



Substitute House Bill No. 6363

Public Act No. 13-299

AN ACT STREAMLINING STATE GOVERNMENT AND INCREASING EFFECTIVENESS.

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

Section 1. Section 1-1n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in sections 4a-60, 8-169s, 8-265c, 8-294, 8-315, 10-15c, 10-153, 10a-6, 11-24b, 16-245r, 16-247r, 28-15, 31-22p, 31-57e, [32-204,] 32-277, 38a-358, 42-125a, 42-125b, 46a-81aa, as amended by this act, 52-571d and 53-37a, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Sec. 2. Subsection (l) of section 1-79 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

Substitute House Bill No. 6363

1, 2013):

(l) "Quasi-public agency" means Connecticut Innovations, Incorporated, and the Connecticut Health and Education Facilities Authority, Connecticut Higher Education Supplemental Loan Authority, Connecticut Housing Finance Authority, Connecticut Housing Authority, Connecticut Resources Recovery Authority, [Lower Fairfield County Convention Center Authority,] Capital Region Development Authority, Connecticut Lottery Corporation, Connecticut Airport Authority, Health Information Technology Exchange of Connecticut, Connecticut Health Insurance Exchange and Clean Energy Finance and Investment Authority.

Sec. 3. Section 4-61u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Under the supervision of the Commissioner of Administrative Services, all departments and agencies of state government shall establish an effective program of career mobility as part of their affirmative action program, as required by section 46a-68, for occupational groups, which shall include, but not be limited to, secretarial, clerical, supervisory clerical, semiskilled, crafts and trades, supervisory crafts and trades, custodial, supervisory custodial and laborers. All departments and agencies of state government shall provide, or make provision for, career counseling for such occupational groups. All departments and agencies shall make available to state employees a range of training opportunities. In geographically remote areas [, as defined by the Committee on Career Entry and Mobility,] where programs are not generally available, departments and agencies shall enter into cooperative arrangements or take other appropriate actions to assure that training opportunities are provided to employees in those areas. All departments and agencies shall, consistent with the requirements of the State Personnel Act, initiate classification requests that would result in the development of

Substitute House Bill No. 6363

career ladders and lattices providing career mobility within and between occupational groupings, and from subprofessional jobs to professional and managerial jobs. All departments and agencies of state government shall establish as part of their affirmative action plans, specific annual goals and timetables on the number of classes in entry level professional, managerial and administrative positions, which shall include, but are not limited to, law enforcement, field representation, administrative staff, professional, subprofessional or technical jobs that are to be filled through career mobility.

(b) Under the supervision of the Commissioner of Administrative Services, each department and agency of state government shall establish an effective program of accommodation and entry level training of persons with disabilities. Such programs shall be part of department and agency affirmative action programs required by section 46a-68. All departments and agencies shall make a range of training opportunities available to such persons. In geographically remote areas [, as defined by the Committee on Career Entry and Mobility,] where programs are not generally available, departments and agencies shall enter into cooperative arrangements or take other appropriate actions to assure that training opportunities are provided to such persons in those areas. All departments and agencies of state government shall establish, as part of their affirmative action plans, specific annual goals and timetables on (1) the number of jobs that are to be filled through the accommodation of persons with disabilities and (2) entry level training for such persons.

Sec. 4. Section 4-61w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

In implementing the provisions of [sections 4-61t and] section 4-61u, as amended by this act, and this section, each department or agency shall insure that the ethnic and sex composition of employees participating in the career mobility program shall be consistent with

Substitute House Bill No. 6363

the regulations for affirmative action of the Commission on Human Rights and Opportunities.

Sec. 5. Section 4-67m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Office of Policy and Management, in consultation with each budgeted state agency, shall develop, for state budgeting purposes, specific biennial goals and objectives and quantifiable outcome measures, which shall not be limited to measures of activities, for each program, service and state grant administered or provided by such agency. The Secretary of the Office of Policy and Management shall submit an annual report concerning such goals, objectives and measures to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the joint standing committee of the General Assembly having cognizance of matters relating to the agency. For the biennium beginning July 1, 1995, and for each biennium thereafter, the annual report shall include an evaluation of the impact of each program, service and state contract on the family.

(b) The goals, objectives and measures developed for each such agency pursuant to subsection (a) of this section shall be implemented for the biennium beginning July 1, 1993. The Office of Policy and Management, in consultation with each such agency, shall review and revise such goals, objectives and measures for each biennium thereafter.

[(c) For the biennium beginning July 1, 1995, and for each biennium thereafter, the annual report submitted pursuant to subsection (a) of this section shall evaluate the progress of budgeted state agencies in achieving benchmarks established under section 4-67r.]

Sec. 6. Section 4d-90 of the general statutes is repealed and the

Substitute House Bill No. 6363

following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) There is established a Geospatial Information Systems Council consisting of the following members, or their designees: (1) The Secretary of the Office of Policy and Management; (2) the Commissioners of Energy and Environmental Protection, Economic and Community Development, Transportation, Public Health, Construction Services, Administrative Services, Agriculture, Emergency Services and Public Protection and Social Services; (3) the president of the Board of Regents for Higher Education; (4) the president of The University of Connecticut; (5) one member who is a user of geospatial information systems appointed by the president pro tempore of the Senate representing a municipality with a population of more than sixty thousand; (6) one member who is a user of geospatial information systems appointed by the minority leader of the Senate representing a regional planning agency; (7) one member who is a user of geospatial information systems appointed by the Governor representing a municipality with a population of less than sixty thousand but more than thirty thousand; (8) one member who is a user of geospatial information systems appointed by the speaker of the House of Representatives representing a municipality with a population of less than thirty thousand; (9) one member appointed by the minority leader of the House of Representatives who is a user of geospatial information systems; (10) the Adjutant General of the Military Department; and (11) any other persons the council deems necessary appointed by the council. The Governor shall select the chairperson from among the members. The chairperson shall administer the affairs of the council. Vacancies shall be filled by appointment by the authority making the appointment. Members shall receive no compensation for their services on said council, but shall be reimbursed for necessary expenses incurred in the performance of their duties. Said council shall hold one meeting each calendar quarter and such additional meetings as may be prescribed by council rules. In

Substitute House Bill No. 6363

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

(a) The Office of Policy and Management shall constitute a successor department to the Geospatial Systems Information Council in accordance with the provisions of sections 4-38d and 4-39.

(b) The [council, within available appropriations,] Secretary of the Office of Policy and Management shall coordinate [a uniform] geospatial information system capacity for municipalities, regional planning agencies [,] and the state [and others, as needed, which shall include provisions for (1) creation, maintenance and dissemination of geographic information or imagery that may be used to (A) precisely identify certain locations or areas, or (B) create maps or information profiles in graphic or electronic form about particular locations or areas, and (2) promotion of a forum in which geospatial information may be centralized and distributed] and establish policies for the collection, management and distribution of geospatial information. The secretary shall set standards for the acquisition, management and reporting of geospatial information and the acquisition, creation or use of applications employing such information by any executive branch agency. In establishing such capacity, policies or standards the [council] secretary shall consult with municipalities, regional planning agencies, state agencies and other users of geospatial information system technology. The purpose of any such system shall be to [provide guidance or assistance to municipal and state officials in the areas of land use planning, transportation, economic development, environmental, cultural and natural resources management, the delivery of public services and other areas, as necessary] facilitate communication and coordination regarding the use of geospatial information system technology, eliminate duplicative use of such technology and expand the use of geospatial information within the

Substitute House Bill No. 6363

state.

(c) The [council] secretary may apply for federal grants and may accept and expend such grants on behalf of the state, [through the Office of Policy and Management.]

(d) The [council] secretary shall, within available appropriations, [shall] administer a program of technical assistance to municipalities and regional planning agencies to develop geospatial information systems and shall periodically recommend improvements to the geospatial information system provided for in subsection (b) of this section.

(e) On or before January 1, [2006] 2014, and annually thereafter, the [council] secretary shall submit, in accordance with section 11-4a, a report on activities under this section to the joint standing committee of the General Assembly having cognizance of matters relating to planning and development.

Sec. 7. Section 10a-112g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The William Benton Museum of Art, The University of Connecticut shall be the State Museum of Art. The museum shall collect, preserve and research works of art and prepare public exhibits at the museum and educational exhibits and programs that may be used by colleges, universities, schools, libraries, institutions, appropriate state agencies or other public organizations.

(b) [There is established] The Board of Trustees of The University of Connecticut may establish an advisory committee to advise the president of The University of Connecticut with respect to the policies, collections, programs, activities and operations of the State Museum of Art. [The advisory committee shall consist of eleven members as follows: The Commissioner of Education and the president of the

Substitute House Bill No. 6363

Board of Regents for Higher Education, or their designees; two members of the Culture and Tourism Advisory Committee appointed by the Commissioner of Economic and Community Development; and seven persons nominated by the president of The University of Connecticut and appointed by the Governor, one of whom shall be a member of the board of trustees of the university, one of whom shall be an alumnus of the university and five of whom shall be private citizens representing various geographic areas of the state and widely known for their knowledge, competence and experience in connection with the visual arts. The advisory committee shall elect a member who is a private citizen as its chairperson.]

Sec. 8. Subsection (a) of section 10a-55i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Higher Education Consolidation Committee which shall be convened by the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to higher education or such chairpersons' designee, who shall be a member of such joint standing committee. The membership of the Higher Education Consolidation Committee shall consist of the higher education subcommittee on appropriations and the chairpersons, vice chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations. The Higher Education Consolidation Committee shall establish a meeting and public hearing schedule for purposes of receiving updates from the Board of Regents for Higher Education on the progress of the consolidation of the state system of higher education pursuant to this section, section 4-9c, [subsection (a) of section 4d-90,] subsection (g) of section 5-160, section 5-199d, subsection (a) of section 7-323k, subsection (a) of section 7-608, subsection (a) of section 10-9, section 10-

Substitute House Bill No. 6363

155d, subdivision (14) of section 10-183b, sections 10a-1a to 10a-1d, inclusive, 10a-3 and 10a-3a, subsection (a) of section 10a-6a, sections 10a-6b, 10a-8, 10a-10a to 10a-11a, inclusive, 10a-17d and 10a-22a, subsections (f) and (h) of section 10a-22b, subsections (c) and (d) of section 10a-22d, sections 10a-22h and 10a-22k, subsection (a) of section 10a-22n, sections 10a-22r, 10a-22s, 10a-22u, 10a-22v, 10a-22x and 10a-34 to 10a-35a, inclusive, subsection (e) of section 10a-37, sections 10a-38 to 10a-40, inclusive, 10a-42 and 10a-42g, subsection (a) of section 10a-48a, sections [10a-55i,] 10a-71 and 10a-72, subsections (c) and (f) of section 10a-77, section 10a-88, subsection (a) of section 10a-89, subsection (c) of section 10a-99 and sections 10a-102, 10a-104, 10a-105, 10a-109e, 10a-143, 10a-163a, 10a-164a, 10a-168a and 10a-170. The Higher Education Consolidation Committee shall convene its first meeting on or before September 15, 2011, and meet not less than once every two months until September 15, 2012.

Sec. 9. Section 12-62f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Secretary of the Office of Policy and Management shall establish a state-wide program of financial assistance to municipalities to improve municipal assessment and tax collection practices. Such financial assistance, within the limits of funds made available for such purpose, shall be in the form of a grant-in-aid to each municipality to develop or modify a state certified computer-assisted mass appraisal system for the purpose of revaluation, as required in section 12-62, the training of municipal personnel in the proper use of such system, the acquisition of software packages, hardware, programming, data conversion or data entry. Whenever used in this section, "municipality" means any town, consolidated town and city or consolidated town and borough.

(b) The secretary shall [, after consultation with the board created by subsection (f) of this section, on or before December 1, 1988,] develop

Substitute House Bill No. 6363

minimum standards for the certification of a computer-assisted mass appraisal system and [on or before December 1, 1995,] adopt regulations, in accordance with the provisions of chapter 54, setting minimum computer-assisted mass appraisal revaluation standards and computerized administrative standards. A municipality, which intends to develop or modify a computer-assisted mass appraisal system as provided in subsection (a) of this section, may apply to the secretary for a grant-in-aid [, on or after January 1, 1989,] in such form and manner as said secretary shall prescribe. The secretary shall review each such application, and shall [, after consultation with the board created by subsection (f) of this section,] approve the municipality's proposed use of the grant-in-aid, provided it has been shown to [his] the secretary's satisfaction that the intended development or modification of a computer-assisted mass appraisal system will (1) meet the minimum computer-assisted mass appraisal revaluation standards and computerized administrative standard requirements as established by the secretary, (2) ensure a more accurate revaluation, and (3) serve to improve both assessment and tax collection practices in the municipality.

(c) (1) Each municipality whose application for state financial assistance has been approved by the secretary shall receive a grant-in-aid on the basis of its population, as determined by the most recent estimates of the Department of Public Health. The amount of such grant-in-aid to any municipality with revaluation, as required in section 12-62, becoming effective in any of the years 1987 to 1996, inclusive, shall be as follows: (A) Twenty-five thousand dollars to each municipality with a population of less than twenty thousand; (B) thirty-five thousand dollars to each municipality with a population of at least twenty thousand but less than fifty thousand; (C) fifty thousand dollars to each municipality with a population of at least fifty thousand but less than one hundred thousand; and (D) sixty thousand dollars to each municipality with a population of one

Substitute House Bill No. 6363

hundred thousand or more. Each municipality that completed a revaluation which became effective in the years from 1987 to 1996, inclusive, and qualified for the grants-in-aid provided for in this section, shall be eligible for an additional grant-in-aid equal to an amount not to exceed ten per cent of the grant-in-aid limit of the grant for which they originally qualified provided the additional grant-in-aid shall be used for training and for installations and modifications which are acquired and certified to be in compliance with the minimum computer-assisted mass appraisal revaluation standards and computerized administrative standards developed in accordance with subsection (b) of this section.

(2) A municipality that conducted a revaluation as required in section 12-62 without postponement or extension, but not between January 1, 1987, and December 31, 1996, shall be eligible to apply for and receive a grant and an additional grant-in-aid under subdivision (1) of this subsection.

(3) No municipality shall be eligible to receive a grant and an additional grant-in-aid pursuant to this section more than once.

(4) The secretary shall not accept or approve any application for a grant-in-aid pursuant to this section after June 30, 2012.

(d) Upon approval of an application for state financial assistance, the secretary shall certify to the Comptroller the amount due to the municipality. Not later than five business days after such certification, the Comptroller shall draw his or her order on the Treasurer, who shall pay the grant to the municipality.

(e) The secretary shall periodically monitor a municipality's use of such grant-in-aid, to ensure full compliance with the provisions of this section. Each municipality receiving a grant-in-aid under this section shall for a period of two years following receipt of such grant-in-aid

Substitute House Bill No. 6363

maintain all invoices, purchase orders and other evidence of expenditures related to the grant-in-aid.

[(f) There is created a computer-assisted mass appraisal systems advisory board. Said board shall consist of seven Connecticut municipal assessors, one each to be appointed by the Governor, the president pro tempore, the majority leader and the minority leader of the Senate and the speaker, the majority leader and the minority leader of the House of Representatives. The members shall choose a chairman from the membership. Said board shall have such powers and duties as are set forth in subsection (b) of this section.]

Sec. 10. Section 13b-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) It shall be the state-wide goal: (1) To increase passenger vehicle occupancy levels and the use of public transportation, (2) to increase average occupancy levels to one and two-tenths persons per car by the year 2000, and (3) to increase the use of public transportation and ride sharing so that at least ten per cent of all trips between home and places of employment occur in vehicles occupied by more than one person by the year 2000.

[(b) The Connecticut Public Transportation Commission shall monitor progress toward achieving the goals established in subsection (a) of this section and, on or before January 10, 1991, and annually thereafter, shall report its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to transportation and the environment.]

[(c)] (b) On or before January 1, 1991, the Department of Transportation shall report to the General Assembly on a strategy necessary to increase passenger vehicle occupancy levels to one and one-quarter persons per car by the year 2010.

Substitute House Bill No. 6363

Sec. 11. Subsection (a) of section 13b-17 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The commissioner may [issue rules and] adopt regulations, in accordance with the provisions of chapter 54, for the efficient conduct of the business of the department. The commissioner may delegate (1) to the Deputy Commissioner of Transportation any of the commissioner's duties and responsibilities; (2) to the bureau chief for an operating bureau any of the commissioner's duties and responsibilities which relate to the functions to be performed by that bureau; [(3) to the Connecticut Public Transportation Commission any of the commissioner's duties and responsibilities which relate to the functions to be performed by the commission; and (4)] and (3) to other officers, employees and agents of the department any of the commissioner's duties and responsibilities that the commissioner deems appropriate, to be exercised under the commissioner's supervision and direction.

Sec. 12. Subsection (a) of section 13b-57d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

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

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

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

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

(4) "Transportation project" means any planning, capital or

Substitute House Bill No. 6363

operating project with regard to transportation undertaken by the state;

(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 subsection (f) of section 4-124c;

(6) "TIA" means transportation investment area;

(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;

(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,

Substitute House Bill No. 6363

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;

(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;

(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;

(11) "Southeast corridor" and "Southeast corridor TIA" means the

Substitute House Bill No. 6363

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

(12) "Modal" means a mode of transportation, and "multimodal" means two or more modes of transportation.

Sec. 13. Section 13b-212a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Transportation shall develop a contingency plan for any disruption of rail passenger service on the New Haven line including the New Canaan, Waterbury and Danbury branches due to a strike, equipment failure, malfunction of the Cos Cob generating plant or any other event that would require passengers to seek alternative transportation, and submit the plan to the joint standing committee of the General Assembly having cognizance of matters relating to transportation on or before January 15, 1986. The commissioner shall regularly review the contingency plan and shall regularly consult with town and municipal officials [, the Connecticut Public Transportation Commission] and the joint standing committee of the General Assembly having cognizance of matters relating to transportation concerning the contingency plan. The contingency plan shall include specific provisions concerning weekend rail service, service on the New Haven line and the New Canaan, Danbury and Waterbury branches, service for commuters traveling to New Haven in the morning and to New York in the evening and service to areas between New Haven and New York. The commissioner may revise the contingency plan whenever he deems it necessary.

(b) The Commissioner of Transportation shall designate one or more

Substitute House Bill No. 6363

persons, associations or corporations engaged in the operation of motor bus services in accordance with the provisions of chapter 244 to provide transportation services to rail passengers during any disruption of rail service on the New Haven line, or any branch of such line. The commissioner shall specify the name and address of any such person, association or corporation in a revised contingency plan developed in accordance with the provisions of this section. The commissioner shall submit such plan to the joint standing committee of the General Assembly having cognizance of matters relating to transportation on or before January 15, 1987.

Sec. 14. Section 13b-212b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a [Metro North New Haven Rail] Connecticut Commuter Rail Council which shall consist of fifteen members, all of whom shall be (1) commuters who regularly use the transportation services of [:(1) The] the New Haven commuter railroad line which includes the New Canaan, Danbury and Waterbury branches of such line, [and] (2) commuters who regularly use the transportation services of the Shoreline East railroad line, or (3) residents of a municipality in which the Commissioner of Transportation has proposed a new rail line or in which a rail line has commenced operation after July 1, 2013. Members shall be appointed as follows: (A) The Governor shall appoint four members, one of whom shall be the chief elected official of a municipality located on an operating or proposed new rail line; (B) the president pro tempore of the Senate shall appoint three members; [.] (C) the speaker of the House of Representatives shall appoint three members; [.] (D) the minority leader of the Senate shall appoint one member; [.] (E) the minority leader of the House of Representatives shall appoint one member; [.] (F) the [chairmen] chairpersons of the joint standing committee of the General Assembly having cognizance of matters

Substitute House Bill No. 6363

relating to transportation shall each appoint one member, one of whom shall be from a municipality in which the Commissioner of Transportation has proposed a new rail line or in which a rail line has commenced operation after July 1, 2013, and one of whom shall be from a municipality in which a station for the Shoreline East railroad line is located; and (G) the ranking members of said committee shall jointly appoint one member who shall be from a municipality served by the Danbury or Waterbury branches of the New Haven commuter railroad line. Each member shall serve for a term of four years commencing on August 1, 2013. All initial appointments to the council shall be made by August 1, 2013. Any vacancy shall be filled by the original appointing authority by appointment for the unexpired portion of any term. Members of the council shall serve until their respective successors are appointed and approved by the General Assembly.

(b) The members of the council shall choose one of the members of the council to be [chairman] chairperson of the council. A majority of the members of the council then in office shall constitute a quorum for the transaction of any business, and action shall be by vote of a majority of the members present at a meeting. The council shall meet at least once during each calendar quarter and at such other times as the chairperson deems necessary or upon the request of a majority of the members in office. Special meetings shall be held at the request of such majority after notice in accordance with the provisions of section 1-225. Any member who fails to attend fifty per cent of all meetings held during any calendar year or who fails to attend three consecutive meetings shall be deemed to have resigned from office.

Sec. 15. Section 13b-212c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The [Metro North New Haven Rail] Connecticut Commuter Rail Council shall study and investigate all aspects of the daily operation of

Substitute House Bill No. 6363

[the New Haven commuter railroad line] commuter rail lines in the state, monitor [its] their performance and recommend changes to improve the efficiency and the quality of service of the operation of such [line] lines. The council may request and shall receive from any department, division, board, bureau, commission, agency, public authority of the state or any political subdivision thereof such assistance and data as it requests and will enable it to properly carry out its activities for the purposes set forth [herein] in this section. The council shall also work with the Department of Transportation to advocate for customers of all commuter lines in the state and shall make recommendations for improvements to such lines. The council shall report its findings and recommendations annually on or before January fifteenth, to the Governor, the Commissioner of Transportation, [the Connecticut Public Transportation Commission,] the General Assembly, the Metro North Rail Commuter Council located in New York and the management advisory board of the office of the inspector general of the Metropolitan Transportation Authority located in New York.

Sec. 16. Section 16-331c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Each community antenna television company, as defined in section 16-1, shall annually contribute to the advisory council in its franchise area an amount not less than two thousand dollars, [and to the State-wide Community Antenna Television Advisory Council an amount not less than two hundred dollars.] A local advisory council may at its option receive any or all of its funding through in-kind services of the community antenna television company. [The State-wide Community Antenna Television Advisory Council and each] Each local advisory council shall annually, on January thirty-first, provide the Public Utilities Regulatory Authority with an accounting of any funding or services received.

Substitute House Bill No. 6363

Sec. 17. Subsection (b) of section 16-331cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The moneys in said account shall be expended by the Public Utilities Regulatory Authority as follows: (1) Fifty per cent of said moneys shall be available to local community antenna television and video advisory councils; the state-wide [community antenna television and] video advisory [councils] council; public, educational and governmental programmers and public, educational and governmental studio operators to subsidize capital and equipment costs related to producing and procuring such programming, and (2) fifty per cent of said moneys shall be available to boards of education and other education entities for education technology initiatives.

Sec. 18. Subsections (a) and (b) of section 19a-6h of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a State-wide Primary Care Access Authority. The authority shall consist of the Commissioners of Public Health and Social Services, the Comptroller [, the chairpersons of the HealthFirst Connecticut Authority established under section 19a-6g] and the following members: One each appointed by the Connecticut Primary Care Association, the Connecticut State Medical Society, the Connecticut Chapter of the American Academy of Pediatrics, the Connecticut Nurses Association, the Connecticut Association of School-Based Health Centers, the Connecticut State Dental Association, the Connecticut Community Providers Association and the Weitzman Center for Innovation In Community Health and Primary Care and two appointed by the Commissioner of Public Health. Members shall serve for a term of four years commencing on August 1, 2007. All initial appointments to the committee shall be made by July 15, 2007. Any vacancy shall be filled by the appointing

Substitute House Bill No. 6363

authority.

(b) The [chairpersons of the HealthFirst Connecticut Authority established under section 19a-6g shall serve as cochairpersons of the] members of the State-wide Primary Care Access Authority shall elect cochairpersons from among the members of the authority. Members shall serve without compensation but shall, within available appropriations, be reimbursed for expenses necessarily incurred in the performance of their duties.

Sec. 19. Section 22a-2d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Department of Energy and Environmental Protection, which shall have jurisdiction relating to the preservation and protection of the air, water and other natural resources of the state, energy and policy planning and regulation and advancement of telecommunications and related technology. For the purposes of energy policy and regulation, the department shall have the following goals: (1) Reducing rates and decreasing costs for Connecticut's ratepayers, (2) ensuring the reliability and safety of our state's energy supply, (3) increasing the use of clean energy and technologies that support clean energy, and (4) developing the state's energy-related economy. For the purpose of environmental protection and regulation, the department shall have the following goals: (A) Conserving, improving and protecting the natural resources and environment of the state, and (B) preserving the natural environment while fostering sustainable development. The Public Utilities Regulatory Authority within the department shall be responsible for all matters of rate regulation for public utilities and regulated entities under title 16 and shall promote policies that will lead to just and reasonable utility rates. The department head shall be the Commissioner of Energy and Environmental Protection who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with

Substitute House Bill No. 6363

the powers and duties therein prescribed. The Department of Energy and Environmental Protection shall establish bureaus, one of which shall be designated an energy bureau.

(b) The Department of Energy and Environmental Protection shall constitute a successor department to the Department of Environmental Protection and the Department of Public Utility Control in accordance with the provisions of sections 4-38d, 4-38e and 4-39.

[(c) Wherever the words "Commissioner of Environmental Protection" are used or referred to in the following sections of the general statutes, the words "Commissioner of Energy and Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131, 7-131a, 7-131d, 7-131e, 7-131f, 7-131g, 7-131i, 7-131l, 7-131t, 7-131u, 7-136h, 7-137c, 7-147, 7-151a, 7-151b, 7-245, 7-246, 7-246f, 7-247, 7-249a, 7-323o, 7-374, 7-487, 8-336f, 10-231b, 10-231c, 10-231d, 10-231g, 10-382, 10-388, 10-389, 10-391, 12-81, 12-81r, 12-107d, 12-217mm, 12-263m, 12-407, 12-412, 13a-80i, 13a-94, 13a-142a, 13a-142b, 13a-142e, 13a-175j, 13b-11a, 13b-38x, 13b-51, 13b-56, 13b-57, 13b-329, 14-21e, 14-21i, 14-21s, 14-65a, 14-67l, 14-80a, 14-100b, 14-164c, 14-164h, 14-164i, 14-164k, 14-164o, 15-11a, 15-121, 15-125, 15-127, 15-130, 15-133a, 15-133c, 15-140a, 15-140c, 15-140d, 15-140e, 15-140f, 15-140j, 15-140o, 15-140u, 15-140v, 15-141, 15-142, 15-143, 15-144, 15-145, 15-149a, 15-149b, 15-150a, 15-151, 15-154, 15-154a, 15-155, 15-155d, 15-156, 15-174, 16-2, 16-11a, 16-19e, 16-19g, 16-50c, 16-50d, 16-50j, 16-261a, 16a-3, 16a-21a, 16a-27, 16a-35h, 16a-38k, 16a-103, 16a-106, 19a-35a, 19a-47, 19a-102a, 19a-330, 19a-341, 21-84b, 22-6c, 22-11h, 22-26cc, 22-81a, 22-91c, 22-350a, 22-358, 22a-1g, 22a-2a, 22a-5b, 22a-5c, 22a-6, 22a-6a, 22a-6b, 22a-6e, 22a-6f, 22a-6g, 22a-6h, 22a-6i, 22a-6j, 22a-6k, 22a-6l, 22a-6m, 22a-6n, 22a-6p, 22a-6s, 22a-6u, 22a-6v, 22a-6w, 22a-6y, 22a-6z, 22a-6aa, 22a-6bb, 22a-6cc, 22a-7a, 22a-7b, 22a-8a, 22a-10, 22a-13, 22a-16a, 22a-21, 22a-21b, 22a-21c, 22a-21d, 22a-21h, 22a-21j, 22a-22, 22a-25, 22a-26, 22a-27, 22a-27f, 22a-27l, 22a-

Substitute House Bill No. 6363

27p, 22a-27r, 22a-27s, 22a-27t, 22a-27u, 22a-27v, 22a-27w, 22a-29, 22a-35a, 22a-38, 22a-42a, 22a-44, 22a-45a, 22a-45b, 22a-45c, 22a-45d, 22a-47, 22a-54, 22a-54a, 22a-56a, 22a-66a, 22a-66c, 22a-66j, 22a-66k, 22a-66l, 22a-66y, 22a-66z, 22a-68, 22a-93, 22a-106a, 22a-109, 22a-113n, 22a-113t, 22a-114, 22a-115, 22a-118, 22a-122, 22a-133a, 22a-133b, 22a-133k, 22a-133l, 22a-133m, 22a-133n, 22a-133u, 22a-133v, 22a-133w, 22a-133y, 22a-133z, 22a-133aa, 22a-133bb, 22a-133ee, 22a-134, 22a-134e, 22a-134f, 22a-134g, 22a-134h, 22a-134i, 22a-134k, 22a-134l, 22a-134m, 22a-134n, 22a-134p, 22a-134s, 22a-135, 22a-136, 22a-137, 22a-148, 22a-149, 22a-150, 22a-151, 22a-153, 22a-154, 22a-155, 22a-156, 22a-158, 22a-160, 22a-162, 22a-170, 22a-171, 22a-173, 22a-174c, 22a-174d, 22a-174e, 22a-174f, 22a-174g, 22a-174h, 22a-174i, 22a-174j, 22a-174k, 22a-174l, 22a-174m, 22a-180, 22a-182a, 22a-183, 22a-186, 22a-188, 22a-188a, 22a-191, 22a-191a, 22a-192, 22a-193, 22a-194a, 22a-194c, 22a-194f, 22a-198, 22a-199, 22a-200, 22a-200a, 22a-200b, 22a-200c, 22a-201a, 22a-201b, 22a-207, 22a-208a, 22a-208b, 22a-208d, 22a-208e, 22a-208f, 22a-208g, 22a-208h, 22a-208j, 22a-208o, 22a-208p, 22a-208q, 22a-208v, 22a-208w, 22a-208x, 22a-208y, 22a-208aa, 22a-208bb, 22a-209a, 22a-209b, 22a-209d, 22a-209f, 22a-209g, 22a-209h, 22a-209i, 22a-213a, 22a-214, 22a-219b, 22a-219c, 22a-219e, 22a-220, 22a-220a, 22a-220d, 22a-222, 22a-223, 22a-225, 22a-227, 22a-228, 22a-230, 22a-231, 22a-233a, 22a-235, 22a-235a, 22a-237, 22a-238, 22a-239, 22a-240, 22a-240a, 22a-241, 22a-241a, 22a-241b, 22a-241g, 22a-241h, 22a-241j, 22a-245, 22a-245a, 22a-245b, 22a-245d, 22a-248, 22a-250, 22a-250a, 22a-250b, 22a-250c, 22a-252, 22a-255b, 22a-255c, 22a-255d, 22a-255f, 22a-255h, 22a-256b, 22a-256c, 22a-256i, 22a-256m, 22a-256o, 22a-256q, 22a-256r, 22a-256v, 22a-256y, 22a-256aa, 22a-260, 22a-264, 22a-283, 22a-285a, 22a-285d, 22a-285e, 22a-285g, 22a-285h, 22a-285j, 22a-295, 22a-300, 22a-308, 22a-309, 22a-314, 22a-315, 22a-316, 22a-317, 22a-318, 22a-319, 22a-320, 22a-321, 22a-322, 22a-324, 22a-326, 22a-328, 22a-336, 22a-337, 22a-339a, 22a-339b, 22a-339c, 22a-339d, 22a-339f, 22a-339g, 22a-339h, 22a-342a, 22a-349, 22a-349a, 22a-351, 22a-352, 22a-354b, 22a-354c, 22a-354d, 22a-354e, 22a-354f, 22a-354h, 22a-354i, 22a-354j, 22a-354k, 22a-354l, 22a-354p, 22a-354q, 22a-354t, 22a-354u, 22a-354v,

Substitute House Bill No. 6363

22a-354w, 22a-354x, 22a-354z, 22a-354aa, 22a-354bb, 22a-354cc, 22a-355, 22a-357, 22a-359, 22a-361, 22a-361a, 22a-363b, 22a-364, 22a-367, 22a-368a, 22a-378a, 22a-381, 22a-401, 22a-402, 22a-406, 22a-409, 22a-416, 22a-423, 22a-426, 22a-430b, 22a-430c, 22a-434a, 22a-439, 22a-439a, 22a-444, 22a-445, 22a-449, 22a-449e, 22a-449f, 22a-449g, 22a-449h, 22a-449i, 22a-449j, 22a-449k, 22a-449l, 22a-449n, 22a-449p, 22a-449q, 22a-450a, 22a-452a, 22a-452e, 22a-453a, 22a-454c, 22a-457a, 22a-457b, 22a-458, 22a-459, 22a-461, 22a-462, 22a-463, 22a-471, 22a-472, 22a-474, 22a-475, 22a-482, 22a-485, 22a-497, 22a-500, 22a-501, 22a-517, 22a-521, 22a-522, 22a-523, 22a-524, 22a-525, 22a-526, 22a-527, 22a-601, 22a-602, 22a-605, 22a-613, 22a-616, 22a-626, 22a-627, 22a-629, 22a-630, 22a-634, 22a-637, 22a-638, 22a-902, 23-4, 23-5, 23-5b, 23-6, 23-7, 23-8, 23-8b, 23-9a, 23-9b, 23-10, 23-10b, 23-10c, 23-10e, 23-10i, 23-11, 23-12, 23-13, 23-14, 23-15a, 23-15b, 23-16, 23-16a, 23-17, 23-18, 23-20, 23-21, 23-22, 23-23, 23-24, 23-24a, 23-25, 23-26b, 23-26c, 23-26d, 23-26f, 23-26g, 23-30, 23-31, 23-32, 23-32a, 23-33, 23-37a, 23-37b, 23-41, 23-61a, 23-61b, 23-61f, 23-65, 23-65f, 23-65g, 23-65h, 23-65i, 23-65j, 23-65l, 23-65m, 23-65n, 23-65o, 23-65p, 23-65q, 23-73, 23-75, 23-77, 23-101, 23-102, 24-2, 25-33e, 25-33k, 25-33m, 25-33o, 25-34, 25-68b, 25-68i, 25-68k, 25-68l, 25-68m, 25-68n, 25-71, 25-72, 25-74, 25-76, 25-80, 25-83a, 25-94, 25-95, 25-97, 25-102a, 25-102d, 25-102e, 25-102f, 25-102t, 25-102ii, 25-102qq, 25-102xx, 25-109e, 25-109q, 25-131, 25-139, 25-155, 25-157, 25-178, 25-199, 25-199a, 25-201, 25-231, 26-1, 26-3, 26-3a, 26-3b, 26-3c, 26-5, 26-6, 26-6a, 26-7, 26-15, 26-17a, 26-18, 26-25a, 26-25b, 26-27, 26-27b, 26-27c, 26-27d, 26-28b, 26-29c, 26-30, 26-31, 26-31a, 26-40a, 26-40c, 26-46, 26-55, 26-65, 26-65a, 26-67b, 26-67c, 26-67e, 26-74, 26-80a, 26-86a, 26-86c, 26-86e, 26-91, 26-103, 26-107f, 26-107h, 26-107i, 26-115, 26-119, 26-141a, 26-141b, 26-141c, 26-142a, 26-142b, 26-157c, 26-157d, 26-157e, 26-157h, 26-157i, 26-159a, 26-186a, 26-192j, 26-297, 26-313, 26-314, 26-315, 26-316, 28-1b, 28-31, 29-32b, 32-1e, 32-9dd, 32-9kk, 32-9ll, 32-11a, 32-23x, 32-242, 32-242a, 32-664, 38a-684, 47-46a, 47-59b, 47-65, 47-65a, 47-66, 47-66d, 47-66g, 51-164n, 52-192, 52-473a, 53-190, 53a-44a, 53a-54b and 53a-217e.

Substitute House Bill No. 6363

(d) Wherever the words "Department of Environmental Protection" are used or referred to in the following sections of the general statutes, the words "Department of Energy and Environmental Protection" shall be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, 4-38c, 4-66c, 4-66aa, 4-89, 4a-53, 5-142, 7-131e, 7-151a, 7-151b, 7-252, 8-387, 10-282, 10-291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b, 13a-142c, 13a-142d, 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f, 15-140j, 15-154, 15-155, 16-19h, 16-19o, 16-50j, 16-50k, 16-50p, 16-243q, 16-244d, 16-244j, 16-245l, 16-245y, 16-262m, 16-262n, 19a-197b, 19a-320, 20-420, 21-84b, 22-11f, 22-11g, 22-11h, 22-26cc, 22-91e, 22-455, 22a-1d, 22a-2a, 22a-2c, 22a-5b, 22a-6, 22a-6f, 22a-6g, 22a-6l, 22a-6p, 22a-6r, 22a-6u, 22a-6x, 22a-6cc, 22a-10, 22a-11, 22a-20a, 22a-21, 22a-21a, 22a-21b, 22a-21c, 22a-21i, 22a-21j, 22a-21k, 22a-22, 22a-25, 22a-26, 22a-26a, 22a-27j, 22a-27l, 22a-27s, 22a-29, 22a-33, 22a-40, 22a-47a, 22a-58, 22a-61, 22a-66z, 22a-68, 22a-115, 22a-118, 22a-119, 22a-122, 22a-123, 22a-126, 22a-132, 22a-133v, 22a-133w, 22a-134i, 22a-135, 22a-170, 22a-174, 22a-174l, 22a-186, 22a-188a, 22a-196, 22a-198, 22a-200b, 22a-200c, 22a-200d, 22a-207, 22a-208a, 22a-209f, 22a-223, 22a-233a, 22a-239a, 22a-244, 22a-245a, 22a-247, 22a-248, 22a-250, 22a-255h, 22a-256m, 22a-256y, 22a-259, 22a-260, 22a-264, 22a-275, 22a-314, 22a-315, 22a-336, 22a-352, 22a-355, 22a-361, 22a-363b, 22a-416, 22a-426, 22a-446, 22a-449f, 22a-449l, 22a-449n, 22a-454a, 22a-475, 22a-477, 22a-509, 22a-521, 22a-601, 22a-629, 22a-630, 22a-635, 23-5c, 23-8, 23-8b, 23-10b, 23-10d, 23-15, 23-15b, 23-19, 23-20, 23-24a, 23-32a, 23-61a, 23-65f, 23-65h, 23-65i, 23-65k, 23-67, 23-68, 23-72, 23-73, 23-101, 23-102, 23-103, 25-32d, 25-33p, 25-37d, 25-37e, 25-37i, 25-43c, 25-102e, 25-102f, 25-128, 25-131, 25-157, 25-157a, 25-157b, 25-157n, 25-175, 25-201, 25-206, 25-231, 26-6a, 26-15, 26-15a, 26-15b, 26-17a, 26-27b, 26-31, 26-40a, 26-55, 26-55a, 26-59, 26-66a, 26-66b, 26-72, 26-86f, 26-105, 26-142a, 26-157d, 26-192k, 26-300, 26-304, 26-314, 28-31, 29-28, 29-36f, 30-55a, 32-1e, 32-9t, 32-9dd, 32-9kk, 32-9ll, 32-11a, 32-23d, 32-23x, 32-242, 32-242a, 32-726, 46b-220, 47-46a, 47-64, 52-557b, 53-204, 53-205, 53-206d, 53a-44a, 53a-217e, 54-56g and 54-143.

Substitute House Bill No. 6363

(e) Wherever the words "Department of Public Utility Control" are used or referred to in the following sections of the general statutes, the words "Public Utilities Regulatory Authority" shall be substituted in lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74, 4d-2, 4d-80, 7-223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265, 12-408b, 12-412, 12-491, 13a-82, 13a-126a, 13b-10a, 13b-43, 13b-44, 13b-387a, 15-96, 16-1, 16-2, 16-2a, 16-6, 16-6a, 16-6b, 16-7, 16-8, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-19, 16-19a, 16-19b, 16-19d, 16-19f, 16-19k, 16-19n, 16-19o, 16-19u, 16-19w, 16-19x, 16-19z, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-19ee, 16-19ff, 16-19gg, 16-19jj, 16-19kk, 16-19mm, 16-19nn, 16-19oo, 16-19pp, 16-19qq, 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-25, 16-25a, 16-26, 16-27, 16-28, 16-29, 16-32, 16-32a, 16-32b, 16-32c, 16-32e, 16-32f, 16-32g, 16-33, 16-35, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-44, 16-44a, 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49e, 16-50c, 16-50d, 16-50f, 16-50k, 16-50aa, 16-216, 16-227, 16-231, 16-233, 16-234, 16-235, 16-238, 16-243, 16-243a, 16-243b, 16-243c, 16-243f, 16-243i, 16-243j, 16-243k, 16-243m, 16-243n, 16-243p, 16-243q, 16-243r, 16-243s, 16-243t, 16-243u, 16-243v, 16-243w, 16-244a, 16-244b, 16-244c, 16-244d, 16-244e, 16-244f, 16-244g, 16-244h, 16-244i, 16-244k, 16-244l, 16-245, 16-245a, 16-245b, 16-245c, 16-245e, 16-245g, 16-245l, 16-245p, 16-245q, 16-245s, 16-245t, 16-245u, 16-245v, 16-245w, 16-245x, 16-245aa, 16-246, 16-246e, 16-246g, 16-247c, 16-247j, 16-247l, 16-247m, 16-247o, 16-247p, 16-247t, 16-249, 16-250, 16-250a, 16-250b, 16-256b, 16-256c, 16-256h, 16-256k, 16-258a, 16-258b, 16-258c, 16-259, 16-261, 16-262a, 16-262c, 16-262d, 16-262i, 16-262j, 16-262k, 16-262l, 16-262m, 16-262n, 16-262o, 16-262q, 16-262r, 16-262s, 16-262v, 16-262w, 16-262x, 16-265, 16-269, 16-271, 16-272, 16-273, 16-274, 16-275, 16-276, 16-278, 16-280a, 16-280b, 16-280d, 16-280e, 16-280f, 16-280h, 16-281a, 16-331, 16-331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-331i, 16-331j, 16-331k, 16-331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-331t, 16-331u, 16-331v, 16-331y, 16-331z, 16-331aa, 16-331cc, 16-331dd, 16-331ff, 16-331gg, 16-332, 16-333, 16-333a, 16-333b, 16-333e, 16-333f, 16-333g, 16-333h, 16-333i, 16-333l, 16-333n, 16-333o, 16-333p, 16-347, 16-348, 16-

Substitute House Bill No. 6363

356, 16-357, 16-358, 16-359, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-13b, 16a-37c, subsection (b) of section 16a-38n, 16a-38o, 16a-40b, 16a-40k, 16a-41, 16a-46, 16a-46b, 16a-46c, 16a-47a, 16a-47b, 16a-47c, 16a-47d, 16a-47e, 16a-48, 16a-49, 16a-103, 20-298, 20-309, 20-340, 20-340a, 20-341k, 20-341z, 20-357, 20-541, 22a-174l, 22a-256dd, 22a-266, 22a-358, 22a-475, 22a-478, 22a-479, 23-8b, 23-65, 25-33a, 25-33h, 25-33k, 25-33l, 25-33p, 25-37d, 25-37e, 26-141b, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282, 29-415, 32-80a, 32-222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-4c and 52-259a.

(f) Wherever the words "Secretary of the Office of Policy and Management" are used or referred to in the following sections of title 16a, the words "Commissioner of Energy and Environmental Protection" shall be substituted in lieu thereof: 16a-4d, 16a-14, 16a-22, 16a-22c, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-39b, 16a-40b, 16a-44b, 16a-46a, 16a-46b, 16a-46c, 16a-46e, 16a-46f and 16a-102.

(g) Wherever the words "Office of Policy and Management" are used or referred to in the following sections of title 16a, the words "Department of Energy and Environmental Protection" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-7b, 16a-14, 16a-14e, 16a-20, 16a-22, 16a-22c, 16a-22h, 16a-22j, 16a-37c, 16a-37f, 16a-37v, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38l, 16a-39b, 16a-40b, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-46g, 16a-102 and 16a-106.

(h) Wherever the word "secretary" is used or referred to in the following sections of title 16a, the word "commissioner" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-9, 16a-13, 16a-13a, 16a-13b, 16a-14, 16a-14a, 16a-14b, 16a-22, 16a-22c, 16a-22d, 16a-22e, 16a-22f, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-39b, 16a-40b, 16a-44b, 16a-45a, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-102 and 16a-106.

Substitute House Bill No. 6363

(i) Wherever the word "department" is used or referred to in the following sections of the general statutes, the word "authority" shall be substituted in lieu thereof: 16-9, 16-9a, 16-10, 16-11, 16-13, 16-14, 16-16, 16-17, 16-19, 16-19b, 16-19d, 16-244d, 16-245a, 16-245f, 16-245g, 16-246g, 16-245h, 16-245i, 16-245j, 16-245k, 16-245n, 16-245p, 16-247b, 16-247e, 16-247f, 16-247g, 16-247h, 16-247l, 16-247n, 16-247t, 16-262v, 16-280a, 16-331 and 16-333d.

(j) Wherever the words "Renewable Energy Investment Fund" are used or referred to in the following sections of the general statutes, the words "Clean Energy Fund" shall be substituted in lieu thereof: 16-1, 16-243q, 16-245, 16-245e, 16-245f, 16-245i, 16-245j, 16-245w, 16-245aa, 16a-38p, and 32-9ww.

(k) Wherever the term "Department of Environmental Protection" or "Department of Public Utility Control" is used or referred to in any public or special act of 2011, or in any section of the general statutes which is amended in 2011, "Department of Energy and Environmental Protection" shall be substituted in lieu thereof.

(l) Wherever the term "Commissioner of Environmental Protection" is used or referred to in any public or special act of 2011, or in any section of the general statutes which is amended in 2011, "Commissioner of Energy and Environmental Protection" shall be substituted in lieu thereof.

(m) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such conforming, technical, grammatical and punctuation changes as are necessary to carry out the purposes of this section.]

Sec. 20. Section 22a-188a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a)] The Department of Energy and Environmental Protection shall

Substitute House Bill No. 6363

establish a small business stationary source technical and environmental compliance program to assist, within available appropriations, small business stationary sources in complying with the federal Clean Air Act Amendments of 1990.

[(b) There shall be a small business air pollution compliance advisory panel which shall advise the Commissioner of Energy and Environmental Protection with regard to the effectiveness of the small business stationary source technical and environmental compliance program and which shall report to the administrator of the United States Environmental Protection Agency on the compliance of such program with the federal Paperwork Reduction Act, the federal Regulatory Flexibility Act, and the federal Equal Access to Justice Act. The panel shall consist of ten members and shall be constituted as follows:

(1) Two members who are not owners or representatives of owners of small business stationary sources, selected by the Governor to represent the public;

(2) One member who is an owner of a small business stationary source, selected by the speaker of the House of Representatives;

(3) One member selected by the majority leader of the House of Representatives to represent the public;

(4) One member who is an owner of a small business stationary source, selected by the minority leader of the House of Representatives;

(5) One member who is an owner or who represents an owner of a small business stationary source, selected by the president pro tempore of the Senate;

(6) One member selected by the majority leader of the Senate to

Substitute House Bill No. 6363

represent the public;

(7) One member who is an owner or who represents an owner of a small business stationary source, selected by the minority leader of the Senate;

(8) One member selected by the Commissioner of Energy and Environmental Protection to represent the Department of Energy and Environmental Protection; and

(9) One member who is the Commissioner of Energy and Environmental Protection's designated small business ombudsman.]

Sec. 21. Subsection (d) of section 29-1r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) Any order or regulation of the Department of Public Safety, which is in force on July 1, 2011, except those orders or regulations pertaining to chapters 531, 532 and 538 to 541a, inclusive, shall continue in force and effect as an order or regulation of the Department of Emergency Services and Public Protection until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments or the Department of Emergency Management and Homeland Security conflict, the Commissioner of Emergency Services and Public Protection may implement policies and procedures consistent with the provisions of this section and sections 3-122, 3-123, 3-123e, 4-5 and 4-38c, subsections (k) and (l) of section 4a-100 and sections 4b-136, [4d-90,] 5-182, 7-294b, 7-294d, 7-294e, 7-294p, 7-323k, 7-323l, 7-323p, 7-521, 10a-55a, 14-283a, 16a-13b, 16a-106, 19a-487, 21a-274a, 22a-601, 28-1, 28-1a, 28-1i, 28-24, 28-29a, 29-1b, 29-1p, 29-4, 29-5, 29-36l, 29-179i, 51-291, 51-293, 51-296, 53-202d, 54-1m, 54-64g and 54-142q while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is

Substitute House Bill No. 6363

printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

Sec. 22. Section 31-2d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any order or regulation of the Office of Workforce Competitiveness affecting the functions, powers, duties and obligations set forth in this section and sections 4-124w, 4-124z, 4-124bb, 4-124ff, 4-124gg, 4-124hh, 4-124tt, 4-124uu and 4-124vv which is in force on July 1, 2011, shall continue in force and effect as an order or regulation of the Labor Department until amended, repealed or superseded pursuant to law. Where any orders or regulations of said office and said department conflict, the Labor Commissioner may implement policies and procedures consistent with the provisions of this section and sections 4-124w, 4-124z, 4-124bb, 4-124ff, 4-124gg, 4-124hh, 4-124tt, 4-124uu, 4-124vv, 10-95h, 10a-11b, 10a-19d, 31-3h [,] and 31-3k [, 31-11cc and 31-11dd] while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. The policy or procedure shall be valid until the time final regulations are effective.

Sec. 23. Section 32-1s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) On and after July 1, 2011, the Department of Economic and Community Development shall assume all responsibilities of the Connecticut Commission on Culture and Tourism pursuant to any provision of the general statutes. The transfer of functions, powers, duties, personnel and obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of

Substitute House Bill No. 6363

unfinished business, and the transfer of records and property between the Connecticut Commission on Culture and Tourism, as said department existed immediately prior to July 1, 2011, and the Department of Economic and Community Development shall be governed by the provisions of sections 4-38d, 4-38e and 4-39.

[(b) Wherever the term "Connecticut Commission on Culture and Tourism" is used or referred to in any public or special acts, the term "Department of Economic and Community Development" shall be substituted in lieu thereof.

(c) Wherever the term "executive director of the Commission on Culture and Tourism" is used or referred to in any public or special acts, the term "Commissioner of Economic and Community Development" shall be substituted in lieu thereof.]

[(d)] (b) Any order or regulation of the Connecticut Commission on Culture and Tourism, which is in force on July 1, 2011, shall continue in force and effect as an order or regulation of the Department of Economic and Community Development until amended, repealed or superseded pursuant to law. Where any order or regulation of said commission or said department conflicts, the Commissioner of Economic and Community Development may implement policies and procedures consistent with the provisions of this section and sections 3-110f, 3-110h, 3-110i, 4-9a, 4-66aa, 4-89, 4b-53, 4b-60, 4b-64, 4b-66a, 5-198, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-37lll, 10-382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10-392, 10-393, 10-394, 10-395, 10-396, 10-397, 10-397a, 10-399, 10-400, 10-401, 10-402, 10-403, 10-404, 10-405, 10-406, 10-408, 10-409, 10-410, 10-411, 10-412, 10-413, 10-414, 10-415, 10-416, 10-416a, 10-416b, 10-425, 10a-111a, 10a-112, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, 22a-1d, 22a-19b, 22a-27s, [25-102qq, 25-109q,] 29-259, 32-6a, 32-11a and 32-35 while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is

Substitute House Bill No. 6363

printed in the Connecticut Law Journal not later than twenty days after implementation. The policy or procedure shall be valid until the time final regulations are effective.

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

Sec. 24. Section 32-501 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The commissioner shall have jurisdiction over the coordination of trade development activities in the state. The commissioner shall initiate, conduct and coordinate the implementation of Department of Economic and Community Development programs to promote and assist Connecticut businesses with international trade. The commissioner shall be responsible for planning, developing and administering such programs and may adopt regulations in accordance with the provisions of chapter 54 to carry out the purposes of [sections 32-500 to 32-512, inclusive] this chapter. The Department of Economic and Community Development shall constitute a successor department to the Connecticut International Trade Council in accordance with the provisions of sections 4-38d and 4-39.

(b) The commissioner may give priority in such programs to promoting and assisting Connecticut businesses with regard to trade with African countries with whom the United States has diplomatic relations.

Sec. 25. Section 46a-81aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The provisions of subsection (a) of section 4a-60, subsection (c) of section 8-169s, section 8-265c, subsection (c) of section 8-294, section 8-

Substitute House Bill No. 6363

315, subsection (a) of section 10-15c, section 10-153, subsection (b) of section 10a-6, subsection (a) of section 11-24b, sections 16-245r and 16-247r, subsection (b) of section 28-15, section 31-22p, subsection (e) of section 31-57e, sections [32-204,] 32-277, 38a-358 and 42-125a, subsection (c) of section 42-125b, subsection (a) of section 46a-58, subsection (a) of section 46a-59, subsection (a) of section 46a-60, subsection (a) of section 46a-64, subsections (a) and (e) of section 46a-64c, subsection (a) of section 46a-66, subsection (a) of section 46a-70, subsection (a) of section 46a-71, subsection (b) of section 46a-72, subsection (a) of section 46a-73, subsection (a) of section 46a-75, subsection (a) of section 46a-76, subsections (b) and (c) of section 52-571d and section 53-37a that prohibit discrimination on the basis of gender identity or expression shall not apply to a religious corporation, entity, association, educational institution or society with respect to the employment of individuals to perform work connected with the carrying on by such corporation, entity, association, educational institution or society of its activities, or with respect to matters of discipline, faith, internal organization or ecclesiastical rule, custom or law which are established by such corporation, entity, association, educational institution or society.

Sec. 26. Subsection (e) of section 22a-133u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(e) (1) There is established a Special Contaminated Property Remediation and Insurance Fund Advisory Board to advise and review, on a yearly basis, the progress of the fund. The board shall consist of one member representing a municipality, appointed by the speaker of the House of Representatives; one member representing a bank, appointed by the majority leader of the Senate; one member who has experience in the field of contaminated property remediation, appointed by the majority leader of the House of Representatives; one

Substitute House Bill No. 6363

member representing a municipality, appointed by the president pro tempore of the Senate; one member representing a bank, appointed by the minority leader of the House of Representatives; one member who has experience in the field of contaminated property remediation, appointed by the Governor; and one member representing a municipality, appointed by the minority leader of the Senate. The board shall annually elect one of its members to serve as chairperson.]

[(2)] (e) The Commissioner of Economic and Community Development shall establish criteria for [(A)] (1) making disbursements under subsection (b) of this section which criteria shall include, but not be limited to, anticipated commercial value of the property, potential tax revenue to the relevant municipality, environmental or public health risk posed by the spill, potential community or economic development benefit to the relevant municipality, the status of any loans previously made under said subsection to the municipality and potential for restoration of an abandoned property, and [(B)] (2) cancelling loans related to a property at which the borrower of the loan elects not to proceed with remediation. Such criteria shall further set forth the procedure for applying for a loan from the fund and the procedure to be used for evaluation of such an application. In approving any loan under said subsection to any person, firm or corporation, the Commissioner of Economic and Community Development may consider the loan applicant's credit history and economic solvency, any plan of such applicant for business development, municipal support for the proposed use of the property and any existing indebtedness of such applicant to any entity.

Sec. 27. Section 2 of public act 10-135, as amended by section 15 of public act 11-141 and section 12 of public act 12-183, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a working group to examine the remediation and development of brownfields in this state, including, but not

Substitute House Bill No. 6363

limited to, the remediation scheme for such properties, permitting issues and liability issues, including those set forth by sections 22a-14 to 22a-20, inclusive, of the general statutes. The working group shall also annually review the progress of the Special Contaminated Property Remediation and Insurance Fund established under section 22a-133t of the general statutes and make recommendations concerning said fund.

(b) The working group shall consist of the following thirteen members, each of whom shall have expertise related to brownfield redevelopment in environmental law, engineering, finance, development, consulting, insurance or another relevant field:

- (1) Four appointed by the Governor;
- (2) One appointed by the president pro tempore of the Senate;
- (3) One appointed by the speaker of the House of Representatives;
- (4) One appointed by the majority leader of the Senate;
- (5) One appointed by the majority leader of the House of Representatives;
- (6) One appointed by the minority leader of the Senate;
- (7) One appointed by the minority leader of the House of Representatives;
- (8) The Commissioner of Economic and Community Development or the commissioner's designee, who shall serve ex officio;
- (9) The Commissioner of Energy and Environmental Protection or the commissioner's designee, who shall serve ex officio; and
- (10) The Secretary of the Office of Policy and Management or the

Substitute House Bill No. 6363

secretary's designee, who shall serve ex officio.

(c) Any member of the working group as of [the effective date of this section] July 8, 2011, shall continue to serve and all new appointments to the working group shall be made no later than [thirty days after the effective date of this section] August 7, 2011. Any vacancy shall be filled by the appointing authority.

(d) The working group shall select chairpersons of the working group. [Such chairpersons shall schedule the first meeting of the working group, which shall be held no later than sixty days after the effective date of this section.]

(e) On or before January 15, [2013] 2014, and annually thereafter, the working group shall report, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to commerce and the environment.

Sec. 28. Section 25-154 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There are established three Long Island Sound advisory councils as follows: (1) An Eastern Long Island Sound Advisory Council consisting of the towns of Stonington, Groton, Ledyard, Preston, Norwich, Montville, New London, Waterford, East Lyme, Old Lyme, Lyme, Old Saybrook, Essex, Chester, Deep River, Clinton and Westbrook; (2) a Central Long Island Sound Advisory Council consisting of the towns of Madison, Guilford, Branford, East Haven, North Haven, Hamden, New Haven, West Haven and Orange; and (3) a Western Long Island Sound Advisory Council consisting of the towns of Milford, Shelton, Stratford, Bridgeport, Fairfield, Westport, Norwalk, Darien, Stamford and Greenwich.

Substitute House Bill No. 6363

(b) The membership of each council shall be comprised of the chief executive officer, or his designee, of each municipality in such council and [nine] four members as follows: One appointed by the president pro tempore of the Senate, one appointed by the minority leader of the Senate, one appointed by the speaker of the House of Representatives [.] and one appointed by the minority leader of the House of Representatives. [, and five appointed by the Governor, one of whom shall represent an academic institution located within the boundaries of the council, one of whom shall represent industry, one of whom shall be an environmental specialist, one of whom shall be a member of an environmental organization, and one of whom shall represent a volunteer or citizen organization. No more than four of the Governor's appointments may be members of the same political party as the Governor. The Governor shall designate one of the members of each council appointed by him to call the first meeting of such council. The first meeting of each council shall be called on or before August 1, 1989. At the first meeting of each council a chairman and vice-chairman shall be elected by majority vote of the members of the council.] Each council shall elect a chairperson and vice-chairperson by a majority vote of the members of the council.

(c) Each council shall prepare a report concerning the use and preservation of Long Island Sound within its boundaries. Such report shall include, but not be limited to, provisions prioritizing the concerns of citizens and organizations for the future of Long Island Sound, recommendations for improving the biological integrity of and public access to Long Island Sound and identification of available resources concerning Long Island Sound. Such report shall be revised as each council deems necessary.

(d) Each council may organize, as it deems necessary, and utilize public or private resources in accomplishing its duties, including those made available from educational institutions and industry.

Substitute House Bill No. 6363

(e) Each council shall submit its report to the Long Island Sound Assembly not more than one year after the first meeting of such council. Any revision shall be submitted to said assembly within thirty days.

Sec. 29. Section 25-155 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established the Long Island Sound Assembly consisting of ~~[seven]~~ four members of each Long Island Sound advisory council. The members shall be appointed by the ~~[chairman]~~ chairperson of each advisory council, ~~[three]~~ two of whom shall be chief executive officers, and ~~[four]~~ two of whom shall be appointed from the members of such councils appointed by the ~~[Governor or the]~~ legislature. ~~[, at least one of whom shall be a public member, one shall represent an environmental organization and one shall represent a volunteer or citizen organization.]~~

(b) The assembly shall review the report of each advisory council submitted pursuant to section 25-154, as amended by this act, for compatibility with the reports of the other councils and for coordination with federal and state law and the activities of the Bi-State Long Island Sound Committee. The assembly shall submit, in accordance with the provisions of section 11-4a, a report of its review and any recommendations to the General Assembly on or before January first, annually. ~~[On and after October 1, 1996, the]~~ The report shall be submitted electronically to the joint standing committee of the General Assembly having cognizance of matters relating to the environment and, upon request, to any member of the General Assembly. ~~[A summary of the report shall be submitted to each member of the General Assembly if the summary is two pages or less and a notification of the report shall be submitted to each member if the summary is more than two pages. Submission shall be by mailing the report, summary or notification to the legislative address of each~~

Substitute House Bill No. 6363

member of the committee or the General Assembly, as applicable.] The joint standing committee of the General Assembly having cognizance of matters relating to the environment shall post a copy of such report on its Internet web site.

[(c) The assembly shall hold its first meeting, to be called by the Commissioner of Energy and Environmental Protection, on or before September 1, 1989.]

Sec. 30. Section 25-102qq of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Energy and Environmental Protection shall be responsible for state-wide river policy and comprehensive protection of rivers. The commissioner shall: (1) Identify rivers or river segments to be protected, (2) designate protected river corridors, and (3) approve, reject or modify river corridor maps and management plans submitted pursuant to sections 25-205 and 25-235.

(b) The commissioner may establish a river management and protection program designed to improve the management and protection of the state's rivers.

[(c) If the commissioner undertakes to establish such a program, he shall establish a River Protection Advisory Committee to assist him in developing the river protection program. The committee shall consist of the following members whose terms shall expire on October 1, 1992: (1) The Commissioners of Public Health, Transportation, Economic and Community Development and Agriculture, the Secretary of the Office of Policy and Management and the State Archaeologist, or their designees; and (2) two members representing the business community, two members representing public service companies, seven members representing environmental and recreational organizations, four members representing river protection organizations, one member

Substitute House Bill No. 6363

representing municipalities with a river or river segment within their borders, two members representing regional planning agencies, three members representing related professional practices and one member representing the public, which members shall be appointed by the commissioner. On and after October 1, 1992, the committee's membership shall consist of: (1) The Commissioners of Public Health, Transportation, Economic and Community Development and Agriculture, the Secretary of the Office of Policy and Management and the State Archaeologist, or their designees; and (2) one member representing the business community, and one member representing a related professional practice appointed by the Governor; one member representing an environmental or recreational organization, one member representing a river protection organization and one member representing a related professional practice appointed by the president pro tempore of the Senate; one member representing an environmental or recreational organization, one member representing a river protection organization and one member representing a related professional practice appointed by the speaker of the House of Representatives; one member representing an environmental or recreational organization, one member representing a municipality with a river or river segment within its borders and one member representing the business community appointed by the majority leader of the Senate; two members representing an environmental or recreational organization, one member representing a river protection organization and one member representing a public service company appointed by the minority leader of the Senate; one member representing an environmental or recreational organization, one member representing a public service company and one member representing a regional planning agency appointed by the majority leader of the House of Representatives; one member representing an environmental or recreational organization, one member representing a river protection organization, one member of the public and one member representing a regional planning agency appointed by the

Substitute House Bill No. 6363

minority leader of the House of Representatives.]

[(d)] (c) In developing the river protection program, the commissioner [, with the assistance of the River Protection Advisory Committee,] may: (1) Develop a proposal for a state-wide river management and protection program [, which shall include but not be] that includes, but is not limited to: (A) The coordination of existing protective state authorities as a means of improving river management and protection; (B) the development of any statutory modifications to provide effective regional and interstate cooperation for the development of river management plans; (C) the development of recommendations for river protection for use in regulations of local land use agencies; and (D) the development of any other needed protection or management of the state's rivers, as determined by the commissioner; (2) define the river resources to be inventoried and assessed; (3) conduct a state-wide inventory and assessment of the state's rivers; (4) develop a state-wide data base of river resource information to facilitate environmental planning, regulatory and management decisions; (5) develop a river classification system; (6) develop criteria for identifying rivers or river segments for designation as protected rivers and recommended priorities for the management of the rivers or river segments; and (7) develop a program to educate the public on river protection issues and ensure public involvement in the development and implementation of the river protection program.

Sec. 31. Section 10-392 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The General Assembly finds and declares that culture, history, the arts and the digital media and motion picture and tourism industries contribute significant value to the vitality, quality of life and economic health of Connecticut. The Connecticut Trust for Historic Preservation shall operate in conjunction with the Department of Economic and Community Development for purposes of joint strategic

Substitute House Bill No. 6363

planning, annual reporting on appropriations and fiscal reporting. The department shall enhance and promote culture, history, the arts and the tourism and digital media and motion picture industries in Connecticut.

(b) The department shall:

(1) Market and promote Connecticut as a destination for leisure and business travelers through the development and implementation of a strategic state-wide marketing plan and provision of visitor services to enhance the economic impact of the tourism industry;

(2) Promote the arts;

(3) Recognize, protect, preserve and promote historic resources;

(4) Interpret and present Connecticut's history and culture;

(5) Promote Connecticut as a location in which to produce digital media and motion pictures and to establish and conduct business related to the digital media and motion picture industries to enhance these industries' economic impact in the state;

(6) Establish a uniform financial reporting system and forms to be used by each regional tourism district, established under section 10-397, in the preparation of the annual budget submitted to the General Assembly;

(7) Integrate funding and programs whenever possible; and

(8) On or before January 1, 2012, and biennially thereafter, develop and submit to the Governor and the General Assembly, in accordance with section 11-4a, a strategic plan to implement subdivisions (1) to (5), inclusive, of this subsection.

(c) The Department of Economic and Community Development

Substitute House Bill No. 6363

shall be a successor agency to the Connecticut Commission on Culture and Tourism, State Commission on the Arts, the Connecticut Historical Commission, the Office of Tourism, the Connecticut Tourism Council, the Connecticut Film, Video and Media Commission and the Connecticut Film, Video and Media Office in accordance with the provisions of sections 4-38d and 4-39.

[(d) Wherever the words "State Commission on the Arts", "Connecticut Historical Commission", "Office of Tourism", "Connecticut Film, Video and Media Office" and "Connecticut Commission on Arts, Tourism, Culture, History and Film" are used in the following sections of the general statutes, or in any public or special act of the 2003 or 2004 session the words "Connecticut Commission on Culture and Tourism" shall be substituted in lieu thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-60, 4b-64, 4b-66a, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-111a, 10a-112, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, 22a-1d, 22a-19b, 25-102qq, 25-109q, 29-259 and 32-6a.

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

Sec. 32. Subdivision (16) of section 25-201 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(16) "State rivers assessment data base" means the state-wide assessment of the state's rivers prepared by the commissioner pursuant to subdivision (3) of subsection [(d)] (c) of section 25-102qq, as amended by this act;

Substitute House Bill No. 6363

Sec. 33. Subdivision (7) of section 25-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(7) "River advisory board" means any of the following: The Five Mile River Commission established pursuant to section 15-26a, the Connecticut River Gateway Commission established pursuant to section 25-102e, the Connecticut River Assembly established pursuant to section 25-102dd, the Bi-State Pawcatuck River Commission established pursuant to section 25-161, the Niantic River Gateway Commission established pursuant to section 25-109e, the Housatonic Estuary Commission established pursuant to section 25-170, the Farmington River Coordinating Committee established pursuant to the National Wild and Scenic Rivers Act, 16 USC 1274 et seq., the Shepaug-Bantam River Board [established pursuant to sections 25-102pp and 25-102qq] or a river committee established pursuant to section 25-203;

Sec. 34. Subdivision (12) of section 25-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(12) "State rivers assessment database" means the state-wide assessment of the state's rivers prepared by the commissioner pursuant to subdivision (3) of subsection [(d)] (c) of section 25-102qq, as amended by this act;

Sec. 35. Section 47a-71a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

There is hereby created [a Citizens] an Advisory Council [for Housing Matters] to the Superior Court Housing Session consisting of [thirty-six persons] twelve members. The members of the council shall be appointed [by the Governor for terms ending June 30, 1987, and thereafter the members of the council shall be appointed] by the

Substitute House Bill No. 6363

Governor for terms of four years, from July first of the year of their appointment. The council shall consist of representatives of tenants, landlords, and others concerned with housing and shall reflect a balance of the interests of tenants and landlords. The members of the advisory council shall elect their own chairman. [Nine] Three members shall be residents of the judicial districts of Hartford or New Britain; [nine] three members shall be residents of the judicial districts of New Haven, Waterbury or Ansonia-Milford; [nine] three members shall be residents of the judicial districts of Fairfield or Stamford-Norwalk; and [nine] three members shall be residents of the judicial districts of Danbury, Litchfield, Middlesex, New London, Tolland or Windham. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office. Any vacancy in the membership of the advisory council shall be filled by the Governor for the unexpired portion of the term.

Sec. 36. Section 47a-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The judges hearing housing matters and the [Citizens] Advisory Council to the Superior Court Housing Session shall each make a report with respect to the operation of the special docket for housing matters and their respective recommendations to the General Assembly at the opening of its regular sessions in the odd-numbered years. Such reports may also include recommendations for legislation with respect to housing matters.

Sec. 37. Section 17b-733 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Department of Social Services shall be the lead agency for child day care services in Connecticut. The department shall: (1) Identify, annually, existing child day care services and maintain an inventory of

Substitute House Bill No. 6363

all available services; (2) provide technical assistance to corporations and private agencies in the development and expansion of child day care services for families at all income levels, including families of their employees and clients; (3) study and identify funding sources available for child day care including federal funds and tax benefits; (4) study the cost and availability of liability insurance for child day care providers; (5) provide, in conjunction with the Departments of Education and Higher Education, ongoing training for child day care providers including preparing videotaped workshops and distributing them to cable stations for broadcast on public access stations, and seek private donations to fund such training; (6) encourage child day care services to obtain accreditation; (7) develop a range of financing options for child care services, including the use of a tax-exempt bond program, a loan guarantee program and establishing a direct revolving loan program; (8) promote the colocation of child day care and school readiness programs pursuant to section 4b-31; (9) establish a performance-based evaluation system; (10) develop for recommendation to the Governor and the General Assembly measures to provide incentives for the private sector to develop and support expanded child day care services; (11) provide, within available funds and in conjunction with the temporary family assistance program as defined in section 17b-680, child day care to public assistance recipients; (12) develop and implement, with the assistance of the [Child Day Care Council and the] Departments of Public Health, Social Services, Education, Higher Education, Children and Families, Economic and Community Development and Consumer Protection, a state-wide coordinated child day care and early childhood education training system (A) for child day care centers, group day care homes and family day care homes that provide child day care services, and (B) that makes available to such providers and their staff, within available appropriations, scholarship assistance, career counseling and training, advancement in career ladders, as defined in section 4-124bb, through seamless articulation of levels of training, program

Substitute House Bill No. 6363

accreditation support and other initiatives recommended by the Departments of Social Services, Education and Higher Education; (13) plan and implement a unit cost reimbursement system for state-funded child day care services such that, on and after January 1, 2008, any increase in reimbursement shall be based on a requirement that such centers meet the staff qualifications, as defined in subsection (b) of section 10-16p; (14) develop, within available funds, initiatives to increase compensation paid to child day care providers for educational opportunities, including, but not limited to, (A) incentives for educational advancement paid to persons employed by child day care centers receiving state or federal funds, and (B) support for the establishment and implementation by the Labor Commissioner of apprenticeship programs for child day care workers pursuant to sections 31-22m to 31-22q, inclusive, which programs shall be jointly administered by labor and management trustees; (15) evaluate the effectiveness of any initiatives developed pursuant to subdivision (14) of this section in improving staff retention rates and the quality of education and care provided to children; and (16) report annually to the Governor and the General Assembly on the status of child day care in Connecticut. Such report shall include (A) an itemization of the allocation of state and federal funds for child care programs; (B) the number of children served under each program so funded; (C) the number and type of such programs, providers and support personnel; (D) state activities to encourage partnership between the public and private sectors; (E) average payments issued by the state for both part-time and full-time child care; (F) range of family income and percentages served within each range by such programs; and (G) age range of children served.

Sec. 38. Subsection (a) of section 2c-2h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Substitute House Bill No. 6363

(a) Not later than July 1, 2014, and not later than every ten years thereafter, the joint standing committee of the General Assembly having cognizance of any of the following governmental entities or programs shall conduct a review of the applicable entity or program in accordance with the provisions of section 2c-3:

(1) Connecticut Examining Board for Barbers and Hairdressers and Cosmeticians, established under section 20-235a;

(2) Board of Chiropractic Examiners, established under section 20-25;

(3) Board of Examiners of Electrologists, established under section 20-268;

(4) Liquor Control Commission, established under section 30-2;

[(5) The Child Day Care Council, established under section 17b-748;]

[(6)] (5) State Insurance and Risk Management Board, established under section 4a-19;

[(7)] (6) State Milk Regulation Board, established under section 22-131; and

[(8)] (7) State Codes and Standards Committee, established under section 29-251.

Sec. 39. Subsection (g) of section 2c-2h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(g) Not later than July 1, 2020, and not later than every ten years thereafter, the joint standing committee of the General Assembly having cognizance of any of the following governmental entities or programs shall conduct a review of the applicable entity or program in

Substitute House Bill No. 6363

accordance with the provisions of section 2c-3:

(1) Office of Long Term Care Ombudsman, established under section 17a-400;

(2) Regulation of nursing home administrators pursuant to chapter 368v;

(3) Regulation of hearing aid dealers pursuant to chapter 398;

(4) Plumbing and Piping Work Board, established under section 20-331; and

(5) Commission on Children, established under section 46a-126. [
and]

[(6) Connecticut Public Transportation Commission, established under section 13b-11a.]

Sec. 40. Subsection (a) of section 27-102n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There shall be a Board of Trustees for the Department of Veterans' Affairs. The board shall be comprised of the commissioner and sixteen members who by education or experience shall be qualified in health care, business management, social services or law and who shall have a demonstrated interest in the concerns of veterans. A majority of the members of the board shall be veterans, including veterans of [World War II, the Korean hostilities and the Vietnam era] armed conflicts authorized by the President of the United States. Members shall be appointed as follows: Ten by the Governor who shall serve at the pleasure of the Governor and one member each by the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the majority leader

Substitute House Bill No. 6363

of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, whose terms shall be coterminous with the term of the appointing authority. Members shall be sworn to the faithful performance of their duties. They shall receive no compensation for their services but shall be reimbursed for their reasonable expenses in the performance of their duties.

Sec. 41. Section 3 of number 72 of the special acts of November 1955, as amended by section 2 of number 292 of the special acts of 1957, is amended to read as follows (*Effective July 1, 2013*):

There is created a flood control commission consisting of seven members, to be known as the Greater Hartford Flood Commission. Such members shall be appointed by the [governor] mayor of Hartford, four from among the electors residing in Hartford and one each from the towns of Bloomfield, Newington and West Hartford. Vacancies in the commission shall be filled by appointment by the [governor] mayor of Hartford from the electors of such city or towns.

Sec. 42. Subsection (g) of section 107 of public act 09-7 of the September special session is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(g) Not later than January 1, 2010, January 1, 2011, and January 1, 2012, the committee shall submit a report on its findings and recommendations to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies, in accordance with the provisions of section 11-4a of the general statutes. The committee shall terminate on the date that it submits the third such report or [January 1, 2012] on July 1, 2013, whichever is [later] earlier.

Sec. 43. Subsection (c) of section 8-336f of the general statutes is

Substitute House Bill No. 6363

repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Commissioner of Economic and Community Development may provide a local housing partnership with an initial designation under the Connecticut housing partnership program upon receipt of evidence satisfactory to the commissioner that the local housing partnership has been formed in accordance with the provisions of subsection (b) of this section and that sufficient local resources have been committed to the local housing partnership. Upon such initial designation, the commissioner shall provide technical assistance to the local housing partnership which assistance shall include, but shall not be limited to, the following: (1) The assignment of a primary contact person in the Department of Economic and Community Development to work directly with the local housing partnership, (2) obtaining assistance from other state agencies, regional planning agencies [,] and regional housing councils [and the Housing Advisory Committee, provided for under section 8-385,] on behalf of the local housing partnership when necessary, (3) assisting the local housing partnership in developing a comprehensive local housing strategy, (4) assisting the local housing partnership in identifying available local resources, (5) discussing possible ways to create affordable housing through the use of conventional and alternative financing and through public and private land use controls, (6) explaining the requirements of and the types of assistance available under state housing programs, and (7) providing information and advice concerning available federal and private financial assistance for all aspects of housing development.

Sec. 44. Subsection (a) of section 21-84a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established, within the Department of Consumer Protection, a Mobile Manufactured Home Advisory Council composed

Substitute House Bill No. 6363

of [fifteen] fourteen members as follows: One member of the Connecticut Real Estate Commission, one employee of the Department of Economic and Community Development and one employee of the Connecticut Housing Finance Authority to be appointed by the Governor; an attorney-at-law specializing in mobile manufactured home matters to be appointed by the speaker of the House of Representatives; one town planner and one representative of the banking industry to be appointed by the Governor; three mobile manufactured home park owners, one to be appointed by the Governor, one to be appointed by the minority leader of the Senate and one to be appointed by the minority leader of the House of Representatives; a representative of the mobile manufactured home industry to be appointed by the majority leader of the House of Representatives; three mobile manufactured home park tenants or representatives of such tenants, each from different geographic areas of the state, one to be appointed by the Governor, one to be appointed by the president pro tempore of the Senate and one to be appointed by the majority leader of the Senate [;] and a senior citizen, who is either a resident of a mobile manufactured home park or a representative of other senior citizens who reside in mobile manufactured home parks, [and a representative of the Housing Advisory Committee] to be appointed by the Governor. The mobile manufactured home park owners and the representative of the mobile manufactured home industry shall be appointed from a list submitted to the appointing authorities by the Connecticut Manufactured Housing Association or its successor, if such organization or successor exists. The mobile manufactured home park tenants or tenant representatives and the senior citizen shall be appointed from a list submitted to the appointing authorities by the Connecticut Manufactured Home Owners Alliance or its successor, if such organization or successor exists. The Governor shall appoint a chairperson from among the members of the council. Members shall serve for a term coterminous with the term of the Governor or until their successors are appointed,

Substitute House Bill No. 6363

whichever is later. Any vacancy shall be filled by the appointing authority for the position which has become vacant. Members of the council shall not be compensated for their services. Any council member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office.

Sec. 45. Section 21a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There shall be a Department of Consumer Protection which shall be under the direction and supervision of a Commissioner of Consumer Protection, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive.

(b) The Department of Consumer Protection shall constitute a successor agency, in accordance with the provisions of sections 4-38d and 4-39, to the Department of Public Safety with respect to all functions, powers and duties of the Department of Public Safety under chapter 532. Where any order or regulation of said departments conflict, the Commissioner of Consumer Protection may implement policies and procedures consistent with the provisions of chapter 532 while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

(c) The Department of Consumer Protection shall constitute a successor agency to the Division of Special Revenue in accordance with the provisions of sections 4-38d and 4-39. Where any order or regulation of said division and department conflict, the Commissioner of Consumer Protection may implement policies and procedures consistent with chapters 98, 226, 438a, 529, 545, 557 and 946, while in

Substitute House Bill No. 6363

the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. Any such policy or procedure shall be valid until the time final regulations are effective.

(d) The Department of Consumer Protection shall constitute a successor agency to the Gaming Policy Board in accordance with the provisions of sections 4-38d and 4-39. Where any order or regulation of said board and department conflict, the Commissioner of Consumer Protection may implement policies and procedures consistent with chapters 98, 226 and 545 while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. Any such policy or procedure shall be valid until the time final regulations are effective.

Sec. 46. Section 21a-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Consumer Protection may, subject to the provisions of chapter 67, employ such agents and assistants as are necessary to enforce the provisions of the general statutes wherein said commissioner is empowered to carry out the duties and responsibilities assigned to him or his department. For the purpose of inquiring into any suspected violation of such provisions, the commissioner and his deputy and assistants shall have free access, at all reasonable hours, to all places and premises, homes and apartments of private families keeping no boarders excepted.

(b) On the tender of the market price, the commissioner or his deputy may take from any person, firm or corporation samples of any article which he suspects is sold, offered for sale, kept with intent to sell, made or manufactured contrary to any provision of this chapter or

Substitute House Bill No. 6363

related chapters under the jurisdiction of said commissioner. He may analyze such samples or have them analyzed by a state chemist or by an experiment station or by the laboratories of the Department of Public Health, and a sworn or affirmed certificate by such analyst shall be prima facie evidence of the ingredients and constituents of the samples analyzed. If such analysis shows that any such sample does not conform to the requirements of law, and gives the commissioner or his deputy reasonable grounds for believing that any provision of this chapter or related chapters under his jurisdiction has been violated, he shall cause such violator to be prosecuted. Any person who refuses the access provided for herein to the commissioner, his deputy or assistants, or who refuses to sell the samples provided for herein, shall be guilty of a class D misdemeanor. Evidence of violation of any provision of this section shall be prima facie evidence of wilful violation.

Sec. 47. Subsection (a) of section 1-83 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) All state-wide elected officers, members of the General Assembly, department heads and their deputies, [members of the Gaming Policy Board,] members or directors of each quasi-public agency, members of the Investment Advisory Council, state marshals and such members of the Executive Department and such employees of quasi-public agencies as the Governor shall require, shall file, under penalty of false statement, a statement of financial interests for the preceding calendar year with the Office of State Ethics on or before the May first next in any year in which they hold such a position. Any such individual who leaves his or her office or position shall file a statement of financial interests covering that portion of the year during which such individual held his or her office or position. The Office of State Ethics shall notify such individuals of the requirements of this

Substitute House Bill No. 6363

subsection not later than thirty days after their departure from such office or position. Such individuals shall file such statement within sixty days after receipt of the notification.

(2) Each state agency, department, board and commission shall develop and implement, in cooperation with the Office of State Ethics, an ethics statement as it relates to the mission of the agency, department, board or commission. The executive head of each such agency, department, board or commission shall be directly responsible for the development and enforcement of such ethics statement and shall file a copy of such ethics statement with the Department of Administrative Services and the Office of State Ethics.

Sec. 48. Subsection (d) of section 1-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) No public official or state employee or employee of such public official or state employee shall agree to accept, or be a member or employee of a partnership, association, professional corporation or sole proprietorship which partnership, association, professional corporation or sole proprietorship agrees to accept any employment, fee or other thing of value, or portion thereof, for appearing, agreeing to appear, or taking any other action on behalf of another person before the Department of Banking, the Claims Commissioner, the Office of Health Care Access division within the Department of Public Health, the Insurance Department, the Department of Consumer Protection, the Department of Motor Vehicles, the State Insurance and Risk Management Board, the Department of Energy and Environmental Protection, the Public Utilities Regulatory Authority, the Connecticut Siting Council [, the Gaming Policy Board within the Department of Consumer Protection] or the Connecticut Real Estate Commission; provided this shall not prohibit any such person from making inquiry for information on behalf of another before any of said

Substitute House Bill No. 6363

commissions or commissioners if no fee or reward is given or promised in consequence thereof. For the purpose of this subsection, partnerships, associations, professional corporations or sole proprietorships refer only to such partnerships, associations, professional corporations or sole proprietorships which have been formed to carry on the business or profession directly relating to the employment, appearing, agreeing to appear or taking of action provided for in this subsection. Nothing in this subsection shall prohibit any employment, appearing, agreeing to appear or taking action before any municipal board, commission or council. Nothing in this subsection shall be construed as applying (1) to the actions of any teaching or research professional employee of a public institution of higher education if such actions are not in violation of any other provision of this chapter, (2) to the actions of any other professional employee of a public institution of higher education if such actions are not compensated and are not in violation of any other provision of this chapter, (3) to any member of a board or commission who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of the member's duties, or (4) to any member or director of a quasi-public agency. Notwithstanding the provisions of this subsection to the contrary, a legislator, an officer of the General Assembly or part-time legislative employee may be or become a member or employee of a firm, partnership, association or professional corporation which represents clients for compensation before agencies listed in this subsection, provided the legislator, officer of the General Assembly or part-time legislative employee shall take no part in any matter involving the agency listed in this subsection and shall not receive compensation from any such matter. Receipt of a previously established salary, not based on the current or anticipated business of the firm, partnership, association or professional corporation involving the agencies listed in this subsection, shall be permitted.

Substitute House Bill No. 6363

Sec. 49. Subsections (c) to (e), inclusive, of section 1-84b of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The provisions of this subsection apply to present or former executive branch public officials or state employees who hold or formerly held positions which involve significant decision-making or supervisory responsibility and are designated as such by the Office of State Ethics in consultation with the agency concerned except that such provisions shall not apply to members or former members of the boards or commissions who serve ex officio, who are required by statute to represent the regulated industry or who are permitted by statute to have a past or present affiliation with the regulated industry. Designation of positions subject to the provisions of this subsection shall be by regulations adopted by the Citizen's Ethics Advisory Board in accordance with chapter 54. As used in this subsection, "agency" means the Office of Health Care Access division within the Department of Public Health, the Connecticut Siting Council, the Department of Banking, the Insurance Department, the Department of Emergency Services and Public Protection, the office within the Department of Consumer Protection that carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Public Utilities Regulatory Authority, including the Office of Consumer Counsel [] and the Department of Consumer Protection [and the Gaming Policy Board] and the term "employment" means professional services or other services rendered as an employee or as an independent contractor.

(1) No public official or state employee in an executive branch position designated by the Office of State Ethics shall negotiate for, seek or accept employment with any business subject to regulation by his agency.

(2) No former public official or state employee who held such a

Substitute House Bill No. 6363

position in the executive branch shall within one year after leaving an agency, accept employment with a business subject to regulation by that agency.

(3) No business shall employ a present or former public official or state employee in violation of this subsection.

(d) The provisions of subsection (e) of this section apply to (1) present or former [Gaming Policy Board or] Department of Consumer Protection public officials or state employees who hold or formerly held positions which involve significant decision-making or supervisory responsibility and are designated as such by the Office of State Ethics, in consultation with the agency concerned, and (2) present or former public officials or state employees of other agencies who hold or formerly held positions which involve significant decision-making or supervisory responsibility concerning the regulation or investigation of (A) any business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state, which positions are designated as such by the Office of State Ethics, in consultation with the agency concerned. Designation of positions subject to the provisions of this subsection shall be by regulations adopted by the Citizen's Ethics Advisory Board in accordance with chapter 54. As used in subsection (e) of this section, the term "employment" means professional services or other services rendered as an employee or as an independent contractor.

(e) (1) No [Gaming Policy Board or] Department of Consumer Protection public official or state employee or other public official or state employee described in subdivision (2) of subsection (d) of this section, in a position designated by the Office of State Ethics, shall negotiate for, seek or accept employment with (A) a business entity (i)

Substitute House Bill No. 6363

engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

(2) No former [Gaming Policy Board or] Department of Consumer Protection public official or state employee or other former public official or state employee described in subdivision (2) of subsection (d) of this section, who held such a position shall, within two years after leaving such agency, accept employment with (A) a business entity (i) engaged in Indian gaming operations in the state, and (ii) in which a federally-recognized Indian tribe in the state owns a controlling interest, or (B) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state.

Sec. 50. Subsections (b) and (c) of section 4-9a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) Public members shall constitute not less than one-third of the members of each board and commission within the Executive Department, except [the Gaming Policy Board and] the Commission on Human Rights and Opportunities. Public member means an elector of the state who has no substantial financial interest in, is not employed in or by, and is not professionally affiliated with, any industry, profession, occupation, trade or institution regulated or licensed by the relevant board or commission, and who has had no professional affiliation with any such industry, profession, occupation, trade or institution for three years preceding his appointment to the board or commission. Except as otherwise specifically provided by the general statutes, this section shall not apply to the Commission on Fire Prevention and Control, boards and commissions the membership of which is entirely composed of state department heads, elected officials or deputies appointed by such department heads or where the

Substitute House Bill No. 6363

membership of such board or commission is determined in accordance with the provisions of any federal law.

(c) Notwithstanding any provision of law, the term of each member of each board and commission within the executive branch, except the State Board of Education, the Board of Regents for Higher Education, [the Gaming Policy Board,] the Commission on Human Rights and Opportunities, the State Elections Enforcement Commission, the State Properties Review Board, the Citizen's Ethics Advisory Board, the Commission on Medicolegal Investigations, the Psychiatric Security Review Board, the Commission on Fire Prevention and Control, the E 9-1-1 Commission, the Culture and Tourism Advisory Committee, and the board of trustees of each constituent unit of the state system of higher education, commencing on or after July 1, 1979, shall be coterminous with the term of the Governor or until a successor is chosen, whichever is later.

Sec. 51. Subsection (c) of section 7-169 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Commissioner of Consumer Protection [, with the advice and consent of the Gaming Policy Board,] shall adopt, in accordance with the provisions of chapter 54, such regulations as are necessary to effectively carry out the provisions of this section and section 7-169a in order to prevent fraud and protect the public, which regulations shall have the effect of law.

Sec. 52. Subsection (k) of section 7-169 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(k) (1) Whenever it appears to the commissioner after an investigation that any person is violating or is about to violate any

Substitute House Bill No. 6363

provision of this section or section 7-169a or administrative regulations issued pursuant thereto, the commissioner may in his or her discretion, to protect the public welfare, order that any permit issued pursuant to this section be immediately suspended or revoked and that the person cease and desist from the actions constituting such violation or which would constitute such violation. After such an order is issued, the person named therein may, not later than fourteen days after receipt of the order, file a written request for a hearing. Such hearing shall be held in accordance with the provisions of chapter 54.

(2) Whenever the commissioner finds as the result of an investigation that any person has violated any provision of this section or section 7-169a or administrative regulations issued pursuant thereto or made any false statement in any application for a permit or in any report required by this section or section 7-169a or by the commissioner, the commissioner may send a notice to such person by certified mail, return receipt requested. Any such notice shall include (A) a reference to the section or regulation alleged to have been violated or the application or report in which an alleged false statement was made, (B) a short and plain statement of the matter asserted or charged, (C) the fact that any permit issued pursuant to this section may be suspended or revoked for such violation or false statement and the maximum penalty that may be imposed for such violation or false statement, and (D) the time and place for the hearing. Such hearing shall be fixed for a date not earlier than thirty days after the notice is mailed.

(3) The commissioner shall hold a hearing upon the charges made unless such person fails to appear at the hearing. Such hearing shall be held in accordance with the provisions of chapter 54. If such person fails to appear at the hearing or if, after the hearing, the commissioner finds that such person committed such a violation or made such a false statement, the commissioner may, in his or her discretion, suspend or

Substitute House Bill No. 6363

revoke such permit and order that a civil penalty of not more than two hundred dollars be imposed upon such person for such violation or false statement. The commissioner shall send a copy of any order issued pursuant to this subdivision by certified mail, return receipt requested, to any person named in such order. Any person aggrieved by a decision of the commissioner under this subdivision shall have a right of appeal [to the Gaming Policy Board for a hearing. Any person aggrieved by a decision of the Gaming Policy Board shall have a right of appeal] pursuant to section 4-183.

(4) Whenever the commissioner revokes a permit issued pursuant to this section, he or she shall not issue any permit to such permittee for one year after the date of such revocation.

(5) Any person who promotes or operates any bingo game without a permit therefor, or who violates any provision of this section or section 7-169a or administrative regulations issued pursuant thereto, or who makes any false statement in any application for a permit or in any report required by this section or section 7-169a or by the commissioner shall be guilty of a class D misdemeanor.

Sec. 53. Subsection (d) of section 7-169c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) The Commissioner of Consumer Protection [, with the advice and consent of the Gaming Policy Board,] shall adopt [, in accordance with the provisions of chapter 54,] such regulations, in accordance with chapter 54, as are necessary [effectively] to carry out effectively the provisions of this section in order to prevent fraud and protect the public, which regulations shall have the effect of law.

Sec. 54. Subsection (d) of section 7-169e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

Substitute House Bill No. 6363

1, 2013):

(d) The Commissioner of Consumer Protection [, in consultation with the Gaming Policy Board,] shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section in order to prevent fraud and protect the public.

Sec. 55. Subsections (m) and (n) of section 7-169h of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(m) The commissioner [, with the advice and consent of the Gaming Policy Board,] shall adopt regulations in accordance with the provisions of chapter 54 to carry out the purposes of this section including, but not limited to, regulations concerning (1) qualifications of a charitable organization, (2) the price at which the charitable organization shall resell tickets, (3) information required on the ticket, including, but not limited to, the price per ticket, (4) the percentage retained by the organization as profit, which shall be at least ten per cent of the resale value of tickets sold, (5) the percentage of the resale value of tickets to be awarded as prizes, which shall be at least forty-five per cent, (6) apportionment of revenues received by the department from the sale of tickets, and (7) investigations of any charitable organization seeking a permit.

(n) (1) Whenever it appears to the commissioner after an investigation that any person is violating or is about to violate any provision of this section or administrative regulations issued pursuant thereto, the commissioner may in his or her discretion, to protect the public welfare, order that any permit issued pursuant to this section be immediately suspended or revoked and that the person cease and desist from the actions constituting such violation or which would constitute such violation. After such an order is issued, the person named therein may, within fourteen days after receipt of the order, file

Substitute House Bill No. 6363

a written request for a hearing. Such hearing shall be held in accordance with the provisions of chapter 54.

(2) Whenever the commissioner finds as the result of an investigation that any person has violated any provision of this section or administrative regulations issued pursuant thereto or made any false statement in any application for a permit or in any report required by the commissioner, the commissioner may send a notice to such person by certified mail, return receipt requested. Any such notice shall include (A) a reference to the section or regulation alleged to have been violated or the application or report in which an alleged false statement was made, (B) a short and plain statement of the matter asserted or charged, (C) the fact that any permit issued pursuant to this section may be suspended or revoked for such violation or false statement and the maximum penalty that may be imposed for such violation or false statement, and (D) the time and place for the hearing. Such hearing shall be fixed for a date not earlier than fourteen days after the notice is mailed.

(3) The commissioner shall hold a hearing upon the charges made unless such person fails to appear at the hearing. Such hearing shall be held in accordance with the provisions of chapter 54. If such person fails to appear at the hearing or if, after the hearing, the commissioner finds that such person committed such a violation or made such a false statement, the commissioner may, in his or her discretion, suspend or revoke such permit and order that a civil penalty of not more than five hundred dollars be imposed upon such person for such violation or false statement. The commissioner shall send a copy of any order issued pursuant to this subdivision by certified mail, return receipt requested, to any person named in such order. Any person aggrieved by a decision of the commissioner under this subdivision shall have a right of appeal [to the Gaming Policy Board for a hearing. Any person aggrieved by a decision of the Gaming Policy Board shall have a right

Substitute House Bill No. 6363

of appeal] pursuant to section 4-183.

(4) Whenever the commissioner revokes a permit issued pursuant to this section, he or she shall not issue any permit to such permittee for one year after the date of such revocation.

Sec. 56. Subsection (c) of section 7-181 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The commissioner shall hold a hearing upon the charges made unless such person fails to appear at the hearing. Such hearing shall be held in accordance with the provisions of chapter 54. If such person fails to appear at the hearing or if, after the hearing, the commissioner finds that such person committed such a violation or made such a false statement, the commissioner may, in his discretion, suspend or revoke such registration or permit and order that a civil penalty of not more than two hundred dollars be imposed upon such person for such violation or false statement. The commissioner shall send a copy of any order issued pursuant to this subsection by certified mail, return receipt requested, to any person named in such order. Any person aggrieved by a decision of the commissioner under this subsection shall have a right of appeal [to the Gaming Policy Board for a hearing. Any person aggrieved by a decision of the Gaming Policy Board shall have a right of appeal] pursuant to section 4-183.

Sec. 57. Section 7-185 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Consumer Protection [, with the advice and consent of the Gaming Policy Board,] shall adopt, in accordance with the provisions of chapter 54, such regulations as are necessary to effectuate the provisions of sections 7-170 to 7-186, inclusive, in order to prevent fraud and protect the public, which regulations shall have

Substitute House Bill No. 6363

the effect of law.

Sec. 58. Subsections (f) to (h), inclusive, of section 7-185a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) (1) Any sponsoring organization qualified to conduct a bazaar or raffle under the provisions of section 7-172 may operate a duck-race raffle once each calendar year. Such raffles shall conform to the provisions of sections 7-170 to 7-186, inclusive, and shall be subject to regulation by the Commissioner of Consumer Protection. For the purpose of this subsection, "duck-race raffle" means a raffle in which artificial ducks, numbered consecutively to correspond with the number of tickets sold for such raffle, are placed in a naturally moving stream of water at a designated starting point and in which the ticket corresponding to the number of the first duck to pass a designated finishing point is the winning ticket. (2) The Commissioner of Consumer Protection [, with the advice and consent of the Gaming Policy Board,] shall adopt regulations, in accordance with chapter 54, that establish procedures for the operation of duck-race raffles.

(g) (1) Any sponsoring organization qualified to conduct a bazaar or raffle under the provisions of section 7-172 may operate a frog-race raffle once each calendar year. Such raffles shall conform to the provisions of sections 7-170 to 7-186, inclusive, and shall be subject to regulation by the Commissioner of Consumer Protection. For the purpose of this subsection, "frog-race raffle" means a raffle in which artificial frogs conforming to specifications approved by the commissioner and numbered consecutively to correspond with the number of tickets sold for such raffle, are placed in a naturally moving stream of water at a designated starting point and in which the ticket corresponding to the number of the first frog to pass a designated finishing point is the winning ticket. (2) The commissioner [, with the advice and consent of the Gaming Policy Board,] shall adopt

Substitute House Bill No. 6363

regulations, in accordance with chapter 54, that establish procedures for the operation of frog-race raffles.

(h) (1) Any sponsoring organization qualified to conduct a bazaar or raffle under the provisions of section 7-172 may operate a golf ball-drop raffle once each calendar year. Any such raffle shall conform to the provisions of sections 7-170 to 7-186, inclusive, and shall be subject to regulation by the Commissioner of Consumer Protection. For the purpose of this subsection, "golf ball-drop raffle" means a raffle in which golf balls, numbered consecutively to correspond with the number of tickets sold for such raffle, are dropped from a helicopter, hot air balloon or other aircraft hovering above a designated target, and in which the ticket corresponding to the number of the first golf ball to be closest to the center of the designated target is the winning ticket. (2) The Commissioner of Consumer Protection [, with the advice and consent of the Gaming Policy Board,] shall adopt regulations, in accordance with chapter 54, establishing procedures for the operation of golf ball-drop raffles.

Sec. 59. Section 12-557b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in this chapter, sections 12-579, as amended by this act, and 12-580 and chapter 226b, unless the context otherwise requires:

[(1) "Board" means the Gaming Policy Board established under section 12-557d;]

[(2)] (1) "Commissioner" means the Commissioner of Consumer Protection;

[(3)] (2) "Department" means the Department of Consumer Protection;

[(4)] (3) "Business organization" means a partnership, incorporated

Substitute House Bill No. 6363

or unincorporated association, firm, corporation, trust or other form of business or legal entity, other than a financial institution regulated by a state or federal agency which is not exercising control over an association licensee; and

[(5)] (4) "Control" means the power to exercise authority over or direct the management and policies of a person or business organization.

Sec. 60. Section 12-561 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

No commissioner or unit head or employee of the 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 commissioner [,] or 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. The commissioner may [, by regulation adopted in consultation with the board,] adopt regulations in accordance with the provisions of chapter 54 to prohibit any employee of the department from engaging, directly or indirectly, in any form of legalized gambling activity in which such employee is involved because of his employment with the department. For purposes of this section, "unit head" means a managerial employee with direct oversight of a legalized gambling activity.

Sec. 61. Subsection (a) of section 12-562 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Substitute House Bill No. 6363

(a) Except as provided in subsection (b) of this section, the commissioner shall have power to enforce the provisions of this chapter and chapter 226b, and [with the advice and consent of the board,] shall adopt all necessary regulations for that purpose and for carrying out, enforcing and preventing violation of any of the provisions of this chapter, for the inspection of licensed premises or enterprises, for insuring proper, safe and orderly conduct of licensed premises or enterprises and for protecting the public against fraud or overcharge. The commissioner shall have power generally to do whatever is reasonably necessary for the carrying out of the intent of this chapter; and may call upon other administrative departments of the state government and of municipal governments for such information and assistance as he or she deems necessary to the performance of his or her duties. The commissioner shall set racing and jai alai meeting dates, except that the commissioner may delegate to designated staff the authority for setting make-up performance dates. The commissioner shall, as far as practicable, avoid conflicts in the dates assigned for racing or the exhibition of the game of jai alai in the state.

Sec. 62. Subsection (b) of section 12-564 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The commissioner shall [, with the advice and consent of the board,] conduct studies concerning the effect of legalized gambling on the citizens of this state including, but not limited to, studies to determine the types of gambling activity engaged in by the public and the desirability of expanding, maintaining or reducing the amount of legalized gambling permitted in this state. Such studies shall be conducted as often as the commissioner deems necessary, except that no studies shall be conducted before the fiscal year ending June 30, 2009, and thereafter studies shall be conducted at least once every ten

Substitute House Bill No. 6363

years. The joint standing committees of the General Assembly having cognizance of matters relating to legalized gambling shall each receive a report concerning each study carried out, stating the findings of the study and the costs of conducting the study.

Sec. 63. Section 12-565 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The commissioner [or the board] may conduct any inquiry, investigation or hearing necessary to carry out the provisions of this chapter. The 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 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 commissioner [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 to do so, shall commit such person to a community correctional center until he testifies, but not for a longer

Substitute House Bill No. 6363

period than sixty days. Notwithstanding the serving of the term of such commitment by any person, the commissioner [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 commissioner [or the board] or under his [or its] authority and witnesses attending hearings conducted [hereunder] under this section shall receive the same fees and compensation as officers and witnesses in the courts of this state to be paid on vouchers of the department on order of the Comptroller. The commissioner may delegate the powers granted to him under this section.

Sec. 64. Section 12-566 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The commissioner [and the board] shall provide books in which shall be kept a true, faithful and correct record of all of [their] the department's proceedings, which books shall be open to the public as provided in section 1-210.

Sec. 65. Subsection (b) of section 12-569 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The commissioner [, with the advice and consent of the board,] shall adopt regulations in accordance with chapter 54 to carry out the purposes of this section.

Sec. 66. Subsection (b) of section 12-571 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) Until the effective date of transfer of ownership of the off-track betting system, the commissioner [, with the advice and consent of the board,] shall adopt rules and regulations, consistent with this chapter, establishing and governing the permitted method or methods of

Substitute House Bill No. 6363

operation of the system of off-track betting.

Sec. 67. Section 12-571a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Department of Consumer Protection [and the Gaming Policy Board] shall not operate or authorize the operation of more than eighteen off-track betting branch facilities, except that the department [and the board] may operate or authorize the operation of any off-track betting branch facility approved prior to December 31, 1986, by the legislative body of a municipality in accordance with subsection (a) of section 12-572, as amended by this act. Any facility approved prior to December 31, 1986, shall be included within the eighteen facilities authorized by this subsection.

(b) The eighteen off-track betting branch facilities authorized by subsection (a) of this section may include facilities which have screens for the simulcasting of off-track betting race programs or jai alai games and other amenities including, but not limited to, restaurants and concessions, and, on and after October 1, 2012, shall be located in the town and city of New Haven, the town of Windsor Locks, the town of East Haven, the town and city of Norwalk, the town and city of Hartford, the town and city of New Britain, the town and city of Bristol, the town and city of Torrington, the town and city of Waterbury, the town and city of Milford, the town and city of New London, the town of Manchester, the town of Windham, the town of Putnam, the town and city of Bridgeport and three additional locations. The location of each such facility and the addition of simulcasting capability to any existing off-track betting branch facility that did not previously have such capability (1) shall be approved by the commissioner, [with the consent of the Gaming Policy Board,] and (2) shall be subject to the prior approval of the legislative body of the town in which such facility is located or is proposed to be located. The department shall report annually to the joint standing committee of the

Substitute House Bill No. 6363

General Assembly having cognizance of matters relating to legalized gambling on the status of the establishment or improvement of the off-track betting branch facility pursuant to this subsection.

Sec. 68. Section 12-572 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The commissioner [, with the advice and consent of the board,] may establish or authorize the establishment of such off-track betting facilities throughout the state for the purpose of receiving moneys wagered on the results of races or jai alai games as he shall deem will serve the convenience of the public and provide maximum economy and efficiency of operation, provided the establishment of such a facility in any municipality for the purpose of receiving moneys on the results of races or jai alai games shall be subject to the approval of the legislative body of such municipality which shall be given only after a public hearing on the same. Until the effective date of transfer of ownership of the off-track betting system, moneys received at such facilities shall be deposited in a betting fund from which daily payments, in such amount as the commissioner deems suitable, shall be made. If an operator of an off-track betting facility intends to conduct wagering on dog racing events or jai alai games, such operator (1) shall conduct wagering on dog racing events or jai alai games conducted by any association licensee which offers such racing events or games for off-track betting, provided such operator obtains the written consent of such licensee, and (2) may conduct wagering on out-of-state dog racing events or jai alai games when no such association licensee is conducting such racing events or games, provided such operator has complied with the provisions of subdivision (1) of this subsection. No operator of an off-track betting facility shall conduct wagering on any dog racing event or jai alai game if such racing event or game is conducted within forty miles of such facility unless such operator has obtained the written consent of the licensee conducting

Substitute House Bill No. 6363

such racing event or game.

(b) The commissioner [, with the approval of the board, is authorized to] may contract with any person or business organization to provide such facilities, components, goods or services as may be necessary for the effective operation of an off-track betting system. Compensation for such facilities, components, goods or services shall be deducted from the moneys retained pursuant to subsections (c) and (d) of this section in such amount as the commissioner shall determine.

(c) The department or any person or business organization operating an off-track betting system shall distribute all sums deposited in a pari-mutuel pool, to the holders of winning tickets therein, less seventeen per cent of the total deposits of such pool plus the breakage to the dime of the amount so retained, except as provided in subsection (d) of this section.

(d) (1) If the multiple forms of wagering known as daily double, exacta and quinella are permitted by the [board, the] department or any person or business organization operating the off-track betting system shall distribute all sums deposited in the pari-mutuel pool for any such event to the holders of winning tickets therein, less nineteen per cent of the total deposits in such pool plus the breakage to the dime.

(2) If multiple forms of wagering on three or more animals are permitted by the [board, the] department or such person or business organization operating an off-track betting system, shall retain twenty-four and one-half per cent of the total sums deposited in the pool for such event, plus the breakage to the dime.

(e) The department or any person or business organization operating an off-track betting system and conducting wagering on racing events or jai alai games held in this state and licensed under the

Substitute House Bill No. 6363

provisions of this chapter shall distribute all sums deposited in a pari-mutuel pool to the holders of winning tickets therein, less the same percentage of the total deposits of such pool applicable to such racing events or jai alai games plus the breakage to the dime of the amount retained by each licensee conducting the racing events or jai alai games.

(f) Any person or business organization which has entered into a contract with the state, acting through the commissioner under the provisions of subsection (b) of this section, except a contract with an individual for personal services, may, in the event of any disputed claims under such contract, bring an action against the state to the superior court for the judicial district of Hartford for the purpose of having such claims determined, provided notice of the general nature of such claims shall have been given in writing to the department not later than one year after the termination of such contract. No action shall be brought under this section later than three years from the date of termination of the contract. Such action shall be tried to the court without a jury. Damages recoverable in such action shall not include any amount attributable to anticipated profits but shall be limited to the recovery of actual damages sustained arising out of such contract. All legal defenses except governmental immunity shall be reserved to the state.

(g) The department or any person or business organization operating an off-track betting system [, with the approval of the board,] may combine wagers placed within such off-track betting system with similar wagering pools at the facility where a racing program is being conducted, regardless of whether such facility is located within or without the state. Such pari-mutuel wagers shall be combined in such form and manner as the commissioner may determine to be in the best interests of the off-track betting system established pursuant to the provisions of section 12-571.

Substitute House Bill No. 6363

Notwithstanding the provisions of subsection (c) or (d) of this section, [to the contrary,] the department or any person or business organization operating an off-track betting system and conducting wagering on racing events held without this state, [with the approval of the board,] may distribute to the holders of winning tickets who have placed wagers in said combined pools such sums as may be deposited in said combined pari-mutuel pools, less the same percentage of the total deposits of such combined pools as is established at the facility where such racing program is conducted plus the breakage to the dime, as shall be determined by the commissioner. [with the approval of the board.]

Sec. 69. Section 12-573a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The [board] department may authorize the operation of frontons in the state for exhibition of the Spanish ball game called jai alai or pelota. The operation of all frontons shall be under the supervision of the department.

Sec. 70. Section 12-574 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) No person or business organization may conduct a meeting at which racing or the exhibition of jai alai is permitted for any stake, purse or reward or operate the off-track betting system unless such person or business organization is licensed as an association licensee by the [board] commissioner. Any such licensee authorized to conduct a meeting or operate the off-track betting system shall indemnify and save harmless the state of Connecticut against any and all actions, claims, and demands of whatever kind or nature which the state may sustain or incur by reason or in consequence of issuing such license.

[(b) No business organization, other than a shareholder in a publicly

Substitute House Bill No. 6363

traded corporation, may exercise control in or over an association licensee unless such business organization is licensed as an affiliate licensee by the board as provided in subdivision (1) of subsection (h) of this section.]

[(c)] (b) No person or business organization may operate any concession at any meeting at which racing or the exhibition of jai alai is permitted or any concession which is allied to an off-track betting facility unless such person or business organization is licensed as a concessionaire licensee by the commissioner.

[(d)] (c) No person or business organization awarded the primary contract by an association licensee to provide facilities, components, goods or services which are necessary for the operation of the activities authorized by the provisions of section 12-572, as amended by this act, may do so unless such person or business organization is licensed as a vendor licensee by the commissioner.

[(e)] (d) No person or business organization may provide totalizator equipment and services to any association licensee for the operation of a pari-mutuel system unless such person or business organization is licensed as a totalizator licensee by the commissioner.

[(f)] (e) No business organization, other than a shareholder in a publicly traded corporation, may exercise control in or over an association, a concessionaire, a vendor or a totalizator licensee unless such business organization is licensed as an affiliate licensee by the commissioner. The commissioner shall issue affiliate licenses to qualified business organizations.

[(g)] (f) No person may participate in this state in any activity permitted under this chapter as an employee of an association, concessionaire, vendor, totalizator or affiliate licensee unless such person is licensed as an occupational licensee by the commissioner.

Substitute House Bill No. 6363

Whether located in or out of this state, no officer, director, partner, trustee or owner of a business organization which obtains a license in accordance with this section may continue in such capacity unless such officer, director, partner, trustee or owner is licensed as an occupational licensee by the commissioner. An occupational license shall also be obtained by any shareholder, key executive, agent or other person connected with any association, concessionaire, vendor, totalizator or affiliate licensee, who in the judgment of the commissioner will exercise control in or over any such licensee. Such person shall apply for a license not later than thirty days after the commissioner requests him, in writing, to do so. The commissioner shall complete his investigation of an applicant for an occupational license and notify such applicant of his decision to approve or deny the application within one year after its receipt, or, if the commissioner determines good cause exists for extending such period of investigation and gives the applicant a reasonable opportunity for a hearing, by the date prescribed by the commissioner. [Such period may be extended by the board upon a showing of good cause by the commissioner, after giving the applicant a reasonable opportunity for a hearing before the board.]

[(h) (1) The board shall issue affiliate of association licenses to qualified business organizations. (2) The commissioner shall issue affiliate of concessionaire licenses to qualified business organizations.]

[(i) (g) In determining whether to grant a license, [the board or] the commissioner may require the applicant to submit information as to: Financial standing and credit; moral character; criminal record, if any; previous employment; corporate, partnership or association affiliations; ownership of personal assets; and such other information as it or he deems pertinent to the issuance of such license. [The commissioner may reject for good cause an application for a license, and he, the deputy commissioner, the executive assistant, any unit

Substitute House Bill No. 6363

head or any assistant unit head authorized by the commissioner may suspend or revoke for good cause any license issued by him after a hearing held in accordance with chapter 54. In addition, if any affiliate licensee licensed by the commissioner fails to comply with the provisions of this chapter, the commissioner, after a hearing held in accordance with chapter 54, may revoke or suspend the license of any one or more of the following related licensees: Concessionaire, vendor or totalizator, and may fine any one or more of such licensees in an amount not to exceed two thousand five hundred dollars. Any licensee whose license is suspended or revoked, or any applicant aggrieved by the action of the commissioner concerning an application for a license may appeal not later than fifteen days after such decision to the board in accordance with subsection (j) of this section.]

(h) The commissioner may reject for good cause an application for a license. Any license granted under the provisions of this chapter is a revocable privilege and no licensee shall be deemed to have acquired any vested rights based on the issuance of such license. The commissioner, the deputy commissioner, the executive assistant, any unit head or any assistant unit head authorized by the commissioner may suspend or revoke for good cause any license issued by the commissioner after a hearing held in accordance with chapter 54. If any affiliate licensee fails to comply with the provisions of this chapter, the commissioner, after a hearing held in accordance with chapter 54, may revoke or suspend the license of any one or more of the following related licensees: Concessionaire, vendor or totalizator, and may fine any one or more of such licensees in an amount not to exceed two thousand five hundred dollars. In addition, if any affiliate licensee fails to comply with the provisions of this chapter, the commissioner, after a hearing held in accordance with chapter 54, may revoke or suspend the license of the related association licensee and may fine the related association licensee in an amount not to exceed seventy-five thousand dollars or both. If any license is suspended or revoked, the

Substitute House Bill No. 6363

commissioner shall state the reasons for such suspension or revocation and cause an entry of such reasons to be made on the record books of the department. Any licensee whose license is suspended or revoked, or any applicant aggrieved by the action of the commissioner concerning an application for a license, may appeal pursuant to section 4-183.

[(j)] (i) The commissioner [, with the advice and consent of the board,] shall adopt regulations governing the operation of the off-track betting system and facilities, tracks, stables, kennels and frontons, including the regulation of betting in connection therewith, to insure the integrity and security of the conduct of meetings and the broadcast of racing events held pursuant to this chapter. Such regulations shall include provision for the imposition of fines and suspension of licenses for violations thereof. Prior to the adoption of any regulations concerning the treatment of animals at any dog race track, the commissioner shall notify the National Greyhound Association of the contents of such regulations and of its right to request a hearing pursuant to chapter 54. The [board] commissioner shall have the authority to impose a fine of up to (1) seventy-five thousand dollars for any violation of such regulations by a licensee authorized to conduct a meeting or operate the off-track betting system under this section; [and a fine of up to] (2) five thousand dollars for any violation of such regulations by [any other licensee. The commissioner shall have the authority to impose a fine of up to] a business organization licensed as an affiliate licensee authorized to exercise control over an association; and (3) two thousand five hundred dollars for any such violation by any other licensee licensed by [him and] the commissioner. The stewards or judges of a meeting acting in accordance with such regulations shall have the authority to impose a fine of up to five hundred dollars for any such violation by such licensee, and the players' manager of a jai alai exhibition acting in accordance with such regulations shall have the authority to recommend to the judges that a

Substitute House Bill No. 6363

fine should be considered for a player who may have violated such regulations. The [board] commissioner may delegate to the stewards and judges of a meeting the power to suspend the license of any occupational licensee employed in this state by an association licensee for a period not to exceed sixty days for any violation of such regulations. If any license is suspended, such stewards and judges of a meeting shall state the reasons therefor in writing. All fines imposed pursuant to this section shall be paid over to the General Fund upon receipt by the department. Any person or business organization fined or suspended [by an authority other than the board or any licensee or applicant for a license aggrieved by a decision of the commissioner under subsection (i) of] pursuant to this section shall have a right of appeal to the [board] commissioner for a hearing [. All hearings, other than appellate hearings before the board,] that shall be conducted pursuant to chapter 54. Any person or business organization aggrieved by a decision of the [board] commissioner following such a hearing shall have a right of appeal pursuant to section 4-183.

[(k)] (j) The commissioner shall have the power to require that the books and records of any licensee, other than an occupational licensee, shall be maintained in any manner which he may deem best, and that any financial or other statements based on such books and records shall be prepared in accordance with generally accepted accounting principles in such form as he shall prescribe. The commissioner or his designee shall also be authorized to visit, to investigate and to place expert accountants and such other persons as he may deem necessary, in the offices, tracks, frontons, off-track betting facilities or places of business of any such licensee, for the purpose of satisfying himself or herself that the department's regulations are strictly complied with.

[(l)] (k) The commissioner may at any time for good cause require the removal of any employee or official employed by any licensee hereunder.

Substitute House Bill No. 6363

[(m) The board shall have the right to reject any application for a license for good cause and the action of the board as to the license and the meeting dates assigned shall be final, provided any person or business organization aggrieved by the action of the board concerning an application for a license may appeal such decision in accordance with section 4-183. The board shall, as far as practicable, avoid conflicts in the dates assigned for racing or the exhibition of the game of jai alai in the state. Any license granted under the provisions of this chapter is a revocable privilege and no licensee shall be deemed to have acquired any vested rights based on the issuance of such license. Any such license shall be subject to the regulations set forth by the commissioner with the advice and consent of the board. Any license issued by the board shall be subject to suspension or revocation for good cause, after giving the licensee a reasonable opportunity for a hearing before the board, at which he shall have the right to be represented by counsel. In addition, if any affiliate licensee licensed by the board fails to comply with the provisions of this chapter the board, after a hearing held in accordance with chapter 54, may revoke or suspend the license of the related association licensee and may fine the related association licensee in an amount not to exceed seventy-five thousand dollars or both. If any license is suspended or revoked, the board shall state the reasons for such suspension or revocation and cause an entry of such reasons to be made on the record books of the board. Any licensee aggrieved by the action of the board may appeal therefrom in accordance with section 4-183.]

[(n)] (l) The [appropriate licensing authority] commissioner may, on [its] his or her own motion or upon application, exempt any person or business organization from the licensing requirements of this chapter or some or all of the disclosure requirements of chapter 226b, provided the applicant does not exercise control in or over an integral part of any activity which is authorized under this chapter. The burden of proving that an exemption should be granted rests solely with the

Substitute House Bill No. 6363

applicant. The [licensing authority making the determination] commissioner may limit or condition the terms of an exemption and such determination shall be final.

[(o)] (m) Any person aiding or abetting in the operation of an off-track betting system or the conduct of any meeting within this state at which racing or the exhibition of the game of jai alai shall be permitted for any stake, purse or reward, except in accordance with a license duly issued and unsuspended or unrevoked by [the board or] the commissioner, shall be guilty of a class A misdemeanor.

[(p)] (n) The majority of the membership of the board of directors of any corporation licensed to operate the off-track betting system or to hold or conduct any meeting within the state of Connecticut at which racing or the exhibition of the game of jai alai shall be permitted for any stake, purse or reward, shall be residents of the state of Connecticut.

[(q)] (o) Any license granted under this section, other than [a license issued by the board] an association license authorizing the licensee to conduct a meeting or operate the off-track betting system, as described in subsection (a) of this section, or an affiliate license authorizing the licensee to exercise control in or over an association licensee, as described in subsection (e) of this section, shall be effective for not more than one year from the date of issuance. Initial application for and renewal of any license shall be in such form and manner as the commissioner shall [, by regulation adopted with the advice and consent of the board,] prescribe by regulation.

[(r)] (p) Any person or business organization issued a license to conduct dog racing shall establish a pet adoption program for the proper housing and care of retired greyhounds and shall provide financial support for such program and any facility operated to implement such program.

Substitute House Bill No. 6363

[(s)] (q) Any person or business organization issued a license to conduct dog racing pursuant to subsection (c) of section 12-574c, as amended by this act, shall employ persons who, at the time of employment, are recipients of assistance under the state-administered general assistance program, state supplement program, medical assistance program, temporary family assistance program or supplemental nutrition assistance program to fill not less than twenty per cent of the positions created by the conversion of a jai alai fronton to a dog race track if such persons have been trained for such employment by public or publicly funded agencies in coordination with such licensee.

[(t)] (r) Any person or business organization issued a license to conduct dog racing pursuant to subsection (c) of section 12-574c, as amended by this act, shall provide an on-site day care facility for use by employees of the dog race track. Such licensee shall employ persons who, at the time of employment, are recipients of aid under chapter 302 or 308 to fill not less than fifty per cent of the positions at such day care facility if such persons have been trained for such employment by public or publicly funded agencies in coordination with such licensee.

[(u)] (s) Notwithstanding any other provisions of this chapter to the contrary, any person or business organization issued a license to conduct dog racing may operate on a year-round basis and may conduct such number of performances as it may elect, provided the total number of such performances does not exceed five hundred eighty performances in any calendar year.

Sec. 71. Section 12-574a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Whenever a person or business organization files an application with the [board] department for a license to conduct an activity regulated by section 12-574, as amended by this act, exclusive of

Substitute House Bill No. 6363

renewal license applications, the [board] department shall forward within five days to the town clerk of the town within which such activity is proposed to be carried on a statement specifying the prospective applicant, the proposed activity, the site on which such activity is proposed to be conducted and the fact that an application has been filed with the [board] department. Within ten days after such statement has been filed, such town clerk shall cause notice of such filing to be published in a newspaper having a circulation in the town wherein the activity is to be conducted. The question of the approval of the conducting of such activity shall be submitted to the electors of such town at a special election called for the purpose to be held not less than thirty nor more than sixty days after such publication, in conformity with the provisions of section 9-369, or at a regular town election if such election is to be held more than sixty but not more than one hundred twenty days after such publication, such question shall be so submitted and the vote shall be taken in the manner prescribed by said section 9-369. The town clerk shall notify the [board] department of the results of such election. The disapproval of the conducting of such activity by a majority of those voting on the question shall be a bar to the granting of a license to [that] such applicant to conduct such activity at such location. All costs incurred by a municipality in connection with such referendum shall be paid to said municipality by the person or business organization filing such application for such license. The provisions of this subsection shall not apply to any licensee authorized to operate the off-track betting system with respect to any off-track betting facility approved prior to June 25, 1993.

(b) No licensee may conduct any racing or jai alai event on any Sunday without the prior approval of the legislative body of the town in which the event is scheduled to take place.

(c) No licensee authorized to operate the off-track betting system

Substitute House Bill No. 6363

may conduct any off-track pari-mutuel wagering on any racing program on any Sunday without the prior approval of the legislative body of the town in which such off-track betting facility is located.

(d) Notwithstanding the provisions of subsection (a) of this section, the prior approval of the legislative body only of the town shall be required in the event the department [or the board] issues a license pursuant to subsection (c) of section 12-574c, as amended by this act.

Sec. 72. Section 12-574c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Department of Consumer Protection [or the Gaming Policy Board] shall not issue a license authorizing any person, firm, corporation or association to conduct horse racing, dog racing or jai alai events.

(b) Notwithstanding the provisions of subsection (a) of this section, the department [or the board] may renew any license issued prior to May 23, 1979, or issue such a license to a currently operating facility.

(c) [(1)] Notwithstanding the provisions of subsection (a) of this section, the department [or the board] may, on or after July 5, 1991, issue one additional license authorizing a person or business organization to conduct dog racing to a person or business organization holding a license to conduct jai alai events or to the successor of such business organization upon the surrender of the license to conduct jai alai events. [(2) No license issued pursuant to this subsection shall provide for the operation of any dog race track prior to October 1, 1992, unless the licensee agrees to fully reimburse the state for all costs associated with the licensing and operation of such track prior to June 30, 1992.]

(d) No licensee shall move any horse race track, dog race track or jai alai fronton to any municipality other than the municipality in which

Substitute House Bill No. 6363

such facility was located on July 5, 1991.

Sec. 73. Subsection (a) of section 12-575 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The [board] department may permit at racing events, exhibitions of the game of jai alai licensed under the provisions of this chapter or at off-track betting facilities, betting under a pari-mutuel system, so called, including standard pari-mutuel, daily double, exacta, quinella, trifecta, superfecta, twin trifecta, pick four and pick six betting, and such other forms of multiple betting as the [board] department may determine.

Sec. 74. Subsection (d) of section 12-575 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) Each licensee conducting horse racing events under the pari-mutuel system shall pay to the state, and there is hereby imposed: (1) A tax on the total money wagered in the pari-mutuel pool on each and every day the licensee conducts racing events, pursuant to the following schedule:

Total Wagered	Tax
0 to \$100,001	3.25% on the entire pool
\$100,001 to \$200,001	3.75% on the entire pool
\$200,001 to \$300,001	4.25% on the entire pool
\$300,001 to \$400,001	4.75% on the entire pool
\$400,001 to \$500,001	5.25% on the entire pool
\$500,001 to \$600,001	5.75% on the entire pool
\$600,001 to \$700,001	6.25% on the entire pool

Substitute House Bill No. 6363

\$700,001 to \$800,001	6.75% on the entire pool
\$800,001 to \$900,001	7.25% on the entire pool
\$900,001 to \$1,000,001	7.75% on the entire pool
\$1,000,001 and over	8.75% on the entire pool

and (2) a tax equal to one-half of the breakage to the dime resulting from such wagering. The commissioner [, with the advice and consent of the board,] shall by regulation adopted in accordance with the provisions of chapter 54 designate the percentage of the difference between the seventeen per cent specified in subsection (c) of this section and the tax specified in this subsection, which shall be allocated as prize or purse money for the horses racing at each facility.

Sec. 75. Subsections (h) and (i) of section 12-575 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) The commissioner shall assess and collect the taxes imposed by this chapter under such regulations as [, with the advice and consent of the board,] he may prescribe, in accordance with the provisions of chapter 54. All taxes hereby imposed shall be due and payable by the close of the next banking day after each day's racing or jai alai exhibition. If any such tax is not paid when due, the commissioner shall impose a delinquency assessment upon the licensee in the amount of ten per cent of such tax or ten dollars, whichever amount is greater, plus interest at the rate of one and one-half per cent of the unpaid principal of such tax for each month or fraction of a month from the date such tax is due to the date of payment. Subject to the provisions of section 12-3a, the commissioner may waive all or part of the penalties provided under this subsection when it is proven to his satisfaction that the failure to pay such tax within the time required was due to reasonable cause and was not intentional or due to neglect. Failure to pay any such delinquent tax upon demand may be

Substitute House Bill No. 6363

considered by the commissioner as cause for revocation of license.

(i) The commissioner shall devise a system of accounting and shall supervise betting at such track, fronton or off-track betting facility in such manner that the rights of the state are protected and shall collect all fees and licenses under such regulations as [, with the advice and consent of the board,] he shall prescribe, in accordance with the provisions of chapter 54.

Sec. 76. Section 12-575c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The commissioner [, as defined in subdivision (2) of section 12-557b, with the approval of the board, as defined in subdivision (1) of said section,] may require all pari-mutuel betting conducted at any facility conducting betting under a pari-mutuel system within the state which is based on the results of any event which occurs at any place other than the facility conducting such betting, whether such place is within or without the state, to be combined into a single, state-wide pool for each such event, or for any of them, as the commissioner may determine.

(b) The commissioner [, as defined in subdivision (2) of section 12-557b, with the approval of the board, as defined in subdivision (1) of said section,] may permit all pari-mutuel betting conducted at any facility conducting betting under a pari-mutuel system within the state which is based on the results of any event which occurs at such facility, to be combined with the betting on such event at another facility where pari-mutuel betting is conducted, whether such facility is within or without the state, as a single pool for each event.

Sec. 77. Section 12-577 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The commissioner shall annually cause to be made by some

Substitute House Bill No. 6363

competent person or persons in the department a thorough audit of the books and records of each association licensee under this chapter and the commissioner may, from time to time, cause to be made by some competent person in the department a thorough audit of the books and records of any other person or business organization licensed under this chapter. All such audit records shall be kept on file in the commissioner's office at all times. [and copies shall be forwarded to the board immediately upon completion thereof.] Each licensee shall permit access to its books and records for the purpose of having such audit made, and shall produce, upon written order of the commissioner, any documents and information required for such purpose.

Sec. 78. Subsection (a) of section 12-578 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The commissioner [, with the advice and consent of the board,] shall adopt regulations, in accordance with the provisions of chapter 54, governing registration and the issuance and annual renewal of licenses and payment of annual nonrefundable application fees for the same in accordance with the following schedule:

(1) Registration: (A) Stable name, one hundred dollars; (B) partnership name, one hundred dollars; (C) colors, twenty dollars; (D) kennel name, one hundred dollars.

(2) Licenses: (A) Owner, one hundred dollars; (B) trainer, one hundred dollars; (C) assistant trainer, one hundred dollars; (D) jockey, forty dollars; (E) jockey agent, for each jockey, one hundred dollars; (F) stable employees, including exercise boy, groom, stable foreman, hot walker, outrider, twenty dollars; (G) veterinarian, one hundred dollars; (H) jockey apprentice, forty dollars; (I) driver, one hundred dollars; (J) valet, twenty dollars; (K) blacksmith, twenty dollars; (L) plater, twenty

Substitute House Bill No. 6363

dollars; (M) concessionaire, for each concession, two hundred fifty dollars; (N) concessionaire affiliate, for each concession of the concessionaire, two hundred fifty dollars; (O) concession employees, twenty dollars; (P) jai alai players, one hundred dollars; (Q) officials and supervisors, one hundred dollars; (R) pari-mutuel employees, forty dollars; (S) other personnel engaged in activities regulated under this chapter, twenty dollars; (T) vendor, for each contract, two hundred fifty dollars; (U) totalizator, for each contract, two hundred fifty dollars; (V) vendor and totalizator affiliates, for each contract of the vendor or totalizator, two hundred fifty dollars. For the purposes of this subdivision, "concessionaire affiliate" means a business organization, other than a shareholder in a publicly traded corporation, that may exercise control in or over a concessionaire; and "concessionaire" means any individual or business organization granted the right to operate an activity at a dog race track or off-track betting facility for the purpose of making a profit that receives or, in the exercise of reasonable business judgment, can be expected to receive more than twenty-five thousand dollars or twenty-five per cent of its gross annual receipts from such activity at such track or facility.

Sec. 79. Section 12-579 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any municipality may, by ordinance, impose a tax of ten per cent of the admission charge, as defined in subsection (3) of section 12-540, to any place licensed by the [Gaming Policy Board] Department of Consumer Protection and containing a pari-mutuel system therein or to any off-track betting facility. The tax shall be imposed upon the person making such charge and reimbursement for the tax shall be collected by such person from the purchaser. Such reimbursement, termed "tax", shall be paid by the purchaser to the person making the admission charge. Such tax, when added to the admission charge, shall be a debt from the purchaser to the person making such charge and

Substitute House Bill No. 6363

shall be recoverable at law.

Sec. 80. Section 12-584 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Each licensee of the department, [or board,] other than an occupational licensee, shall file, on or before April fifteenth of each year, with the department: (1) Certified financial statements for the prior calendar year or fiscal year, prepared in accordance with generally accepted accounting principles; (2) the names and addresses of every shareholder, person or business organization having a financial, property, leasehold, ownership or beneficial interest in such licensee; (3) (A) the names and addresses of every person or business organization which provides contractual services, equipment or property related to any of the activities authorized under chapter 226 and (B) the nature of such services rendered and equipment or property provided; and (4) copies of all state and federal tax returns filed by such licensee for the next preceding calendar year or taxable year, except that if any state or federal tax return has not been filed with the state or federal government on or before said date, such licensee may file such return with the department at the same time he or it files such return with the state or federal government.

(b) The commissioner [, with the advice and consent of the board,] may require any person, business organization or shareholder disclosed under the provisions of subdivision (2) of subsection (a) of this section to file on or before April fifteenth of each year, with the department: (1) A statement of financial position to be submitted under oath on forms provided by the department; (2) a statement of interest in any other gambling activity, within or without the state of Connecticut; and (3) copies of state and federal tax returns filed by such person, business organization or shareholder for the next preceding calendar year or taxable year, except that if any state or federal tax return has not been filed with the state or federal

Substitute House Bill No. 6363

government on or before said date, such person, business organization or shareholder may file such return with the department at the same time he or it files such return with the state or federal government. The commissioner shall not require such filing more than once a year, except that the commissioner may require additional filings or additional information to ensure the integrity of legalized gambling. [, pursuant to a vote of at least four members of the board in favor of such requirement.] All information gathered by the department under this chapter and section 12-562, as amended by this act, may be transmitted by the department to any agency or department of the state and shall be made available for public dissemination or inspection, except that any state or federal tax returns gathered by the department pursuant to this section shall only be open to inspection by the department, its staff and such other state agencies or departments which require return information to perform their official duties.

(c) Failure by any licensee to comply with the requirements of this section shall constitute grounds for the [licensing authority] commissioner: (1) To suspend or revoke such license; (2) [if the commissioner,] to impose a fine of not more than two thousand five hundred dollars or, if the [board] licensee is licensed to conduct a meeting or operate an off-track betting system under subsection (a) of section 12-575, as amended by this act, to impose a fine of not more than seventy-five thousand dollars; (3) to rescind the applicable contract; or (4) to impose any combination of such penalties.

(d) Failure by any person, business organization or shareholder identified in subsection (b) of this section to comply with the requirements of this section shall constitute grounds for the [authority which issued the license to the related licensee] commissioner: (1) To suspend or revoke such license; (2) [if the commissioner,] to impose a fine of not more than two thousand five hundred dollars on such licensee or, if [the board, to impose] the licensee is licensed to conduct

Substitute House Bill No. 6363

a meeting or operate an off-track betting system under subsection (a) of section 12-575, as amended by this act, a fine of not more than seventy-five thousand dollars on such licensee; or (3) to impose any combination of such penalties. In the case of a shareholder who fails to comply with the requirements of this section, the department shall notify the shareholder and the licensee which issued the shares of such failure. Upon receipt of such notice the shareholder shall immediately offer such shares to the licensee for purchase. The licensee shall purchase the shares not later than sixty days after they are so offered. Each licensee shall adopt appropriate amendments or additions to any existing corporate bylaws to permit compliance with this section.

(e) Any licensee aggrieved by an action of the commissioner under this section shall have a right of appeal [to the board in accordance with subsection (j) of section 12-574. Any licensee aggrieved by a decision of the board under this section shall have a right of appeal] pursuant to section 4-183.

Sec. 81. Subsection (b) of section 12-585 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) Each such person or business organization shall be billed for such expenses on a quarterly basis or at the conclusion of the investigation, as determined by the commissioner. Failure on the part of the person or business organization to remit payment within fifteen days after receipt of an invoice from the department shall constitute grounds to refuse to grant approval of the request of the person or business organization for which such investigation was undertaken, or in the case of a licensee, failure to remit payment within fifteen days shall, in addition, constitute grounds for the [licensing authority] commissioner: (1) To suspend or revoke such license; (2) [if the commissioner,] to impose a fine of not more than two thousand five hundred dollars [,] or, if [the board, to impose] the licensee is licensed

Substitute House Bill No. 6363

to conduct a meeting or operate an off-track betting system under subsection (a) of section 12-575, as amended by this act, a fine of not more than seventy-five thousand dollars; (3) to rescind the applicable contract; or (4) to impose any combination of such penalties.

Sec. 82. Subsection (h) of section 12-815a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) (1) The commissioner may suspend or revoke for good cause a vendor, affiliate or occupational license after a hearing held before the commissioner in accordance with chapter 54. The commissioner may order summary suspension of any such license in accordance with subsection (c) of section 4-182.

(2) Any such applicant aggrieved by the action of the commissioner concerning an application for a license, or any person or business organization whose license is suspended or revoked, may appeal [to the Gaming Policy Board not later than fifteen days after such decision. Any person or business organization aggrieved by a decision of the board may appeal] pursuant to section 4-183.

(3) The commissioner may impose a civil penalty on any licensee for a violation of any provision of this chapter or any regulation adopted under section 12-568a in an amount not to exceed two thousand five hundred dollars after a hearing held in accordance with chapter 54.

Sec. 83. Subsection (h) of section 30-33b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) "Special sporting facility" means all of the land and buildings in which the principal business conducted is racing or jai alai exhibitions with pari-mutuel betting licensed by the [gaming policy board] Department of Consumer Protection.

Substitute House Bill No. 6363

Sec. 84. Subsection (b) of section 30-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) (1) Any person desiring a liquor permit or a renewal of such a permit shall make a sworn application therefor to the Department of Consumer Protection upon forms to be furnished by the department, showing the name and address of the applicant and of the applicant's backer, if any, the location of the club or place of business which is to be operated under such permit and a financial statement setting forth all elements and details of any business transactions connected with the application. Such application shall include a detailed description of the type of live entertainment that is to be provided. A club or place of business shall be exempt from providing such detailed description if the club or place of business (A) was issued a liquor permit prior to October 1, 1993, and (B) has not altered the type of entertainment provided. The application shall also indicate any crimes of which the applicant or the applicant's backer may have been convicted. Applicants shall submit documents sufficient to establish that state and local building, fire and zoning requirements and local ordinances concerning hours and days of sale will be met, except that local building and zoning requirements and local ordinances concerning hours and days of sale shall not apply to any class of airport permit. The State Fire Marshal or the marshal's certified designee shall be responsible for approving compliance with the State Fire Code at Bradley International Airport. Any person desiring a permit provided for in section 30-33b shall file a copy of such person's license with such application if such license was issued by the [Gaming Policy Board] Department of Consumer Protection. The department may, at its discretion, conduct an investigation to determine whether a permit shall be issued to an applicant.

(2) The applicant shall pay to the department a nonrefundable

Substitute House Bill No. 6363

application fee, which fee shall be in addition to the fees prescribed in this chapter for the permit sought. An application fee shall not be charged for an application to renew a permit. The application fee shall be in the amount of ten dollars for the filing of each application for a permit by a charitable organization, including a nonprofit public television corporation, a nonprofit golf tournament permit, a temporary permit or a special club permit; and for all other permits in the amount of one hundred dollars for the filing of an initial application. Any permit issued shall be valid only for the purposes and activities described in the application.

(3) The applicant, immediately after filing an application, shall give notice thereof, with the name and residence of the permittee, the type of permit applied for and the location of the place of business for which such permit is to be issued and the type of live entertainment to be provided, all in a form prescribed by the department, by publishing the same in a newspaper having a circulation in the town in which the place of business to be operated under such permit is to be located, at least once a week for two successive weeks, the first publication to be not more than seven days after the filing date of the application and the last publication not more than fourteen days after the filing date of the application. The applicant shall affix, and maintain in a legible condition upon the outer door of the building wherein such place of business is to be located and clearly visible from the public highway, the placard provided by the department, not later than the day following the receipt of the placard by the applicant. If such outer door of such premises is so far from the public highway that such placard is not clearly visible as provided, the department shall direct a suitable method to notify the public of such application. When an application is filed for any type of permit for a building that has not been constructed, such applicant shall erect and maintain in a legible condition a sign not less than six feet by four feet upon the site where such place of business is to be located, instead of such placard upon

Substitute House Bill No. 6363

the outer door of the building. The sign shall set forth the type of permit applied for and the name of the proposed permittee, shall be clearly visible from the public highway and shall be so erected not later than the day following the receipt of the placard. Such applicant shall make a return to the department, under oath, of compliance with the foregoing requirements, in such form as the department may determine, but the department may require any additional proof of such compliance. Upon receipt of evidence of such compliance, the department may hold a hearing as to the suitability of the proposed location. The provisions of this subdivision shall not apply to applications for airline permits, charitable organization permits, temporary permits, special club permits, concession permits, military permits, railroad permits, boat permits, warehouse permits, brokers' permits, out-of-state shippers' permits for alcoholic liquor and out-of-state shippers' permits for beer, coliseum permits, coliseum concession permits, special sporting facility restaurant permits, special sporting facility employee recreational permits, special sporting facility guest permits, special sporting facility concession permits, special sporting facility bar permits, nonprofit golf tournament permits, nonprofit public television permits and renewals. The provisions of this subdivision regarding publication and placard display shall also be required of any applicant who seeks to amend the type of entertainment upon filing of a renewal application.

(4) In any case in which a permit has been issued to a partnership, if one or more of the partners dies or retires, the remaining partner or partners need not file a new application for the unexpired portion of the current permit, and no additional fee for such unexpired portion shall be required. Notice of any such change shall be given to the department and the permit shall be endorsed to show correct ownership. When any partnership changes by reason of the addition of one or more persons, a new application with new fees shall be required.

Substitute House Bill No. 6363

Sec. 85. Subsection (a) of section 30-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) No backer or permittee of one permit class shall be a backer or permittee of any other permit class except in the case of any class of airport, railroad, airline and boat permits, and except that: (1) A backer of a hotel or restaurant permit may be a backer of both such classes; (2) a holder or backer of a manufacturer permit for a brew pub, a restaurant permit or a cafe permit may be a holder or backer of any other or all of such classes; (3) a holder or backer of a restaurant permit may be a holder or backer of a bowling establishment permit; (4) a backer of a restaurant permit may be a backer of a coliseum permit or a coliseum concession permit, or both, when such restaurant is within a coliseum; (5) a backer of a hotel permit may be a backer of a coliseum permit or a coliseum concession permit, or both; (6) a backer of a coliseum permit may be a backer of a coliseum concession permit; (7) a backer of a coliseum concession permit may be a backer of a coliseum permit; (8) a backer of a grocery store beer permit may be a backer of a package store permit if such was the case on or before May 1, 1996; (9) a backer of a university permit may be a backer of a nonprofit theater permit; (10) subject to the discretion of the department, a backer of a permit provided for in section 30-33b, may be a backer of any other retail on-premise consumption permit, including those permits provided for in section 30-33b; (11) a backer of a nonprofit theater permit may be a holder or backer of a hotel permit; (12) a holder or backer of a restaurant permit may be a holder or backer of a special outing facility permit; (13) a backer of a concession permit may be a backer of a coliseum permit or a coliseum concession permit, or both; (14) a holder of an out-of-state winery shipper's permit for wine may be a holder of an in-state transporter's permit or an out-of-state entity wine festival permit issued pursuant to section 30-37m, or of both such permits; (15) a holder of an out-of-state shipper's permit for alcoholic

Substitute House Bill No. 6363

liquor other than beer may be a holder of an in-state transporter's permit; and (16) a holder of a manufacturer's permit for a farm winery may be a holder of an in-state transporter's permit, a wine festival permit issued pursuant to section 30-37l, a farmers' market wine sales permit issued pursuant to subsection (a) of section 30-37o or of any combination of such permits. Any person may be a permittee of more than one permit. A person may be a permittee under a permit provided for in section 30-33b, as amended by this act, and a backer of any other retail on-premise consumption permit, including those permits provided for in section 30-33b, as amended by this act. The operator of a racing or jai alai exhibition with pari-mutuel betting licensed by the [Gaming Policy Board] Department of Consumer Protection may be a backer of any permit provided for in section 30-33b, as amended by this act. No holder of a manufacturer permit for a brew pub and no spouse or child of such holder may be a holder or backer of more than three restaurant permits or cafe permits.

Sec. 86. Section 30-59a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Department of Consumer Protection may suspend any permit issued under this chapter if the permittee has had a license suspended or revoked by [the Gaming Policy Board or] the department until such license has been restored to such person.

Sec. 87. Subsection (a) of section 12-802 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is created a body politic and corporate, constituting a public instrumentality and political subdivision of the state created for the performance of an essential governmental revenue-raising function, which shall be named the Connecticut Lottery Corporation, and which may exercise the functions, powers and duties set forth in

Substitute House Bill No. 6363

sections 12-563a and 12-800 to 12-818, inclusive, to implement the purposes set forth in said sections, which are public purposes for which public funds may be expended. The Connecticut Lottery Corporation shall not be construed to be a department, institution or agency of the state with respect to budgeting, procurement or personnel requirements, except as provided in sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-568a and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive.

Sec. 88. Subsection (h) of section 12-802 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) In any interest arbitration regarding employees of the corporation, the arbitrator shall take into account as a factor, in addition to those factors specified in section 5-276a, the purposes of sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-568a and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive, the entrepreneurial mission of the corporation and the necessity to provide flexibility and innovation to facilitate the success of the Connecticut Lottery Corporation in the marketplace. In any arbitration regarding any classification of entrepreneurial sales employees, the arbitrator shall include a term awarding incentive compensation for such employees for the purpose of motivating employees to maximize lottery sales.

Sec. 89. Subdivision (2) of subsection (b) of section 12-806 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Substitute House Bill No. 6363

(2) To operate and manage the lottery consistent with the provisions of sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-568a and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive, and as specifically provided in section 12-812;

Sec. 90. Section 12-806a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in this section, "procedure" [shall have] has the same meaning as "procedure", as defined in subdivision (2) of section 1-120. The Department of Consumer Protection shall, for the purposes of [sections 12-557e and] section 12-568a, subsection [(d)] (c) of section 12-574, as amended by this act, sections 12-802a and 12-815a and this section, regulate the activities of the Connecticut Lottery Corporation to assure the integrity of the state lottery. In addition to the requirements of the provisions of chapter 12 and notwithstanding the provisions of section 12-806, as amended by this act, the Connecticut Lottery Corporation shall, prior to implementing any procedure designed to assure the integrity of the state lottery, obtain the written approval of the Commissioner of Consumer Protection in accordance with regulations adopted under section 12-568a.

Sec. 91. Section 12-816 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The exercise of the powers granted by sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-568a and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive, constitute the performance of an essential governmental function and all operations of the corporation shall be free from any form of federal or state taxation. In addition,

Substitute House Bill No. 6363

except pursuant to any federal requirements, the corporation shall not be required to pay any taxes or assessments upon or in respect to sales of lottery tickets, or any property or moneys of the corporation, levied by the state or any political subdivision or municipal taxing authority. The corporation and its assets, property and revenues shall at all times be free from taxation of every kind by the state and by the municipalities and all other political subdivisions or special districts having taxing powers in the state.

Sec. 92. Subsection (c) of section 15-120mm of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) No employee covered by a collective bargaining agreement as an employee of the Department of Transportation shall be laid off as a result of the creation of the authority. Each bargaining unit employee of the Department of Transportation who does not transfer to the authority and who, by virtue of sections 15-101l to 15-101n, inclusive, is no longer employed by the Department of Transportation shall be retained by said department or assigned with his or her position to another state agency in accordance with the provisions of the State Employees Bargaining Agent Coalition agreement. Such opportunities shall be offered in the order of seniority. Seniority shall be defined in the same way as cases of transfer under the appropriate collective bargaining agreements. Such assignments shall be made only with the approval of the Office of Policy and Management and shall be reported at the end of the fiscal year to the Finance Advisory Committee. Employees may choose to be laid off in lieu of accepting any such assignment. In such case, they shall be entitled to all collective bargaining rights under their respective collective bargaining agreements including the State Employees Bargaining Agent Coalition. Sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-567, 12-568a

Substitute House Bill No. 6363

and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive, shall in no way affect the collective bargaining rights of employees of the Department of Transportation.

Sec. 93. Subsection (f) of section 15-120mm of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) In any interest arbitration regarding employees of the authority, the arbitrator shall take into account as a factor, in addition to those factors specified in section 5-276a, the purposes of sections 1-120, 1-121, 1-125, [12-557e,] 12-563, 12-563a, 12-564, as amended by this act, 12-566, as amended by this act, 12-567, 12-568a and 12-569, as amended by this act, subsection [(d)] (c) of section 12-574, as amended by this act, and sections 12-800 to 12-818, inclusive, the entrepreneurial mission of the authority and the necessity to provide flexibility and innovation to facilitate the success of the authority in the marketplace.

Sec. 94. Sections 12-557c, 12-557d, 12-557e and 12-558 of the general statutes are repealed. (*Effective July 1, 2013*)

Sec. 95. Sections 2-110, 4-61t, 4-67r, 4d-1a, 8-385, 10a-1e, 10a-124, 10a-161b, 13b-11a, 13b-16b, 16-331ee, 17a-210c, 17b-28a, 17b-748, 17b-751c, 19a-6g, 25-32i, 25-109q, 25-175, 25-176, 25-177, 29-1s, 31-11bb, 31-11cc, 31-11dd, 31-11ee, 32-200, 32-201, 32-202, 32-203, 32-204, 32-205, 32-206, 32-207, 32-208, 32-209, 32-210, 32-211, 32-212, 32-511 and 54-259a of the general statutes are repealed. (*Effective July 1, 2013*)

Sec. 96. Special act 91-22, as amended by special act 92-6, section 14 of public act 93-411, section 1 of public act 94-75 and section 40 of public act 95-318; special act 96-14, as amended by special act 97-7; section 50 of public act 05-245 and section 155 of public act 09-7 of the September special session are repealed. (*Effective July 1, 2013*)

Substitute House Bill No. 6363

Approved July 12, 2013