



Senate

General Assembly

File No. 347

January Session, 2013

Substitute Senate Bill No. 1073

Senate, April 4, 2013

The Committee on Public Safety and Security reported through SEN. HARTLEY, J. of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO PUBLIC SAFETY STATUTES.

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

1 Section 1. Subsection (a) of section 28-30a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2013*):

4 (a) There is established a fund to be known as the "Enhanced 9-1-1
5 Telecommunications Fund". The fund shall contain any moneys
6 required by law to be deposited in the fund, including, but not limited
7 to, any federal funds collected pursuant to subsection (d) of section 28-
8 24₂ [and] fees assessed against subscribers of local telephone service []
9 and subscribers of commercial mobile radio services pursuant to
10 section 16-256g, as amended by this act, and [revenues from the]
11 prepaid wireless E 9-1-1 [fee imposed] fees collected pursuant to
12 section 28-30e, as amended by this act. The Enhanced 9-1-1
13 Telecommunications Fund shall be held separate and apart from all

14 other moneys, funds and accounts. Interest derived from the
15 investment of the fund shall be credited to the assets of the fund. Any
16 balance remaining in the fund at the end of any fiscal year shall be
17 carried forward in the fund for the fiscal year next succeeding.

18 Sec. 2. Section 28-30b of the general statutes is repealed and the
19 following is substituted in lieu thereof (*Effective July 1, 2013*):

20 As used in sections 28-30a, as amended by this act, 28-30b, 28-30d,
21 [and] 28-30e, as amended by this act, and 28-30f, as amended by this
22 act:

23 (1) "Consumer" means a person who purchases prepaid wireless
24 telecommunications service in a retail transaction.

25 (2) "Prepaid wireless E 9-1-1 fee" means the [charge] fee that [any] a
26 seller collects from a consumer in an amount established by section 28-
27 30e, as amended by this act.

28 (3) "Prepaid wireless telecommunications service" means a wireless
29 telephone service that a consumer pays for in advance, that allows the
30 consumer to access the E 9-1-1 system by dialing 9-1-1, and that is sold
31 in predetermined units or dollars and such units or dollars decline
32 with use.

33 (4) "Provider" means any person who provides prepaid wireless
34 telecommunications service pursuant to a license issued by the Federal
35 Communications Commission.

36 (5) "Retail transaction" means a purchase of prepaid wireless
37 telecommunications service from a seller for any purpose other than
38 resale.

39 (6) "Seller" means a person who sells prepaid wireless
40 telecommunications service to a consumer.

41 (7) "Voice over Internet protocol service" or "VOIP" means a service
42 that has the following characteristics: (A) Enables real-time, two-way

43 voice communication; (B) requires a broadband connection from the
44 users' locations; (C) requires IP-compatible customer premises
45 equipment; and (D) allows subscribers generally to receive calls that
46 originate on the public switched telephone network and to terminate
47 calls on the public switched telephone.

48 (8) "Voice over Internet protocol service provider" or "VOIP service
49 provider" means a company that provides VOIP telephone service.

50 (9) "Wireless telecommunications service" means commercial mobile
51 radio service, as defined in 47 CFR Section 20.3, as from time to time
52 amended.

53 Sec. 3. Subsection (a) of section 28-30e of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July*
55 *1, 2013*):

56 (a) Each consumer shall be assessed a prepaid wireless E 9-1-1 fee.
57 Such fee shall be equal to the [rate] fee determined by the Public
58 Utilities Regulatory Authority in accordance with subsection (a) of
59 section 16-256g, as amended by this act, for each retail transaction. For
60 the purposes of this section, if a consumer purchase includes multiple
61 prepaid wireless telecommunications services, each such individual
62 service shall constitute a retail transaction.

63 Sec. 4. Subsection (a) of section 28-30f of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective July*
65 *1, 2013*):

66 (a) Any seller who collects a prepaid wireless E 9-1-1 [charge] fee
67 shall remit such fee to the Department of Revenue Services at such
68 time and in such manner as required by chapter 219. The department
69 shall establish registration and payment procedures that substantially
70 coincide with the registration and payment procedures that apply to
71 retail sellers under chapter 219.

72 Sec. 5. Subsection (a) of section 16-256g of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective July*

74 1, 2013):

75 (a) By June first of each year, the Public Utilities Regulatory
76 Authority shall conduct a proceeding to determine the amount of the
77 monthly fee to be assessed against each subscriber of: (1) Local
78 telephone service, (2) commercial mobile radio service, as defined in 47
79 CFR Section 20.3, and (3) voice over Internet protocol service, as
80 defined in section 28-30b, to fund the development and administration
81 of the enhanced emergency 9-1-1 program. The authority shall base
82 such fee on the findings of the Commissioner of Emergency Services
83 and Public Protection, pursuant to subsection (c) of section 28-24,
84 taking into consideration any existing moneys available in the
85 Enhanced 9-1-1 Telecommunications Fund. The authority shall
86 consider the progressive wire line inclusion schedule contained in the
87 final report of the task force to study enhanced 9-1-1
88 telecommunications services established by public act 95-318. The
89 authority shall not approve any fee (A) greater than seventy-five cents
90 per month per access line, (B) that does not include the progressive
91 wire line inclusion schedule, or (C) for commercial mobile radio
92 service, as defined in 47 CFR Section 20.3, that includes the progressive
93 wire line inclusion schedule.

94 Sec. 6. Subsection (b) of section 29-349 of the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective July*
96 *1, 2013*):

97 (b) No person, firm or corporation shall engage in any activity
98 concerning the storage, transportation or use of explosives unless such
99 person, firm or corporation has obtained a license therefor from the
100 Commissioner of Construction Services. Such license shall be issued
101 upon payment of a fee of two hundred dollars and upon submission
102 by the applicant of evidence of good moral character and of
103 competence in the control and handling of explosives, provided, if
104 such license is for the use of explosives, it may be issued only to an
105 individual [person] after demonstration that such individual is
106 technically qualified to detonate explosives. Any such license to use

107 explosives shall bear both the fingerprints of the licensee obtained by
108 the Commissioner of Construction Services at the time of licensing,
109 and the licensee's photograph, furnished by the licensee, of a size
110 specified by the commissioner and taken not more than one year prior
111 to the issuance of the license. Each such license shall be valid for one
112 year from the date of its issuance, unless sooner revoked or suspended,
113 and may be renewed annually thereafter upon a payment of one
114 hundred fifty dollars.

115 Sec. 7. Subsection (g) of section 29-349 of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective July*
117 *1, 2013*):

118 (g) Any person who, by himself or herself or by such person's
119 employee or agent or as the employee or agent of another, violates any
120 provision of this section, or any regulation [made] adopted by the
121 Commissioner of Construction Services pursuant to the provisions of
122 this section, shall be fined not more than ten thousand dollars or
123 imprisoned not more than ten years, or both.

124 Sec. 8. Subsection (i) of section 29-349 of the general statutes is
125 repealed and the following is substituted in lieu thereof (*Effective July*
126 *1, 2013*):

127 (i) Notwithstanding the provisions of this section, the Labor
128 Commissioner shall regulate the storage, transportation and use of
129 explosives and blasting agents in places of employment insofar as such
130 activities relate to employee health and safety, provided such
131 regulations shall be no less stringent than those [prepared] adopted
132 and enforced by the Commissioner of Construction Services pursuant
133 to this section.

134 Sec. 9. Subsection (a) of section 29-1s of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective July*
136 *1, 2013*):

137 (a) (1) Wherever the term "Department of Public Safety" is used in

138 the following general statutes, the term "Department of Emergency
139 Services and Public Protection" shall be substituted in lieu thereof; and
140 (2) wherever the term "Commissioner of Public Safety" is used in the
141 following general statutes, the term "Commissioner of Emergency
142 Services and Public Protection" shall be substituted in lieu thereof: 1-
143 24, 1-84b, 1-217, 2-90b, 3-2b, 4-68m, 4a-2a, 4a-18, 4a-67d, 4b-1, 4b-130, 5-
144 142, 5-146, 5-149, 5-150, 5-169, 5-173, 5-192f, 5-192t, 5-246, 6-32g, 7-169,
145 7-285, 7-294f to 7-294h, inclusive, 7-294l, 7-294n, 7-294y, 7-425, 9-7a, 10-
146 233h, 12-562, 12-564a, 12-586f, 12-586g, 13a-123, 13b-69, 13b-376, 14-10,
147 14-64, 14-67m, 14-67w, 14-103, 14-108a, 14-138, 14-152, 14-163c, 14-211a,
148 14-212a, 14-212f, 14-219c, 14-227a, 14-227c, 14-267a, 14-270c to 14-270f,
149 inclusive, 14-283, 14-291, 14-298, 14-315, 15-98, 15-140r, 15-140u, 16-
150 256g, as amended by this act, 16a-103, 17a-105a, 17a-106a, 17a-500, 17b-
151 90, 17b-137, 17b-192, 17b-225, 17b-279, 17b-490, 18-87k, 19a-112a, 19a-
152 112f, 19a-179b, 19a-409, 19a-904, 20-12c, 20-327b, 21a-36, 21a-283, 22a-2,
153 23-8b, 23-18, 26-5, 26-67b, 27-19a, 27-107, 28-25b, 28-27, 28-27a, 28-30a,
154 as amended by this act, 29-1c, 29-1e to 29-1h, inclusive, 29-1q, 29-1zz,
155 29-2, 29-2a, 29-2b, 29-3a, 29-4a, 29-6a, 29-7, 29-7b, 29-7c, 29-7h, 29-7m,
156 29-7n, 29-8, 29-10, 29-10a, 29-10c, 29-11, as amended by this act, 29-12,
157 29-17a, 29-17b, 29-17c, 29-18 to 29-23a, inclusive, 29-25, 29-26, 29-28, 29-
158 28a, 29-30 to 29-32, inclusive, 29-32b, 29-33, 29-36f to 29-36i, inclusive,
159 29-36k, 29-36m, 29-36n, 29-37a, 29-37f, 29-38b, 29-38e, 29-38f, 29-108b,
160 29-143i, 29-143j, 29-145 to 29-151, inclusive, 29-152f to 29-152j,
161 inclusive, 29-152m, 29-152o, 29-152u, 29-153, 29-155d, 29-156a, 29-161g
162 to 29-161i, inclusive, 29-161k to 29-161m, inclusive, 29-161o to 29-161t,
163 inclusive, 29-161v to 29-161z, inclusive, 29-163, 29-164g, 29-166, 29-176
164 to 29-179, inclusive, 29-179f to 29-179h, inclusive, 31-275, 38a-18, 38a-
165 356, 45a-63, 46a-4b, 46a-170, 46b-15a, 46b-38d, 46b-38f, 51-5c, 51-10c,
166 51-51o, 51-277a, 52-11, 53-39a, 53-134, 53-199, 53-202, 53-202b, 53-202c,
167 53-202g, 53-202l, 53-202n, 53-202o, 53-278c, 53-341b, 53a-3, 53a-30, 53a-
168 54b, 53a-130, 53a-130a, 54-1f, 54-1l, 54-36e, 54-36i, 54-36n, 54-47aa, 54-
169 63c, 54-76l, 54-86k, 54-102g to 54-102j, inclusive, 54-102m, 54-102pp, 54-
170 142j, 54-222a, 54-240, 54-240m, 54-250 to 54-258, inclusive, 54-259a, 54-
171 260b, and 54-300.

172 Sec. 10. Subsection (b) of section 29-1t of the general statutes is

173 repealed and the following is substituted in lieu thereof (*Effective July*
174 *1, 2013*):

175 (b) The Commissioner of Emergency Services and Public Protection,
176 or said commissioner's designee, shall serve as the chairperson of the
177 Coordinating Advisory Board. The board shall consist of: (1) The
178 president of the Connecticut State Firefighters Association or a
179 designee, representing volunteer firefighters; (2) the president of the
180 Uniformed Professional Firefighters Association or a designee,
181 representing professional firefighters; (3) the president of the American
182 Federation of State, County and Municipal Employees, Council 15, or a
183 designee, representing municipal police officers; (4) the executive
184 director of the Connecticut Conference of Municipalities or a designee;
185 (5) the executive director of the Connecticut Council of Small Towns or
186 a designee; (6) a member of the Police Officer Standards Training
187 Council, designated by the chairperson of said council; (7) a member of
188 the Commission on Fire Prevention and Control, designated by the
189 chairperson of said commission; (8) the president of the Connecticut
190 Emergency Management Association or a designee; (9) the president of
191 the Connecticut Police Chiefs Association or a designee; (10) the
192 president of the Connecticut Fire Chiefs Association or a designee; (11)
193 the president of the Connecticut Career Fire Chiefs Association or a
194 designee; (12) the Commissioner of Public Health; and (13) one
195 representative, designated by the Commissioner of Emergency
196 Services and Public Protection, from the Office of State-Wide
197 Emergency Telecommunications and from each of the divisions of
198 Emergency Management and Homeland Security, State Police and
199 Scientific Services within the Department of Emergency Services and
200 Public Protection. Said board shall convene quarterly and at such other
201 times as the chairperson deems necessary.

202 Sec. 11. Section 29-10b of the general statutes is repealed and the
203 following is substituted in lieu thereof (*Effective July 1, 2013*):

204 The Commissioner of Emergency Services and Public Protection
205 shall charge the following fees for the item or service indicated:

206 (1) Each search of the record files made pursuant to a request for a
207 copy of an accident or investigative report which results in no
208 document being produced, [six dollars, and on and after July 1, 1993,]
209 sixteen dollars.

210 (2) Each copy of an accident or investigative report, [six dollars, and
211 on and after July 1, 1993,] sixteen dollars.

212 Sec. 12. Subsection (a) of section 29-11 of the general statutes is
213 repealed and the following is substituted in lieu thereof (*Effective July*
214 *1, 2013*):

215 (a) The bureau in the Division of State Police within the Department
216 of Emergency Services and Public Protection known as the State Police
217 Bureau of Identification shall be maintained for the purposes of (1) [of]
218 providing an authentic record of each person sixteen years of age or
219 over who is charged with the commission of any crime involving
220 moral turpitude, (2) [of] providing definite information relative to the
221 identity of each person so arrested, (3) [of] providing a record of the
222 final judgment of the court resulting from such arrest, unless such
223 record has been erased pursuant to section 54-142a, and (4) [for]
224 maintaining a central repository of complete criminal history record
225 disposition information. The Commissioner of Emergency Services and
226 Public Protection is directed to maintain the State Police Bureau of
227 Identification, which bureau shall receive, classify and file in an
228 orderly manner all fingerprints, pictures and descriptions, including
229 previous criminal records as far as known of all persons so arrested,
230 and shall classify and file in a like manner all identification material
231 and records received from the government of the United States and
232 from the various state governments and subdivisions thereof, and shall
233 cooperate with such governmental units in the exchange of
234 information relative to criminals. The State Police Bureau of
235 Identification shall accept fingerprints of applicants for admission to
236 the bar of the state and, to the extent permitted by federal law, shall
237 exchange state, multistate and federal criminal history records with the
238 State Bar Examining Committee for purposes of investigation of the

239 qualifications of any applicant for admission as an attorney under
240 section 51-80. The record of all arrests reported to the bureau after
241 March 16, 1976, shall contain information of any disposition within
242 ninety days after the disposition has occurred.

243 Sec. 13. Section 29-250 of the general statutes is repealed and the
244 following is substituted in lieu thereof (*Effective July 1, 2013*):

245 There shall be (1) an Office of the State Fire Marshal, and (2) an
246 Office of the State Building Inspector, within the Department of
247 Construction Services. The head of each [such] office shall report to the
248 Commissioner of Construction Services.

249 Sec. 14. Subsection (b) of section 19a-491c of the general statutes is
250 repealed and the following is substituted in lieu thereof (*Effective July*
251 *1, 2013*):

252 (b) (1) On or before July 1, 2012, the Department of Public Health
253 shall create and implement a criminal history and patient abuse
254 background search program, within available appropriations, in order
255 to facilitate the performance, processing and analysis of the criminal
256 history and patient abuse background search of individuals who have
257 direct access.

258 (2) The Department of Public Health shall develop a plan to
259 implement the criminal history and patient abuse background search
260 program, in accordance with this section. In developing such plan, the
261 department shall (A) consult with the Commissioners of Emergency
262 Services and Public Protection, Developmental Services, Mental Health
263 and Addiction Services, Social Services and Consumer Protection, or
264 their designees, the State Long-Term Care Ombudsman, or a designee,
265 the chairperson [for] of the Board of Pardons and Paroles, or a
266 designee, a representative of each category of long-term care facility
267 and representatives from any other agency or organization the
268 Commissioner of Public Health deems appropriate, (B) evaluate factors
269 including, but not limited to, the administrative and fiscal impact of
270 components of the program on state agencies and long-term care

271 facilities, background check procedures currently used by long-term
272 care facilities, federal requirements pursuant to Section 6201 of the
273 Patient Protection and Affordable Care Act, P.L. 111-148, as amended
274 from time to time, and the effect of full and provisional pardons on
275 employment, and (C) outline (i) an integrated process with the
276 Department of [Public Safety] Emergency Services and Public
277 Protection to cross-check and periodically update criminal information
278 collected in criminal databases, (ii) a process by which individuals
279 with disqualifying offenses can apply for a waiver, and (iii) the
280 structure of an Internet-based portal to streamline the criminal history
281 and patient abuse background search program. The Department of
282 Public Health shall submit such plan, including a recommendation as
283 to whether homemaker-companion agencies should be included in the
284 scope of the background search program, to the joint standing
285 committees of the General Assembly having cognizance of matters
286 relating to aging, appropriations and the budgets of state agencies, and
287 public health, in accordance with the provisions of section 11-4a, not
288 later than February 1, 2012.

289 Sec. 15. Subsection (a) of section 19a-510a of the general statutes is
290 repealed and the following is substituted in lieu thereof (*Effective July*
291 *1, 2013*):

292 (a) The attending physician, the director of a health care institution,
293 his designee, or any health care provider shall report the provision of
294 treatment for (1) a second or third degree burn to five per cent or more
295 of the body, (2) any burn to the upper respiratory tract, (3) laryngeal
296 edema due to the inhalation of superheated air, (4) each case of a burn
297 injury which is likely to or may result in death, and (5) any injury
298 resulting from the use of fireworks, immediately, by telephone, to the
299 local fire marshal of the jurisdiction where the incident which caused
300 the burn occurred, and within forty-eight hours, in writing, to the
301 [State Fire Marshal's] Office of the State Fire Marshal on forms
302 provided by that office. The [report shall be sent to the Bureau of State
303 Fire Marshal and Safety Services which] office shall compile the
304 information and publish a statistical abstract to be submitted annually

305 to local fire marshals and the General Assembly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	28-30a(a)
Sec. 2	July 1, 2013	28-30b
Sec. 3	July 1, 2013	28-30e(a)
Sec. 4	July 1, 2013	28-30f(a)
Sec. 5	July 1, 2013	16-256g(a)
Sec. 6	July 1, 2013	29-349(b)
Sec. 7	July 1, 2013	29-349(g)
Sec. 8	July 1, 2013	29-349(i)
Sec. 9	July 1, 2013	29-1s(a)
Sec. 10	July 1, 2013	29-1t(b)
Sec. 11	July 1, 2013	29-10b
Sec. 12	July 1, 2013	29-11(a)
Sec. 13	July 1, 2013	29-250
Sec. 14	July 1, 2013	19a-491c(b)
Sec. 15	July 1, 2013	19a-510a(a)

PS Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which makes technical changes to the public safety statutes, has no fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

sSB 1073

AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO PUBLIC SAFETY STATUTES.

SUMMARY:

This bill makes technical changes in various public safety-related statutes, including statutes pertaining to explosives, criminal history record search fees, the Enhanced 9-1-1 program, and the criminal history and patient abuse background search program. It also deletes an obsolete reference to the Bureau of State Fire Marshal and Safety Services.

EFFECTIVE DATE: July 1, 2013

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 24 Nay 0 (03/21/2013)