

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-187—sHB 5049

Government Administration and Elections Committee

**AN ACT ELIMINATING UNNECESSARY GOVERNMENT
REGULATION**

SUMMARY: This act makes numerous changes to the Uniform Administrative Procedure Act (UAPA), which, among other things, governs the process for adopting state agency regulations. These changes affect (1) the eRegulations System (the electronic regulation compilation), (2) notices of proposed regulations, (3) the regulation-making record, (4) procedural requirements for approved regulations, and (5) required information concerning regulations not included in the eRegulations System. It allows the secretary of the state, within available appropriations, to publish a register of regulatory activity.

The act eliminates several requirements for the Department of Children and Families (DCF) to adopt regulations. In some cases, it requires the department to adopt policies rather than regulations. It also makes changes affecting (1) returns to DCF placement after parole, (2) fitness and security risk evaluations of juvenile delinquents, (3) residential mental health facility placements, (4) permanency plan goals, and (5) the adoption photo-listing and central registry. The act also makes minor changes to certain publication requirements for the aging and social services departments.

The act eliminates (1) requirements for several different agencies to adopt certain regulations and (2) the State Board of Education's authority to set fees for certain exams. It makes additional changes affecting (1) fire extinguisher regulations, (2) motor vehicle (a) sale orders and invoices and (b) regulations for safety standards, (3) banking department regulations, and (4) qualified public depositories.

Under the UAPA, a regulation cannot be repealed without approval by the (1) attorney general for legal sufficiency and (2) Regulation Review Committee. The act, notwithstanding these provisions, repeals numerous state agency regulations. Additionally, the act repeals several statutory provisions that affect various state agencies.

The act also makes several technical and conforming changes.

EFFECTIVE DATE: Upon passage, except where noted below. Additionally, one technical change (§ 37) is effective October 1, 2014.

§§ 1-9, 29, & 53 — UAPA CHANGES

§§ 8, 29, & 53 — *eRegulations System*

By law, the eRegulations System is an unofficial version of state agency regulations until the time that the secretary of the state certifies, in writing, that

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the system is technologically sufficient to be the official version (i.e., the “certification date”). The act eliminates a requirement that she make this certification by October 1, 2014. As part of this certification, the act requires the secretary to also certify that the system is technologically sufficient to be the electronic repository for agencies’ regulation-making records.

The act requires the secretary, by October 1, 2014, to update the official compilation of the regulations of Connecticut state agencies posted on the eRegulations System to comply with the (1) act’s repeal of agency regulations (see § 54) and (2) UAPA. It requires the secretary to update the compilation at least monthly and specifies that the compilation may be a revision of the most current compilation published by the Commission of Official Legal Publications.

The act specifies that, before the certification date, (1) agencies must post proposed regulations and the regulation-making record on their websites and (2) the secretary must post a link to the proposed regulation or record on her website. EFFECTIVE DATE: Upon passage, except for the requirements for the secretary’s certification and monthly updates, which are effective October 1, 2014.

§ 2 — Notices of Proposed Regulations

Under prior law, an agency’s notice of intent to adopt regulations had to include either a statement of a proposed regulation’s terms or substance, or a detailed description of the issues and subjects sufficient to apprise people likely to be affected. The act eliminates the agencies’ discretion and instead requires them to post (1) a sufficiently detailed description and (2) the proposed regulation.

The act requires the notice to include a specified comment period of at least 30 days. It eliminates an agency’s authority to charge a fee for paper copies of (1) notices of regulation-making proceedings and (2) proposed regulations. It also delays, from October 1, 2014 until the certification date, a requirement that agencies post on the eRegulations System (1) regulation-related documents that accompany the notice of proposed regulations and (2) written submissions from the public.

By law, an agency must post on the eRegulations System a notice that states whether the agency has decided to move forward with a proposed regulation. It must also send notice to anyone who submitted written or oral statements and who requested notification. The act eliminates a requirement that the notice be posted and provided at least 20 days before the proposed regulation is submitted to the Regulation Review Committee. It instead requires agencies to post the notice after the close of the public comment period and before submitting the regulation to the attorney general. It specifies that the agency must send a notice to anyone who provided comment, not only those who requested notification. The notice must be electronic, except that the agency must send a paper copy of the notice to people who submitted comments in non-electronic form.

By law, any agency that fails to post notice of intent to adopt required regulations by the applicable deadline must explain its reasons in an electronic statement to the governor, legislative committee of cognizance, and Regulation Review Committee. Under prior law, the agency also had to post this statement on

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the eRegulations System on and after October 1, 2014. The act instead requires the agency to do so on and after the certification date.

EFFECTIVE DATE: October 1, 2014, and applicable to regulations noticed on and after that date.

§§ 1, 3, & 4 — Regulation-Making Record

By law, agencies must create an official regulation-making record that includes, among other things, (1) the notice of intent to adopt regulations, (2) written analyses on which the regulation is based, (3) submissions and comments received by the agency, and (4) official documents related to the regulation. The act specifies that the regulation-making record includes any other documents created, received, or considered by an agency during the regulation-making process. It also requires that the record include the attorney general's approval of a proposed regulation.

Under prior law, the regulation-making record had to be retained on the eRegulations System beginning October 1, 2014. The act delays this requirement until the certification date. Until this date, the agency itself must continue maintaining the regulation-making record and make it available to the public.

The act requires an agency that determines it is impractical or inappropriate to display any part of the record on the eRegulations System to post a description of the omitted part and maintain a copy of it readily available for public inspection at its principal office.

EFFECTIVE DATE: October 1, 2014, and applicable to regulations noticed on and after that date, except for the provision requiring the inclusion of additional documents in the regulation-making record, which is effective upon passage.

§§ 2, 4, & 5 — Originals of Proposed Regulations

The act eliminates requirements that agencies submit an original of a proposed regulation to (1) the attorney general and (2) the Regulation Review Committee. It similarly eliminates a requirement that agencies submit to the committee an original of a proposed emergency regulation. Agencies must continue to submit electronic copies of proposed regulations to the attorney general and committee.

EFFECTIVE DATE: October 1, 2014, and applicable to regulations noticed on and after that date.

§ 6 — Approved Regulations

By law, once the Regulation Review Committee approves a regulation, the agency must submit it to the secretary of the state, together with a statement from the agency head certifying that the electronic version is a true and accurate copy of the approved regulation. The act allows a duly authorized deputy department head to make this certification.

The act also extends, from five to 10 calendar days after submission by the agency, the time within which the secretary of the state must post regulations on the eRegulations System.

By law, certain emergency regulations are effective immediately upon submission to the secretary. The agency must take appropriate measures to make

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the regulations known to affected people. The act eliminates a requirement that these measures include the agency's posting of the emergency regulations on the eRegulations System.

EFFECTIVE DATE: October 1, 2014, and applicable to regulations noticed on and after that date.

§ 7 — Omitted Regulations

By law, certain regulations that are incorporated by reference into a Connecticut regulation may be omitted from publication on the eRegulations System. Prior law required the secretary, beginning October 1, 2014, to (1) post on the eRegulations System a notice identifying an omitted regulation, its subject matter, and information on where one could obtain a copy of it and (2) keep this information current and updated at least quarterly.

The act eliminates these requirements and instead allows the secretary to post on the eRegulations System a link, which is not part of the regulation, to electronic copies of any document incorporated by reference in a Connecticut regulation. She may do so if the document is available and its publication is not prohibited by any state or federal law, rule, or regulation. The act also requires agencies to maintain a copy of such a document at their offices and make it available for public inspection, unless it is a regulation of a federal agency or another state that is published by or otherwise available in printed or electronic form from that agency.

EFFECTIVE DATE: October 1, 2014

§ 9 — Register of Regulatory Activity

The act allows the secretary of the state, within available appropriations, to periodically publish a register of regulatory activity, including the text of notices of intent to adopt regulations posted on the eRegulations System. If she produces the register electronically, she must post it on the eRegulations System. If she produces printed copies, she may charge a fee that she judges to be sufficient to cover the cost to print and mail the register. The act allows her to distribute, free of charge, a sufficient number of printed copies to (1) the State Library for distribution to depository libraries and (2) the chief court administrator for distribution to law libraries.

§§ 10-20 — DEPARTMENT OF CHILDREN AND FAMILIES

Regulation Changes

The act eliminates requirements that DCF adopt regulations establishing:

1. permanency plan standards (i.e., a plan stating what permanent outcome DCF believes is in a child's best interest and the facts on which the decision is based) (§ 18) and
2. a staggered schedule for renewing DCF licenses for child-care facilities and child-placement agencies (§ 20).

It requires DCF to adopt policies, instead of regulations, for (1) standard leave and release policies for delinquent children committed to the department (§ 11)

and (2) operating schools and employing teachers in the department's Unified School District #2 (§ 14).

It also requires DCF to adopt procedures, instead of regulations:

1. for its adoption photo-listing service (§ 15);
2. that the commissioner finds necessary and proper to assure the adequate care, health, and safety of children in department custody (§ 16); and
3. to monitor the progress of children and families referred to a community provider through the department's family assessment response program (§ 17).

By law, under the family assessment response program, when DCF receives a report of child abuse or neglect, it can refer the matter to appropriate community providers for family assessment and services either (1) when it decides not to investigate a case that it classifies as presenting a lower safety risk or, (2) if it decides to investigate, at any time during the investigation.

The act additionally repeals a provision allowing DCF, in consultation with the Department of Social Services (DSS), to adopt regulations to develop and implement individual service plans for children with complex behavioral health service needs (§ 19).

§ 10 — Return to DCF Placement After Parole

The act expands the circumstances in which DCF may return a paroled child to DCF placement to include a child's violation of an aftercare condition. (Aftercare services include continued counseling, guidance, or support for up to six months following a child's return from out-of-home placement.) By law, DCF may return a paroled child to placement if the commissioner deems the return to be in the child's best interest. The act also provides a paroled child with the right to a hearing up to 30 days after returning to placement in either case.

§ 11 — Fitness and Security Risk Evaluation

The law requires DCF to perform an initial fitness and security risk evaluation of a juvenile delinquent committed to the department before allowing him or her to go on leave. The act shortens the mandatory evaluation period from 60 days to between 30 and 60 days.

Prior law allowed the commissioner to waive the 60-day evaluation requirement for a juvenile delinquent who was transferred from one facility to another if the juvenile had already had a satisfactory 60-day evaluation. The act makes conforming changes by eliminating references to the 60-day evaluation.

§ 12 — Residential Mental Health Facility Placement

The act eliminates the requirement that the DCF commissioner or her designee provide a hearing to a child or youth in DCF custody before placing him or her in, or transferring him or her to, a department-operated residential mental health facility. Prior law required DCF to provide such a hearing unless the court ordered the child or youth to be placed in the facility when he or she was committed to the department. By eliminating the hearing requirement, the act also eliminates the right under the UAPA to appeal such a hearing's outcome to

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Superior Court.

Existing law establishes procedures for the involuntary commitment of children and adults (age 16 and older) with psychiatric disabilities who are dangerous to themselves or others, either (1) by health professionals on a temporary, emergency basis or (2) by a probate court following a hearing and medical evaluations (see BACKGROUND).

§ 13 — Permanency Plan Goals

By law, DCF must prepare and maintain a permanency plan for every child under its supervision. The plan states what permanent outcome DCF believes is in the child's best interest and the facts on which it bases its decision. The act makes certain changes to the list of allowable permanency plan goals. Specifically, it:

1. requires DCF to identify a person who will provide care, if the goal is long-term foster care, and
2. eliminates independent living from the list, but allows DCF to set as a goal another planned permanent living arrangement other than parent reunification, long-term foster care, guardianship transfer, or adoption.

§§ 15 & 18 — Adoption Photo-Listing and Central Registry

The act eliminates a requirement that DCF, within available appropriations, establish, maintain, and distribute a photo-listing service book of children available for adoption. Existing law requires DCF to contract with a nonprofit agency to establish and maintain the service in electronic format.

The act also eliminates a requirement that DCF, within available appropriations, establish and maintain a (1) central registry of all children with permanency plans that recommend adoption and (2) system to monitor the progress of implementing these plans.

§ 21 — DSS

Under prior law, DSS had to post its medical services and public assistance manuals on its website until October 1, 2014, after which it instead had to post these manuals and updates to them on the eRegulations System. The act eliminates the requirement that they be published on the eRegulations System. It instead requires (1) DSS to continue publishing the manuals online as under prior law and (2) the eRegulations System to link to the manuals.

EFFECTIVE DATE: October 1, 2014

§ 22 — AGING DEPARTMENT

PA 13-274, effective October 1, 2014, eliminates DSS's community services policy manual and instead requires the Aging Department to adopt regulations to carry out the purposes of the federal Older Americans Act of 1965. It also extends to the Aging Department DSS's authority to operate under a policy before adopting it in regulation form. These provisions conform to the transfer of DSS's Aging Services Division to the Aging Department.

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The act changes the effective date of these provisions from October 1, 2014 to upon passage (June 11, 2014). It also requires the Aging Department to (1) post on its website a policy it intends to adopt in regulation form and (2) submit the policy to the secretary of the state for posting online no later than 20 days after adopting it. By law, the department must post these policies on the eRegulations System beginning October 1, 2014.

EFFECTIVE DATE: Upon passage and effective until September 30, 2014.

§§ 24 & 43 — FIRE EXTINGUISHER REGULATIONS IN THE FIRE PREVENTION CODE

The act requires the state fire marshal to incorporate in the State Fire Prevention Code regulations on (1) the requirements and specifications for installing and using fire extinguishers and extinguishing agents and (2) automatic fire extinguishing systems in hotels or motels that (a) have at least six guest rooms and accommodations for more than 16 people and (b) received a new building permit on or after July 1, 1987. By law, the (1) administrative services commissioner must adopt the regulations and (2) fire marshal, in coordination with an advisory committee, adopts and administers the code.

§§ 25-28, 45, & 46 — ELIMINATED REGULATION ADOPTION REQUIREMENTS

The act eliminates requirements for several different commissioners or agencies to adopt certain regulations. Table 1 shows each commissioner or agency and the topic of the affected regulation.

Table 1: Eliminated Regulation Adoption Requirements

Section	Commissioner/ Agency	Regulation Topics
25	Administrative Services	Volunteer service as partial fulfillment of training and experience requirements for state employment
26	Public Health	Distribution of funds from the Breast Cancer Research and Education; Organ Transplant; AIDS Research Education; Endangered Species, Natural Area Preserves and Watchable Wildlife; and Safety Net Services accounts
27	Each state agency	A description of its organization, how it operates, and how the public can get information or make requests or submissions
28	Transportation	Establish commuter and traffic management programs, including (1) establishing criteria for awarding grants to municipalities,

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		transit districts, or rideshare entities that develop traffic management plans and (2) notifying them of available funds
45	Administrative Services	Appointing qualified people in a class in which the incumbent serves for no more than three years as part of an established training program (regulation adoption was permissive)
46	Administrative Services	Agreements between educational institutions and state agencies for state employee training courses

§ 28 — TRANSPORTATION MANAGEMENT PLANS

The act eliminates obsolete provisions that (1) established a task force to develop transportation management plans that comply with the federal Clean Air Act and (2) allowed the Department of Transportation (DOT) commissioner to award grants to municipalities, transit districts, or rideshare entities that develop plans that meet the state’s objectives.

§ 38 — ORDER AND INVOICE ON MOTOR VEHICLE SALE

The law requires for each motor vehicle sale an (1) order signed by the buyer and seller, a copy of which must be given to the buyer on execution, and (2) invoice on delivery of the vehicle. It requires that, for sales of guaranteed motor vehicles, the sales order and invoice include the phrase “this motor vehicle is guaranteed,” followed by the guarantee’s terms. The act requires that these terms include the (1) guarantee’s duration or (2) number of miles for which the guarantee is in effect.

EFFECTIVE DATE: July 1, 2014

§§ 39-41 — CONFORMING STATE MOTOR VEHICLE LAW TO FEDERAL LAW AND REGULATIONS

The act eliminates, in statutes governing motor vehicle braking systems, motorcycle helmets, and tires, provisions requiring the Department of Motor Vehicles (DMV) commissioner to adopt safety standards by regulation, and instead requires (1) certain motor vehicle operators to use braking equipment that meets federal safety standards and (2) motorcycle operators and passengers younger than age 18 to wear motorcycle helmets that meet federal safety standards. In the case of tires, it requires passenger motor vehicle operators to comply with federal passenger tire regulations, and commercial motor vehicle operators to comply with state regulations incorporating federal safety requirements for these vehicles.

EFFECTIVE DATE: July 1, 2014

§ 39 — *Braking Systems*

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Prior law barred people from driving a vehicle with a gross vehicle weight of 10,000 pounds or more unless the vehicle's braking system met state safety standards established in regulation. The act instead prohibits people from driving such a vehicle unless the braking system meets federal safety standards, as amended (49 CFR 393), and also applies this prohibition to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The gross vehicle weight is the vehicle's actual weight; the gross vehicle weight rating is the vehicle's maximum allowed weight, which can be more.

Prior law imposed a fine of between \$250 and \$500 on people who drove a vehicle with a gross vehicle weight of 10,000 or more pounds if the braking system had a severe defect or defects. The act instead imposes such a fine on drivers of the above vehicles if the braking systems do not meet the federal standard.

§ 40 — Tires

The act eliminates a requirement that DMV adopt safety standards for tires and instead requires people to drive motor vehicles or trailers on public highways with tires, in safe operating condition, that meet (1) federal tire safety standards for passenger vehicles, as amended (49 CFR 571.109), and (2) if applicable, the state statute applying to commercial motor vehicles (large trucks and buses) (CGS § 14-163c). The DMV commissioner has adopted regulations under this statute that incorporate by reference federal motor carrier safety regulations for these vehicles, including those for tires (Conn. Agency Regulations § 14-163c-1 et seq.). As under prior law, violators commit an infraction. The act also eliminates an exemption for (1) self-propelled combines, (2) self-propelled corn and hay harvesting machines, and (3) tractors used exclusively in agriculture.

§ 41 — Motorcycle Helmets

The law requires anyone under age 18 to wear a motorcycle helmet meeting state safety standards when he or she is (1) operating a motorcycle or motor-driven cycle or (2) riding as a motorcycle passenger. The act eliminates the requirement that DMV develop such safety standards and instead requires these operators and passengers to wear protective headgear meeting federal motorcycle helmet regulations, as amended (49 CFR 571.218). As under prior law, a violation is an infraction carrying a minimum fine of \$90. A motor-driven cycle is a motorcycle, motor scooter, or bicycle with an attached motor, with a seat at least 26 inches high and a motor displacing fewer than 50 cubic centimeters (CGS § 14-1 (52)).

§ 42 — EXAM FEES

The act eliminates the State Board of Education's authority to set fees for the board-administered competency examination, the subject area assessment, and the professional knowledge clinical assessment. Under prior law, the fee had to be at least \$75 for the competency examination and elementary level subject area assessment. The act also eliminates the education commissioner's authority to

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waive fees due to a candidate's inability to pay. In practice, the test vendors set the fees.

§ 44 — PARKING ON STATE PROPERTY

The act allows the Department of Administrative Services (DAS) commissioner to adopt policies and procedures, rather than regulations, for maintaining order on and using parking areas on certain property owned by the state or supervised by the commissioner. Prior law (1) imposed a \$75 fine on people who violated the regulations and (2) allowed their vehicles to be towed. The act instead applies these penalties to people who violate the policies and procedures.

§§ 47 & 48 — BANKING DEPARTMENT REGULATIONS

By law, an out-of-state bank that (1) merges or consolidates with, or acquires the assets of, a Connecticut bank or (2) establishes a new branch in Connecticut, is subject to the banking commissioner's supervision and examination. The act eliminates a requirement that the commissioner exercise this authority in accordance with regulations he adopted. (Section 54 of this act repeals these regulations.)

The act allows, rather than requires, the Banking Department to adopt regulations to administer the laws governing the protection of public deposits. "Public deposits" are (1) money of the state or its subdivisions, or any commission, committee, board, or officer thereof; any housing authority; or any Connecticut court and (2) money held by the Judicial Branch in a fiduciary capacity. Any bank, Connecticut credit union, federal credit union, or an out-of-state bank that maintains a branch in the state that receives or holds public deposits is a "qualified public depository" (CGS § 36a-330).

The act eliminates the requirement that these regulations establish:

1. requirements for financial institutions eligible to serve as trustees for segregated eligible collateral (e.g., U.S. treasury notes used to secure public deposits),
2. requirements for the transfer of eligible collateral from a qualified public depository to a financial institution serving as trustee for this collateral, and
3. provisions governing the valuation of eligible collateral when the market value of such collateral is not readily determinable.

It allows, rather than requires, the regulations to establish (1) requirements for the qualification of financial institutions as qualified public depositories, (2) other terms and conditions under which public deposits may be received and held, and (3) other provisions the commissioner deems necessary to carry out the law.

§§ 49-52 — QUALIFIED PUBLIC DEPOSITORIES

The act repeals numerous regulations on qualified public depositories (see § 54) and instead establishes several of the same provisions in law. It codifies in

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law a regulation prohibiting financial institutions from accepting a transfer of eligible collateral from a qualified public depository unless the financial institution is (1) legally authorized to exercise fiduciary powers in Connecticut and (2) federally insured or receives the commissioner’s approval. If a financial institution ceases to meet these requirements, it must immediately notify the depository and the commissioner, who must then instruct the institution on how to deal with the eligible collateral.

The act also codifies regulations that require qualified public depositories to:

1. enter into a written trust agreement with the financial institution, federal reserve bank, or federal home loan bank serving as trustee (the act additionally requires that such an agreement include a statement by the financial institution that it is subject to and will comply with the applicable requirements of state law) and
2. maintain records, including a (a) full report of all public deposits by depositor name and location, account name, account number, amount, and Federal Employer Identification Number and (b) statement for each transfer or designation of eligible collateral showing (i) the par value, description, interest rate, CUSIP number (see BACKGROUND), maturity date, market value, and security rating, where applicable, of the eligible collateral being transferred or designated and (ii) the name of the financial institution, federal reserve bank, or federal home loan bank that serves as the trustee receiving or holding the collateral.

The act additionally codifies regulations prohibiting qualified public depositories from:

1. maintaining eligible collateral in their own trust departments unless they are authorized by law to exercise fiduciary powers in Connecticut or
2. charging costs, fees, or expenses incidental to the transfer or maintenance of eligible collateral against the required amount of eligible collateral.

Finally, the act codifies a regulation prohibiting any depository that ceases or no longer wishes to be a qualified public depository from receiving additional public deposits. In such a case, the depository must immediately notify the commissioner, who must instruct it on the procedures for returning public deposits and eligible collateral.

§ 54 — REPEALED REGULATIONS

Under the UAPA, a regulation cannot be repealed without approval by the (1) attorney general for legal sufficiency and (2) Regulation Review Committee. The act, notwithstanding these provisions, repeals numerous state agency regulations, as shown in Table 2. In some cases, not all regulations pertaining to a particular subject are repealed.

Table 2: Repealed Regulations

<i>Regulation Citation</i>	<i>Agency</i>	<i>Subject</i>
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4-23a-1 to 4-23a-22	DAS	Description of organization and rules of practice
4-66-1 to 4-66-7	Office of Policy and Management (OPM)	Employment and training opportunities for women in Connecticut's workforce
4-68a-1 to 4-68a-23	DAS	Uniform contribution scale, manner of determination, and waiver (pertained to repaying public assistance)
4-133-1 to 4-133-11	DAS	Parking areas on the State Capitol and state office building grounds
4b-1-1 to 4b-1-30	DAS	Description of organization and rules of practice (applied to the former Department of Public Works)
5-9-22(b)	DAS	Procedures for Personnel Appeal Board
5-200(k)-1 to 5-200(k)-4	DAS	Assignment and termination of state housing
5-200-2	DAS	Compensation schedule requirements for judicial and legislative branches
5-206-1	DAS	State employee's opportunity for hearing on reclassification of his or her job to a lower salary group
5-216-1 to 5-216-2	DAS	State job applicant's waiver of appointment and failure to reply to notification of available position
5-219a-1 to 5-219a-2	DAS	Volunteer experience as qualification for state employment examination
5-221a-1 to 5-221a-4	DAS	Appeal rights of candidate rejected for admission to state employment examination
5-225-1	DAS	Review of state employment examination and release of results
5-230-1(b)	DAS	Probationary work periods upon reappointment to certain classified service positions
5-234-1	DAS	Designation of classified state positions as training or pre-professional positions for the disadvantaged; exemption from competitive tests
5-245-1	DAS	Overtime computation
5-249-1	DAS	Appointing authority may prescribe conditions under which a state employee may respond to fire or ambulance calls as a volunteer

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5-265-1	DAS	Notice to DAS before agency enters agreement for state employee training with third party
6-32c-1 to 6-32c-3	DAS	Court security officers: Advertising of positions, determining candidate qualifications, and grievance procedure
8-80-1 to 8-80-5	Department of Housing (DOH)	Housing authorities: Forms for temporary notes, sale notices, purchase proposals, and resolutions authorizing temporary loan notes
8-81a-1 to 8-81a-5	DOH	Adaptable Housing Pilot Program
8-100-1 to 8-100-8	DOH	Flood Relief Home Ownership Program
8-203-1 to 8-203-5	Department of Economic and Community Development (DECD)	Purpose, definitions, description of organization and procedures (applied to former Department of Community Affairs)
8-248A-1 to 8-248E-21, 8-248E-22a to 8-248E-31, & 8-248E-32a to 8-248E-34	Conn. Housing Finance Authority (CHFA)	Conduct of CHFA affairs, including the Multifamily Housing Program and the Home Mortgage Program
8-289-7 to 8-289-12	DOH	Down Payment Assistance Program
8-337-1 to 8-337-5	DOH	Security Deposit Loan Fund
8-395-1 to 8-395-11	DOH	Tax credits for businesses making contributions to eligible housing programs benefiting low- and moderate-income families
10-145f-2 to 10-145f-3	State Board of Education	Teacher competency examination fee schedule
10-295-10(c) to 10-295-10(f)	Department of Rehabilitation Services	Local education agency reimbursement conditions for teachers of the visually impaired
10-295-11	Department of Rehabilitation Services	Disbursement of funding to local education agency for providing services to children who are blind or visually impaired
10a-5-2	Board of Regents for Higher Education (BOR)	Commissioner of higher education description
10a-5-6 to	BOR	Organizational rules of

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10a-5-46		practice, contested cases, declaratory ruling, and resolution of disputes between governing boards
10a-16-1 to 10a-16-5	BOR	State tuition waivers for needy students
10a-22x-5	Office of Higher Education	Hearing to determine private occupational school insolvency
10a-25g-1 to 10a-25g-17	DECD/BOR	High Technology Project and Program Grants, Cooperative Research and Development Grant Program, and Collaborative High Technology Grants
10a-25p-1 to 10a-25p-9	BOR	High Technology Doctoral Fellowship Program
10a-162a-1 to 10a-162a-7	BOR	Nursing Scholarship Program
10a-167-1 to 10a-167-7	BOR	Student financial aid for Vietnam-era veterans
12-2-2a	Department of Revenue Services (DRS)	Conferences and hearings on taxes
12-2-3a	DRS	Procedure for requesting the promulgation, amendment, or repeal of a regulation
12-2-4a	DRS	Petition for declaratory ruling on applicability of statute or regulation
12-2-10	DRS	Request for disclosure of confidential information
12-242-8 to 12-242-9	DRS	Changes of accounting period or accounting basis for corporation business tax returns
12-313-18a	DRS	Cigarette tax definitions
12-349-1	DRS	Succession and transfer taxes: Payments under retirement or pension plans
12-407(2)(i)(BB)-1	DRS	Enumerated services to other than industrial, commercial, or income-producing real property
12-426-6	DRS	Circulating libraries as retailers for sales tax purposes
12-430(7)-1	DRS	Taxation of services to real property by nonresident contractors
12-449-4a	DRS	Alcoholic beverages taxes: Withdrawal from Internal Revenue bonded warehouse
12-449-12a	DRS	Alcoholic beverages taxes: Inventories

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12-494-3	DRS	Real estate conveyance tax returns
12-638-3	DRS	Neighborhood Assistance Act: Approval or disapproval of program proposal by agency overseeing implementation
12-638-5	DRS	Proof of expenditures for charitable purposes under Neighborhood Assistance Act
12-700(b)-1	DRS	Calculation of income tax for nonresidents
12-701(a)(2)-1	DRS	Defining nonresident for income tax purposes
12-701(a)(20)-1	DRS	Defining adjusted gross income of a resident for income tax purposes
12-706(c)-1	DRS	Income tax: Crediting withheld amounts against employees' tax liability
12-708-2	DRS	Income tax: Change of accounting period
12-711(b)-2	DRS	Income tax: Income and deductions from Connecticut sources by nonresidents
12-712(a)(1)-1	DRS	Partnerships and S corporations: Income and deductions of a nonresident partner derived from Connecticut sources
12-714(b)-1	DRS	Calculation of tax for trust or estate in year with no federal distributable net income
12-717-5	DRS	Designation of part-year resident taxpayers to whom special accrual rules apply
12-723-2	DRS	Tax filing extension for certain business entities
12-727(a)-1	DRS	Requirements for tax filing on magnetic media
12-740-7	DRS	Income tax: Returns must be made and filed even if not mailed by DRS
12-740(c)-1	DRS	Records retention for income tax filings
13a-123d-1 to 13a-123d-3	Department of Transportation (DOT)	Control of junkyard and scrap metal processing facilities along the federal interstate, primary system, and state highways
13b-34-1a to 13b-34-2a	DOT	Bus fares for Connecticut transit systems
13b-38a-1 to 13b-38a-7	DOT	Traffic management plans and programs to alleviate traffic congestion with mass transportation

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13b-38b-1 to 13b-38b-5	DOT	Requirements and standards for rideshare organizations' handicapped programs
14-15-2	Department of Motor Vehicles (DMV)	Requirements of leasing companies to provide a mailing address for registration renewals
14-63-17	DMV	Sale of motor vehicles: Requirements for guarantees on orders and invoices
14-63-49	DMV	Prohibition on use of dealer plates by motor vehicle purchaser
14-65d-4	DMV	Concerning the form for "Waiver of Adverse Estimate" of repairs to a motor vehicle, statutory reference
14-80h-1 to 14-80h-8	DMV	Safety standards for truck brakes
14-137-4 to 14-137-7	DMV	Manufacture or sale of defective recapped tires
14-137-41	DMV	Placement of flashing white lights on ambulances
14-137-75	DMV	Evidence of identity and date of birth for duplicate operator's license, commercial driver's license, or identity card
14-137-76	DMV	Surrender of temporary license when applying for operator's license with photo
14-159-1	DMV	Refund of operator's license fee for temporary or duplicate license
14-261-1	DMV	Declaring that towed vehicles are not trailers and specifying when a towed vehicle must have an operator
14-289g-1	DMV	Protective headgear for motorcyclists and passengers
15-140v-1	Department of Energy and Environmental Protection (DEEP)	Reinstatement of safe boating certificate/operator's certificate after suspension
16-1-59B	DEEP	Water company rate base calculations: Conditions and exceptions
16-1-66 to 16-1-70	DEEP	Petitions and applications concerning railroads and street railways
16-1-88 to 16-1-101	DEEP	Rules applying to all petitions and applications before commissioner concerning motor carriers
16-11-101(b)	DEEP	Electric company service

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		interruption recordkeeping
16-19cc-1	DEEP	Reporting of projected electricity availability by persons with a 5% or greater interest in nuclear power stations
16-19cc-2	DEEP	Quarterly review of nuclear power generating capacity
16-27-8 to 16-27-10	DEEP	Definition of Class I, II, and III motor carriers for purposes of uniform system of accounts
16-140-7 to 16-140-33	DEEP	Clearances on railroads: Overhead and side structures and parallel tracks
16-271-1 to 16-271-38	DEEP	Natural gas pipeline companies: Design, construction, stations, operations, maintenance, records, complaints, and service interruptions
16-333-54	DEEP	Cable TV rate regulation
16a-42g-1 to 16a-42g-10	OPM	Loans for payment of home heating fuel bills
17-2-78	DSS	Medicare/Medicaid billing procedures
17-2-81 to 17-2-82	DSS	Medical and surgical supplies: Billing and criteria for determining length of need
17-2-119	DSS	Policy and procedures governing the billing and payment for prescription drugs on behalf of Medicaid recipients: services requiring prior authorization
17-2-207	DSS	Pilot voluntary work program for heads of Aid to Families with Dependent Children households
17-3g-1	DSS	Statewide listing of income maintenance offices
17-3h-1	DSS	Plan for statewide coverage for services provided by the former Department of Income Maintenance
17-31l-1 to 17-31l-3	DSS	Reporting incidents of suspected spousal abuse
17-31w-1	DSS	Installation of crime prevention and safety measures in residences of elderly or handicapped applicants for weatherization assistance
17-134d-2	DSS	Grant of medical assistance (Medicaid) for certain medical and remedial care and services

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17-134d-7 to 17-134d-8	DSS	Services for functionally disabled clients who have no vocational objective; definitions and general provisions
17-134d-10	DSS	Reimbursement for routine medical visits for Medicaid recipients living in homes for the aged
17-134d-11	DSS	Medicaid recipient surveillance and utilization review program
17-134d-20	DSS	Medicaid acute care general hospital inpatient weekend admissions and discharges
17-134d-40	DSS	Acute care hospital outpatient clinic reimbursement rate
17-273-11	Psychiatric Security Review Board	General Assistance Program: Relatives legally liable for support
17-292d-1	DSS	Hearings for General Assistance recipients
17-478-1 to 17-478-9	DSS	Opportunities Industrialization Center
17-590-1 to 17-590-7	DSS	Emergency shelters
17a-7-1 to 17a-7-11	Department of Children and Families (DCF)	Placement of children and youth on aftercare: Conditions, termination, and revocation
17a-7a-1 to 17a-7a-9	DCF	Standard leave and release policies for juvenile offenders
17a-12-1 to 17a-12-6	DCF	Hearings on placement of children and youth in state-operated mental health facilities
17a-15-1 to 17a-15-11	DCF	Treatment plan and hearings regarding the placement of children and youth for whom DCF provides, arranges, or purchases services
17a-16-14 to 17a-16-18	DCF	Right of child to a hearing before DCF transfer to an out-of-state facility
17a-42-1 to 17a-42-5	DCF	Establishment of a photo-listing service for children legally free for adoption
17a-90-1 to 17a-90-13	DCF	Fair hearings for people aggrieved by the denial, suspension, reduction, or discontinuance of a cash benefit or vendor payment on behalf of a child
17a-100-1 to 17a-100-14	DCF	Removal hearings for out-of-home care providers
17a-101-11 to 17a-101-	DCF	Circumstances requiring, and procedures for, immediate

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13		removal of a child from home for 96 hours
17a-101(e)-1 to 17a-101(e)-6	DCF	Reports of child abuse or neglect
17a-114-14 to 17a-114-24	DCF	Certification of relatives providing foster care to a related child
17a-155-1 to 17a-155-35	DCF	Licensing of nondepartment organizations to provide permanent care to handicapped children in a home environment and family setting
17a-218-8 to 17a-218-17	Department of Developmental Services (DDS)	Respite programs to provide temporary care to individuals with developmental disabilities and provide relief to a family caretaker or community training home provider
17a-244-1 to 17a-244-8	DDS	Unified School District #3 (school district established within former Department of Mental Retardation): Eligibility, compliance, responsibility, service provision, administrative review, and staffing
17a-345-111	Aging Department	Administrative provisions: Forms, handbooks and other materials
17b-192-1 to 17b-192-12	DSS	Requirements for payments of services provided under the state-administered general assistance program (SAGA)
17b-262-684 to 17b-262-692	DSS	Requirements for payment under the Connecticut Pharmaceutical Assistance Contract to the Elderly and the disabled (ConnPACE)
17b-605-10a to 17b-605-16a & 17b-605-18a	DSS	Personal Care Assistance Program
18-101i-4	Department of Correction (DOC)	Public comment requirements for proposed budget for community correctional services
18-101k-3	DOC	Notice to current service providers of the schedule for issuing requests for proposals and negotiating contracts
19-13-B39	Department of Public Health (DPH)	Quality of water supplies made available for public and for employees

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19-13-B50	DPH	Process for setting separation distances between wells, springs, and sewage disposal systems or drains in the case of public or semi-public water supplies
19-13-E1 to 19-13-E4	DPH	Protection against occupational exposure to tetraethyl lead
19-13-G16	DPH	Air pollution emission standards for incinerators
19-300t-1 to 19-300t-13	DEEP	Sodium fluoroacetate use, storage, and disposal
19a-17n-1 to 19a-17n-2	DPH	Physician participation in malpractice insurance purchase program
19a-32b-3 to 19a-32b-5	DPH	Grants for promoting income tax contribution system and breast cancer research and education fund
19a-74a-1 to 19a-74a-2	DPH	Requiring department to use information about nicotine sources on file with Federal Trade Commission
19a-92a-1	DPH	Conditions for certain medical professionals performing tattooing
19a-121b-1 to 19a-121b-3 & 19a-121b-7	DPH	Allocation of AIDS funding
19a-160-100 to 19a-160-119	DPH	Budget review for certain short-term acute care hospitals
19a-160-121 to 19a-160-129	DPH	RESERVED
19a-166-1 to 19a-166-5	DPH	Negotiating discounts with hospitals
19a-167g-53	DPH	RESERVED
19a-167g-69	DPH	RESERVED
19a-167g-71	DPH	RESERVED
19a-167g-74 to 19a-167g-80	DPH	RESERVED
19a-167g-83 to 19a-167g-89	DPH	RESERVED
19a-167g-92	DPH	RESERVED
19a-167g-95 to 19a-167g-99	DPH	RESERVED
20-111-1 to 20-111-10	DPH	Continuing education requirements for annual license renewal by dental hygienists

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20-128-8	DPH	Continuing education requirements for annual license renewal by optometrists
20-162o-1	DPH	Application fees for respiratory care practitioners
20-195o(c)-1 to 20-195o(c)-7	DPH	Continuing education for clinical social workers
21a-274a-1 to 21a-274a-2 & 21a-274a-5 to 21a-274a-12	OPM	Drug Enforcement and Safe Neighborhoods programs
22-33-A1 to 22-33-B2	Department of Agriculture (DoAg)	Connecticut standard grades for potatoes, and packagers' and manufacturers' requirements for Charter Oak Brand potato
22-35-1 to 22-35-2	Department of Consumer Protection (DCP)	Seed potatoes: Wholesale and retail transactions, certified seed potatoes exempt
22-36-1 to 22-36-2	DoAg/DCP	Potato culls: Labeling and invoice description
22-51-1 to 22-51-8	DoAg	Connecticut standards for apples
22a-113b-1	DEEP	Grants for protecting coves and embayments
22a-174-21	DEEP	Control of carbon monoxide emissions
22a-174-36a	DEEP	Requiring heavy-duty diesel engines sold in Connecticut to be certified by the California Air Resources Board as approved for sale in California
23-65g-1 to 23-65g-2	DEEP	Voluntary registration for foresters and loggers
26-48-5a(d) to 26-48-5a(e)	DEEP	Hunting propagated animals: Required number to release and timeframe
26-55-3(c) to 26-55-3(f)	DEEP	Restrictions on possession of wood turtles, eastern box turtles, eastern hognose snakes, and eastern ribbon snakes
26-66-8	DEEP	Reporting and labeling requirements for the sale of game animals and parts of game animals
26-66-12(e)(2)(B)(ii)	DEEP	Wild turkey hunting: Public access to private land
26-78-2	DEEP	Conditions on possession of bog turtles
26-86a-7	DEEP	Deer hunters required to wear fluorescent orange clothing

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26-112-47(a)	DEEP	Enfield Dam Shad Fishing Area: Boundaries and restrictions
26-235-1	DoAg	Designating exclusive recreational clamming areas at Westport Cockenoe Island and Sherwood Island
27-102(d)-4(d) to 27-102(d)-4(f)	Department of Veterans' Affairs (DVA)	Board of trustees review and approval of certain regulations prior to their adoption; submission of an annual report to the governor and Public Safety committee with recommendations for new programs and improving services to veterans
27-102(d)-8	DVA	Reserved for future regulation
27-102(d)-139	DVA	Desk review and informal conferences regarding veteran's disagreement with an agency decision
27-102(d)-161	DVA	Content of the Veteran Handbook governing conduct and rules in the Veterans Home
27-102(d)-170	DVA	Regulated Activities: Daily living activities
27-102(d)-171	DVA	Regulated Activities: Motor vehicles
27-102(d)-172	DVA	Regulated Activities: Inspection of motor vehicles, packages, and containers
27-102(d)-173	DVA	Regulated Activities: Locker inspections
27-102(d)-175	DVA	Regulated Activities: Authorized absences while in residence
27-102(d)-176	DVA	Regulated Activities: Suspension of off-grounds privileges
27-102(d)-177	DVA	Regulated Activities: Bed assignment and living area
27-102(d)-178	DVA	Regulated Activities: Curfew and bed check
27-102(d)-179	DVA	Regulated Activities: Pets
27-102(d)-180	DVA	Regulated Activities: Lending and borrowing money
27-102(d)-181	DVA	Regulated Activities: Off-limits and restricted areas
27-102(d)-182	DVA	Regulated Activities: Visitors
27-102(d)-183	DVA	Regulated Activities: Use of electrical devices

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27-102l(d)-184	DVA	Regulated Activities: Medical care
27-102l(d)-185	DVA	Regulated Activities: Possession and consumption of alcohol
27-102l(d)-187	DVA	Regulated Activities: Transportation
27-102l(d)-300(d)(1) to 27-102l(d)-300(f)	DVA	Office of Advocacy and Assistance: Course requirements for service officers
27-102l(d)-342 to 27-102l(d)-343	DVA	Headstones in private and state cemeteries: Technical approval or denial
29-200-1a to 29-200-5a	Department of Emergency Services and Public Protection (DESPP)	Installation and discontinuance of vertical and inclined wheelchair lifts; inclined stairway chairlifts; and limited use, limited access elevators
31-19-1 to 31-19-4	Department of Labor (DOL)	Employment of women between 1 a.m. and 6 a.m.
31-37-1 to 31-37-14	DOL	Sanitation facilities in workplaces
31-46a-228	DOL	Industrial safety code
31-51k-1 to 31-51k-2	DOL	Employment of people unlawfully present in the U.S.
31-60-3	DOL	Allowing cost of food and lodging provided to employee to be factored into calculation of minimum wage
31-62-A2 to 31-62-A11	DOL	Minimum fair wage rates for people employed in beauty shops
31-62-B1 to 31-62-B2 & 31-62-B4 to 31-62-B7	DOL	Minimum fair wage rates for people employed in laundry occupations
31-62-C1 to 31-62-C2 & 31-62-C4 to 31-62-C8	DOL	Minimum fair wage rates for people employed in cleaning and dyeing occupations
31-62-E6	DOL	Allowing cost of food and lodging provided to restaurant and hotel employees to be factored into calculation of minimum wage
31-62-E7	DOL	Restrictions on deductions countable against minimum wage rate for employers of restaurant and hotel workers
31-136-1 to 31-136-6	DOL	Establishment of Governor's Committee on Employment of People with Disabilities
31-222-12	DOL	Unemployment Compensation:

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		Workers to secure Social Security numbers
31-222-16	DOL	Unemployment Compensation: Permissible terms under which to terminate employment of a pregnant woman
31-222-17	DOL	Unemployment Compensation: Disqualification period for voluntary quits, discharges, and suspensions
31-236-38	DOL	Unemployment Compensation eligibility: Discharge for just cause
32-9bb-1 to 32-9bb-6	DECD	Administration of and eligibility for dam repair loan funds
32-9hh-1 to 32-9hh-6	DECD	Child Care Facilities Loan Program
32-9nn-1 to 32-9nn-6	DECD	Loans to businesses impacted by road and bridge repair
32-55-1 to 32-55-6	DECD	Surety bond guarantee program for small contractors
32-72-1 to 32-72-5	DECD	Enterprise zone capital formation revolving loan fund
32-82-1 to 32-82-8	DECD	Small Contractors and Small Manufacturers Loan Program
32-90-1 to 32-90-3	DECD	Motion Picture Film Commission: Purpose and organization
32-116-1 to 32-116-6	DECD	Infrastructure Development Economic Assistance Program
32-130-1 to 32-130-5	DECD	Loan Incentives for Employment Fund
32-150-1a & 32-150-2a to 32-150-6	DECD	Employee ownership loans and interest rate subsidies
32-156-1 to 32-156-5	DECD	Northeast Connecticut Capital Assistance Fund
32-162-1 to 32-162-8	DECD	Exporters Revolving Loan Fund
32-317-1 to 32-317-9	DECD	Energy Conservation Loan Program
36a-332-1 to 36a-332-8	Department of Banking	Maximum deposit liability, collateral, and reports by qualified public depositories
36a-333-1 to 36a-333-2	Department of Banking	Protection of public deposits
36a-412-1 to 36a-412-3	Department of Banking	Supervision and examination of out-of-state banks
36a-446-1 to 36a-446-5	Department of Banking	Share accounts with an agreed maturity in Connecticut credit unions
36a-458-1	Department of Banking	Defining risk assets of Connecticut credit unions
38a-434-1	Insurance Department	Adopting official guide for submitting accident and health

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		insurance contracts for approval
38a-660-1 to 38a-660-7	Insurance Department	Bail bond producers application and renewal
48-52-1 to 48-52-6	OPM	Mediation process between property owners and state agencies concerning eminent domain and related relocation assistance
54-125b-1	Board of Pardons and Paroles	Criteria and procedures for release of inmates without parole hearing

§ 55 — REPEALING SECTIONS OF THE GENERAL STATUTES

The act repeals numerous statutory provisions, as shown in Table 3.

Table 3: Repealed Statutes

Statute	Agency	Subject
4-67q	OPM	Licensing agreements for posting codes and standards online
5-266c	DAS	Issuance of necessary and appropriate regulations regarding political activities of certain executive and judicial branch employees
13b-38b	DOT	Funding criteria for ridesharing organizations; requires regulations
15-140v	DEEP	Requires regulations for reinstating a revoked boating certificate
17a-107	DCF	Requires regulations on child abuse or neglect reporting and enforcement
19a-17n	DPH	Requires regulations setting eligibility conditions for physicians to participate in the malpractice insurance purchase program
19a-74a	DPH	Requires regulations regarding nicotine yield of tobacco products
19a-121b	DPH	Requires regulations regarding HIV and AIDS grant program
22a-66y	DEEP	Restrictions on the use and sale of sodium fluoroacetate; authorizes regulations
31-38a	DOL	Sanitary, lighting, and heating rules for railroad workplaces
31-38b	DOL	Enforcement authority regarding sanitary, lighting, and heating requirements for workplaces
31-51k	DOL	Prohibiting employment of people unlawfully present in the U.S.

BACKGROUND

Involuntary Commitment of Adults and Children with Mental Illness

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For both children and adults, long-term involuntary commitment requires a probate court hearing and medical examinations by at least two court-appointed doctors (including one psychiatrist). An adult has the right to counsel, and the court automatically appoints counsel for a child in such hearings (CGS §§ 17a-77, 17a-498).

To commit a child, a court must find clear and convincing evidence that (1) the child (a) suffers from a mental disorder and (b) is in need of hospitalization to treat the disorder, (2) treatment is available, and (3) hospitalization is the least restrictive alternative available (CGS § 17a-77(e)). To commit anyone age 16 and older, the court must find clear and convincing evidence that the person has psychiatric disabilities and is dangerous to himself or herself or others or gravely disabled (CGS § 17a-498(c)).

The law also allows physicians and certain health professionals to commit such individuals involuntarily on an emergency basis for up to 72 hours or, if a physician orders the hold, up to 15 days. During an emergency commitment, the person has the right to a probable cause hearing within 72 hours of submitting a written request (CGS §§ 17a-502, 17a-503).

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