligible children without regard to a per child statutory maximum.

280 (3) The [Board of Education and Services for the Blind]
281 Commissioner of Education may, within available appropriations,
282 employ certified teachers of the visually impaired in sufficient
283 numbers to meet the requests for services received from school
284 districts. In responding to such requests, the [agency] commissioner
285 shall utilize a formula for determining the number of teachers needed
286 to serve the school districts, crediting six points for each Braille-
287 learning child and one point for each other child, with one full-time
288 certified teacher of the visually impaired assigned for every twenty-
289 five points credited. The [agency] commissioner shall exercise due
290 diligence to employ the needed number of certified teachers of the
291 visually impaired, but shall not be liable for lack of resources. Funds
292 appropriated to said account may also be utilized to employ
293 rehabilitation teachers, rehabilitation technologists and orientation and
294 mobility teachers in numbers sufficient to provide compensatory skills
295 evaluations and training to blind and visually impaired children. In
296 addition, up to five per cent of such appropriation may also be utilized
297 to employ special assistants to the blind and other support staff
298 necessary to ensure the efficient operation of service delivery. Not later

299 than October first of each year, the [Board of Education and Services
300 for the Blind] Commissioner of Education shall determine the number
301 of teachers needed based on the formula provided in this subdivision.
302 Based on such determination, the [Board of Education and Services for
303 the Blind] Commissioner of Education shall estimate the funding
304 needed to pay such teachers' salaries, benefits and related expenses.

305 (4) In any fiscal year, when funds appropriated to cover the
306 combined costs associated with providing the services set forth in
307 subdivisions (2) and (3) of this subsection are projected to be
308 insufficient, the [Board of Education and Services for the Blind]
309 Commissioner of Education shall be authorized to collect revenue from
310 all school districts that have requested such services on a per student
311 pro rata basis, in the sums necessary to cover the projected portion of
312 these services for which there are insufficient appropriations.

313 (5) Remaining funds in said account, not expended to fund the
314 services set forth in subdivisions (2) and (3) of this subsection, shall be
315 used to cover on a pro rata basis, the actual cost with benefits of
316 retaining a teacher of the visually impaired, directly hired or
317 contracted by the school districts which opt to not seek such services
318 from the [Board of Education and Services for the Blind]
319 Commissioner of Education, provided such teacher has participated in
320 not less than five hours of professional development training on vision
321 impairment or blindness during the school year. Reimbursement shall
322 occur at the completion of the school year, using the caseload formula
323 denoted in subdivision (3) of this section, with twenty-five points
324 allowed for the maximum reimbursable amount as established by the
325 [agency] commissioner annually.

326 (6) Remaining funds in such account, not expended to fund the
327 services set forth in subdivisions (2), (3) and (5) of this subsection, shall
328 be distributed to the school districts on a pro rata formula basis with a
329 two-to-one credit ratio for Braille-learning students to non-Braille-
330 learning students in the school district based upon the annual child

331 count data provided pursuant to subdivision (1) of this subsection,
332 provided the school district submits an annual progress report in a
333 format prescribed by the [agency] commissioner for each eligible child.

334 (c) The [Board of Education and Services for the Blind]
335 Commissioner of Education may provide for the instruction of the
336 adult blind in their homes, expending annually for this purpose such
337 sums as the General Assembly may appropriate.

338 (d) The [Board of Education and Services for the Blind]
339 Commissioner of Education may expend up to ten thousand dollars
340 per fiscal year per person twenty-one years of age or over who is both
341 blind or visually impaired and deaf for the purpose of providing
342 services through specialized public and private entities from which
343 such person can benefit. [Said board] The commissioner may
344 determine the criteria by which a person is eligible to receive
345 specialized services and may adopt regulations necessary to carry out
346 the provisions of this subsection.

347 (e) The [Board of Education and Services for the Blind]
348 Commissioner of Education may, within available appropriations,
349 purchase adaptive equipment for persons receiving services pursuant
350 to this chapter.

351 Sec. 10. Section 10-296 of the general statutes is repealed and the
352 following is substituted in lieu thereof (*Effective July 1, 2011*):

353 The [director] Commissioner of Education may, within available
354 appropriations, contract with public or private entities, individuals or
355 private enterprises for the instruction of the blind.

356 Sec. 11. Section 10-297 of the general statutes is repealed and the
357 following is substituted in lieu thereof (*Effective July 1, 2011*):

358 The [director] Commissioner of Social Services is authorized to aid
359 in securing employment for capable blind or partially blind persons in
360 industrial and mercantile establishments and in other positions which

361 offer financial returns. [Said director] The commissioner may aid
362 needy blind persons in such way as [said director] the commissioner
363 deems expedient, expending for such purpose such sum as the General
364 Assembly appropriates, provided the maximum expenditure for any
365 one person shall not exceed the sum of nine hundred and sixty dollars
366 in a fiscal year, but, if said maximum amount is insufficient to furnish
367 necessary medical or hospital treatment to a beneficiary, [said director]
368 the commissioner may authorize payment of such additional costs as
369 [he] the commissioner deems necessary and reasonable.

370 Sec. 12. Section 10-297a of the general statutes is repealed and the
371 following is substituted in lieu thereof (*Effective July 1, 2011*):

372 The [executive director of the Board of Education and Services for
373 the Blind] Commissioner of Social Services may make grants, within
374 available appropriations, to the Connecticut Radio Information
375 Service, Inc., for the purchase of receivers and for costs related to the
376 operation of said service.

377 Sec. 13. Section 10-298 of the general statutes is repealed and the
378 following is substituted in lieu thereof (*Effective July 1, 2011*):

379 (a) The [Board of Education and Services for the Blind]
380 Commissioner of Social Services shall, annually, as provided in section
381 4-60, submit to the Governor [its] a report, containing a statement of
382 the activities of the [board] Department of Social Services relating to
383 services provided by the department to individuals in the state who
384 are legally blind or visually impaired during the preceding year. [Said
385 board] The commissioner shall prepare and maintain a register of the
386 blind in this state which shall describe their condition, cause of
387 blindness and capacity for education and rehabilitative training. The
388 [board] commissioner may register cases of persons whose eyesight is
389 seriously defective and who are liable to become visually disabled or
390 blind, and may take such measures in cooperation with other
391 authorities as [it] the commissioner deems advisable for the prevention
392 of blindness or conservation of eyesight and, in appropriate cases, for

393 the education of children and for the vocational guidance of adults
394 having seriously defective sight but who are not blind. The [agency]
395 commissioner shall establish criteria for low vision care and maintain a
396 list of ophthalmologists and optometrists that are exclusively
397 authorized to receive agency funds through established and existing
398 state fee schedules for the delivery of specifically defined low vision
399 services that increase the capacity of eligible recipients of such services
400 to maximize the use of their remaining vision.

401 (b) The [board] Commissioner of Social Services may accept and
402 receive any bequest or gift of personal property and, subject to the
403 consent of the Governor and Attorney General as provided in section
404 4b-22, any devise or gift of real property made to [said board] the
405 Department of Social Services, and may hold and use such property
406 for the purposes, if any, specified in connection with such bequest,
407 devise or gift.

408 (c) The [board] Commissioner of Social Services shall provide the
409 Department of Motor Vehicles with the names of all individuals
410 sixteen years of age or older who, on or after October 1, 2005, have
411 been determined to be blind by a physician or optometrist, as provided
412 in section 10-305, as amended by this act. The [board] Commissioner of
413 Social Services shall provide simultaneous written notification to any
414 individual whose name is being transmitted by the [board]
415 commissioner to [said department] the Department of Motor Vehicles.
416 The [board] Commissioner of Social Services shall update the list of
417 names provided to the Department of Motor Vehicles on a quarterly
418 basis. The list shall also contain the address and date of birth for each
419 individual reported, as shown on the records of the [board]
420 Department of Social Services. The [department] Department of Motor
421 Vehicles shall maintain such list on a confidential basis, in accordance
422 with the provisions of section 14-46d. The [board] Department of
423 Social Services shall enter into a memorandum of understanding with
424 the Department of Motor Vehicles to effectuate the purposes of this
425 subsection.

426 Sec. 14. Section 10-298a of the general statutes is repealed and the
427 following is substituted in lieu thereof (*Effective July 1, 2011*):

428 (a) The [Board of Education and Services for the Blind] Department
429 of Social Services may, within available appropriations, (1) maintain
430 and develop workshops for training and employing blind persons in
431 trades and occupations suited to their abilities, for the purpose of
432 producing suitable products and services used by departments,
433 agencies and institutions of the state and its political subdivisions,
434 including, but not limited to towns, cities, boroughs and school
435 districts; (2) aid blind persons in securing employment, in developing
436 home industries and in marketing their products and services; (3)
437 develop and implement rules and guidelines to guarantee that the
438 dignity and rights of citizens involved in such workshops and work
439 training programs shall be maintained; and (4) fund employment and
440 vocational training at community rehabilitation facilities.

441 (b) For any fiscal year that the [board] Department of Social Services
442 operates a workshop pursuant to subsection (a) of this section, the
443 [board] Commissioner of Social Services shall file with the Comptroller
444 a balance sheet as of June thirtieth and a statement of operations for
445 the fiscal year ending on that date. A copy of such statement shall be
446 filed with the Auditors of Public Accounts.

447 Sec. 15. Section 10-298b of the general statutes is repealed and the
448 following is substituted in lieu thereof (*Effective July 1, 2011*):

449 Whenever any of the products made or manufactured or services
450 provided by blind persons under the direction or supervision of the
451 [Board of Education and Services for the Blind] Department of Social
452 Services meet the requirements of any department, institution or
453 agency supported in whole or in part by the state as to quantity,
454 quality and price such products shall have preference, except over
455 articles produced or manufactured by Department of Correction
456 industries as provided in section 18-88, and except for emergency
457 purchases made under section 4-98. All departments, institutions and

458 agencies supported in whole or in part by the state shall purchase such
459 articles and services from the [Board of Education and Services for the
460 Blind] Department of Social Services. Any political subdivision of the
461 state may purchase such articles made or manufactured and services
462 provided by the blind through the [Board of Education and Services
463 for the Blind] Department of Social Services. [Said board] The
464 department shall issue at sufficiently frequent intervals for distribution
465 to the Commissioner of Administrative Services, the Comptroller and
466 the political subdivisions of the state, a catalog showing styles, designs,
467 sizes and varieties of all products made by blind persons pursuant to
468 this section or disabled persons pursuant to section 17b-656, as
469 amended by this act, and describing all available services provided by
470 the blind or disabled.

471 Sec. 16. Section 10-298c of the general statutes is repealed and the
472 following is substituted in lieu thereof (*Effective July 1, 2011*):

473 The Commissioner of Administrative Services shall (1) fix a fair
474 market price, based on the cost of materials, labor and overhead, for all
475 articles and services offered for sale and described in the most recent
476 catalog issued by the [Board of Education and Services for the Blind]
477 Department of Social Services pursuant to section 10-298b, as amended
478 by this act, provided that the cost of labor on which such fair market
479 price is based shall conform to federal minimum wage regulations for
480 handicapped workers; (2) determine whether or not products
481 produced or services provided by blind persons or handicapped
482 persons meet the reasonable requirements of state departments,
483 agencies and institutions; and (3) authorize state departments, agencies
484 and institutions to purchase articles and services elsewhere when
485 requisitions cannot be complied with through the products and
486 services listed in the most current catalog issued by the [Board of
487 Education and Services for the Blind] Department of Social Services
488 pursuant to section 10-298b, as amended by this act.

489 Sec. 17. Section 10-300 of the general statutes is repealed and the

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

491 Any goods, wares or merchandise, manufactured or produced in
492 whole or in part by the [board] Department of Social Services or The
493 Connecticut Institute for the Blind in furtherance of its purpose to
494 instruct or employ the blind, may be sold or exchanged in any town,
495 city or borough in this state and [said board] the department or
496 institute, its agents or its employees shall not be required to procure a
497 license therefor, and no law providing for the payment of a license fee
498 for such privilege shall apply to [said board] the department or
499 institute, its agents or employees, unless it or they are particularly
500 referred to in its provisions.

501 Sec. 18. Section 10-300a of the general statutes is repealed and the
502 following is substituted in lieu thereof (*Effective July 1, 2011*):

503 (a) No goods, wares or merchandise shall be labeled, designated or
504 represented as having been manufactured or produced in whole or in
505 part by any blind person or by any public or private institute, agency
506 or corporation serving the blind unless at least seventy-five per cent of
507 the total hours of labor performed on such goods, wares or
508 merchandise shall have been rendered by a blind person, as defined in
509 section 10-294a. Any person, institute, agency or nonprofit corporation
510 which so manufactures or produces such goods shall register annually,
511 on July first, with the [board of education and services for the blind]
512 Department of Social Services and may affix or cause to be affixed to
513 such goods a stamp or label which identifies such goods as the
514 products of blind persons.

515 (b) The [Board of Education and Services for the Blind] Department
516 of Social Services shall adopt regulations pursuant to the provisions of
517 chapter 54 to carry out the provisions of this section.

518 (c) Any person, institute, agency or nonprofit corporation which
519 violates any of the provisions of this section shall be fined not more
520 than one hundred dollars for each violation.

521 Sec. 19. Section 10-303 of the general statutes is repealed and the
522 following is substituted in lieu thereof (*Effective July 1, 2011*):

523 (a) The authority in charge of any building or property owned,
524 operated or leased by the state or any municipality therein shall grant
525 to the [Board of Education and Services for the Blind] Department of
526 Social Services a permit to operate in such building or on such
527 property a food service facility, a vending machine or a stand for the
528 vending of newspapers, periodicals, confections, tobacco products,
529 food and such other articles as such authority approves when, in the
530 opinion of such authority, such facility, machine or stand is desirable
531 in such location. Any person operating such a stand in any such
532 location on October 1, 1945, shall be permitted to continue such
533 operation, but upon such person's ceasing such operation such
534 authority shall grant a permit for continued operation to the [Board of
535 Education and Services for the Blind] Department of Social Services.
536 [Said board] The department may establish a training facility at any
537 such location.

538 (b) Pursuant to the Randolph-Sheppard Vending Stand Act, 49 Stat.
539 1559 (1936), 20 USC 107, as amended from time to time, the [Board of
540 Education and Services for the Blind] Department of Social Services is
541 authorized to maintain a nonlapsing account and to accrue interest
542 thereon for federal vending machine income which, in accordance with
543 federal regulations, shall be used for the payment of fringe benefits to
544 the vending facility operators by the [Board of Education and Services
545 for the Blind] Department of Social Services.

546 (c) The [Board of Education and Services for the Blind] Department
547 of Social Services may maintain a nonlapsing account and accrue
548 interest thereon for state and local vending machine income which
549 shall be used for the payment of fringe benefits, training and support
550 to vending facilities operators, to provide entrepreneurial and
551 independent-living training and equipment to children who are blind
552 or visually impaired and adults who are blind and for other vocational

553 rehabilitation programs and services for adults who are blind.

554 (d) The [Board of Education and Services for the Blind] Department
555 of Social Services may disburse state and local vending machine
556 income to student or client activity funds, as defined in section 4-52.

557 Sec. 20. Section 10-304 of the general statutes is repealed and the
558 following is substituted in lieu thereof (*Effective July 1, 2011*):

559 The sales and service account for the [Board of Education and
560 Services for the Blind] Department of Social Services shall be
561 established as a separate account within the General Fund for the
562 purpose of aiding the blind by providing sales and service
563 opportunities. Any money received by the [board] department from
564 refunds for materials advanced for manufacture by the blind, and from
565 the sales of articles or goods manufactured by the blind, and from the
566 sale of other articles or goods, or from sales held to assist the blind,
567 shall be deposited in the General Fund and credited to the account.
568 Payments shall be made from the account for labor or services
569 rendered in connection with the manufacture of articles for resale, for
570 the purchase of materials used in such manufacture, for the purchase
571 of merchandise for resale and for labor, supplies and other operating
572 expenses connected with the operation of vending stands and sales
573 and service opportunities. Bills contracted by the [Board of Education
574 and Services for the Blind] Department of Social Services for the
575 purposes specified in this section shall be paid by order of the
576 Comptroller against the account in the manner provided by law for the
577 payment of all claims against the state. At the end of each fiscal year,
578 any surplus as of June thirtieth determined by including cash, accounts
579 receivable and inventories less accounts payable over the sum of three
580 hundred thousand dollars derived from sales of manufactured goods
581 or articles or other sales, in excess of such cost of labor or services,
582 materials, merchandise, supplies and other such operating expenses,
583 shall revert to the General Fund of the state.

584 Sec. 21. Section 10-305 of the general statutes is repealed and the

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

586 Each physician and optometrist shall report in writing to the [Board
587 of Education and Services for the Blind] Department of Social Services
588 within thirty days each blind person coming under his or her private
589 or institutional care within this state. The report of such blind person
590 shall include the name, address, Social Security number, date of birth,
591 date of diagnosis of blindness and degree of vision. Such reports shall
592 not be open to public inspection.

593 Sec. 22. Section 10-306 of the general statutes is repealed and the
594 following is substituted in lieu thereof (*Effective July 1, 2011*):

595 The [Board of Education and Services for the Blind] Department of
596 Social Services may maintain a vocational rehabilitation program as
597 authorized under the Federal Rehabilitation Act of 1973, 29 USC 791 et
598 seq., for the purpose of providing and coordinating the full scope of
599 necessary services to assist legally blind recipients of services from the
600 [board] department to prepare for, enter into and maintain
601 employment consistent with the purposes of said act.

602 Sec. 23. Section 10-307 of the general statutes is repealed and the
603 following is substituted in lieu thereof (*Effective July 1, 2011*):

604 The [Board of Education and Services for the Blind] Department of
605 Social Services is empowered to receive any federal funds made
606 available to this state under which vocational rehabilitation is
607 provided for a person whose visual acuity has been impaired and to
608 expend such funds for the purpose or purposes for which they are
609 made available. The State Treasurer shall be the custodian of such
610 funds.

611 Sec. 24. Section 10-308 of the general statutes is repealed and the
612 following is substituted in lieu thereof (*Effective July 1, 2011*):

613 The [Board of Education and Services for the Blind] Department of
614 Social Services may cooperate, pursuant to agreements, with the

615 federal government in carrying out the purposes of any federal
616 statutes pertaining to vocational rehabilitation, and is authorized to
617 adopt such methods of administration as are found by the federal
618 government to be necessary for the proper and efficient operation of
619 such agreements or plans for vocational rehabilitation and to comply
620 with such conditions as may be necessary to secure the full benefits of
621 such federal statutes.

622 Sec. 25. Section 10-308a of the general statutes is repealed and the
623 following is substituted in lieu thereof (*Effective July 1, 2011*):

624 The [Board of Education and Services for the Blind] Commissioner
625 of Social Services shall adopt regulations, in accordance with chapter
626 54, to determine the order to be followed in selecting those eligible
627 persons to whom vocational rehabilitation services will be provided, in
628 accordance with federal regulations.

629 Sec. 26. Section 10-309 of the general statutes is repealed and the
630 following is substituted in lieu thereof (*Effective July 1, 2011*):

631 The [Board of Education and Services for the Blind] Commissioner
632 of Social Services may place in remunerative occupations persons
633 whose capacity to earn a living has been lost or impaired by lessened
634 visual acuity and who, in the opinion of the [board] commissioner, are
635 susceptible of placement, and may make such regulations as are
636 necessary for the administration of the provisions of sections 10-306 to
637 10-310, inclusive, as amended by this act.

638 Sec. 27. Section 10-310 of the general statutes is repealed and the
639 following is substituted in lieu thereof (*Effective July 1, 2011*):

640 The limitations on expenditures for a blind person provided in this
641 chapter shall not apply to the expenditures for vocational
642 rehabilitation of a person of lessened visual acuity as set forth in
643 sections 10-306 to 10-309, inclusive, as amended by this act, provided
644 the combined biennial expenditures under this chapter and under said

645 sections shall not exceed the biennial appropriation to the [Board of
646 Education and Services for the Blind] Department of Social Services by
647 the General Assembly for the purpose of providing services to persons
648 who are legally blind or visually impaired.

649 Sec. 28. Section 10-311a of the general statutes is repealed and the
650 following is substituted in lieu thereof (*Effective July 1, 2011*):

651 The case records of the [Board of Education and Services for the
652 Blind] Department of Social Services maintained for the purposes of
653 this chapter shall be confidential and the names and addresses of
654 recipients of assistance under this chapter shall not be published or
655 used for purposes not directly connected with the administration of
656 this chapter, except as necessary to carry out the provisions of sections
657 10-298, as amended by this act, and 17b-6.

658 Sec. 29. Section 16-256b of the general statutes is repealed and the
659 following is substituted in lieu thereof (*Effective July 1, 2011*):

660 (a) Each telephone company and each certified telecommunications
661 provider that makes equipment available to customers shall make
662 special telecommunications equipment capable of serving the needs of
663 deaf and hearing and speech impaired persons available for rental or
664 purchase and be responsible for the maintenance and repair of any
665 such equipment it leases or sells.

666 (b) (1) Each domestic telephone company having at least one
667 hundred thousand customers shall pay into a Special
668 Telecommunications Equipment Fund twenty thousand dollars. [not
669 later than July 1, 1992.] The fund shall be administered by the
670 [Commission on the Deaf and Hearing Impaired] Commissioner of
671 Social Services. The Department of Public Utility Control shall include
672 all payments made by a company into said fund as operating expenses
673 of the company for purposes of rate-making under section 16-19.

674 (2) Except for the funding specified in subdivision (1) of this

675 subsection, the [State Commission on the Deaf and Hearing Impaired]
676 Commissioner of Social Services may draw on funds obtained through
677 agreements between the state and domestic telephone companies in
678 accordance with a plan developed, after notice and hearing, by the
679 [commission] commissioner not later than January first, annually, and
680 approved by the joint standing committee of the General Assembly
681 having cognizance of matters relating to [public utilities] energy. The
682 plan shall provide for the distribution of moneys from the funds to
683 deaf and hearing and speech impaired persons for the purchase,
684 upgrading, rental, maintenance and repair of special
685 telecommunications equipment capable of serving the needs of such
686 persons or to vendors providing such equipment or servicing. The
687 plan may also provide for the distribution of moneys from the funds
688 for the provision of message relay services for persons using
689 telecommunication devices for the deaf, upon a determination by the
690 [commission] commissioner that such moneys are needed to ensure
691 that such services are made available to such persons and that there
692 are adequate moneys in the funds for special telecommunications
693 equipment purposes. The plan shall provide that not more than ten per
694 cent of the moneys annually paid into the fund shall be allocated to the
695 [commission] Department of Social Services to carry out its
696 administrative responsibilities under this subdivision and not more
697 than five per cent of the moneys annually paid by a telephone
698 company into the fund shall be allocated to such corporation to carry
699 out its responsibilities under subdivision (1) of this subsection. All
700 moneys allocated to the [commission] Department of Social Services in
701 accordance with this section shall be paid to the State Treasurer for
702 deposit in the General Fund.

703 (3) The [Commission on the Deaf and Hearing Impaired]
704 Department of Social Services shall, not later than March first,
705 annually, submit a written financial report on the fund it administers
706 under subdivision (2) of this section to the General Assembly and the
707 Auditors of Public Accounts. Such report shall include a balance sheet
708 and income and expense statement for the preceding calendar year,

709 clearly setting forth the fund's income and expenses and all amounts
710 spent for the direct purpose of the fund.

711 (c) (1) Each telephone company and each certified
712 telecommunications provider shall, in consultation with the
713 [Commission on the Deaf and Hearing Impaired] Commissioner of
714 Social Services, prepare and submit to the Department of Public Utility
715 Control and the joint standing committee of the General Assembly
716 having cognizance of matters relating to [public utilities] energy a plan
717 which shall provide that, to the extent possible, (A) not less than eighty
718 per cent of the coin and coinless telephones installed for public use by
719 the telephone company or certified telecommunications provider shall
720 be equipped [, not later than July 1, 1995,] with controls for the
721 amplification of incoming transmissions, [and not less than eighty per
722 cent of the coin and coinless telephones installed for public use by the
723 telephone company or certified telecommunications provider after July
724 1, 1995, shall be equipped with such controls,] and (B) not less than
725 fifty per cent of the coin and coinless telephones installed for
726 semipublic use by the telephone company or certified
727 telecommunications provider pursuant to tariffs shall be equipped [,
728 not later than July 1, 1995,] with such controls. [and not less than fifty
729 per cent of the coin and coinless telephones installed for semipublic
730 use by the telephone company or certified telecommunications
731 provider pursuant to tariffs after July 1, 1995, shall be equipped with
732 such controls.]

733 (2) Not later than July first, annually, each such telephone company
734 and each such certified telecommunications provider shall submit a
735 report to [said commission, department and joint standing committee]
736 the Department of Public Utility Control, the Department of Social
737 Services and the joint standing committee of the General Assembly
738 having cognizance of matters relating to energy on the implementation
739 of the plan prepared under subdivision (1) of this subsection,
740 provided, if a telephone company or a certified telecommunications
741 provider documents in any such report that it has fully complied with

742 the provisions of subdivision (1) of this subsection, it shall not be
743 required to submit additional annual reports.

744 (3) The cost of compliance with the provisions of this subsection
745 shall be recoverable from ratepayers through the overall rate structure
746 approved by the Department of Public Utility Control.

747 (d) Not less than eighty per cent of the coin and coinless telephones
748 installed for public use [on or after July 1, 1993,] by any person, other
749 than a telephone company or a certified telecommunications provider
750 shall be equipped with such amplification controls at the time the
751 telephones are installed.

752 Sec. 30. Subdivision (9) of subsection 17a-248 of the general statutes
753 is repealed and the following is substituted in lieu thereof (*Effective July*
754 *1, 2011*):

755 (9) "Participating agencies" includes, but is not limited to, the
756 Departments of Education, Social Services, Public Health, Children
757 and Families and Developmental Services, the Insurance Department [,
758 the Board of Education and Services for the Blind, the Commission on
759 the Deaf and Hearing Impaired] and the Office of Protection and
760 Advocacy for Persons with Disabilities.

761 Sec. 31. Section 17b-651 of the general statutes is repealed and the
762 following is substituted in lieu thereof (*Effective July 1, 2011*):

763 The Department of Social Services shall maintain a Bureau of
764 Rehabilitation Services and shall disburse all funds provided for such
765 rehabilitation. [, except for services to the blind.] The Commissioner of
766 Social Services shall appoint and, subject to the provisions of section 4-
767 40, the Commissioner of Administrative Services, subject to the
768 approval of the Secretary of the Office of Policy and Management,
769 shall fix the compensation of such persons as may be necessary to
770 administer the provisions of sections 17b-650 to 17b-663, inclusive, as
771 amended by this act, and may, within said bureau, create such sections

772 as will facilitate such administration, including a disability
773 determinations section for which one hundred per cent federal funds
774 may be accepted for the operation of such section in conformity with
775 applicable state and federal regulations.

776 Sec. 32. Section 17b-656 of the general statutes is repealed and the
777 following is substituted in lieu thereof (*Effective July 1, 2011*):

778 Whenever any products made or manufactured by or services
779 provided by persons with disabilities through community
780 rehabilitation programs described in subsection (b) of section 17b-655
781 or in any workshop established, operated or funded by nonprofit and
782 nonsectarian organizations for the purpose of providing persons with
783 disabilities training and employment suited to their abilities meet the
784 requirements of any department, institution or agency supported in
785 whole or in part by the state as to quantity, quality and price such
786 products shall have preference over products or services from other
787 providers, except (1) [articles produced or manufactured by blind
788 persons under the direction or supervision of the Board of Education
789 and Services for the Blind as provided in section 10-298a, (2)] articles
790 produced or manufactured by Department of Correction industries as
791 provided in section 18-88, [(3)] (2) emergency purchases made under
792 section 4-98, and [(4)] (3) janitorial services provided by a qualified
793 partnership, pursuant to the provisions of subsections (b) to (e),
794 inclusive, of section 4a-82. All departments, institutions and agencies
795 supported in whole or in part by the state shall purchase such articles
796 made or manufactured and services provided by persons with
797 disabilities from the Bureau of Rehabilitation Services of the
798 Department of Social Services. Any political subdivision of the state
799 may purchase such articles and services through the Bureau of
800 Rehabilitation Services of the Department of Social Services. A list
801 describing styles, designs, sizes and varieties of all such articles made
802 by persons with disabilities and describing all available services
803 provided by such persons shall be prepared by the Connecticut
804 Community Providers Association. [The Bureau of Rehabilitation

805 Services of the Department of Social Services shall cooperate with the
806 State Board of Education and Services for the Blind by submitting
807 necessary information concerning such products and services to the
808 Board of Education and Services for the Blind at frequent intervals.]

809 Sec. 33. Section 26-29 of the general statutes is repealed and the
810 following is substituted in lieu thereof (*Effective July 1, 2011*):

811 No fee shall be charged for any sport fishing license issued under
812 this chapter to any blind person, and such license shall be a lifetime
813 license not subject to the expiration provisions of section 26-35. Proof
814 of such blindness shall be furnished, in the case of a veteran, by the
815 United States Veterans' Administration and, in the case of any other
816 person, by the [State Board of Education of the Blind] Department of
817 Social Services. For the purpose of this section, a person shall be blind
818 only if his central visual acuity does not exceed 20/200 in the better
819 eye with correcting lenses, or if his visual acuity is greater than 20/200
820 but is accompanied by a limitation in the fields of vision such that the
821 widest diameter of the visual field subtends an angle no greater than
822 twenty degrees.

823 Sec. 34. (NEW) (*Effective July 1, 2011*) The Department of Social
824 Services may provide necessary services to deaf and hearing impaired
825 persons, including, but not limited to, nonreimbursable interpreter
826 services and message relay services for persons using
827 telecommunication devices for the deaf.

828 Sec. 35. Section 46a-27 of the general statutes is repealed and the
829 following is substituted in lieu thereof (*Effective July 1, 2011*):

830 A state commission is hereby created [as a state-wide coordinating
831 agency] to advocate, strengthen and [implement] advise the
832 Department of Social Services concerning state policies affecting deaf
833 and hearing impaired individuals and their relationship to the public,
834 industry, health care and educational opportunity. [Said commission
835 shall be within the Department of Social Services for administrative

836 purposes only. The commission may provide necessary services to
837 deaf and hearing impaired persons including, but not limited to,
838 nonreimbursable interpreter services and message relay services for
839 persons using telecommunications devices for the deaf.]

840 Sec. 36. Section 46a-28 of the general statutes is repealed and the
841 following is substituted in lieu thereof (*Effective July 1, 2011*):

842 (a) The commission shall consist of twenty-one members, three of
843 whom shall be ex officio. The ex-officio members shall consist of the
844 following individuals: The consultant appointed by the State Board of
845 Education in accordance with section 10-316a, the president of the
846 Connecticut Council of Organizations Serving the Deaf and the
847 superintendent of the American School for the Deaf. The following
848 members shall be voting members: The Commissioners of Public
849 Health, Social Services, Mental Health, Education, Developmental
850 Services, and Children and Families and the Labor Commissioner or
851 their designees and eleven members appointed by the Governor. Of
852 the members appointed by the Governor one shall be a physician
853 licensed to practice medicine in this state and specializing in
854 otolaryngology; one a parent of a student in a predominantly oral
855 education program, one a parent of a student at the American School
856 for the Deaf and one a parent of a student in a public school hearing
857 impaired program, and seven deaf persons, one of whom shall be a
858 parent.

859 (b) The commission shall meet at least quarterly or more often at the
860 call of the chairperson or a majority of the members. A majority of the
861 voting members in office but not less than seven voting members shall
862 constitute a quorum.

863 (c) Any appointed member who fails to attend three consecutive
864 meetings or who fails to attend fifty per cent of all meetings held
865 during any calendar year shall be deemed to have resigned. Vacancies
866 occurring otherwise than by expiration of term in the membership of
867 the commission shall be filled by the officer authorized to make the

868 original appointments.

869 (d) The members of the commission shall be reimbursed for actual
870 and necessary expenses incurred in the performance of their duties.

871 [(e) There shall be established the position of executive director who
872 shall be the chief executive officer of the commission. His qualifications
873 and compensation shall be determined by the Commissioner of
874 Administrative Services, subject to the approval of the Secretary of the
875 Office of Policy and Management, pursuant to section 4-40. Said
876 executive director shall function under the direction of the
877 commission.

878 (f) Subject to the provisions of chapter 67, the commission is
879 authorized to employ such clerical and other assistance as it requires to
880 carry out the provisions of sections 46a-27 to 46a-32, inclusive.]

881 (e) The commission shall serve as an advisor to the Department of
882 Social Services on matters affecting deaf and hearing impaired
883 individuals.

884 Sec. 37. Section 46a-29 of the general statutes is repealed and the
885 following is substituted in lieu thereof (*Effective July 1, 2011*):

886 (a) The [commission] Commissioner of Social Services may request
887 and shall receive from any department, division, board, bureau,
888 commission or agency of the state or of any political subdivision
889 thereof such assistance and data as will enable [it] the Department of
890 Social Services to properly to carry out its activities under sections 46a-
891 27 to 46a-32, inclusive, as amended by this act, and effectuate the
892 purposes therein set forth.

893 [(b) The commission shall be provided with necessary office space
894 in Hartford by the Commissioner of Public Works.]

895 [(c)] (b) The Commissioner of Education shall assign one vocational
896 rehabilitation consultant to act as a liaison staff member of the

897 commission.

898 Sec. 38. Section 46a-30 of the general statutes is repealed and the
899 following is substituted in lieu thereof (*Effective July 1, 2011*):

900 (a) The [commission] Commissioner of Social Services may receive
901 moneys from any source, including gifts, grants, bequests and
902 reimbursements which moneys may be expended for the purposes
903 designated by the donor or to effectuate the provisions of sections 46a-
904 27 to 46a-30, inclusive, as amended by this act, and 46a-32, as amended
905 by this act.

906 (b) The [commission] Commissioner of Social Services is
907 empowered to expend its appropriation and receipts to initiate and
908 support the provisions of said sections by contract or other
909 arrangement and to contract for and engage consultants.

910 Sec. 39. Section 46a-32 of the general statutes is repealed and the
911 following is substituted in lieu thereof (*Effective July 1, 2011*):

912 The [commission] Commissioner of Social Services shall make an
913 annual report to the Governor and General Assembly which shall
914 include [its] recommendations for needed programs to effectuate the
915 provisions of sections 46a-27 to 46a-30, inclusive, as amended by this
916 act. When advisable, the [commission] commissioner may make an
917 interim report to the Governor and the General Assembly with [its]
918 recommendations, in order to afford opportunity for immediate action
919 to be taken thereon.

920 Sec. 40. Section 46a-33a of the general statutes is repealed and the
921 following is substituted in lieu thereof (*Effective July 1, 2011*):

922 (a) For the purposes of this section:

923 (1) "Interpreting" means the translating or transliterating of English
924 concepts to a language concept used by a person who is deaf or hard of
925 hearing or means the translating of a deaf or hard of hearing person's

926 language concept to English concepts. Language concepts include, but
927 are not limited to, the use of American Sign Language, English-based
928 sign language, cued speech, oral transliterating and information
929 received tactually;

930 (2) "Legal setting" means any criminal or civil action involving a
931 court of competent jurisdiction, any investigation conducted by a duly
932 authorized law enforcement agency, employment related hearings and
933 appointments requiring the presence of an attorney;

934 (3) "Medical setting" means medical related situations including
935 mental health treatment, psychological evaluations, substance abuse
936 treatment, crisis intervention and appointments or treatment requiring
937 the presence of a doctor, nurse or other health care professional; and

938 (4) "Educational setting" means a school or other educational
939 institution, including elementary, high school and post-graduation
940 schools where interpretive services are provided to a student.

941 (b) [Commencing October 1, 1998, and annually thereafter, all] All
942 persons providing interpreting services shall register with the
943 [Commission on the Deaf and Hearing Impaired] Commissioner of
944 Social Services. Such registration shall be on a form prescribed or
945 furnished by the [commission] commissioner and shall include the
946 registrant's name, address, phone number, place of employment as
947 interpreter and interpreter certification or credentials. [Commencing
948 July 1, 2001, and annually thereafter, the commission] The
949 commissioner shall issue identification cards for those who register in
950 accordance with this section.

951 (c) No person shall provide interpreting services unless such person
952 is registered with the [commission] Commissioner of Social Services
953 according to the provisions of this section and (1) has passed the
954 National Registry of Interpreters for the Deaf written generalist test or
955 the National Association of the Deaf-National Registry of Interpreters
956 for the Deaf certification knowledge examination, holds a level three

957 certification provided by the National Association of the Deaf,
958 documents the achievement of two continuing education units per
959 year for a maximum of five years of [commission-approved] training
960 approved by the Commissioner of Social Services, and on or before the
961 fifth anniversary of having passed the National Registry of Interpreters
962 for the Deaf written generalist test or the National Association of the
963 Deaf-National Registry of Interpreters for the Deaf certification
964 knowledge examination, has passed the National Registry of
965 Interpreters for the Deaf performance examination or the National
966 Association of the Deaf-National Registry of Interpreters for the Deaf
967 national interpreter certification examination, (2) has passed the
968 National Registry of Interpreters for the Deaf written generalist test or
969 the National Association of the Deaf-National Registry of Interpreters
970 for the Deaf certification knowledge examination and is a graduate of
971 an accredited interpreter training program and documents the
972 achievement of two continuing education units per year for a
973 maximum of five years of [commission-approved] training approved
974 by the commissioner, and on or before the fifth anniversary of having
975 passed the National Registry of Interpreters for the Deaf written
976 generalist test or the National Association of the Deaf-National
977 Registry of Interpreters for the Deaf certification knowledge
978 examination, has passed the National Registry of Interpreters for the
979 Deaf performance examination or the National Association of the
980 Deaf-National Registry of Interpreters for the Deaf national interpreter
981 certification examination, (3) holds a level four or higher certification
982 from the National Association of the Deaf, (4) holds certification by the
983 National Registry of Interpreters for the Deaf, (5) for situations
984 requiring an oral interpreter only, holds oral certification from the
985 National Registry of Interpreters for the Deaf, (6) for situations
986 requiring a cued speech transliterator only, holds certification from the
987 National Training, Evaluation and Certification Unit and has passed
988 the National Registry of Interpreters for the Deaf written generalist
989 test, (7) holds a reverse skills certificate or is a certified deaf interpreter
990 under the National Registry of Interpreters for the Deaf, or (8) holds a

991 National Association of the Deaf-National Registry of Interpreters for
992 the Deaf national interpreting certificate.

993 (d) No person shall provide interpreting services in a medical
994 setting unless such person is registered with the [commission]
995 Commissioner of Social Services according to the provisions of this
996 section and (1) holds a comprehensive skills certificate from the
997 National Registry of Interpreters for the Deaf, (2) holds a certificate of
998 interpretation or a certificate of transliteration from the National
999 Registry of Interpreters for the Deaf, (3) holds a level four or higher
1000 certification from the National Association of the Deaf, (4) holds a
1001 reverse skills certificate or is a certified deaf interpreter under the
1002 National Registry of Interpreters for the Deaf, (5) for situations
1003 requiring an oral interpreter only, holds oral certification from the
1004 National Registry of Interpreters for the Deaf, (6) for situations
1005 requiring a cued speech transliterator only, holds certification from the
1006 National Training, Evaluation and Certification Unit and has passed
1007 the National Registry of Interpreters for the Deaf written generalist
1008 test, or (7) holds a National Association of the Deaf-National Registry
1009 of Interpreters for the Deaf national interpreting certificate.

1010 (e) No person shall provide interpreting services in a legal setting
1011 unless such person is registered with the [commission] Commissioner
1012 of Social Services according to the provisions of this section and (1)
1013 holds a comprehensive skills certificate from the National Registry of
1014 Interpreters for the Deaf, (2) holds a certificate of interpretation and a
1015 certificate of transliteration from the National Registry of Interpreters
1016 for the Deaf, (3) holds a level five certification from the National
1017 Association of the Deaf, (4) holds a reverse skills certificate or is a
1018 certified deaf interpreter under the National Registry of Interpreters
1019 for the Deaf, (5) for situations requiring an oral interpreter only, holds
1020 oral certification from the National Registry of Interpreters for the
1021 Deaf, (6) for situations requiring a cued speech transliterator only,
1022 holds certification from the National Training, Evaluation and
1023 Certification Unit and has passed the National Registry of Interpreters

1024 for the Deaf written generalist test, or (7) holds a National Association
1025 of the Deaf-National Registry of Interpreters for the Deaf national
1026 interpreting certificate.

1027 (f) The requirements of this section shall apply to persons who
1028 receive compensation for the provision of interpreting services and
1029 include those who provide interpreting services as part of their job
1030 duties.

1031 [(g) The provisions of subsection (c) of this section shall not apply to
1032 any person providing interpreting services in an educational setting
1033 until July 1, 2003.]

1034 Sec. 41. Section 46a-33b of the general statutes is repealed and the
1035 following is substituted in lieu thereof (*Effective July 1, 2011*):

1036 Upon the request of any person or any public or private entity, the
1037 [Commission on the Deaf and Hearing Impaired] Department of Social
1038 Services shall provide interpreting services to assist such person or
1039 entity to the extent such persons who provide interpreting services are
1040 available. Any person or entity receiving interpreting services through
1041 the [commission] department shall reimburse the [commission]
1042 department for such services at a rate set by the [commission]
1043 Commissioner of Social Services. The [commission] commissioner shall
1044 adopt regulations in accordance with the provisions of chapter 54 to
1045 establish the manner of rate setting.

1046 Sec. 42. Subsection (d) of section 51-245 of the general statutes is
1047 repealed and the following is substituted in lieu thereof (*Effective July*
1048 *1, 2011*):

1049 (d) Notwithstanding the provisions of subsections (a) and (b) of this
1050 section, if any juror is deaf or hearing impaired, such juror shall have
1051 the assistance of a qualified interpreter who shall be present
1052 throughout the proceeding and when the jury assembles for
1053 deliberation. Such interpreter shall be provided by the [Commission

1054 on the Deaf and Hearing Impaired] Department of Social Services at
1055 the request of the juror or the court. Such interpreter shall be subject to
1056 rules adopted pursuant to section 51-245a.

1057 Sec. 43. Section 4-5 of the general statutes is repealed and the
1058 following is substituted in lieu thereof (*Effective July 1, 2011*):

1059 As used in sections 4-6, 4-7 and 4-8, the term "department head"
1060 means Secretary of the Office of Policy and Management,
1061 Commissioner of Administrative Services, Commissioner of Revenue
1062 Services, Banking Commissioner, Commissioner of Children and
1063 Families, Commissioner of Consumer Protection, Commissioner of
1064 Correction, Commissioner of Economic and Community Development,
1065 State Board of Education, Commissioner of Emergency Management
1066 and Homeland Security, Commissioner of Environmental Protection,
1067 Commissioner of Agriculture, Commissioner of Public Health,
1068 Insurance Commissioner, Labor Commissioner, Liquor Control
1069 Commission, Commissioner of Mental Health and Addiction Services,
1070 Commissioner of Public Safety, Commissioner of Social Services,
1071 Commissioner of Developmental Services, Commissioner of Motor
1072 Vehicles, Commissioner of Transportation, Commissioner of Public
1073 Works, Commissioner of Veterans' Affairs, Chief Information Officer,
1074 the chairperson of the Public Utilities Control Authority, [the executive
1075 director of the Board of Education and Services for the Blind,] the
1076 executive director of the Connecticut Commission on Culture and
1077 Tourism, and the executive director of the Office of Military Affairs. As
1078 used in sections 4-6 and 4-7, "department head" also means the
1079 Commissioner of Education.

1080 Sec. 44. Subsection (e) of section 5-259 of the general statutes is
1081 repealed and the following is substituted in lieu thereof (*Effective July*
1082 *1, 2011*):

1083 (e) Notwithstanding the provisions of subsection (a) of this section,
1084 (1) vending stand operators eligible for membership in the state
1085 employee's retirement system pursuant to section 5-175a, as amended

1086 by this act, shall be eligible for coverage under the group
1087 hospitalization and medical and surgical insurance plans procured
1088 under this section, provided the cost for such operators' insurance
1089 coverage shall be paid by the [Board of Education and Services for the
1090 Blind] Department of Social Services from vending machine income
1091 pursuant to section 10-303, as amended by this act, and (2) blind
1092 persons employed in workshops, established pursuant to section 10-
1093 298a, as amended by this act, on December 31, 2002, shall be eligible
1094 for coverage under the group hospitalization and medical and surgical
1095 insurance plans procured under this section, provided the cost for such
1096 persons' insurance coverage shall be paid by the [Board of Education
1097 and Services for the Blind] Department of Social Services. General
1098 workers employed in positions by the Department of Developmental
1099 Services as self-advocates, not to exceed eleven employees, shall be
1100 eligible for sick leave, in accordance with section 5-247, vacation and
1101 personal leave, in accordance with section 5-250, and holidays, in
1102 accordance with section 5-254.

1103 Sec. 45. Subsection (b) of section 14-253a of the general statutes is
1104 repealed and the following is substituted in lieu thereof (*Effective July*
1105 *1, 2011*):

1106 (b) The Commissioner of Motor Vehicles shall accept applications
1107 and renewal applications for special license plates and removable
1108 windshield placards from (1) any person who is blind, as defined in
1109 section 1-1f; (2) any person with disabilities; (3) any parent or guardian
1110 of any person who is blind or any person with disabilities, if such
1111 person is under eighteen years of age at the time of application; (4) any
1112 parent or guardian of any person who is blind or any person with
1113 disabilities, if such person is unable to request or complete an
1114 application; and (5) any organization which meets criteria established
1115 by the commissioner and which certifies to the commissioner's
1116 satisfaction that the vehicle for which a plate or placard is requested is
1117 primarily used to transport persons who are blind or persons with
1118 disabilities. On and after January 1, 2010, no person shall be issued a

1119 placard in accordance with this section unless such person is the
1120 holder of a valid motor vehicle operator's license, or identification card
1121 issued in accordance with the provisions of section 1-1h. The
1122 commissioner is authorized to adopt regulations for the issuance of
1123 placards to persons who, by reason of hardship, do not hold or cannot
1124 obtain an operator's license or identification card. The commissioner
1125 shall maintain a record of each placard issued to any such person. Such
1126 applications and renewal applications shall be on a form prescribed by
1127 the commissioner. In the case of persons with disabilities, the
1128 application and renewal application shall include: (A) Certification by
1129 a licensed physician, a physician assistant, or an advanced practice
1130 registered nurse licensed in accordance with the provisions of chapter
1131 378, that the applicant is disabled; (B) certification by a licensed
1132 physician, a physician assistant, an advanced practice registered nurse
1133 licensed in accordance with the provisions of chapter 378, or a member
1134 of the handicapped driver training unit established pursuant to section
1135 14-11b, that the applicant meets the definition of a person with a
1136 disability which limits or impairs the ability to walk, as defined in 23
1137 CFR Section 1235.2. In the case of persons who are blind, the
1138 application or renewal application shall include certification of legal
1139 blindness made by the [Board of Education and Services for the Blind]
1140 Commissioner of Social Services, an ophthalmologist or an
1141 optometrist. Any person who makes a certification required by this
1142 subsection shall sign the application or renewal application under
1143 penalty of false statement pursuant to section 53a-157b. The
1144 commissioner, in said commissioner's discretion, may accept the
1145 discharge papers of a disabled veteran, as defined in section 14-254, in
1146 lieu of such certification. The [commissioner] Commissioner of Motor
1147 Vehicles may require additional certification at the time of the original
1148 application or at any time thereafter. If a person who has been
1149 requested to submit additional certification fails to do so within thirty
1150 days of the request, or if such additional certification is deemed by the
1151 [commissioner] Commissioner of Motor Vehicles to be unfavorable to
1152 the applicant, the commissioner may refuse to issue or, if already

1153 issued, suspend or revoke such special license plate or placard. The
 1154 commissioner shall not issue more than one placard per applicant. The
 1155 fee for the issuance of a temporary removable windshield placard shall
 1156 be five dollars. Any person whose application has been denied or
 1157 whose special license plate or placard has been suspended or revoked
 1158 shall be afforded an opportunity for a hearing in accordance with the
 1159 provisions of chapter 54.

1160 Sec. 46. Section 10-294 of the general statutes is repealed. (*Effective*
 1161 *July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	New section
Sec. 4	<i>July 1, 2011</i>	4-89(g)
Sec. 5	<i>July 1, 2011</i>	5-175a(a)
Sec. 6	<i>July 1, 2011</i>	9-20(c)
Sec. 7	<i>July 1, 2011</i>	10-76y(a)
Sec. 8	<i>July 1, 2011</i>	10-293
Sec. 9	<i>July 1, 2011</i>	10-295
Sec. 10	<i>July 1, 2011</i>	10-296
Sec. 11	<i>July 1, 2011</i>	10-297
Sec. 12	<i>July 1, 2011</i>	10-297a
Sec. 13	<i>July 1, 2011</i>	10-298
Sec. 14	<i>July 1, 2011</i>	10-298a
Sec. 15	<i>July 1, 2011</i>	10-298b
Sec. 16	<i>July 1, 2011</i>	10-298c
Sec. 17	<i>July 1, 2011</i>	10-300
Sec. 18	<i>July 1, 2011</i>	10-300a
Sec. 19	<i>July 1, 2011</i>	10-303
Sec. 20	<i>July 1, 2011</i>	10-304
Sec. 21	<i>July 1, 2011</i>	10-305
Sec. 22	<i>July 1, 2011</i>	10-306
Sec. 23	<i>July 1, 2011</i>	10-307
Sec. 24	<i>July 1, 2011</i>	10-308
Sec. 25	<i>July 1, 2011</i>	10-308a

Sec. 26	July 1, 2011	10-309
Sec. 27	July 1, 2011	10-310
Sec. 28	July 1, 2011	10-311a
Sec. 29	July 1, 2011	16-256b
Sec. 30	July 1, 2011	17a-248(9)
Sec. 31	July 1, 2011	17b-651
Sec. 32	July 1, 2011	17b-656
Sec. 33	July 1, 2011	26-29
Sec. 34	July 1, 2011	New section
Sec. 35	July 1, 2011	46a-27
Sec. 36	July 1, 2011	46a-28
Sec. 37	July 1, 2011	46a-29
Sec. 38	July 1, 2011	46a-30
Sec. 39	July 1, 2011	46a-32
Sec. 40	July 1, 2011	46a-33a
Sec. 41	July 1, 2011	46a-33b
Sec. 42	July 1, 2011	51-245(d)
Sec. 43	July 1, 2011	4-5
Sec. 44	July 1, 2011	5-259(e)
Sec. 45	July 1, 2011	14-253a(b)
Sec. 46	July 1, 2011	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]