



**House Bill No. 6652**

**Public Act No. 11-61**

**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 Section 12-63 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):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 be the fair market value thereof and not its value at a forced or auction sale.

(b) (1) For the purposes of this subsection, (A) "electronic data

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processing equipment" means computers, printers, peripheral computer equipment, bundled software and any computer-based equipment acting as a computer, as defined in Section 168 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended; (B) "leased personal property" means tangible personal property which is the subject of a written or oral lease or loan on the assessment date, or any such property which has been so leased or loaned by the then current owner of such property for three or more of the twelve months preceding such assessment date; and (C) "original selling price" means the price at which tangible personal property is most frequently sold in the year that it was manufactured.

(2) Any municipality may, by ordinance, adopt the provisions of this subsection to be applicable for the assessment year commencing October first of the assessment year in which a revaluation of all real property required pursuant to section 12-62 is performed in such municipality, and for each assessment year thereafter. If so adopted, the present true and actual value of tangible personal property, other than motor vehicles, shall be determined in accordance with the provisions of this subsection. If such property is purchased, its true and actual value shall be established in relation to the cost of its acquisition, including transportation and installation, and shall reflect depreciation in accordance with the schedules set forth in subdivisions (3) to (6), inclusive, of this subsection. If such property is developed and produced by the owner of such property for a purpose other than wholesale or retail sale or lease, its true and actual value shall be established in relation to its cost of development, production and installation and shall reflect depreciation in accordance with the schedules provided in subdivisions (3) to (6), inclusive, of this subsection. The provisions of this subsection shall not apply to property owned by a public service company, as defined in section 16-1.

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

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

Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
First year	Seventy per cent
Second year	Forty per cent
Third year	Twenty per cent
Fourth year and thereafter	Ten per cent

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

Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
First year	Ninety per cent
Second year	Sixty per cent
Third year	Forty per cent
Fourth year	Twenty per cent
Fifth year and thereafter	Ten per cent

(4) The following schedule of depreciation shall be applicable with respect to copiers, facsimile machines, medical testing equipment, and

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any similar type of equipment that is not specifically defined as electronic data processing equipment, but is considered by the assessor to be technologically advanced:

Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
First year	Ninety-five per cent
Second year	Eighty per cent
Third year	Sixty per cent
Fourth year	Forty per cent
Fifth year and thereafter	Twenty per cent

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

Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
First year	Ninety per cent
Second year	Eighty per cent
Third year	Seventy per cent
Fourth year	Sixty per cent
Fifth year	Fifty per cent
Sixth year	Forty per cent
Seventh year	Thirty per cent
Eighth year and thereafter	Twenty per cent

(6) The following schedule of depreciation shall be applicable with respect to all tangible personal property other than that described in

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subdivisions (3) to (5), inclusive, of this subsection:

Assessment Year Following Acquisition	Depreciated Value As Percentage Of Acquisition Cost Basis
First year	Ninety-five per cent
Second year	Ninety per cent
Third year	Eighty per cent
Fourth year	Seventy per cent
Fifth year	Sixty per cent
Sixth year	Fifty per cent
Seventh year	Forty per cent
Eighth year and thereafter	Thirty per cent

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

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

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

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

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

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

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subparagraph.

(2) For the assessment years commencing October 1, 2006, October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and October 1, 2011, the assessor of each town shall determine the depreciated value of machinery and equipment, for the purposes of this section, section 12-94b and section 12-94f, in accordance with the method said assessor used to determine the depreciated value of the same or similar machinery and equipment for the assessment year commencing October 1, 2005. The supplement to the declaration of tangible personal property the assessor provides, pursuant to subdivision (1) of this subsection, for the assessment year commencing October 1, 2006, shall not reflect an alteration of the depreciation schedule that would result in an assessment increase for any such property, over the assessment of such property for the assessment year commencing October 1, 2005, and the supplement to such declaration the assessor provides for the assessment years commencing October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and October 1, 2011, shall not reflect an alteration of the depreciation schedule that would result in an assessment increase for any such property, over the assessment of such property for the preceding assessment year.]

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

(72) (A) Effective for assessment years commencing on or after October 1, 2002, but prior to assessment years commencing on or after October 1, 2011, new machinery and equipment, as defined in this subdivision, acquired after October 1, 1990, and prior to October 1, 2011, and newly-acquired machinery and equipment, as defined in this subdivision, acquired on or after July 1, 1992, and prior to October 1, 2011, by the person claiming exemption under this subdivision, provided this exemption shall only be applicable in the five full

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assessment years following the assessment year in which such machinery or equipment is acquired, subject to the provisions of subparagraph (B) of this subdivision. Machinery and equipment acquired on or after July 1, 1996, and prior to October 1, 2011, and used in connection with biotechnology shall qualify for the exemption under this subdivision. Machinery and equipment acquired on or after July 1, 2006, and used in connection with recycling shall qualify for the exemption under this subdivision. For the purposes of this subdivision: (i) "Machinery" and "equipment" means tangible personal property which is installed in a manufacturing facility and claimed on the owner's federal income tax return as either five-year property or seven-year property, as those terms are defined in Section 168(e) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and the predominant use of which is for manufacturing, processing or fabricating; for research and development, including experimental or laboratory research and development, design or engineering directly related to manufacturing; for the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use or the significant overhauling or rebuilding of other products on a factory basis; for measuring or testing or for metal finishing; or used in the production of motion pictures, video and sound recordings. "Machinery" means the basic machine itself, including all of its component parts and contrivances such as belts, pulleys, shafts, moving parts, operating structures and all equipment or devices used or required to control, regulate or operate the machinery, including, without limitation, computers and data processing equipment, together with all replacement and repair parts therefor, whether purchased separately or in conjunction with a complete machine, and regardless of whether the machine or component parts thereof are assembled by the taxpayer or another party. "Equipment" means any device separate from machinery but essential to a manufacturing, processing or fabricating process. (ii)

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"Manufacturing facility" means that portion of a plant, building or other real property improvement used for manufacturing, processing or fabricating, for research and development, including experimental or laboratory research and development, design or engineering directly related to manufacturing, for the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use or the significant overhauling or rebuilding of other products on a factory basis, for measuring or testing or for metal finishing. (iii) "Manufacturing" means the activity of converting or conditioning tangible personal property by changing the form, composition, quality or character of the property for ultimate sale at retail or use in the manufacturing of a product to be ultimately sold at retail. Changing the quality of property shall include any substantial overhaul of the property that results in a significantly greater service life than such property would have had in the absence of such overhaul or with significantly greater functionality within the original service life of the property, beyond merely restoring the original functionality for the balance of the original service life. (iv) "Fabricating" means to make, build, create, produce or assemble components or tangible personal property work in a new or different manner, but does not include the presorting, sorting, coding, folding, stuffing or delivery of direct or indirect mail distribution services. (v) "Processing" means the physical application of the materials and labor in a manufacturing process necessary to modify or change the characteristics of tangible personal property. (vi) "Measuring or testing" includes both nondestructive and destructive measuring or testing, and the alignment and calibration of machinery, equipment and tools, in the furtherance of the manufacturing, processing or fabricating of tangible personal property. (vii) "Biotechnology" means the application of technologies, including recombinant DNA techniques, biochemistry, molecular and cellular biology, genetics and genetic engineering, biological cell fusion techniques, and new bioprocesses, using living organisms, or parts of organisms, to produce or modify products, to improve plants or

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animals, to develop microorganisms for specific uses, to identify targets for small molecule pharmaceutical development, or to transform biological systems into useful processes and products. (viii) "Recycling" means the processing of solid waste to reclaim material, as defined in section 22a-260;

(B) Any person who on October first in any year holds title to machinery and equipment for which such person desires to claim the exemption provided in this subdivision shall file with the assessor or board of assessors in the municipality in which the machinery or equipment is located, on or before the first day of November in such year, a list of such machinery or equipment together with written application claiming such exemption, [on a form prescribed by the Secretary of the Office of Policy and Management.] Such application shall include the taxpayer identification number assigned to the claimant by the Commissioner of Revenue Services and the federal employer identification number assigned to the claimant by the Secretary of the Treasury. If title to such equipment is held by a person other than the person claiming the exemption, the claimant shall include on such person's application information as to the portion of the total acquisition cost incurred by such person, and on or before the first day of November in such year, the person holding title to such machinery and equipment shall file a list of such machinery with the assessor of the municipality in which the manufacturing facility of the claimant is located. Such person shall include on the list information as to the portion of the total acquisition cost incurred by such person. Commercial or financial information in any application or list filed under this section shall not be open for public inspection, provided such information is given in confidence and is not available to the public from any other source. The provisions of this subdivision regarding the filing of lists and information shall not supersede the requirements to file tax lists under sections 12-41, 12-42 and 12-57a. In substantiation of such claim, the claimant and the person holding title

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to machinery and equipment for which exemption is claimed shall present to the assessor or board of assessors such supporting documentation as [said secretary] the assessor or board of assessors may require, including, but not limited to, invoices, bills of sale, contracts for lease and bills of lading and shall, upon request, present to [the secretary or the secretary's designee] the assessor or board of assessors a copy of each applicable federal income tax return and accompanying schedules. In lieu of submitting each applicable federal income tax return and accompanying schedules, a claimant and person holding title to machinery and equipment for which an exemption is claimed may, upon approval of [said secretary] the assessor or board of assessors, submit copies of applicable schedules accompanied by a sworn affidavit stating that such schedules were filed as part of such claimant's or person's federal income tax return. Failure to file such application in this manner and form within the time limit prescribed shall constitute a waiver of the right to such exemption for such assessment year, unless an extension of time is allowed pursuant to section 12-81k. If title to exempt machinery is conveyed subsequent to October first in any assessment year, entitlement to such exemption shall terminate for the next assessment year and there shall be no pro rata application of the exemption unless such machinery or equipment continues to be leased by the manufacturer who claimed and was approved for the exemption in the previous assessment year. Machinery or equipment shall not be eligible for exemption upon transfer from a seller to a related business or from a lessor to a lessee except to the extent it would have been eligible for exemption by the seller or the lessor, as the case may be. For the purposes of this subdivision, "related business" means: (i) A corporation, limited liability company, partnership, association or trust controlled by the taxpayer; (ii) an individual, corporation, limited liability company, partnership, association or trust that is in control of the taxpayer; (iii) a corporation, limited liability company, partnership, association or trust controlled by an individual, corporation, limited liability company,

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partnership, association or trust that is in control of the taxpayer; or (iv) a member of the same controlled group as the taxpayer. For purposes of this subdivision, "control", with respect to a corporation, means ownership, directly or indirectly, of stock possessing fifty per cent or more of the total combined voting power of all classes of the stock of such corporation entitled to vote. "Control", with respect to a trust, means ownership, directly or indirectly, of fifty per cent or more of the beneficial interest in the principal or income of such trust. The ownership of stock in a corporation, of a capital or profits interest in a partnership or association or of a beneficial interest in a trust shall be determined in accordance with the rules for constructive ownership of stock provided in Section 267(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, other than paragraph (3) of said Section 267(c);

(C) Any person claiming the exemption provided under this subdivision for machinery or equipment shall not be eligible to claim the exemption provided under subdivision (60) of this section or subdivision (70) of this section for the same machinery or equipment. The state and the municipality and district shall hold a security interest, as defined in subdivision (35) of subsection (b) of section 42a-1-201, in any machinery or equipment which is exempt from taxation pursuant to this subdivision, in an amount equal to the tax revenue reimbursed or lost, as the case may be, which shall be subordinate to any purchase money security interest, as defined in section 42a-9-103a. Such security interest shall be enforceable against the claimant for a period of five years after the last assessment year in which such exemption was received in any case in which such person ceases all manufacturing or biotechnology operations or moves such manufacturing or biotechnology operations entirely out of this state. Any assessor who has granted an exemption under this subdivision shall provide written notification to the secretary of the cessation of

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such operations or the move of such operations entirely out of this state. Such notification may be made at any time after the October first of the last assessment year in which such exemption is granted and before the September thirtieth that is five years after the conclusion of said assessment year. Upon receiving such notification and complying with the provisions of section 12-35a, the state shall have a lien upon the machinery or equipment situated in this state and owned by the person that ceased all business operations or moved such operations entirely out of this state. Notwithstanding the provisions of section 12-35a, the total amount of the reimbursement made by the state for the property tax exemptions granted to the person under the provisions of this subdivision, shall be deemed to be the amount of the tax which such person failed to pay. Notwithstanding said section 12-35a, the information required to be included in the notice of lien for such tax shall be as follows: (i) The owner of the property upon which the lien is claimed, (ii) the business address or residence address of such owner, (iii) the specific property claimed to be subject to such lien, (iv) the location of such property at the time it was last made tax-exempt pursuant to this subdivision, (v) the total amount of the reimbursement made by the state for the property tax exemptions granted to such owner under the provisions of this subdivision, and (vi) the tax period or periods for which such lien is claimed. If more than one agency of the state perfects such a notice of lien on the same day, the priority of such liens shall be determined by the time of day such liens were perfected, and if perfected at the same time, the lien for the highest amount shall have priority. In addition to the other remedies provided in this subdivision, the Attorney General, upon request of the secretary, may bring a civil action in a court of competent jurisdiction to recover the amount of tax revenue reimbursed by the state from any person who received an exemption under this subdivision. The following shall not be eligible for the exemption provided under this subdivision: (I) A public service company, as defined in section 16-1; and (II) any provider, directly or

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indirectly, of electricity, oil, water or gas;

(D) A claim for property tax exemption under this subdivision may be denied by the assessor or board of assessors of a town, consolidated town and city or consolidated town and borough, with the consent of the chief executive officer thereof, if the claimant is delinquent in a property tax payment to such town, consolidated town and city or consolidated town and borough, pursuant to section 12-146, for property owned by such claimant. Before any such claim is denied, the assessor or board of assessors shall send written notice to the claimant, stating that the claimant may pay the amount of such delinquent tax or enter into an agreement with such town, consolidated town and city or consolidated town and borough for the payment thereof, by the date set forth in such notice, provided, such date shall not be less than thirty days after the date of such notice. Failure on the part of the claimant to pay the amount of the delinquent tax or enter into an agreement to pay the amount thereof by said date shall result in a disallowance of the exemption being claimed;

[(E) The secretary, in the secretary's discretion, may deny any claim for exemption under the provisions of this subdivision for new machinery and equipment by a claimant who is delinquent in the payment of corporation business tax imposed under chapter 208, as reported on the list provided by the Commissioner of Revenue Services pursuant to subsection (b) of section 12-7a and who qualified for exemption under this subdivision in the preceding year. On or before September first annually, commencing September 1, 1998, the secretary shall send a written notice to any claimant identified on said list and to the assessor of the town in which the property is subject to taxation, stating that the property tax exemption allowed by this subdivision for the assessment date following the date on which such notice is sent, shall be denied by the assessor of the town in which the property of the taxpayer is subject to taxation unless the taxpayer

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provides written documentation from the Department of Revenue Services that the delinquency has been cleared. Such written documentation shall substantiate that the delinquency was cleared on or before the statutory date for the filing of an application for exemption under this subdivision, provided, if a taxpayer receives an extension of the filing date pursuant to section 12-81k, the date by which the taxpayer shall be required to clear such tax delinquency shall be extended for a like period of time. No assessor shall approve an application for the exemption under this subdivision that is not accompanied by the written documentation required from a claimant who was sent a notification by the Secretary of the Office of Policy and Management;]

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

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

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

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

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subdivisions of this subsection:

Overall Length			Overall Length		
at least (feet)	less than (feet)	fee	at least (feet)	less than (feet)	fee
	12	\$ 7.50	40	41	\$270.00
12	13	11.25	41	42	292.50
13	14	15.00	42	43	315.00
14	15	18.75	43	44	322.50
15	16	22.50	44	45	330.00
16	17	30.00	45	46	337.50
17	18	37.50	46	47	345.00
18	19	45.00	47	48	352.50
19	20	52.50	48	49	360.00
20	21	60.00	49	50	367.50
21	22	67.50	50	51	375.00
22	23	75.00	51	52	382.50
23	24	82.50	52	53	390.00
24	25	90.00	53	54	397.50
25	26	97.50	54	55	405.00
26	27	105.00	55	56	412.50
27	28	112.50	56	57	420.00
28	29	120.00	57	58	427.50
29	30	127.50	58	59	435.00
30	31	135.00	59	60	442.50
31	32	142.50	60	61	450.00
32	33	150.00	61	62	457.50
33	34	157.50	62	63	465.00
34	35	165.00	63	64	472.50
35	36	172.50	64	65	480.00
36	37	180.00	65 and over		525.00
37	38	202.50			

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38	39	225.00
39	40	247.50

For purposes of this schedule "overall length" is the horizontal distance between the foremost part of the stem and the aftermost part of the stern, excluding bowsprits, bumpkins, rudders, outboard motor brackets and similar fittings or attachments. (2) The fee payable under this subsection with respect to any vessel used primarily for purposes of commercial fishing shall not exceed twenty-five dollars, provided in the tax year of the owner of such vessel ending immediately preceding the date of registration, not less than fifty per cent of the adjusted gross income of such owner as determined for purposes of the federal income tax is derived from commercial fishing, subject to proof satisfactory to the Commissioner of Motor Vehicles. (3) The fee payable under this subsection with respect to any vessel constructed primarily of wood, the construction of which is completed not less than fifteen years prior to the date such fee is paid, shall be in an amount equal to fifty per cent of the fee otherwise payable, or if such construction is completed not less than twenty-five years prior to the date such fee is paid, such fee shall be in an amount equal to twenty-five per cent of the fee otherwise payable. (4) Fees payable under this subsection shall not be required with respect to (A) any vessel owned by a flotilla of the United States Coast Guard Auxiliary or owned by a nonprofit corporation acting on behalf of such a flotilla, provided no more than two vessels from any such flotilla or nonprofit corporation shall be granted such an exemption and (B) any vessel built by students in an educational institution and used for the purposes of such institution, including such research as may require the use of such vessel. (5) The fee payable under this subsection with respect to any pontoon boat, exclusive of any houseboat, shall be forty dollars. (6) The fee payable under this subsection with respect to any canoe with a motor or any vessel owned by a nonprofit organization shall be seven dollars and fifty cents. (7) The fee payable under this subsection with respect to

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any vessel less than fifteen feet in length equipped with a motor the horsepower of which is less than fifteen, shall be seven dollars and fifty cents. (8) The owner of any vessel used actively, as required under this subdivision, in operational activities of the United States Coast Guard Auxiliary shall not be required to pay the applicable fee in accordance with the schedule in this subsection, provided (A) if the applicable fee under the schedule for such vessel is greater than one hundred eighty dollars, the owner shall be required to pay the amount of fee in excess of one hundred eighty dollars and (B) the owner shall not be entitled to exemption from the applicable fee as allowed in this subdivision for any vessel registration year unless the application for registration of such vessel includes a statement, certified by an officer of the United States Coast Guard, that in the preceding year such vessel was used actively in not less than three separate operational activities of the United States Coast Guard Auxiliary. (9) Beginning [October 1] May 4, 2011, [and annually thereafter,] all revenue received by the state [for the twelve-month period from November first to October thirty-first, inclusive,] in fees for the numbering and registration of vessels under this section shall be deposited with the Treasurer who shall deposit such revenue in the General Fund.

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

(a) For purposes of this section:

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

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

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

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

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

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

(b) There is established a regional performance incentive program that shall be administered by the Secretary of the Office of Policy and Management. On or before December 1, [2007] 2011, any regional planning agency, any regional council of elected officials, any regional council of governments, any two or more municipalities, any economic development district or any combination thereof, may submit to said secretary a proposal for joint provision of a service or services that are currently provided by municipalities within the region of such agency or council or contiguous thereto, but not currently provided on a regional basis. On or before December 31, [2008] 2011, and annually thereafter, any such entity may submit a proposal to the secretary for: (1) The joint provision of any service that one or more participating municipalities of such council or agency currently provide but which is not provided on a regional basis, or (2) a planning study regarding the joint provision of any service on a regional basis. A copy of said proposal shall be sent to the legislators representing said participating municipalities.

(c) (1) An entity specified in subsection (a) of this section shall submit each proposal in the form and manner the secretary prescribes and shall, at a minimum, provide the following information for each proposal: (A) Service description; (B) the explanation of the need for such service; (C) the method of delivering such service on a regional

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basis; (D) the organization that would be responsible for regional service delivery; (E) a description of the population that would be served; (F) the manner in which regional service delivery will achieve economies of scale; (G) the amount by which participating municipalities will reduce their mill rates as a result of savings realized; (H) a cost benefit analysis for the provision of the service by each participating municipality and by the entity submitting the proposal; (I) a plan of implementation for delivery of the service on a regional basis; (J) a resolution endorsing such proposal approved by the legislative body of each participating municipality; and (K) an explanation of the potential legal obstacles, if any, to the regional provision of the service.

(2) The secretary shall review each proposal and shall award grants for proposals the secretary determines best meet the requirements of this section. In awarding such grants, the secretary shall give priority to a proposal submitted by (A) any entity specified in subsection (a) of this section that includes participation of all of the member municipalities of such entity, and which may increase the purchasing power of [such member] participating municipalities or provide a cost savings initiative resulting in a decrease in expenses of such municipalities, allowing such municipalities to lower property taxes, and (B) any economic development district.

(d) The secretary shall submit to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding a report on the grants provided pursuant to this section. Each such report shall include information on the amount of each grant, and the potential of each grant for leveraging other public and private investments. The secretary shall submit a report for the fiscal year commencing July 1, [2007] 2011, not later than February 1, [2008] 2012, and shall submit a report for each subsequent fiscal year not later than the first day of

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March in such fiscal year. Such reports shall include the property tax reductions achieved by means of the program established pursuant to this section.

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

(a) No public service company may charge rates in excess of those previously approved by the authority or the Department of Public Utility Control except that any rate approved by the Public Utilities Commission or the authority shall be permitted until amended by the authority or the department, that rates not approved by the authority or the department may be charged pursuant to subsection (b) of this section, and that the hearing requirements with respect to adjustment clauses are as set forth in section 16-19b. For water companies, existing rates shall include the amount of any adjustments approved pursuant to section 16-262w since the company's most recent general rate case, provided any adjustment amount shall be separately identified in any customer bill. Each public service company shall file any proposed amendment of its existing rates with the department in such form and in accordance with such reasonable regulations as the department may prescribe. Each electric, electric distribution, gas or telephone company filing a proposed amendment shall also file with the department an estimate of the effects of the amendment, for various levels of consumption, on the household budgets of high and moderate income customers and customers having household incomes not more than one hundred fifty per cent of the federal poverty level. Each electric and electric distribution company shall also file such an estimate for space heating customers. Each water company, except a water company that provides water to its customers less than six consecutive months in a calendar year, filing a proposed amendment, shall also file with the department a plan for promoting water conservation by

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customers in such form and in accordance with a memorandum of understanding entered into by the department pursuant to section 4-67e. Each public service company shall notify each customer who would be affected by the proposed amendment, by mail, at least one week prior to the public hearing thereon, that an amendment has been or will be requested. Such notice shall also indicate (1) the Department of Public Utility Control telephone number for obtaining information concerning the schedule for public hearings on the proposed amendment, and (2) whether the proposed amendment would, in the company's best estimate, increase any rate or charge by twenty per cent or more, and, if so, describe in general terms any such rate or charge and the amount of the proposed increase, provided no such company shall be required to provide more than one form of the notice to each class of its customers. In the case of a proposed amendment to the rates of any public service company, the department shall hold a public hearing thereon, except as permitted with respect to interim rate amendments by [subsection (d) and subsection] subsections (d) and (g) of this section, and shall make such investigation of such proposed amendment of rates as is necessary to determine whether such rates conform to the principles and guidelines set forth in section 16-19e, or are unreasonably discriminatory or more or less than just, reasonable and adequate, or that the service furnished by such company is inadequate to or in excess of public necessity and convenience. The department, if in its opinion such action appears necessary or suitable in the public interest may, and, upon written petition or complaint of the state, under direction of the Governor, shall, make the aforesaid investigation of any such proposed amendment which does not involve an alteration in rates. If the department finds any proposed amendment of rates to not conform to the principles and guidelines set forth in section 16-19e, or to be unreasonably discriminatory or more or less than just, reasonable and adequate to enable such company to provide properly for the public convenience, necessity and welfare, or the service to be inadequate or excessive, it shall determine and

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prescribe, as appropriate, an adequate service to be furnished or just and reasonable maximum rates and charges to be made by such company. In the case of a proposed amendment filed by an electric, electric distribution, gas or telephone company, the department shall also adjust the estimate filed under this subsection of the effects of the amendment on the household budgets of the company's customers, in accordance with the rates and charges approved by the department. The department shall issue a final decision on each rate filing within one hundred fifty days from the proposed effective date thereof, provided it may, before the end of such period and upon notifying all parties and intervenors to the proceedings, extend the period by thirty days.

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

At such meeting, the voters may establish a district for any or all of the following purposes: To extinguish fires, to light streets, to plant and care for shade and ornamental trees, to construct and maintain roads, sidewalks, crosswalks, drains and sewers, to appoint and employ watchmen or police officers, to acquire, construct, maintain and regulate the use of recreational facilities, to plan, lay out, acquire, construct, reconstruct, repair, maintain, supervise and manage a flood or erosion control system, to plan, lay out, acquire, construct, maintain, operate and regulate the use of a community water system, to collect garbage, ashes and all other refuse matter in any portion of such district and provide for the disposal of such matter, to implement tick control measures, to install highway sound barriers, to maintain water quality in lakes that are located solely in one town in this state, to establish a zoning commission and a zoning board of appeals or a planning commission, or both, by adoption of chapter 124 or chapter 126, excluding section 8-29, or both chapters, as the case may be, which commissions or board shall be dissolved upon adoption by the town of

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subdivision or zoning regulations by the town planning or zoning commission, [and] to adopt building regulations, which regulations shall be superseded upon adoption by the town of building regulations, and to provide ferry service. Any district may contract with a town, city, borough or other district for carrying out any of the purposes for which such district was established.

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

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

(2) In each subsequent fiscal year, the city of Bridgeport shall make a contribution to such pension plan as follows: (A) At the beginning of each fiscal year, the city's actuary shall determine the unfunded actuarial accrued liability for such pension plan using actuarial methods and assumptions based on actuarial standards of practice, and a level per cent amortization of the unfunded actuarial accrued liability using a five per cent growth rate; (B) the amortization period shall be twenty-four years for the fiscal year ending June 30, 2013, and shall decline by one year annually for each subsequent fiscal year; and (C) the amount of contribution shall be recalculated each fiscal year, so any gains and losses experienced by such pension plan are taken into account in the determination of unfunded actuarial accrued liability for a particular fiscal year and are amortized over the remaining period.

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

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

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

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

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

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

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

(7) Effective January 1, [2016] 2018, each New Haven Line rail fare

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originating or terminating in the state shall be increased by one per cent over the existing fare. [and the proceeds of such increase shall be deposited in the account established by subsection (b) of this section.]

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

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

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

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

(a) There are created the following transportation investment areas:

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The coastal corridor TIA, I-84 corridor TIA, I-91 corridor TIA, I-395 corridor TIA and the southeast corridor TIA.

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

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

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

(e) On or before August 1, 2001, the chief executive officers of the local planning agencies in each TIA shall issue notice of an organizational meeting of the participants in the TIA to commence the process of creating a transportation plan for such TIA and to make recommendations for nominations of the board member from such TIA, as provided in subdivision (2) of subsection (a) of section 13b-57e.]

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

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

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

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

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

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

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

(a) On or before August first of each year, the Department of Transportation, in consultation with the Secretary of the Office of Policy and Management [,] and the State Treasurer, [and the Transportation Strategy Board,] shall prepare a financing plan for the annual funding and financing of the projects and purposes described in section 13b-57h, as amended by this act. Such annual financing plan shall be based upon the funding available or anticipated to be available in the Transportation Strategy Board projects account, as well as the use of any federal revenue, grants or other transportation-related financial assistance which may be available in such fiscal year. The annual financing plan shall include funding mandated by sections 13b-57s and 13b-57t. Upon the approval of such annual financing plan by the Governor, funding identified in the annual financing plan shall be paid within the fiscal year of such annual financing plan into the Transportation Strategy Board projects account, established under

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section 13b-57r, of the Special Transportation Fund and shall be available to fund those projects and purposes identified in such annual financing plan.

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

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

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

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

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

(3) Rehabilitating rail passenger coaches for use on Shore Line East,

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the New Haven-Hartford-Springfield line and the branch lines;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Upgrading the Pequot Bridge in Montville;

(3) Evaluating rail links to other ports;

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

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

(6) Expanding Route 9; and

(7) Completing the Day Hill Corridor environmental assessment

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study, not to exceed five hundred thousand dollars.

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

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

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

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

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

[(h)] (g) If, within two years of July 1, 2006, the Department of Transportation is unable to implement the intermodal connection between port and rail facilities at the port of New Haven pursuant to subdivision (13) of subsection (a) of this section, the commissioner shall submit a report, pursuant to section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding. Such

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report shall describe (1) the reasons the connection cannot be completed, and (2) alternative ways to facilitate intermodal shipping at the port.

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

As used in sections 13b-79o to 13b-79q, inclusive, as amended by this act, section 13b-79s, as amended by this act, and section 24 of public act 06-136:

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

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

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

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

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

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

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

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

[(9)] (8) "Transit-oriented development" means the development of residential, commercial and employment centers within one-half mile

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or walking distance of public transportation facilities, including rail and bus rapid transit and services, that meet transit supportive standards for land uses, built environment densities and walkable environments, in order to facilitate and encourage the use of those services; and

[(10)] (9) "Transportation improvement project" means improvements to the state's transportation system, including, but not limited to, (A) projects included in the state-wide transportation improvement program, (B) projects included in regional transportation improvement plans, and (C) projects identified in section 13b-57h, as amended by this act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(14) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, the sale of information by the Commissioner of Motor Vehicles pursuant to subsection (b) of section 14-50a;

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

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

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

(18) On and after July 1, 2011, any other funds, moneys and receipts

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of the state required by law to be deposited, transferred or paid into the Special Transportation Fund other than proceeds of bonds or other securities of the state or of federal grants under the provisions of federal law.

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

(a) Notwithstanding the provisions of subsection (a) of section 13b-61: (1) For calendar quarters ending on or after September 30, 1998, and prior to September 30, 1999, the Commissioner of Revenue Services shall deposit into the Special Transportation Fund established under section 13b-68 five million dollars of the amount of funds received by the state from the tax imposed under section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel; (2) for calendar quarters ending September 30, 1999, and prior to September 30, 2000, the commissioner shall deposit into the Special Transportation Fund nine million dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel; (3) for calendar quarters ending September 30, 2000, and prior to September 30, 2002, the commissioner shall deposit into the Special Transportation Fund eleven million five hundred thousand dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel; (4) for the calendar quarters ending September 30, 2002, and prior to September 30, 2003, the commissioner shall deposit into the Special Transportation Fund, five million dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable

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to sales of motor vehicle fuel; (5) for the calendar quarter ending September 30, 2003, and prior to September 30, 2005, the commissioner shall deposit into the Special Transportation Fund, five million two hundred fifty thousand dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel; and (6) for the calendar quarters ending September 30, 2005, and prior to September 30, 2006, the commissioner shall deposit into the Special Transportation Fund ten million eight hundred and seventy-five thousand dollars of the amount of such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products attributable to sales of motor vehicle fuel.

(b) Notwithstanding the provisions of subsection (a) of section 13b-61, for calendar quarters ending on or after September 30, 2006, the Comptroller shall deposit into the Special Transportation Fund an annual amount in accordance with the following schedule, from such funds received by the state from the tax imposed under said section 12-587 on the gross earnings from the sales of petroleum products. Such transfers shall be made in quarterly installments.

Fiscal Year	Annual Transfer
2007	\$141,000,000
2008	\$127,800,000
2009	\$141,900,000
2010	\$141,900,000
2011	\$165,300,000
2012	\$226,900,000
2013	\$199,400,000

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2014	\$222,700,000
2015	\$226,800,000
2016 and thereafter	\$231,400,000

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

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

Sec. 20. Subsection (e) of section 13b-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(e) On or before January first, annually, the commission shall submit in writing to the commissioner [, and the Governor [and the Connecticut Transportation Strategy Board, established pursuant to section 13b-57e,] (1) a list of public transportation projects, which, if undertaken by the state, would further the policy set forth in section 13b-32, including projects specifically for elderly and disabled users; (2) recommendations for improvements to existing public transportation service and projects, incorporating transportation service and projects relative to the needs of elderly and disabled

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persons and including proposals for legislation and regulations; (3) recommendations for disincentives to free parking, including urban and suburban employment centers; (4) off-peak transit services; and (5) the establishment of urban center loop shuttles. The commissioner shall notify members of the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding, on or before January first, annually, of the availability of the commissioner's comments and analysis of priorities. A written copy or electronic storage media of such comments and analysis shall be distributed to members of such committee who request them. The commissioner shall meet with the commission at least once during each calendar quarter.

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

(a) There shall be in the Department of Transportation a Connecticut Maritime Commission which shall consist of [~~fifteen~~] fourteen members, as follows: (1) The Commissioners of Transportation, Economic and Community Development and Environmental Protection [,] and the Secretary of the Office of Policy and Management, [and the chairman of the Transportation Strategy Board, established pursuant to section 13b-57e,] or their respective designees; (2) four members appointed by the Governor; and (3) one member each appointed by the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate, the majority leader of the House of Representatives and the minority leader of the House of Representatives. All appointed members shall serve for terms coterminous with their appointing authority and until their successor is appointed and has qualified. Vacancies on said commission shall be filled for the remainder of the term in the same manner as original

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appointments.

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

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

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

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

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

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

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

[(6)] (4) "Transportation project" means any planning, capital or operating project with regard to transportation undertaken by the state; [, provided nothing contained in sections 13b-57d to 13b-57g, inclusive, shall be deemed to authorize the board to undertake any project other than strategic planning;]

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

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subsection (f) of section 4-124c;

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

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

[(10)] (8) "I-84 corridor" and "I-84 TIA" means the following towns and the roads, highways, bridges, waterways, ports and airports in such towns: Andover, Ansonia, Avon, Barkhamsted, Beacon Falls, Berlin, Bethel, Bethlehem, Bloomfield, Bolton, Bridgewater, Bristol, Brookfield, Burlington, Canaan, Canton, Cheshire, Colebrook, Cornwall, Danbury, Derby, East Granby, East Hartford, East Windsor, Ellington, Enfield, Farmington, Glastonbury, Goshen, Granby, Hartford, Hartland, Harwinton, Hebron, Kent, Litchfield, Manchester, Marlborough, Middlebury, Morris, Naugatuck, New Britain, New Fairfield, New Hartford, New Milford, Newington, Newtown, Norfolk, North Canaan, Oxford, Plainville, Plymouth, Prospect, Redding, Ridgefield, Rocky Hill, Roxbury, Salisbury, Seymour, Sharon, Shelton, Sherman, Simsbury, Somers, South Windsor, Southbury, Southington, Stafford, Suffield, Thomaston, Tolland, Torrington, Union, Vernon, Warren, Washington, Waterbury, Watertown, West Hartford, Wethersfield, Winchester, Windsor, Windsor Locks, Wolcott and Woodbury;

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

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

[(13)] (11) "Southeast corridor" and "Southeast corridor TIA" means the following towns and the roads, highways, bridges, waterways, ports and airports in such towns: Bozrah, Chester, Clinton, Colchester, Deep River, East Lyme, Essex, Franklin, Griswold, Groton, Killingworth, Ledyard, Lisbon, Lyme, Montville, New London, North Stonington, Norwich, Old Lyme, Old Saybrook, Preston, Salem, Sprague, Stonington, Voluntown, Waterford and Westbrook; and

[(14)] (12) "Modal" means a mode of transportation, and

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"multimodal" means two or more modes of transportation.

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

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

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

(3) "Economic development project" means any project, as defined in subsection (d) of section 32-23d, which is to be used or occupied by any person for (A) manufacturing, industrial, research, office or product warehousing or distribution purposes or hydroponic or aquaponic food production purposes and which the authority determines will tend to maintain or provide gainful employment, maintain or increase the tax base of the economy, or maintain, expand or diversify industry in the state, or (B) controlling, abating, preventing or disposing land, water, air or other environmental pollution, including without limitation thermal, radiation, sewage, wastewater, solid waste, toxic waste, noise or particulate pollution, except resources recovery facilities, as defined in section 22a-219a, used for the principal purpose of processing municipal solid waste and which are not expansions or additions to resources recovery facilities operating on July 1, 1990, or (C) the conservation of energy or the utilization of cogeneration technology or solar, wind, hydro, biomass or other renewable sources to produce energy for any industrial or commercial application, or (D) any other purpose which the authority determines will materially contribute to the economic base of the state

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by creating or retaining jobs, promoting the export of products or services beyond state boundaries, encouraging innovation in products or services, or otherwise contributing to, supporting or enhancing existing activities that are important to the economic base of the state.

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

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

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

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

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

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

[(5)] (4) "Transportation system improvement" means: (1) Projects included in the state-wide transportation improvement program, (2) funded and unfunded projects included in regional transportation improvement plans, or (3) projects identified in subsection (h) of

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section 13b-57.

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

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

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

(a) On or before December 1, 2007, and annually thereafter, the Secretary of the Office of Policy and Management, after consultation with the Commissioner of Transportation, [and the board,] shall submit a report to the Governor and to the General Assembly on the implementation status of the projects funded under subsection (a) of section 3-20a, subsection (c) of section 4-66c, subdivision (4) of subsection (a) of section 13b-57d, as amended by this act, [sections 13b-57e and 13b-57g, subsection (a) of section 13b-57j, subsection (b) of section 13b-57l,] section 13b-61a, as amended by this act, subdivision (3) of section 13b-78k, as amended by this act, section 13b-78n, subsection (a) of section 13b-78p, sections 13b-79o to 13b-79z, inclusive, as amended by this act, or [32-6k,] sections 19, 24, 25 or 33 to 35,

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inclusive, of public act 06-136 or special act 05-4 of the June special session. Such report shall include the status, including the financial status, of each project, the project schedules and anticipated completion dates, an explanation of any obstacles to completing such projects and any planned revisions to such projects.

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

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

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

The Bradley Board of Directors shall have the duty and authority to: (1) In consultation with the Commissioner of Transportation, develop an organizational and management structure that will best accomplish the goals of Bradley International Airport; (2) approve the annual

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

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

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

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

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

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

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

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

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

The Commissioner of Transportation shall:

(1) Acquire not less than three hundred forty-two self-propelled rail

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cars for use on the New Haven Line;

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

(3) Design and construct operational improvements to Interstate 95 between Greenwich and North Stonington;

(4) Purchase twenty-five transit buses; and

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

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

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

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

The Secretary of the Office of Policy and Management shall (1) in consultation with the Commissioners of Transportation, Economic and

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Community Development and Environmental Protection, ensure the coordination of state and regional transportation planning with other state planning efforts, including, but not limited to, economic development and housing plans; (2) coordinate interagency policy and initiatives concerning transportation; and (3) in consultation with the Commissioner of Transportation, evaluate transportation initiatives and proposed expenditures. [; and (4) coordinate staff and consultant services for the Transportation Strategy Board.]

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

(b) The Secretary of the Office of Policy and Management, in consultation with the Commissioners of Economic and Community Development, Environmental Protection, Public Works, Agriculture, Transportation, [the chairman of the Transportation Strategy Board,] the regional planning agencies in the state and any other persons or entities the secretary deems necessary shall develop recommendations for delineation of the boundaries of priority funding areas in the state and for revisions thereafter. In making such recommendations the secretary shall consider areas designated as regional centers, growth areas, neighborhood conservation areas and rural community centers on the state plan of conservation and development, redevelopment areas, distressed municipalities, as defined in section 32-9p; targeted investment communities, as defined in section 32-222; public investment communities, as defined in section 7-545, enterprise zones, designated by the Commissioner of Economic and Community Development under section 32-70, and corridor management areas identified in the state plan of conservation and development. [and the principles of the Transportation Strategy Board approved under section 13b-57h.] The secretary shall submit the recommendations to the Continuing Legislative Committee on State Planning and

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Development established pursuant to section 4-60d for review when the state plan of conservation and development is submitted to such committee in accordance with section 16a-29. The committee shall report its recommendations to the General Assembly at the time said state plan is submitted to the General Assembly under section 16a-30. The boundaries shall become effective upon approval of the General Assembly.

Sec. 33. Section 38a-277 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to nonadmitted insurance coverage procured, continued or renewed on or after July 1, 2011*):

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

(b) Any insurance by an unauthorized insurer of a subject of

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insurance resident, located or to be performed within this state procured through negotiations or an application, in whole or in part occurring or made within or from within or outside of this state, or for which premiums in whole or in part are remitted directly or indirectly from within or outside of this state, shall be deemed to be insurance procured, or continued or renewed in this state within the intent of subsection (a) of this section.

(c) There is [hereby] levied upon the obligation, chose in action or right represented by the premium charged for such insurance a premium receipts tax of four per cent of gross premiums charged for such insurance other than wet marine and transportation insurance. The term "premium" shall include all premiums, membership fees, assessments, dues and any other consideration for insurance. Such tax shall be in lieu of all other taxes. The insured shall, on or before March first next succeeding the calendar year in which the insurance was so procured, continued or renewed, pay the amount of the tax to the Commissioner of Revenue Services in accordance with procedures established and on forms provided by said Commissioner of Revenue Services. In the event of cancellation and rewriting of any such insurance contract the premium for premium receipts tax purposes shall be the premium in excess of the unearned premium of the cancelled insurance contract. The provisions of this subsection shall not apply to nonadmitted insurance, as defined in subsection (f) of this section, that is procured, continued or renewed on or after July 1, 2011.

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

(e) If the insured fails to withhold from the premium the amount of

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tax herein levied, the insured shall be liable for the amount thereof and shall pay the same to the Commissioner of Revenue Services within the time stated in subsection (c) of this section. Any person who fails to pay the tax within the time stated in subsection (c) of this section shall pay a penalty of ten per cent thereof or seventy-five dollars, whichever is greater, which penalty shall be paid at the time of paying such tax. Interest shall be added to the tax at the rate of one per cent per month or fraction thereof from the date such payment was due to the date paid. Subject to the provisions of section 12-3a, the Commissioner of Revenue Services may waive all or part of the penalties provided under this section when it is proven to said commissioner's satisfaction that the failure to pay any tax was due to reasonable cause and was not intentional or due to neglect. The provisions of this subsection shall not apply to nonadmitted insurance, as defined in subsection (f) of this section, that is procured, continued or renewed on or after July 1, 2011.

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

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

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

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

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

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

(g) (1) With respect to independently procured insurance, where such coverage is procured, continued or renewed on or after July 1, 2011, and where this state is an insured's home state, there is levied upon the obligation, chose in action or right represented by the premium charged for independently procured insurance an independently procured insurance premiums tax of four per cent of the gross premiums charged for such insurance, irrespective of the fact that the independently procured insurance policy may cover properties, risks or exposures located or to be performed both within and without this state. The term "premium" shall include all premiums, membership fees, assessments, dues and any other consideration for insurance. Such tax shall be due and payable to this state by the insured and shall be in lieu of all other taxes on such nonadmitted insurance.

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

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

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(3) For calendar years beginning on or after January 1, 2012, the insured shall pay to the Commissioner of Revenue Services, on independently procured insurance, in accordance with procedures established and on forms provided by said commissioner, (A) on or before May fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a sum equal to four per cent of the gross premiums charged the insured by a nonadmitted insurer during the period from January first to March thirty-first of that year; (B) on or before August fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a sum equal to four per cent of the gross premiums charged the insured by a nonadmitted insurer during the period from April first to June thirtieth of that year; (C) on or before November fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a sum equal to four per cent of the gross premiums charged the insured by a nonadmitted insurer during the period from July first to September thirtieth of that year; and (D) on or before February fifteenth of each year succeeding a year in which nonadmitted insurance was procured, continued or renewed, a sum equal to four per cent of the gross premiums charged the insured by a nonadmitted insurer during the period from October first to December thirty-first of the preceding year.

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

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

(h) Any insured, who fails to pay the tax within the time stated in

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

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

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

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

(l) (1) The Commissioner of Revenue Services may enter into a cooperative or reciprocal agreement with another state or states to allocate among the states the nonadmitted insurance premiums taxes paid to an insured's home state, as provided by Section 521 of the

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Nonadmitted and Reinsurance Reform Act of 2010.

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

(3) The agreement that the Commissioner of Revenue Services is authorized to enter into under this subsection may provide that, where this state is an insured's home state and where the independently procured insurance covers properties, risks or exposures located or to be performed both within and without this state, (A) the sum payable by the insured to this state under subsection (g) of this section shall be computed based on that portion of the gross premiums allocated to this state, based on a standardized premium allocation adopted by the states under such agreement, multiplied by four per cent, (B) the sum payable by the insured to another state shall be computed based on that portion of the gross premiums allocated to such state, based on a standardized premium allocation adopted by the states under such agreement, multiplied by such state's tax rate, and (C) to the extent that another state where properties, risks or exposures are located has failed to enter into an agreement with this state, the portion of the gross premiums otherwise allocable to such other state shall be allocated to this state.

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

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

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

Sec. 34. Section 38a-743 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to nonadmitted insurance coverage procured, continued or renewed on or after July 1, 2011*):

(a) Every person, firm, association or corporation licensed pursuant to the provisions of sections 38a-741 to 38a-744, inclusive, as amended by this act, 38a-777 and 38a-794 shall pay to the commissioner on May first of each year a sum equal to four per cent of the gross premiums charged the insureds by the insurers during the period from January first to March thirty-first of that year, and on August first of each year a sum equal to four per cent of the gross premiums charged the insured by the insurers during the period from April first to June thirtieth of that year, on November first of each year a sum equal to four per cent of the gross premiums charged the insureds by the insurers during the period from July first to September thirtieth of that year and on February first of each year a sum equal to four per cent of

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the gross premiums charged the insureds by the insurers during the period from October first to December thirty-first of the preceding year, for insurance procured by such licensee pursuant to such license, less the amount of such premiums returned to such insureds, except that the premium tax shall not apply to any policy issued to the state of Connecticut or any agency [thereof] of the state or to any policy issued to any town, or agency of such town or special taxing district when said town, agency or department thereof or special taxing district appears in the policy as the named insured and as such is responsible for the payment of premiums shown on said policy. Each licensee shall also file on May first, August first, November first, and February first a return, in the form described by the commissioner, showing such information as the commissioner deems necessary. The provisions of this subsection shall not apply to nonadmitted insurance, as defined in subsection (b) of this section, that is procured, continued or renewed on or after July 1, 2011.

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

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

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

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

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

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

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

(2) (A) For the period beginning on July 1, 2011, and ending September 30, 2011, each licensee shall pay to the Insurance Commissioner, on or before November 15, 2011, in accordance with procedures established and on forms provided by said commissioner, a tax on nonadmitted insurance equal to the sum of four per cent of the gross premiums charged insureds by nonadmitted insurers during such period.

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

(3) For calendar years beginning on or after January 1, 2012, each

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licensee shall pay to the Insurance Commissioner, in accordance with procedures established and on forms provided by said commissioner, (A) on or before May fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a tax on such insurance equal to the sum of four per cent of the gross premiums charged insureds by nonadmitted insurers during the period from January first to March thirty-first of that year; (B) on or before August fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a tax on such insurance equal to the sum of four per cent of the gross premiums charged insureds by nonadmitted insurers during the period from April first to June thirtieth of that year; (C) on or before November fifteenth of each year in which nonadmitted insurance was procured, continued or renewed, a tax on such insurance equal to the sum of four per cent of the gross premiums charged insureds by nonadmitted insurers during the period from July first to September thirtieth of that year; and (D) on or before February fifteenth of each year succeeding a year in which nonadmitted insurance was procured, continued or renewed, a tax on such insurance equal to the sum of four per cent of the gross premiums charged insureds by nonadmitted insurers during the period from October first to December thirty-first of the preceding year.

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

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

[(b)] (d) Upon failure of any person to pay the premium tax due the

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commissioner on its due date, there shall be added thereto a penalty and interest, which interest shall [not be less than] be at the rate of one per cent per month or fraction of a month which elapses from the due date of such premium tax to the date of payment, and which penalty shall be in the amount of ten per cent of the whole or such part of the principal of the premium tax as is unpaid.

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

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

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

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

(3) The agreement that the Insurance Commissioner is authorized to enter into under this subsection may provide that, where this state is an insured's home state and where the nonadmitted insurance covers properties, risks or exposures located or to be performed both within and without this state, (A) the sum payable by a licensee to this state

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under this section shall be computed based on that portion of the gross premiums allocated to this state, based on a standardized premium allocation adopted by the states under such agreement, multiplied by four per cent, (B) the sum payable by the licensee to another state shall be computed based on that portion of the gross premiums allocated to such state, based on a standardized premium allocation adopted by the states under such agreement, multiplied by such state's tax rate, and (C) to the extent that another state where properties, risks or exposures are located has failed to enter into an agreement with this state, the portion of the gross premiums otherwise allocable to such other state shall be allocated to this state.

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

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

(6) The Insurance Commissioner may enter into cooperative agreements with processing entities located in this state or other states related to the capturing and processing of nonadmitted insurance premiums and nonadmitted insurance premiums tax data. Notwithstanding any provision of section 12-15, the Insurance Commissioner may, under the terms of any such cooperative agreement, disclose information relating to surplus lines brokers or

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nonadmitted insurance permitted to be placed through surplus lines brokers to any official of the processing entity whose duties require such disclosure.

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

(b) The provisions of sections 38a-271 to 38a-278, inclusive, as amended by this act, other than section 38a-277, as amended by this act, do not apply to: (1) The lawful transaction of surplus lines insurance; (2) the lawful transaction of reinsurance by insurers; (3) transactions, in this state, involving a policy lawfully solicited, written and delivered outside of this state covering only subjects of insurance not resident, located or expressly to be performed in this state at the time of issuance, and which transactions are subsequent to the issuance of such policy; (4) transactions involving contracts of insurance independently procured pursuant to the unsolicited application of the insured or his or her agent which are reported and on which a premium tax is paid in accordance with section 38a-277, as amended by this act; (5) attorneys acting in the ordinary relation of attorney-client in the adjustment of claims or losses; (6) transactions, in this state, involving contracts of insurance issued to one or more industrial insureds, provided nothing [herein] in this section shall relieve an industrial insured from the taxation imposed upon independently procured insurance in [subsection (c) of] section 38a-277, as amended by this act. For the purpose of this subdivision, an "industrial insured" shall mean an insured (i) which procures the insurance of any risk by the use of the services of a full-time employee acting as an insurance manager or buyer, or the services of a regularly and continuously retained qualified insurance consultant and (ii) whose aggregate annual premiums for insurance, excluding life, accident and health insurance, total at least fifty thousand dollars; (7)

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transactions involving contracts issued by a life insurance or annuity company, organized and operated without profit, to any private shareholder or individual exclusively for the purpose of aiding and strengthening educational institutions or charitable, health and welfare organizations by issuing insurance and annuity contracts only to or for the benefit of such institutions or organizations and individuals engaged in the service of such institutions or organizations; (8) transactions in this state involving group life and group sickness and accident or franchise sickness and accident insurance or group annuities where the master policy of such groups was lawfully issued and delivered in and pursuant to the laws of a state in which the insurer was authorized to do an insurance business to a group organized for purposes other than the procurement of insurance, and where the policyholder is domiciled or otherwise has a bona fide situs; (9) transactions in this state involving any policy of insurance or annuity contract issued prior to January 1, 1970.

(c) The provisions of section 38a-27 do not apply to: (1) The lawful transaction of surplus lines insurance; (2) transactions, in this state, involving a policy lawfully solicited, written and delivered outside of this state covering only subjects of insurance not resident, located or expressly to be performed in this state at the time of issuance, and which transactions are subsequent to the issuance of such policy; (3) transactions involving contracts of insurance independently procured pursuant to the unsolicited application of the insured or his or her agent which are reported and on which a premium tax is paid in accordance with section 38a-277, as amended by this act; (4) attorneys acting in the ordinary relation of attorney-client in the adjustment of claims or losses; (5) transactions, in this state, involving contracts of insurance issued to one or more industrial insureds, provided nothing in this section shall relieve an industrial insured from the taxation imposed upon independently procured insurance in [subsection (c) of] section 38a-277, as amended by this act; (6) transactions involving

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contracts issued by a life insurance or annuity company, organized and operated without profit, to any private shareholder or individual exclusively for the purpose of aiding and strengthening educational institutions or charitable, health and welfare organizations by issuing insurance and annuity contracts only to or for the benefit of such institutions or organizations and individuals engaged in the service of such institutions or organizations; (7) transactions in this state involving group life and group sickness and accident or franchise sickness and accident insurance or group annuities where the master policy of such group was lawfully issued and delivered in and pursuant to the laws of a state in which the insurer was authorized to do an insurance business to a group organized for purposes other than the procurement of insurance, and where the policyholder is domiciled or otherwise has a bona fide situs; (8) transactions in this state involving any policy of insurance or annuity contract, other than a reinsurance contract, issued prior to January 1, 1970. For the purposes of subdivision (5) of this subsection, an "industrial insured" means an insured (A) which procures the insurance of any risk by the use of the services of a full-time employee acting as an insurance manager or buyer, or the services of a regularly and continuously retained qualified insurance consultant, and (B) whose aggregate annual premiums for insurance, excluding life, accident and health insurance, total at least fifty thousand dollars.

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

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

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its component from the current list at the next publication of the list. The commissioner's determinations of lines of insurance or their components to be added to or removed from the list shall not be subject to chapter 54 provided prior to making determinations, the commissioner shall provide opportunity for comments from interested persons.

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

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

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

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

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

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

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[commissioner] Commissioner of Economic and Community Development determines such facility otherwise qualifies.

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

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

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

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

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

(e) Any person shall be entitled to a certificate of release of lien with respect to the interest of the decedent in such real property, if either the court of probate for the district within which the decedent resided at the date of his death or, if the decedent died a nonresident of this state, for the district within which real estate or tangible personal property of the decedent is situated, or the Commissioner of Revenue Services finds, upon evidence satisfactory to said court or said

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commissioner, as the case may be, that payment of the tax imposed under this chapter with respect to the interest of the decedent in such real property is adequately assured, or that no tax imposed under this chapter is due. If the decedent died prior to January 1, 2010, and such decedent's Connecticut taxable estate is two million dollars or less, or if the decedent died on or after January 1, 2010, but prior to January 1, 2011, and such decedent's Connecticut taxable estate is three million five hundred thousand dollars or less, or if the decedent died on or after January 1, 2011, and such decedent's Connecticut taxable estate is two million dollars or less, the certificate of release of lien shall be issued by the court of probate. Any certificate of release of lien shall be valid if issued by a probate court prior to May 4, 2011, and recorded in the office of the town clerk of the town in which such real property is situated prior to May 4, 2011, for the estate of a decedent who died on or after January 1, 2011, and whose Connecticut taxable estate is more than two million dollars but equal to or less than three million five hundred thousand dollars. Such certificate may be recorded in the office of the town clerk of the town within which such real property is situated, and it shall be conclusive proof that such real property has been released from the operation of such lien. The commissioner may adopt regulations in accordance with the provisions of chapter 54 that establish procedures to be followed by a court of probate or by said commissioner, as the case may be, for issuing certificates of release of lien, and that establish the requirements and conditions that must be satisfied in order for a court of probate or for the commissioner, as the case may be, to find that the payment of such tax is adequately assured or that no tax imposed under this chapter is due.

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

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(S) Services of the agent of any person in relation to the sale of any item of tangible personal property for such person, [under consignment,] exclusive of the services of a consignee selling works of art, as defined in subsection (b) of section 12-376c, or articles of clothing or footwear intended to be worn on or about the human body other than (i) any special clothing or footwear primarily designed for athletic activity or protective use and which is not normally worn except when used for the athletic activity or protective use for which it was designed, and (ii) jewelry, handbags, luggage, umbrellas, wallets, watches and similar items carried on or about the human body but not worn on the body, under consignment, exclusive of services provided by an auctioneer;

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

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

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

(J) For calendar quarters ending on or after September 30, 2011, the

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commissioner shall deposit into the municipal revenue sharing account established pursuant to section 96 of [this act] public act 11-6, one and fifty-seven-hundredths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision, and one and forty-three-hundredths per cent of the amounts received by the state from the tax imposed under subparagraph (H) of this subdivision; and

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

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

Amount of Sale	Amount of Tax
\$0.00 to [ <del>\$0.08</del> ] <u>\$0.07</u> inclusive	[ <del>1 cent</del> ] <u>No Tax</u>
[.09 to .24] <u>.08 to .23</u> inclusive	[ <del>2 cents</del> ] <u>1 cent</u>
[.25 to .41] <u>.24 to .39</u> inclusive	[ <del>3 cents</del> ] <u>2 cents</u>
[.42 to .58] <u>.40 to .55</u> inclusive	[ <del>4 cents</del> ] <u>3 cents</u>
[.59 to .74] <u>.56 to .70</u> inclusive	[ <del>5 cents</del> ] <u>4 cents</u>
[.75 to .91] <u>.71 to .86</u> inclusive	[ <del>6 cents</del> ] <u>5 cents</u>
[.92 to 1.08] <u>.87 to 1.02</u> inclusive	[ <del>7 cents</del> ] <u>6 cents</u>
<u>1.03 to 1.18</u> inclusive	<u>7 cents</u>

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

Sec. 44. Section 96 of public act 11-6 is repealed and the following is

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

(a) There is established an account to be known as the "municipal revenue sharing account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management for the purposes of grants established pursuant to subsections (b) and (c) of this section.

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

<u>Municipality</u>	<u>Grant Amounts</u>
<u>Andover</u>	<u>\$2,929</u>
<u>Ansonia</u>	<u>70,732</u>
<u>Ashford</u>	<u>2,843</u>
<u>Avon</u>	<u>213,211</u>
<u>Barkhamsted</u>	<u>33,100</u>
<u>Beacon Falls</u>	<u>38,585</u>

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<u>Berlin</u>	<u>646,080</u>
<u>Bethany</u>	<u>54,901</u>
<u>Bethel</u>	<u>229,948</u>
<u>Bethlehem</u>	<u>6,305</u>
<u>Bloomfield</u>	<u>1,446,585</u>
<u>Bolton</u>	<u>19,812</u>
<u>Bozrah</u>	<u>110,715</u>
<u>Branford</u>	<u>304,496</u>
<u>Bridgeport</u>	<u>839,881</u>
<u>Bridgewater</u>	<u>491</u>
<u>Bristol</u>	<u>2,066,321</u>
<u>Brookfield</u>	<u>97,245</u>
<u>Brooklyn</u>	<u>8,509</u>
<u>Burlington</u>	<u>14,368</u>
<u>Canaan</u>	<u>17,075</u>
<u>Canterbury</u>	<u>1,610</u>
<u>Canton</u>	<u>6,344</u>
<u>Chaplin</u>	<u>554</u>
<u>Cheshire</u>	<u>598,668</u>
<u>Chester</u>	<u>71,130</u>
<u>Clinton</u>	<u>168,444</u>
<u>Colchester</u>	<u>31,069</u>
<u>Colebrook</u>	<u>436</u>
<u>Columbia</u>	<u>21,534</u>
<u>Cornwall</u>	<u>0</u>
<u>Coventry</u>	<u>8,359</u>

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<u>Cromwell</u>	<u>27,780</u>
<u>Danbury</u>	<u>1,534,876</u>
<u>Darien</u>	<u>0</u>
<u>Deep River</u>	<u>86,478</u>
<u>Derby</u>	<u>12,218</u>
<u>Durham</u>	<u>122,637</u>
<u>Eastford</u>	<u>43,436</u>
<u>East Granby</u>	<u>430,285</u>
<u>East Haddam</u>	<u>1,392</u>
<u>East Hampton</u>	<u>15,087</u>
<u>East Hartford</u>	<u>3,576,349</u>
<u>East Haven</u>	<u>62,435</u>
<u>East Lyme</u>	<u>17,837</u>
<u>Easton</u>	<u>2,111</u>
<u>East Windsor</u>	<u>237,311</u>
<u>Ellington</u>	<u>181,426</u>
<u>Enfield</u>	<u>219,004</u>
<u>Essex</u>	<u>80,826</u>
<u>Fairfield</u>	<u>82,908</u>
<u>Farmington</u>	<u>440,541</u>
<u>Franklin</u>	<u>413,545</u>
<u>Glastonbury</u>	<u>202,935</u>
<u>Goshen</u>	<u>2,101</u>
<u>Granby</u>	<u>28,727</u>
<u>Greenwich</u>	<u>70,905</u>
<u>Griswold</u>	<u>35,790</u>

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<u>Groton</u>	<u>1,373,459</u>
<u>Guilford</u>	<u>55,611</u>
<u>Haddam</u>	<u>2,840</u>
<u>Hamden</u>	<u>230,771</u>
<u>Hampton</u>	<u>0</u>
<u>Hartford</u>	<u>1,184,209</u>
<u>Hartland</u>	<u>758</u>
<u>Harwinton</u>	<u>17,272</u>
<u>Hebron</u>	<u>1,793</u>
<u>Kent</u>	<u>0</u>
<u>Killingly</u>	<u>567,638</u>
<u>Killingworth</u>	<u>4,149</u>
<u>Lebanon</u>	<u>24,520</u>
<u>Ledyard</u>	<u>296,297</u>
<u>Lisbon</u>	<u>2,923</u>
<u>Litchfield</u>	<u>2,771</u>
<u>Lyme</u>	<u>0</u>
<u>Madison</u>	<u>6,880</u>
<u>Manchester</u>	<u>861,979</u>
<u>Mansfield</u>	<u>5,502</u>
<u>Marlborough</u>	<u>5,890</u>
<u>Meriden</u>	<u>721,037</u>
<u>Middlebury</u>	<u>67,184</u>
<u>Middlefield</u>	<u>198,671</u>
<u>Middletown</u>	<u>1,594,059</u>
<u>Milford</u>	<u>1,110,891</u>

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<u>Monroe</u>	<u>151,649</u>
<u>Montville</u>	<u>356,761</u>
<u>Morris</u>	<u>2,926</u>
<u>Naugatuck</u>	<u>274,100</u>
<u>New Britain</u>	<u>1,182,061</u>
<u>New Canaan</u>	<u>159</u>
<u>New Fairfield</u>	<u>912</u>
<u>New Hartford</u>	<u>110,586</u>
<u>New Haven</u>	<u>1,175,481</u>
<u>Newington</u>	<u>758,790</u>
<u>New London</u>	<u>30,182</u>
<u>New Milford</u>	<u>628,728</u>
<u>Newtown</u>	<u>192,643</u>
<u>Norfolk</u>	<u>5,854</u>
<u>North Branford</u>	<u>243,540</u>
<u>North Canaan</u>	<u>304,560</u>
<u>North Haven</u>	<u>1,194,569</u>
<u>North Stonington</u>	<u>0</u>
<u>Norwalk</u>	<u>328,472</u>
<u>Norwich</u>	<u>161,111</u>
<u>Old Lyme</u>	<u>1,528</u>
<u>Old Saybrook</u>	<u>38,321</u>
<u>Orange</u>	<u>85,980</u>
<u>Oxford</u>	<u>72,596</u>
<u>Plainfield</u>	<u>120,563</u>
<u>Plainville</u>	<u>443,937</u>

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<u>Plymouth</u>	<u>124,508</u>
<u>Pomfret</u>	<u>22,677</u>
<u>Portland</u>	<u>73,590</u>
<u>Preston</u>	<u>0</u>
<u>Prospect</u>	<u>56,300</u>
<u>Putnam</u>	<u>139,075</u>
<u>Redding</u>	<u>1,055</u>
<u>Ridgefield</u>	<u>452,270</u>
<u>Rocky Hill</u>	<u>192,142</u>
<u>Roxbury</u>	<u>478</u>
<u>Salem</u>	<u>3,740</u>
<u>Salisbury</u>	<u>66</u>
<u>Scotland</u>	<u>6,096</u>
<u>Seymour</u>	<u>255,384</u>
<u>Sharon</u>	<u>0</u>
<u>Shelton</u>	<u>483,928</u>
<u>Sherman</u>	<u>0</u>
<u>Simsbury</u>	<u>62,846</u>
<u>Somers</u>	<u>72,769</u>
<u>Southbury</u>	<u>16,678</u>
<u>Southington</u>	<u>658,809</u>
<u>South Windsor</u>	<u>1,084,232</u>
<u>Sprague</u>	<u>334,376</u>
<u>Stafford</u>	<u>355,770</u>
<u>Stamford</u>	<u>407,895</u>
<u>Sterling</u>	<u>19,506</u>

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<u>Stonington</u>	<u>80,628</u>
<u>Stratford</u>	<u>2,838,621</u>
<u>Suffield</u>	<u>152,561</u>
<u>Thomaston</u>	<u>315,229</u>
<u>Thompson</u>	<u>62,329</u>
<u>Tolland</u>	<u>75,056</u>
<u>Torrington</u>	<u>486,957</u>
<u>Trumbull</u>	<u>163,740</u>
<u>Union</u>	<u>0</u>
<u>Vernon</u>	<u>121,917</u>
<u>Voluntown</u>	<u>1,589</u>
<u>Wallingford</u>	<u>1,589,756</u>
<u>Warren</u>	<u>235</u>
<u>Washington</u>	<u>231</u>
<u>Waterbury</u>	<u>2,076,795</u>
<u>Waterford</u>	<u>27,197</u>
<u>Watertown</u>	<u>521,334</u>
<u>Westbrook</u>	<u>214,436</u>
<u>West Hartford</u>	<u>648,560</u>
<u>West Haven</u>	<u>137,765</u>
<u>Weston</u>	<u>366</u>
<u>Westport</u>	<u>0</u>
<u>Wethersfield</u>	<u>17,343</u>
<u>Willington</u>	<u>15,891</u>
<u>Wilton</u>	<u>247,801</u>
<u>Winchester</u>	<u>249,336</u>

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<u>Windham</u>	<u>369,559</u>
<u>Windsor</u>	<u>1,078,969</u>
<u>Windsor Locks</u>	<u>1,567,628</u>
<u>Wolcott</u>	<u>189,485</u>
<u>Woodbridge</u>	<u>27,108</u>
<u>Woodbury</u>	<u>45,172</u>
<u>Woodstock</u>	<u>55,097</u>
<u>Borough of Danielson</u>	<u>0</u>
<u>Borough Jewett City</u>	<u>3,329</u>
<u>Borough Stonington</u>	<u>0</u>
<u>Barkhamsted F.D.</u>	<u>1,996</u>
<u>Berlin - Kensington F.D.</u>	<u>9,430</u>
<u>Berlin - Worthington F.D.</u>	<u>747</u>
<u>Bloomfield Center Fire</u>	<u>3,371</u>
<u>Bloomfield Blue Hills</u>	<u>88,142</u>
<u>Canaan F.D. (no fire district)</u>	<u>0</u>
<u>Cromwell F.D.</u>	<u>1,662</u>
<u>Enfield F.D.(1)</u>	<u>12,688</u>
<u>Enfield Thompsonville(2)</u>	<u>2,814</u>
<u>Enfield Haz'dv'l F.D.(3)</u>	<u>1,089</u>
<u>Enfield N.Thmps'nv'l F.D.(4)</u>	<u>55</u>
<u>Enfield Shaker Pines (5)</u>	<u>5,096</u>
<u>Groton - City</u>	<u>241,680</u>
<u>Groton Sewer</u>	<u>1,388</u>

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<u>Groton Mystic F.D. #3</u>	<u>19</u>
<u>Groton Noank F.D. #4</u>	<u>0</u>
<u>Groton Old Mystic F.D. #5</u>	<u>1,610</u>
<u>Groton Poquonnock Br. #2</u>	<u>17,967</u>
<u>Groton W. Pleasant Valley</u>	<u>0</u>
<u>Killingly Attawaugan F.D.</u>	<u>1,457</u>
<u>Killingly Dayville F.D.</u>	<u>33,885</u>
<u>Killingly Dyer Manor</u>	<u>1,157</u>
<u>E. Killingly F.D.</u>	<u>75</u>
<u>So. Killingly F.D.</u>	<u>150</u>
<u>Killingly Williamsville F.D.</u>	<u>5,325</u>
<u>Manchester Eighth Util.</u>	<u>55,013</u>
<u>Middletown South F. D.</u>	<u>165,713</u>
<u>Middletown Westfield F.D.</u>	<u>8,805</u>
<u>Middletown City Fire</u>	<u>27,038</u>
<u>New Htfd. Village F.D. #1</u>	<u>5,664</u>
<u>New Htfd Pine Meadow #3</u>	<u>104</u>
<u>New Htfd South End F.D.</u>	<u>8</u>
<u>Plainfield Central Village F.D.</u>	<u>1,167</u>
<u>Plainfield Moosup F.D.</u>	<u>1,752</u>
<u>Plainfield F.D. #255</u>	<u>1,658</u>
<u>Plainfield Wauregan F.D.</u>	<u>4,360</u>
<u>Pomfret F.D.</u>	<u>841</u>
<u>Putnam E. Putnam F.D.</u>	<u>8,196</u>
<u>Putnam W. Putnam F.D.</u>	<u>0</u>
<u>Simsbury F.D.</u>	<u>2,135</u>

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<u>Stafford Springs Service Dist.</u>	<u>12,400</u>
<u>Sterling F.D.</u>	<u>1,034</u>
<u>Stonington Mystic F.D.</u>	<u>478</u>
<u>Stonington Old Mystic F.D.</u>	<u>1,999</u>
<u>Stonington Pawcatuck F.D.</u>	<u>4,424</u>
<u>Stonington Quiambaug F.D.</u>	<u>65</u>
<u>Stonington F.D.</u>	<u>0</u>
<u>Stonington Wequetequock F.D.</u>	<u>58</u>
<u>Trumbull Center</u>	<u>461</u>
<u>Trumbull Long Hill F.D.</u>	<u>889</u>
<u>Trumbull Nichols F.D.</u>	<u>3,102</u>
<u>Watertown F.D.</u>	<u>0</u>
<u>West Haven Allintown F.D.(3)</u>	<u>17,230</u>
<u>W.Haven First Ctr Fire Taxn (1)</u>	<u>7,410</u>
<u>West Haven West Shore F.D.(2)</u>	<u>29,445</u>
<u>Windsor Wilson F.D.</u>	<u>170</u>
<u>Windsor F.D.</u>	<u>38</u>
<u>Windham First</u>	<u>7,096</u>
<u>GRAND TOTAL</u>	<u>\$50,271,099</u>

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

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

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

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

(e) The tax imposed by this section shall not apply to any net kilowatt hours of electricity generated at (1) an electric generation facility in this state exclusively through the use of fuel cells or an alternative energy system, or (2) a resources recovery facility, as defined in section 22a-260 of the general statutes.

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

(12) "Retailer" includes: (A) Every person engaged in the business of making sales at retail or in the business of making retail sales at auction of tangible personal property owned by the person or others; (B) every person engaged in the business of making sales for storage,

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use or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use or other consumption; (C) every operator, as defined in subdivision (18) of this subsection; (D) every seller rendering any service described in subdivision (2) of this subsection; (E) every person under whom any salesman, representative, peddler or canvasser operates in this state, or from whom such salesman, representative, peddler or canvasser obtains the tangible personal property that is sold; (F) every person with whose assistance any seller is enabled to solicit orders within this state; (G) every person making retail sales from outside this state to a destination within this state and not maintaining a place of business in this state who engages in regular or systematic solicitation of sales of tangible personal property in this state (i) by the display of advertisements on billboards or other outdoor advertising in this state, (ii) by the distribution of catalogs, periodicals, advertising flyers or other advertising by means of print, radio or television media, or (iii) by mail, telegraphy, telephone, computer data base, cable, optic, microwave or other communication system, for the purpose of effecting retail sales of tangible personal property, provided such person has made one hundred or more retail sales from outside this state to destinations within this state during the twelve-month period ended on the September thirtieth immediately preceding the monthly or quarterly period with respect to which such person's liability for tax under this chapter is determined; (H) any person owned or controlled, either directly or indirectly, by a retailer engaged in business in this state which is the same as or similar to the line of business in which such person so owned or controlled is engaged; (I) any person owned or controlled, either directly or indirectly, by the same interests that own or control, either directly or indirectly, a retailer engaged in business in this state which is the same as or similar to the line of business in which such person so owned or controlled is engaged; (J) any assignee of a person engaged in the business of leasing tangible personal property to others, where leased

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property of such person which is subject to taxation under this chapter is situated within this state and such assignee has a security interest, as defined in subdivision (35) of subsection (b) of section 42a-1-201, in such property; (K) every person making retail sales of items of tangible personal property from outside this state to a destination within this state and not maintaining a place of business in this state who repairs or services such items, under a warranty, in this state, either directly or indirectly through an agent, independent contractor or subsidiary; and (L) every person making sales of tangible personal property or services through an [independent contractor or other representative who is a resident of this state, if the retailer enters into an agreement with the resident, under which the resident, for a commission or other consideration] agreement with another person located in this state under which such person located in this state, for a commission or other consideration that is based upon the sale of tangible personal property or services by the retailer, directly or indirectly refers potential customers, whether by a link on an Internet web site or otherwise, to the retailer, provided the cumulative gross receipts from sales by the retailer to customers in the state who are referred to the retailer by all [residents] such persons with this type of an agreement with the retailer, is in excess of two thousand dollars during the preceding four quarterly periods ending on the last day of March, June, September and December. [Such retailer shall be presumed to be soliciting business through such resident independent contractor or other representative, which presumption may be rebutted by proof that the resident with whom the retailer has an agreement did not engage in any solicitation in the state on behalf of the retailer that would satisfy the nexus requirement of the United States Constitution during such four quarterly periods.]

Sec. 47. Subparagraph (A) of subdivision (15) of subsection (a) of section 12-407 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to sales*

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*occurring on and after May 4, 2011):*

(15) (A) "Engaged in business in the state" means and includes but shall not be limited to the following acts or methods of transacting business: (i) Selling in this state, or any activity in this state in connection with selling in this state, tangible personal property for use, storage or consumption within the state; (ii) engaging in the transfer for a consideration of the occupancy of any room or rooms in a hotel or lodging house for a period of thirty consecutive calendar days or less; (iii) rendering in this state any service described in any of the subparagraphs of subdivision (2) of this subsection; (iv) maintaining, occupying or using, permanently or temporarily, directly or indirectly, through a subsidiary or agent, by whatever name called, any office, place of distribution, sales or sample room or place, warehouse or storage point or other place of business or having any representative, agent, salesman, canvasser or solicitor operating in this state for the purpose of selling, delivering or taking orders; (v) notwithstanding the fact that retail sales are made from outside this state to a destination within this state and that a place of business is not maintained in this state, engaging in regular or systematic solicitation of sales of tangible personal property in this state by the display of advertisements on billboards or other outdoor advertising in this state, by the distribution of catalogs, periodicals, advertising flyers or other advertising by means of print, radio or television media, or by mail, telegraphy, telephone, computer data base, cable, optic, microwave or other communication system, for the purpose of effecting retail sales of tangible personal property, provided one hundred or more retail sales from outside this state to destinations within this state are made during the twelve-month period ended on the September thirtieth immediately preceding the monthly or quarterly period with respect to which liability for tax under this chapter is determined; (vi) being owned or controlled, either directly or indirectly, by a retailer engaged in business in this state which is the same as or similar to the line of

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business in which the retailer so owned or controlled is engaged; (vii) being owned or controlled, either directly or indirectly, by the same interests that own or control, either directly or indirectly, a retailer engaged in business in this state which is the same as or similar to the line of business in which the retailer so owned or controlled is engaged; (viii) being the assignee of a person engaged in the business of leasing tangible personal property to others, where leased property of such person is situated within this state and such assignee has a security interest, as defined in subdivision (35) of subsection (b) of section 42a-1-201, in such property; [and] (ix) notwithstanding the fact that retail sales of items of tangible personal property are made from outside this state to a destination within this state and that a place of business is not maintained in this state, repairing or servicing such items, under a warranty, in this state, either directly or indirectly through an agent, independent contractor or subsidiary; and (x) selling tangible personal property or services through an agreement with a person located in this state, under which such person located in this state, for a commission or other consideration that is based upon the sale of tangible personal property or services by the retailer, directly or indirectly refers potential customers, whether by a link on an Internet web site or otherwise, to the retailer, provided the cumulative gross receipts from sales by the retailer to customers in the state who are referred to the retailer by all such persons with this type of agreement with the retailer is in excess of two thousand dollars during the four preceding four quarterly periods ending on the last day of March, June, September and December.

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

(a) (1) Notwithstanding any provision of the general statutes, and

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except as otherwise provided in subdivision (3) of this subsection or in subsection (b) of this section, the amount of tax credit or credits otherwise allowable against the tax imposed under this chapter for any calendar year shall not exceed seventy per cent of the amount of tax due from such taxpayer under this chapter with respect to such calendar year of the taxpayer prior to the application of such credit or credits.

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

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

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

(B) If the tax credit or credits being claimed by a taxpayer are type

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one tax credits and type three tax credits, but not type two tax credits, fifty-five per cent of the amount of tax due from such taxpayer under this chapter with respect to said calendar years of the taxpayer prior to the application of such credit or credits, provided (i) type three tax credits shall be claimed before type one tax credits are claimed, (ii) the type three tax credits being claimed may not exceed the thirty per cent threshold, and (iii) the sum of the type one tax credits and the type three tax credits being claimed may not exceed the fifty-five per cent threshold.

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

(D) If the tax credit or credits being claimed by a taxpayer are type one tax credits, type two tax credits and type three tax credits, seventy per cent of the amount of tax due from such taxpayer under this chapter with respect to said calendar years of the taxpayer prior to the application of such credits, provided (i) type three tax credits shall be claimed before type one tax credits or type two tax credits are claimed, and the type one tax credits shall be claimed before the type two tax credits are claimed, (ii) the type three tax credits being claimed may not exceed the thirty per cent threshold, (iii) the sum of the type one tax credits and the type three tax credits being claimed may not exceed the fifty-five per cent threshold, and (iv) the sum of the type one tax credits, the type two tax credits and the type three tax credits being

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claimed may not exceed the seventy per cent threshold.

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

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

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

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

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

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

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

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

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

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

(b) Any surplus competitive transition assessment described in

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

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

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

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

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(4) Avoiding any adverse impact of the financing on the credit rating of the rate reduction bonds or the electric company or electric distribution company.

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

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

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

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

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

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

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

(b) (1) Upon the request and certification of the tax officer of a claimant state to the Commissioner of Revenue Services that a taxpayer owes taxes to such claimant state, the commissioner may withhold all or a portion of any refund to which such taxpayer would otherwise be entitled and pay over such withheld amount to the claimant state in accordance with the provisions of this section. The commissioner shall not withhold a refund unless the laws of the claimant state allow the Commissioner of Revenue Services to certify that a taxpayer owes taxes to this state and to request the tax officer of

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the claimant state to withhold all or a portion of any refund to which such taxpayer would otherwise be entitled, and provide for the payment over of such withheld amount to this state.

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

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

(4) Any taxpayer notified in accordance with subdivision (3) of this subsection may, on or before the thirtieth day after the mailing of such notice by the Commissioner of Revenue Services, protest the withholding of all or a portion of a refund by filing with the

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commissioner a written protest in which the taxpayer shall set forth the grounds on which the protest is based. If a timely protest is filed, the commissioner shall impound the claimed amount of the refund, pay to the taxpayer the unclaimed amount, if any, of the refund, send a copy of the protest to the claimant state for determination of the protest on its merits in accordance with the laws of that state, and pay over to the taxpayer the impounded amount if the claimant state shall fail on or before the forty-fifth day after the sending of the copy of the protest by the commissioner to such claimant state to recertify to the commissioner that the claimant state has reviewed the stated grounds on which the protest is based, and to recertify the amount of taxes which is finally due and payable to the claimant state, which is legally enforceable under the laws of the claimant state against the taxpayer, and with respect to which any administrative or judicial remedies, or both, have been exhausted or have lapsed.

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

(6) Subject to the provisions of subdivisions (3), (4) and (5) of this subsection, the commissioner shall pay over to the claimant state the entire amount withheld or the amount certified, whichever is less; pay any refund in excess of the certified amount to the taxpayer; and, if the amount certified exceeds the amount withheld, withhold amounts

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from subsequent refunds due to the taxpayer, provided the claimant state agrees to withhold subsequent refunds due to taxpayers certified to the claimant state by the commissioner.

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

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

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

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

(a) If a company has paid as an installment of estimated tax an amount in excess of the amount determined to be the correct amount of such installment, such amount shall be credited against any unpaid installment or against the tax. If the amount already paid, whether or not on the basis of installments, exceeds the amount determined to be the correct amount of the tax, the company shall be paid by the State Treasurer, upon order of the Comptroller, the amount of such overpayment. [The commissioner may prescribe regulations providing for the crediting against the estimated tax for any taxable year of the amount determined to be an overpayment of the corporation business tax for a preceding taxable year.]

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

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

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(3) (A) Except as otherwise provided in subsections (b) and (c) of this section, the commissioner may require every employer who is deducting and withholding Connecticut income tax from employee wages to pay such tax during the twelve-month period following a determination of liability under this subdivision, by one of the means of electronic funds transfer approved by the department, if the commissioner determines that the amount of Connecticut income tax deducted and withheld from employee wages by such employer was more than two thousand dollars for the twelve-month period ending on the June thirtieth immediately preceding the quarterly period with respect to which the requirement to pay over tax by electronic funds transfer is established. The commissioner, in determining whether tax liability is more than two thousand dollars, shall base such determination on the taxes reported to be due on the quarterly withholding tax returns of such employer related to the period under examination. If any such tax return of such [person] employer for such period has not been filed, the commissioner may base such determination on any information available to the commissioner.

(B) Except as otherwise provided in subsections (b) and (c) of this section, the commissioner may require every payer, as defined in section 12-707, as amended by this act, who is deducting and withholding Connecticut income tax from nonpayroll amounts, as defined in section 12-707, as amended by this act, to pay such tax for the calendar year, following a determination of liability under this subdivision, by one of the means of electronic funds transfer approved by the department, if the commissioner determines that the amount of Connecticut income tax deducted and withheld from nonpayroll amounts by such payer for the look-back calendar year, as defined in section 12-707, as amended by this act, was more than two thousand dollars. The commissioner, in determining whether the amount of Connecticut income tax deducted and withheld for the look-back calendar year, is more than two thousand dollars, shall base such

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determination on the tax reported to be due on the withholding tax return of such payer for such look-back calendar year. If any such tax return of such payer for such period has not been filed, the commissioner may base such determination on any information available to the commissioner.

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

(a) (1) Each employer required to deduct and withhold tax under this chapter from the wages of employees shall be liable for such tax and shall file a withholding return as prescribed by the Commissioner of Revenue Services and pay over to the commissioner, or to a depository designated by the commissioner, the taxes so required to be deducted and withheld at the times specified in subsection (b) of this section.

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

(b) (1) (A) With respect to the tax required to be deducted and withheld under this chapter from wages paid during any calendar year beginning on or after January 1, 2005, and in accordance with an annual determination described in subdivision (2) of this subsection, each employer shall be either a weekly remitter, monthly remitter or quarterly remitter for the calendar year. If an employer is a weekly remitter, the employer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in

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accordance with subdivision (3) of this subsection. If an employer is a monthly remitter, the employer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (4) of this subsection. If an employer is a quarterly remitter, the employer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (5) of this subsection. Notwithstanding any provision of this subsection, if an employer is a household employer, the employer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (6) of this subsection.

(B) With respect to the tax required to be deducted and withheld under this chapter from nonpayroll amounts paid during any calendar year beginning on or after January 1, 2005, and in accordance with an annual determination described in subdivision (2) of this subsection, each payer shall be either a weekly remitter, monthly remitter or quarterly remitter for the calendar year. If a payer is a weekly remitter, the payer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (3) of this subsection. If a payer is a monthly remitter, the payer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (4) of this subsection. If a payer is a quarterly remitter, the payer shall pay over to the commissioner the tax required to be deducted and withheld under this chapter in accordance with subdivision (5) of this subsection.

(2) (A) The annual determination for an employer required to deduct and withhold tax under this chapter shall be based on the employer's reported liability for the tax required to be deducted and withheld under this chapter during the twelve-month look-back period, provided, if any employer fails timely to file one or more

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required withholding tax returns for the four quarterly periods within the twelve-month look-back period, the commissioner may base the annual determination for the employer on any information available to the commissioner. If an employer's reported liability for the tax required to be deducted and withheld under this chapter during the twelve-month look-back period was more than ten thousand dollars, the employer is a weekly remitter for the calendar year next succeeding such twelve-month period. If an employer's reported liability for the tax required to be deducted and withheld under this chapter during the twelve-month look-back period was more than two thousand dollars but not more than ten thousand dollars, the employer is a monthly remitter for the calendar year next succeeding such twelve-month period. If an employer's reported liability for the tax required to be deducted and withheld under this chapter during the twelve-month look-back period was two thousand dollars or less, the employer is a quarterly remitter for the calendar year next succeeding such twelve-month period. Notwithstanding any provision of this section, if an employer is a seasonal employer, the annual determination shall be based on the seasonal employer's reported liability for the tax required to be deducted and withheld under this chapter during the twelve-month look-back period multiplied by a fraction, the numerator of which is four, and the denominator of which is the number of quarterly periods during such twelve-month period that the employer paid wages to employees.

(B) The annual determination for a payer required to deduct and withhold tax under this chapter shall be based on the payer's reported liability for the tax required to be deducted and withheld under this chapter during the look-back calendar year, provided, if any payer fails timely to file the required withholding tax return for the look-back calendar year, the commissioner may base the annual determination for the payer on any information available to the commissioner. If a payer's reported liability for the tax required to be deducted and

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withheld under this chapter during the look-back calendar year was more than ten thousand dollars, the payer is a weekly remitter for the calendar year for which the annual determination is being made. If a payer's reported liability for the tax required to be deducted and withheld under this chapter during the look-back calendar year was more than two thousand dollars but not more than ten thousand dollars, the payer is a monthly remitter for the calendar year for which the annual determination is being made. If a payer's reported liability for the tax required to be deducted and withheld under this chapter during the look-back calendar year was two thousand dollars or less, the payer is a quarterly remitter for the calendar year for which the annual determination is being made.

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

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

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

(B) A payer that is a monthly remitter shall pay over to the department the tax required to be deducted and withheld from

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nonpayroll amounts under this chapter on or before the fifteenth day of the month next succeeding the month during which the nonpayroll amounts from which the tax was required to be deducted and withheld were paid to payees.

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

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

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

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

(d) The amount of tax required to be deducted and withheld and paid over to the commissioner under this chapter, when so deducted and withheld, shall be held to be a special fund in trust for the state. No employee or other person shall have any right of action against the

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employer in respect to any moneys deducted and withheld from wages and paid over to the commissioner in compliance or in intended compliance with this chapter.

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

(2) If the purchaser of a business or stock of goods fails to withhold a portion of the purchase price as required, the purchaser shall be personally liable for the payment of the amount required to be withheld by the purchaser, to the extent of the purchase price, valued in money. Not later than sixty days after the latest of the dates specified in subdivision (3) of this subsection, the commissioner shall either issue a certificate indicating that no taxes are due or mail notice to the purchaser in the manner provided in section 12-728 of the amount that must be paid as a condition of issuing the certificate. Failure of the commissioner to mail the notice shall release the purchaser from any further obligation to withhold a portion of the purchase price as provided in this subsection. The period within which the obligation of the successor may be enforced shall begin when the employer sells out the employer's business or stock of goods or quits the business or when the assessment against the employer becomes final, whichever event occurs later.

(3) For purposes of subdivision (2) of this subsection, the latest of

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the following dates shall apply:

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

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

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

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

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

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

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

(4) "Nonpayroll amounts" includes (A) gambling winnings, other than Connecticut lottery winnings, that are paid to a resident, or to a person receiving payment on behalf of a resident, and that are subject to federal income tax withholding; (B) Connecticut lottery winnings that are required to be reported by the Connecticut Lottery Corporation to the Internal Revenue Service, whether or not subject to federal income tax withholding, whether paid to a resident, nonresident or a part-year resident, and whether paid to an individual, trust or estate; (C) pension and annuity distributions, where the recipient is a resident individual and has requested that tax be deducted and withheld under this chapter; (D) military retired pay, where the payee is a resident individual and has requested that tax be deducted and withheld under this chapter; (E) unemployment compensation, where the recipient has requested that tax be deducted

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and withheld under this chapter; and (F) payments made to an athlete or entertainer, where the payments are not wages for federal income tax withholding purposes and where the commissioner requires the payer to deduct and withhold tax under this chapter;

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

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

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

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

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

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

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

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

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

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

(2) If the taxpayer omits from the Connecticut adjusted gross income derived from or connected with sources within this state, in the case of a nonresident individual or part-year resident individual, or from Connecticut taxable income derived from or connected with sources within this state, in the case of a nonresident trust or estate of part-year resident trust, an amount properly includable therein which is in excess of twenty-five per cent of the amount of Connecticut adjusted gross income derived from or connected with sources within this state or Connecticut taxable income derived from or connected with sources

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within this state, as the case may be, stated in the return, a notice of a proposed deficiency assessment may be mailed to the taxpayer [within] not later than six years after the date on which the return is filed. For purposes of this [subsection] subdivision, there shall not be taken into account any amount which is omitted in the return if such amount is disclosed in the return, or in a statement attached to the return, in a manner adequate to apprise the [Commissioner of Revenue Services] commissioner of the nature and the amount of such item.

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

(4) If a pass-through entity, as defined in subparagraph (D) of subdivision (2) of subsection (b) of section 12-719, omits from the Connecticut adjusted gross income derived from or connected with sources within Connecticut of any nonresident individual who is a member of such pass-through entity an amount properly includable therein which is in excess of twenty-five per cent of the amount of Connecticut adjusted gross income derived from or connected with sources within Connecticut stated in the return, a notice of a proposed deficiency assessment may be mailed to the taxpayer not later than six years after the date on which the return is filed. For purposes of this subdivision, there shall not be taken into account any amount which is omitted in the return if such amount is disclosed in the return, or in a

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statement attached to the return, in a manner adequate to apprise the commissioner of the nature and the amount of such item.

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

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

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

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

(a) (1) Except as otherwise provided in subdivision (2) or (3) of this subsection, in case of the purchase of any motor vehicle, snowmobile, vessel or aircraft other than from a licensed motor vehicle dealer or licensed motor vehicle lessor, a snowmobile dealer, a licensed marine dealer or a retailer of aircraft, respectively, the receipts therefrom shall not be included in the measure of the sales tax, but the purchaser

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thereof shall pay a use tax on the total purchase price thereof to the Commissioner of Revenue Services, as provided in section 12-411, in the case of tangible personal property purchased from a retailer, and, in the case of motor vehicles, vessels and snowmobiles, before obtaining an original or transferal registration, in accordance with regulations prescribed by the Commissioner of Revenue Services and on forms approved by the Commissioner of Revenue Services and the Commissioner of Motor Vehicles, and, in the case of aircraft, before obtaining an original or transferal registration, in accordance with regulations prescribed by the Commissioner of Revenue Services and on forms approved by the Commissioner of Revenue Services and the Commissioner of Transportation.

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

(3) When a motor vehicle in which special equipment has previously been installed exclusively for the use of a person with physical disabilities is sold for use by a person with physical

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disabilities, the purchaser shall pay a use tax on the total purchase price of the vehicle, less the portion of such price attributable to such special equipment. Unless established otherwise, the portion of the purchase price attributable to the motor vehicle shall be deemed to be the value determined pursuant to subsection (b) of this section.

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

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

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

(2) Any person who knowingly sells at retail, offers for sale at retail

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or possesses with intent to sell at retail any taxed tobacco products, as defined in section 12-330a, without a dealer's license as provided in this chapter, shall be fined not more than five hundred dollars or imprisoned for not more than three months, or both, for each offense. Each day of such unauthorized operation may be deemed a separate offense. The provisions of this subdivision shall not apply to any person whose dealer's license has expired, provided the period of operation without such license is not more than ninety days from the date of expiration.

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

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

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

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(2) [Any] Except as provided in subdivision (3) of this subsection, any person who knowingly violates any provision of subdivision (1) of this subsection shall be fined not more than one thousand dollars or imprisoned not more than one year or both.

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

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

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

(b) (1) Each motor carrier operating or causing to be operated on any highway in this state any qualified motor vehicle, as defined in section 12-478, in interstate commerce shall, if such carrier's base jurisdiction is this state, for purposes of any agreement entered into by the commissioner under subsection (c) of section 12-486, register each such vehicle with the Commissioner of Revenue Services, for a fee of ten dollars per vehicle, which registration shall be renewable annually.

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On the registration of any such vehicle, the commissioner shall provide identification markers for such vehicle to be affixed as required by such agreement. Such marker shall remain the property of the state and may be recalled for any violation of the provisions of this chapter or of the regulations adopted thereunder.

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

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

(d) (1) For purposes of this subsection, "dyed diesel fuel" means diesel fuel that has been dyed in compliance with, or in intended

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compliance with, regulations adopted under Section 4082 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time; "highway" has the same meaning as provided in section 14-1; and "motor vehicle" has the same meaning as provided in section 14-1, but does not include any passenger motor vehicle, as defined in section 14-1, or any passenger and commercial motor vehicle, as defined in section 14-1.

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

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

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

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

[(a) Any electronic funds transfer shall be initiated in a timely fashion in order to ensure that the bank account designated by the department is credited by electronic funds transfer for the amount of the tax payment required to be made by such method on or before the due date thereof, or, in the case of the payment over by an employer of

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income tax deducted and withheld from employee wages, the next succeeding day that is not a Saturday, Sunday or legal holiday, as defined in section 12-39a.]

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

[(2)] (b) Where any tax payment is required to be made by electronic funds transfer, such payment shall be treated as a tax payment not made in a timely manner if the electronic funds transfer for the amount

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of the tax payment is not initiated on or before the due date thereof. Any tax payment treated under this subsection as a tax payment not made in a timely manner [because it is made by other than electronic funds transfer, there shall be imposed a penalty equal to ten per cent of the tax payment required to be made by electronic funds transfer. Where any tax payment made by electronic funds transfer is treated under this subsection as a tax payment not made in a timely manner because the bank account designated by the department is not credited by electronic funds transfer for the amount of the tax payment on or before the due date thereof, there shall be imposed a penalty] shall be subject to interest in accordance with the applicable provisions of the general statutes, and a penalty that shall be equal to two per cent of the tax payment required to be made by electronic funds transfer, if such failure to pay by electronic funds transfer is for not more than five days, five per cent of the tax payment required to be made by electronic funds transfer, if such failure to pay by electronic funds transfer is for more than five days but not more than fifteen days, and ten per cent of the tax payment required to be made by electronic funds transfer, if such failure to pay by electronic funds transfer is for more than fifteen days.

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

[(7) (A) As used in this section, (i) "nonresident contractor" means a contractor who does not maintain a regular place of business in this state; (ii) "regular place of business" means any bona fide office, factory, warehouse or other space in this state at which a contractor is doing business in its own name in a regular and systematic manner, and which place is continuously maintained, occupied, and used by the contractor in carrying on its business through its employees regularly in attendance to carry on the

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contractor's business in the contractor's own name, except that "regular place of business" does not include a place of business for a statutory agent for service of process, or a temporary office or location used by the contractor only for the duration of the contract, whether or not at the site of construction, or an office maintained, occupied and used by a person affiliated with the contractor; (iii) "contract price" means the total contract price, including deposits, amounts held as retainage, costs for any change orders, or charges for add-ons; and (iv) "person doing business with a nonresident contractor" does not include an owner or tenant of real property used exclusively for residential purposes and consisting of three or fewer dwelling units, in one of which the owner or tenant resides, provided each nonresident contractor doing business with such owner or tenant shall be required to comply with the bond requirements under subparagraph (F) of this subdivision.

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

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compliance with or intended compliance with this subdivision.

(C) A nonresident contractor shall request, in writing, that the Commissioner of Revenue Services audit the records of such contractor for a project for which amounts were deducted and withheld from such contractor under subparagraph (B) of this subdivision. If such request is not made within three years after the date the final payment of such amounts was made to the commissioner, such contractor waives the right to request such audit and claim a refund of such amounts. The commissioner shall, after receipt of such request, conduct an audit and issue to the nonresident contractor a certificate of no tax due or a certificate of tax due from the nonresident contractor. Not later than ninety days after the issuance of a certificate of no tax due, the commissioner shall return to the nonresident contractor the amounts deducted and withheld from such contractor and paid over to the commissioner. Upon issuance of a certificate of taxes due, the commissioner may return to the nonresident contractor the amount by which the amounts deducted and withheld and paid over to the commissioner under subparagraph (B) of this subdivision exceed the amount of taxes set forth in the certificate, together with the interest and penalties then assessed.

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

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

(F) Not later than one hundred twenty days after the commencement of the contract, or thirty days after the completion of the contract, whichever is earlier, a nonresident contractor may (i) furnish a guarantee bond in a sum equivalent to five per cent of the contract price, or (ii) deposit with the commissioner a cash bond in a sum equal to five per cent of the contract price, in lieu of the requirements contained in subparagraph (B) of this subdivision. The commissioner may accept such bond on such terms and conditions as the commissioner may require, and upon acceptance of such bond, shall issue a certificate of compliance to the contractor. The provisions of subparagraph (C) of this subdivision shall apply to such bond, upon completion of the contract, in the same manner as such provisions apply to amounts paid over under subparagraph (B) of this subdivision.

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

(H) If any person doing business with a nonresident contractor fails to deduct and withhold and pay over to the commissioner amounts

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under subparagraph (B) of this subdivision, or fails to obtain a certificate of compliance from the nonresident contractor pursuant to subparagraph (G) of this subdivision, such person shall be personally liable for payment of any taxes of the nonresident contractor arising from the activities of such contractor on the project for which such amounts or certificate were required.]

(7) (A) As used in this subdivision:

(i) "Nonresident contractor" means a contractor or subcontractor who does not maintain a regular place of business in this state;

(ii) "Resident contractor" means a contractor or subcontractor who maintains a regular place of business in this state;

(iii) "Verified contractor" means a nonresident contractor or subcontractor who (I) is registered for all applicable taxes with the department, (II) has filed all required tax returns with the department, (III) has no outstanding tax liabilities to the department, and (IV) is treated as a verified contractor by the commissioner pursuant to subparagraph (H) of this subdivision and whose status as such is verified by the commissioner pursuant to subparagraph (I) of this subdivision;

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

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

(vi) "Prime or general contractor" includes (I) any person who

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contracts with the owner, lessee or other person having authority to enter into a contract involving the premises or property that is the subject matter of the contract, to perform services or furnish materials, or both, for the construction, alteration or improvement of any real property or project, or (II) any person who owns or leases real estate for the purpose of developing the real estate other than for his or her own occupancy, and who, in the development of the real estate, contracts, alters or makes improvements on it;

(vii) "Regular place of business" means any bona fide office, factory, warehouse or other space in this state at which a contractor is doing business in its own name in a regular and systematic manner, and which place is continuously maintained, occupied and used by the contractor in carrying on its business through its employees regularly in attendance to carry on the contractor's business in the contractor's own name, except that "regular place of business" does not include a place of business for a statutory agent for service of process, or a temporary office or location used by the contractor only for the duration of the contract, whether or not at the site of construction, or an office maintained, occupied and used by a person affiliated with the contractor;

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

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

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

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

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

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

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

(ii) If a prime or general contractor who is an unverified contractor establishes, to the satisfaction of the commissioner by submitting such documentation, including any forms prescribed by the commissioner, as the commissioner deems necessary, that such contractor has paid all

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of the taxes that it owes in connection with the contract and that its subcontractors who are unverified contractors have paid all of the taxes that they owe in connection with the contract, the commissioner shall release such contractor from its obligations under the bond.

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

(II) Every prime or general contractor who is an unverified contractor and doing business with a subcontractor who is an unverified contractor shall hold back an amount equal to five per cent of such payments otherwise required to be made to such subcontractor until such subcontractor furnishes such contractor with a certificate of compliance, as described in this clause, authorizing the full or partial release of the amount held back from such payments to such subcontractor. Such contractor shall provide written notice of the requirement to hold back to each subcontractor who is an unverified contractor not later than the time of commencement of work under the contract by such subcontractor.

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

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with or intended compliance with this clause.

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

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

(VI) If the commissioner issues a certificate of compliance authorizing a partial release of the amount held back from a subcontractor who is an unverified contractor, the prime or general contractor holding back such amount shall pay over the released amount to such subcontractor and shall pay over the unreleased amount to the commissioner. When such contractor pays over to the commissioner an amount held back in accordance with this subclause, such contractor shall not be liable for any claim of such subcontractor

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for such amount or for any claim of the commissioner for any taxes of such subcontractor arising from the activities of such subcontractor on the project for which the amount was paid over. If the amount that such contractor is required to pay over to the commissioner is not paid over on or before the thirtieth day after the date of mailing of such certificate of compliance, such contractor shall be liable for a penalty equal to ten per cent of such amount. The amount that such contractor is required to pay over to the commissioner, and the penalty thereon, may be collected under the provisions of section 12-35.

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

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

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

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commencement of work under the contract by such subcontractor.

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

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

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

(v) If the commissioner issues a certificate of compliance authorizing

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a partial release of the amount held back from a subcontractor who is an unverified contractor, the prime or general contractor holding back such amount shall pay over the released amount to such subcontractor and shall pay over the unreleased amount to the commissioner. When such contractor pays over to the commissioner an amount held back in accordance with this clause, such contractor shall not be liable for any claim of such subcontractor for such amount or for any claim of the commissioner for any taxes of such subcontractor arising from the activities of such subcontractor on the project for which the amount was paid over. If the amount that such contractor is required to pay over to the commissioner is not paid over on or before the thirtieth day after the date of mailing of such certificate of compliance, such contractor shall be liable for a penalty equal to ten per cent of such amount. The amount that such contractor is required to pay over to the commissioner, and the penalty thereon, may be collected under the provisions of section 12-35.

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

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

(E) When a nonresident contractor enters into a contract with the state, such contractor shall provide the Labor Department with evidence demonstrating compliance with the provisions of chapters

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567 and 568, the prevailing wage requirements of chapter 557 and any other provisions of the general statutes related to conditions of employment.

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

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

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

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

(H) (i) The commissioner shall treat as a verified contractor or

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subcontractor every nonresident contractor or subcontractor who (I) has been registered for all applicable taxes with the department for at least three years preceding the contract; and (II) has filed all required tax returns with the department and has no outstanding tax liabilities to the department.

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

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

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

(K) Notwithstanding the provisions of section 12-15, the commissioner shall, upon request, disclose to a person doing business with a prime or general contractor who is an unverified contractor whether a good and valid bond with a surety company authorized to

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do business in this state has been posted with the commissioner by such prime or general contractor.

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

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

	2011-2012	2012-2013
LEGISLATIVE		
LEGISLATIVE MANAGEMENT		
Personal Services	\$46,767,963	\$48,753,708
Other Expenses	14,867,587	17,611,168
Equipment	208,000	316,000
Flag Restoration	75,000	75,000
Minor Capital Improvements	200,000	265,000
Interim Salary/Caucus Offices	585,000	464,100
Redistricting	1,325,000	0
Connecticut Academy of Science and Engineering	100,000	100,000
Old State House	597,985	616,523
Interstate Conference Fund	365,946	380,584
New England Board of Higher Education	188,344	194,183
AGENCY TOTAL	65,280,825	68,776,266
AUDITORS OF PUBLIC ACCOUNTS		
Personal Services	11,852,086	11,742,921
Other Expenses	894,009	856,702
Equipment	10,000	10,000
AGENCY TOTAL	12,756,095	12,609,623
COMMISSION ON AGING		
Personal Services	259,376	271,048
Other Expenses	7,864	8,021

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Equipment	1,500	1,500
AGENCY TOTAL	268,740	280,569
PERMANENT COMMISSION ON THE STATUS OF WOMEN		
Personal Services	461,072	481,820
Other Expenses	64,203	67,092
Equipment	1,500	1,500
AGENCY TOTAL	526,775	550,412
COMMISSION ON CHILDREN		
Personal Services	517,714	541,011
Other Expenses	35,000	35,700
AGENCY TOTAL	552,714	576,711
LATINO AND PUERTO RICAN AFFAIRS COMMISSION		
Personal Services	293,433	306,637
Other Expenses	38,994	40,748
AGENCY TOTAL	332,427	347,385
AFRICAN-AMERICAN AFFAIRS COMMISSION		
Personal Services	193,095	201,784
Other Expenses	27,456	28,005
AGENCY TOTAL	220,551	229,789
ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION		
Personal Services	151,672	158,491
Other Expenses	5,000	5,000
Equipment	1,500	1,500
AGENCY TOTAL	158,172	164,991
GENERAL GOVERNMENT		
GOVERNOR'S OFFICE		
Personal Services	2,365,992	2,284,648
Other Expenses	236,995	236,995
Equipment	1	1

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New England Governors' Conference	106,734	113,138
National Governors' Association	127,094	134,720
AGENCY TOTAL	2,836,816	2,769,502

SECRETARY OF THE STATE

Personal Services	1,410,000	1,350,000
Other Expenses	1,030,923	1,030,923
Equipment	1	1
Commercial Recording Division	6,313,689	6,299,728
Board of Accountancy	350,000	350,000
AGENCY TOTAL	9,104,613	9,030,652

LIEUTENANT GOVERNOR'S OFFICE

Personal Services	859,454	840,350
Other Expenses	69,201	69,201
Equipment	1	1
AGENCY TOTAL	928,656	909,552

OFFICE OF GOVERNMENTAL  
ACCOUNTABILITY

Personal Services	842,844	838,060
Other Expenses	510,902	462,378
Equipment	6,866	24,905
Information Technology Initiatives	35,000	35,000
Citizens' Election Fund Admin	1,802,898	1,667,549
Child Fatality Review Panel	98,335	95,010
Elections Enforcement Commission	1,369,103	1,384,317
Office of State Ethics	1,401,305	1,355,145
Freedom of Information Commission	1,792,690	1,757,403
Contracting Standards Board	175,000	175,000
Judicial Review Council	156,196	155,682
Judicial Selection Commission	93,314	90,620
Office of the Child Advocate	594,027	578,480
Office of the Victim Advocate	336,593	327,606
Board of Firearms Permit Examiners	83,779	81,086
AGENCY TOTAL	9,298,852	9,028,241

STATE TREASURER

Personal Services	3,856,675	3,684,877
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Other Expenses	273,656	273,656
Equipment	1	1
AGENCY TOTAL	4,130,332	3,958,534

STATE COMPTROLLER

Personal Services	24,394,124	23,417,739
Other Expenses	4,082,632	4,020,735
Equipment	1	1
Governmental Accounting Standards Board	19,570	19,570
AGENCY TOTAL	28,496,327	27,458,045

DEPARTMENT OF REVENUE SERVICES

Personal Services	64,422,569	62,059,477
Other Expenses	9,270,033	8,516,033
Equipment	1	1
Collection and Litigation Contingency Fund	104,479	104,479
AGENCY TOTAL	73,797,082	70,679,990

OFFICE OF POLICY AND  
MANAGEMENT

Personal Services	13,499,420	12,853,684
Other Expenses	2,589,252	2,589,252
Equipment	1	1
Automated Budget System and Data Base Link	55,075	55,075
Cash Management Improvement Act	95	95
Justice Assistance Grants	1,133,469	1,131,353
Connecticut Impaired Driving Records Information System	902,857	925,428
Revenue Maximization	250,000	0
Tax Relief for Elderly Renters	26,160,000	29,168,400
Regional Planning Agencies	500,000	500,000
Reimbursement to Towns for Loss of Taxes on State Property	73,519,215	73,519,215
Reimbursements to Towns for Loss of Taxes on Private Tax-Exempt Property	115,431,737	115,431,737
Reimbursement Property Tax - Disability Exemption	400,000	400,000
Distressed Municipalities	5,800,000	5,800,000
Property Tax Relief Elderly Circuit Breaker	20,505,900	20,505,900

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Property Tax Relief Elderly Freeze Program	390,000	390,000
Property Tax Relief for Veterans	2,970,098	2,970,098
Capital City Economic Development	6,300,000	6,300,000
AGENCY TOTAL	270,407,119	272,540,238

DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	25,109,887	24,410,802
Other Expenses	6,152,405	6,067,405
Equipment	1	1
Support Services for Veterans	190,000	190,000
Burial Expenses	7,200	7,200
Headstones	350,000	350,000
AGENCY TOTAL	31,809,493	31,025,408

DEPARTMENT OF ADMINISTRATIVE SERVICES

Personal Services	43,295,101	41,807,080
Other Expenses	34,876,197	34,871,197
Equipment	1	1
Tuition Reimbursement - Training and Travel	382,000	0
Labor - Management Fund	75,000	0
Management Services	5,062,697	5,030,792
Loss Control Risk Management	143,051	143,050
Employees' Review Board	25,135	25,135
Surety Bonds for State Officials and Employees	12,000	82,000
Quality of Work-Life	350,000	0
Refunds of Collections	28,500	28,500
Rents and Moving	12,367,289	12,724,000
Capitol Day Care Center	127,250	127,250
W. C. Administrator	5,250,000	5,250,000
Hospital Billing System	114,950	114,951
Connecticut Education Network	3,291,493	3,291,493
Claims Commissioner Operations	281,424	273,651
State Insurance and Risk Mgmt Operations	13,000,000	13,000,000
IT Services	13,558,587	13,416,019
AGENCY TOTAL	132,240,675	130,185,119

DEPARTMENT OF CONSTRUCTION

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SERVICES

Personal Services	7,073,978	6,842,802
Other Expenses	2,655,818	2,647,132
AGENCY TOTAL	9,729,796	9,489,934

ATTORNEY GENERAL

Personal Services	29,740,544	28,623,386
Other Expenses	1,017,272	1,015,272
Equipment	1	1
AGENCY TOTAL	30,757,817	29,638,659

DIVISION OF CRIMINAL JUSTICE

Personal Services	48,741,668	47,245,107
Other Expenses	2,100,000	2,100,000
Equipment	1	1
Witness Protection	220,000	220,000
Training and Education	70,000	70,000
Expert Witnesses	380,000	380,000
Medicaid Fraud Control	887,159	841,457
Criminal Justice Commission	400	415
AGENCY TOTAL	52,399,228	50,856,980

REGULATION AND PROTECTION

DEPARTMENT OF EMERGENCY  
SERVICES AND PUBLIC PROTECTION

Personal Services	130,871,752	126,034,999
Other Expenses	29,062,969	28,856,075
Equipment	4	4
Stress Reduction	23,354	23,354
Fleet Purchase	7,035,596	7,035,596
Workers' Compensation Claims	4,336,550	4,238,787
COLLECT	48,925	48,925
Fire Training School - Willimantic	161,798	161,798
Maintenance of County Base Fire Radio	25,176	25,176
Payments to Volunteer Fire Companies	0	0
Firefighter Training I	0	0
Maint of State-Wide Fire Radio Network	16,756	16,756
Police Association of Connecticut	190,000	190,000

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Connecticut State Firefighter's Assoc	194,711	194,711
Fire Training School - Torrington	81,367	81,367
Fire Training School - New Haven	48,364	48,364
Fire Training School - Derby	37,139	37,139
Fire Training School - Wolcott	100,162	100,162
Fire Training School - Fairfield	70,395	70,395
Fire Training School - Hartford	169,336	169,336
Fire Training School - Middletown	59,053	59,053
Fire Training School - Stamford	55,432	55,432
AGENCY TOTAL	172,588,839	167,447,429

DEPARTMENT OF MOTOR VEHICLES

Personal Services	285,000	274,449
Other Expenses	216,404	216,404
AGENCY TOTAL	501,404	490,853

MILITARY DEPARTMENT

Personal Services	3,335,585	3,242,611
Other Expenses	3,141,993	3,228,762
Equipment	1	1
Firing Squads	319,500	319,500
Veteran's Service Bonuses	182,500	160,000
AGENCY TOTAL	6,979,579	6,950,874

DEPARTMENT OF CONSUMER  
PROTECTION

Personal Services	14,491,783	13,534,627
Other Expenses	1,690,096	1,690,096
Equipment	1	1
Gaming Policy Board	2,758	2,758
AGENCY TOTAL	16,184,638	15,227,482

LABOR DEPARTMENT

Personal Services	9,095,403	8,741,719
Other Expenses	1,094,210	1,094,210
Equipment	2	2
CETC Workforce	850,000	850,000
Workforce Investment Act	27,387,262	27,387,262
Job Funnels Projects	425,000	425,000

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Connecticut's Youth Employment Program	3,500,000	3,500,000
Jobs First Employment Services	17,741,841	17,657,471
Opportunity Industrial Centers	500,000	500,000
Individual Development Accounts	95,000	95,000
STRIDE	770,000	770,000
Apprenticeship Program	621,281	595,867
Spanish-American Merchants Association	600,000	600,000
Connecticut Career Resource Network	164,883	157,880
21st Century Jobs	453,635	447,955
Incumbent Worker Training	450,000	450,000
STRIVE	270,000	270,000
Film Industry Training Program	237,500	237,500
AGENCY TOTAL	64,256,017	63,779,866

COMMISSION ON HUMAN RIGHTS  
AND OPPORTUNITIES

Personal Services	6,146,769	5,950,016
Other Expenses	903,891	903,891
Equipment	1	1
Martin Luther King, Jr. Commission	6,650	6,650
AGENCY TOTAL	7,057,311	6,860,558

OFFICE OF PROTECTION AND  
ADVOCACY FOR PERSONS WITH  
DISABILITIES

Personal Services	2,465,321	2,366,933
Other Expenses	216,038	216,038
Equipment	1	1
AGENCY TOTAL	2,681,360	2,582,972

CONSERVATION AND DEVELOPMENT

DEPARTMENT OF AGRICULTURE

Personal Services	3,895,000	3,750,000
Other Expenses	716,168	700,668
Equipment	1	1
Vibrio Bacterium Program	1	1
Senior Food Vouchers	404,500	404,500
Collection of Agricultural Statistics	1,026	1,026

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Tuberculosis and Brucellosis Indemnity	900	900
Fair Testing	4,040	4,040
Connecticut Grown Product Promotion	10,000	10,000
WIC Coupon Program for Fresh Produce	184,090	184,090
AGENCY TOTAL	5,215,726	5,055,226

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Personal Services	34,945,655	33,677,502
Other Expenses	4,327,027	4,376,632
Equipment	1	1
Stream Gaging	199,561	199,561
Mosquito Control	272,144	268,518
State Superfund Site Maintenance	241,100	241,100
Laboratory Fees	170,309	170,309
Dam Maintenance	130,164	126,016
Emergency Spill Response	7,301,292	7,074,509
Solid Waste Management	2,868,088	2,781,459
Underground Storage Tank	1,303,410	1,279,716
Clean Air	5,131,094	5,014,450
Environmental Conservation	9,158,452	9,008,720
Environmental Quality	10,414,994	10,155,679
Interstate Environmental Commission	48,783	48,783
Agreement USGS - Hydrological Study	155,456	155,456
New England Interstate Water Pollution Commission	28,827	28,827
Northeast Interstate Forest Fire Compact	3,295	3,295
Connecticut River Valley Flood Control Commission	32,395	32,395
Thames River Valley Flood Control Commission	48,281	48,281
Agreement USGS-Water Quality Stream Monitoring	215,412	215,412
Operation Fuel	1,100,000	1,100,000
Lobster Restoration	200,000	200,000
AGENCY TOTAL	78,295,740	76,206,621

COUNCIL ON ENVIRONMENTAL QUALITY

Personal Services	167,792	163,640
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Other Expenses	3,634	3,634
Equipment	1	1
AGENCY TOTAL	171,427	167,275

DEPARTMENT OF ECONOMIC AND  
COMMUNITY DEVELOPMENT

Personal Services	9,506,280	9,138,901
Other Expenses	1,618,799	1,618,799
Equipment	1	1
Elderly Rental Registry and Counselors	1,098,171	1,098,171
Statewide Marketing	15,000,001	15,000,001
Nanotechnology Study	119,000	119,000
Small Business Incubator Program	425,000	0
CT Asso Performing Arts/Schubert Theater	378,712	378,712
Hartford Urban Arts Grant	378,712	378,712
New Britain Arts Council	75,743	75,743
Fair Housing	308,750	308,750
Main Street Initiatives	171,000	171,000
Office of Military Affairs	153,508	153,508
Hydrogen/Fuel Cell Economy	191,781	0
Southeast CT Incubator	148,750	0
SBIR Matching Grants	95,625	95,625
Ivoryton Playhouse	150,000	150,000
CCAT-CT Manufacturing Supply Chain	255,000	0
Economic Development Grants	0	1,817,937
Innovation Challenge Grant Program	500,000	500,000
Garde Arts Theatre	300,000	300,000
Subsidized Assisted Living Demonstration	1,730,000	2,272,000
Congregate Facilities Operation Costs	6,884,547	6,884,547
Housing Assistance and Counseling Program	438,500	438,500
Elderly Congregate Rent Subsidy	2,389,796	2,389,796
Discovery Museum	378,712	378,712
National Theatre for the Deaf	151,484	151,484
CONNSTEP	646,000	0
Development Research and Economic Assistance	151,406	0
Culture, Tourism and Art Grant	1,979,165	1,979,165
CT Trust for Historic Preservation	210,396	210,396
Connecticut Science Center	630,603	630,603

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Tax Abatement	1,704,890	1,704,890
Payment in Lieu of Taxes	2,204,000	2,204,000
Greater Hartford Arts Council	94,677	94,677
Stamford Center for the Arts	378,712	378,712
Stepping Stones Museum for Children	44,294	44,294
Maritime Center Authority	531,525	531,525
Basic Cultural Resources Grant	1,601,204	1,601,204
Tourism Districts	1,495,596	1,495,596
Connecticut Humanities Council	2,157,633	2,157,633
Amistad Committee for the Freedom Trail	44,294	44,294
Amistad Vessel	378,712	378,712
New Haven Festival of Arts and Ideas	797,287	797,287
New Haven Arts Council	94,677	94,677
Palace Theater	378,712	378,712
Beardsley Zoo	354,350	354,350
Mystic Aquarium	620,112	620,112
Quinebaug Tourism	41,101	41,101
Northwestern Tourism	41,101	41,101
Eastern Tourism	41,101	41,101
Central Tourism	41,101	41,101
Twain/Stowe Homes	95,674	95,674
AGENCY TOTAL	59,606,195	59,780,816

AGRICULTURAL EXPERIMENT  
STATION

Personal Services	6,125,000	5,910,000
Other Expenses	923,511	923,511
Equipment	1	1
Mosquito Control	232,979	231,173
Wildlife Disease Prevention	90,474	89,571
AGENCY TOTAL	7,371,965	7,154,256

HEALTH AND HOSPITALS

DEPARTMENT OF PUBLIC HEALTH

Personal Services	35,633,513	34,626,728
Other Expenses	7,183,505	8,433,505
Equipment	15,001	1
Needle and Syringe Exchange Program	455,072	455,072

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Children's Health Initiatives	2,442,813	2,435,161
Childhood Lead Poisoning	75,000	75,000
AIDS Services	4,802,098	4,952,098
Breast and Cervical Cancer Detection and Treatment	2,183,669	2,181,483
Children with Special Health Care Needs	1,271,627	1,271,627
Medicaid Administration	4,276,747	4,201,595
Fetal and Infant Mortality Review	299,250	299,250
Community Health Services	6,300,500	6,300,500
Rape Crisis	439,684	439,684
X-Ray Screening and Tuberculosis Care	1,200,000	1,200,000
Genetic Diseases Programs	828,744	828,744
Immunization Services	9,044,950	9,044,950
Local and District Departments of Health	4,563,700	4,563,700
Venereal Disease Control	195,210	195,210
School Based Health Clinics	10,440,646	10,440,646
AGENCY TOTAL	91,651,729	91,944,954

OFFICE OF THE CHIEF MEDICAL EXAMINER

Personal Services	5,223,625	5,050,652
Other Expenses	906,282	906,282
Equipment	15,500	15,500
Medicolegal Investigations	54,441	58,828
AGENCY TOTAL	6,199,848	6,031,262

DEPARTMENT OF DEVELOPMENTAL SERVICES

Personal Services	286,909,798	275,149,434
Other Expenses	22,102,780	21,990,274
Equipment	1	1
Human Resource Development	219,790	219,790
Family Support Grants	3,280,095	3,280,095
Cooperative Placements Program	21,928,521	22,576,043
Clinical Services	4,639,522	4,585,370
Early Intervention	36,288,242	34,688,242
Community Temporary Support Services	67,315	67,315
Community Respite Care Programs	330,345	330,345
Workers' Compensation Claims	15,544,371	15,246,035
Pilot Program for Autism Services	1,185,176	1,185,176

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Voluntary Services	31,256,734	31,225,026
Supplemental Payments for Medical Services	13,100,000	13,400,000
Rent Subsidy Program	4,537,554	4,537,554
Family Reunion Program	134,900	134,900
Employment Opportunities and Day Services	186,574,466	197,101,167
Community Residential Services	419,597,573	431,913,391
AGENCY TOTAL	1,047,697,183	1,057,630,158

DEPARTMENT OF MENTAL HEALTH  
AND ADDICTION SERVICES

Personal Services	219,207,637	211,068,124
Other Expenses	29,200,732	28,599,021
Equipment	1	1
Housing Supports and Services	14,424,867	14,987,367
Managed Service System	38,760,066	38,736,053
Legal Services	639,269	639,269
Connecticut Mental Health Center	8,540,721	8,540,721
Professional Services	11,822,615	11,788,898
General Assistance Managed Care	182,485,221	195,756,101
Workers' Compensation Claims	10,833,085	10,594,566
Nursing Home Screening	622,784	622,784
Young Adult Services	60,807,178	64,771,066
TBI Community Services	11,215,956	12,711,421
Jail Diversion	4,625,185	4,569,358
Behavioral Health Medications	6,169,095	6,169,095
Prison Overcrowding	6,440,176	6,416,668
Medicaid Adult Rehabilitation Option	3,963,349	3,963,349
Discharge and Diversion Services	10,330,847	12,586,680
Home and Community Based Services	7,660,683	10,252,082
Persistent Violent Felony Offenders Act	703,333	703,333
Grants for Substance Abuse Services	25,027,766	25,027,766
Grants for Mental Health Services	76,394,230	76,394,230
Employment Opportunities	10,417,746	10,417,746
AGENCY TOTAL	740,292,542	755,315,699

PSYCHIATRIC SECURITY REVIEW  
BOARD

Personal Services	332,091	320,081
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Other Expenses	31,469	31,469
Equipment	1	1
AGENCY TOTAL	363,561	351,551

HUMAN SERVICES

DEPARTMENT OF SOCIAL SERVICES

Personal Services	120,436,042	116,581,562
Other Expenses	89,316,801	88,800,670
Equipment	1	1
Children's Trust Fund	12,267,430	13,067,430
Children's Health Council	218,317	218,317
HUSKY Outreach	335,564	335,564
Genetic Tests in Paternity Actions	191,142	191,142
State Food Stamp Supplement	1,414,090	2,025,966
HUSKY Program	37,700,000	42,600,000
Charter Oak Health Plan	8,770,000	7,760,000
Medicaid	4,632,073,500	4,755,161,500
Old Age Assistance	35,599,937	36,063,774
Aid to the Blind	771,201	766,494
Aid to the Disabled	61,785,351	61,977,284
Temporary Assistance to Families - TANF	120,551,266	122,160,034
Emergency Assistance	1	1
Food Stamp Training Expenses	12,000	12,000
Connecticut Pharmaceutical Assistance	789,900	380,000
Contract to the Elderly		
Healthy Start	1,490,220	1,490,220
DMHAS-Disproportionate Share	105,935,000	105,935,000
Connecticut Home Care Program	62,612,500	65,086,100
Human Resource Development-Hispanic Programs	936,329	936,329
Services to the Elderly	3,911,369	3,911,369
Safety Net Services	1,890,807	1,890,807
Transportation for Employment Independence Program	3,155,532	3,155,532
Refunds of Collections	177,792	177,792
Services for Persons With Disabilities	627,227	627,227
Child Care Services-TANF/CCDBG	97,598,443	104,304,819
Nutrition Assistance	447,663	447,663
Housing/Homeless Services	55,311,780	59,824,050

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Disproportionate Share-Medical Emergency Assistance	268,486,847	268,486,847
State Administered General Assistance	14,550,817	14,723,163
Child Care Quality Enhancements	3,745,687	3,745,687
Connecticut Children's Medical Center	10,579,200	10,579,200
Community Services	1,847,615	1,798,865
Alzheimer Respite Care	2,294,388	2,294,388
Human Service Infrastructure Community Action Program	3,418,970	3,418,970
Teen Pregnancy Prevention	1,914,339	1,914,339
Human Resource Development-Hispanic Programs - Municipality	5,310	5,310
Teen Pregnancy Prevention - Municipality	143,600	143,600
Services to the Elderly - Municipality	44,405	44,405
Housing/Homeless Services - Municipality	634,026	634,026
Community Services - Municipality	87,268	87,268
AGENCY TOTAL	5,764,079,677	5,903,764,715

**BUREAU OF REHABILITATIVE SERVICES**

Personal Services	4,733,062	4,599,638
Other Expenses	991,631	991,631
Equipment	2	2
Part-Time Interpreters	195,241	191,633
Educational Aid for Blind and Visually Handicapped Children	4,839,899	4,821,904
Enhanced Employment Opportunities	673,000	673,000
Supplementary Relief and Services	103,925	103,925
Vocational Rehabilitation - Blind	890,454	890,454
Special Training for the Deaf Blind	298,585	298,585
Connecticut Radio Information Service	87,640	87,640
Employment Opportunities	1,052,829	1,052,829
Independent Living Centers	547,338	547,338
Vocational Rehabilitation - Disabled	7,386,668	7,386,668
AGENCY TOTAL	21,800,274	21,645,247

**EDUCATION, MUSEUMS, LIBRARIES**

**DEPARTMENT OF EDUCATION**

Personal Services	24,598,200	23,833,611
Other Expenses	3,324,506	3,124,506

**House Bill No. 6652**

Equipment	1	1
Basic Skills Exam Teachers in Training	1,291,314	1,270,775
Teachers' Standards Implementation Program	3,296,508	3,096,508
Early Childhood Program	5,024,906	5,022,489
Development of Mastery Exams Grades 4, 6, and 8	19,106,711	19,050,559
Primary Mental Health	507,294	507,294
Leadership,Educ, Athletics-Partnership	765,000	765,000
Adult Education Action	240,687	240,687
Connecticut Pre-Engineering Program	262,500	262,500
Connecticut Writing Project	50,000	50,000
Resource Equity Assessments	301,980	299,683
Neighborhood Youth Centers	1,338,300	1,338,300
Longitudinal Data Systems	1,500,000	1,500,000
School Accountability	2,186,318	2,201,405
Sheff Settlement	9,265,012	10,293,799
CommPACT Schools	712,500	712,500
Community Plans for Early Childhood	450,000	450,000
Improving Early Literacy	150,000	150,000
Parent Trust Fund Program	500,000	500,000
Regional Vocational-Technical School System	149,618,414	143,702,045
Child Care Services	18,422,653	18,419,752
American School for the Deaf	9,768,242	10,264,242
Regional Education Services	1,434,613	1,384,613
Head Start Services	2,748,150	2,748,150
Head Start Enhancement	1,773,000	1,773,000
Family Resource Centers	6,041,488	6,041,488
Charter Schools	57,067,400	59,839,400
Youth Service Bureau Enhancement	620,300	620,300
Head Start - Early Childhood Link	2,090,000	2,090,000
Institutional Student Aid	882,000	882,000
Child Nutrition State Match	2,354,000	2,354,000
Health Foods Initiative	3,613,997	3,613,997
EvenStart	500,000	500,000
Vocational Agriculture	5,060,565	5,060,565
Transportation of School Children	25,784,748	24,884,748
Adult Education	21,032,980	21,025,690
Health and Welfare Services Pupils Private	4,297,500	4,297,500

**House Bill No. 6652**

Schools		
Education Equalization Grants	1,889,609,057	1,889,609,057
Bilingual Education	1,916,130	1,916,130
Priority School Districts	116,626,966	116,100,581
Young Parents Program	229,330	229,330
Interdistrict Cooperation	11,136,173	11,131,935
School Breakfast Program	2,220,303	2,220,303
Excess Cost - Student Based	139,805,731	139,805,731
Non-Public School Transportation	3,595,500	3,595,500
School to Work Opportunities	213,750	213,750
Youth Service Bureaus	2,947,268	2,947,268
OPEN Choice Program	19,839,066	22,090,956
Magnet Schools	215,855,338	235,364,251
After School Program	4,500,000	4,500,000
School Readiness Quality Enhancement	1,100,678	1,100,678
AGENCY TOTAL	2,797,577,077	2,814,996,577

STATE LIBRARY

Personal Services	5,747,837	5,560,728
Other Expenses	767,111	767,111
Equipment	1	1
State-Wide Digital Library	1,630,136	1,630,136
Interlibrary Loan Delivery Service	282,342	275,751
Legal/Legislative Library Materials	1,000,000	1,000,000
State-Wide Data Base Program	574,696	574,696
Computer Access	190,000	190,000
Support Cooperating Library Service Units	350,000	350,000
Grants to Public Libraries	207,692	214,283
Connecticard Payments	1,000,000	1,000,000
AGENCY TOTAL	11,749,815	11,562,706

OFFICE OF FINANCIAL AND  
ACADEMIC AFFAIRS FOR HIGHER  
EDUCATION

Personal Services	1,240,000	1,240,000
Other Expenses	300,000	110,180
Equipment	1	1
Minority Advancement Program	2,405,666	2,405,666
Alternate Route to Certification	100,000	100,000

**House Bill No. 6652**

International Initiatives	66,500	66,500
Minority Teacher Incentive Program	471,374	471,374
Education and Health Initiatives	522,500	522,500
Capitol Scholarship Program	4,451,390	4,451,390
Awards to Children of Deceased/ Disabled Veterans	4,000	4,000
Connecticut Independent College Student Grant	18,072,474	16,158,319
Connecticut Aid for Public College Students	29,808,469	29,808,469
Connecticut Aid to Charter Oak	59,393	59,393
Kirklyn M. Kerr Grant Program	400,000	400,000
AGENCY TOTAL	57,901,767	55,797,792

BOARD OF REGENTS FOR HIGHER EDUCATION

National Service Act	328,365	328,365
Charter Oak State College	2,742,725	2,696,543
Community Technical College System	153,831,652	150,084,931
Connecticut State University	157,363,860	153,522,741
Board of Regents	1,410,954	1,316,603
AGENCY TOTAL	315,677,556	307,949,183

UNIVERSITY OF CONNECTICUT

Operating Expenses	213,457,963	210,445,208
Tuition Freeze	4,267,696	4,267,696
Regional Campus Enhancement	7,538,003	7,538,003
Veterinary Diagnostic Laboratory	90,000	90,000
AGENCY TOTAL	225,353,662	222,340,907

UNIVERSITY OF CONNECTICUT HEALTH CENTER

Operating Expenses	121,009,693	109,156,742
AHEC	505,707	505,707
AGENCY TOTAL	121,515,400	109,662,449

TEACHERS' RETIREMENT BOARD

Personal Services	1,785,698	1,731,184
Other Expenses	664,470	685,068
Equipment	1	1
Retirement Contributions	757,246,000	787,536,000

**House Bill No. 6652**

Retirees Health Service Cost	24,958,272	26,500,836
Municipal Retiree Health Insurance Costs	7,372,720	7,887,480
AGENCY TOTAL	792,027,161	824,340,569

CORRECTIONS

DEPARTMENT OF CORRECTION

Personal Services	440,501,363	397,466,166
Other Expenses	78,932,503	75,245,412
Equipment	1	1
Workers' Compensation Claims	30,623,609	29,936,219
Inmate Medical Services	97,025,952	94,747,339
Board of Pardons and Paroles	6,280,668	6,082,447
Mental Health AIC	300,000	300,000
Distance Learning	100,000	100,000
Aid to Paroled and Discharged Inmates	9,500	9,500
Legal Services to Prisoners	870,595	870,595
Volunteer Services	170,758	170,758
Community Support Services	40,370,121	40,370,121
AGENCY TOTAL	695,185,070	645,298,558

DEPARTMENT OF CHILDREN AND FAMILIES

Personal Services	300,803,182	293,558,016
Other Expenses	37,534,834	37,513,645
Equipment	1	1
Short-Term Residential Treatment	713,129	713,129
Substance Abuse Screening	1,745,896	1,745,896
Workers' Compensation Claims	10,391,768	10,322,750
Local Systems of Care	2,176,906	2,136,393
Family Support Services	8,728,303	8,728,303
Emergency Needs	1,710,000	1,710,000
Differential Response System	4,000,000	4,000,000
Health Assessment and Consultation	965,667	965,667
Grants for Psychiatric Clinics for Children	14,120,807	14,120,807
Day Treatment Centers for Children	5,497,630	5,497,630
Juvenile Justice Outreach Services	12,575,467	13,376,467
Child Abuse and Neglect Intervention	5,379,261	5,379,261
Community Based Prevention Programs	4,850,529	4,850,529

**House Bill No. 6652**

Family Violence Outreach and Counseling	1,751,427	1,751,427
Support for Recovering Families	14,505,485	16,773,485
No Nexus Special Education	8,682,808	8,682,808
Family Preservation Services	5,385,396	5,385,396
Substance Abuse Treatment	4,228,046	4,228,046
Child Welfare Support Services	3,371,072	3,221,072
Board and Care for Children - Adoption	87,100,506	92,875,380
Board and Care for Children - Foster	115,485,935	120,055,232
Board and Care for Children - Residential	189,186,108	196,913,618
Individualized Family Supports	16,424,785	16,424,785
Community KidCare	23,575,167	23,575,167
Covenant to Care	166,516	166,516
Neighborhood Center	261,010	261,010
AGENCY TOTAL	881,317,641	894,932,436

JUDICIAL

JUDICIAL DEPARTMENT

Personal Services	331,983,792	324,964,531
Other Expenses	68,451,443	69,762,607
Equipment	100,000	305,000
Forensic Sex Evidence Exams	909,060	909,060
Alternative Incarceration Program	56,747,318	56,634,818
Justice Education Center, Inc.	293,111	293,110
Juvenile Alternative Incarceration	30,169,861	30,169,864
Juvenile Justice Centers	3,104,877	3,104,877
Probate Court	8,200,000	7,300,000
Youthful Offender Services	9,512,151	13,793,708
Victim Security Account	48,000	48,000
Children of Incarcerated Parents	350,000	350,000
Legal Aid	1,500,000	1,500,000
Juvenile Jurisdiction Policy and Operations	50,000	50,000
Coordinating Council		
AGENCY TOTAL	511,419,613	509,185,575

PUBLIC DEFENDER SERVICES

COMMISSION

Personal Services	40,367,054	39,204,811
Other Expenses	1,648,454	1,654,345

**House Bill No. 6652**

Special Public Defenders - Contractual	3,097,000	3,097,000
Special Public Defenders - Non-Contractual	5,590,250	5,590,250
Expert Witnesses	2,100,000	2,200,000
Training and Education	100,000	125,000
Contracted Attorneys	10,816,407	10,825,552
Contracted Attorneys Related Expenses	200,000	200,000
Family Contracted Attorneys/AMC	736,310	736,310
AGENCY TOTAL	64,655,475	63,633,268

NON-FUNCTIONAL

MISCELLANEOUS APPROPRIATION TO  
THE GOVERNOR

Governor's Contingency Account	1	1
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DEBT SERVICE - STATE TREASURER

Debt Service	1,697,397,515	1,678,331,881
UConn 2000 - Debt Service	110,289,293	130,029,220
CHEFA Day Care Security	5,500,000	5,500,000
Pension Obligation Bonds - TRB	80,894,031	121,386,576
AGENCY TOTAL	1,894,080,839	1,935,247,677

STATE COMPTROLLER -  
MISCELLANEOUS

Adjudicated Claims	4,000,000	4,000,000
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STATE COMPTROLLER - FRINGE  
BENEFITS

Unemployment Compensation	12,481,748	8,901,932
State Employees Retirement Contributions	722,137,072	715,503,022
Higher Education Alternative Retirement System	37,959,646	37,737,659
Pensions and Retirements - Other Statutory	1,822,697	1,842,652
Judges and Compensation Commissioners Retirement	15,095,489	16,005,904
Insurance - Group Life	8,586,000	8,758,000
Employers Social Security Tax	244,896,847	245,850,448
State Employees Health Service Cost	602,409,060	663,840,320
Retired State Employees Health Service Cost	565,145,867	614,094,650

**House Bill No. 6652**

Tuition Reimbursement - Training and Travel	3,327,500	0
AGENCY TOTAL	2,213,861,926	2,312,534,587
RESERVE FOR SALARY ADJUSTMENTS		
Reserve for Salary Adjustments	42,568,534	200,090,187
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES		
Workers' Compensation Claims	27,726,672	27,239,041
TOTAL - GENERAL FUND	19,485,646,329	19,918,305,927
LESS:		
Unallocated Lapse	-92,006,562	-91,676,192
Unallocated Lapse - Legislative	-2,700,000	-3,028,105
Unallocated Lapse - Judicial	-3,545,000	-5,400,672
General Personal Services Reduction - Legislative	-476,000	-476,000
General Personal Services Reduction - Executive	-11,538,800	-11,538,800
General Other Expenses Reductions - Legislative	-374,000	-374,000
General Other Expenses Reductions - Executive	-9,066,200	-9,066,200
Labor-Management Savings - Legislative	-4,586,734	-6,671,872
Labor Management Savings - Executive	-625,947,354	-806,963,225
Labor Management Savings - Judicial	-27,670,929	-30,622,622
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.

	2011-2012	2012-2013
GENERAL GOVERNMENT		

**House Bill No. 6652**

DEPARTMENT OF ADMINISTRATIVE  
SERVICES

State Insurance and Risk Mgmt Operations	\$7,157,557	\$7,335,373
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REGULATION AND PROTECTION

DEPARTMENT OF MOTOR VEHICLES

Personal Services	42,656,658	41,541,809
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Other Expenses	13,255,626	13,255,626
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Equipment	600,000	600,000
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Commercial Vehicle Information Systems and Networks Project	239,818	296,289
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AGENCY TOTAL	56,752,102	55,693,724
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TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

Personal Services	169,441,130	162,240,011
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Other Expenses	49,396,497	49,228,630
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Equipment	1,642,000	1,743,000
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Minor Capital Projects	332,500	332,500
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Highway and Bridge Renewal-Equipment	12,000,000	7,000,000
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Highway Planning and Research	2,981,000	3,105,000
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Rail Operations	144,997,567	155,715,305
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Bus Operations	135,029,058	139,464,784
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Tweed-New Haven Airport Grant	1,000,000	1,000,000
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ADA Para-transit Program	27,175,000	28,880,000
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Non-ADA Dial-A-Ride Program	576,361	576,361
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Pay-As-You-Go Transportation Projects	27,718,098	22,687,740
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Town Aid Road Grants - TF	30,000,000	30,000,000
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AGENCY TOTAL	602,289,211	601,973,331
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HUMAN SERVICES

BUREAU OF REHABILITATIVE SERVICES

Personal Services	116,274	116,274
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**House Bill No. 6652**

Other Expenses	14,436	14,436
AGENCY TOTAL	130,710	130,710

NON-FUNCTIONAL

DEBT SERVICE - STATE TREASURER

Debt Service	478,835,373	492,217,529
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STATE COMPTROLLER - FRINGE  
BENEFITS

Unemployment Compensation	459,165	644,928
State Employees Retirement Contributions	99,636,000	105,694,000
Insurance - Group Life	327,000	334,000
Employers Social Security Tax	18,632,021	18,545,161
State Employees Health Service Cost	42,129,085	42,504,880
AGENCY TOTAL	161,183,271	167,722,969

RESERVE FOR SALARY ADJUSTMENTS

Reserve for Salary Adjustments	2,363,787	14,081,949
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WORKERS' COMPENSATION CLAIMS -  
DEPARTMENT OF ADMINISTRATIVE  
SERVICES

Workers' Compensation Claims	6,756,577	6,626,481
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TOTAL - SPECIAL TRANSPORTATION FUND	1,315,468,588	1,345,782,066
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LESS:

Estimated Unallocated Lapses	-11,000,000	-11,000,000
Labor-Management Savings	-42,536,383	-56,949,138

NET - SPECIAL TRANSPORTATION FUND	1,261,932,205	1,277,832,928
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Sec. 69. (Effective July 1, 2011) The following sums are appropriated from the CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL

**House Bill No. 6652**

FUND for the annual periods indicated for the purposes described.

	2011-2012	2012-2013
REGULATION AND PROTECTION		
OFFICE OF CONSUMER COUNSEL		
Personal Services	\$1,357,585	\$1,309,791
Other Expenses	396,029	396,029
Equipment	5,850	5,600
Fringe Benefits	909,582	901,742
Indirect Overhead	364,667	375,972
AGENCY TOTAL	3,033,713	2,989,134
CONSERVATION AND DEVELOPMENT		
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION		
Personal Services	12,392,338	11,989,348
Other Expenses	1,557,709	1,550,391
Equipment	21,850	26,000
Fringe Benefits	8,302,867	8,276,798
Indirect Overhead	1,120,343	1,155,074
AGENCY TOTAL	23,395,107	22,997,611
TOTAL - CONSUMER COUNSEL AND PUBLIC UTILITY CONTROL FUND	26,428,820	25,986,745

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

OFFICE OF THE STATE COMPTROLLER	
Other Expenses	625,000
DEPARTMENT OF PUBLIC WORKS	
Other Expenses	3,100,000
Management Services	1,400,000
Rents and Moving	1,800,000

**House Bill No. 6652**

Facilities Design	470,000
AGENCY TOTAL	6,770,000
DEPARTMENT OF AGRICULTURE	
Other Expenses	180,000
DEPARTMENT OF PUBLIC SAFETY	
Personal Services	1,000,000
Other Expenses	5,900,000
Fleet Purchase	2,100,000
AGENCY TOTAL	9,000,000
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES	
Other Expenses	5,300,000
General Assistance Managed Care	51,950,000
AGENCY TOTAL	57,250,000
DEPARTMENT OF SOCIAL SERVICES	
Other Expenses	21,000,000
Medicaid	256,000,000
AGENCY TOTAL	277,000,000
TEACHERS' RETIREMENT BOARD	
Other Expenses	70,000
PUBLIC DEFENDER SERVICES COMMISSION	
Special Public Defenders - Non-Contractual	1,000,000
Expert Witnesses	600,000
AGENCY TOTAL	1,600,000
CHILD PROTECTION COMMISSION	
Contracted Attorneys	2,400,000
WORKERS' COMPENSATION CLAIMS - DEPARTMENT OF ADMINISTRATIVE SERVICES	
Workers' Compensation Claims	300,000
TOTAL - GENERAL FUND	355,195,000

**House Bill No. 6652**

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:

RESERVE FOR SALARY ADJUSTMENTS	
Reserve for Salary Adjustment	26,000,000
TOTAL - GENERAL FUND	26,000,000

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

DEBT SERVICE - STATE TREASURER	
Debt Service	4,000,000
TOTAL - SPECIAL TRANSPORTATION FUND	4,000,000

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

DEPARTMENT OF TRANSPORTATION	
Personal Services	4,000,000
TOTAL - SPECIAL TRANSPORTATION FUND	4,000,000

Sec. 74. Section 4-73 of the general statutes, as amended by section 31 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The budget document shall present in detail for each fiscal year of the ensuing biennium the Governor's recommendation for

**House Bill No. 6652**

appropriations to meet the expenditure needs of the state from the General Fund and from all special and agency funds classified by budgeted agencies and showing for each budgeted agency and its subdivisions: (1) A narrative summary describing the agency, the Governor's recommendations for appropriations for the agency, and a list of agency programs, the actual expenditure for the last-completed fiscal year, the estimated expenditure for the current fiscal year, the amount requested by the agency and the Governor's recommendations for appropriations for each fiscal year of the ensuing biennium; (2) a summary of permanent full-time positions by fund, setting forth the number filled and the number vacant as of the end of the last-completed fiscal year, the total number intended to be funded by appropriations without reduction for turnover for the fiscal year in progress, the total number requested and the total number recommended for each fiscal year of the biennium to which the budget relates.

(b) In addition, programs shall be supported by: (1) The statutory authorization for the program; (2) a statement of program objectives; (3) a description of the program, including a statement of need, eligibility requirements and any intergovernmental participation in the program; (4) a statement of performance measures by which the accomplishments toward the program objectives can be assessed, which shall include, but not be limited to, an analysis of the workload, quality or level of service and effectiveness of the program; (5) program budget data broken down by major object of expenditure, showing additional federal and private funds; (6) a summary of permanent full-time positions by fund, setting forth the number filled and the number vacant as of the end of the last-completed fiscal year, the total number intended to be funded by appropriations without reduction for turnover for the fiscal year in progress, the total number requested and the total number recommended for each fiscal year of the biennium to which the budget relates; (7) a statement of

**House Bill No. 6652**

expenditures for the last-completed and current fiscal years, the agency request and the Governor's recommendation for each fiscal year of the ensuing biennium and, for any new or expanded program, estimated expenditure requirements for the fiscal year next succeeding the biennium to which the budget relates; and (8) an explanation of any significant program changes requested by the agency or recommended by the Governor.

[(b)] (c) There shall be a supporting schedule of total agency expenditures including a line-item, minor object breakdown of personal services, energy costs, contractual services and commodities and a total of state aid grants and equipment, showing the actual expenditures for the last-completed fiscal year, estimated expenditures for the current fiscal year and requested and recommended appropriations for each fiscal year of the ensuing biennium, classified by objects according to a standard plan of classification.

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

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

[(e)] (f) The appropriations recommended for the legislative branch of the state government shall be the estimates of expenditure requirements transmitted to the Secretary of the Office of Policy and

**House Bill No. 6652**

Management by the Joint Committee on Legislative Management pursuant to section 4-77 and the recommended adjustments and revisions of such estimates shall be the recommended adjustments and revisions, if any, transmitted by said committee pursuant to said section 4-77.

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

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

Sec. 75. Section 4-74 of the general statutes, as amended by section 32 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

The budget document shall be based upon the consensus revenue estimate or revised consensus revenue estimate issued pursuant to section 2-36c, and shall include a draft or drafts of appropriation and revenue bills to carry out the recommendations of the Governor. Such appropriation bills shall indicate the funds, general or special, from which such appropriations shall be paid, but such appropriations need not be in greater detail than to indicate the total appropriation to be made to each budgeted agency and each independently organized

**House Bill No. 6652**

division thereof for each major function or program, equipment, land and buildings and improvements.

Sec. 76. (*Effective from passage*) Section 34 of public act 11-48 shall take effect from its passage.

Sec. 77. Subsection (a) of section 31-71b of the general statutes, as amended by section 34 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Except as provided in subdivision (2) of this subsection, each employer, or the agent or representative of an employer, shall pay weekly all moneys due each employee on a regular pay day, designated in advance by the employer, in cash, by negotiable checks or, upon an employee's written request, by credit to such employee's account in any bank that has agreed with the employer to accept such wage deposits.

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

Sec. 78. Subsection (a) of section 4-9a of the general statutes, as amended by section 132 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

(a) For each calendar quarter commencing on or after July 1, 2011, there is hereby imposed a tax on the net patient revenue of each hospital in this state to be paid each calendar quarter. The rate of such tax shall be up to the maximum rate allowed under federal law. The Commissioner of Social Services shall determine the base year on which such tax shall be assessed. The Commissioner of Social Services may, in consultation with the Secretary of the Office of Policy and Management and in accordance with federal law, exempt a hospital from the tax on payment earned for the provision of outpatient services based on financial hardship.

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

Sec. 80. Section 134 of public act 11-6, as amended by section 11 of public act 11-48, is repealed and the following is substituted in lieu

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thereof (*Effective July 1, 2011*):

Any fines [ ] or civil penalties [or restitution] imposed by the Banking Commissioner or ordered by a court of competent jurisdiction in accordance with section 36a-50, 36a-53, 36b-27 or 36b-72 of the general statutes and any late fees received by the commissioner pursuant to subsection (b) of section 36a-65 of the general statutes, as amended by [this act] public act 11-48, shall be deposited into the General Fund.

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

There is established the position of State Fire Administrator who shall be recommended by the Commission on Fire Prevention and Control and appointed by the [commission] Commissioner of Emergency Services and Public Protection and who shall: (1) Carry out the requirements of section 7-323n; (2) administer federal funds and grants allocated to the fire services of the state; (3) provide technical assistance and guidance to fire fighting forces of any state or municipal agency; (4) develop a centralized information and audiovisual library regarding fire prevention and control; (5) accumulate, disseminate and analyze fire prevention data; (6) recommend specifications of fire service materials and equipment and assist in the purchasing thereof; (7) assist in mutual aid coordination; (8) coordinate fire programs with those of the other states; (9) assist in communications coordination; (10) establish and maintain a fire service information program; [ ] and (11) review the purchase of fire apparatus or equipment at state institutions, facilities and properties and, on and after July 1, 1985, coordinate the training and education of fire service personnel at such institutions, facilities and properties. The provisions of this section shall not be construed to apply to forest fire prevention and control programs administered by the Commissioner of Energy and Environmental Protection pursuant to sections 23-33 to 23-57,

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inclusive.

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

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

(2) The chairman of the Workers' Compensation Commission shall annually, on or after July first of each fiscal year, determine an amount sufficient in the chairman's judgment to meet the expenses [of] incurred by the Workers' Compensation Commission and the Bureau of Rehabilitative Services in providing rehabilitation services for employees suffering compensable injuries in accordance with section 31-283a. Such expenses shall include (A) the costs of the Division of Workers' Rehabilitation and the programs established by its director, for fiscal years prior to the fiscal year beginning July 1, 2011, (B) the costs of the Division of Worker Education and the programs established by its director, and (C) funding for the occupational health clinic program created pursuant to sections 31-396 to 31-402, inclusive. The Treasurer shall thereupon assess upon and collect from each employer, other than the state and any municipality participating for purposes of its liability under this chapter as a member in an interlocal risk management agency pursuant to chapter 113a, the proportion of such expenses, based on the immediately preceding fiscal year, that the total compensation and payment for hospital, medical and nursing care made by such self-insured employer or private insurance carrier acting on behalf of any such employer bore to the total compensation and payments for the immediately preceding fiscal year for hospital,

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medical and nursing care made by such insurance carriers and self-insurers. For the fiscal years ending June 30, 2000, and June 30, 2001, such assessments shall not exceed five per cent of such total compensation and payments made by such insurance carriers and self-insurers. For the fiscal years ending June 30, 2002, and June 30, 2003, such assessments shall not exceed four and one-half per cent of such total compensation and payments made by such insurance carriers and self-insurers. For any fiscal year ending on or after June 30, 2004, such assessment shall not exceed four per cent of such total compensation and payments made by such insurance carriers and self-insurers. Such assessments and expenses shall not exceed the budget estimates submitted in accordance with subsection (c) of section 31-280. For each fiscal year, such assessment shall be reduced pro rata by the amount of any surplus from the assessments of prior fiscal years. Said surplus shall be determined in accordance with subdivision (3) of this subsection. Such assessments shall be made in one annual assessment upon receipt of the chairman's expense determination by the Treasurer. All assessments shall be paid not later than sixty days following the date of the assessment by the Treasurer. Any employer who fails to pay such assessment to the Treasurer within the time prescribed by this subdivision shall pay interest to the Treasurer on the assessment at the rate of eight per cent per annum from the date the assessment is due until the date of payment. All assessments received by the Treasurer pursuant to this subdivision to meet the expenses of the Workers' Compensation Commission shall be deposited in the Workers' Compensation Administration Fund established under section 31-344a. All assessments received by the Treasurer pursuant to this subdivision to meet the expenses incurred by the Bureau of Rehabilitative Services in providing rehabilitation services for employees suffering compensable injuries in accordance with section 31-283a shall be deposited in the Workers' Compensation Administration Fund. The Treasurer is hereby authorized to make credits or rebates for overpayments made under this subsection by any

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employer for any fiscal year.

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

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

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

(d) The chairman and the Comptroller, as soon as practicable after August first in each year, shall ascertain the total amount of expenses incurred by the commission, including, in addition to the direct cost of personnel services, the cost of maintenance and operation, rentals for space occupied in state leased offices and all other direct and indirect costs, incurred by the commission and the expenses incurred by the Bureau of Rehabilitation Services in providing rehabilitation services for employees suffering compensable injuries in accordance with the provisions of section 31-283a, during the preceding fiscal year in connection with the administration of the Workers' Compensation Act and the total noncontributory payments required to be made to the Treasurer towards commissioners' retirement salaries as provided in sections 51-49, 51-50, 51-50a and 51-50b. An itemized statement of the expenses as so ascertained shall be available for public inspection in the office of the chairman of the Workers' Compensation Commission for thirty days after notice to all insurance carriers, and to all employers permitted to pay compensation directly affected thereby.

Sec. 86. Subsection (a) of section 10-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

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1, 2011):

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

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

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

Sec. 88. Subsection (o) of section 4b-23 of the general statutes, as amended by section 55 of public act 11-51, is repealed and the

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

(o) The Commissioner of Administrative Services shall adopt regulations, in consultation with the Secretary of the Office of Policy and Management and the State Properties Review Board, and in accordance with the provisions of chapter 54, setting forth the procedures which the Department of Administrative Services and said office and board shall follow in carrying out their responsibilities concerning state leasing of offices, space or other facilities. Such regulations shall specify, for each step in the leasing process at which an approval is needed in order to proceed to the next step, what information shall be required, who shall provide the information and the criteria for granting the approval. Notwithstanding any other provision of the general statutes, such regulations shall provide that: (1) The Commissioner of Administrative Services shall (A) review all lease requests included in, and scheduled to begin during, the first year of each approved state-wide facility and capital plan and (B) provide the Secretary of the Office of Policy and Management with an estimate of the gross cost and total square footage need for each lease, (2) the secretary shall approve a gross cost and a total square footage for each such lease and transmit each decision to the requesting agency, the commissioner and the State Properties Review Board, (3) [any agency seeking to enter into a lease, lease renewal or hold over agreement] the commissioner shall submit [such lease, renewal or agreement] all leases, lease renewals and hold over agreements to the secretary for approval, and (4) the secretary shall approve or disapprove any such lease request or agreement not more than ten working days after the secretary receives the request or agreement.

Sec. 89. Subdivision (1) of section 4b-24 of the general statutes, as amended by section 56 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(1) The commissioner shall (A) compile and maintain a

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comprehensive and complete inventory of all the improved and unimproved real estate available to the state by virtue of lease. The actual mechanical compilation of such inventory [may] shall be handled [, at the request of the commissioner,] by the Secretary of the Office of Policy and Management; provided such compilation shall be available to the Commissioner of Administrative Services at all times. Such inventory shall be used by the commissioner as the primary source for meeting state needs; [, and shall be shared with the review board and with the Secretary of the Office of Policy and Management; and] (B) maintain an inventory of improved and unimproved real estate which is owned by the state and which is unused or underutilized and submit a status report on such inventory, with recommendations concerning the reuse or disposition of such real estate, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and government administration and elections, in accordance with the provisions of section 11-4a, not later than January first, annually; and (C) identify in the inventory required under this subdivision existing buildings that (i) are of historic, architectural or cultural significance, including buildings listed or eligible to be listed in the national register established under the National Historic Preservation Act of 1966, 80 Stat. 915 (1966), 16 USC 470a and (ii) would be suitable, whether or not in need of repair, alteration or addition, to meet the public building needs of the state or to meet the needs of the public in accordance with the provisions of subsection (m) of section 4b-23.

Sec. 90. Subsection (i) of section 7-169 of the general statutes, as amended by section 206 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(i) Prizes offered for the winning of bingo games may consist of cash, merchandise, tickets for any lottery conducted under chapter 226,

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the value of which shall be the purchase price printed on such tickets, or other personal property. No permittee may offer a prize which exceeds two hundred fifty dollars in value, except that (1) a permittee may offer a prize or prizes on any one day of not less than two hundred fifty-one dollars or more than seven hundred fifty dollars in value, provided the total value of such prizes on any one day does not exceed twenty-five hundred dollars, (2) a permittee may offer one or two winner-take-all games or series of games played on any day on which the permittee is allowed to conduct bingo, provided ninety per cent of all receipts from the sale of bingo cards for such winner-take-all game or series of games shall be awarded as prizes for such games or series of games and provided each prize awarded does not exceed one thousand dollars in value, (3) the holder of a Class A permit may offer two additional prizes on a weekly basis not to exceed five hundred dollars each as a special grand prize and in the event such a special grand prize is not won, the money reserved for such prize shall be added to the money reserved for the next week's special grand prize, provided no such special grand prize may accumulate for more than sixteen weeks or exceed a total of five thousand dollars, and (4) a permittee may award door prizes the aggregate value of which shall not exceed five hundred dollars in value. When more than one player wins on the call of the same number, the designated prize shall be divided equally to the next nearest dollar. If a permittee elects, no winner may receive a prize which amounts to less than ten per cent of the announced prize and in such case the total of such multiple prizes may exceed the statutory limit of such game.

Sec. 91. Section 29-310 of the general statutes, as amended by section 108 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The [State Fire Marshal] Commissioner of Emergency Services and Public Protection shall thoroughly investigate the cause,

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circumstances and origin of all fires or explosions to which his attention has been called, in accordance with the provisions of this part, by reason of which any property has been destroyed or damaged, or any person injured or killed, and shall especially examine and decide as to whether such fire was the result of carelessness, design, an incendiary device or any other criminal act. He may take the testimony under oath of any person supposed to be cognizant of or to have means of knowledge in relation to the matters as to which an examination is being made, and shall cause the same to be reduced to writing and filed in his office; and if, in his opinion, there is sufficient evidence to warrant that any person should be charged with the crime of arson or any other crime, he shall forthwith submit such evidence, together with the names of the witnesses and all other information obtained by him, to the proper prosecuting officer. He may, in any investigation, issue subpoenas for the purposes of summoning and compelling the attendance of witnesses before him to testify. He may administer oaths or affirmations to witnesses before him, and false swearing therein shall be perjury. He may, in the performance of his duties, enter, by himself or his assistants, into and upon the premises or building where any fire or explosion has occurred and premises thereto adjacent in accordance with the provisions of section 29-311, as amended by public act 11-51 and this act.

(b) Whenever it comes to his knowledge or to the knowledge of any local fire marshal that there exists in any building or upon any premises combustible material or flammable conditions dangerous to the safety of such building or premises or dangerous to any other building or property, or conditions that present a fire hazard to the occupants thereof, the State Fire Marshal, or any local fire marshal, obtaining such knowledge, shall order such material to be forthwith removed or such conditions remedied by the owner or occupant of such building or premises, and such owner or occupant shall be subject to the penalties prescribed by section 29-295 and, in addition thereto,

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shall suffer a penalty of one hundred dollars a day for each day of neglect, to be recovered in a proper action in the name of the state.

Sec. 92. Subsection (b) of section 29-311 of the general statutes, as amended by section 109 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

Sec. 93. Subsection (a) of section 10-283 of the general statutes, as amended by section 116 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) (1) Each town or regional school district shall be eligible to apply for and accept grants for a school building project as provided in this chapter. Any town desiring a grant for a public school building project may, by vote of its legislative body, authorize the board of education of such town to apply to the Commissioner of Education and to accept or reject such grant for the town. Any regional school board may vote to authorize the supervising agent of the regional school district to apply to the Commissioner of Education for and to accept or reject such grant for the district. Applications for such grants under this chapter shall be made by the superintendent of schools of such town or regional school district on the form provided and in the manner prescribed by the [Commissioner of Education, in consultation with the] Commissioner of Construction Services. The application form shall require the superintendent of schools to affirm that the school district considered the maximization of natural light and the use and feasibility of wireless connectivity technology in projects for new construction and alteration or renovation of a school building. The Commissioner of Education

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shall review each grant application for a school building project for compliance with educational requirements and on the basis of categories for building projects established by the State Board of Education in accordance with this section, and shall evaluate, if appropriate, whether the project will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., provided grant applications submitted for purposes of subsection (a) of section 10-65, as amended by this act, or section 10-76e shall be reviewed annually by the commissioner on the basis of the educational needs of the applicant. [After reviewing each such application, the] The Commissioner of Education shall forward each application and the category that the Commissioner of Education has assigned to each such project in accordance with subdivision (2) of this subsection to the Commissioner of Construction Services not later than August thirty-first of each fiscal year. The Commissioner of Construction Services shall review all grant applications for school building projects on the basis of standards for school construction, established in regulation in accordance with section 10-287c, as amended by [this act] public act 11-51. Notwithstanding the provisions of this chapter, the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and the following entities that will operate an interdistrict magnet school that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, may apply for and shall be eligible to receive grants for school building projects pursuant to section 10-264h<sub>2</sub> as amended by [this act] public act 11-51, for such a school: (A) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees for The University of Connecticut on behalf of the university, (D) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of

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such a board, on behalf of the independent college or university, (E) cooperative arrangements pursuant to section 10-158a, and (F) any other third-party not-for-profit corporation approved by the Commissioner of Education.

(2) The Commissioner of Education shall assign each school building project to a category on the basis of whether such project is primarily required to: (A) Create new facilities or alter existing facilities to provide for mandatory instructional programs pursuant to this chapter, for physical education facilities in compliance with Title IX of the Elementary and Secondary Education Act of 1972 where such programs or such compliance cannot be provided within existing facilities or for the correction of code violations which cannot be reasonably addressed within existing program space; (B) create new facilities or alter existing facilities to enhance mandatory instructional programs pursuant to this chapter or provide comparable facilities among schools to all students at the same grade level or levels within the school district unless such project is otherwise explicitly included in another category pursuant to this section; and (C) create new facilities or alter existing facilities to provide supportive services, provided in no event shall such supportive services include swimming pools, auditoriums, outdoor athletic facilities, tennis courts, elementary school playgrounds, site improvement or garages or storage, parking or general recreation areas. All applications submitted prior to July first shall be reviewed promptly by the Commissioner of Education, [prior to forwarding] who shall forward such application to the Commissioner of Construction Services. The Commissioner of Construction Services shall estimate the amount of the grant for which such project is eligible, in accordance with the provisions of section 10-285a, as amended by [this act] public act 11-51, provided an application for a school building project determined by the Commissioner of Education to be a project that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.

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v. William A. O'Neill, et al., shall have until September first to submit an application for such a project and may have until December first of the same year to secure and report all local and state approvals required to complete the grant application. The Commissioner of Construction Services shall annually prepare a listing of all such eligible school building projects listed by category together with the amount of the estimated grants for such projects and shall submit the same to the Governor, the Secretary of the Office of Policy and Management and the General Assembly on or before the fifteenth day of December, except as provided in section 10-283a, as amended by public act 11-51, with a request for authorization to enter into grant commitments. On or before December thirty-first annually, the Secretary of the Office of Policy and Management shall submit comments and recommendations regarding each eligible project on such listing of eligible school building projects to the school construction committee, established pursuant to section 10-283a, as amended by [this act] public act 11-51. Each such listing submitted after December 15, 2005, until December 15, 2010, inclusive, shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the Commissioner of Education once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by said commissioner twice. Any such listing submitted after December 15, 2010, until December 15, 2011, inclusive, shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the Commissioner of Construction Services once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by said commissioner twice. On and after July 1, 2011, each such listing shall include a report on the review conducted by the Commissioner of Education of the enrollment projections for each such eligible project. For the period beginning July 1, 2006, and ending June 30, 2012, no project, other than a project for a regional vocational-technical school, may appear on the

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separate schedule of authorized projects which have changed in cost more than twice. On and after July 1, 2012, no project, other than a project for a regional vocational-technical school, may appear on the separate schedule of authorized projects which have changed in cost more than once, except the Commissioner of Construction Services may allow a project to appear on such separate schedule of authorized projects a second time if the town or regional school district for such project can demonstrate that exigent circumstances require such project to appear a second time on such separate schedule of authorized projects. Notwithstanding any provision of this chapter, no projects which have change in scope or cost to the degree determined by the Commissioner of Construction Services, in consultation with the Commissioner of Education, shall be eligible for reimbursement under this chapter unless it appears on such list. The percentage determined pursuant to section 10-285a, as amended by [this act] public act 11-51, at the time a school building project on such schedule was originally authorized shall be used for purposes of the grant for such project. On and after July 1, 2006, a project that was not previously authorized as an interdistrict magnet school shall not receive a higher percentage for reimbursement than that determined pursuant to section 10-285a, as amended by [this act] public act 11-51, at the time a school building project on such schedule was originally authorized. The General Assembly shall annually authorize the Commissioner of Construction Services to enter into grant commitments on behalf of the state in accordance with the commissioner's categorized listing for such projects as the General Assembly shall determine. The Commissioner of Construction Services may not enter into any such grant commitments except pursuant to such legislative authorization. Any regional school district which assumes the responsibility for completion of a public school building project shall be eligible for a grant pursuant to subdivision (5) or (6), as the case may be, of subsection (a) of section 10-286, as amended by [this act] public act 11-51, when such project is completed and accepted by such regional

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school district.

Sec. 94. Section 10-285e of the general statutes, as amended by section 122 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

Sec. 95. Subsection (b) of section 137 of public act 11-51 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) The Commissioner of Emergency Services and Public Protection, or said commissioner's designee, shall serve as the chair of the Coordinating Advisory Board. The board shall consist of: (1) The president of the Connecticut State Firefighters Association or a designee, representing volunteer firefighters; (2) the president of the Uniformed Professional Firefighters Association or a designee, representing professional firefighters; (3) the president of the American Federation of State County and Municipal Employees, Council 15, or a designee, representing municipal police officers; (4) the executive director of the Connecticut Conference of Municipalities or a designee; (5) a member of the Police Officer Standards Training Council, designated by the chairperson of said council; (6) a member of the Commission on Fire Prevention and Control, designated by the chairperson of said commission; (7) the president of the Connecticut Emergency Management Association or a designee; (8) the president of the Connecticut Police Chiefs Association or a designee; (9) the

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president of the Connecticut Fire Chiefs Association or a designee; (10) the president of the Connecticut Career Fire Chiefs Association or a designee; (11) the Commissioner of Public Health; and [(8)] (12) one representative, designated by the Commissioner of Emergency Services and Public Protection, from the Office of State-Wide Emergency Telecommunications and from each of the divisions of Emergency Management and Homeland Security, State Police and Scientific Services within the Department of Emergency Services and Public Protection. Said board shall convene quarterly and at such other times as the chair deems necessary.

Sec. 96. Subsection (a) of section 7-294b of the general statutes, as amended by section 146 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) There shall be a Police Officer Standards and Training Council which shall be within the [Division of State Police of the] Department of Emergency Services and Public Protection and which shall consist of the following members appointed by the Governor: (1) A chief administrative officer of a town or city in Connecticut; (2) the chief elected official or chief executive officer of a town or city in Connecticut with a population under twelve thousand which does not have an organized police department; (3) a member of the faculty of The University of Connecticut; (4) eight members of the Connecticut Police Chiefs Association who are holding office or employed as chief of police or the highest ranking professional police officer of an organized police department of a municipality within the state; (5) the Chief State's Attorney; (6) a sworn municipal police officer whose rank is sergeant or lower; and (7) five public members. The Commissioner of Emergency Services and Public Protection and the Federal Bureau of Investigation special agent-in-charge in Connecticut or their designees shall be voting ex-officio members of the council. Any nonpublic member of the council shall immediately, upon the termination of such

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member's holding the office or employment that qualified such member for appointment, cease to be a member of the council. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom such member is to succeed in the same manner as the original appointment. The Governor shall appoint a chairperson and the council shall appoint a vice-chairperson and a secretary from among the members. The members of the council shall serve without compensation but shall be entitled to actual expenses involved in the performance of their duties.

Sec. 97. Section 7-294p of the general statutes, as amended by section 149 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

(b) The department may establish and maintain a municipal police officer training and education extension account, which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. The account shall be used for the operation of such training and education programs and sessions as the Department of Emergency Services and Public Protection, in consultation with the Police Officer Standards and Training Council, may establish. All proceeds derived

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from the operation of the training and education programs and sessions shall be deposited in the General Fund and shall be credited to and become a part of the resources of the account. All direct expenses incurred in the conduct of the training and education programs and sessions shall be charged and any payments of interest and principal of bonds or any sums transferable to any fund for the payment of interest and principal of bonds and any cost of equipment for such operations may be charged, against the account on order of the State Comptroller. Any balance of receipts above expenditures shall remain in the account to be used for training and education programs and sessions.

Sec. 98. Section 12-806b of the general statutes, as amended by section 198 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

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Management determines to be warranted. The corporation shall pay the total assessment in quarterly payments to the Office of Policy and Management, with the first payment commencing on ~~July first of each year~~ October 1, 2011, and with the remaining payments to be made on ~~October first, January first, and April first annually~~ January 1, 2012, April 1, 2012, and June 1, 2012. The office shall deposit any such payment in the lottery assessment account established under subsection ~~[(c)]~~ (d) of this section.

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

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

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

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

Sec. 99. Subsection (e) of section 20-280 of the general statutes, as amended by section 37 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

Sec. 100. Section 50 of public act 11-6, as amended by section 42 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

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

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Sec. 101. Subdivision (7) of subsection (b) of section 9-601a of the general statutes, as amended by section 286 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2012, and applicable to primaries and elections held on or after said date*):

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

Sec. 102. Section 29 of public act 11-51 is repealed and the following is substituted in lieu thereof (*Effective January 1, 2012*):

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

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Sec. 103. Subsection (b) of section 20 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 104. Subdivision (5) of subsection (b) of section 191 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

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

Sec. 106. Subsection (a) of section 211 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) There shall be a Board of Regents for Higher Education who shall serve as the governing body for the regional community-technical college system, the Connecticut State University System and Charter

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Oak State College. The board shall consist of nineteen members who shall be distinguished leaders of the community in Connecticut. The board shall reflect the state's geographic, racial and ethnic diversity. The voting members shall not be employed by or be a member of a board of trustees for any independent institution of higher education in this state or the Board of Trustees for The University of Connecticut nor shall they be employed by or be elected officials of any public agency as defined in subdivision (1) of section 1-200 of the general statutes, during their term of membership on the Board of Regents for Higher Education. The Governor shall appoint nine members to the board as follows: Three members for a term of two years; three members for a term of four years; and three members for a term of six years. Thereafter, the Governor shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of six years from the first day of July in the year of his or her appointment. Four members of the board shall be appointed as follows: One appointment by the president pro tempore of the Senate, who shall be an alumnus of the regional community-technical college system, for a term of four years; one appointment by the minority leader of the Senate, who shall be [an alumnus of the Connecticut State University System] a specialist in the education of children in grades kindergarten to twelve, inclusive, for a term of three years; one appointment by the speaker of the House of Representatives, who shall be [a specialist in the education of children in grades kindergarten to twelve, inclusive] an alumnus of the Connecticut State University System, for a term of four years; and one appointment by the minority leader of the House of Representatives, who shall be an alumnus of Charter Oak State College, for a term of three years. Thereafter, such members of the General Assembly shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. The chairperson and vice-chairperson of the student

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advisory committee created under section 10a-3 of the general statutes, as amended by this act, shall serve as members of the board. The Commissioners of Education, Economic and Community Development and Public Health and the Labor Commissioner shall serve as ex-officio, nonvoting members of the board.

Sec. 107. Subsection (a) of section 10a-6a of the general statutes, as amended by section 228 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) There is established a Higher Education Coordinating Council composed of: The [chief executive officers of each constituent unit of the state system of higher education] vice president for each constituent unit appointed pursuant to subsection (c) of section 212 of public act 11-48, as amended by this act, the Secretary of the Office of Policy and Management, the Commissioner of Education, the president of The University of Connecticut, the chairperson of the Board of Trustees for The University of Connecticut, the chairperson of the Board of Regents for Higher Education and the president of the Board of Regents for Higher Education. The Secretary of the Office of Policy and Management shall call an annual meeting of the council.

Sec. 108. Section 253 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Notwithstanding sections 10a-34 to 10a-35, inclusive, of the general statutes, as amended by this act, the Board of Regents for Higher Education shall have the authority, in accordance with the provisions of said sections 10a-34 to 10a-35, inclusive, as amended by this act, over academic degrees awarded by public institutions of higher education in this state, including the (1) operation of public institutions of higher education and the programs offered by such public institutions of higher education, (2) licensure and accreditation of public institutions of higher education and programs offered by such

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public institutions of higher education, (3) evaluation and approval of applications to confer academic degrees made by public institutions of higher education, and (4) assessment of any violation by a public institution of higher education of the authority of said board as described in subdivisions (1) to (3), inclusive, of this section and the imposition of a penalty for such violation.

Sec. 109. Section 10a-168a of the general statutes, as amended by section 268 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

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

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

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

Sec. 110. Subsection (a) of section 10-236a of the general statutes, as amended by section 279 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) Each board of education, [shall protect and save harmless any member of such board or any teacher or other employee thereof or any member of its supervisory or administrative staff, and] the State Board of Education, the Board of Regents for Higher Education, the Board of Trustees for The University of Connecticut, and each state agency which employs any teacher, and the managing board of any public school, as defined in section 10-183b, as amended by [this act] public act 11-48, shall protect and save harmless any member of such boards, or any teacher or other employee [thereof or any member of its supervisory or administrative staff employed by it] of such boards, from financial loss and expense, including payment of expenses reasonably incurred for medical or other service necessary as a result of an assault upon such member, teacher or other employee while such person was acting in the discharge of his or her duties within the scope of his or her employment or under the direction of such [board of education, Board of Regents for Higher Education, Board of Regents for Higher Education, board of trustees] boards, state agency, department or managing board, which expenses are not paid by the

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individual teacher's or employee's insurance, workers' compensation or any other source not involving an expenditure by such teacher or employee.

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

Sec. 112. Section 10a-17d of the general statutes, as amended by section 259 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

Sec. 113. Subsection (c) of section 46a-68 of the general statutes, as

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amended by section 73 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 114. Section 244 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) There is established an Office of Financial and Academic Affairs for Higher Education. Such office shall be within the Board of Regents for Higher Education for administrative purposes only. The Office of Financial and Academic Affairs for Higher Education shall administer the programs set forth in sections 10-19g, 10-155d, 10a-10a, 10a-11, 10a-11a, 10a-17d, 10a-34 to 10a-34f, inclusive, as amended by [this act] public act 11-48, 10a-35, as amended by [this act] public act 11-48, 10a-36 to 10a-42g, inclusive, [10a-48 to 10a-48a, inclusive,] 10a-164a, 10a-166 and 10a-168a to 10a-170, inclusive, of the general statutes, as amended by public act 11-48 and this act. The State Board of Education shall be responsible for approving any action taken pursuant to sections 10a-34 to 10a-34f, inclusive, of the general statutes, as

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amended by [this act] public act 11-48.

Sec. 115. Subsection (a) of section 75 of public act 11-51 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

[Notwithstanding the provisions of section 4-8, the executive director shall, with the advice and consent of the board, appoint unit heads for each of the units created within the division, who shall be exempt from classified service. Each unit head shall be qualified and experienced in the functions to be performed by such unit head. The executive director] The commissioner may employ [division] stewards

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for thoroughbred racing, [division] judges for harness racing, greyhound racing and jai alai, and [division] veterinarians who shall be exempt from classified service, and may employ, subject to the provisions of chapter 67, such [clerks, stenographers, inspectors, agents and] other employees [,] as may be necessary to carry out the provisions of this chapter. The [executive director] commissioner shall require such persons to submit to state and national criminal history records checks before being employed. The criminal history records checks required pursuant to this section shall be conducted in accordance with section 29-17a. All persons employed pursuant to this section, with the exception of any steward, judge or veterinarian, shall be residents of the state at the time of and during the full term of their employment.

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

No [executive director] commissioner or unit head or employee of the [division or member or employee] department or member of the Gaming Policy Board shall directly or indirectly, individually or as a member of a partnership or as a shareholder of a corporation, have any interest whatsoever in dealing in any lottery, racing, fronton or betting enterprise or in the ownership or leasing of any property or premises used by or for any lottery, racing, fronton or betting enterprise. No [executive director] commissioner, unit head or member of the Gaming Policy Board shall, directly or indirectly, wager at any off-track betting facility, race track or fronton authorized under this chapter or purchase lottery tickets issued under this chapter. [No employee of the division or the board shall, directly or indirectly, purchase lottery tickets issued under this chapter. The executive director] The commissioner may, by regulation adopted [with the advice and consent of] in consultation with the board, prohibit any employee of the [division] department from engaging, directly or indirectly, in any [other] form of legalized

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gambling activity in which such employee is involved because of his employment with the [division] department. For purposes of this section, "unit head" means a managerial employee with direct oversight of a legalized gambling activity.

Sec. 118. Section 12-565 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

The [executive director] commissioner or the board may conduct any inquiry, investigation or hearing necessary to carry out the provisions of this chapter. The [executive director] commissioner or any board member shall have power to administer oaths and take testimony under oath concerning the matter of inquiry or investigation. At any hearing ordered, the [executive director] commissioner, the board or an agent authorized by law to issue such process may subpoena witnesses and require the production of records, papers and documents pertinent to such inquiry. No witness under subpoena issued under the provisions of this section shall be excused from testifying or from producing records, papers or documents on the ground that such testimony or the production of such records or other documentary evidence would tend to incriminate him, but such evidence or the records or papers so produced shall not be used in any criminal proceeding against him. If any person disobeys such process or, having appeared in obedience thereto, refuses to answer any pertinent question put to him or to produce any records and papers pursuant thereto, the executive director or board may apply to the superior court for the judicial district of Hartford or for the judicial district wherein the person resides or wherein the business has been conducted, or to any judge of said court if the same is not in session, setting forth such disobedience to process or refusal to answer. Said court or such judge shall cite such person to appear before said court or such judge to answer such question or to produce such records and papers and, upon his refusal

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to do so, shall commit such person to a community correctional center until he testifies, but not for a longer period than sixty days. Notwithstanding the serving of the term of such commitment by any person, the executive director or board may proceed with such inquiry and examination as if the witness had not previously been called upon to testify. Officers who serve subpoenas issued by the executive director or the board or under his or its authority and witnesses attending hearings conducted hereunder shall receive the same fees and compensation as officers and witnesses in the courts of this state to be paid on vouchers of the division on order of the Comptroller. The [executive director] commissioner may delegate the powers granted to him under this section, [to each or any one of the unit heads appointed by him in accordance with section 12-559, to any assistant unit head or the deputy or executive assistant to the executive director.]

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

(a) Any employee, contractor or agent who is discharged, demoted, suspended, threatened, harassed or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, [or] agent or associated others, in furtherance of an action under sections 17b-301c to 17b-301g, inclusive, as amended by [this act] public act 11-44, including investigation for, initiation of, testimony for or assistance in an action filed or to be filed under sections 17b-301c to 17b-301g, inclusive, or efforts to stop a violation of sections 17b-301a to 17b-301p, inclusive, as amended by [this act] public act 11-44, shall be entitled to all relief necessary to make the employee, contractor or agent whole. Such relief shall include reinstatement with the same seniority status such employee would have had but for the discrimination, two times the amount of any back pay, interest on any back pay and compensation

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for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An employee may bring an action in the Superior Court for the relief provided in this section.

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

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

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

(b) Any resident of this state who has a serious physical or mental disability which does not render the resident incapable of operating a motor vehicle and who must utilize special equipment in order to operate a motor vehicle and who cannot obtain instruction in the operation of a motor vehicle through any alternate program, including, but not limited to, other state, federal or privately operated drivers'

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schools shall be eligible for instruction under the Bureau of Rehabilitative Services driver training program for persons with disabilities.

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

(a) On or before January 1, 2012, the Commissioner of Social Services, in consultation with the Commissioners of Public Health and Mental Health and Addiction Services and the Secretary of the Office of Policy and Management, shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies a plan concerning the implementation of a cost neutral acuity-based method for establishing rates to be paid to hospitals that is phased in over a period of time.

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

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

(d) The state shall also pay to such hospitals for each outpatient clinic and emergency room visit a reasonable rate to be established annually by the commissioner for each hospital, such rate to be determined by the reasonable cost of such services. The emergency room visit rates in effect June 30, 1991, shall remain in effect through

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June 30, 1993, except those which would have been decreased effective July 1, 1991, or July 1, 1992, shall be decreased. Nothing contained herein shall authorize a payment by the state for such services to any hospital in excess of the charges made by such hospital for comparable services to the general public. For those outpatient hospital services paid on the basis of a ratio of cost to charges, the ratios in effect June 30, 1991, shall be reduced effective July 1, 1991, by the most recent annual increase in the consumer price index for medical care. For those outpatient hospital services paid on the basis of a ratio of cost to charges, the ratios computed to be effective July 1, 1994, shall be reduced by the most recent annual increase in the consumer price index for medical care. The emergency room visit rates in effect June 30, 1994, shall remain in effect through December 31, 1994. The Commissioner of Social Services shall establish a fee schedule for outpatient hospital services to be effective on and after January 1, 1995, and may annually modify such fee schedule if such modification is needed to ensure that the conversion to an administrative services organization is cost neutral to hospitals in the aggregate and ensures patient access. Utilization shall not be a factor in determining cost neutrality. Except with respect to the rate periods beginning July 1, 1999, and July 1, 2000, such fee schedule shall be adjusted annually beginning July 1, 1996, to reflect necessary increases in the cost of services. Notwithstanding the provisions of this subsection, the fee schedule for the rate period beginning July 1, 2000, shall be increased by ten and one-half per cent, effective June 1, 2001. Notwithstanding the provisions of this subsection, outpatient rates in effect as of June 30, 2003, shall remain in effect through June 30, 2005. Effective July 1, 2006, subject to available appropriations, the commissioner shall increase outpatient service fees for services that may include clinic, emergency room, magnetic resonance imaging, and computerized axial tomography.

Sec. 123. Subsection (a) of section 17b-242 of the general statutes, as

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amended by section 114 of public act 11-44, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The Department of Social Services shall determine the rates to be paid to home health care agencies and homemaker-home health aide agencies by the state or any town in the state for persons aided or cared for by the state or any such town. For the period from February 1, 1991, to January 31, 1992, inclusive, payment for each service to the state shall be based upon the rate for such service as determined by the Office of Health Care Access, except that for those providers whose Medicaid rates for the year ending January 31, 1991, exceed the median rate, no increase shall be allowed. For those providers whose rates for the year ending January 31, 1991, are below the median rate, increases shall not exceed the lower of the prior rate increased by the most recent annual increase in the consumer price index for urban consumers or the median rate. In no case shall any such rate exceed the eightieth percentile of rates in effect January 31, 1991, nor shall any rate exceed the charge to the general public for similar services. Rates effective February 1, 1992, shall be based upon rates as determined by the Office of Health Care Access, except that increases shall not exceed the prior year's rate increased by the most recent annual increase in the consumer price index for urban consumers and rates effective February 1, 1992, shall remain in effect through June 30, 1993. Rates effective July 1, 1993, shall be based upon rates as determined by the Office of Health Care Access except if the Medicaid rates for any service for the period ending June 30, 1993, exceed the median rate for such service, the increase effective July 1, 1993, shall not exceed one per cent. If the Medicaid rate for any service for the period ending June 30, 1993, is below the median rate, the increase effective July 1, 1993, shall not exceed the lower of the prior rate increased by one and one-half times the most recent annual increase in the consumer price index for urban consumers or the median rate plus one per cent. The Commissioner of Social Services shall establish a fee schedule for home

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health services to be effective on and after July 1, 1994. The commissioner may annually modify such fee schedule if such modification is needed to ensure that the conversion to an administrative services organization is cost neutral to home health care agencies and homemaker-home health aide agencies in the aggregate and ensures patient access. Utilization shall not be a factor in determining cost neutrality. The commissioner shall increase the fee schedule for home health services provided under the Connecticut home-care program for the elderly established under section 17b-342, effective July 1, 2000, by two per cent over the fee schedule for home health services for the previous year. The commissioner may increase any fee payable to a home health care agency or homemaker-home health aide agency upon the application of such an agency evidencing extraordinary costs related to (1) serving persons with AIDS; (2) high-risk maternal and child health care; (3) escort services; or (4) extended hour services. In no case shall any rate or fee exceed the charge to the general public for similar services. A home health care agency or homemaker-home health aide agency which, due to any material change in circumstances, is aggrieved by a rate determined pursuant to this subsection may, within ten days of receipt of written notice of such rate from the Commissioner of Social Services, request in writing a hearing on all items of aggrievement. The commissioner shall, upon the receipt of all documentation necessary to evaluate the request, determine whether there has been such a change in circumstances and shall conduct a hearing if appropriate. The Commissioner of Social Services shall adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection. The commissioner may implement policies and procedures to carry out the provisions of this subsection while in the process of adopting regulations, provided notice of intent to adopt the regulations is published in the Connecticut Law Journal within twenty days of implementing the policies and procedures. Such policies and procedures shall be valid for not longer than nine months.

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

(a) The Commissioner of Social Services may contract with one or more administrative services organizations to provide care coordination, utilization management, disease management, customer service and review of grievances for recipients of assistance under Medicaid, HUSKY Plan, Parts A and B, and the Charter Oak Health Plan. Such organization may also provide network management, credentialing of providers, monitoring of copayments and premiums and other services as required by the commissioner. Subject to approval by applicable federal authority, the Department of Social Services shall utilize the contracted organization's provider network and billing systems in the administration of the program. In order to implement the provisions of this section, the commissioner may establish rates of payment to providers of medical services under this section if the establishment of such rates is required to ensure that any contract entered into with an administrative services organization pursuant to this section is cost neutral to such providers in the aggregate and ensures patient access. Utilization shall not be a factor in determining cost neutrality.

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

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

(b) Notwithstanding any other provision of the general statutes, for

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purposes of administering medical assistance programs, including, but not limited to, programs administered pursuant to Title XIX or Title XXI of the Social Security Act, the Department of Social Services shall be the sole state agency that sets emergency and nonemergency medical transportation fees or fee schedules for any transportation services that are reimbursed by the department for said medical assistance programs. Effective July 1, 2011, the Commissioner of Social Services shall reduce, by not more than ten per cent, the rates in effect on December 31, 2010, for emergency ambulance transportation fees that are directly reimbursed by the Department of Social Services, provided the commissioner may increase such rates at such time when the commissioner determines there are sufficient funds and a reasonable need for such rate increase.

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

(d) When a recipient of medical assistance has personal health insurance in force covering care or other benefits provided under such program, payment or part-payment of the premium for such insurance may be made when deemed appropriate by the Commissioner of Social Services. Effective January 1, 1992, the commissioner shall limit reimbursement to medical assistance providers, except those providers whose rates are established by the Commissioner of Public Health pursuant to chapter 368d, for coinsurance and deductible payments under Title XVIII of the Social Security Act to assure that the combined Medicare and Medicaid payment to the provider shall not exceed the maximum allowable under the Medicaid program fee schedules. [For those providers whose rates are established by the Commissioner of Public Health pursuant to chapter 368d, the Commissioner of Social Services shall limit reimbursement for coinsurance and deductible payments under Title XVIII of the Social Security Act to assure that the

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combined Medicare and Medicaid payment to the provider does not exceed the maximum allowable under the Medicaid program fee schedules plus a percentage established by the Commissioner of Social Services.]

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

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

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

(a) If the Department of [Education] Construction Services does not complete an audit of a school building project during the five-year period from the date the school district files a notice of project completion with the department, the department shall conduct a limited scope audit of such project. The limited scope audit shall review (1) the total amount of expenditures reported, (2) any off-site improvements, (3) adherence to authorized space specifications, (4) interest costs on temporary notes and bonds, and (5) any other matter the Commissioner of [Education] Construction Services deems appropriate.

(b) The department shall not make any adjustment to a school construction grant based on the result of an audit finding that a change

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order was not publicly bid.

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

Sec. 129. Section 10-264h of the general statutes, as amended by section 125 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) For the fiscal year ending June 30, 1996, until the fiscal year ending June 30, 2003, a local or regional board of education, regional educational service center or a cooperative arrangement pursuant to section 10-158a for purposes of an interdistrict magnet school may be eligible for reimbursement up to the full reasonable cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. For the fiscal year ending June 30, 2004, until the fiscal year ending June 30, 2011, the following entities that operate an interdistrict magnet school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education may be eligible for reimbursement up to ninety-five per cent of such cost: (1) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (2) the Board of Trustees of the Connecticut State University System on behalf of a state university, (3) the Board of Trustees for The University of Connecticut on behalf of the university, (4) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (5) any other third-party not-for-profit corporation

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approved by the Commissioner of Education. For the fiscal year ending June 30, 2012, and each fiscal year thereafter, a project eligible for reimbursement under this section, except as otherwise provided for, may be eligible for reimbursement up to eighty per cent of the eligible cost of such project. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements for a school building project established in chapter 173, except that the Commissioner of Construction Services, in consultation with the Commissioner of Education, may waive any requirement in such chapter for good cause. On and after July 1, 2011, [the] the Commissioner of Construction Services shall approve only applications for reimbursement under this section that the Commissioner of Education finds will reduce racial, ethnic and economic isolation. Applications for reimbursement under this section for the construction of new interdistrict magnet schools shall not be accepted until the Commissioner of Education develops a comprehensive state-wide interdistrict magnet school plan, in accordance with the provisions of subdivision (1) of subsection (b) of section 10-264*l*, unless the Commissioner of Education determines that such construction will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

(b) Subject to the provisions of subsection (a) of this section, the applicant shall receive current payments of scheduled estimated eligible project costs for the facility, provided (1) the applicant files an application for a school building project, in accordance with section 10-283, as amended by [this act] public act 11-51, by the date prescribed by the Commissioner of Education, (2) final plans and specifications for the project are approved pursuant to sections 10-291 and 10-292, and (3) such district submits to the Commissioner of Education, in such form as the commissioner prescribes, and the commissioner approves a plan for the operation of the facility which includes, but need not be limited to: A description of the educational programs to be

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offered, the completion date for the project, an estimated budget for the operation of the facility, written commitments for participation from the districts that will participate in the school and an analysis of the effect of the program on the reduction of racial, ethnic and economic isolation. The Commissioner of Education shall notify the Commissioner of Construction Services and the secretary of the State Bond Commission when the provisions of subdivisions (1) and (3) of this subsection have been met. Upon application to the Commissioner of Education, compliance with the provisions of subdivisions (1) and (3) of this subsection and after authorization by the General Assembly pursuant to section 10-283, as amended by [this act] public act 11-51, the applicant shall be eligible to receive progress payments in accordance with the provisions of section 10-287i.

(c) (1) If the school building ceases to be used as an interdistrict magnet school facility and the grant was provided for the purchase or construction of the facility, the Commissioner of Construction Services, in consultation with the Commissioner of Education, shall determine whether (A) title to the building and any legal interest in appurtenant land shall revert to the state, or (B) the school district shall reimburse the state an amount equal to the difference between the amount received pursuant to this section and the amount the district would have been eligible to receive based on the percentage determined pursuant to section 10-285a, as amended by [this act] public act 11-51, multiplied by the estimated eligible project costs.

(2) If the school building ceases to be used as an interdistrict magnet school facility and the grant was provided for the extension or major alteration of the facility, the school district shall reimburse the state the amount determined in accordance with subparagraph (B) of subdivision (1) of this subsection. A school district receiving a request for reimbursement pursuant to this subdivision shall reimburse the state not later than the close of the fiscal year following the year in

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which the request is made. If the school district fails to so reimburse the state, the Department of Construction Services may request the Department of Education to withhold such amount from the total sum which is paid from the State Treasury to such school district or the town in which it is located or, in the case of a regional school district, the towns which comprise the school district. If the amount paid from the State Treasury is less than the amount due, the Department of Construction Services may refer the matter to the Department of Administrative Services for collection.

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

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

Sec. 131. Subsection (a) of section 2-61 of the general statutes, as amended by section 10 of substitute house bill 6600 of the current session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The Secretary of the State shall deliver copies of the revised statutes, of each supplement to the general statutes and of each revised volume thereof and of each volume of the public acts and special acts

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to the State Library for its general purposes and for exchange with other states and libraries, and copies of the revised statutes, of each supplement, of each revised volume and of each volume of the public acts, and such additional number of each as the executive secretary of the Judicial Department certifies as necessary, for the use of any of the state-maintained courts, and copies of each volume of the special acts to said executive secretary for distribution to state-maintained courts, and, to the several departments, agencies and institutions of the executive branch of the state government, as many copies of the revised statutes, of each supplement, of each revised volume and of each of the volumes of public acts and special acts as they require for the performance of their duties. [The number of copies the Secretary provides pursuant to this subsection shall be determined by the Joint Committee on Legislative Management.]

Sec. 132. Subsection (a) of section 76 of public act 11-51 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) (1) Wherever the term "Chief Information Officer of the Department of Information Technology" is used in the following general statutes, the term "Commissioner of Administrative Services" shall be substituted in lieu thereof; (2) wherever the term "Chief Information Officer" is used in the following general statutes, the term "commissioner" shall be substituted in lieu thereof; and (3) wherever the term "Department of Information Technology" is used in the following general statutes, the term "Department of Administrative Services" shall be substituted in lieu thereof: 1-205, 1-211, 1-212, 1-283, 3-117, 4d-3, 4d-5, 4d-10, 4d-11, 4d-13, 4d-14, 4d-38, 4d-41, 4d-42, 4d-43, 4d-81a, 4d-82a, 4d-83, 4d-84, 10-5b, 10-10a, 18-81x, 19a-110, 19a-750, 32-6i, 54-105a, 54-142q, 54-142r and 54-142s.

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

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

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

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

(b) Permanent housing initiatives and support services shall be provided to: (1) Eligible households, as defined in section 17a-484a; (2) families who are eligible under the [state plan for the federal] temporary assistance for needy families program; (3) adults who are eighteen to twenty-three years of age, inclusive, and who are homeless, or at risk for becoming homeless because they are transitioning from

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foster care or other residential programs; and (4) persons with serious mental health needs who are community-supervised offenders supervised by the executive or judicial branch. [Such housing shall be permanent supportive housing and may include both individuals and families with special needs and individuals and families without such needs.]

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

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

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

(h) In no event shall the total amount of all tax credits allowed to all business firms pursuant to the provisions of this section exceed ten million dollars in any one fiscal year, provided, each year until the date

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sixty days after the date the Connecticut Housing Finance Authority publishes the list of housing programs that will receive tax credit reservations, two million dollars of the total amount of all tax credits under this section shall be set aside for [the Supportive Housing Pilots Initiative, the Next Steps Initiative established pursuant to section 17a-485c or any other supportive housing initiative] permanent supportive housing initiatives established pursuant to section 17a-485c, as amended by this act, and one million dollars of the total amount of all tax credits under this section shall be set aside for workforce housing, as defined by the Connecticut Housing Finance Authority through written procedures adopted pursuant to subsection (k) of this section. Each year, on or after the date sixty days after the date the Connecticut Housing Finance Authority publishes the list of housing programs that will receive tax credit reservations, any unused portion of such tax credits shall become available for any housing program eligible for tax credits pursuant to this section.

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

(b) The State Bond Commission may authorize the State Treasurer and the Secretary of the Office of Policy and Management to enter into a contract or contracts to provide state assistance on bonds issued by the Connecticut Housing Finance Authority as provided in this section. If so authorized by the State Bond Commission, the state, acting by and through the Secretary of the Office of Policy and Management and State Treasurer, shall enter into a contract or contracts with the Connecticut Housing Finance Authority that provide the state shall pay to said authority state assistance on bonds issued by said authority for purposes of providing funds for mortgage loans made by said authority pursuant to the provisions of section 17a-485c, as amended by this act, funds for reasonable repair and

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

Sec. 136. Subsection (c) of section 211 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(c) The Governor shall appoint the chairperson of the board, who shall serve for a term of three years. The board shall elect from its members a vice-chairperson and such other officers as it deems necessary. Vacancies among any officers shall be filled within thirty days following the occurrence of such vacancy in the same manner as

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the original selection. Said board shall establish policies and adopt bylaws to govern its procedures and shall appoint such committees and advisory boards as may be convenient or necessary in the transaction of its business.

Sec. 137. Subsection (c) of section 212 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(c) Upon recommendation of the president, the Board of Regents shall appoint [two vice presidents who shall serve as liaisons for the Board of Regents with respect to the Connecticut State University System and the regional community-technical colleges] a vice-president for each constituent unit with such duties and responsibilities as the board and president shall prescribe, so that each constituent unit fulfills its mission. Such duties shall include, but not be limited to, oversight of academic programs, student support services and institutional support.

Sec. 138. (*Effective from passage*) (a) The State Board of Education shall assign a special master to administer the educational operations for the town of Windham to assist the school district in making adequate yearly progress for whole district performance in both reading and mathematics under the No Child Left Behind Act, P.L. 107-110. Such special master shall (1) work collaboratively with the local board of education for Windham and the Windham superintendent of schools to implement the provisions of the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes; (2) implement the provisions of subparagraphs (A), (C), (D), (E), (F), (H), (I), (J), (L) and (M) of subdivision (2) of subsection (c) of section 10-223e of the general statutes; (3) manage and allocate any federal, state and local education funds of the school district; and (4) report regularly to the State Board of Education on matters relating to the progress of implementing the improvement plan for the school district and the

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effectiveness of the local board of education and the superintendent of schools. The special master shall serve at the pleasure of the State Board of Education for a period not to exceed one school year following the school year that the Windham school district makes adequate yearly progress for whole district performance in both reading and mathematics under the No Child Left Behind Act, P.L. 107-110.

(b) Notwithstanding the provisions of sections 1-210 and 10-151c of the general statutes, the special master and the State Board of Education shall have access to all records, facilities, communications and meetings, including, but not limited to, executive sessions of the local board of education, that may be relevant to implementing the provisions of this section.

(c) (1) The State Board of Education may require the Windham board of education to request to the exclusive representative of a bargaining unit to reopen the negotiation process and present a proposed revision to the existing collective bargaining agreement for the sole purpose of implementing the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes, and relevant salary, hours and other conditions of employment. Such exclusive representative shall have five days to respond to such request and if the exclusive representative fails to respond the exclusive representative shall be deemed to have denied such request.

(2) If the exclusive representative agrees to the request to reopen negotiations, the parties shall enter into negotiations. Such negotiations shall be limited to the implementation of the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes, and relevant salary, hours and other conditions of employment. Such negotiations shall be completed not later than thirty days from the date when the exclusive representative agrees to

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the request to reopen negotiations.

(3) Any agreement reached by the parties, pursuant to subdivision (2) of this subsection, shall be submitted for approval by the members of the exclusive bargaining representative employed by the Windham board of education. Such agreement shall be ratified upon a majority vote of the members of such exclusive bargaining representative.

(4) If the parties reach an impasse on one or more issues following negotiations or if the members of the exclusive bargaining representative fail to ratify the agreement, in accordance with the provisions of subdivision (3) of this subsection, then the parties shall proceed to the expedited arbitration process described in subdivision (5) of this subsection.

(5) Not later than five days after the date the parties reach impasse on one or more issues or the members of the exclusive bargaining representative fail to ratify the agreement, in accordance with the provisions of subdivision (3) of this subsection, the parties shall select a single impartial arbitrator in accordance with the provisions of subsection (c) of section 10-153f of the general statutes. Not later than ten days after the selection of the single impartial arbitrator, such arbitrator shall conduct a hearing in the town of Windham. At such hearing the parties shall submit to such arbitrator their respective positions on each individual issue in dispute between them in the form of a last best offer. Not later than twenty days following the close of such hearing, such arbitrator shall render a decision, in writing, signed by such arbitrator, which states in detail the nature of the decision and the disposition of the issues by such arbitrator. Such arbitrators shall give the highest priority to the educational interests of the state pursuant to section 10-4a of the general statutes, as such interests relate to the children of Windham in arriving at a decision and shall consider other factors pursuant to subdivision (4) of subsection (c) of section 10-153f of the general statutes, in light of such educational interests.

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Such decision shall be final and binding.

Sec. 139. Section 52-557f of the general statutes, as amended by section 19 of substitute house bill 6526 of the current session, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

As used in sections 52-557f to 52-557i, inclusive:

(1) "Charge" means the admission price or fee asked in return for invitation or permission to enter or go upon the land; [ , except that "charge" does not include tax revenue collected pursuant to title 12 by any owner;]

(2) "Land" means land, roads, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the realty;

(3) "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises; [and includes any municipality, as defined in section 7-148, any district, as defined in section 7-324, any metropolitan district created by special act or pursuant to sections 7-333 to 7-339, inclusive, and any railroad company;]

(4) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: Hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, snow skiing, ice skating, sledding, hang gliding, sport parachuting, hot air ballooning and viewing or enjoying historical, archaeological, scenic or scientific sites.

Sec. 140. Subsection (a) of section 20 of substitute house bill 6526 of the current session is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

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(a) For purposes of this section, "charge" has the same meaning as provided in section 52-557f of the general statutes, as amended by [this act] substitute house bill 6526 of the current session, as amended by this act, except that "charge" does not include tax revenue collected pursuant to title 12 of the general statutes by any owner, as defined in said section 52-557f of the general statutes, "hazardous waste" has the same meaning as provided in section 22a-115 of the general statutes, and "pollution" has the same meaning as provided in section 22a-423 of the general statutes.

Sec. 141. Subsection (b) of section 8 of house bill 6308 of the current session, as amended by house amendment schedules "A" and "D", is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Nothing in this section or sections 1 to [7] 14, inclusive, of [this act] house bill 6308 of the current session shall modify the state employee plan in any way without the written consent of the State Employee Bargaining Agent Coalition and the Secretary of the Office of Policy and Management.

Sec. 142. Subsection (e) of section 2 of public act 11-53 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) No employee of the exchange shall be a member, a member of the board or an employee of a trade association of (A) insurers, (B) insurance producers or brokers, (C) health care providers, or (D) health care facilities or health or medical clinics while serving on the board or on the staff of the exchange.

(2) No employee of the exchange shall be a health care provider unless (A) (i) such employee receives no compensation for rendering services as a health care provider, or (ii) the chief executive officer approves the hiring of such provider as an employee on the basis that

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such provider fills an area of need of expertise for the exchange, and (B) such employee does not have an ownership interest in a professional health care practice.

(3) No employee of the exchange shall, for one year after terminating employment with the exchange, accept employment with any health carrier that offers a qualified health benefit plan through the exchange.

(4) Any employee of the exchange [who sells, solicits or negotiates insurance or will sell, solicit or negotiate insurance to individuals and small employers shall be licensed, not later than one year after such employee begins employment with the exchange, as an insurance producer under chapter 701a of the general statutes] whose primary purpose is to assist individuals or small employers in selecting health insurance plans offered on the exchange to purchase shall be licensed as an insurance producer under chapter 701a of the general statutes not later than eighteen months after such employee begins employment with the exchange.

Sec. 143. Section 19a-654 of the general statutes, as amended by section 12 of house bill 6308 of the current session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) As used in this section:

(1) "Patient-identifiable data" means any information that identifies or may reasonably be used as a basis to identify an individual patient; and

(2) "De-identified patient data" means any information that meets the requirements for de-identification of protected health information as set forth in 45 CFR 164.514.

(b) Each short-term acute care general or children's hospital shall

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submit patient identifiable inpatient discharge data and emergency department data to the Office of Health Care Access division of the Department of Public Health to fulfill the responsibilities of the office. Such data shall include data taken from patient medical record abstracts and bills. The office shall specify the timing and format of such submissions. [including submissions by outpatient surgical facilities as provided for in subsection (c) of this section. If a hospital or outpatient surgical facility submits data through an intermediary, the hospital or the outpatient surgical facility shall] Data submitted pursuant to this section may be submitted through a contractual arrangement with an intermediary and such contractual arrangement shall (1) comply with the provisions of the Health Insurance Portability and Accountability Act of 1996 P.L. 104-191 (HIPAA), and (2) ensure that such submission of data is timely and accurate. The office may conduct an audit of the data submitted through such intermediary in order to verify its accuracy.

(c) [With respect to the submission of outpatient data, an] An outpatient surgical facility, as defined in section 19a-493b, a short-term acute care general or children's hospital, or a facility that provides outpatient surgical services as part of the outpatient surgery department of a short-term acute care hospital shall submit to the office the data identified in subsection (c) of section 19a-634. The office shall convene a working group consisting of representatives of outpatient surgical facilities, hospitals and other individuals necessary to develop recommendations that address current obstacles to, and proposed requirements for, patient-identifiable data reporting in the outpatient setting. On or before February 1, 2012, the working group shall report, in accordance with the provisions of section 11-4a, on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to public health and insurance and real estate. Additional reporting of outpatient data as the office deems necessary shall begin not later than

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July 1, 2015. On or before July 1, 2012, and annually thereafter, the Connecticut Association of Ambulatory Surgery Centers shall provide a progress report to the Department of Public Health, until such time as all ambulatory surgery centers are in full compliance with the implementation of systems that allow for the reporting of outpatient data as required by the commissioner. Until such additional reporting requirements take effect on July 1, 2015, the department may work with the Connecticut Association of Ambulatory Surgery Centers and the Connecticut Hospital Association on specific data reporting initiatives provided that no penalties shall be assessed under this chapter or any other provision of law with respect to the failure to submit such data.

(d) Except as otherwise provided in this subsection, patient-identifiable data received by the office shall be kept confidential and shall not be considered public records or files subject to disclosure under the Freedom of Information Act, as defined in section 1-200. The office may release de-identified patient data or aggregate patient data to the public in a manner consistent with the provisions of 45 CFR 164.514. Any de-identified patient data released by the office shall exclude provider, physician and payer organization names or codes and shall be kept confidential by the recipient. The office may not release patient-identifiable data except as provided for in section 19a-25 and regulations adopted pursuant to said section. No individual or entity receiving patient-identifiable data may release such data in any manner that may result in an individual patient, physician, provider or payer being identified. The office shall impose a reasonable, cost-based fee for any patient data provided to a nongovernmental entity.

(e) Not later than October 1, 2011, the Office of Health Care Access shall enter into a memorandum of understanding with the Comptroller that shall permit the Comptroller to access the data set forth in subsections (b) and (c) of this section, provided the

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Comptroller agrees, in writing, to keep individual patient and [physician] provider data identified by proper name or personal identification code and submitted pursuant to this section confidential.

(f) The Commissioner of Public Health shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this section.

(g) The duties assigned to the Department of Public Health under the provisions of this section shall be implemented within available appropriations.

Sec. 144. Section 186 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

The Commissioner of Education, in consultation with the Commissioner of Social Services, shall develop a plan to [integrate] coordinate child day care services administered by the Department of Social Services [offered as part of a school readiness program into] and the school readiness programs administered by the Department of Education into a coordinated early care and education program. Such plan shall address program eligibility, slot rates and program requirements and make recommendations to maintain the mission and integrity of child care services pursuant to section 8-210b of the general statutes. The Departments of Education and Social Services shall report, not later than January 1, 2012, to the joint standing committees of the General Assembly having cognizance of matters relating to education and human services and to the Governor. [Not later than July 1, 2012, the Commissioner of Education shall submit such plan, with any findings and recommendations, to the Governor.]

Sec. 145. Subsection (b) of section 40 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The [Commissioner of Higher Education] executive director of

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the Office of Financial and Academic Affairs for Higher Education, in consultation with financial aid and institutional research staff from the participating independent colleges and universities, shall review the Connecticut Independent College Student Grant Program administered pursuant to sections 10a-36 to 10a-42a, inclusive, of the general statutes, as amended by this act, in order to evaluate [the cost-effectiveness and benefits of] (1) the formula used to derive the annual appropriation requested by the [Board of Governors of Higher Education] Office of Financial and Academic Affairs for Higher Education, (2) the manner by which allocations of the annual appropriation are made to each independent college or university, [and] (3) [the system used to determine] how the amount of aid given to individual students under the program is determined, and (4) what additional data, if any, may be necessary to demonstrate the level of need of the recipient. The [commissioner] executive director shall require that all institutions participating in the Connecticut Independent College Student Grant program provide the following: (A) The number of students receiving awards and the average award tendered; (B) student family income; (C) the number of first-year recipients retained over the years of eligibility; (D) the percentage of recipients graduating in four years; (E) the percentage of recipients graduating in six years; and shall submit, in accordance with section 11-4a of the general statutes, [findings and recommendations, if any, for modifying the program] recommendations regarding the collection of further data to demonstrate the results of the program, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations and the budgets of state agencies not later than January 1, 2012.

Sec. 146. Section 51-49a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 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,*

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*pursuant to section 165 of this act):*

(a) The right to a retirement salary, in accordance with the provisions of this section, of any judge, family support magistrate or compensation commissioner who is not eligible to retire under the provisions of section 51-50a, which judge, family support magistrate or commissioner has completed ten years of service as such, shall be vested and nonforfeitable.

(b) Any such judge or commissioner who first commenced service as a judge or compensation commissioner prior to January 1, 1981, and who resigns (1) prior to September 2, 2011, (2) prior to becoming eligible to retire under section 51-50a<sub>2</sub> and (3) after at least ten years of service, shall receive, at such time as he would have been eligible to so retire if he had continued in such service, as retirement salary, annually, fifty per cent of the retirement salary he would have received had he served until he was so eligible, plus ten per cent of such retirement salary for each year of service beyond ten years but for not more than five years of additional service.

(c) Any such judge, family support magistrate or commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after January 1, 1981, and who resigns (1) prior to September 2, 2011, (2) prior to becoming eligible to retire under section 51-50a<sub>2</sub> and (3) after at least ten years of service, shall receive, at such time as he would have been eligible to so retire if he had continued in such service, annually, an amount equal to the fraction of the retirement salary he would have received had he served until he was so eligible which corresponds to the ratio which the number of years of his completed service bears to the number of years of service which would have been completed at age sixty-five or twenty years, whichever is less.

(d) Any such judge or commissioner who first commenced service

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as a judge or compensation commissioner prior to January 1, 1981, and who resigns (1) prior to July 1, 2022, (2) prior to becoming eligible to retire under section 51-50a, and (3) after at least ten years of service, shall receive, at such time as he would have been eligible to so retire, annually, an amount equal to the fraction of the retirement salary he would have received had he been eligible to retire on the date of his resignation and shall begin collecting such retirement salary not earlier than at sixty-two years of age.

(e) Any such judge, family support magistrate or commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after January 1, 1981, and who resigns (1) prior to July 1, 2022, (2) prior to becoming eligible to retire under section 51-50a, and (3) after at least ten years of service, shall receive, at such time as he would have been eligible to so retire, annually, an amount equal to the fraction of the retirement salary he would have received had he been eligible to retire on the date of his resignation and shall begin collecting such retirement salary not earlier than at sixty-five years of age.

[[d]] (f) In determining the amount of retirement payments to be made pursuant to subsections (b) [and (c)] to (e), inclusive, of this section, longevity payments which would have been made if the judge, family support magistrate or commissioner had continued to serve as a judge, family support magistrate or commissioner from the date of resignation with a vested right to a retirement salary shall not be included in the computation.

(g) Any such judge, family support magistrate or commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after July 1, 2011, and who resigns prior to becoming eligible to retire under section 51-50a and after at least ten years of service, shall receive, at such time as he would have been eligible to so retire, annually, an amount equal to the fraction of

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the retirement salary he would have received had he been eligible to retire on the date of his resignation and shall begin collecting such retirement salary not earlier than at sixty-five years of age.

Sec. 147. Section 51-49b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 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*):

(a) On January 1, 1982, and January first of each subsequent year, each judge, family support magistrate or compensation commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after January 1, 1981, and retired on or before [the December thirty-first immediately preceding] September 2, 2011, shall be entitled, in addition to the retirement salary to which such judge, family support magistrate or commissioner was entitled under the provisions of section 51-49a, 51-50 or 51-50a, as of the December thirty-first immediately preceding, to an additional percentage which reflects the increase, if any, in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the previous twelve-month period, provided such cost of living allowance shall not exceed three per cent. Such cost of living allowance shall be computed on the basis of the combined retirement salary and cost of living allowances, if any, to which such judge, family support magistrate or commissioner was entitled as of the December thirty-first immediately preceding.

(b) On January 1, 2012, and January first of each subsequent year, each judge, family support magistrate or compensation commissioner who was in service as a judge, family support magistrate or compensation commissioner on or after September 1, 2011, and retired on or before the December thirty-first immediately preceding, shall be entitled, in addition to the retirement salary to which such judge,

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family support magistrate or compensation commissioner was entitled under the provisions of section 51-49a, 51-50 or 51-50a, as of the December thirty-first immediately preceding, to an additional percentage which reflects the increase, if any, in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the previous twelve-month period, provided such cost of living allowance shall not exceed two per cent. Such cost of living allowance shall be computed on the basis of the combined retirement salary and cost of living allowances, if any, to which such judge, family support magistrate or compensation commissioner was entitled as of the December thirty-first immediately preceding.

Sec. 148. Section 51-49f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 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*):

(a) For purposes of determining both the retirement salary of judges who first commenced service as judges prior to January 1, 1981, and the allowance payable to their surviving spouses under subsection (a) of section 51-51, "salary for the office" shall be composed of the total of the following amounts: The annual salary payable pursuant to subsection (a) of section 51-47, as such salary may change from time to time; and for judges to whom a longevity payment has been made or is due and payable, in each instance under subsection (d) of section 51-47, (1) one and one-half per cent of annual salary, as such salary may change from time to time, for those who have completed ten or more but less than fifteen years of service as a judge or other state service or service as an elected official of the state or any combination of such service, (2) three per cent of annual salary, as such salary may change from time to time, for those who have completed fifteen or more but less than twenty years of service as a judge or other state service or

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service as an elected official of the state or any combination of such service, (3) four and one-half per cent of annual salary, as such salary may change from time to time, for those who have completed twenty or more but less than twenty-five years of service as a judge or other state service or service as an elected official of the state or any combination of such service, and (4) six per cent of annual salary, as such salary may change from time to time, for those who have completed twenty-five or more years of service as a judge or other state service or service as an elected official of the state or any combination of such service.

(b) For purposes of determining both the retirement salary of judges who first commenced service as judges on or after January 1, 1981, and the allowance payable to their surviving spouses, under subsection (b) of section 51-51, "salary" shall be composed of the total of the following amounts: The annual salary payable at the time of retirement or death, fixed in accordance with subsection (a) of section 51-47; and for judges to whom a longevity payment has been made or is due and payable, in each case under subsection (d) of section 51-47, (1) one and one-half per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed ten or more but less than fifteen years of service as a judge or other state service or service as an elected official of the state or any combination of such service, (2) three per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed fifteen or more but less than twenty years of service as a judge or other state service or service as an elected official of the state or any combination of such service, (3) four and one-half per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed twenty or more but less than twenty-five years of service as a judge or other state service or service as an elected official of the state or any combination of such service, and (4) six per cent of the annual salary the judge was receiving at the time of retirement or death, for

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those who have completed twenty-five or more years of service as a judge or other state service or service as an elected official of the state or any combination of such service.

(c) For purposes of determining both the retirement salary of judges who first commenced service as judges on or after July 1, 2011, and the allowance payable to their surviving spouses, under subsection (b) of section 51-51, "salary" shall be composed of the total of the following amounts: The average annual salary for the five years next preceding his or her retirement payable at the time of retirement or death, fixed in accordance with subsection (a) of section 51-47; and for judges to whom a longevity payment has been made or is due and payable, in each case under subsection (d) of section 51-47, (1) one and one-half per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed ten or more but less than fifteen years of service as a judge or other state service or service as an elected official of the state or any combination of such service, (2) three per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed fifteen or more but less than twenty years of service as a judge or other state service or service as an elected official of the state or any combination of such service, (3) four and one-half per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed twenty or more but less than twenty-five years of service as a judge or other state service or service as an elected official of the state or any combination of such service, and (4) six per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed twenty-five or more years of service as a judge or other state service or service as an elected official of the state or any combination of such service.

(d) Notwithstanding any provision of the general statutes, on or after September 2, 2011, the retirement salary of such judge, family

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support magistrate or compensation commissioner shall not exceed the limits of Section 415 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time.

Sec. 149. (NEW) *(Effective 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)* (a) For any judge, family support magistrate or compensation commissioner retiring on or after July 1, 2022 the right to a retirement salary in accordance with the provisions of this section shall vest and be nonforfeitable when the judge, family support magistrate or commissioner has attained the age of sixty-three years and twenty-five years of service as a judge, family support magistrate or compensation commissioner, or sixty-two years and has served ten years as a judge, family support magistrate or compensation commissioner or has thirty years of state service credit under the provisions of chapter 66 of the general statutes, provided not less than ten years of such state service was served as a judge, family support magistrate or compensation commissioner, and provided such state service shall not be used for retirement credit under said chapter 66. Any contributions made under said chapter 66 shall be transferred to the Judges, Family Support Magistrates and Compensation Commissioners Retirement Fund.

(b) Any judge, family support magistrate or compensation commissioner who has been refunded contributions from the State Employees Retirement Fund for any prior period of state service may receive credit for such service upon repayment of such refunded contributions with interest thereon at the rate of five per cent per year from the date of refund to the date of payment. The amount of such payment shall be transferred to the judges, family support magistrates and compensation commissioners retirement system. A judge, family support magistrate or commissioner may elect to retire at any time

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thereafter.

(c) Notwithstanding any provision of the general statutes, any judge who has served for at least sixteen years as a judge and was nominated by the Governor for a subsequent term but was not reappointed and who has attained sixty-three years of age, shall be eligible to receive a retirement salary effective upon the expiration of his term as a judge.

Sec. 150. Section 46b-233a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 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*):

(a) Each family support magistrate who had elected under the provisions of subdivision (2) of subsection (i) of section 46b-231 shall, for retirement purposes, be entitled to credit for any or all the prior years of service accrued by him on June 22, 1992, while serving in the office of family support magistrate, provided such magistrate shall pay to the Comptroller five per cent of the salary for his office for each prior year of service he claims for retirement credit. Each such magistrate shall be entitled to have his retirement contributions to the state employees retirement system under chapter 66 credited toward the payment due for the prior year or years of service he claims for retirement credit under this section.

(b) For purposes of determining both the retirement salary of family support magistrates and the allowance payable to their surviving spouses under subsection (b) of section 51-51, "salary" shall be composed of the total of the following amounts: The [annual salary] average annual salary for the five years next preceding his or her retirement payable at the time of retirement or death, fixed in accordance with subsection (h) of section 46b-231; and for family support magistrates to whom a longevity payment has been made or is

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due and payable, in each case under section 51-51 (1) one and one-half per cent of the annual salary the family support magistrate was receiving at the time of retirement or death, for those who have completed ten or more but less than fifteen years of service as a family support magistrate, (2) three per cent of the annual salary the family support magistrate was receiving at the time of retirement or death, for those who have completed fifteen or more but less than twenty years of service as a family support magistrate, (3) four and one-half per cent of the annual salary the family support magistrate was receiving at the time of retirement or death, for those who have completed twenty or more but less than twenty-five years of service as a family support magistrate, and (4) six per cent of the annual salary the family support magistrate was receiving at the time of retirement or death, for those who have completed twenty-five or more years of service as a family support magistrate.

(c) Notwithstanding any provision of the general statutes, on or after September 2, 2011, the retirement salary of such judge, family support magistrate or compensation commissioner shall not exceed the limits of Section 415 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time.

Sec. 151. Section 51-49c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 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*):

(a) On January 1, 1982, and January first of each subsequent year until January 1, 2011, each surviving spouse of a deceased judge, family support magistrate or of a compensation commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after January 1, 1981, receiving an

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allowance under the provisions of section 51-51, shall be entitled to an additional cost of living allowance equal to the percentage which reflects the increase, if any, in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the previous twelve-month period, provided such cost of living increase shall not exceed three per cent. Such cost of living allowance shall be computed on the basis of the combined retirement allowance and cost of living allowance, if any, to which such surviving spouse was entitled as of the December thirty-first immediately preceding.

(b) On January 1, 2012, and January first of each subsequent year, each surviving spouse of a deceased judge, family support magistrate or compensation commissioner who first commenced service as a judge, family support magistrate or compensation commissioner on or after January 1, 1981, receiving an allowance under the provisions of section 51-51, shall be entitled to an additional cost of living allowance equal to the percentage which reflects the increase, if any, in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the previous twelve-month period, provided such cost of living increase shall not exceed two per cent. Such cost of living allowance shall be computed on the basis of the combined retirement allowance and cost of living allowance, if any, to which such surviving spouse was entitled as of the December thirty-first immediately preceding.

Sec. 152. (NEW) (*Effective from passage*) A stock corporation organized before January 1, 1920, and having a certificate of incorporation providing that each member of the corporation shall be entitled to one vote, irrespective of the number of shares the member may hold in the same, may convert to a nonstock corporation under chapter 602 of the general statutes by filing with the Secretary of the State a certificate of conversion (1) stating the terms of the corporation's plan of conversion and the classes of membership to

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which shareholders of the stock corporation, including any current classes of shareholders, will or may elect to belong following conversion and any amendment, restatement or amendment and restatement of the corporation's certificate of incorporation to be effected as a result of such conversion, and (2) certifying that the board of directors adopted the plan of conversion and such amendment, restatement or amendment and restatement of the certificate of incorporation and that a majority of the members or shares who were present or represented by proxy and voting at a duly noticed meeting of its shareholders or members voted in favor of the plan of conversion and to effect such amendment, restatement or amendment and restatement of the certificate of incorporation. After the filing of such certificate of conversion, (A) the corporation shall be deemed to have continued in existence with all the same corporate powers, except those that may not be exercised by a nonstock corporation under said chapter 602, and to continue to own all its assets and properties and to be liable for all its debts and liabilities; (B) the actions taken by a majority vote of shares present and voting at each past meeting of the shareholders of the corporation as recorded in the minutes of such meetings are valid without regard to any defect in notice or whether a quorum was present, unless an action was commenced alleging such facts prior to the effective date of this act; and (C) the corporation shall not be required until after January 1, 2015, to comply with the provisions of chapter 32 of the general statutes relating to ownership interests in the corporation deemed abandoned.

Sec. 153. Subsection (a) of section 4b-136 of the general statutes, as amended by section 143 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) There is established a State-Wide Security Management Council. The council shall consist of the following members or their designees: The Commissioner of Emergency Services and Public Protection, the

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Commissioner of Administrative Services, the Commissioner of Mental Health and Addiction Services, the Commissioner of Public Works, the Secretary of the Office of Policy and Management, the Chief Court Administrator, the executive director of the Joint Committee on Legislative Management, a representative of the Governor, a representative of the State Employees Bargaining Agent Coalition, the president of the Connecticut State Police Union, the president of the Connecticut Police Chiefs Association and the president of the Uniformed Professional Fire Fighters Association. The Commissioner of Public Works shall serve as chairperson of the council. Each council member shall provide technical assistance in the member's area of expertise, as required by the council.

Sec. 154. Subsection (a) of section 7-294d of the general statutes, as amended by section 147 of public act 11-51, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

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

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

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

(5) To require that all probationary candidates receive the hours of

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basic training deemed necessary before being eligible for certification, such basic training to be completed within one year following the appointment as a probationary candidate, unless the candidate is granted additional time to complete such basic training by the council;

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

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

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

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

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

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

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

(13) To work with the Commissioner of Emergency Services and

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Public Protection and with departments and agencies of this state and other states and the federal government concerned with police training;

(14) To make recommendations to the Commissioner of Emergency Services and Public Protection concerning the hiring of staff, within available appropriations, that may be necessary in the performance of its functions;

(15) To perform any other acts that may be necessary and appropriate to carry out the functions of the council as set forth in sections 7-294a to 7-294e, inclusive, as amended by [this act] public act 11-51;

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

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

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

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

(20) To recruit, select and appoint candidates to the position of probationary candidate, as defined in section 7-294a, as amended by [this act] house bill 6650 of the current session, and provide recruit training for candidates of the Connecticut Police Corps program in accordance with the Police Corps Act, 42 USC 14091 et seq., as

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amended from time to time; [and]

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

(22) To recommend to the commissioner the appointment of any council training instructor, or such other person as determined by the council, to act as a special police officer throughout the state as such instructor or other person's official duties may require, provided any such instructor or other person so appointed shall be a certified police officer. Each such special police officer shall be sworn and may arrest and present before a competent authority any person for any offense committed within the officer's precinct.

Sec. 155. Subsection (b) of section 165 of public act 11-44 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) Notwithstanding the provisions of subsections (a) and (c) of section 17b-112 of the general statutes, the Commissioner of Social Services shall, within available appropriations, grant [extensions] a six-month extension of time-limited cash assistance benefits to any person who (1) has made a good-faith effort to comply with the requirements of the pilot program, (2) has not exceeded the sixty-month limit, described in subsection (c) of section 17b-112 of the general statutes, and (3) has not been granted more than two extensions.

Sec. 156. Section 17b-340 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The rates to be paid by or for persons aided or cared for by the

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state or any town in this state to licensed chronic and convalescent nursing homes, to chronic disease hospitals associated with chronic and convalescent nursing homes, to rest homes with nursing supervision, to licensed residential care homes, as defined by section 19a-490, and to residential facilities for the mentally retarded which are licensed pursuant to section 17a-227 and certified to participate in the Title XIX Medicaid program as intermediate care facilities for the mentally retarded, for room, board and services specified in licensing regulations issued by the licensing agency shall be determined annually, except as otherwise provided in this subsection, after a public hearing, by the Commissioner of Social Services, to be effective July first of each year except as otherwise provided in this subsection. Such rates shall be determined on a basis of a reasonable payment for such necessary services, which basis shall take into account as a factor the costs of such services. Cost of such services shall include reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or other agreements between the employer and employees, provided "employees" shall not include persons employed as managers or chief administrators or required to be licensed as nursing home administrators, and compensation for services rendered by proprietors at prevailing wage rates, as determined by application of principles of accounting as prescribed by said commissioner. Cost of such services shall not include amounts paid by the facilities to employees as salary, or to attorneys or consultants as fees, where the responsibility of the employees, attorneys, or consultants is to persuade or seek to persuade the other employees of the facility to support or oppose unionization. Nothing in this subsection shall prohibit inclusion of amounts paid for legal counsel related to the negotiation of collective bargaining agreements, the settlement of grievances or normal administration of labor relations. The commissioner may, in his discretion, allow the inclusion of extraordinary and unanticipated costs of providing services which were incurred to avoid an immediate negative impact on the health

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and safety of patients. The commissioner may, in his discretion, based upon review of a facility's costs, direct care staff to patient ratio and any other related information, revise a facility's rate for any increases or decreases to total licensed capacity of more than ten beds or changes to its number of licensed rest home with nursing supervision beds and chronic and convalescent nursing home beds. The commissioner may so revise a facility's rate established for the fiscal year ending June 30, 1993, and thereafter for any bed increases, decreases or changes in licensure effective after October 1, 1989. Effective July 1, 1991, in facilities which have both a chronic and convalescent nursing home and a rest home with nursing supervision, the rate for the rest home with nursing supervision shall not exceed such facility's rate for its chronic and convalescent nursing home. All such facilities for which rates are determined under this subsection shall report on a fiscal year basis ending on the thirtieth day of September. Such report shall be submitted to the commissioner by the thirty-first day of December. The commissioner may reduce the rate in effect for a facility which fails to report on or before such date by an amount not to exceed ten per cent of such rate. The commissioner shall annually, on or before the fifteenth day of February, report the data contained in the reports of such facilities to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations. For the cost reporting year commencing October 1, 1985, and for subsequent cost reporting years, facilities shall report the cost of using the services of any nursing pool employee by separating said cost into two categories, the portion of the cost equal to the salary of the employee for whom the nursing pool employee is substituting shall be considered a nursing cost and any cost in excess of such salary shall be further divided so that seventy-five per cent of the excess cost shall be considered an administrative or general cost and twenty-five per cent of the excess cost shall be considered a nursing cost, provided if the total nursing pool costs of a facility for any cost year are equal to or exceed fifteen per cent of the total nursing expenditures of the facility

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for such cost year, no portion of nursing pool costs in excess of fifteen per cent shall be classified as administrative or general costs. The commissioner, in determining such rates, shall also take into account the classification of patients or boarders according to special care requirements or classification of the facility according to such factors as facilities and services and such other factors as he deems reasonable, including anticipated fluctuations in the cost of providing such services. The commissioner may establish a separate rate for a facility or a portion of a facility for traumatic brain injury patients who require extensive care but not acute general hospital care. Such separate rate shall reflect the special care requirements of such patients. If changes in federal or state laws, regulations or standards adopted subsequent to June 30, 1985, result in increased costs or expenditures in an amount exceeding one-half of one per cent of allowable costs for the most recent cost reporting year, the commissioner shall adjust rates and provide payment for any such increased reasonable costs or expenditures within a reasonable period of time retroactive to the date of enforcement. Nothing in this section shall be construed to require the Department of Social Services to adjust rates and provide payment for any increases in costs resulting from an inspection of a facility by the Department of Public Health. Such assistance as the commissioner requires from other state agencies or departments in determining rates shall be made available to him at his request. Payment of the rates established hereunder shall be conditioned on the establishment by such facilities of admissions procedures which conform with this section, section 19a-533 and all other applicable provisions of the law and the provision of equality of treatment to all persons in such facilities. The established rates shall be the maximum amount chargeable by such facilities for care of such beneficiaries, and the acceptance by or on behalf of any such facility of any additional compensation for care of any such beneficiary from any other person or source shall constitute the offense of aiding a beneficiary to obtain aid to which he is not entitled and shall be punishable in the same

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manner as is provided in subsection (b) of section 17b-97. For the fiscal year ending June 30, 1992, rates for licensed residential care homes and intermediate care facilities for the mentally retarded may receive an increase not to exceed the most recent annual increase in the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items. Rates for newly certified intermediate care facilities for the mentally retarded shall not exceed one hundred fifty per cent of the median rate of rates in effect on January 31, 1991, for intermediate care facilities for the mentally retarded certified prior to February 1, 1991. Notwithstanding any provision of this section, the Commissioner of Social Services may, within available appropriations, provide an interim rate increase for a licensed chronic and convalescent nursing home or a rest home with nursing supervision for rate periods no earlier than April 1, 2004, only if the commissioner determines that the increase is necessary to avoid the filing of a petition for relief under Title 11 of the United States Code; imposition of receivership pursuant to sections 19a-541 to 19a-549, inclusive; or substantial deterioration of the facility's financial condition that may be expected to adversely affect resident care and the continued operation of the facility, and the commissioner determines that the continued operation of the facility is in the best interest of the state. The commissioner shall consider any requests for interim rate increases on file with the department from March 30, 2004, and those submitted subsequently for rate periods no earlier than April 1, 2004. When reviewing a rate increase request the commissioner shall, at a minimum, consider: (1) Existing chronic and convalescent nursing home or rest home with nursing supervision utilization in the area and projected bed need; (2) physical plant long-term viability and the ability of the owner or purchaser to implement any necessary property improvements; (3) licensure and certification compliance history; (4) reasonableness of actual and projected expenses; and (5) the ability of the facility to meet wage and benefit costs. No rate shall be increased pursuant to this subsection in excess

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of one hundred fifteen per cent of the median rate for the facility's peer grouping, established pursuant to subdivision (2) of subsection (f) of this section, unless recommended by the commissioner and approved by the Secretary of the Office of Policy and Management after consultation with the commissioner. Such median rates shall be published by the Department of Social Services not later than April first of each year. In the event that a facility granted an interim rate increase pursuant to this section is sold or otherwise conveyed for value to an unrelated entity less than five years after the effective date of such rate increase, the rate increase shall be deemed rescinded and the department shall recover an amount equal to the difference between payments made for all affected rate periods and payments that would have been made if the interim rate increase was not granted. The commissioner may seek recovery from payments made to any facility with common ownership. With the approval of the Secretary of the Office of Policy and Management, the commissioner may waive recovery and rescission of the interim rate for good cause shown that is not inconsistent with this section, including, but not limited to, transfers to family members that were made for no value. The commissioner shall provide written quarterly reports to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies and to the select committee of the General Assembly having cognizance of matters relating to aging, that identify each facility requesting an interim rate increase, the amount of the requested rate increase for each facility, the action taken by the commissioner and the secretary pursuant to this subsection, and estimates of the additional cost to the state for each approved interim rate increase. Nothing in this subsection shall prohibit the commissioner from increasing the rate of a licensed chronic and convalescent nursing home or a rest home with nursing supervision for allowable costs associated with facility capital improvements or increasing the rate in case of a sale of a licensed chronic and

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convalescent nursing home or a rest home with nursing supervision, pursuant to subdivision [(16)] (15) of subsection (f) of this section, if receivership has been imposed on such home.

(b) The Commissioner of Social Services shall adopt regulations in accordance with the provisions of chapter 54 to specify other allowable services. For purposes of this section, other allowable services means those services required by any medical assistance beneficiary residing in such home or hospital which are not already covered in the rate set by the commissioner in accordance with the provisions of subsection (a) of this section.

(c) No facility subject to the requirements of this section shall accept payment in excess of the rate set by the commissioner pursuant to subsection (a) of this section for any medical assistance patient from this or any other state. No facility shall accept payment in excess of the reasonable and necessary costs of other allowable services as specified by the commissioner pursuant to the regulations adopted under subsection (b) of this section for any public assistance patient from this or any other state. Notwithstanding the provisions of this subsection, the commissioner may authorize a facility to accept payment in excess of the rate paid for a medical assistance patient in this state for a patient who receives medical assistance from another state.

(d) In any instance where the Commissioner of Social Services finds that a facility subject to the requirements of this section is accepting payment for a medical assistance beneficiary in violation of subsection (c) of this section, the commissioner shall proceed to recover through the rate set for the facility any sum in excess of the stipulated per diem and other allowable costs, as provided for in regulations adopted pursuant to subsections (a) and (b) of this section. The commissioner shall make the recovery prospectively at the time of the next annual rate redetermination.

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(e) Except as provided in this subsection, the provisions of subsections (c) and (d) of this section shall not apply to any facility subject to the requirements of this section, which on October 1, 1981, (1) was accepting payments from the commissioner in accordance with the provisions of subsection (a) of this section, (2) was accepting medical assistance payments from another state for at least twenty per cent of its patients, and (3) had not notified the commissioner of any intent to terminate its provider agreement, in accordance with section 17b-271, provided no patient residing in any such facility on May 22, 1984, shall be removed from such facility for purposes of meeting the requirements of this subsection. If the commissioner finds that the number of beds available to medical assistance patients from this state in any such facility is less than fifteen per cent the provisions of subsections (c) and (d) of this section shall apply to that number of beds which is less than said percentage.

(f) For the fiscal year ending June 30, 1992, the rates paid by or for persons aided or cared for by the state or any town in this state to facilities for room, board and services specified in licensing regulations issued by the licensing agency, except intermediate care facilities for the mentally retarded and residential care homes, shall be based on the cost year ending September 30, 1989. For the fiscal years ending June 30, 1993, and June 30, 1994, such rates shall be based on the cost year ending September 30, 1990. Such rates shall be determined by the Commissioner of Social Services in accordance with this section and the regulations of Connecticut state agencies promulgated by the commissioner and in effect on April 1, 1991, except that:

(1) Allowable costs shall be divided into the following five cost components: Direct costs, which shall include salaries for nursing personnel, related fringe benefits and nursing pool costs; indirect costs, which shall include professional fees, dietary expenses, housekeeping expenses, laundry expenses, supplies related to patient care, salaries

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for indirect care personnel and related fringe benefits; fair rent, which shall be defined in accordance with subsection (f) of section 17-311-52 of the regulations of Connecticut state agencies; capital-related costs, which shall include property taxes, insurance expenses, equipment leases and equipment depreciation; and administrative and general costs, which shall include maintenance and operation of plant expenses, salaries for administrative and maintenance personnel and related fringe benefits. The commissioner may provide a rate adjustment for nonemergency transportation services required by nursing facility residents. Such adjustment shall be a fixed amount determined annually by the commissioner based upon a review of costs and other associated information. Allowable costs shall not include costs for ancillary services payable under Part B of the Medicare program.

(2) Two geographic peer groupings of facilities shall be established for each level of care, as defined by the Department of Social Services for the determination of rates, for the purpose of determining allowable direct costs. One peer grouping shall be comprised of those facilities located in Fairfield County. The other peer grouping shall be comprised of facilities located in all other counties.

(3) For the fiscal year ending June 30, 1992, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred forty per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred thirty per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved by the Office of Health Care Access pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs, the maximum shall be equal to one hundred twenty-five per cent of the state-wide median allowable cost. For the fiscal year ending June 30,

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1993, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred forty per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred twenty-five per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved by the Office of Health Care Access pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs the maximum shall be equal to one hundred fifteen per cent of the state-wide median allowable cost. For the fiscal year ending June 30, 1994, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred thirty-five per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred twenty per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved by the Office of Health Care Access pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs the maximum shall be equal to one hundred ten per cent of the state-wide median allowable cost. For the fiscal year ending June 30, 1995, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred thirty-five per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred twenty per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved by the Office of Health Care Access pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs the maximum shall be equal to one hundred five per cent of the state-wide median allowable cost. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, except for the fiscal years ending June 30, 2000, and June 30, 2001, for facilities with an interim

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rate in one or both periods, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred thirty-five per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred fifteen per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs the maximum shall be equal to the state-wide median allowable cost. For the fiscal years ending June 30, 2000, and June 30, 2001, for facilities with an interim rate in one or both periods, per diem maximum allowable costs for each cost component shall be as follows: For direct costs, the maximum shall be equal to one hundred forty-five per cent of the median allowable cost of that peer grouping; for indirect costs, the maximum shall be equal to one hundred twenty-five per cent of the state-wide median allowable cost; for fair rent, the amount shall be calculated utilizing the amount approved pursuant to section 19a-638; for capital-related costs, there shall be no maximum; and for administrative and general costs, the maximum shall be equal to the state-wide median allowable cost and such medians shall be based upon the same cost year used to set rates for facilities with prospective rates. Costs in excess of the maximum amounts established under this subsection shall not be recognized as allowable costs, except that the Commissioner of Social Services (A) may allow costs in excess of maximum amounts for any facility with patient days covered by Medicare, including days requiring coinsurance, in excess of twelve per cent of annual patient days which also has patient days covered by Medicaid in excess of fifty per cent of annual patient days; (B) may establish a pilot program whereby costs in excess of maximum amounts shall be allowed for beds in a nursing home which has a managed care program and is affiliated with a hospital licensed under chapter 368v; and (C) may establish rates whereby allowable costs may exceed such maximum amounts for beds approved on or after July 1,

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1991, which are restricted to use by patients with acquired immune deficiency syndrome or traumatic brain injury.

(4) For the fiscal year ending June 30, 1992, (A) no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1991; (B) no facility whose rate, if determined pursuant to this subsection, would exceed one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is five and one-half per cent more than the rate it received for the rate year ending June 30, 1991; and (C) no facility whose rate, if determined pursuant to this subsection, would be less than one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is six and one-half per cent more than the rate it received for the rate year ending June 30, 1991. For the fiscal year ending June 30, 1993, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1992, or six per cent more than the rate it received for the rate year ending June 30, 1992. For the fiscal year ending June 30, 1994, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1993, or six per cent more than the rate it received for the rate year ending June 30, 1993. For the fiscal year ending June 30, 1995, no facility shall receive a rate that is more than five per cent less than the rate it received for the rate year ending June 30, 1994, or six per cent more than the rate it received for the rate year ending June 30, 1994. For the fiscal years ending June 30, 1996, and June 30, 1997, no facility shall receive a rate that is more than three per cent more than the rate it received for the prior rate year. For the fiscal year ending June 30, 1998, a facility shall receive a rate increase that is not more than two per cent more than the rate that the facility received in the prior year. For the fiscal year ending June 30, 1999, a facility shall receive a rate increase that is not more than three per cent more than the rate that the facility received in the prior year and that is not less than one per cent more than the rate that the

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facility received in the prior year, exclusive of rate increases associated with a wage, benefit and staffing enhancement rate adjustment added for the period from April 1, 1999, to June 30, 1999, inclusive. For the fiscal year ending June 30, 2000, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 1999, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2000, shall receive a rate increase equal to one per cent applied to the rate the facility received for the fiscal year ending June 30, 1999, exclusive of the facility's wage, benefit and staffing enhancement rate adjustment. For the fiscal year ending June 30, 2000, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2000, shall receive a rate increase that is more than one per cent more than the rate the facility received in the fiscal year ending June 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 2000, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2001, shall receive a rate increase equal to two per cent applied to the rate the facility received for the fiscal year ending June 30, 2000, subject to verification of wage enhancement adjustments pursuant to subdivision [(15)] (14) of this subsection. For the fiscal year ending June 30, 2001, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2001, shall receive a rate increase that is more than two per cent more than the rate the facility received for the fiscal year ending June 30, 2000. For the fiscal year ending June 30, 2002, each facility shall receive a rate that is two and one-half per cent more than the rate the facility received in the prior fiscal year. For the fiscal year ending June 30, 2003, each facility shall receive a rate that is two per cent more than the rate the facility received in the prior fiscal year, except that such increase shall be

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effective January 1, 2003, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until December 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate increased two per cent effective June 1, 2003. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until December 31, 2004, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective January 1, 2005, each facility shall receive a rate that is one per cent greater than the rate in effect December 31, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in this subdivision, but in no event earlier than July 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, for the fiscal year ending June 30, 2006, the department shall compute the rate for each facility based upon its 2003 cost report filing or a subsequent cost year filing for facilities having an interim rate for the period ending June 30, 2005, as provided under section 17-311-55 of the regulations of Connecticut state agencies. For each facility not having an interim rate for the period ending June 30, 2005, the rate for the period ending June 30, 2006, shall be determined beginning with the higher of the computed rate based upon its 2003 cost report filing or the rate in effect for the period ending June 30, 2005. Such rate shall then be

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increased by eleven dollars and eighty cents per day except that in no event shall the rate for the period ending June 30, 2006, be thirty-two dollars more than the rate in effect for the period ending June 30, 2005, and for any facility with a rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with a rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. For each facility with an interim rate for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven dollars and eighty cents per day plus the per day cost of the user fee payments made pursuant to section 17b-320 divided by annual resident service days, except for any facility with an interim rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with an interim rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. Such July 1, 2005, rate adjustments shall remain in effect unless (i) the federal financial participation matching funds associated with the rate increase are no longer available; or (ii) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, each facility shall receive a rate that is three per cent greater than the rate in effect for the period ending June 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the rate period ending June 30, 2006, due to

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interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the rate period ending June 30, 2007, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate. The Commissioner of Social Services shall add fair rent increases to any other rate increases established pursuant to this subdivision for a facility which has undergone a material change in circumstances related to fair rent, except for the fiscal year ending June 30, 2010, and the fiscal year ending June 30, 2011, such fair rent increases shall only be provided to facilities with an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 or 17b-355. Interim rates may take into account reasonable costs incurred by a facility, including wages and benefits.

(5) For the purpose of determining allowable fair rent, a facility with allowable fair rent less than the twenty-fifth percentile of the state-wide allowable fair rent shall be reimbursed as having allowable fair rent equal to the twenty-fifth percentile of the state-wide allowable fair rent, provided for the fiscal years ending June 30, 1996, and June 30, 1997, the reimbursement may not exceed the twenty-fifth percentile of

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the state-wide allowable fair rent for the fiscal year ending June 30, 1995. On and after July 1, 1998, the Commissioner of Social Services may allow minimum fair rent as the basis upon which reimbursement associated with improvements to real property is added. Beginning with the fiscal year ending June 30, 1996, any facility with a rate of return on real property other than land in excess of eleven per cent shall have such allowance revised to eleven per cent. Any facility or its related realty affiliate which finances or refinances debt through bonds issued by the State of Connecticut Health and Education Facilities Authority shall report the terms and conditions of such financing or refinancing to the Commissioner of Social Services within thirty days of completing such financing or refinancing. The Commissioner of Social Services may revise the facility's fair rent component of its rate to reflect any financial benefit the facility or its related realty affiliate received as a result of such financing or refinancing, including but not limited to, reductions in the amount of debt service payments or period of debt repayment. The commissioner shall allow actual debt service costs for bonds issued by the State of Connecticut Health and Educational Facilities Authority if such costs do not exceed property costs allowed pursuant to subsection (f) of section 17-311-52 of the regulations of Connecticut state agencies, provided the commissioner may allow higher debt service costs for such bonds for good cause. For facilities which first open on or after October 1, 1992, the commissioner shall determine allowable fair rent for real property other than land based on the rate of return for the cost year in which such bonds were issued. The financial benefit resulting from a facility financing or refinancing debt through such bonds shall be shared between the state and the facility to an extent determined by the commissioner on a case-by-case basis and shall be reflected in an adjustment to the facility's allowable fair rent.

(6) A facility shall receive cost efficiency adjustments for indirect costs and for administrative and general costs if such costs are below

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the state-wide median costs. The cost efficiency adjustments shall equal twenty-five per cent of the difference between allowable reported costs and the applicable median allowable cost established pursuant to this subdivision.

(7) For the fiscal year ending June 30, 1992, allowable operating costs, excluding fair rent, shall be inflated using the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items minus one and one-half per cent. For the fiscal year ending June 30, 1993, allowable operating costs, excluding fair rent, shall be inflated using the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items minus one and three-quarters per cent. For the fiscal years ending June 30, 1994, and June 30, 1995, allowable operating costs, excluding fair rent, shall be inflated using the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items minus two per cent. For the fiscal year ending June 30, 1996, allowable operating costs, excluding fair rent, shall be inflated using the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items minus two and one-half per cent. For the fiscal year ending June 30, 1997, allowable operating costs, excluding fair rent, shall be inflated using the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items minus three and one-half per cent. For the fiscal year ending June 30, 1992, and any succeeding fiscal year, allowable fair rent shall be those reported in the annual report of long-term care facilities for the cost year ending the immediately preceding September thirtieth. The inflation index to be used pursuant to this subsection shall be computed to reflect inflation between the midpoint of the cost year through the midpoint of the rate year. The Department of Social Services shall study methods of reimbursement for fair rent and shall report its findings and recommendations to the joint standing

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committee of the General Assembly having cognizance of matters relating to human services on or before January 15, 1993.

(8) On and after July 1, 1994, costs shall be rebased no more frequently than every two years and no less frequently than every four years, as determined by the commissioner. The commissioner shall determine whether and to what extent a change in ownership of a facility shall occasion the rebasing of the facility's costs.

(9) The method of establishing rates for new facilities shall be determined by the commissioner in accordance with the provisions of this subsection.

(10) Rates determined under this section shall comply with federal laws and regulations.

[(11) For the fiscal year ending June 30, 2011, and any succeeding fiscal year, one-half of the initial amount payable in June by the state to a facility pursuant to this subsection shall be paid to the facility in June and the balance of such amount shall be paid in July.]

[(12)] (11) Notwithstanding the provisions of this subsection, interim rates issued for facilities on and after July 1, 1991, shall be subject to applicable fiscal year cost component limitations established pursuant to subdivision (3) of this subsection.

[(13)] (12) A chronic and convalescent nursing home having an ownership affiliation with and operated at the same location as a chronic disease hospital may request that the commissioner approve an exception to applicable rate-setting provisions for chronic and convalescent nursing homes and establish a rate for the fiscal years ending June 30, 1992, and June 30, 1993, in accordance with regulations in effect June 30, 1991. Any such rate shall not exceed one hundred sixty-five per cent of the median rate established for chronic and convalescent nursing homes established under this section for the

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applicable fiscal year.

[(14)] (13) For the fiscal year ending June 30, 1994, and any succeeding fiscal year, for purposes of computing minimum allowable patient days, utilization of a facility's certified beds shall be determined at a minimum of ninety-five per cent of capacity, except for new facilities and facilities which are certified for additional beds which may be permitted a lower occupancy rate for the first three months of operation after the effective date of licensure.

[(15)] (14) The Commissioner of Social Services shall adjust facility rates from April 1, 1999, to June 30, 1999, inclusive, by a per diem amount representing each facility's allocation of funds appropriated for the purpose of wage, benefit and staffing enhancement. A facility's per diem allocation of such funding shall be computed as follows: (A) The facility's direct and indirect component salary, wage, nursing pool and allocated fringe benefit costs as filed for the 1998 cost report period deemed allowable in accordance with this section and applicable regulations without application of cost component maximums specified in subdivision (3) of this subsection shall be totalled; (B) such total shall be multiplied by the facility's Medicaid utilization based on the 1998 cost report; (C) the resulting amount for the facility shall be divided by the sum of the calculations specified in subparagraphs (A) and (B) of this subdivision for all facilities to determine the facility's percentage share of appropriated wage, benefit and staffing enhancement funding; (D) the facility's percentage share shall be multiplied by the amount of appropriated wage, benefit and staffing enhancement funding to determine the facility's allocated amount; and (E) such allocated amount shall be divided by the number of days of care paid for by Medicaid on an annual basis including days for reserved beds specified in the 1998 cost report to determine the per diem wage and benefit rate adjustment amount. The commissioner may adjust a facility's reported 1998 cost and utilization data for the

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purposes of determining a facility's share of wage, benefit and staffing enhancement funding when reported 1998 information is not substantially representative of estimated cost and utilization data for the fiscal year ending June 30, 2000, due to special circumstances during the 1998 cost report period including change of ownership with a part year cost filing or reductions in facility capacity due to facility renovation projects. Upon completion of the calculation of the allocation of wage, benefit and staffing enhancement funding, the commissioner shall not adjust the allocations due to revisions submitted to previously filed 1998 annual cost reports. In the event that a facility's rate for the fiscal year ending June 30, 1999, is an interim rate or the rate includes an increase adjustment due to a rate request to the commissioner or other reasons, the commissioner may reduce or withhold the per diem wage, benefit and staffing enhancement allocation computed for the facility. Any enhancement allocations not applied to facility rates shall not be reallocated to other facilities and such unallocated amounts shall be available for the costs associated with interim rates and other Medicaid expenditures. The wage, benefit and staffing enhancement per diem adjustment for the period from April 1, 1999, to June 30, 1999, inclusive, shall also be applied to rates for the fiscal years ending June 30, 2000, and June 30, 2001, except that the commissioner may increase or decrease the adjustment to account for changes in facility capacity or operations. Any facility accepting a rate adjustment for wage, benefit and staffing enhancements shall apply payments made as a result of such rate adjustment for increased allowable employee wage rates and benefits and additional direct and indirect component staffing. Adjustment funding shall not be applied to wage and salary increases provided to the administrator, assistant administrator, owners or related party employees. Enhancement payments may be applied to increases in costs associated with staffing purchased from staffing agencies provided such costs are deemed necessary and reasonable by the commissioner. The commissioner shall compare expenditures for

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wages, benefits and staffing for the 1998 cost report period to such expenditures in the 1999, 2000 and 2001 cost report periods to verify whether a facility has applied additional payments to specified enhancements. In the event that the commissioner determines that a facility did not apply additional payments to specified enhancements, the commissioner shall recover such amounts from the facility through rate adjustments or other means. The commissioner may require facilities to file cost reporting forms, in addition to the annual cost report, as may be necessary, to verify the appropriate application of wage, benefit and staffing enhancement rate adjustment payments. For the purposes of this subdivision, "Medicaid utilization" means the number of days of care paid for by Medicaid on an annual basis including days for reserved beds as a percentage of total resident days.

[(16)] (15) The interim rate established to become effective upon sale of any licensed chronic and convalescent home or rest home with nursing supervision for which a receivership has been imposed pursuant to sections 19a-541 to 19a-549, inclusive, shall not exceed the rate in effect for the facility at the time of the imposition of the receivership, subject to any annual increases permitted by this section; provided the Commissioner of Social Services may, in the commissioner's discretion, and after consultation with the receiver, establish an increased rate for the facility if the commissioner with approval of the Secretary of the Office of Policy and Management determines that such higher rate is needed to keep the facility open and to ensure the health, safety and welfare of the residents at such facility.

(g) For the fiscal year ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of its rate in excess of one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year

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ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of its rate that is less than one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to thirty per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred forty per cent of the median of operating cost components in effect January 1, 1992. Any facility with real property other than land placed in service prior to October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a rate of return on real property equal to the average of the rates of return applied to real property other than land placed in service for the five years preceding October 1, 1993. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the rate of return on real property for property items shall be revised every five years. The commissioner shall, upon submission of a request, allow actual debt service, comprised of principal and interest, in excess of property costs allowed pursuant to section 17-311-52 of the regulations of Connecticut state agencies, provided such debt service terms and amounts are reasonable in relation to the useful life and the base value of the property. For the fiscal year ending June 30, 1995, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, no rate shall exceed three hundred seventy-five dollars per day unless the commissioner, in consultation with the Commissioner of Developmental Services, determines after a review of program and management costs, that a

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rate in excess of this amount is necessary for care and treatment of facility residents. For the fiscal year ending June 30, 2002, rate period, the Commissioner of Social Services shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2000 costs to include a three and one-half per cent inflation factor. For the fiscal year ending June 30, 2003, rate period, the commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2001 costs to include a one and one-half per cent inflation factor, except that such increase shall be effective November 1, 2002, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until October 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate updated effective November 1, 2002, in accordance with applicable statutes and regulations. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until September 30, 2004. Effective October 1, 2004, each facility shall receive a rate that is five per cent greater than the rate in effect September 30, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that

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is four per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than three per cent greater than the rate in effect for the facility on September 30, 2006, except any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the rate period ending June 30, 2007, due to interim rate status, or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the

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fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate.

(h) (1) For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate in excess of one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate that is less than one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to sixty-five per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred thirty per cent of the median of operating cost components in effect January 1, 1992. Beginning with the fiscal year ending June 30, 1993, for the purpose of determining allowable fair rent, a residential care home with allowable fair rent less than the twenty-fifth percentile of the state-wide allowable fair rent shall be reimbursed as having allowable fair rent equal to the twenty-fifth percentile of the state-wide allowable fair rent. Beginning with the fiscal year ending June 30, 1997, a residential care home with allowable fair rent less than three dollars and ten cents per day shall be reimbursed as having allowable fair rent equal to three dollars and ten cents per day. Property additions placed in service during the cost year ending September 30, 1996, or any succeeding cost year shall receive a fair rent allowance for such additions as an addition to three dollars and ten cents per day if the fair rent for the facility for property placed in service prior to September 30, 1995, is less than or equal to three dollars and ten cents per day. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations

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of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. Beginning with the fiscal year ending June 30, 1997, minimum allowable patient days for rate computation purposes for a residential care home with twenty-five beds or less shall be eighty-five per cent of licensed capacity. Beginning with the fiscal year ending June 30, 2002, for the purposes of determining the allowable salary of an administrator of a residential care home with sixty beds or less the department shall revise the allowable base salary to thirty-seven thousand dollars to be annually inflated thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies. The rates for the fiscal year ending June 30, 2002, shall be based upon the increased allowable salary of an administrator, regardless of whether such amount was expended in the 2000 cost report period upon which the rates are based. Beginning with the fiscal year ending June 30, 2000, the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall be increased by two per cent, and beginning with the fiscal year ending June 30, 2002, the inflation adjustment for rates made in accordance with subsection (c) of said section shall be increased by one per cent. Beginning with the fiscal year ending June 30, 1999, for the purpose of determining the allowable salary of a related party, the department shall revise the maximum salary to twenty-seven thousand eight hundred fifty-six dollars to be annually inflated thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies and beginning with the fiscal year ending June 30, 2001, such allowable salary shall be computed on an hourly basis and the maximum number of hours allowed for a related party other than the proprietor shall be increased from forty hours to forty-eight hours per work week. For the fiscal year ending June 30, 2005, each facility shall receive a rate

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that is two and one-quarter per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is determined in accordance with applicable law and subject to appropriations, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than four per cent greater than the rate in effect for the facility on September 30, 2006, except for any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending

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June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate, except (i) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate; and (ii) the commissioner may increase a facility's rate for reasonable costs associated with such facility's compliance with the provisions of section 19a-495a concerning the administration of medication by unlicensed personnel.

(2) The commissioner shall, upon determining that a loan to be issued to a residential care home by the Connecticut Housing Finance Authority is reasonable in relation to the useful life and property cost allowance pursuant to section 17-311-52 of the regulations of Connecticut state agencies, allow actual debt service, comprised of principal, interest and a repair and replacement reserve on the loan, in lieu of allowed property costs whether actual debt service is higher or lower than such allowed property costs.

(i) Notwithstanding the provisions of this section, the Commissioner of Social Services shall establish a fee schedule for payments to be made to chronic disease hospitals associated with chronic and convalescent nursing homes to be effective on and after July 1, 1995. The fee schedule may be adjusted annually beginning July 1, 1997, to reflect necessary increases in the cost of services.

Sec. 157. Subdivision (4) of subsection (b) of section 10-399 of the general statutes, as amended by section 104 of public act 11-48, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(4) The Department of Economic and Community Development shall place a full-time year-round supervisor and a part-time assistant supervisor at the Danbury, Darien [,] and North Stonington [and West

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Willington] centers. The responsibilities of each supervisor shall include, but not be limited to: (A) Maintaining a sufficient inventory of up-to-date brochures for dissemination to visitors, (B) scheduling staff so as to assure coverage at all times, (C) training staff, (D) compiling and maintaining statistics on center usage, (E) serving as liaison between the department, the Department of Transportation, the tourism district in which the center is located and businesses in such district, (F) maintaining quality tourism services, (G) rotating displays, (H) evaluating staff, (I) problem-solving, and (J) computing travel reimbursements for volunteer staff;

Sec. 158. Subsection (a) of section 81 of public act 11-44 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The Commissioner of Social Services shall modify the extent of nonemergency adult dental services provided under the Medicaid program. Such modifications shall include, but are not limited to, providing one periodic dental exam, one dental cleaning and one set of bitewing x-rays each year for a healthy adult. For purposes of this section, "healthy adult" means a person [over] twenty-one years of age or older for whom there is no evidence indicating that dental disease is an aggravating factor for the person's overall health condition.

Sec. 159. Subsection (c) of section 204 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(c) Not later than October [1, 2012] first of each of the years 2012 and 2013, the Commissioners of Education and Higher Education shall report to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education, in accordance with the provisions of section 11-4a of the general statutes, concerning the results of the pilot program. The report shall include, but not be limited to: (1) The number, ages and educational history of the adults who participated in the pilot

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program; (2) the dates each adult participated in such pilot program; (3) the subject matter in which each such adult required postsecondary developmental education; (4) a description of the college preparatory classes that were offered through such pilot program; (5) the level of improvement of each such adult in each subject matter in which such adult required postsecondary developmental education; (6) the results of any college placement examinations taken by each such adult and the dates of such examinations; (7) whether any adults who participated in such pilot program applied for acceptance to, enrolled in or registered for a program of higher learning at an institution of higher education prior to or upon completion of such pilot program and, if so, a description of such program of higher learning; and (8) the cost of offering college preparatory classes through such pilot program in comparison to the cost of offering the equivalent or similar postsecondary developmental education classes at an institution of higher education in this state.

Sec. 160. Subsection (c) of section 205 of public act 11-48 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(c) Not later than October [1, 2012] first of each of the years 2012 and 2013, the Commissioners of Education and Higher Education shall report to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education, in accordance with the provisions of section 11-4a of the general statutes, concerning the results of the pilot program. The report shall include, but not be limited to: (1) The number, ages and educational history of the students who participated in the pilot program; (2) the dates each student participated in such pilot program; (3) the subject matter in which each such student required developmental education; (4) a description of the college preparatory classes that were offered through such pilot program; (5) the level of improvement of each such student in each subject matter in which

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such student required developmental education; (6) the results of any college placement examinations taken by each such student and the dates of such examinations; (7) whether any students who participated in such pilot program applied for acceptance to, enrolled in or registered for a program of higher learning at an institution of higher education prior to or upon completion of such pilot program and, if so, a description of such program of higher learning; and (8) the cost of offering college preparatory classes through such pilot program in comparison to the cost of offering the equivalent or similar developmental education classes at an institution of higher education in this state.

Sec. 161. Subsection (c) of section 13b-61c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(c) For the fiscal year ending June 30, 2012, the Comptroller shall transfer the sum of [one hundred twenty-four million fifty thousand] eighty-one million five hundred fifty thousand dollars from the resources of the General Fund to the Special Transportation Fund.

Sec. 162. (NEW) (*Effective July 1, 2012*) (a) The Commissioner of Economic and Community Development shall establish an economic development grants program to provide grants for the following programs and purposes:

(1) To develop a small business incubator program to entities operating incubator facilities, as defined in section 32-34 of the general statutes;

(2) To promote, retain and expand hydrogen and fuel cell industries in Connecticut;

(3) To promote supply chain integration and encourage the adoption of digital manufacturing and information technologies;

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(4) To provide training for small and medium-sized businesses in high-performance work practices;

(5) To support the development of marine science, maritime and homeland security defense industries;

(6) To promote research innovation and nanotechnology; and

(7) To provide technical assistance to small business owners.

(b) The Department of Economic and Community Development may enter into an agreement, pursuant to chapter 55a of the general statutes, with a person, firm, corporation or other entity to operate the grants program developed pursuant to subsection (a) of this section.

(c) The commissioner shall prescribe the manner in which an entity shall submit an application for a grant awarded as part of the grants program developed pursuant to this section, provided such application procedure includes (1) a request for proposal, or (2) a competitive award process.

Sec. 163. Subsection (b) of section 32-235 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection (a) of this section, shall be used by the Department of Economic and Community Development (1) for the purposes of sections 32-220 to 32-234, inclusive, including economic cluster-related programs and activities, and for the Connecticut job training finance demonstration program pursuant to sections 32-23uu and 32-23vv provided, (A) three million dollars shall be used by said department solely for the purposes of section 32-23uu and not more than five million two hundred fifty thousand dollars of the amount stated in said subsection (a) may be used by said department for the

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purposes of section 31-3u, (B) not less than one million dollars shall be used for an educational technology grant to the deployment center program and the nonprofit business consortium deployment center approved pursuant to section 32-41l, (C) not less than two million dollars shall be used by said department for the establishment of a pilot program to make grants to businesses in designated areas of the state for construction, renovation or improvement of small manufacturing facilities provided such grants are matched by the business, a municipality or another financing entity. The Commissioner of Economic and Community Development shall designate areas of the state where manufacturing is a substantial part of the local economy and shall make grants under such pilot program which are likely to produce a significant economic development benefit for the designated area, (D) five million dollars may be used by said department for the manufacturing competitiveness grants program, (E) one million dollars shall be used by said department for the purpose of a grant to the Connecticut Center for Advanced Technology, for the purposes of [section 32-237] subdivision (5) of subsection (a) of section 162 of this act, (F) fifty million dollars shall be used by said department for the purpose of grants to the United States Department of the Navy, the United States Department of Defense or eligible applicants for projects related to the enhancement of infrastructure for long-term, on-going naval operations at the United States Naval Submarine Base-New London, located in Groton, which will increase the military value of said base. Such projects shall not be subject to the provisions of sections 4a-60 and 4a-60a, (G) two million dollars shall be used by said department for the purpose of a grant to the Connecticut Center for Advanced Technology, Inc., for manufacturing initiatives, including aerospace and defense, and (H) two million dollars shall be used by said department for the purpose of a grant to companies adversely impacted by the construction at the Quinnipiac Bridge, where such grant may be used to offset the increase in costs of commercial overland transportation of goods or materials

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brought to the port of New Haven by ship or vessel, and (2) for the purposes of the small business assistance program established pursuant to section 32-9yy, provided fifteen million dollars shall be deposited in the small business assistance account established pursuant to said section 32-9yy. The provisions of sections 32-220 to 32-234, inclusive, shall not apply to such funds authorized pursuant to this subdivision.

Sec. 164. Section 32-356 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

[(a) For purposes of this section, "incubator facilities" shall have the same meaning as incubator facilities in section 32-34.

(b) The Commissioner of Economic and Community Development shall establish the small business incubator program to provide grants to entities operating incubator facilities, as defined in section 32-34. The Department of Economic and Community Development may enter into an agreement, pursuant to chapter 55a, with a person, firm, corporation or other entity to operate such program. The department, or a program operator selected pursuant to this subsection, shall, subject to the availability of funds, operate a technology-based small business incubator program. In accordance with the written guidelines developed by the department, the department or program operator, if any, may provide grants to assist small businesses operating within incubator facilities. Grants made pursuant to this section shall be used by such entities to provide operating funds and related services, including business plan preparation, assistance in acquiring financing and management counseling.

(c) An entity shall submit an application for a grant pursuant to this section in the manner prescribed by the Commissioner of Economic and Community Development.]

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[(d)] There is established an account to be known as the small business incubator account, which shall be a separate, nonlapsing account within the General Fund. The commissioner may use funds from the account to provide administrative expenses and grants [pursuant to this section] for the purposes of subdivision (1) of subsection (a) of section 162 of this act.

[(e) (1) There is established a Small Business Incubator Advisory Board. Said board shall consist of: (A) The Commissioner of Economic and Community Development; (B) the president of the Connecticut Development Authority and the executive director of Connecticut Innovations, Incorporated, as ex-officio nonvoting members, or their designees; (C) one member to be appointed by the Governor; (D) two members with experience in the field of technology transfer and commercialization, to be appointed by the speaker of the House of Representatives; (E) two members with experience in new product and market development, to be appointed by the president pro tempore of the Senate; (F) one member to be appointed by the majority leader of the Senate; (G) one member to be appointed by the majority leader of the House of Representatives; (H) one member with experience in seed and early stage capital investment, to be appointed by the minority leader of the House of Representatives; and (I) one member with experience in seed and early stage capital investment, to be appointed by the minority leader of the Senate. All initial appointments to said board shall be made not later than September 1, 2007.

(2) The Commissioner of Economic and Community Development shall schedule the first meeting of said board not later than October 15, 2007. Thereafter, the board shall meet at least once annually to evaluate and recommend changes to the guidelines adopted pursuant to this section.]

Sec. 165. (*Effective from passage*) (a) Not later than five calendar days after the agreement between the state and the State Employees

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Bargaining Agent Coalition, signed by both parties on May 27, 2011, is filed with the clerks of the Senate and House of Representatives, or June 30, 2011, whichever occurs first, the General Assembly may call itself into special session for the purpose of approving said agreement. Notwithstanding the provisions of section 12 of public act 11-6, section 5-278 of the general statutes and joint rule 31 of the Joint Rules of the Senate and House of Representatives for the 2011-12 legislative term, if the General Assembly does not call itself into special session in accordance with this subsection, said agreement and any appendices filed with said agreement shall be deemed approved by the General Assembly.

(b) Notwithstanding any other provision of the general statutes and except as provided in subsections (c), (d) and (e) of this section, the Commissioner of Administrative Services and the Secretary of the Office of Policy and Management shall apply terms comparable to those contained in the agreement described in subsection (a) of this section to all nonrepresented classified and unclassified officers and employees upon approval of said agreement in accordance with subsection (a) of this section, except that terms concerning wages for employees of the legislative branch shall be applied by the Joint Committee on Legislative Management in accordance with subsection (e) of this section. On or before June 30, 2011, the Secretary of the Office of Policy and Management shall submit a plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies detailing how the terms of said agreement will apply to nonrepresented classified and unclassified officers and employees. On or before June 30, 2011, the Chief Court Administrator and the Executive Director of Legislative Management shall submit a plan to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies detailing how the terms of said agreement will apply to nonrepresented

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classified and unclassified officers and employees of the Judicial Department and the legislative branch.

(c) On or before August 1, 2011, and notwithstanding the provisions of sections 5-213, 31-277, 51-279, 51-287a and 51-295b of the general statutes, for nonrepresented classified and unclassified officers and employees of the executive branch, the constituent units of higher education and the Board of Regents for Higher Education, the Commissioner of Administrative Services and the Secretary of the Office of Policy and Management shall implement changes to longevity payments for such officers and employees comparable to the longevity payment provisions of the agreement described in subsection (a) of this section.

(d) On or before August 1, 2011, and notwithstanding the provisions of sections 45a-75, 46b-233, 51-12 and 51-47, the Chief Court Administrator or the judges of the Supreme Court shall consider and implement changes to longevity payments and wages for officers and employees of the Judicial Department comparable to the longevity and wage payment provisions of the agreement described in subsection (a) of this section. Nothing in this subsection shall apply said wage provisions to any such officers or employees whose wages are established by statute.

(e) On or before August 1, 2011, and notwithstanding any provisions of the general statutes, the Joint Committee on Legislative Management shall consider and implement changes to longevity payments and wages for employees of the legislative branch comparable to the longevity and wage payment provisions of the agreement described in subsection (a) of this section. Nothing in this subsection shall grant longevity payments to elected officials of the legislative branch.

Sec. 166. Subsection (b) of section 13 of public act 11-6 is repealed

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

(b) The Secretary of the Office of Policy and Management may transfer funds appropriated in section [1 of this act] 67 of public act 11-61, for Reserve for Salary Adjustments, upon approval of the Finance Advisory Committee, to any agency in any appropriated fund to give effect to salary increases, other employee benefits, agency costs related to staff reductions including accrual payments, achievement of agency general personal services reductions, or any other personal services adjustments authorized by this act, any other act or any other applicable provision of the general statutes.

Sec. 167. Section 21 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Any appropriation, or portion thereof, made to any agency, from the General Fund, under section [1 of this act] 67 of public act 11-61, may be transferred at the request of such agency to any other agency by the Governor, with the approval of the Finance Advisory Committee, to take full advantage of federal matching funds, provided both agencies shall certify that the expenditure of such transferred funds by the receiving agency will be for the same purpose as that of the original appropriation or portion thereof so transferred. Any federal funds generated through the transfer of appropriations between agencies may be used for reimbursing General Fund expenditures or for expanding program services or a combination of both as determined by the Governor, with the approval of the Finance Advisory Committee.

Sec. 168. Subsection (a) of section 22 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) Any appropriation, or portion thereof, made to any agency, from the General Fund, under section [1 of this act] 67 of public act 11-61,

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may be adjusted by the Governor, with approval of the Finance Advisory Committee in accordance with subsection (b) of this section, in order to maximize federal funding available to the state, consistent with the relevant federal provisions of law.

Sec. 169. Section 32 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Any appropriation, or portion thereof, made to The University of Connecticut Health Center, in section [1 of this act] 67 of public act 11-61, may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share - Medical Emergency Assistance account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 170. Section 34 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Any appropriation, or portion thereof, made to the Department of Veterans' Affairs under section [1 of this act] 67 of public act 11-61, may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share - Medical Emergency Assistance account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 171. Section 41 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The sum of \$990,000 appropriated in section [1 of this act] 67 of public act 11-61 to the State Department of Education, for Neighborhood Youth Centers, for the fiscal years ending June 30, 2012, and June 30, 2013, shall be used for grants to the following organizations: The Boys and Girls Clubs of Connecticut; and up to \$90,000 to the Boys and Girls Club of Bridgeport, provided said organizations shall be required to provide a one hundred per cent cash

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match for such sum.

(b) The sum of \$348,300 appropriated in section [1 of this act] 67 of public act 11-61 to the State Department of Education, for Neighborhood Youth Centers, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be used for grants to the following organizations: Centro San Jose; Hill Cooperative Youth Services, Inc.; Central YMCA in New Haven; up to \$78,300 to Trumbull Gardens in Bridgeport; up to \$45,000 for the Valley Shore YMCA in Westbrook; up to \$22,500 for the Rivera Memorial Foundation, Inc. of Waterbury; and up to \$22,500 for the Willow Plaza Neighborhood Revitalization Zone Association in Waterbury, provided said organizations shall be required to provide a match of at least fifty per cent of the grant amount, and the cash portion of such match shall be at least twenty-five per cent of the grant amount.

Sec. 172. Section 42 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

The office of the State Comptroller shall fund any differential between the state fringe benefit rate for John Dempsey Hospital employees and the average rate for private Connecticut hospitals in an amount not to exceed \$13,500,000, for each of the fiscal years ending June 30, 2012, and June 30, 2013, within the resources appropriated to the State Comptroller - Fringe Benefits in section [1 of this act] 67 of public act 11-61.

Sec. 173. Section 48 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) Except as provided in subsection (b) of this section, the sum appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Energy and Environmental Protection, for Operation Fuel, for each of the fiscal years ending June 30, 2012, and June 30,

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2013, shall be available to provide emergency energy assistance to households within the state with income less than two hundred per cent of the applicable federal poverty level that are unable to make timely payments on energy bills. Operation Fuel, Incorporated, shall pay energy bills for all energy sources for qualified households provided pursuant to this subsection directly to companies who have provided services, including, but not limited to, deliverable fuel, natural gas or electric utility, as defined in section 16-1 of the general statutes, for emergency energy assistance, including cooling.

(b) The sum of \$100,000 appropriated in section [1 of this act] 67 of public act 11-61 to the Office of Policy and Management, for Operation Fuel, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be available for the purpose of providing a grant to Operation Fuel, Incorporated, for operating expenses incurred for administration of the emergency home cooling assistance provided pursuant to subsection (a) of this section.

Sec. 174. Section 68 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

The sum of \$313,181 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for Regional Education Services, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each of said years for an alternative route to certification program.

Sec. 175. Section 69 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Up to \$20,000 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for Health and Welfare Services Pupils Private Schools, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each

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of said years to conduct an evaluation of the health services delivered to students in both public and private not-for-profit schools.

Sec. 176. Section 70 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Up to \$200,000 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for School Accountability, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each of said years to fund PSAT examinations for students in DRG 1, the state's technical high schools, and the Ansonia, Coventry, East Hartford, Putnam and Stamford school districts.

Sec. 177. Section 71 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Up to \$100,000 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for After School Program, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each of said years as follows: Up to \$50,000 to the Plainville school district, up to \$25,000 to the Thompson school district and up to \$25,000 to the Montville school district.

Sec. 178. Section 72 of public act 11-6 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Up to \$1,200,000 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for Headstart - Early Childhood Link, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each of said years for a grant to Action for Bridgeport Community Development, Inc. for its Total Learning Initiative.

Sec. 179. Section 73 of public act 11-6 is repealed and the following is

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

Up to \$481,000 of the amount appropriated in section [1 of this act] 67 of public act 11-61 to the Department of Education, for Interdistrict Cooperative, for each of the fiscal years ending June 30, 2012, and June 30, 2013, shall be made available in each of said years as follows: Up to \$331,000 to the Sound School in New Haven and up to \$150,000 to the Bristol-Plymouth Regional Technical School for an abuse education program.

Sec. 180. Sections 32-9ww, 32-237 and 32-348 of the general statutes are repealed. (*Effective July 1, 2012*)

Sec. 181. Sections 1, 2, 8 and 74 of public act 11-6 are repealed. (*Effective from passage*)

Sec. 182. Section 20 of house bill 6600 of the current session is repealed. (*Effective from passage*)

Sec. 183. (*Effective from passage*) Sections 93 and 97 of public act 11-6 shall take effect July 1, 2011, and be applicable to sales occurring on or after said date, and to sales of services that are billed to customers for a period that includes said date.

Sec. 184. Section 166 of public act 11-6 is amended to read as follows (*Effective from passage*):

Subdivisions (47), (48), (52), [(95),] (97) and (111) of section 12-412 and section 12-412b of the general statutes are repealed.

Sec. 185. (*Effective from passage*) Section 128 of public act 11-6 shall take effect from its passage, and be applicable to sales occurring on or after such date.

Sec. 186. Section 106 of public act 11-6 is repealed. (*Effective from passage*)

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Sec. 187. Subdivision (3) of subsection (a) of section 16-245m of the general statutes is repealed. (*Effective from passage*)

Sec. 188. Subdivision (28) of subsection (d) of section 2c-2b and sections 13b-39h, 13b-57e, 13b-57g, 13b-57j to 13b-57l, inclusive, and 32-6k of the general statutes are repealed. (*Effective July 1, 2011*)

Sec. 189. Sections 12-94b, 12-94c, 12-94f and 12-94g of the general statutes are repealed. (*Effective July 1, 2011, and applicable to assessment years commencing on or after October 1, 2011*)

Approved June 21, 2011