



General Assembly

Amendment

January Session, 2011

LCO No. 6513

HB0546506513HR0

Offered by:

REP. RIGBY, 63rd Dist.

REP. MINER, 66th Dist.

To: Subst. House Bill No. 5465

File No. 66

Cal. No. 57

**"AN ACT CONCERNING FAMILY AND MEDICAL LEAVE BENEFITS
FOR CERTAIN MUNICIPAL EMPLOYEES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (*Effective from passage*) Sections 82 to 89, inclusive, of public
4 act 09-7 of the September special session, section 91 of public act 09-7
5 of the September special session, and section 123 of public act 07-4 of
6 the June special session, as amended by section 81 of public act 09-7 of
7 the September special session, shall take effect July 1, 2014.

8 Sec. 502. Subsection (g) of section 10-233c of the general statutes is
9 repealed and the following is substituted in lieu thereof (*Effective from*
10 *passage*):

11 (g) On and after July 1, [2010] 2014, suspensions pursuant to this
12 section shall be in-school suspensions, unless during the hearing held
13 pursuant to subsection (a) of this section, (1) the administration

14 determines that the pupil being suspended poses such a danger to
15 persons or property or such a disruption of the educational process
16 that the pupil shall be excluded from school during the period of
17 suspension, or (2) the administration determines that an out-of-school
18 suspension is appropriate for such pupil based on evidence of (A)
19 previous disciplinary problems that have led to suspensions or
20 expulsion of such pupil, and (B) efforts by the administration to
21 address such disciplinary problems through means other than out-of-
22 school suspension or expulsion, including positive behavioral support
23 strategies. An in-school suspension may be served in the school that
24 the pupil attends, or in any school building under the jurisdiction of
25 the local or regional board of education, as determined by such board.

26 Sec. 503. (NEW) (*Effective October 1, 2011*) The Commissioner of
27 Public Safety, in consultation with the Insurance Commissioner, shall
28 develop and implement an automated vehicle insurance identification
29 and enforcement system for the purpose of assisting law enforcement
30 officers in identifying motor vehicles that are operating in violation of
31 the mandatory security requirements of sections 14-12c and 38a-371 of
32 the general statutes. The Commissioner of Public Safety may contract
33 with a private entity to create such a system. The Commissioner of
34 Public Safety may require any insurance company, licensed under the
35 provisions of section 38a-769 of the general statutes, to transmit an
36 electronic copy of its database of motor vehicles owned or leased by
37 residents of the state that are insured by such company to the
38 Commissioner of Public Safety, as often as the Commissioner of Public
39 Safety may prescribe, for the purpose of creating such system.

40 Sec. 504. (*Effective July 1, 2011*) A local or regional board of education
41 may suspend the provision of the in-service training program required
42 under section 10-220a of the general statutes for the fiscal years ending
43 June 30, 2012, and June 30, 2013.

44 Sec. 505. Subsection (d) of section 7-473c of the general statutes is
45 repealed and the following is substituted in lieu thereof (*Effective July*
46 *1, 2011*):

47 (d) (1) The hearing may, at the discretion of the panel, be continued
48 and shall be concluded within twenty days after its commencement.
49 Not less than two days prior to the commencement of the hearing,
50 each party shall file with the chairperson of the panel, and deliver to
51 the other party, a proposed collective bargaining agreement, in
52 numbered paragraphs, which such party is willing to execute and cost
53 data for all provisions of such proposed agreement. At the
54 commencement of the hearing each party shall file with the panel a
55 reply setting forth (A) those paragraphs of the proposed agreement of
56 the other party which it is willing to accept, and (B) those paragraphs
57 of the proposed agreement of the other party which it is unwilling to
58 accept, together with any alternative contract language which such
59 party would accept in lieu of those paragraphs of the proposed
60 agreement of the other party which it is unwilling to accept. At any
61 time prior to the issuance of a decision by the panel, the parties may
62 jointly file with the panel stipulations setting forth the agreement
63 provisions which both parties have agreed to accept.

64 (2) Within five days after the conclusion of the taking of testimony,
65 the panel shall forward to each party an arbitration statement,
66 approved by a majority vote of the panel, setting forth all agreement
67 provisions agreed upon by both parties in the proposed agreements
68 and the replies, and in the stipulations, and stating, in numbered
69 paragraphs, those issues which are unresolved.

70 (3) Within ten days after the conclusion of the taking of testimony,
71 the parties shall file with the secretary of the State Board of Mediation
72 and Arbitration five copies of their statements of last best offer setting
73 forth, in numbered paragraphs corresponding to the statement of
74 unresolved issues contained in the arbitration statement, the final
75 agreement provisions proposed by such party. Immediately upon
76 receipt of both statement of last best offer or upon the expiration of the
77 time for filing such statements of last best offer, whichever is sooner,
78 said secretary shall distribute a copy of each such statement of last best
79 offer to the opposing party.

80 (4) Within seven days after the distribution of the statements of last
81 best offer or within seven days of the expiration of the time for filing
82 the statements of last best offer, whichever is sooner, the parties may
83 file with the secretary of the State Board of Mediation and Arbitration
84 five copies of their briefs on the unresolved issues. Immediately upon
85 receipt of both briefs or upon the expiration of the time for filing such
86 briefs, whichever is sooner, said secretary shall distribute a copy of
87 each such brief to the opposing party.

88 (5) Within five days after the distribution of the briefs on the
89 unresolved issues or within five days after the last day for filing such
90 briefs, whichever is sooner, each party may file with said secretary five
91 copies of a reply brief, responding to the briefs on the unresolved
92 issues. Immediately upon receipt of the reply briefs or upon the
93 expiration of the time for filing such reply briefs, whichever is sooner,
94 said secretary shall simultaneously distribute a copy of each such reply
95 brief to the opposing party.

96 (6) Within twenty days after the last day for filing such reply briefs,
97 the panel shall issue, upon majority vote, and file with the State Board
98 of Mediation and Arbitration its decision on all unresolved issues set
99 forth in the arbitration statement, and said secretary shall immediately
100 and simultaneously distribute a copy thereof to each party. The panel
101 shall treat each unresolved issue set forth in the arbitration statement
102 as a separate question to be decided by it. In deciding each such
103 question, the panel agreement shall accept the final provision relating
104 to such unresolved issue as contained in the statement of last best offer
105 of one party or the other. As part of the arbitration decision, each
106 member shall state the specific reasons and standards used in making
107 a choice on each unresolved issue.

108 (7) The parties may jointly file with the panel stipulations
109 modifying, deferring or waiving any or all provisions of this
110 subsection.

111 (8) If the day for filing any document required or permitted to be

112 filed under this subsection falls on a day which is not a business day of
113 the State Board of Mediation and Arbitration then the time for such
114 filing shall be extended to the next business day of such board.

115 (9) In arriving at a decision, the arbitration panel shall give priority
116 to the public interest and the financial capability of the municipal
117 employer, including consideration of other demands on the financial
118 capability of the municipal employer. If the budget reserve fund
119 balance of the municipal employer equals ten per cent or less, such
120 reserve fund shall not be considered by the panel in calculating the
121 financial capability of the municipal employer. The panel shall further
122 consider the following factors in light of such financial capability: (A)
123 The negotiations between the parties prior to arbitration; (B) the
124 interests and welfare of the employee group; (C) changes in the cost of
125 living; (D) the existing conditions of employment of the employee
126 group and those of similar groups; and (E) the wages, salaries, fringe
127 benefits, and other conditions of employment prevailing in the labor
128 market, including developments in private sector wages and benefits.

129 (10) The decision of the panel and the resolved issues shall be final
130 and binding upon the municipal employer and the municipal
131 employee organization except as provided in subdivision (12) of this
132 subsection and, if such award is not rejected by the legislative body
133 pursuant to said subdivision, except that a motion to vacate or modify
134 such decision may be made in accordance with sections 52-418 and
135 52-419.

136 (11) In regard to all proceedings undertaken pursuant to this
137 subsection the secretary of the State Board of Mediation and
138 Arbitration shall serve as staff to the arbitration panel.

139 (12) Within twenty-five days of the receipt of an arbitration award
140 issued pursuant to this section, the legislative body of the municipal
141 employer may reject the award of the arbitrators or single arbitrator by
142 a two-thirds majority vote of the members of such legislative body
143 present at a regular or special meeting called and convened for such

144 purpose.

145 (13) Within ten days after such rejection, the legislative body or its
146 authorized representative shall be required to state, in writing, the
147 reasons for such vote and shall submit such written statement to the
148 State Board of Mediation and Arbitration and the municipal employee
149 organization. Within ten days after receipt of such notice, the
150 municipal employee organization shall prepare a written response to
151 such rejection and shall submit it to the legislative body and the State
152 Board of Mediation and Arbitration.

153 (14) Within ten days after [receipt of such rejection notice]
154 submission of the municipal employee organization's response,
155 additional negotiations between the municipal employer and the
156 municipal employee organization shall commence. If, within forty-five
157 days after the date of the rejection of the award, the parties have failed
158 to reach agreement, the State Board of Mediation and Arbitration shall
159 select a review panel of three arbitrators or, if the parties agree, a single
160 arbitrator who are residents of Connecticut and labor relations
161 arbitrators approved by the American Arbitration Association and not
162 members of the panel who issued the rejected award. Such arbitrators
163 or single arbitrator shall review the decision on each such rejected
164 issue. The review conducted pursuant to this subdivision shall be
165 limited to the record and briefs of the hearing pursuant to subsection
166 (c) of this section, the written explanation of the reasons for the vote
167 and a written response by either party. In conducting such review, the
168 arbitrators or single arbitrator shall be limited to consideration of the
169 criteria set forth in subdivision (9) of this subsection. Such review shall
170 be completed within twenty days of the appointment of the arbitrators
171 or single arbitrator. The arbitrators or single arbitrator shall accept the
172 last best offer of either of the parties.

173 (15) Within five days after the completion of such review the
174 arbitrators or single arbitrator shall render a decision with respect to
175 each rejected issue which shall be final and binding upon the
176 municipal employer and the employee organization except that a

177 motion to vacate or modify such award may be made in accordance
178 with sections 52-418 and 52-419. The decision of the arbitrators or
179 single arbitrator shall be in writing and shall include specific reasons
180 and standards used by each arbitrator in making a decision on each
181 issue. The decision shall be filed with the parties. The reasonable costs
182 of the arbitrators or single arbitrator and the cost of the transcript shall
183 be paid by the legislative body. Where the legislative body of a
184 municipal employer is the town meeting, the board of selectmen shall
185 perform all of the duties and shall have all of the authority and
186 responsibilities required of and granted to the legislative body under
187 this subsection.

188 Sec. 506. Subsection (h) of section 31-53 of the general statutes is
189 repealed and the following is substituted in lieu thereof (*Effective July*
190 *1, 2011*):

191 (h) The provisions of this section do not apply where the total cost
192 of all work to be performed by all contractors and subcontractors in
193 connection with new construction of any public works project is less
194 than [four hundred thousand] one million dollars or where the total
195 cost of all work to be performed by all contractors and subcontractors
196 in connection with any remodeling, refinishing, refurbishing,
197 rehabilitation, alteration or repair of any public works project is less
198 than [one] five hundred thousand dollars.

199 Sec. 507. (NEW) (*Effective October 1, 2011*) (a) For the purposes of
200 sections 82 to 85, inclusive, of this act, "automated traffic control signal
201 enforcement device" means a device that (1) is designed to
202 automatically record the image of the license plate of a motor vehicle
203 that is entering an intersection in violation of a traffic control signal,
204 and (2) indicates on the recorded image produced the date, time,
205 location of the violation and the traffic control signal.

206 (b) Any municipality with a population of 60,000 or more may, by
207 ordinance, authorize the installation and use of automated traffic
208 control signal enforcement devices to enforce the provisions of section

209 14-299 of the general statutes, and establish a fine not to exceed one
210 hundred dollars for any violation of said section 14-299 that is detected
211 and recorded by such device.

212 (c) Whenever a violation of section 14-299 of the general statutes is
213 detected and recorded by an automated traffic control signal
214 enforcement device, a sworn police officer shall review the recorded
215 image. If, after such review, such officer finds probable cause that a
216 violation of section 14-299 of the general statutes has occurred, the
217 officer shall issue a citation for such alleged violation and shall, not
218 later than five days after the alleged violation, mail such citation to the
219 registered owner of the motor vehicle together with a copy of the
220 recorded image or images produced by the device. A citation shall not
221 be issued under this subsection unless a sign was posted on the street,
222 road, highway or parking area where the automated traffic control
223 signal enforcement device was used not less than thirty days prior to
224 such use providing notice to operators of motor vehicles that such
225 device may be used to enforce traffic control signal laws on such street,
226 road, highway or parking area.

227 (d) An automated traffic control signal enforcement device used by
228 a municipality pursuant to this section shall be activated and record
229 images only upon detecting the approach of a motor vehicle and a
230 probable violation.

231 (e) An automated traffic control signal enforcement device used by a
232 municipality pursuant to this section shall only be used at an
233 intersection where the duration of the yellow signal light is no less
234 than the duration of the yellow signal light recommended under
235 regulations adopted by the State Traffic Commission.

236 (f) One-half of any fine collected by a municipality pursuant to this
237 section shall be deposited in the general fund of the municipality or in
238 any special fund designated by the municipality and one-half shall be
239 paid to the State Treasurer for deposit in the Special Transportation
240 Fund.

241 (g) Any municipality that authorizes the installation and use of
242 automated traffic control signal enforcement devices pursuant to this
243 section shall report the location where any such device is installed to
244 the State Traffic Commission.

245 Sec. 508. (NEW) (*Effective October 1, 2011*) (a) Any municipality that
246 adopts an ordinance as provided in section 82 of this act shall establish
247 by ordinance a traffic control signal violation hearing procedure in
248 accordance with this section. The Superior Court shall be authorized to
249 enforce the assessments and judgments provided for under this
250 section.

251 (b) The chief executive officer of the municipality shall appoint one
252 or more traffic control signal violation hearing officers, other than
253 police officers or persons who work in the police department, to
254 conduct the hearings authorized by this section.

255 (c) A municipality may, not later than twelve months after the
256 expiration of the final period for the uncontested payment of fines,
257 penalties, costs or fees for any alleged violation of section 14-299 of the
258 general statutes detected and recorded by an automated traffic control
259 signal enforcement device pursuant to section 82 of this act, send
260 notice to the registered owner of the motor vehicle by first class mail at
261 such person's address according to the registration records of the
262 Department of Motor Vehicles. Such notice shall inform the owner: (1)
263 Of the allegations against such person and the amount of the fines,
264 penalties, costs or fees due; (2) that such person may contest such
265 person's liability before a traffic control signal violations hearing
266 officer by delivering in person or by mail written notice not later than
267 ten days after the date thereof; (3) that if such person does not demand
268 such a hearing, an assessment and judgment shall enter against such
269 person; and (4) that such judgment may issue without further notice.

270 (d) If the person to whom notice is sent pursuant to subsection (c) of
271 this section wishes to admit liability for any alleged violation, such
272 person may, without requesting a hearing, pay, in person or by mail to

273 an official designated by the municipality, the full amount of the fines,
274 penalties, costs or fees admitted to. Such payment shall be
275 inadmissible in any proceeding, civil or criminal, to establish the
276 conduct of such person or other person making the payment. Any
277 person who does not deliver or mail written demand for a hearing by
278 the tenth day after the date of the first notice provided for in
279 subsection (c) of this section shall be deemed to have admitted liability,
280 and the designated municipal official shall certify such person's failure
281 to respond to the hearing officer. The hearing officer shall thereupon
282 enter and assess the fines, penalties, costs or fees provided for by the
283 applicable ordinances and shall follow the procedures set forth in
284 subsection (f) of this section.

285 (e) Any person who requests a hearing shall be given written notice
286 of the date, time and place for the hearing. Such hearing shall be held
287 not less than fifteen days or more than thirty days after the date of the
288 mailing of notice, provided the hearing officer shall grant upon good
289 cause shown any reasonable request by any interested party for
290 postponement or continuance. An original or certified copy of the
291 initial notice of violation shall be filed and retained by the
292 municipality, be deemed to be a business record within the scope of
293 section 52-180 of the general statutes and be evidence of the facts
294 contained therein. A person wishing to contest such person's liability
295 shall appear at the hearing and may present evidence in such person's
296 behalf. The presence of the police officer who authorized the issuance
297 of the citation shall be required at the hearing if such person so
298 requests. A designated municipal official, other than the hearing
299 officer, may present evidence on behalf of the municipality. If such
300 person fails to appear, the hearing officer may enter an assessment by
301 default against such person upon a finding of proper notice and
302 liability under the applicable ordinance or statute. The hearing officer
303 may accept from such person copies of police reports, documents of
304 the Department of Motor Vehicles and other official documents by
305 mail and may determine thereby that the appearance of such person is
306 unnecessary. The hearing officer shall conduct the hearing in the order

307 and form and with such methods of proof as the hearing officer deems
308 fair and appropriate. The rules regarding the admissibility of evidence
309 shall not be strictly applied, but all testimony shall be given under oath
310 or affirmation. The hearing officer shall announce the hearing officer's
311 decision at the end of the hearing. If the hearing officer determines that
312 the person is not liable, the hearing officer shall dismiss the matter and
313 enter the hearing officer's determination in writing accordingly. If the
314 hearing officer determines that the person is liable for the violation, the
315 hearing officer shall forthwith enter and assess the fines, penalties,
316 costs or fees against such person as provided by the applicable
317 ordinances of that municipality.

318 (f) If such assessment is not paid on the date of its entry, the hearing
319 officer shall send by first class mail a notice of the assessment to the
320 person found liable and shall file, not less than thirty days or more
321 than twelve months after such mailing, a certified copy of the notice of
322 assessment with the clerk of a superior court facility designated by the
323 Chief Court Administrator with an entry fee of eight dollars. The
324 certified copy of the notice of assessment shall constitute a record of
325 assessment. Within such twelve-month period, assessments against the
326 same person may be accrued and filed as one record of assessment.
327 The clerk shall enter judgment, in the amount of such record of
328 assessment and court costs of eight dollars, against such person in
329 favor of the municipality. Notwithstanding any provision of the
330 general statutes, the hearing officer's assessment, when so entered as a
331 judgment, shall have the effect of a civil money judgment and a levy of
332 execution on such judgment may issue without further notice to such
333 person.

334 (g) A person against whom an assessment has been entered
335 pursuant to this section is entitled to judicial review by way of appeal.
336 An appeal shall be instituted not later than thirty days after the
337 mailing of notice of such assessment by filing a petition to reopen such
338 assessment, together with an entry fee in an amount equal to the entry
339 fee for a small claims case pursuant to section 52-259 of the general
340 statutes, at a superior court facility designated by the Chief Court

341 Administrator, which shall entitle such person to a hearing in
342 accordance with the rules of the judges of the Superior Court.

343 Sec. 509. (NEW) (*Effective October 1, 2011*) Notwithstanding any
344 provision of the general statutes, a violation of section 14-299 of the
345 general statutes detected and recorded by an automated traffic control
346 signal enforcement device shall not constitute an infraction or
347 violation, be processed by the Centralized Infractions Bureau, be
348 considered a moving traffic violation, be reported to the Department of
349 Motor Vehicles for inclusion on a person's driving record or cause the
350 assessment of points against the operator's license of the person found
351 to have violated said section.

352 Sec. 510. Subsection (b) of section 14-107 of the general statutes is
353 repealed and the following is substituted in lieu thereof (*Effective*
354 *October 1, 2011*):

355 (b) Whenever there occurs a violation of section 10a-79, 10a-92, 10a-
356 139, 14-218a, 14-219, 14-222, 14-223, 14-224 or 14-253a, [or] sections 14-
357 275 to 14-281, inclusive, or section 14-299 or a violation of an
358 ordinance, bylaw or regulation of any town, city or borough in regard
359 to parking, proof of the registration number of any motor vehicle
360 therein concerned shall be prima facie evidence in any criminal action
361 or in any action based on an infraction that the owner was the operator
362 thereof, except in the case of a leased or rented motor vehicle, such
363 proof shall be prima facie evidence in any criminal action that the
364 lessee was the operator thereof.

365 Sec. 511. Subsection (e) of section 10-153f of the general statutes is
366 repealed and the following is substituted in lieu thereof (*Effective July*
367 *1, 2011*):

368 (e) (1) The local or regional board of education and the organization
369 designated or elected as the exclusive representative for the
370 appropriate unit, through designated officials or their representatives,
371 which are parties to a collective bargaining agreement, and which, for
372 the purpose of negotiating with respect to salaries, hours and other

373 conditions of employment, mutually agree to negotiate during the
374 term of the agreement or are ordered to negotiate said agreement by a
375 body of competent jurisdiction, shall notify the commissioner of the
376 date upon which negotiations commenced within five days after said
377 commencement. If the parties are unable to reach settlement twenty-
378 five days after the date of the commencement of negotiations, the
379 parties shall notify the commissioner of the name of a mutually
380 selected mediator and shall conduct mediation pursuant to the
381 provisions of subsection (b) of this section, notwithstanding the
382 mediation time schedule of subsection (b) of this section. On the fourth
383 day next following the end of the mediation session or on the fiftieth
384 day following the date of the commencement of negotiations,
385 whichever is sooner, if no settlement is reached the parties shall
386 commence arbitration pursuant to the provisions of subsections (a), (c)
387 and (d) of this section, notwithstanding the reference to the budget
388 submission date.

389 (2) Any agreement negotiated pursuant to subdivision (1) of this
390 subsection may be rejected by the legislative body of the local school
391 district or, in the case of a regional school district, by the legislative
392 bodies of the participating towns. Such rejection shall be by a two-
393 thirds majority vote of the members of such legislative body or, in the
394 case of a regional school district, the legislative body of each
395 participating town, present at a regular or special meeting called and
396 convened for such purpose within twenty-five days of the receipt of
397 the award. If the legislative body or legislative bodies, as appropriate,
398 reject any such agreement, they shall notify, within ten days after the
399 vote to reject, the commissioner and the exclusive representative for
400 the teachers' or administrators' unit of such vote and submit to them a
401 written explanation of the reasons for the vote. Within ten days after
402 receipt of such notice, the exclusive representative of the teachers' or
403 administrators' unit shall prepare, and the board of education may
404 prepare, a written response to such rejection and shall submit it to such
405 legislative body or legislative bodies, as appropriate, and the
406 commissioner. Thereafter, the commissioner and the parties shall

407 proceed in accordance with subdivision (7) of subsection (c) of this
408 section.

409 Sec. 512. Subsections (b) to (d), inclusive, of section 10-221a of the
410 general statutes are repealed and the following is substituted in lieu
411 thereof (*Effective from passage*):

412 (b) For classes graduating from 2004 to [2017] 2019, inclusive, no
413 local or regional board of education shall permit any student to
414 graduate from high school or grant a diploma to any student who has
415 not satisfactorily completed a minimum of twenty credits, not fewer
416 than four of which shall be in English, not fewer than three in
417 mathematics, not fewer than three in social studies, including at least a
418 one-half credit course on civics and American government, not fewer
419 than two in science, not fewer than one in the arts or vocational
420 education and not fewer than one in physical education.

421 (c) Commencing with classes graduating in [2018] 2020, and for each
422 graduating class thereafter, no local or regional board of education
423 shall permit any student to graduate from high school or grant a
424 diploma to any student who has not satisfactorily completed (1) a
425 minimum of twenty-five credits, including not fewer than: (A) Nine
426 credits in the humanities, including not fewer than (i) four credits in
427 English, including composition; (ii) three credits in social studies,
428 including at least one credit in American history and at least one-half
429 credit in civics and American government; (iii) one credit in fine arts;
430 and (iv) one credit in a humanities elective; (B) eight credits in science,
431 technology, engineering and mathematics, including not fewer than (i)
432 four credits in mathematics, including algebra I, geometry and algebra
433 II or probability and statistics; (ii) three credits in science, including at
434 least one credit in life science and at least one credit in physical science;
435 and (iii) one credit in a science, technology, engineering and
436 mathematics elective; (C) three and one-half credits in career and life
437 skills, including not fewer than (i) one credit in physical education; (ii)
438 one-half credit in health and safety education, as described in section
439 10-16b; and (iii) two credits in career and life skills electives, such as

440 career and technical education, English as a second language,
441 community service, personal finance, public speaking and nutrition
442 and physical activity; (D) two credits in world languages, subject to the
443 provisions of subsection (g) of this section; and (E) a one credit senior
444 demonstration project or its equivalent, as approved by the State Board
445 of Education; and (2) end of the school year examinations for the
446 following courses: (A) Algebra I, (B) geometry, (C) biology, (D)
447 American history, and (E) grade ten English.

448 (d) Commencing with classes graduating in [2018] 2020, and for
449 each graduating class thereafter, local and regional boards of education
450 shall provide adequate student support and remedial services for
451 students beginning in grade seven. Such student support and remedial
452 services shall provide alternate means for a student to complete any of
453 the high school graduation requirements or end of the school year
454 examinations described in subsection (c) of this section, if such student
455 is unable to satisfactorily complete any of the required courses or
456 exams. Such student support and remedial services shall include, but
457 not be limited to, (1) allowing students to retake courses in summer
458 school or through an on-line course; (2) allowing students to enroll in a
459 class offered at a constituent unit of the state system of higher
460 education, as defined in section 10a-1, pursuant to subdivision (4) of
461 subsection (g) of this section; (3) allowing students who received a
462 failing score, as determined by the Commissioner of Education, on an
463 end of the school year exam to take an alternate form of the exam; and
464 (4) allowing those students whose individualized education plans state
465 that such students are eligible for an alternate assessment to
466 demonstrate competency on any of the five core courses through
467 success on such alternate assessment.

468 Sec. 513. Subsection (j) of section 10-221a of the general statutes is
469 repealed and the following is substituted in lieu thereof (*Effective from*
470 *passage*):

471 (j) For the school year commencing July 1, [2012] 2014, and each
472 school year thereafter, a local or regional board of education shall

473 collect information for each student enrolled in a public school,
474 beginning in grade six, that records students' career and academic
475 choices in grades six to twelve, inclusive.

476 Sec. 514. Section 10-5d of the general statutes is repealed and the
477 following is substituted in lieu thereof (*Effective from passage*):

478 (a) For the fiscal years ending June 30, [2013] 2015, to June 30, [2018]
479 2020, inclusive, the Department of Education shall, within available
480 appropriations, provide grants to local and regional school districts to
481 begin implementation of the provisions of subsections (c) and (d) of
482 section 10-221a, as amended by this act.

483 (b) On or before November 1, [2012] 2014, and biennially thereafter,
484 each local or regional board of education seeking grant assistance from
485 the department pursuant to subsection (a) of this section shall report to
486 the department on the status of the school district's implementation of
487 the provisions of subsections (c) and (d) of section 10-221a, as amended
488 by this act, and an explanation for the reasons why funds are necessary
489 for the next biennium to implement the provisions of subsections (c)
490 and (d) of said section 10-221a.

491 (c) On or before February 1, [2013] 2015, and biennially thereafter,
492 the department shall report, in accordance with the provisions of
493 section 11-4a, to the joint standing committee of the General Assembly
494 having cognizance of matters relating to education on the status of
495 implementation of the provisions of subsections (c) and (d) of section
496 10-221a, as amended by this act, by local and regional boards of
497 education in the state. Such report shall include, (1) an explanation of
498 any existing state and federal funds currently available to assist in such
499 implementation, (2) recommendations regarding the appropriation of
500 additional state funds to support local and regional boards of
501 education in the implementation of subsections (c) and (d) of said
502 section 10-221a, and (3) recommendations for any statutory changes
503 that would facilitate implementation of subsections (c) and (d) of said
504 section 10-221a by local and regional boards of education.

505 Sec. 515. Section 10-5e of the general statutes is repealed and the
506 following is substituted in lieu thereof (*Effective from passage*):

507 On and after July 1, [2012] 2014, the Department of Education shall
508 commence development or approval of the end of the school year
509 examinations to be administered pursuant to subdivision (2) of
510 subsection (c) of section 10-221a, as amended by this act. Such
511 examinations shall be developed or approved on or before July 1,
512 [2014] 2016.

513 Sec. 516. Subsection (f) of section 10-221 of the general statutes is
514 repealed and the following is substituted in lieu thereof (*Effective from*
515 *passage*):

516 (f) Not later than September 1, 1998, each local and regional board of
517 education shall develop, adopt and implement written policies and
518 procedures to encourage parent-teacher communication. These policies
519 and procedures may include monthly newsletters, required regular
520 contact with all parents, flexible parent-teacher conferences, drop-in
521 hours for parents, home visits and the use of technology such as
522 homework hot lines to allow parents to check on their children's
523 assignments and students to get assistance if needed. For the school
524 year commencing July 1, 2010, [and each school year thereafter,] such
525 policies and procedures shall require the district to conduct two
526 flexible parent-teacher conferences for each school year. For the school
527 year commencing July 1, 2013, and each school year thereafter, such
528 policies and procedures shall require the district to conduct two
529 flexible parent-teacher conferences for each school year.

530 Sec. 517. Section 4a-60b of the general statutes is repealed and the
531 following is substituted in lieu thereof (*Effective from passage*):

532 (a) For the purposes of this section:

533 (1) "Reverse auction" means an on-line bidding process in which
534 qualified bidders or qualified proposers, anonymous to each other,
535 submit bids or proposals to provide goods, services or supplies

536 pursuant to an invitation to bid or request for proposals; [and]

537 (2) "Contracting agency" means a state agency with statutory
538 authority to award contracts for goods, services or supplies, or a
539 political subdivision of the state or school district; and

540 (3) "Services" means any professional services or other service
541 arrangements, other than construction or construction management
542 services, where such services are provided by persons other than
543 employees of the state, a political subdivision of the state or a school
544 district.

545 (b) Notwithstanding any provision of the general statutes,
546 whenever a contracting agency determines that the use of a reverse
547 auction is advantageous to the contracting agency and will ensure a
548 competitive contract award, the contracting agency may use a reverse
549 auction to award a contract for goods, services or supplies, in
550 accordance with any applicable requirement of the general statutes
551 and policies of the contracting agency. The contracting agency may
552 contract with a third party to prepare and manage any such reverse
553 auction.

554 Sec. 518. Section 2-32b of the general statutes is repealed and the
555 following is substituted in lieu thereof (*Effective from passage*):

556 (a) As used in this section:

557 (1) "Local government" means any political subdivision of the state
558 having power to make appropriations or to levy taxes, including any
559 town, city or borough, consolidated town and city or consolidated
560 town and borough, any village, any school, sewer, fire, water or
561 lighting district, metropolitan district, any municipal district, any
562 beach or improvement association, and any other district or association
563 created by any special act or pursuant to chapter 105, or any other
564 municipal corporation having the power to issue bonds;

565 (2) "State mandate" means any constitutional, statutory or executive

566 action that requires a local government to establish, expand or modify
567 its activities in such a way as to necessitate additional expenditures
568 from local revenues, excluding any order issued by a state court and
569 any legislation necessary to comply with a federal mandate;

570 (3) "Local government organization and structure mandate" means a
571 state mandate concerning such matters as: (A) The form of local
572 government and the adoption and revision of statutes on the
573 organization of local government; (B) the establishment of districts,
574 councils of governments, or other forms and structures for interlocal
575 cooperation and coordination; (C) the holding of local elections; (D) the
576 designation of public officers, and their duties, powers and
577 responsibilities; and (E) the prescription of administrative practices
578 and procedures for local governing bodies;

579 (4) "Due process mandate" means a state mandate concerning such
580 matters as: (A) The administration of justice; (B) notification and
581 conduct of public hearings; (C) procedures for administrative and
582 judicial review of actions taken by local governing bodies; and (D)
583 protection of the public from malfeasance, misfeasance, or nonfeasance
584 by local government officials;

585 (5) "Benefit spillover" means the process of accrual of social or other
586 benefits from a governmental service to jurisdictions adjacent to or
587 beyond the jurisdiction providing the service;

588 (6) "Service mandate" means a state mandate as to creation or
589 expansion of governmental services or delivery standards therefor and
590 those applicable to services having substantial benefit spillover and
591 consequently being wider than local concern. For purposes of this
592 section, applicable services include but are not limited to elementary
593 and secondary education, community colleges, public health,
594 hospitals, public assistance, air pollution control, water pollution
595 control and solid waste treatment and disposal. A state mandate that
596 expands the duties of a public official by requiring the provision of
597 additional services is a "service mandate" rather than a "local

598 government organization and structure mandate";

599 (7) "Interlocal equity mandate" means a state mandate requiring
600 local governments to act so as to benefit other local governments or to
601 refrain from acting to avoid injury to, or conflict with neighboring
602 jurisdictions, including such matters as land use regulations, tax
603 assessment procedures for equalization purposes and environmental
604 standards;

605 (8) "Tax exemption mandate" means a state mandate that exempts
606 privately owned property or other specified items from the local tax
607 base;

608 (9) "Personnel mandate" means a state mandate concerning or
609 affecting local government: (A) Salaries and wages; (B) employee
610 qualifications and training except when any civil service commission,
611 professional licensing board, or personnel board or agency established
612 by state law sets and administers standards relative to merit-based
613 recruitment or candidates for employment or conducts and grades
614 examinations and rates candidates in order of their relative excellence
615 for purposes of making appointments or promotions to positions in the
616 competitive division of the classified service of the public employer
617 served by such commission, board or agency; (C) hours, location of
618 employment, and other working conditions; and (D) fringe benefits
619 including insurance, health, medical care, retirement and other
620 benefits.

621 (b) The Office of Fiscal Analysis shall append to any bill before
622 either house of the General Assembly for final action which has the
623 effect of creating or enlarging a state mandate to local governments, an
624 estimate of the cost to such local governments which would result
625 from the passage of such bill. Any amendment offered to any bill
626 before either house of the General Assembly which has the effect of
627 creating or enlarging a state mandate to local governments shall have
628 appended thereto an estimate of the cost to such local governments
629 which would result from the adoption of such amendment.

630 (c) The estimate required by subsection (b) of this section shall be
631 the estimated cost to local governments for the first fiscal year in which
632 the bill takes effect. If such bill does not take effect on the first day of
633 the fiscal year, the estimate shall also indicate the estimated cost to
634 local governments for the next following fiscal year. If a bill is
635 amended by the report of a committee on conference in such a manner
636 as to result in a cost to local governments, the Office of Fiscal Analysis
637 shall append an estimate of such cost to the report before the report is
638 made to either house of the General Assembly.

639 (d) On and after January 1, 1985, (1) any bill reported by a joint
640 standing committee of the General Assembly which may create or
641 enlarge a state mandate to local governments, as defined in subsection
642 (a) of this section, shall be referred by such committee to the joint
643 standing committee of the General Assembly having cognizance of
644 matters relating to appropriations and the budgets of state agencies,
645 unless such reference is dispensed with by a vote of at least two-thirds
646 of each house of the General Assembly, and (2) any bill amended by
647 either house of the General Assembly or by the report of a committee
648 on conference in such a manner as to create or enlarge a state mandate
649 shall be referred to said committee, unless such reference is dispensed
650 with by a vote of at least two-thirds of each house of the General
651 Assembly. Any such bill which is favorably reported by said
652 committee shall contain a determination by said committee concerning
653 the following: (A) Whether or not such bill creates or enlarges a state
654 mandate, and, if so, which type of mandate is created or enlarged; (B)
655 whether or not the state shall reimburse local governments for costs
656 resulting from such new or enlarged mandate, and, if so, which costs
657 are eligible for reimbursement, the level of reimbursement, the
658 timetable for reimbursement and the duration of reimbursement.

659 (e) No bill that creates or enlarges a state mandate to local
660 governments, as defined in subsection (a) of this section, shall be
661 passed without the vote of at least two-thirds of each house of the
662 General Assembly.

663 Sec. 519. Section 13a-153f of the general statutes is repealed.
664 *(Effective October 1, 2013)*"